



Everyone deserves fair day in court

OPINION

Re: “ Lawyers are fighting for a better legal aid system ”



(Allison Hanes, Feb. 19 2020)

The legal aid regime in Québec has been broken for a long time, a victim of government complacency in the face of clear injustice to the most vulnerable members of our society.

Today, legal aid in Québec is a stellar example of public policy failure and in dire need of reform, as Allison Hanes quotes me as saying.

Who are legal aid eligible clients?

By definition they are poor, but marginalized is the more accurate description.

You come to learn that most people are poor not out of choice but for a reason. The “poor” in fact suffer from mental health issues, depression, compulsive behaviour issues, struggling with alcoholism or drug addiction, medical and physical limitations, undiagnosed learning disabilities or illiteracy that compromise earning potential. There are things that can make you poor- not all of them within your control. Today’s politicians seem to be seemed attempting to walk back our society’s capacity for empathy. The political rhetoric of our times is unfortunately less forgiving and more judgmental. However, I continue to believe that the true character of our society continues to be defined by everyday people who look upon the less fortunate and say “there but for the grace of God go I.”

I believe people’s innate instinct is not to judge but to help. The person eligible for legal aid could be you or a family member or a friend someone you love. If that person is charged with a crime, whether that person is ultimately found guilty or is acquitted by a court of law, I believe that the vast majority of Québécois believe in the rule of law and due process everyone, regardless of financial circumstance, deserves a fair day in court represented by a lawyer paid reasonable compensation victor is the defendant of the accused.

This is what a government of and for the people does because “ there but for the grace of God go I.” Whether an accused is ultimately convicted or acquitted our society believes in due process that everyone regardless of financial circumstance deserves a fair day in court- to be represented by a lawyer who will vigorously defend the accused. This is what a government of and for the people guarantees because there but for the grace of God go I.

Ralph Mastromonaco practises criminal law in Montréal and is a member of the ad hoc committee established by the Association des Avocats et Avocates de Montréal to advocate for the reform of Québec’s legal aid regime.

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