

Email from: Ministerial Correspondence Unit - Mailout Ministerial.CorrespondenceUnit-Mailout@justice.gc.ca
February 15, 2021

Dear Terry Brandon:

Thank you for your correspondence, sent on behalf of the Federation of Ontario Law Associations, concerning funding for legal aid services in Ontario. I regret the delay in responding.

I am very much aware of the significant challenges that all jurisdictions are facing in delivering legal aid services in light of the COVID-19 pandemic, and I note your concerns regarding law foundation interest income. While I was heartened to receive confirmation that the impact of the pandemic on Legal Aid Ontario's overall fiscal situation has been less significant than feared, I recognize that the pandemic continues to create uncertainty and risks for legal aid organizations across the country. Please be assured that the Department of Justice Canada is monitoring this situation and is attempting to determine the impact on a national basis.

As a pillar of Canada's justice system, criminal legal aid is integral to fulfilling obligations under the *Canadian Charter of Rights and Freedoms*, including the rights to a fair trial; to life, liberty, and security; and to equal protection and equal benefit of the law. Consequently, the federal government is strongly committed to ensuring that all Canadians have equitable access to criminal legal aid. It was for this reason that, in 2016, the Government committed to an infusion of \$88 million over five years for criminal legal aid, with \$30 million ongoing. For 2020-21, we have already committed \$52.4 million to Ontario toward the ongoing delivery of criminal legal aid. Furthermore, in its 2020 *Fall Economic Statement*, the federal government announced \$40 million in funding to increase the federal government's legal aid support for provinces and territories.

For civil legal aid matters, such as family and poverty related issues (including housing), funding is made available through the Canada Social Transfer (CST), which allows the provinces and territories to invest funds according to the needs and priorities of their residents. The federal government is contributing approximately \$15 billion to provinces and territories through the CST for 2020-21.

In recognition of the ongoing funding pressures being faced by Legal Aid Ontario in the delivery of immigration and refugee legal aid services, our government made an additional \$26.8 million in national funding available for immigration and refugee legal aid this fiscal year. This further investment, which raises funding to Ontario to \$33 million for 2020-21, will help alleviate the financial pressures faced by Legal Aid Ontario, enabling it to maintain its full range of services throughout 2020-21.

Departmental officials are continuously monitoring this ongoing and developing situation. I would like to assure you that the federal government will also continue to work in partnership with the provinces and territories to develop mutually agreeable solutions to address this significant challenge.

Thank you again for writing.

Respectfully,

The Honourable David Lametti, P.C., Q.C., M.P.
(he/him)
Minister of Justice and Attorney General of Canada