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CTV TORONTO

Lawyers claim new ally in legal aid boycott

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The Canadian Press

TORONTO — The Association in Defence of the Wrongly Convicted has thrown its support behind Ontario's legal aid boycott, a move that shows defence lawyers are right to continue their months-long protest, the group behind the action said Thursday.

"AIDWYC's participation underlines the point that we have been making for several months now that a properly funded system for defence counsel is an insurance policy against the train wrecks known as wrongful convictions," said Frank Addario, president of the Criminal Lawyers' Association.

"It should be clear to everyone paying attention that what's at risk here is that the lawyers who are capable of doing serious cases involving complex prosecution will not return to the legal aid program unless the government fixes it."

The non-profit organization advocating for the wrongly convicted is the latest to join a boycott launched in June by criminal defence lawyers who said they weren't getting enough money to try large, complicated trials after years of cuts and freezes under previous governments.

The protest now includes hundreds of criminal lawyers, who are upset with the gap between what they are paid through legal aid and what provincial prosecutors earn.

A former Superior Court justice and the province's Crown attorneys have also joined the protest, warning that ongoing neglect will do irreversible damage to the justice system.

While the protest has taken longer than he had hoped, Addario said he will keep the boycott going until the system is fixed.

In announcing it was joining the protest, the association noted that one of its main goals as an organization is "the elimination of conditions that can lead to miscarriages of justice."

"AIDWYC supports this boycott because it sees the serious and chronic underfunding of the defence of criminal cases as a contributing factor in wrongful convictions," board co-chair Ralph Steinberg said in a statement.

"The imbalance in resources between the prosecution and defence in criminal cases continues to raise the spectre of further mistakes being made in the criminal justice system, and to deny access to justice for those without resources."

The province has done all it can to deal with the problem, including recently providing a funding boost of \$150 million over the next four years despite Ontario's almost \$25-billion deficit, said Attorney General Chris Bentley.

"Some of the lawyers out there may not think it's everything they want, but in the context of where we're at as a province economically, I think most others recognize there isn't any more (money)," he said.

Bentley expressed frustration with the ongoing boycott, saying the province has been working to resolve the issue by providing a funding increase -- as requested -- and setting up advisory groups to discuss how it would be spent.

"We're working as hard as we can and Legal Aid Ontario is working as hard as they can to make sure that the most vulnerable Ontarians have representation, but it's never an answer to simply say that the taxpayers of Ontario have to pay people who demand money whatever they demand," said Bentley.

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