



Strategic Plan 2017 - 2022

1. Introduction

The HIV & AIDS Legal Clinic Ontario (HALCO) is the only legal clinic in Canada devoted exclusively to the HIV community. Since it was established in 1995, HALCO has provided a safe and confidential place for legal services for people living with HIV in Ontario. Having started with a staff of three in 1995, HALCO now has ten staff: an executive director (lawyer), six staff lawyers, a community legal worker, a director of administration, and an administrative assistant. HALCO staff practice a broad range of law and also engage in public legal education, law reform, and community development initiatives. Since its inception, HALCO has, among other activities, handled over 50,000 requests for legal services, delivered hundreds of workshops, presented numerous briefs to various governmental committees, and intervened in matters before administrative tribunals and courts, including the Court of Appeal for Ontario and the Supreme Court of Canada.

Following a consultative process conducted between January and April 2017, the board of directors and staff of HALCO developed this strategic plan to:

- Provide a focus and foundation for HALCO's decisions and activities for 2017 – 2022, and
- Enhance HALCO's capacity to engage with stakeholders to work collectively toward common goals.

2. The Role of a Strategic Plan

A legal clinic with a broad service mandate like HALCO must always be responsive to the evolving needs of its client constituency and to emerging issues in the legal environment. This means that HALCO must operate proactively to meet the needs of its clients and stakeholders.

A strategic plan enables HALCO to plan and prioritize key elements of its substantive work and institutional practices in order to maximize the impact of the clinic's work and to deliver services in the most effective way.

While a strategic plan identifies clearly defined strategic priorities and provides guidance, it is not rigid. It allows for the yearly development of a focussed plan of measurable actions that will ensure that HALCO progresses towards its strategic priorities. The strategic planning process itself is also a critical opportunity to reflect on what HALCO is doing well and how it may improve collaboration, service delivery and impact across its mandate.

3. Consultations and Environmental Scan

HALCO's strategic plan is informed by and grounded in the results of consultations and an environmental scan conducted in 2017. In addition to a review of relevant documents and data internal and external to HALCO, the environmental scan included analysis of information from interviews, focus groups and an online survey. In total, 180 stakeholders, including 148 people living with HIV, were consulted as part of the strategic planning process.

The environmental scan identified a number of significant strengths that HALCO can build upon moving forward. HALCO's services are highly valued by clients, service providers, members of the legal community, other stakeholders and funders. HALCO's unique expertise in identifying and addressing the multitude and complexity of legal issues that arise for people living with HIV is widely recognized. HALCO is not simply a resource and service provider for its clients, but is also relied upon by lawyers in the private bar and in legal aid settings. In addition, HALCO's public legal education and law reform activities are recognized as significant community contributions that have a systemic impact.

The scan identified areas of concern that include a constant struggle between constrained resources and the high level of community need. In addition, while HALCO is highly valued and respected, areas noted for improvement include the need to further (i) foster a deeper understanding among stakeholders of the scope of HALCO's mandate; (ii) strengthen relations amongst the various populations of people living with HIV, and, (iii) enhance activities in all corners of the province.

3.1. HALCO Mission and Vision

The foundation for the strategic plan is HALCO's mission and vision. HALCO confirms its commitment to the following mission and vision:

HALCO Mission

The mission of the HIV & AIDS Legal Clinic Ontario is to provide legal services to persons living with HIV/AIDS in Ontario that are relevant to their well-being and that enable them to participate fully in the communities in which they live.

HALCO Vision

HALCO's vision is a society where laws and the legal system help reduce discrimination, stigma, poverty and injustice faced by people living with HIV/AIDS.

HALCO's Statement of Principles

It is agreed that:

1. People living with HIV/AIDS are confronted with unique legal problems of enormous proportions and complexity;
2. Those best equipped to make choices regarding HIV/AIDS issues and problems are those individuals who are HIV-positive themselves;
3. People living with HIV/AIDS must have control over their own lives;
4. The HIV/AIDS affected communities are very diverse and are confronted by overwhelming challenges derived from both their diversity and from their common experience as people living with HIV/AIDS;
5. It is necessary to create and foster a climate of understanding and mutual respect for the dignity and worth of people living with HIV/AIDS; and
6. The confidentiality, bodily security, autonomy and privacy of people living with HIV/AIDS must be respected, which include but are not limited to:
 - a) the right of individuals to exercise control over their own medical treatment;
 - b) the right of individuals to exercise control over decisions concerning their own socio-economic position;
 - c) the right of all persons living with HIV/AIDS to be fully informed of all processes and procedures in which their interests are in any way involved; and
 - d) the right of all persons living with HIV/AIDS to consent, or withhold their consent, in all matters affecting them.

HALCO Mandate

HALCO has a mandate to pursue its mission in the following areas:

Legal Advice, Brief Legal Services and Referrals: HALCO provides free summary legal advice, brief legal services and/or referrals for all people living with HIV in Ontario.

Legal Representation: HALCO provides free legal representation in its areas of practice to low-income people living with HIV in Ontario who meet financial eligibility guidelines.

Public Legal Education: HALCO provides information in print, online and in-person to help people living with HIV understand legal issues, advocate for themselves, and seek broader social change. HALCO also provides public legal education for other audiences including AIDS service organization staff, health care providers, students, lawyers, and other justice system actors.

Law Reform: HALCO works to improve laws and the legal system to better meet the needs of people living with HIV. Law reform activities, such as campaigns or interventions before courts, are frequently based in community development initiatives and seek to involve as many and as broad a range of individuals living with HIV as possible. HALCO also supports and partners with other legal and human rights organizations on issues of importance to the HIV community.

3.2. Strategic Priorities

Over the next five years, HALCO will continue to focus on ensuring and enhancing:

1. Access to justice
2. Excellent and equitable service delivery
3. Effective communication
4. Strategic partnerships
5. Availability and sustainability of resources

In order to achieve its strategic priorities, HALCO will reinforce and draw upon its strengths and capacities:

Staff and board: HALCO's staff and board are its key resources. Enhancing capacity of staff and board is critical to HALCO's success across all priority areas.

Relationships: HALCO's relationships with people living with HIV and other key stakeholders such as AIDS service organizations, community legal clinics, and the broader legal community are central to the work of the clinic. These relationships will continue to be fostered.

Resources: HALCO's core funding allows the clinic to operate. Fund development will strengthen HALCO's ability to respond to issues facing people living with HIV.

3.2.1. Priority #1: Access to Justice

People living with HIV are at heightened risk of unwanted and negative contact with legal and other systems. A lack of access to justice, which denies people meaningful participation in forums where law is shaped and decisions made, compounds problems and multiplies legal issues. In order to increase engagement in legal and other processes and arrive at positive outcomes, HALCO staff will continue to provide robust legal services and engage in public legal education and law reform initiatives. This array of activity will continue across a broad range of legal issues, including, but not limited to, housing, income maintenance, human rights, health and privacy, and, in particular, the criminalization of HIV non-disclosure and immigration/refugee law.

Criminalization of HIV Non-Disclosure

During the consultation, people living with HIV and other stakeholders consistently identified the overly broad application of criminal law in relation to HIV non-disclosure as the most important legal issue facing the HIV community.

The law is unjust and out of step with science, human rights principles, and the public health response to HIV. In addition, the law is complex and contains areas of uncertainty, which is exacerbated by the fact that members of the community receive conflicting information about the law from different sources.

Accordingly, HALCO will continue its leadership work with people living with HIV and others, including human rights organizations, medical professionals, and defence counsel. Through these collaborations, HALCO will continue to work on law reform, ensure access to advice and representation, and provide public legal education information to inform and mobilize communities.

Immigration and Refugee Law

In response to demand, HALCO's immigration and refugee law program has grown considerably in recent years. Immigration law services are particularly vital for specific communities of people living with HIV, including racialized women and others who may be marginalized due to complex and intersecting issues including HIV-positive status, racism, homophobia, poverty, immigration status, and violence. Such issues add to the already complicated needs of many clients because they may be "medically inadmissible" under Canada's current immigration laws. Accessing and maintaining access to life-saving medications adds yet another challenge for people new to Canada's complex health care system.

As the newest program at HALCO, and for which there is dearth of available legal services elsewhere, attention will be paid to ensuring that immigration and refugee law services are responsive to individual and collective needs of people living with HIV.

3.2.2. Priority #2: Excellent and Equitable Service Delivery

HALCO works with people living with HIV and other partners to eliminate stigma and discrimination and to bring about social and economic justice. In engaging in this work, HALCO must be responsive to the shifting demographics and lived realities of all people living with HIV. The communities of people living with HIV are diverse and individuals living with HIV experience in differing ways the intersections of oppression, stigma, and discrimination based on contributing factors such as colonialism, homophobia, racism, sexism, transphobia, poverty, immigration status, mental illness, addictions, and experiences in the criminal justice system. HALCO commits to providing excellent and equitable assistance to clients of all demographics in order to assist them to exercise their autonomy, increase their engagement in legal processes, and achieve positive outcomes.

3.2.3. Priority #3: Effective Communication

To fulfill its mandate, it is essential that HALCO continue to communicate effectively with people living with HIV and other stakeholders, including the legal community, government, funders and other organizations working on social and economic justice issues. It is vital that HALCO not only produce and provide stakeholders with clear and robust plain language public legal education materials and workshops, but that the nature and extent of HALCO's services are clearly articulated and shared broadly. HALCO will continue to develop communications to ensure both.

3.2.4. Priority # 4: Strategic Partnerships

In an environment with high demand and limited resources, it is important for HALCO to work collaboratively to ensure the best results for people with HIV.

A number of the legal issues that face HALCO's clients resonate with members of other historically marginalized communities. This creates collaboration opportunities that build solidarity amongst equity-seeking communities and strengthens HALCO's response. Such partnerships also result in efficiencies as duplication among organizations can be recognized and avoided.

HALCO's recent colocation with other specialty community legal clinics will continue to provide opportunities for strategic collaboration. In addition, HALCO will continue to partner strategically with other organizations in HIV, legal and healthcare communities to effectively and efficiently provide services throughout the province.

3.2.5. Priority #5: Availability and Sustainability of Resources

HALCO must continually assess how it can sustainably utilize its current resources while also expanding them. HALCO's current funding from public sector sources is unlikely to increase. As a result, in addition to seeking efficiencies within current resources and strengthening relationships with existing funders, HALCO will seek to expand and diversify its resources. HALCO will also continue to constantly seek ways to support its staff who experience heavy workloads while engaging with clients facing complex legal challenges as well as health and socio-economic issues.

4. Moving Forward

Over the next five years, HALCO will continue its mission of providing legal services that are relevant to the well-being of people living with HIV in Ontario, enabling them to participate fully in their communities.

To achieve this, HALCO will continue to provide its broad array of services across a range of legal practice areas, including the criminalization of HIV non-disclosure and immigration/refugee law. HALCO will also continue to ensure that all communities of people living with HIV are provided with excellent and equitable service, that its communications are effective and its partnerships strategic and sustained. Finally, HALCO will ensure staff are appropriately supported and will continually seek efficiencies within current funding levels while exploring resource mobilization options to expand and strengthen services.

We are confident that this plan will effectively guide HALCO to fulfill its mission, vision, and mandate over the coming five years.

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