

Domestic Violence Strategy for Legal Aid Ontario

Summary

WHY A STRATEGY?



1 in 5 Canadian women experience sexual or physical intimate partner violence in their lifetime



Every six days, a woman is murdered by her intimate partner



25% of all police-reported violent crime in Canada is related to intimate partner violence



\$7.4 billion: the estimated annual cost of domestic violence to Canadian society

LAO's strategy

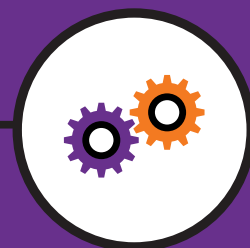
The aim: to come up with a plan to expand and improve our services for domestic violence clients. Our action plan will attempt to address the legal issues that domestic violence survivors experience by:



Making it easier to access services



Improving the way LAO staff, community legal clinics, and private lawyers provide legal help



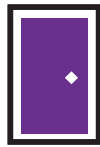
Working with community groups to bring about sustainable change

WHAT IS DOMESTIC VIOLENCE?

Domestic violence can be:



Physical



Sexual



Emotional



Financial

Domestic violence can include:



Hitting, pushing and slapping



Insults and put-downs



Repeated phone calls



Unwanted visits



Threats to harm you, your children, other family members or pets

Consultation sessions between September 2015 and January 2016:

- 23 public consultations with over 275 participants
- 3 French-only consultations with over 25 participants
- 300 registered attendees
- 15 private consultations with 100 participants
- 20 written submissions

LAO met with:

- domestic violence survivors
- people who work in shelters
- lawyers or social service workers

WHAT WE HEARD



Here's some of what we heard:

"Domestic violence survivors often have **more than one legal issue** in different areas of law that they need help with."

"LAO's program that offers two hours free with a lawyer in emergency situations **isn't enough time.**"

"Some groups—i.e. LGBTQ2S, male clients, Indigenous communities—need **targeted and tailored services and programs** to meet their unique needs."

"LAO needs to work directly with survivors in **places they feel safe and free** to share their experiences."

"People who say they've been abused need to be **taken at their word and not questioned.**"

"Legal bullying is a problem.

For example, an abusive partner who self-represents in court could use the court system to prolong cases and stall resolution."

"LAO should have staff providing **services directly at shelters** and other community service locations."

"Survivors need lawyers who have experience working with people who've experienced domestic violence—and who will take the time to **build a trusting relationship.**"

"There needs to be **more information and education about the legal system** and about LAO written in a clear, easy-to-understand way."

WHAT WE'VE DONE

2015 to present



Making it easier to access services

LAO makes it easier for domestic abuse survivors to get help from a family lawyer by expanding financial eligibility guidelines.

LAO meets with domestic violence survivors, partners in the Violence against Women community, and other legal or community service works to look at ways to expand and improve our services for domestic violence clients.



Improving the way LAO staff, community legal clinics, and private lawyers provide legal help

LAO provides training to over 1,200 staff and over 800 community legal clinic workers and private lawyers that focuses on working better with domestic violence clients. The training builds awareness of how abuse affects a person's legal needs.



Working with community groups to bring about sustainable change

Clients who disclose abuse are taken at their word.

Domestic violence clients are prioritized for quicker service.

When domestic violence survivors call LAO, staff are trained to listen to what clients tell them so that clients are provided with help that they need (i.e. a lawyer that can help with custody or a lawyer that can help with a restraining order) and that's close to them.



WHAT WE'RE PLANNING TO DO

The various projects outlined in the action plan may be developed either earlier or later in the timeline depending on available resources and funding.



Making it easier to access services

2017/18

In emergency situations, LAO would no longer require domestic violence clients to take an eligibility test to get two hours free with a lawyer.

2018/19

In emergency situations, increase the number of hours available (from the current two hours) free with a lawyer.

2019/20

Make it easier for domestic abuse survivors to get help in all remaining areas of law that LAO provides service in by expanding eligibility guidelines.

Make it easier for domestic abuse survivors to get help from an immigration/refugee lawyer by expanding eligibility guidelines.

In emergency situations, offer a set number of hours free with a criminal lawyer.

Start a pilot project to improve victims' rights when it comes to legal aid representing both parties.



Improving the way LAO staff, community legal clinics, and private lawyers provide legal help

Clients will be able to find local lawyers with experience working with domestic violence clients through an online tool on LAO's website.

Update and put into place new standards for lawyers who want to work with legal aid to specifically help people experiencing domestic violence.

Enhance what LAO pays lawyers who specialize in domestic violence cases and who take on legal aid clients.

Look into policies that will better help clients change their lawyer, file complaints or cite ethics violations.

Update the policies and processes for clients who want to change their legal aid lawyers, for complaints and ethics violations.

Review the standards for lawyers who accept legal aid cases for domestic violence clients.

2017/18



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sustainable change

Have local LAO contacts all across the province who are connected to shelters and agencies. These specialists will make it easier for LAO to work together with social service providers so that domestic violence survivors get the legal help they need.

Look at ways to make it easier for domestic violence survivors to get information about their rights and how LAO can help them.

Find out where the gaps are when it comes to providing legal education and information to clients experiencing domestic violence.

Develop legal education and information.

2018/19

Improve the way we track what a client goes through when they're moving through the criminal or immigration/refugee justice systems.

For more information:

Visit us at legalaid.on.ca/DVS
or send us an email at dvs@lao.on.ca.

