

The logo for Osgoode Hall Law School, featuring the word "OSGOODE" in white serif font on a red rectangular background.

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OSGOODE HALL LAW SCHOOL
YORK UNIVERSITY

BY EMAIL ONLY

OSGOODE HALL
LAW SCHOOL

May 9, 2019

Charles Harnick
Chair, Board of Directors
Legal Aid Ontario

Dear Mr. Harnick and LAO Board Members,

We are writing to register our deep concern with recent budget cuts to Legal Aid Ontario (LAO) and their particular impact on Parkdale Community Legal Services (PCLS). We are writing as a group of Osgoode law professors with connections to PCLS, as Academic Directors, PCLS alumni, Board Members, and general supporters of PCLS and the Parkdale community. As you may know, PCLS was founded by Osgoode Hall faculty and students with the community and was the first poverty law clinic in Ontario. Osgoode Hall has had a unique relationship with both PCLS and the wider Parkdale-Swansea neighbourhood and community spanning nearly five decades. Our Memorandum of Understanding with PCLS identifies the partnership as “**a multi-generational commitment to the Parkdale community**”.

It is our understanding that LAO will be administering the Ontario government’s 30%+ budget cuts in a way that will seek to save \$15 million from the clinic funding envelope. These cuts and freezes come at a critical time for all legal clinics, but they have unique consequences for PCLS.

PCLS is facing eviction and a strict deadline to move from its current location by July 31st. After months of searching, PCLS has secured a new location in the community. LAO supported these efforts and we are told approved the lease in principle. Notwithstanding this support, we understand that PCLS has now been informed that LAO will no longer fund build-out and moving costs to the new location and will not guarantee rent at the new location for more than one year. As an alternative, LAO has raised the prospect of clinic relocation outside of the Parkdale community, to 55 University Avenue, a proposal unanimously rejected by clinic staff. The ‘55 University’ location falls well outside of the clinic’s catchment area (over four kilometres beyond

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the eastern boundary) making it inaccessible to the clinic's users. The proposed location also fails to include adequate working space for all staff and students. It constitutes a *de facto* cut in services and, for many of the clinic's existing clients, will be experienced as a unilateral withdrawal from representation without either good cause or reasonable notice (both are required by the Rules of Professional Conduct).

The relocation also threatens the very existence of a model of community lawyering developed and refined through decades of careful work by staff, community members, students and faculty. The primary aims, as our MOU states, are "the development and reform of law as it affects the poor and disadvantaged" and "the training of lawyers able to effectively meet the needs of low income communities". We strive to teach our students about the necessity of community organizing for systemic change. As the Parkdale model of community lawyering nears its fiftieth year, it is not only a central pillar of the law school's social justice commitment and source of pride to the Osgoode community. It is also a staple of clinic legal pedagogy in the province and beyond. Countless numbers of clinic system lawyers – and lawyers working on behalf of low income people in many other settings – owe their clinical legal education to PCLS and the wider Parkdale community. We cannot accept LAO's neglect of this essential pathway for advancing the legal interests of low income people. The proposal is tantamount to a unilateral, material change to the nature of clinical legal education.

We continue to believe that the Parkdale model is the most effective way of delivering clinical legal education to students and services to low-income communities in the GTA and Ontario.

Consider, for example, organizing undertaken by the clinic in support of labour and employment law reforms that have had a profound impact on thousands of low income workers across the province. Or consider the clinic's groundbreaking work with low income tenants who successfully used rent strikes to prevent their displacement from our community. PCLS is a leader in these sorts of initiatives, providing material assistance and examples to be followed within the wider clinic ecosystem. Rather than impractically and impossibly flooding the system with hundreds of individual employment standards claims or eviction hearings, PCLS pursues organizing strategies led by Parkdale community members that efficiently cut to the root causes of individual legal disputes. We believe that the Parkdale model provides the best hope for our legal system to provide Ontarians with both the widest forms of access as well as justice in its truest sense. This sort of organizing cannot take place outside of the community. As such, we reiterate our multi-generational commitment to PCLS and Parkdale. PCLS must remain located within its catchment and receive the support of a long-term lease and funding guarantee.

While we would welcome the opportunity to meet with you to discuss these concerns, we implore you to reverse the approach that LAO has taken towards

PCLS in the wake of these budget cuts.

We remain committed to PCLS and the Parkdale community and urge you to match this commitment by maintaining LAO's longstanding support for one of the most innovative and effective models of community lawyering, and by ensuring that the clinic remains within the community.

Sincerely,

Concerned Osgoode Faculty supporting PCLS & the Parkdale community

Harry Arthurs	Janet Mosher
Saptarishi Bandopadhyay	Mary Jane Mossman
Margaret E. Beare	Roxanne Mykitiuk
Benjamin Berger	Jennifer Nadler
Faisal Bhabha	Jennifer Nedelsky
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