

MEDIA BACKGROUND

ATTORNEY GENERAL CLAIMS DECLINE IN CLIENTS SERVED:

In her letter to the CEO of Legal Aid Ontario, the Attorney General claimed that the justification for the steep funding cuts was that “despite a funding increase of \$86 million since 2013-14, the number of people served each year by LAO has declined by more than 100,000 clients, which represents a decrease in excess of 10 per cent.”¹

Unfortunately, the Attorney General does not provide a source for these figures in her letter. However, we can refer to the recent Auditor General’s report to see that a 10 per cent decline in clients served is untrue.

CLIENTS REPRESENTED

	2013/14	2014/15	2015/16	2016/17	2017/18	Total Growth (2013/14: 2017/18)
Certificates issued	83,658	87,279	108,259	112,109	102,873	23.0%
Duty Counsel Services	630,759	599,333	588,432	600,570	643,975	2.1%
Number of Clinic Files	208,019	205,619	208,775	226,134	170,429*	-18.1%*
Total:	922,436	892,231	905,466	938,813	917,277	-0.6%

*At first glance, it would appear as though there was a slight decline in total service (approximately 0.6% between 2013/14 and 2017/18), due to a decline in the number of clinic files. However, the Auditor General’s report points out that this decline is entirely due to a change in how clinic files were counted in 2017/18, explaining:

“ Prior to 2017/18, files included any services provided to a client, such as case representation, brief services, advice and referrals. Starting 2017/18, the new clinic system includes files only when case representation is provided to a client. As a result, the number of files recorded in 2017/18 is significantly lower than previous ”

During the same time period, LAO saw a significant increase in the number of certificates issued, no doubt a result of the increased financial eligibility threshold, as well as the increase in immigration and refugee cases.

¹ Attorney General letter to Legal Aid CEO, April 12, 2019





CERTIFICATES ISSUED, BY AREA OF LAW

	2013/14	2014/15	2015/16	2016/17	2017/18	Annual Growth (2013/14: 2017/18)	Certificates Issued Share (2013/14: 2017/18)
Criminal	54,949	54,182	63,688	63,855	56,777	0.8%	55.2%
Family	19,027	22,086	30,195	30,303	27,049	9.2%	26.3%
Refugee and Immigration	5,308	6,445	9,268	12,658	13,687	26.7%	13.3%
Civil	4,374	4,566	5,108	5,293	5,360	5.2%	5.2%
All Areas of Law	83,658	87,279	108,259	112,109	102,873	5.3%	100%

According to the Auditor General's report, almost half of all certificates are issued to clients who were Indigenous or visible minority:

RACIAL GROUP	PERCENTAGE OF CERTIFICATES ISSUED
Indigenous	11 - 13%
Visible Minority	32 - 37%
White	44 - 48%
"Others"	7 - 9%

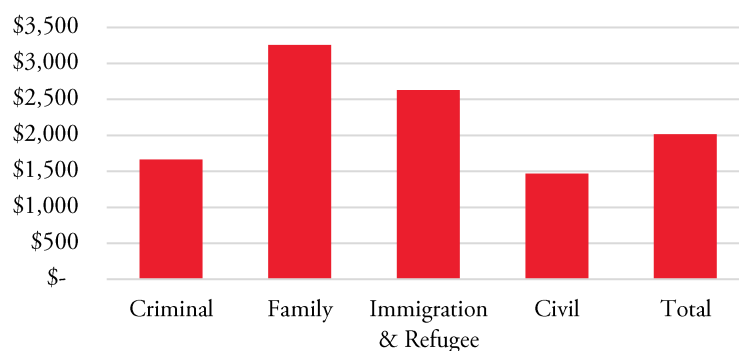
Additionally, for family law (which saw a 42.2 per cent increase in certificates issued between 2013/14 and 2017/18), approximately 75 per cent of certificates are issued for woman, and "over 50 per cent of these were for domestic violence cases."²

² Auditor General Report, 2018: http://www.auditor.on.ca/en/content/annualreports/arreports/en18/v1_305en18.pdf



Family law is also the most costly of all the major aid types, with an average cost per case of \$3,259 in 2016/17, compared to an average of \$2,016 for all cases.³ As a result, while family law certificates issued increased by approximately 9.2 per cent per year between 2013/14 and 2017/18, total expenditures on family law certificates increased by approximately 13.4 per cent per year during the same time period – an increase of over \$35 million.

AVERAGE COST PER CASE BY MAJOR AID



CERTIFICATE EXPENDITURES, BY AREA OF LAW

	2013/14	2014/15	2015/16	2016/17	2017/18	Total Growth (2013/14: 2017/18)	Annual Growth (2013/14: 2017/18)
Criminal	107.5	105.7	117.5	130.5	128.3	19.3%	4.50%
Family	52.8	59.1	72.7	88.9	87.2	65.2%	13.40%
Refugee and Immigration	18	19.5	21.8	27.6	29.7	65.0%	13.30%
Civil	5.5	5.9	6.3	7.4	7.5	36.4%	8.10%
Total	183.8	190.2	218.3	254.4	252.7	37.5%	8.30%

³ Legal Aid Ontario Public Business Plan 2018-19 <https://www.legalaid.on.ca/en/publications/downloads/businessplan/2018-19-to-2020-21-LAO-business-plan-EN.pdf>