

Bill #4

The Justice Employment Reform Act

WHEREAS “In the criminal justice system, there is an inevitable imbalance between the power and resources of the Crown and the power and resources of an individual accused. Legal aid is intended to bring some balance to the field”¹ ; and

WHEREAS “Depending on the jurisdiction, the percentage of poor adults aged 18 to 35 who would qualify for legal aid varies between 21% and 88%”² ; and

WHEREAS “A rising flood of litigants who do not qualify for legal aid lawyers, yet cannot afford one on their own, is costing the system heavily at a time when it is already creaking under the weight of swollen dockets”³; and

WHEREAS “[Canada is in an] abysmal state of access to justice.”⁴

THEREFORE HER MAJESTY, BY AND WITH THE ADVICE AND CONSENT OF THE YOUTH PARLIAMENT OF MANITOBA ENACTS AS FOLLOWS:

- 1** As of January 1, 2016 the Government of Canada will establish **JUST** [Justice Unfazed by Societal Tampering].
 - (1) **JUST** shall employ all lawyers practicing criminal law in Canada
 - (2) **JUST** lawyers may not provide legal advice for profit to any individual except for those assigned to them by the Government of Canada.
 - (a) Those who do so will be subject to discipline at the discretion of provincial bar associations.
 - (3) **JUST** lawyers will be salaried, paid out irrespective of individual win records or hours billed.

- 2** Any Canadian resident may access criminal defense counsel provided by **JUST** at no cost.
 - (1) Clients may not provide payment to **JUST** lawyers.
 - (2) **JUST** defense counsel will be provided free of charge for trials, appeals, and parole hearings.
 - (3) Accused Canadian residents will be assigned **JUST** legal counsel on the basis of availability.

¹ Ministry of the Attorney General of Ontario. Report of the Ontario Legal Aid Review: A Blueprint for Publicly Funded Legal Services. 1997.

² Tsoukalas, Spyridoula, and Paul Roberts. "Legal Aid Eligibility and Coverage in Canada." Department of Justice Canada, 2002. <http://www.justice.gc.ca>.

³ Makin, Kirk. "Price of Self-representation Weighs on Courts." The Globe and Mail. May 18, 2012. www.theglobeandmail.com.

⁴ Canadian Bar Association. "Reaching Equal Justice: An Invitation to Envision and Act." 2013. www.cba.org.

(a) Accommodations will be made for family members, conflicts of interest, or breakdowns in the solicitor-client relationship.

3 Accused Canadian residents accused of indictable offenses may not post bail, but must remain in custody until they stand trial.