



ACCESS TO JUSTICE – A SNAPSHOT OF ISSUES & STATISTICS

HOW SERIOUS IS IT?

OJEN/ROEJ developed this information sheet using quotes and statistics prepared by the Canada Bar Association and the Action Committee on Access to Justice in Civil and Family Matters,:

1. Canadian Bar Association, Envisioning Equal Justice Project, Equal Justice www.cba.org/CBA/equaljustice/
2. Action Committee on Access to Justice in Civil and Family Matters, A Roadmap for Change, <http://www.cfcj-fcjc.org/collaborations>

Nearly 12 million Canadians will experience at least 1 legal problem in a given 3 year period. Few will have the resources to solve them.

Experiences with Accessing the Justice System...

“It is the stress of all the steps prior to getting to the step where you can even act out your rights, and you get so frustrated with the process”

Deaf Woman, Toronto

“When I took the forms in to the court, the clerks told me that I had filled the forms in wrongly. I burst into tears. The journey from my home to the courthouse was a 150 mile drive and a ferry ride”

“... as a person with a chronic illness it has been challenging to learn about court procedures and laws. I chose to represent myself because I am on a fixed income and can no longer afford counsel. I have spent all my life savings and more on a five-year divorce process”

“If you believe in the system and think it will help you, you’ll get burned”

Aboriginal Woman, Saskatoon

Self – Representation

- As a result of inaccessible legal services, 50% of people try to solve their problems on their own with no or minimal legal or authoritative non-legal assistance.
- Depending on court and jurisdiction, well over 50% of individuals represent themselves in court and this is usually not by choice. The percentage of self-represented individuals in family court proceedings is even higher.
- Statistics indicate that individuals who receive legal training assistance are between 17% and 1,380% more likely receive better results than those who do not.

How Canada Ranks in the World on Access to Justice

9/12 in North America and Western Europe in 2011

13/29 of high income countries in 2012

54/66 in access to legal counsel (legal aid)



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“What would you do if you had a legal problem?”

“If I had a justice problem? I wouldn’t know what to do ”

Young Woman, Saskatoon

“Where would I go? I don’t know...(long pause). My MP? ”

Middle aged man, Windsor

“I don’t think many people I know where to go or what to do to get access to justice.”

Middle aged man, Ottawa

“I would go to a lawyer, a free lawyer, I can’t afford a lawyer, and I would agree with him on the spot.... If I had a problem, where would I go for help? The goverment of Canada.”

Young man, London

“I would talk to my mother and ger her opinion, and then I would call the police... I just know to call the police”

Young woman, London

Between 42% - 90% of individuals who do not seek the legal assistance identify cost (or perceived cost) as the reason for not doing so.

In Canada, over 20% of the population take no meaningful action with respect to their legal problems.

Over 55% of the population think that nothing can be done, are uncertain of their rights, do not know what to do, think it will take too much time, cost too much or are simply afraid.

On average, healthcare takes over 40 cents of every dollar of public spending. The whole civil justice system is less than one cent of the same dollar. How can we possibly be doing that? The answer is because the public demands healthcare and so far, they are not demanding access to justice.