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**ATTORNEY GENERAL ANNOUNCES
CRIMINAL DEFENCE FUNDING PROTOCOL**

Agreement With Legal Aid Ontario To Ensure Effective Use Of Public Funds

TORONTO — The Ministry of the Attorney General and Legal Aid Ontario have finalized a new protocol for managing court-ordered publicly-funded criminal defences, Attorney General Chris Bentley said today.

“Our responsibility to prudently manage public funds extends to those cases where a court orders the government to pay for Defence Counsel,” said Bentley. “This new protocol will ensure public funds are spent effectively through greater financial oversight and assessment powers.”

The protocol applies in the rare circumstance that a judge orders the ministry to fund the defence of an accused person who is not receiving legal aid. It recognizes that, while the ministry needs to oversee the spending of public money, that function must be kept separate from the ministry’s role as Crown prosecution service. Legal Aid Ontario would therefore manage these cases according to its normal billing and payment rules and processes.

When a funding order is made, the protocol allows the ministry to meet its obligation to oversee spending by requiring the ministry and Legal Aid Ontario to appear before the court together to recommend a funding and billing arrangement that could be made official in a court order. Where necessary, the ministry will ask an independent third party with expertise in criminal proceedings to review, monitor and assess invoices during a proceeding, at its conclusion, or both.

This protocol is posted on the ministry’s website at www.attorneygeneral.jus.gov.on.ca.

“The protocol clearly sets out the duties and responsibilities of the ministry and Legal Aid Ontario and will promote openness, accountability and responsibility,” said John McCamus, Chair of Legal Aid Ontario.

The Ministry of the Attorney General is awaiting the results of a review being led by Professor Michael Trebilcock on ways to strengthen Ontario's legal aid system.

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