

Bob Ward
President and CEO
Legal Aid Ontario
Atrium on Bay
40 Dundas Street West, Suite 200
Toronto, ON M5G 2H1



February 10, 2011

Dear Mr. Ward:

RE: New web-based and toll-free telephone-based client services at Legal Aid Ontario

I am writing to you on behalf of the clients and partner organizations of the Provincial Human Services and Justice Coordinating Committee (HSJCC) which is mandated by the *Provincial Strategy to Coordinate Human Services and Criminal Justice Systems in Ontario* and funded by the Ministry of Health and Long-Term Care (MOHLTC).

The Provincial HSJCC consists of the chairs of the Regional Committees and ex-officio representatives of the Ministries of the Attorney General, Community and Social Services, Children and Youth Services, Health and Long-Term Care, and Community Safety and Correctional Services. Its role is to facilitate the exchange of information and promising practices, identify provincial level challenges and work collaboratively with government to resolve such challenges.

The broader HSJCC network includes 14 Regional HSJCCs and 32 Local HSJCCs. Each HSJCC is a collaboration between health and social service providers, community mental health and addictions organizations with the justice and correctional systems in their area. The Regional and Local HSJCCs coordinate communication and service integration planning among health, social services and criminal justice organizations within specific regions. Priority consideration is given to people with a serious mental illness, developmental disability, acquired brain injury, drug and alcohol addiction, and fetal alcohol spectrum disorder.

Individuals with mental health disabilities and human service needs face multiple barriers to accessing the social determinants of health, such as housing, employment and education, and are vulnerable to criminalization. Legal Aid Ontario (LAO) plays an essential role in representing our clients and assisting with court appearances, mental health diversion, and other legal support services. Indeed, many individuals in the forensic mental health system rely on LAO to assist with Ontario Review Board hearings and other consent and capacity-related issues.

It has come to our attention that LAO has closed several local offices in several jurisdictions across Ontario, and has moved to a web-based and toll-free telephone-based client services system. Over the past few months, we have observed several problems that our clients are facing with regards to the new LAO client services system:

- Due to low income and high unemployment rates experienced by individuals with human service needs, many HSJCC clients do not have access to telephones, computers and the internet. As a result, many are unable to access the services provided through the LAO web-based and telephone-based client services system. In order to gain access to telephones and internet services, many HSJCC clients have to rely on public telephones and internet access, often provided through libraries and community centres. Due to additional barriers, such as distance and travel costs, these

individuals often face multiple challenges accessing public telephones and internet through libraries and community centres.

- Many clients have stated that accessing the new LAO telephone-based system is a time-consuming process, as the client is placed on hold for up to an hour. For clients using public telephones, this creates an additional challenge as they are only permitted to use the public telephones for a limited time, and they are not able to wait for an hour on the phone to speak with an LAO service provider.
- HSJCC clients who have accessed the LAO website have found the web-based services too difficult to navigate. Due to the nature of their mental health disabilities and human service needs, many of our clients require additional one-on-one support to understand and navigate through the criminal justice process. This type of individualized support is not offered through the website.
- Case managers and care providers working with HSJCC clients are also facing difficulties accessing the new LAO client services system. Similar to the clients' experiences, staff are also experiencing long wait-times on the telephone service, and they too are finding that the web-based service is too complicated to navigate. This is an ineffective use of staff time, as their time is designated for clinical care and meeting other client needs.
- Some HSJCC clients have been able to access in-person support from the LAO offices that are still operational within local courthouses. However, many clients have reported that LAO offices are only open for a limited time and on a limited day of the week. Clients have experienced long wait-times at the offices, and some have been turned away due to high volumes of clients requesting in-person services.

Individuals with human service needs, many of whom experience mental health disabilities, require one-on-one support to navigate through the complex criminal justice process. This is also an issue of accommodation, as these individuals require equitable access to legal support services. The Provincial HSJCC would like to request that the LAO provide a modified application process for individuals with mental health disabilities and other human service needs, including those with mental illnesses, developmental disabilities, acquired brain injuries, drug and alcohol addictions, and fetal alcohol spectrum disorder. A modified process, facilitated by individualized support, would ensure that HSJCC clients are able to access the essential services provided by the LAO.

Thank you for your attention to this matter. We look forward to your response.

For further discussion, please contact me directly by email at vhuehn@fcmhs.ca or by phone at 613-544-1356 ext. 2401.

Sincerely,



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