

Stakeholder feedback

Session date, time & location:	Thursday, June 8, 2017 – 5 p.m. to 6:30 p.m. Legal Aid Ontario - Provincial Office (Toronto) Clinics only session
Number of participants:	<ul style="list-style-type: none">• 10 clinic representatives
LAO	<ul style="list-style-type: none">• Vicki Moretti, VP GTA Region• Jawad Kassab, Executive Lead, R & I GTA

“What LAO heard”

- With proposed cuts, how many certificates would be removed?

LAO Response: Depends on which option is implemented following consultation and LAO Board decision. The real issue is how long we could continue the service until the money runs out.

- One attendee said that there should be no cuts. These are all important services. It looks like an irresponsible game of chicken with the federal government. Each client requires a remedy that may be a question of life or death. Some require RPD coverage, others H&C coverage. It is impossible to prioritize based on proceeding types as opposed to client need.

LAO Response: We’ve heard this from several participants. LAO is not playing chicken. The fact of the matter is that we haven’t seen more funding from the government while demand for services continues to increase. LAO needs to make the best decision to serve clients and manage money. LAO must be responsible balancing client interest with fiscal responsibility.

- We’re all allies and we could be a good force to put pressure on the government. We support your demands. Perhaps we should be involved in lobbying the

government. Part of our job is to lobby – we’re jockeys on the ground. What are you doing that we could help with?

LAO Response: We continue to work with government and are hopeful that funding can be increased. Various organizations and settlement agencies have started to reach out to their MPs and MPPs. They are all very concerned because they also have very little capacity to take on the work that needs to be done should service suspensions be implemented. We think that support from the frontline workers could be helpful.

- Considering the cutbacks, has LAO streamlining its own administrative costs to make room for money for the refugees?

LAO Response: All LAO salaries are frozen – they have been frozen for about a year. Most vacancies are not being filled to contain costs. Staff are being asked to double up on many duties. We also had some challenges in the criminal and family law program and we’ve had to reduce services there. Our admin costs are at about 10% of the overall budget – there’s not a lot of fat that can be cut. We continue to look at costs. We have a fairly lean administration.

- Have you considered the impact on clinics?

LAO Response: There will be an impact on clinics because clients won’t know where to go. They will likely end up at your door and we know that many of you won’t have capacity. We know how busy you are in delivering direct client service. And we know that only a few clinics have immigration and refugee law capacity – and there’s only so much that one practitioner can do.

Clinics will see more clients at their door seeking assistance. And clinics will either be able to absorb some of the pressure of client demand or not.

- What is the timeline of the FE funding? What services will be restored once FE funding is available again? Can that funding be used to fill services that have been cut?

LAO Response: We get financial eligibility funding installments each year. It opens up some additional funding to expand services, not to cover services that were suspended. So that is not likely a solution.

We could discuss with government whether LAO could use financial eligibility funding for other purposes, including refugee services.

During the late summer, we will be engaging in our second round of consultations for longer-term solutions. These are temporary suspension options until we have a new program in place, which will take effect April 2018.

- One attendee flagged a concern that, if there were cuts to other areas of law such as criminal and family law, there would be significant pushback from strong advocates. Refugees, however, have zero political clout. The clinics have experience in mobilizing and generating pressure. Is the only thing LAO is doing is asking the federal government for more funding? Or is there something else we should be advocating for? It would change our lobbying strategy.

LAO Response: The main question remains who is responsible for this program? It is a shared responsibility ultimately and yet the federal government contributes about 20-25% of the cost. LAO can't pull money out of its budget from the criminal and family programs as these programs are overextended meeting demand for these services. You'd be taking that money away from other vulnerable people.

LAO's not responsible for driving the demand. We're responsible for providing services, but we do not drive the demand.

LAO has grown the refugee program and at times has drawn money from other programs to do so. Unfortunately, LAO is no longer in a position to do so. It currently has a \$11M deficit forecasted for this year. This \$11M does not include the potential \$13M shortfall in the refugee budget. We cannot cut any coverage any further in other areas i.e. family law where a lot of our services are to help persons suffering from domestic violence.

- One attendee flagged that, if the refugee program is redesigned, there are going to be people who have come to Canada in the "wrong month" (during the temporary suspensions) who will be left in the lurch. The repercussions of that can last a person's entire lifetime because they may be sent back to a country where they can be murdered.

LAO Response: If federal funding's not available, we are in an unfortunate position where we cannot provide the service that's desperately needed by all people who need it – we cannot meet the demand. We recognize the options we've provided are all bad, but we have to think in terms of what we can do to help with the limited amount of funds we have left.

- One attendee said that Canada has a history of racism and sending people back to situations of torture where they might die. There needs to be larger leadership on this.
- One attendee said all of the options are bad, but some sort of pressure on MPs and elected officials would be helpful for LAO. The clinic position is that we don't want to see any cuts. What could we do to help? You said you've had some contact with the AG, federal government and provincial government. Who else should we pressure? Rather than discuss these bad options, tell us how we can help you.

LAO Response: Talk to others from the perspective of your client; what the impact will be. As a public agency, we can't direct you to pressure anybody but we can tell you who we've talked to.

We know the clinics are very effective at talking to their MPPs. It's important to put things in concrete terms and talk about numbers of people that would be affected.

- One attendee said that clinics need to take this offline because they're the ones who can contact the MPPs and elected representatives. They can paint the picture of what the client looks like because they are on the frontlines.
- Is there a possibility for a broader forum or town hall with more people in the refugee stakeholder community?

LAO Response: LAO will be meeting with clients and a lot of community agencies. We will explore the possibility of holding a broader forum.

- One attendee flagged that with the temporary service suspensions, there is the potential that there will be a flood of demand once services resume again.
- LAO is asking clinics if they have any capacity to do immigration work that LAO could refer clients to. One attendee flagged the need for LAO to be mindful of catchment areas. Most clinics are at capacity when it comes to refugee and immigration services.