

Legal aid needs restoration: lawyers

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The court system is still reeling from legal-aid cutbacks made by the B.C. Liberal government a decade ago, say B.C. lawyers pushing for a funding increase.

The B.C. branch of the Canadian Bar Association has started a public campaign to push for a return to legal-aid funding to levels of 2001. Soon after becoming government, the Liberals under then-attorney-general Geoff Plant a decade ago radically changed the legal-aid system.

Except where a spouse or children were under threat of abuse, the province no longer funded legal aid for divorce or custody cases. It also withdrew help for poverty law, including representing people who are mentally ill at hearings.

B.C. branch president Sharon Matthews was in Kamloops Tuesday speaking to colleagues and reporters.

Before the cuts a decade ago, legal-aid funding from the province stood at \$88 million. Today it is at \$69 million.

But Matthews said the savings are phantom because the lack of representation is causing delays in the courts as well as taking a toll on those who aren't represented.

Often lawyers can work to keep cases out of the court.

But whether in family law or for someone accused of a crime for which they will not be jailed -- those forced into the courts often don't have adequate knowledge of the system.

They take up time of everyone from judges to court clerks, grinding the legal system ever slower.

"The cases continue to come in whether people are self-represented. It slows the whole system down."

And cases are sometimes tossed out by judges because of delays.

Matthews said lawyers have responded by doing more pro bono work (without billing) and by bringing in changes to allow clients to be represented in court on simple matters by an articling student or a paralegal staffer.

The society is asking for legal-aid funding to be restored to level of a decade ago, which doesn't take into account population growth nor inflation.

"We know the government has a lot of demands. We also know the public supports equal access to justice."

Those charged with crimes are only given access to legal-aid funding if they face a possible jail sentence.