

MOTION ON NOTICE

5. Support for Adequate Funding for Legal Aid

At the Regular Council meeting on April 2, 2019, Vancouver City Council referred the following Motion to the Standing Committee on Policy and Strategic Priorities meeting on April 3, 2019.

Submitted by: Councillor Swanson

WHEREAS

1. Legal aid is an essential service which provides people who are marginalized, vulnerable and poor with access to justice;
2. Legal Aid has been chronically underfunded for over 25 years; rates haven't increased since 2006 and BC ranks 10 out of the 12 provinces and territories in per-capita legal aid funding;
3. This underfunding has made it very difficult for the marginalized, vulnerable and poor to get legal assistance from a lawyer;
4. Many studies and reports, including those commissioned by Government, have noted the serious consequences for society by the continued chronic underfunding of Legal Aid;
5. While both men and women have been negatively impacted by the cuts, services that were most accessed by women, such as family law and poverty law, were cut the deepest; without proper legal representation, they are losing custody of their children, giving up valid legal rights to support, and being subjected to harassment through the courts;
6. Underfunding legal aid is bad fiscal policy. Existing research shows that increased funding for legal assistance programs actually saves money, by making the system more efficient and reducing the burden of health care, mental health and social welfare costs;
7. Access and rights to justice are fundamental to Reconciliation efforts, recognizing that Indigenous persons are disproportionately over represented in the justice system;
8. The Association of Legal Aid Lawyers has been attempting to negotiate appropriate levels of funding for Legal Aid;
9. Over 590 members of the Association of Legal Aid Lawyers voted overwhelmingly (97%) to withdraw services on April 1, 2019, to protest the intolerable levels of funding.

THEREFORE BE IT RESOLVED

- A. THAT the City of Vancouver recognizes that legal aid is an essential public service that provides legal representation to the most vulnerable, marginalized and impoverished members of our city and that the chronic underfunding of legal aid has led to a serious inequality in the delivery of legal services in our communities.
- B. THAT the City of Vancouver believes that lack of legal aid funding is unacceptable in a province as rich as ours. Many British Columbians face loss of liberty, homelessness or lose custody of their children when they do not have access to representation.
- C. THAT the City of Vancouver believes the current system puts vulnerable people – mothers fleeing abusive relationships, employees seeking fair treatment, tenants facing eviction – at an extreme disadvantage. Those impacted most are our mothers, sisters, children and grandparents.
- D. THAT the City of Vancouver encourages the Province of British Columbia to resolve this matter with the Association of Legal Aid Lawyers.

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