

Background Information for Resolution

Ontario's community legal clinics serve individuals and families in communities across Ontario. Funded by Legal Aid Ontario ("LAO"), through modest capped budgets, they offer a broad range of legal services to address the basic legal needs of low-income Ontarians.

Community clinics serve the most vulnerable Ontarians on issues that are most critical to them. The work that clinics do is aimed at ensuring that people with low incomes are able to meet their most basic needs, which in turn gives them the ability to live with health and dignity as active members of their communities. Most clinics serve geographic communities, while a handful of clinics serve specific communities such as the elderly or the disabled. Clinics are rooted in the communities they serve, using their limited resources to provide the services that are most needed by that community, and working closely with other local agencies to ensure that clients are well-served.

There are 72 community clinics in Ontario, operating on a budget of approximately \$80 million. In 2017, community clinics across Ontario provided services to over 240,000 people: clinics represented 21,289 people at courts or tribunals, gave 171,172 people detailed advice and assistance, and carried out 6,974 public legal education, community development, and law reform projects and initiatives.

Clinics are store-front offices located in the community they serve, with minimal administration and no bureaucracy, enabling them to be flexible and client-oriented. Clinic work is client-centered, with some clients receiving full representation, while others may receive summary advice or self-help assistance, depending on their circumstances.

Client surveys indicate tremendously high satisfaction with the work done by clinics. Clinics provide access to justice to hundreds of thousands of low income Ontarians every year, in a cost-effective manner. Community clinics operate on capped budgets, providing cost certainty to government. Clinics are accountable to their funder, LAO – they submit annual funding applications, quarterly statistical and financial reports, and undergo periodic quality service reviews/audits.

International research shows that investing in community legal clinics reduces costs to the legal system and across multiple government programs by keeping people housed and able to live independently and participate in their communities. Studies in the United States identify a return to government of approximately \$5 for every dollar invested.

Clinics work to understand and respond to individual and community needs. Clinics use lawyers, non-lawyers, public education initiatives and other delivery systems in order to deliver services cost-effectively. Clinics follow LAO's eligibility guidelines, but have the flexibility to provide some services to those that don't financially qualify.

Clinics prioritize client and community needs and attempt to meet them strategically, making efficient use of scarce resources. Clinics develop linkages to non-legal service providers such as health care, housing help and employment supports, sometimes co-locating in service hubs, ensuring that their clients receive "wrap-around" services.

Clinics are identified by numerous independent reviews as the best way to provide community law services to low-income communities/individuals. As an essential local resource, they are

accountable to our communities. As part of their transparency, they report on activities and outcomes annually.

In the Northwest Community Legal Clinic's 2018 Annual Report/Information Source Document, 41 percent of northwest Housing files were settled pre-hearing and another 35 percent through Landlord and Tenant Board mediation with favorable outcomes.

Providing these services they were able to keep many housed and thus providing overall savings to taxpayers. A chronically homeless person costs the tax payer an average of \$35,578 per year. By keeping citizens from sliding into homelessness our legal clinic facilitates significant savings to the community. In 2018, the 118 citizens who remained housed led to an estimated savings of \$4,198,204 within our service catchment area. Most of these costs would have been borne by our health and social services systems.

The Northwest Community Legal Clinic's Ontario Disability Support Program files saw pre-adjudication settlements for 35 percent of cases and 28 percent at the tribunal level. The earlier a satisfactory resolution is achieved, the more cost effective the service has been for the justice system overall.

RESOLUTION REGARDING LEGAL AID CUTS

WHEREAS:

1. The Northwest Community Legal Clinic (the “**Clinic**”) has delivered services in the Rainy River and Kenora Districts for over 40 years, including through an office in the Town of Fort Frances (the “**Municipality**”);
2. The Clinic assists area residents who cannot afford legal assistance due to financial hardship – including those on social assistance, pensioners, the unemployed, or those with low income;
3. The Clinic’s services are aimed at ensuring that people with low incomes are able to meet their most basic needs, which in turn gives them the ability to live with health and dignity as active members of their community;
4. The Clinic is committed to upholding the rights of the most vulnerable people of the Rainy River and Kenora Districts on issues that are most critical to them – including Ontario Works, the Ontario Disability Support Program, Canada Pension Plan, landlord and tenant issues, Criminal Injuries Compensation, powers of attorney, consumer and debt issues, Aboriginal Status Registrations, Birth/Death Certificates, name changes, and many other areas that impact low-income people;
5. Like other community legal clinics across the province, the Clinic carries out this work through funding provided by Legal Aid Ontario (“**LAO**”);
6. The provincial government’s 2019 budget cut funding to LAO by \$133 million – which is 30% of its budget – retroactive to April 1, 2019;
7. This significant cut will result in a loss of legal services to low income residents in our community, including a loss of critical legal clinic services – such as access to landlord-tenant law, consumer debt issues, legal interventions that ensure access to income supports, protection for injured workers, and public legal education;
8. The cut to the LAO budget has already had a direct negative impact on the Clinic and the services they provide, and in the near future, it will have a devastating impact on the Clinic’s ability to continue to provide legal services to our community’s most vulnerable citizens;
9. The absence of the Clinic’s services will have adverse social consequences for the Municipality and other communities served by the Clinic – including by increased homelessness resulting from avoidable evictions, and increased poverty resulting from lack of income supports and employment supports;
10. The absence of these services will have adverse economic consequences for the Municipality and surrounding communities as well – resulting from increased reliance on municipal services such as warming centres, shelters, and public housing, increased demand on our local court from unrepresented people appearing without legal assistance, and increased reliance on social assistance administration resulting from people being denied appropriate supports;

11. Full and effective access to the justice system is a fundamental right that should be accorded to all the people in our municipality, including our most vulnerable, many of which experience poverty or live on low incomes; and
12. The Council of the Municipality believes all levels of government should provide fair, economically-sound, and evidence-based programs and supports to help low-income residents, vulnerable people, and other equity-seeking individuals escape poverty, precarious housing, and systemic disadvantage, and realize their full potential by living healthy and safe lives.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality:

13. Calls upon the Premier and the Attorney General to make a commitment to access to justice, to respect the commitment of their government to not decrease front line services; and to confirm that funding for community legal clinics will not be decreased;
14. Urges the province to restore funding to these critical services and ensure that all the residents of the Rainy River District have access to a fair and equitable justice system, regardless of their incomes; and
15. Directs that a copy of this resolution be issued forthwith to the MPP for Kenora-Rainy River, the Attorney General, and all Rainy River District municipalities.