



**Written Submission for the Pre-Budget Consultations in Advance of the
Upcoming Federal Budget by
South Asian Legal Clinic of Ontario and
Chinese and Southeast Asian Legal Clinic**

1. List of Recommendations to Address Legal Aid and Access to Justice

Recommendation 1: On-going and Enhanced Federal Legal Aid Funding

- Commit to clear, on-going, enhanced funding for legal aid services across Canada as part of the commitment to address access to justice for low-income Indigenous, Black, and Racialized communities.

Recommendation 2: Legal Aid for Immigration and Refugee Law Services

- Provide access to direct federal funding in immigration and refugee legal services to organizations across Canada. In Ontario, legal clinics who provide critical immigration and refugee services should be funded directly by the federal government to continue to provide those services;
- Prioritize both immigration and refugee matters to ensure robust coverage for all immigration and refugee law matters; and
- Maintain the role of private bar lawyers in also providing immigration and refugee law services.

Submissions

The South Asian Legal Clinic of Ontario (SALCO) and the Chinese and Southeast Asian Legal Clinic of Ontario are not-for-profit legal clinics funded by Legal Aid Ontario. Our clinics work with low-income clients from racialized communities who face disproportionate levels of poverty and significant barriers to access to justice. Our clients are often disproportionately drawn into / targeted by all parts of the justice system because of systemic racism and other intersecting factors.

The federal government's approach to funding for legal aid services across Canada has been piecemeal at best. The federal government has not announced any clear, on-going funding for legal aid across Canada to support access to justice. This includes

supporting low-income racialized populations, who are overrepresented in the judicial and quasi-judicial system. Many reports have indicated Canada continues to face an increase of self-represented litigants in courts and at tribunals because of significant gaps in legal aid coverage across Canada.

For Canada to address the role that poverty and systemic racism have played in the lives of these communities it must commit to enhancing access to justice. The federal budget must prioritize funding for legal aid to support the large and growing population of low-income racialized people engaged with and targeted by our justice system.

In addition, Ontario receives a disproportionate number of immigrants and refugees relative to the rest of Canada; thus, the lack of sustainable legal aid funding for immigration and refugee law has a much greater impact in this province. In Ontario, ethno-racial and some general service legal clinics frequently work with low-income, racialized clients who seek immigration and refugee supports. When the Ontario Government stopped funding immigration and refugee law cases, many of these clinics have stepped up to fill in some of the gaps.

Our legal clinics often deal with clients who are particularly vulnerable. They include:

- people facing eviction and homelessness;
- people turned down for income maintenance supports at both the federal and provincial level;
- people facing human rights discrimination in the workplace, in access to services, in education, in policing, in access to health care, and in the growing attacks of in-person and online hate;
- people who are denied subsidised housing;
- people facing gender-based violence like forced marriage, intimate partner violence, elder abuse, and human trafficking;
- workers who work in precarious work environments, sometimes not even being paid minimum wage;
- women facing gender-based violence who need support on refugee claims or immigration application appeals;
- victims of human trafficking and forced marriage requiring support to obtain or maintain status;
- clients facing criminal inadmissibility;
- clients facing Pre-Removal Risk Assessments, many of whom have language barriers, health concerns, and significant trauma;
- clients facing issues with temporary status (ex: international students, temporary foreign workers, vulnerable workers facing workplace abuse, live-in caregivers, etc...); and
- family class sponsorship for low-income people including undeclared family members.

Further, ethno-racial legal clinics like ours serve racialized immigrants, refugees and people with precarious status who face additional barriers (including linguistic and cultural) in accessing legal services. We have long engaged in advocacy work to help address systemic issues facing these communities. In this regard, our work is often supported by private bar lawyers, particularly those practicing in immigration and refugee law, and their representative organizations such as the Canadian Refugee Lawyers Association.

We believe that the upcoming budget must consider access to justice a priority and must make a clear investment in legal aid services, including immigration and refugee law services to support the most vulnerable communities in Canada.