



June 27, 2017

**BY EMAIL**

**Ministry of the Attorney General**

The Honourable Yasir Naqvi  
Attorney General of Ontario  
McMurtry-Scott Building  
720 Bay Street, 11th Floor  
Toronto, ON M7A 2S9

Dear Minister Naqvi,

**Re: Suspension of Refugee and Immigration Legal Aid Services**

As the Chair and Vice-Chair of the Citizenship and Immigration Law Section, we are writing on behalf of the Ontario Bar Association (the “OBA”) to express our members’ serious concern regarding any service suspension of refugee and immigration law services provided by Legal Aid Ontario (“LAO”). As you know, LAO had originally indicated that it would temporarily suspend some legal services for refugees effective July 1, 2017, due to an increase in demand for these services and a lack of available resources to meet this demand. On June 26, 2017 we received notice that LAO would temporarily halt the service suspension, but that it will consider suspending all refugee and immigration services as of November 1, 2017 if there is no additional funding.

We recognize and appreciate that this government has made significant contributions to legal aid funding and that LAO, as an organization in receipt of public funds, has an obligation to spend those dollars wisely and efficiently. However, the reality is that the demand for refugee and immigration certificates has increased significantly over the past two years and that additional funding is needed to support the growing number of claimants requiring LAO’s services. Despite the temporary reprieve, it is clear that LAO will continue to experience significant budgetary challenges without longer-term financial and program changes.

It is recognized that cuts to refugee and immigration law services will severely impact some of the most marginalized and vulnerable members of our society. Those with the fewest resources at their disposal will feel the greatest negative impact. Not only is this unjust, it is also contrary

to the principle that a person's rights should not be infringed simply because he or she cannot afford meaningful access to the justice system.

We can anticipate that any service suspension will also produce heavy systemic costs. Access to legal assistance through LAO is often refugee claimants' best chance to meaningfully and efficiently address the issues presented by their claim or application. When forced to represent themselves, claimants must navigate the complex set of laws, regulations, relevant jurisprudence, rules and procedures governing refugee and immigration hearings on their own, often in a language with which they are unfamiliar. This will result in unnecessary adjournments, elongated hearings, and increased frustration and expense for the parties, the decision-makers, and the system in general. Costs are not reduced by suspending services; they are simply shifted down the line and, in many cases, magnified.

We have raised concerns regarding the service suspension with the federal government through the Alliance for Sustainable Legal Aid because we understand the shared governmental responsibility for appropriate funding of legal aid services. We feel strongly, however, that intergovernmental challenges cannot be the barrier to adequate legal aid funding. We urge that the Ministry work with its Federal counterparts to prevent any service cuts, and to commit to ongoing, sustainable funding for legal aid services for immigrants and refugees. Sufficient LAO funding in this regard ought not be jeopardized in light of the significant vulnerability of those individuals who will bear the greatest negative impact.

Kind regards,

*[Original signed by Jennifer Nees and Robert Israel Blanshay]*

Jennifer Nees, Chair  
OBA Citizenship and Immigration Law Section

Robert Israel Blanshay, Vice-Chair  
OBA Citizenship and Immigration Law Section

Cc: David Field, Chief Executive Officer  
Legal Aid Ontario