

Complaints

If a person is unhappy with the service received from Legal Aid Ontario (LAO), a community legal clinic or a lawyer providing legal aid services, they have the *right to make a formal complaint*.

A complaint may be made by any person including:

- A client who has received, or is currently receiving, services
- An individual who has been refused a service from LAO
- A person who is otherwise affected by LAO services

Every area office and clinic has pamphlets that outline the complaints process and forms explaining how to file a complaint. This information is also available on LAO's [website](#).

Complaint Process - Steps:

- The person making the complaint needs to talk to someone at the local office and fill out a complaints form
- LAO's works with the complainant to resolve the issue
- If the person is unsatisfied with the outcome - it is escalated to the Complaints Department
- If the person is not satisfied with that result - the issue is escalated to the General Counsel Office

Resolution Process

The first attempt to resolve a complaint is at the area office or legal clinic where the person was unhappy with the service or the outcome of the legal aid application. If someone is dissatisfied with a legal aid area office or legal clinic's director or manager, the concern is referred directly to the Complaints Department.

Area offices, legal clinics and provincial departments try to resolve the issue with the assistance of the person who filed the concern and the staff from the office. LAO is committed to providing high quality client services and every effort is made to find a

resolution as quickly as possible. If the issue cannot be resolved locally, it is escalated to the Complaints Department at LAO's provincial office.

When a complaint is received by LAO, an acknowledgement letter is sent to the person who made the complaint to let them know that the matter is being looked into. Records are kept of all complaints and their outcomes.

The complaint resolution process is ordinarily completed within two weeks. For complex or difficult issues, it may take up to 30 days to resolve the issue.

Community Legal Clinics

The executive director and clinic staff will make the first attempt to resolve the issue with the person who lodged the complaint. If the person who made the complaint is not happy with the result, the clinic board will investigate the complaint and meet with the person who made it to discuss a resolution.

For difficult issues, the clinic board may set up a complaints committee to handle the concern. After the committee makes a decision, the board provides a written explanation to the person who made the complaint about the reasons for that decision.

If the person making the complaint is still not satisfied, they can send their concerns by mail, phone, fax or email to the [Complaints Department](#) for resolution. If they are still unhappy after the Complaints Department makes a decision, the issue can then be taken up the ladder to the General Counsel Office.

2007-08 Complaints Department Annual Report Highlights:

In 2007-08, 100 formal complaints were recorded at the local stage one level:

Reason for dissatisfaction	Number of complaints
Services provided by lawyers acting on legal aid certificates	54
Legal Aid staff	22
Duty counsel	13
Legal Aid policies	10
Inadequate French language service	1

At the Complaints Department Stage Two level, nine formal complaints were received from area offices and one formal complaint was received from the community legal clinics.

At the General Counsel Stage Three level, four formal complaints were received and resolved accordingly.

Ombudsman Ontario

The Ontario Ombudsman received 47 complaints about Legal Aid Ontario. All matters were resolved at the inquiry stage (comparative percentages):

- 44.7% were resolved the same day
- 68.1% were resolved within three days

LAO's shared the complaints policy information with the Ombudsman to assist them in resolving complaints made about LAO.

Abuse of the legal aid system

Clients abusing the legal aid system account for 65% of the complaints received by LAO. LAO records and investigates all of these complaints, which usually allege that the applicant does not financially qualify for legal aid assistance.

LAO received 185 complaints about people abusing the system. As a result, 40 certificates were cancelled and seven certificates were changed to include a contribution agreement from the client.