

**KENSINGTON-BELLWOODS COMMUNITY LEGAL SERVICES**

**RESPONSE TO GTA TRANSFORMATION PROJECT**

The GTA Transformation Project was based on work in 2013 that the six east end Toronto general service clinics engaged in to find more efficient ways to serve low income communities and provide more front-line services. East Toronto Community Legal Services, Flemingdon Community Legal Services, Neighbourhood Legal Services, Scarborough Community Legal Services, West Scarborough Community Legal Services and Willowdale Community Legal Services hired the consultant organization “Public Interest” to examine the community clinic model. The report that followed suggested larger clinics with many access points within the community.

The east end clinics proposed to the Toronto Legal Clinic Management Group (mainly Executive Directors) that the clinics in the rest of Legal Aid Ontario’s GTA region (this includes Mississauga, North Dufferin and Peel and York Region clinics) should investigate the potential of restructuring the general service clinics. Oddly, the east end boundary for this restructuring was set at Scarborough because this is the LAO GTA region’s boundary.

The Project engaged in a long series of meetings and released a number of documents as work proceeded.

The proposed model outlines "the ideal clinic structure", which would have a staff of 33. There would be 3 clinics in Toronto plus, in addition, a clinic in Peel/Mississauga and one in York Region. In order to provide some level of accessibility “access points” would also be put in place. Very little content is offered regarding these “access points”.

The model arguably follows a set of 30 principles that were agreed to by all of the clinics. However we believe the proposed model does not fit these principles and will not lead to best practices in service delivery. **KBCLS cannot support the proposed model**.

A key principle emphasized by the Transformation Project is that community boards with local accountability are important. As stated in principle number two: “The community governance model is a central tenet of the community legal clinic system.” KBCLS holds that this is not just a principle but also a founding philosophy of our clinic system. We do not believe that mega clinics reflect a **community-based** model for service delivery.

What is being proposed is a system composed of a few mega clinics that are not responsive to the needs of the community. We believe that it will be extremely challenging to identify and meet the needs of such a large community under the proposed plan. Under the proposed plan how would we begin to define a community of that size? How would we get a board of directors that represents such a large spectrum in communities of that size?

We believe that having a very defined community makes it easier to respond to local needs and identify and address specific local issues. Principle number one describes how being able to respond to local needs is part of a flexible approach. The literature relied upon in the Project discussed the importance of local control and connectedness to community. This is especially true with community development work, which has been identified as a priority. How can we expect to effectively develop, engage and educate such large communities? How can we expect our workers to connect to such large populations and to all the key stakeholders in such large catchment areas? This is why Toronto has 44 city councillors: they can connect and work with smaller more defined communities to produce outcomes that in turn will benefit the communities and the city as a whole.

We also find that the process of the project fundamentally violated our commitment to a community based governance model. KBCLS has been actively speaking and advocating for more community involvement, especially more participation from the communities who use our clinics. The Project’s only active involvement with our clients was one focus group. The focus group was not an accurate reflection of the population who use KBCLS.

It is fundamental that our processes speak to the core principles that make our clinic system unique. We feel that the Transformation Project is imposing a delivery model from above and has not reflected community needs or expectations. We believe that we cannot **impose** such large changes on our community without them defining and agreeing to the changes to be made.

We also fear that the proposed large clinics are doomed to become bureaucratic, hierarchical and inflexible.

In light of these concerns we strongly believe the recommendations do not fit a community model. A community model is a keystone of our system for good reason. Services rooted and located in the community allow for:

* reasonable access by the most marginal members of society
* case workers to build important working relationships with other service providers in their communities
* rapid solutions and often a volume of case resolutions that cannot be achieved on an “institutional” scale.

The Project’s response to the literature’s recognition of an underfunded system is that it is more a distribution problem than a resource problem. For example, the Project argues that some clinics are under resourced relative to others. In reality***,* all clinics are****under resourced relative to the actual legal needs of low income people.**

The fundamental question is: how many more staff are needed to meet the growing demand for services at the general service clinics? The Project has not identified one existing community based legal clinic, which is “overcapacity” for service of its population’s current or projected legal needs at current staffing numbers or skills complement.

We do believe that it is essential as a clinic system to be open to change that will serve our client communities better. Kensington Bellwoods Community Legal Services signed on to the “Transformation” initiative because we believed that it was important to examine critical issues within the system. However we had many initial reservations when we signed the Memorandum of Understanding (MOU) in June 2013. These were clearly stated to the steering committee:

“Kensington Bellwoods Community Legal Services has signed the attached MOU to signal its commitment to participate in the important conversation between community legal clinics in the Greater Toronto Area.  Notwithstanding the perspective set out in the MOU, KBCLS wishes to state its commitment to the following principles:

* larger clinics are not necessarily more efficient or effective than smaller clinics
* all clinic staff should be unionized, and collective workplace models credited with savings in executive compensation
* reconsideration of geographic service areas should not follow the arbitrary regions currently used by Legal Aid Ontario
* student and specialty clinics -- and areas of clinic law generally -- are inseparable from an analysis of the community clinics
* clinic resource allocation should not just reflect the current distribution of poverty, but the likely future distribution as well
* growth in demand for clinic services ought to be met with expanded funding where it is most needed, rather than a transfer of resources away from existing clinics.”

The current model proposed by the Transformation Project does not mesh with these principles. In retrospect it is clear that there was never a vision other than the mega clinic structure outlined in the original report to the east end clinics. The document “Resourcing and Alternatives: Structures for Clinics” is inadequate because its rejection of alternatives (smaller staff numbers, mergers, hubs) does not present a fair and balanced review of those alternatives.

We believe any “transformation” must maintain and preserve the community relationships that made the clinic system a model recognized world wide. We feel that the Transformation project proposes clinics that are too big and that could no longer be considered as community based service providers.

We owe it to our clients and our communities to fight the political fight and honestly tackle the issue of underfunding. Folding in is not an option.

If you have any comments or want to be involved in this discussion please contact Kensington-Bellwoods Community Legal Services.

Gary Newhouse,

Chair

On behalf of the Board of Directors

Kensington-Bellwoods Community Legal Services

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