

July 31, 2026

Moya Teklu
Director of Policy
Legal Aid Ontario

Lisa Bernstein
Director of External Relations
Legal Aid Ontario

Dear Ms. Teklu and Ms. Bernstein:

We are writing about a critical gap in legal representation for survivors of intimate partner violence ("IPV") navigating Ontario's family court system. IPV remains an epidemic across Ontario. Survivors need access to family law lawyers who understand IPV and its effects. Effective representation can reduce the harm of the legal process and help survivors obtain outcomes that protect their safety, well-being, and financial security, as well as that of their children.

By way of background, Luke's Place is a non-profit organization devoted to improving the safety and experience of women and their children after they leave an abusive partner and navigate the family law system. We provide direct services to women across Ontario and offer training and create resources addressing the intersection of gender-based violence and family law. We believe that women and their children have a right to be safe and that family law should promote and provide that safety.

We appreciate Legal Aid Ontario's continued efforts to improve access to justice for low-income Ontarians, including initiatives such as the Senior Family Counsel Program and two-hour Domestic Violence Certificates. These programs recognize the distinct barriers IPV survivors face when seeking family law assistance and reflect LAO's commitment to improving access to justice. However, our research shows that significant gaps remain, and many survivors still cannot obtain consistent and sufficient legal representation.

Luke's Place recently released the report **[Navigating Family Court Alone: Barriers and Gaps in Legal Representation for Survivors of Intimate Partner Violence in Ontario](#)**. The report draws on an online survey circulated in 2025, completed by 104 frontline workers from 52 organizations across Ontario, as well as a focus group involving 24 participants from 22 anti-violence organizations. Participants worked in shelters, victim services, women's centres, crisis centres, community legal clinics, cultural resource hubs, and family services organizations. The report captures the experiences of frontline workers assisting survivors to access legal representation and reflects the barriers they observe across communities throughout Ontario.

We encourage you to review our full report for further details, a copy of which is enclosed with this letter. In summary, our research identifies barriers IPV survivors face at multiple stages in accessing LAO's services. Many survivors earn too much to qualify for a Legal Aid Certificate but cannot realistically afford private counsel. Those who qualify often struggle to find a lawyer willing to accept their certificate. Survivors who secure representation frequently exhaust their certificate hours before their case concludes. Existing programs designed to bridge these gaps provide important assistance, but they currently reach too few survivors or provide insufficient support. We therefore respectfully urge Legal Aid Ontario to consider the following recommendations:

1) Adjust financial eligibility criteria to close the access-to-justice gap

Many survivors fall within a growing access-to-justice gap where their incomes exceed LAO's financial eligibility limits, but they cannot afford private counsel. Financial assessments also fail to capture the costs and constraints survivors face after separation, including housing and childcare expenses as well as the effects of financial and litigation abuse.

We therefore recommend that Legal Aid Ontario:

- Raise the financial eligibility thresholds for Legal Aid Certificates so that more survivors qualify, and ensure that financial assessments in IPV cases account for the actual costs of living, housing, and childcare, as well as the effects of financial abuse.

1) Bolster the number and capacity of lawyers willing to accept Legal Aid Certificates

For survivors who do qualify for Legal Aid, finding a lawyer remains a significant challenge. Survivors in rural, northern and Indigenous communities face even greater barriers, with some communities having few or no local lawyers accepting certificates. Frontline workers linked this shortage to low tariff rates, insufficient certificate hours, the complexity of IPV cases, and the lack of lawyers with IPV-related experience and training. Workers also commented that LAO's online lawyer list is often inaccurate, requiring survivors to contact multiple lawyers who are not actually accepting certificates.

We therefore recommend that Legal Aid Ontario:

- Reimburse lawyers for travel when accepting Legal Aid Certificates for survivors in other jurisdictions.
- Ensure all lawyers accepting Legal Aid Certificates and 2-hour DV Certificates receive meaningful and ongoing education and training on IPV and trauma-informed practice. This training should be mandatory.
- Enhance recruitment and outreach efforts to expand the roster of lawyers, particularly geared toward those who work in family law or have experience working with survivors of IPV.

- Raise the tariff rate for lawyers accepting Legal Aid Certificates and 2-hour DV Certificates to incentivize more lawyers to do this work.
- Ensure the online list of lawyers who are currently accepting Legal Aid Certificates and 2-hour DV Certificates is regularly updated.

1) Expand the scope and duration of legal aid coverage for IPV cases

Even when survivors obtain representation, Legal Aid Certificates often do not provide enough hours to carry them through their cases. This is especially concerning in IPV cases where abusive former partners may use non-disclosure, delay, repeated litigation, vexatious conduct, or other forms of legal bullying to exhaust a survivor's limited resources.

The Senior Family Counsel Program may assist some survivors, but it is available to only a small number of clients. Frontline workers described the program as inconsistently implemented, poorly communicated, and unavailable in many communities.

The recent Supreme Court of Canada's decision in *Ahluwalia v Ahluwalia* amplified another critical gap in LAO coverage when it comes to tort claims brought by a survivor in a family law case. The decision creates an immediate need for guidance about how LAO will respond when survivors seek to advance a tort claim in family court for the IPV they endured. Certificate coverage should be extended to include these claims so that this new legal remedy is accessible to the litigants it was meant to protect. Survivors and service providers need clear guidance on whether and how LAO will expand its services to include tort claims, and how LAO plans to support its roster lawyers in competently advancing these claims in court.

We therefore recommend that Legal Aid Ontario:

- Increase the number of hours available on Legal Aid Certificates in cases involving IPV. Hours should reflect the complexity of IPV-related family law cases and the realities of legal bullying. Create an expedited and transparent process for requesting additional hours.
- Expand access to the Senior Family Counsel Program so that survivors across the province can benefit from this service, and increase transparency about the referral process and eligibility decisions.
- Expand Legal Aid Certificates and 2-hour Domestic Violence Certificates for survivors to include tort claims brought in a family law case.

1) Improve transparency, communication, and consultation with community organizations

Our report also identifies the need for clearer and more consistent communication between LAO, survivors, and community organizations. Frontline workers reported inconsistent information about Legal Aid services and certificate applications, limited awareness of newer

programs, unclear referral processes, and difficulty obtaining updates or reasons for denial. These issues not only make it difficult for IPV survivors to access services, but also unnecessarily divert frontline worker resources from providing other urgent services.

We therefore recommend that Legal Aid Ontario:

- Strengthen communication and access to information to survivors and community organizations to ensure widespread knowledge about programs and services and how they can be accessed.
- Regularly engage and consult with community organizations to stay abreast of trends and challenges experienced by survivors in accessing services.
- Increase transparency and education about LAO processes, eligibility criteria, required documentation, and complaint mechanisms for both clients and frontline workers.

We recognize that many of these issues are longstanding and appreciate the steps LAO has already taken to improve access to family law services. However, our research and our experience delivering services to survivors across Ontario make it clear that survivors continue to encounter significant barriers and gaps under the current scheme.

The access-to-justice gap has been documented for nearly two decades. Luke's Place's 2008 research identified a critical gap in legal representation and described the harm caused when survivors must proceed without counsel. In our 2023 tariff reform submission and 2024 consultation submission, we again reported that survivors were struggling to find family law lawyers willing to accept Legal Aid Certificates. Our 2026 report confirms that these barriers remain a widespread systemic gap requiring further intervention.

Ensuring that survivors have timely access to legal representation is essential. Without counsel, survivors face greater difficulties obtaining protective court orders that break the cycle of violence and provide for their long-term safety and financial security as well as that of their children. Strengthening access to legal representation would also allow frontline and community organizations to focus their limited resources on the other critical supports they are uniquely positioned to provide. We strongly urge LAO to act on our recommendations and take concrete steps to ensure that survivors of IPV can access meaningful legal representation during the family court process.

We would welcome the opportunity to discuss these issues and recommendations in greater detail.

Yours truly,



Emily Murray
Acting Co-Executive Director