

June 15, 2017

VIA ELECTRONIC MAIL ([yanaqvi.mpp@liberal.ola.org](mailto:ynaqvi.mpp@liberal.ola.org))

The Honourable Yasir Naqvi
Attorney General of Ontario
Ministry of the Attorney General
720 Bay Street, 11th Floor
Toronto, ON M7A 2S9

Dear Minister Naqvi:

RE: Legal Aid Ontario Funding for Immigration and Refugee Law Services

We write to you to express the profound concern of the HIV & AIDS Legal Clinic Ontario (HALCO) over Legal Aid Ontario (LAO)'s announced intention to curtail services in refugee and immigration law. We call upon the Ministry of the Attorney General to prevent any reduction to immigration and refugee law services and to ensure that its efforts to secure a greater federal contribution are not linked to any interruption or reduction of services.

This letter has been endorsed by 17 different AIDS advocacy groups and service organizations from across the province of Ontario. The full list of endorsing organizations is at the end of this letter.

HALCO (www.halco.org) is the only community-based legal clinic in Canada serving low-income people living with HIV. HALCO staff practice a broad range of law, including immigration & refugee, privacy, health, human rights, tenancy, and income maintenance, and engage in public legal education, law reform, and community development initiatives. Since its inception, the clinic has handled over 50,000 requests for legal services, delivered hundreds of workshops, presented numerous briefs to various governmental committees, and intervened in matters at courts including the Supreme Court of Canada and Court of Appeal for Ontario.

LAO's proposed cuts would have a devastating impact on some of the most vulnerable people in Canada. The consequences of not having adequate legal representation for immigrants and refugees include deportation to detention, torture, and possibly even death. The risks to the unrepresented are severe and irreversible. If the proposed cuts take place, thousands of refugee claimants will be left without access to lawyers who will protect their rights and potentially their lives.

We are particularly concerned about the impact of these cuts on people living with HIV/AIDS. For example, without counsel, refugee claimants may not properly raise their HIV status as part of their claim. Having counsel at the Refugee Appeal Division and Pre-Removal Risk Assessment stages is particularly important for people with HIV, as this may be the first time they have raised their HIV status in their refugee proceedings. Applications for permanent residence on humanitarian and compassionate grounds are vital due to the risk to life a person with HIV may face due to inadequate

medical care in their country of origin. Lack of counsel for detention reviews may also impact people with HIV, who may face unique risks in detention.

People with HIV experience pervasive stigma and discrimination due to their HIV status, which can lead to isolation. Immigration and refugee law services are also particularly vital for specific vulnerable communities of people with HIV, including visible minority women who are marginalized due to complex and intersecting issues of HIV, poverty, immigration status, and violence issues. Many people with HIV also live with mental health issues and neurocognitive impairments such as HIV-related dementia. These additional issues only further highlight the importance of access to representation.

Along with the Alliance for Sustainable Legal Aid, the Inter-Clinic Immigration Working Group (Ontario), and other stakeholders, we call upon the provincial government to prevent any reduction to immigration and refugee law services and to ensure that its efforts to secure a greater federal contribution are not linked to any interruption or reduction of service.

Thank you for considering this submission.

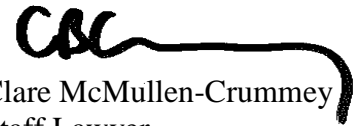
Sincerely,



Ryan Peck
Executive Director



Meagan Johnston
Staff Lawyer



Clare McMullen-Crummey
Staff Lawyer

Endorsed by:

African and Caribbean Council on HIV/AIDS in Ontario (ACCHO)
Africans in Partnership Against AIDS (APAA)
AIDS Action Now!
AIDS Committee of Toronto (ACT)
AIDS Committee of Windsor/AIDS Support Chatham Kent
Alliance for South Asian AIDS Prevention (ASAAP)
Asian Community AIDS Services (ACAS)
Black Coalition for AIDS Prevention (BlackCAP)
Canadian HIV/AIDS Legal Network
Committee for Accessible AIDS Treatment (CAAT)
HIV/AIDS Regional Services (Kingston)
Ontario AIDS Network (OAN)
Ontario HIV Treatment Network (OHTN)
Ontario Women and HIV/AIDS Initiative
Positive Living Niagara
Prisoners with HIV Support Action Network (PASAN)
Toronto People with AIDS Foundation (PWA)