



News Release

For Immediate Release

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Legal Aid Ontario Spends Millions on Ontario Disability Support Program Cases: Auditor General

(TORONTO) Legal Aid Ontario could save up to \$20 million a year if it reduced the number of application and appeal cases it funds related to the Ontario Disability Support Program (ODSP), Auditor General Bonnie Lysyk says in her *2018 Annual Report*, released today.

“It is hard to justify one provincial agency, Legal Aid Ontario, spending more than \$20 million completing ODSP applications and handling legal cases against ODSP, a provincial government program,” Lysyk said after her Report was tabled in the Legislature.

“Legal Aid Ontario, the Ministry of Children, Community and Social Services and the Social Benefits Tribunal should work together to discuss how to reduce the number of such cases to free up money in their budgets,” she added.

Legal Aid Ontario provides legal services to low-income Ontarians through:

- 80 community legal clinics across the province;
- legal aid certificates issued to individuals who use them to retain private-sector lawyers, who in turn bill Legal Aid Ontario for legal services provided; and
- free duty counsel services in Ontario courts.

Legal Aid Ontario spent \$476.1 million in 2017/18 on the three major programs above and on operational costs for its 17 district and area offices, an increase of 27% from \$373.9 million in 2013/14.

The Report noted that 44% of the clinics' workload related to ODSP cases, accounting for about one-quarter of the clinics' \$85.8-million spending in 2017/18.

Among the other findings of the audit:

- Almost 75% of all ODSP appeals heard at the Social Benefits Tribunal in 2017/18 ruled against the Ministry of Children, Community and Social Services decisions.
- Legal Aid Ontario does not have direct access to the original court documents and other information that contains the start and end time for each court proceeding attended by a lawyer retained through a legal aid certificate. It is therefore difficult to verify both the nature of the court proceeding and the amount of time spent by a lawyer, both of which determine how much Legal Aid Ontario will pay a lawyer.
- More than 90% of Certificate Services and over 30% of duty counsel assists were delivered by private-sector lawyers in 2017/18. However, private-sector lawyers are not assessed by Legal Aid Ontario for quality of work; nor are they peer-reviewed by the Law Society of Ontario.

-30-

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Read the [Legal Aid Ontario](http://www.auditor.on.ca) audit report at www.auditor.on.ca

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