

# Justice For All

## STOP LEGAL AID CUTS



### A brief history of legal aid funding in BC

#### The BC NDP era

The BC NDP era from 1991 to 2001 saw some fluctuation, but a general increase in provincial funding for BC's legal aid system. Funding peaked in 1994/95 at \$89.4 million, decreased slightly through to 1998, then held steady for three years at approx. \$82m. Funding rose again in the 2001/02 budget, to \$88.3m. The BC NDP were defeated in the May 2001 election, and the BC Liberal era began.

#### The first BC Liberal era

When Gordon Campbell and the BC Liberals took office in 2001, everyone knew that social programs would face funding cuts. Few, however, anticipated the savage cuts to legal aid funding over the next three years. Their first budget in 2002/03 chopped \$17 million from the provincial grant to the Legal Services Society. Subsequent budgets cut even further, leaving only \$56 million for LSS in the 2004/05 budget – a **40% reduction from 2001/02**.

#### The second BC Liberal era

Perhaps realizing that the cuts to the legal aid system were not popular, the second BC Liberal government doled out slight increases to the LSS grant from 2005 to 2008. Demand for legal aid services increased significantly in 2009, however, without a corresponding increase to the provincial grant, and a sharp decrease in funding from other sources (see more below). Staff were laid-off, and services cut.

#### Other funding sources

The Legal Services Society's budget is predominantly funded by an annual grant from the provincial government. LSS also receives funds from a few other sources.

- Interest payments from lawyers' fees administered by Law Foundation has fluctuated between \$3 million and \$5 million over the past decade, and will be about \$3 million this year.
- Interest payments from notary fees administered by the Notary Trust brought about half-a-million dollars per year from 1999 to 2005, peaking at \$3.8 million in 2008, then dropping rapidly to below half-a-million dollars this year.

#### 2010

The 2010 provincial budget will see a further cut to the provincial grant to the Legal Services Society, to \$67 million. Service and staff reductions are planned for March (see background on cuts to legal aid).

The BC Liberals have reduced the provincial grant from \$88.8 million in 2001/02 to approx. \$67 million for 2009/10 – a cut of more than \$20 million. If we account for inflation, this funding deficit increases to more than \$30 million – money that could be used to reverse service cuts, keep the regional legal aid centres open, and begin restoring the services that have been cut over the past eight years.