Article # 5

Found at: http://canada.justice.gc.ca/eng/csj-sjc/just/04.html

**Keeping the law up to date**

**Law reform**

Every day, we hear about social issues, medical developments, and new types of technology. All of these raise moral and legal questions. These kinds of changes mean we need to constantly reform our laws so we can make sure that our system of law and justice meets the challenges of our society.

As our society grows and develops, it cannot rely entirely on tradition. Sometimes new laws are needed or old laws need to be changed.

As people change the way they live and work, some laws may become obsolete. Or new situations may arise that no existing law deals with. For example, old laws against theft did not foresee identity theft or online harassment. The same technology that enables one person to find information about another also makes it possible to steal information that was meant to be private.

More than just changing laws, we may need to change the system of law and justice itself. For instance, in our complex society it can take years to settle disputes. As our court system is stretched to the limit, other, less formal ways may help people settle their disputes. Some informal mediation methods, such as in landlord-tenant disputes, are already being used.

**Alternative approaches to laws**

We may even need to change the system of law and justice itself. In our court system, it can take years to settle disputes. People can settle disputes by using less formal methods. Some informal mediation methods, such as [alternative dispute resolution](http://canada.justice.gc.ca/eng/rp-pr/csj-sjc/dprs-sprd/dr-rd/index.html) and landlord-tenant disputes, are already being used.

Aboriginal customs and traditions have also contributed to new ways of dealing with people, such as healing and sentencing circles, community justice, and restorative justice.

The [Aboriginal Justice Strategy (AJS)](http://canada.justice.gc.ca/eng/fund-fina/acf-fca/ajs-sja/index.html) is a way of diverting low-risk non-violent offenders from mainstream justice to [restorative justice](http://canada.justice.gc.ca/eng/csj-sjc/just/13.html#res). As a result, offenders don't get a criminal record, they can instead make amends to their community, and funds and resources are freed up to deal with more serious offences.

The goals of the AJS are:

* to give Aboriginal people a greater role in administering justice in their communities;
* to help decrease the rates of victimization, crime, and imprisonment among Aboriginal people;
* to provide better and more timely information about community justice programs funded by the AJS; and
* to reflect and include Aboriginal values within the justice system.

**Changing laws**

Government legal experts are constantly examining our laws and looking for ways to improve them. Law reform committees also review laws and recommend changes. Lawyers bring questions of law to court to create change. Social action groups seek changes to laws that they consider unfair to members of Canadian society. Industry groups and other stakeholders meet with government decision makers in an effort to present their opinions on the direction of public policy. Legislators in the federal, provincial, and territorial governments respond by introducing new laws or changing old ones.

Ultimately, though, it is the people of Canada who elect the lawmakers. We as Canadians need to decide what we want from the law and then make sure it reflects those wishes. Everyone has the right to work toward changing the law.