

Legal Data in SK and Implications for a Justice Data Commons: Results from an Environmental Scan and Key Informant Interviews

Introduction

The Centre for Research, Evaluation, and Action Towards Equal Justice (CREATE Justice) is working with stakeholders such as the Law Society of Saskatchewan to improve justice initiatives in Canada. The purpose of the current study was to conduct a scan of justice-related data being collected by legal organizations and non-legal organizations in Saskatchewan, particularly in the domains of civil and family law, to better understand the nature of the data being collected, the accessibility of that data for data sharing purposes, and how amenable agencies in Saskatchewan are to establishing a justice data commons in the province.



Methods

A multi-method approach was employed to achieve the study's objectives:

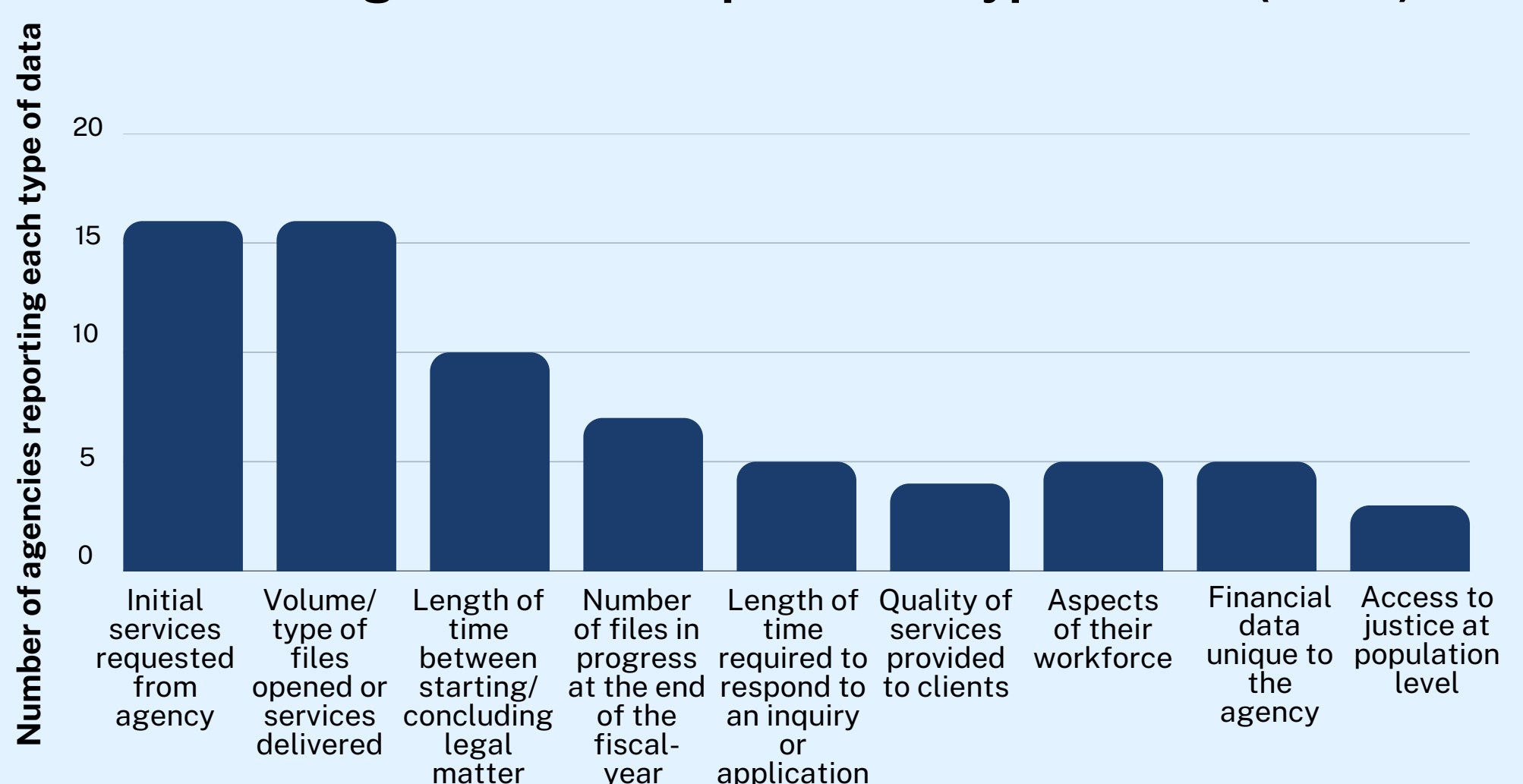
1. **An environmental scan** was conducted by reviewing annual reports from 2020-2021 for 24 government, legal not-for-profit, and other community agencies to determine the type of data collected by these organizations
 - Data from the environmental scan was analyzed using two lenses:
 - A content analysis of the type of data containing within the reports
 - The fit of the collected data within the Access to Justice (A2J) Measurement Framework developed by A2JBC (2019)
 - The A2J Measurement Framework is a justice metrics framework that can be used to monitor and evaluate improvements in access to justice with respect to 3 elements: 1) Improving Population Access to Justice; 2) Improving User Experience of Access to Justice; and 3) Improving Costs
2. **Key informant interviews** were conducted with 14 representatives from 8 agencies in Saskatchewan with a vested interest in access to justice in the areas of civil and family law to obtain a more in-depth understanding of data collection practices within the province. Included agencies considered were:
 - a. Agencies that **do** currently report data publicly
 - b. Agencies that **do not** currently report data publicly
 - c. Agencies with current and/or past experience with establishing data portals/warehouses

Research Questions

- 1) What types of justice-related data related to civil and family law are being collected by legal (and non-legal) organizations in Saskatchewan?
- 2) To what extent are agencies in Saskatchewan practicing within the domains of civil and family law able to share data with external parties? What factors may facilitate or hinder data sharing?
- 3) What is the perceived need for a justice data commons in Saskatchewan? What are the perceived benefits and challenges associated with establishing a justice data commons?

Results from the Environmental Scan

Number of Agencies that Report Each Type of Data (N=24)



Findings from Key Informant Interviews

All agencies used data in similar ways:

1) To enhance service delivery

- Agencies used their data to identify gaps and trends over time to develop new resources, programs, and policies to meet emergent needs

2) Justify funding

- Most organizations relied upon data to justify the need for funding and to determine the levels of funding required to meet the demand for legal services

3) Complete reporting

- Most agencies reported to the federal and/or provincial governments, largely with respect to funding that has been received

Data Collection Practices

- Several agencies collected data related to inquiries made about their agency and demographic characteristics of their clientele
- Most agencies also collected data on the volume and services provided
- Most agencies tracked data on an ongoing basis in an Excel spreadsheet or a case management database

Data Sharing Practices

- Agencies most commonly shared data with other government departments, the Judiciary, parent agencies, and external partners working on similar initiatives
- Having trust in the data recipient emerged as the most important factor influencing an organization's willingness to share data
- Interviewees noted there may be some hesitancy within their organizations to share data that may be misunderstood or that could jeopardize their funding if it was misinterpreted politically or in the media

Perceptions of Establishing a Justice Data Commons in SK

- All interviewees expressed interest in the notion of a provincial justice data commons, with some organizations indicating that they would be willing and ready to participate and others requiring more information about the intended purpose of the data commons
 - All provided the caveat that any potential involvement would be influenced by the time and resources required to participate in such an initiative
- Perceived benefits of a data commons included:
 - Being able to **more readily identify and address gaps** with respect to access to justice and the provision of legal services in the province
 - **Enhanced data collection practices** within their own organization, both in terms of how and what data is collected
 - **Learning about best practices** with respect to addressing clients' legal needs
- To establish a data commons, interviewees emphasized the need for dedicated human and financial resources, suggesting a full-time team would be required



Conclusion

- Findings pertaining to agencies' data collection and data sharing practices indicated that they are: a) actively sharing data; and b) already engaged in some data sharing practices
- There seems to be some interest in, and support for, participating in a justice data commons; however, two factors will ultimately dictate agencies' level of interest in being involved: a) the purpose of the data commons; and b) the resources available to support their involvement

Next Steps

- Determine the purpose of the data commons and ensure it is grounded in a strong framework
- Determine the primary audiences for contributing to, and analyzing data within, the data commons
- Seek resources to directly support participating agencies.
- Establish a team for developing the data commons with all required types of expertise
- Determine the level of data that will be targeted by the data commons

