

Honourable Chris Bentley
Attorney General of Ontario
McMurty-Scott Building
720 Bay Street, 11th Floor
Toronto, On M5G 2K1

Re: Unequal Justice: Roots of Social Exclusion

Dear Attorney General Bentley:

I am writing on behalf of Health Providers Against Poverty (HPAP), a coalition of front line health providers dedicated to reducing the health impacts of poverty. We are extremely concerned about the impact of the current inequitable system of Legal Aid on the health and wellbeing of our patients. We, in support of the positions put forward by the Criminal Lawyer's Association of Ontario, strongly believe Legal Aid Ontario needs to be re-examined to ensure equal justice is available to Ontarians who live in poverty.

Low income is the leading risk factor for the health of people living in poverty. There are a number of possible reasons for this, including the stress of living in relative and absolute poverty, inequitable access to health care, and the inability to maintain a healthy lifestyle.

We hear often, from our patients, of another important element to their struggle to maintain their health: the unjust and onerous demands placed on them by a social assistance system that treats them with suspicion and tries to remove access to benefits at every turn. One important element of this social assistance system is Legal Aid. For those of our patients who have had contact with the criminal justice system, time spent in defending themselves against criminal charges, and serving penal sentences for those charges, is fraught with stress, inattention to the rest of their wellbeing, and the extended diversions from their struggle to extricate themselves from poverty.

The current system of Legal Aid leaves many of the most vulnerable Ontarians on a second tier of justice: often having to make do with inexperienced counsel, inadequate resources to employ high quality expert witnesses, and the extra burden of having to wade through an onerous and suspicious Legal Aid bureaucracy that impedes their ability to resolve their legal issues in a fair and timely manner. Access to top quality defence lawyers and to a streamlined, efficient criminal justice system, is a major element in reducing these individuals' stress and time spent involved with the justice system. Such access should be considered an important determinant of our patients' health.

At this time, with the Government of Ontario filling in the details of a comprehensive strategy to reduce poverty, it is opportune to examine Legal Aid through a lens of its impact on the poor, and on increasing access to justice and equity for the most vulnerable Ontarians. As front line

health providers acutely aware of the multifaceted reasons for the poor health of our patients who live in poverty, the creation of a just and equitable system of Legal Aid, and the revision of Legal Aid with justice and equity for the poor in mind, is an important factor in improving the health of our patients and neighbours who live in poverty, and in reducing the health impacts of poverty in Ontario.

Sincerely,

Gary Bloch MD CCFP
for Health Providers Against Poverty

Cc: Honourable Dalton McGuinty
Premier, Province of Ontario

Honourable Deb Matthews
Minister of Children and Youth Services

Honourable Dwight Duncan
Minister of Finance

Frank Addario, President, Criminal Lawyers Association

Walter Van de Kleut, Association of Legal Aid Lawyers