



August 22, 2019

BY EMAIL

Dear MPP Todd Smith,

RE: Government cuts to Legal Aid Ontario funding & local impact

As President of the Hastings County Law Association (HCLA), I am writing to ask you to take action on an issue of grave concern in the communities you represent—the unwarranted and unprecedented cuts to Legal Aid Ontario and to our local non-profit community legal clinic, the Community Advocacy & Legal Centre (CALC). The HCLA represents 139 lawyers, Crown Attorneys and judges at this time.

We would like you to advocate reversing the cuts to Legal Aid Ontario, and expressing your support and recognition for local efforts to ensure access to justice for our most vulnerable citizens. We enclose a copy of a letter we have recently sent to Attorney General Doug Downey.

As reported in a 2018 article in the publication 'InQuinte', "Hastings County experiences higher rates of poverty than across the Province. According to Statistics Canada, the 2016 census shows that 16.3 per cent of residents are living in poverty."

In just a short period of time, the harsh cuts to legal aid are having an impact on access to justice. Lawyers were already being asked to accept a significantly reduced hourly rate in order to meet access to justice needs in the community. Discretionary requests were rarely if ever granted prior to the cuts. With the recent cuts, we are seeing some lawyers make the decision to stop taking legal aid work. With fewer lawyers to pick from, community members are not adequately being served.

Similarly, the services duty counsel are now providing as a result of the cuts is costing taxpayers more money in wasted court time because of limited or no representation at all. The cuts have forced duty counsel to limit the services they can provide. It takes a significant amount of court time to move along a self-represented court case; they show up without documents prepared, they do not know the rules of procedure, they argue about things that are not germane to their case. Having duty counsel support self-

represented litigants saves taxpayers a great deal of money and puts less pressure on our already overwhelmed court staff to meet access to justice needs in a timely fashion.

As you can see, the recent cuts to legal aid by your government impact your community the hardest. Your constituents dearly need you to advocate that our local residents can still get the legal help they need through Legal Aid Ontario and local lawyers. Also, we would like you to ensure that the funding CALC receives will not be reduced.

The work of our local private bar lawyers on legal aid certificates, as well as salaried Legal Aid Ontario staff who provide crucial and critical assistance in our family and criminal courts and in our Family Law Information Centre needs to be supported through adequate funding for legal aid.

We would appreciate an opportunity to meet with you and other stake holders to discuss the government's plans for legal aid and the recent cuts.

Thank you for considering our request and we look forward to hearing from you.

Yours very truly,

Peter Robertson
President

cc. Members of HCLA; CALC