



ALLIANCE FOR SUSTAINABLE LEGAL AID

AN ALLIANCE OF ♦ACLCO♦FOLA♦CLA♦FLA♦LSO ♦OBA♦RLA♦TAS♦MHLC

April 29, 2019

Minister of Justice and Attorney General of Canada
The Honourable David Lametti
House of Commons
Parliament Buildings
Ottawa, ON K1A 0A6

Dear Minister Lametti,

Re: Immigration and Refugee Legal Aid Funding

I am writing on behalf of the Alliance for Sustainable Legal Aid (ASLA) to discuss our shared interest in ensuring that Canada's immigration and refugee processes are fair, compassionate and effective. Adequate legal representation is a key element of such processes and dependent on consistent and sufficient legal aid funding. In its recent budget announcements and direction to Legal Aid Ontario, the Government of Ontario has restricted Legal Aid Ontario to federal funding for refugee and immigration legal aid. This has gone into immediate effect, with no new legal aid certificates being issued for any service other than preparation of a "basis of claim" form. As a consequence, refugees are being left unrepresented in Refugee Protection Division hearings, appeals and Federal Court litigation, detention reviews, pre-removal risk assessments, humanitarian applications and requests to defer or stay deportation. Immigrants are being left entirely unrepresented.

At its most stark, adequate legal representation can make the difference between individuals establishing safe lives in Canada or facing possible detention, torture or death after deportation. The elimination of legal aid funding means adequate legal representation is unavailable in proceedings which engage Charter Rights, and proceedings which will have a life-altering impact on individuals and families.

The province has taken the position that any funds directly assigned by the federal government to Legal Aid Ontario for immigration and refugee law services will be devoted to this. Without taking a position on the province's dispute with the federal government over the level of federal contribution demanded, we ask that the federal government recognize this is an urgent crisis. We ask that the federal government assure Legal Aid Ontario of full funding to put a stop to this crisis while pursuing a constructive resolution of this dispute with the province.

We have also asked the Government of Ontario to restore funding and pursue non-disruptive resolution with the federal government.

Refugees and immigrants should not be caught in a dispute between two levels of government, suffering its immediate brunt. We ask that the federal government take urgent action to assure interim funding while pursuing a long-term resolution of this issue with the province.

We look forward to working with you on this matter and would be pleased to meet with you at your convenience to discuss legal aid funding further.

Sincerely,



Lenny Abramowicz
Chair
Association for Sustainable Legal Aid

cc:

The Right Honourable Justin Trudeau, Prime Minister of Canada
The Honourable Bill Morneau, Minister of Finance
The Honourable Ahmed Hussen, Minister of Citizenship and Immigration

On behalf of our member organizations:

Association of Community Legal Clinics of Ontario
Federation of Ontario Law Associations
Criminal Lawyers Association
Family Lawyers Association
Law Society of Ontario
Ontario Bar Association
Refugee Lawyers Association
The Advocates' Society
Mental Health Legal Committee