

West Coast LEAF News Alert May 8, 2009



Renewing Our Commitment to Legal Aid: Access to justice resolution passed at townhall forum

Recent cuts to legal aid services will be devastating to women, particularly those living in poverty, women of colour, Aboriginal women, and other marginalized women.

In response to the most recent reductions in legal aid services, introduced last month, community groups including West Coast LEAF organized a townhall forum on legal aid and access to justice.

Panelists were Stephen Owen (Former MP, former VP of the Law Commission of Canada, former Executive Director of the Legal Services Society), Shashi Assanand (Executive Director of Vancouver and Lower Mainland Multicultural Family Supports Services Society), Melina Buckley (Canadian Bar Association) and Shelagh Day (Director of Poverty and Human Rights Centre).

The following resolution was passed:

WHEREAS BC's legal aid system was established in the 1970's as a result of extensive public consultation which resulted in a broad mandate for the provision of legal services to low-income people and legal information for all;

AND WHEREAS legal aid is a vital component of a democratic system of government;

AND WHEREAS legal aid is an effective tool in assisting in the social integration of marginalized and vulnerable individuals as well as people with disabilities, new immigrants to our society, first nations people, women and others who may have difficulty accessing the justice system;

AND WHEREAS the United Nations Committee on Economic, Social and Cultural Rights criticized Canada in 2006 for failing to discharge its international human rights obligations because of inadequate access to civil legal aid;

AND WHEREAS the United Nations Committee on the Elimination of Discrimination Against Women expressed specific concern in 2008 about the impact of cuts to legal aid on women in British Columbia, and urged governments to ensure that all women have access to adequate legal aid, particularly in areas of family and poverty law;

AND WHEREAS significant changes have been made to the legal aid system, specifically in 2002 and 2009, with the elimination of poverty law services in 2002 and the major reductions in family law and immigration law services that year and in 2009 and reductions in criminal law coverage in 2009 without any public consultation;

THEREFORE BE IT RESOLVED that the Provincial Government should act with all deliberate speed to hold public hearings with a view to renewing the commitment to the legal aid system in British Columbia.

Access to justice is a fundamental right in our society. West Coast LEAF needs your support to ensure that this is more than just an ideal.

A BC woman recently shared this story with us: A legal aid lawyer was assigned to her family law custody case. After being provided with information and details about her case, the legal aid lawyer found out she wasn't being paid and quit. The woman's ex-partner now has custody of her child, but is misusing drugs and no supervised access sites are available in their small rural community.

At one time, B.C. boasted one of the most progressive legal aid systems in the world. But this is the kind of scenario that advocates and family service providers around the province have been witnessing since the first round of Legal Services Society cuts in 2002. The current cuts to legal aid threaten the constitutional values of equality enshrined in our Charter of Rights and Freedoms.

West Coast LEAF's work on access to justice also includes:

- highlighting the decreasing interest in family law for new students entering legal practice;
- intervening in a family law case at the Supreme Court of Canada, in which the Court upheld the idea that even limited legal access may not always produce a fair result;
- meeting with government officials about the impacts of the legal aid cuts on women;
- participating in a coalition of women's organizations to ensure that the United Nations' women's committee is aware of our concerns;
- drafting a report card to measure BC's progress on issues of concern to the international community, including legal aid;
- seeking leave to intervene in a case concerning "public interest standing" - so that organizations are able to bring forward cases on behalf of individuals too vulnerable and marginalized to do so on their own

West Coast LEAF is strong because of people like you. Please invest in West Coast LEAF. To help, please go [here](#).

About [West Coast LEAF](#)

West Coast LEAF's mission is to achieve equality by changing historic patterns of discrimination against women through BC based equality rights litigation, law reform and public legal education.

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