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Ontario won't pour any more money into legal aid: AG

September 17, 2009

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THE CANADIAN PRESS

There is no more money coming for legal aid in Ontario despite a province-wide boycott by criminal lawyers and opposition calls for an inquiry into the program, said Attorney General Chris Bentley.

"This is it. This biggest funding increase in legal aid history at a time when there's no money for many things at all out there," said Bentley.

"This is a huge commitment by the province."

Frank Addario of the Criminal Lawyers' Association, has called a recent \$150-million increase in funding to legal aid over the next four years "welcome and necessary," but insisted the boycott will continue.

He dismissed Bentley's claims Thursday, saying the association believes more money will flow.

"We think they won't do it willingly and while I won't discuss our strategies, I will say that we believe that unless there's a continued public conversation about the adequacy of the program it will not get fixed," Addario said.

"No one in government is saying: 'This is a great program, we are funding it adequately.' What they are saying instead is: this is all the money we are prepared to dedicate to it – let's work with that amount of money. They're different things."

The government announced its funding earlier this month, as it tried to end a legal aid boycott that began with defence lawyers in Toronto, and eventually spread to the entire province.

Lawyers launched the boycott because they said they weren't getting enough money to try large, complicated trials after years of cuts and freezes under previous governments.

Bentley has been calling on lawyers to work with the province and set up advisory groups to discuss how the money will be best spent.

And while he acknowledges legal aid has suffered under previous governments, he steadfastly defends the Liberals' investment.

"We've made the largest funding increase ever to legal aid and we've made it at a time of serious economic challenge to the province, at a time of devastating job loss for many, at a time when Ontarians, every one, is being asked to either make further contributions or share in sacrifices," said Bentley.

"I think it really demonstrates a very strong commitment by the province to access to justice for the poor and to those who provide the work."

NDP justice critic Peter Kormos warned the government could find itself with big problems if the underfunding isn't fixed, and soon.

"The government better be very careful, because as long as this boycott by senior criminal lawyers persists, we're increasing the number ... of cases where the charges simply will be tossed out because of inappropriate delay," said Kormos.

The system "is in crisis," Kormos added, not just for criminal cases but also in the area of family law.

"It should be the subject matter of an independent inquiry so that we can hear from a third party exactly what's necessary to fund legal aid to the appropriate level," he said.

Most legal aid money goes to single mothers who are living below the poverty line, and while the new funding amounts to a \$60 million increase a year, Legal Aid's annual budget is about \$300 million.

For Addario, those are the very issues that force the protest to continue.

"Were we to end the boycott, the public discussion that's taking place about the quality of legal services for the poor and recently unemployed in Ontario would end," he said.

"If government cannot afford to fund the program adequately, it should say so, and we will have a public conversation about whether or not the people of Ontario want a two-tier justice system."

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