



Serving Hamilton Wentworth
For Over 40 Years
905.383.2116
Ample Free Parking • Open Sundays 10 - 4pm

Jean's
Flower Shop
www.jeansflowers.com

thespec.com

[\[Close\]](#)

Legal Aid boycott snares murder accused

Charged teen can't find a lawyer

BARBARA BROWN

The Hamilton Spectator

(Oct 7, 2009)

A Hamilton teenager charged with second-degree murder cannot find a lawyer to represent him because of a province-wide boycott of serious legal aid cases by hundreds of criminal lawyers.

Matthew Pepping, 19, is one of two men accused in the stabbing death on Aug. 11 of 18-year-old Sharman Abdi, who was slain about a block away from his John Street North home.

Pepping appeared in court on Monday by means of closed-circuit television from the Hamilton-Wentworth Detention Centre. Defence lawyer Larissa Fedak, who is acting for the accused man on an unrelated charge, told justice of the peace Don Stevely she cannot defend Pepping on the murder charge.

"I am retained solely for this appearance," said Fedak. "I am Mr. Pepping's counsel of choice with respect to this most serious charge, but Mr. Pepping is only able to retain me through a legal aid certificate. I cannot professionally accept such a retainer. Doing so would not permit me to properly defend this person due to the inadequate funding of Legal Aid Ontario."

Fedak asked assistant Crown attorney Jasper Kujavsky to ensure the Crown provides disclosure of its case in hard-copy format directly to Pepping at the Barton Street jail.

In June, the Ontario Criminal Lawyers' Association announced it would no longer accept legal aid certificates in homicide cases and prosecutions initiated by the Guns and Gangs Task Force. The boycott quickly spread to include hundreds of criminal lawyers from all major centres in Ontario.

The lawyers say they are protesting inequities in the justice system and the disparity between what they receive to act for clients on legal aid and the whopping salary increases won by provincial prosecutors over the past two decades.

Outside the courtroom, Fedak said the Crown could end up designating counsel to defend Pepping on the murder charge, or a judge could appoint a lawyer to act for him.

Fedak said designated counsel make about \$225-\$250 per hour, while she would get \$96 per hour on a legal aid certificate.

bbrown@thespec.com

905-526-3494

thespec.com



© Copyright 2007 Metroland Media Group Ltd. All rights reserved. The reproduction, modification, distribution, transmission or republication of any material from www.thespec.com is strictly prohibited without the prior written permission of Metroland Media Group Ltd.

