



LCO / CDO

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OUR MANDATE

THE LAW COMMISSION OF ONTARIO RECOMMENDS LAW REFORM MEASURES TO ENHANCE THE LEGAL SYSTEM'S RELEVANCE, EFFECTIVENESS AND ACCESSIBILITY; SIMPLIFY AND CLARIFY THE LAW; USE TECHNOLOGY TO ENHANCE ACCESS TO JUSTICE; AND STIMULATE DEBATE ABOUT LAW REFORM.

OUR VISION

THE LAW COMMISSION OF ONTARIO WILL BE A DYNAMIC, CREATIVE LEADER IN LEGAL RESEARCH, POLICY ANALYSIS AND LAW REFORM IN CANADA.

Message from the Executive Director



Welcome to the Law Commission of Ontario's inaugural newsletter! Now that we're well settled — great staff working diligently (hear from one of our summer students on page 3), three projects underway (and more in the hopper) and initial contact with

more than 50 professional and community groups — it's time to bring you up-to-date on our latest accomplishments and plans for the future.

We've thought hard about our contribution to Ontario's legal landscape, the values governing our work and the processes we'll follow. You can read why it matters that we are an independent and accountable law reform agency in our feature story on page 2 and in our Strategic Plan available online at <http://www.lco-cdo.org/en/thestrategicplan.html>.

A cornerstone of our Plan and something that I consider crucial to our work is our ability to engage all segments of the community. Whether we're tackling technical legal questions or broad social issues affected by the law, our recommendations will be based on multidisciplinary analysis and the perspectives of those who experience the law (evident even in our first project, on charging fees for cashing government cheques — see page 3).

And that's also why we want project suggestions from all segments of the community. Interested in submitting a proposal to us? See our website at <http://www.lco-cdo.org/en/Proposals.html>.

Enjoy this glimpse into our early days — and, if we haven't yet said hello, I look forward to an opportunity to introduce the LCO to your group and hear about your views on the law.

Patricia Hughes

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- LCO to tackle long-term change
- Report pending on cheque-cashing fees
- Calling all opinion leaders



LAW COMMISSION OF ONTARIO
COMMISSION DU DROIT DE L'ONTARIO

New age law commission to tackle long-term change



Patrick Monahan

Board Chair Patrick Monahan shares his hopes for the LCO's future

The new Chair of the Law Commission of Ontario's Board of Governors is committed to delivering results. By the end of his three-year term in 2010, Patrick Monahan hopes to leave as his legacy an organization that is helping to improve the administration of Ontario's justice system and enhance access to justice.

"I want to see the Commission make a significant contribution to our understanding of legal-related issues and advance debate that, eventually, results in changes in legislation or policy," says Monahan, Dean of Osgoode Hall Law School.

In many ways, the LCO's vision is making up for lost time. Although, in 1964, Ontario was the first in Canada to establish an independent legal think-tank, the province has been without a legal reform body since 1995 when the commission fell victim to government cutbacks. The Law Commission of Ontario was revived last year as a joint effort of the government, the Law Foundation of Ontario, the Law Society of Upper Canada and Ontario's six law schools with a goal of taking a long-term view of the administration of justice in the province.

"The previous reform commission was an important instrument of change in our province's legal system," said then Attorney General Michael Bryant at the LCO's launch in September 2007. "Our justice system needs the same capacity today."

"Monahan calls it a "new age law commission," a reference to the fact that today's LCO involves multiple partners. "We're trying to take a broader view, to deal with issues that are particularly difficult for government." This includes asking tough questions and engaging in critical debate on topics like the high cost of cashing government cheques and the law as it relates to older persons.

"It's essential in a democratic society that our laws be looked at under the lens of their impact on those at the lowest income levels," says Ivana Petricone, Executive Director of ARCH Disability Law Centre in Toronto. "Already, we're getting people thinking about and bringing forward proposals. There's some real promise here."

"This is our means of impacting issues that affect seniors and would never make it to the top of the government's agenda," agrees Christine McMillan, Executive Director of the Frontenac-Kingston Council on Aging.

"We are all proud of our justice system, but that does not diminish our determination to perfect it," says Attorney General Chris Bentley. "The Law Commission helps ensure our ability to continually make our justice system even better."

That's music to the ears of Monahan: "This is a process of evolution. The real measure of our impact will be felt for years to come."

We want to hear from you

We want to know what you think. Email lawcommission@lco-cdo.org, or call 416-650-8406 (toll-free at 1-866-950-8406) to share your experiences of how the law affects different communities in the province and what it's like to work within Ontario's legal framework. Visit www.lco-cdo.org for details of how to submit a proposal or arrange a site visit as part of the LCO's cross-province check-up. For regular updates, subscribe to our RSS feed on our website.

Your input at every level will affect the projects we select, the analysis we do and the recommendations we make.

Research project to benefit low-income Ontarians

LCO's final report on cheque-cashing fees expected this fall

Aissa Nauthoo has been trying for years to help her clients cash government cheques without the hassle and high fees. Finally, she says, there's a light at the end of the tunnel.

"It takes a lot of resources that clinics don't have to bring about change in law," says Nauthoo, Director of Legal Aid Services with the Centre francophone de Toronto. "The Law Commission of Ontario is playing an important and timely leadership role in legal reform."

The Law Commission of Ontario is playing an important and timely leadership role in legal reform.

This fall, the Commission will release the final report of its first independent research project, a public consultation on the fees charged by Ontario's cheque-cashing businesses. In the course of its consultation, the LCO has contacted approxi-

mately 130 stakeholders and received feedback from a wide range of academics, financial institutions, social service agencies, consumer advocates, legal clinics and government departments. According to a survey by the Financial Consumer Agency of Canada, seven per cent of Canadians — equal to about 800,000 Ontarians — used cheque-cashing services in 2005.

"It's a complex issue," says Lauren Bates, the LCO's staff lawyer. "The sector is rapidly expanding, it's largely unregulated and it has a significant impact on people who can least afford to pay high fees in order to access their benefits."

The LCO's consultation paper outlined several possible solutions, including mandatory direct deposit or fee regulation, each of which is already in place in several Canadian provinces. The Commission's recommendations, says Bates, may include a focused legal strategy or a basket of innovative approaches.

"It's the Law Commission's mandate to take a holistic view of the issue. We need to look at all of the pieces in order to arrive at the most pragmatic and effective solution."

"Legal reform can't take place in isolation."

Visit www.lco-cdo.org for a copy of the LCO's final report due out this fall, and details of our other projects.

Learning on the job



When Miriam Stein got the call that awarded her one of

four coveted summer studentships at the Law Commission of Ontario, she figured she had it made.

"This is an amazing opportunity to step back and ask how the law can be better," says the University of Ottawa law-Carleton University Master's of International Affairs student. "Access to justice work involves both legal and social research. I'm gaining skills here that I couldn't get just anywhere."

Stein joins undergraduate and graduate law students from U of T, Osgoode and UWO, all of whom were drawn to the opportunity to be a part of something new.

"At the end of the day I hope to better understand the process of law reform and the steps we can take to improve the administration of justice," says Stein. "I'm on my way to becoming a well-rounded lawyer."

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For more information about the Law Commission of Ontario, visit www.lco-cdo.org or call 416-650-8406 (toll-free at 1-866-950-8406).