



January 20, 2015

**VIA EMAIL**

Jack de Klerk and Marjorie Hiley  
Co-Chairs of the GTA Transformation Group

Dear Jack and Marjorie,

**Re: MCLS' Response to the Vision Report**

Please accept this letter as our formal response to the Vision Report, released by the GTA Legal Clinic Transformation ("GTA Transformation") Project in August 2014.

**Background**

As you know, in 2013, Mississauga Community Legal Services (MCLS) elected not to participate in the GTA Transformation Project. Instead, MCLS approached transformation differently. When the province announced in 2013 that \$10 million would be dedicated to enhancing clinic law services in Ontario, we began a dialogue with Legal Aid Ontario (LAO), the GTA Transformation group, the province, and the public, to bring awareness to the fact that Mississauga and Peel Region were the second-most underserved communities in Ontario when it came to legal clinic funding. MCLS asked LAO that a portion of the new funding from the province be dedicated to address the funding disparity.

We determined that in Ontario, the legal clinic staffing average was one staff person for every 30,000 people. In Peel, it is one staff person for every 80,000 people. We asked for additional funds for Mississauga which would increase the staff dedicated to Mississauga from ten to twenty-four.

As part of this campaign we appeared before the Region of Peel's Intergovernmental Relations Advisory Committee. As a result, Peel Regional Council sent a letter to the Attorney General supporting our campaign for increased funding and opposing any attempt to merge the two Peel clinics with clinics in Toronto. We also met with the Attorney General and provincial members of parliament. We received letters of support for increased funding from MPP Amrit Mangat, MPP Jagmeet Singh, and Associate Minister Dipika Damerla.



In addition, MPP Bob Delaney presented several petitions to the Legislature signed by a total of over 700 Mississauga residents asking for fair funding for MCLS.

## The Vision Report

In August 2014, the GTA Transformation group released its “Vision Report”. It recommended a merger of MCLS and North Peel Dufferin Community Legal Services (NDPCLS) to form one mega clinic to serve Peel and Dufferin County and the creation of 4 other mega clinics in the GTA (three in Toronto and one for York Region). It called for the elimination of clinic offices and the creation of access points to serve the community. It also recommended that this new Peel clinic should have 38 staff to meet the provincial average. Currently, MCLS and NDPCLS have a combined 16 staff.

MCLS is pleased that the Vision Report recognized that Mississauga and Peel are grossly underfunded. Unfortunately the Report does not provide a clear path for Peel to achieve the additional 22 staff. We know that it will not come from the Toronto clinics as they have decided against redistributing any of their current 109 staff to the underfunded 905 regions. The Report states that an increase in staffing for Peel must come from new money from Legal Aid Ontario (LAO) and the Ministry of the Attorney General.

## MCLS Will Not Endorse the Vision Report

We have thoroughly reviewed and considered the recommendations in the Vision Report and arrived at the conclusion that we cannot endorse its recommendations for the following reasons:

- 1) The Toronto mega clinic model does not address Peel Region’s unique service challenges

The mega clinic model creates a one size fits all approach to legal clinic services in the GTA and does not take into account the significant differences between the 905 and 416 population.

The Report assumes that the mega clinic model of over 30 staff per mega clinic for Toronto should also be the same for Peel. As a result, it recommended three mega clinics for





Toronto but only one for Peel despite Peel having half of Toronto's population. The Report does not recognize the significant differences between the two regions. The population and regional differences are enough to support two clinics serving Peel and Dufferin County.

*a) Peel's Population Growth*

The Report utilizes data that is almost five years old (2010 tax filer data) in making its recommendation that Peel should have one clinic. This data is out of date and does not take into account current population data. Up to date information is important because the population in Peel is growing at a faster rate than Toronto. In fact, recent information projects that Peel's population will grow by another 46% over the next 30 years compared to Toronto's population which will grow by 25% over the same period.

*b) Two Separate Transit Systems = Higher Transportation costs*

Peel residents are served by two separate transit systems which are less advanced than Toronto's. Caledon and Dufferin County do not have a transit system at all. Low income residents there must rely on taxis to access services. Therefore, a client travelling from Caledon to Port Credit in Mississauga would need to take a car, Brampton Transit, and transfer to Mississauga Transit just to get there. Toronto has one seamless transit system that permits transit riders to travel to all of its borders using only one fare.

Higher transportation costs are another barrier to accessing legal services for low income individuals and the Vision Report does not take this into account in recommending that Peel should have only one clinic.

*c) Peel lacks the additional supports that are available in Toronto*

Ontario Disability Support Program (ODSP) and tenant law make up the majority of clinic work; as such, Toronto's legal clinics are at a unique advantage. The City of Toronto has significant resources that support the low income population and relieve some of the demand on clinic law services. This support is unmatched by any other region in Ontario. For example, there are 32 community health centres that help low income people submit properly written ODSP applications; this in turn helps increase the number of successful applications to this essential program. In addition, each of these centres has community



advocates that support and organize advocacy campaigns to help their clients. In contrast, Peel, with half of Toronto's population has only three community health centres

Yet another important resource for Toronto's low income community is the Federation of Metro Tenants Association (FMTA). The association offers telephone advice and advocacy work for Toronto's tenants. On average, this organization, which is funded in part by the City of Toronto, provides advice to over 60,000 tenants each year.

In addition, Toronto is home to two student legal aid clinics and 16 specialty and ethno-cultural community legal clinics. These clinics specialize in offering focused poverty law services to key disadvantaged groups such as seniors, the disabled, First Nations, African Canadians, etc. These clinics provide complementary poverty law support to the same clients served by the general service clinics in Toronto.

Unfortunately, the Vision Report does not take these unique resources available to Toronto's low income community into account in its determination that Peel should have only one clinic.

#### *d) Geographic Size*

Lastly, the sheer geographic size of Peel Region should be reason enough to maintain the two existing legal clinics. Toronto's total geographic area is 630 square kilometres compared to Peel and Dufferin County which total approximately 2,732 square kilometres - almost 5 times the size of Toronto - yet, the Vision Report recommends three clinics for Toronto and one for Peel.

#### 2) Access points may not enhance client service

We have not been able to secure any commitments from the GTA Transformation group as to where the new access points will be located. Thus there is no certainty that our office or any satellite office that MCLS currently operates would be maintained in the future to offer services to our community.

The focus on access points as opposed to offices likely means that our clients would encounter greater challenges accessing our services. The Report suggests that access





points will focus on using free space that is available at community agencies and using their front line staff to perform client intake and advice.

We are concerned that the quality of intake services will suffer having community staff guide residents on their legal needs as opposed to having trained legal clinic staff provide accurate advice and referrals to clients. Use of community staff also places undue pressure on community agencies to use their resources to provide services that are not part of their core services.

3) Mississauga will have a lesser voice in shaping their poverty law services

Currently, MCLS is governed by a volunteer Board of Directors that sets policy and guides our services. The Board members normally live or work in Mississauga and are the link to our community. A Peel clinic will undoubtedly mean that Mississauga residents and their organizations will have a diluted voice in the larger clinic. Efficiencies in responding to region-specific needs will be lost as the direct link to our community will be diminished.

4) Clinics provide better service with smaller catchment areas

Mississauga is the third largest city in Ontario and the sixth largest city in Canada. Brampton is the ninth largest city in Canada. A Peel mega clinic would automatically create the largest clinic in the province in terms of geographic area covered and population served. With 16 staff, it would serve over 1.3 million people spread across 2732 square kilometres. Without any substantial increase in staffing, this would create, by far, the most underfunded clinic in the province.

MCLS does not believe that Mississauga's low income residents would be better served by this grand experiment. Communities across Ontario are well served by clinics with smaller catchment areas. For example, Hamilton with a population of approximately 520,000 people is served by a legal clinic of over 25 staff. That clinic is often praised for their innovative approaches in clinic law services. The City of Ottawa has three clinics totalling 29 staff serving its community of one million people and they provide excellent service to their community. These clinics are able to provide focused, effective, and responsive services that can easily be adjusted to meet the needs of the community.



The unique characteristics of the population served by the two Peel clinics would present a challenge for one organization to provide quality front line service. Mississauga is a suburban centre with a large percentage of low income high-rise tenants. On the other hand, the clinic that serves Brampton, Caledon and Dufferin County assists a large number of residents located in rural communities. Therefore, it is our belief that Peel is better served with two clinics serving the sixth and ninth largest cities in the country.

For the reasons that we have outlined, it is our conclusion that the recommendations from the GTA group do not enhance clinic law services for Mississauga's low income community.

### **Next Steps**

Despite this decision, we want to be clear to you and our stakeholders that we will continue to collaborate and work with our community and social justice partners to innovate and improve poverty law services for Mississaugans living with poverty.

One such collaboration is with the Southwest group of legal clinics with whom we have been a strong participating member for more than 25 years. Last year, MCLS signed a Memorandum of Understanding agreeing to participate as a Member in the Southwest Transformation Project. This Project consists of several initiatives aimed at transforming the way clinic law services are conducted in the Southwest Region. These projects include transforming clinic administrative functions, using the internet and technology to help clients before their problem develops into a crisis, improving services to rural communities, and utilizing social workers in clinic work.

We also continue to add additional services in response to the needs of our community. The new services included representing co-operative housing members on eviction cases now being heard by the Landlord and Tenant Board, helping residents with their Child Tax Benefit concerns, and adding criminal law advice on Thursdays to complement our Family Law Fridays.

Our collaboration with NPDCLS continues to be strong. For example, we have undertaken to offer advice and representation in Worker's Compensation law to low income residents in Brampton because of that clinic's lack of capacity to provide service in that area of law.





MCLS works collaboratively with the Region of Peel and NPDCLS to help social assistance recipients become eligible for ODSP.

MCLS will continue to modernize the way we reach out to our clients. For example we were one of the first legal clinics to use social media. We started our Facebook page in 2010 by posting local news and legal information important to our community. We were also the first legal clinic to have a Twitter account and we started our clinic Blog in 2013.

In the last decade, our clinic in recognition of the growing needs of our community established four satellite clinics. In 2005, we began operating a weekly satellite clinic at Malton Neighbourhood Services every Thursday afternoon. In 2013, we opened two satellite clinics in the Western part of Mississauga at the two Eden Community Food Bank locations on Battleford and Unity Drive and added another in Malton at the Seva Food Bank in 2014.

There is a need to continue to innovate and expand our services to those in desperate need in Mississauga. Thanks to the recent investment to Legal Aid Ontario from the Ministry of the Attorney General we anticipate additional funding to help us meet that need. As you know, almost \$10 million will be invested into the clinic system budget over the next three years and we expect that MCLS will receive some of this new investment to better serve Mississaugans. As a result, we will be holding community consultations with clients and stakeholders at the end of January to find ways to improve our service.

Yours truly,

**MISSISSAUGA COMMUNITY LEGAL SERVICES**

A handwritten signature in black ink, appearing to read "Charmaine Mitchell", is written over a large, circular scribble.

Charmaine Mitchell  
Chair, Board of Directors

c.c. Hon. Madeleine Meilleur



Minister of the Attorney General

- c.c. Hon. Charles Sousa  
Minister of Finance  
MPP for Mississauga South
- c.c. Dipika Damerla,  
Associate Minister of Health and Long Term Care  
MPP for Mississauga East-Cooksville
- c.c. Bob Delaney, MPP for Mississauga-Streetsville
- c.c. Amrit Mangat, MPP for Mississauga-Brampton South
- c.c. Jagmeet Singh, MPP for Bramalea-Gore-Malton
- c.c. Harinder S. Takhar, MPP for Mississauga-Erindale
- c.c. Mayor and Members of Council  
City of Mississauga
- c.c. All GTA Region Legal Clinic Staff