



Legal  
Services  
Society

British Columbia  
<http://www.lss.bc.ca>

# Media Release

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## LSS Board Refuses to Implement Government Cuts to Legal Aid

*Vancouver, BC* – The Legal Services Society (LSS) Board of Directors in a majority decision last night voted against implementing a budget based on the provincial government's severe funding cuts to legal aid.

In a letter sent this morning, Board Chair Sandi Tremblay told Attorney General Geoff Plant that board members "made it clear that what we need is more money to provide the necessary legal services to the poor and disadvantaged in this province."

"Furthermore, board members are adamant that LSS funding be provided with no strings attached, and that the independence of the board as written in the LSS Act be honoured," she wrote.

Tremblay advised the Attorney that the board is committed to providing effective legal services throughout BC, and to working with his ministry to achieve that goal. She asked for an urgent meeting with him to discuss the board's concerns about the cuts and the need for government to properly fund legal aid.

The Ministry of Attorney General last month announced a 38.8% cut to legal aid over three years – from \$88.3 million in 2001/2002, to just under \$54 million in 2004/2005. It restricted what it is prepared to fund, instructed the Society to absorb significant new costs, and said it would amend the LSS Act to allow for the necessary service changes.

The ministry said it intended to limit LSS funding for legal representation to little more than where it is required by the Charter of Rights and Freedoms or the courts, and for family matters involving domestic violence. It indicated poverty law assistance was to be provided mainly in the form of public legal education and information services.

In their discussion last night, board members expressed a variety of serious concerns:

- By reducing LSS funding to \$54 million by 2004/2005 and by requiring LSS to cover specified services such as Rowbotham cases and large case costs, the government effectively changed the Society's mandate without consultation.
- This level of funding would deny legal aid services to as many as 100,000 clients. It would require the Society to –
  - largely centralize services, which would have a disproportionate and detrimental impact on rural and remote communities; and

**LSS** is an independent, non-profit organization, created by statute. Its mandate is to foster public legal education and provide effective legal services to low income BC residents, particularly those people experiencing legal problems that threaten their liberty, security, and livelihood.

In 2000 – 2001, the Society helped about one-quarter of a million people with legal representation, summary advice, and legal information.

LSS services are provided by staff in 60 offices operated or funded by the Society and by more than 1,300 private bar lawyers who take legal aid referrals.



- eliminate poverty law representation and advice services, and severely reduce family law services, which would deny the poor their fundamental legal rights.
- In spite of the Society's request for meaningful dialogue and consultation, none occurred before LSS was presented with these cuts.
- While the Ministry of Attorney General is faced with only a 14.7% cut in funding and 12.6% cut in FTEs over three years, LSS is expected to bear a disproportionate 38.8% cut in funding that would, if implemented, require a 74% cut in staff positions. This was interpreted by some as a clear attack on our clients, particularly in light of the fact that LSS is being asked to shoulder \$34.4 million of the ministry's \$83 million overall cut.

Tremblay also said in her letter that, with its funding and service constraints, the ministry "has put LSS in the position of being unable to provide continued and effective delivery of legal aid. The fact is, under these circumstances, no one can meet your ministry's stated new era objective of providing 'equal access to legal representation and justice for all British Columbians.'"

She later noted that implementing the government cuts would increase the number of unrepresented litigants in courts and tribunals, making the overall justice system more expensive and less efficient for everyone.

"People in real need of legal help would be greatly hurt by these cuts," she added. "We're talking about single mothers who need to obtain child support, injured workers who are wrongly denied Workers' Compensation benefits, retirees who have problems collecting their pensions, tenants who are unlawfully evicted – and that's just for starters."

Tremblay said there is an alternative to imposing cuts now. "The ministry should take a step back and, as we suggested last fall, conduct a comprehensive review of the justice system. Such a review would help them understand how changes to the various programs affect each other and the system as a whole, and that would allow them to determine where real savings are possible."

The Society faced serious budget cuts throughout the 1990s by the previous NDP government. Between 1995 and 2000 the Society reduced programs and services and cut administration to save over \$20 million annually.

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