

**A Legal Needs Survey in the Province of Saskatchewan:  
Perspectives of Lawyers and Legal and Non-Legal Service  
Providers**

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## Executive Summary

Global estimates suggest that over one-third (36%) of the world's population have experienced at least one justice-related problem within a two-year period, with the extent of these problems varying across countries (World Justice Project, 2019a, 2019b). Within the Canadian context, anywhere from 34% to 52% of Canadians have experienced at least one justice-related problem within a two-to-three-year timespan (Farrow et al., 2016; Savage & McDonald, 2022; World Justice Project, 2019a). These problems can place a significant economic burden on society, as well as lead to financial strains and other hardships (e.g., stress and emotional issues) for the individual(s) facing the problem (Farrow et al., 2016; Savage & McDonald, 2022; World Justice Project, 2019a). Given the ubiquitous nature of justice-related problems, as well as the potential negative impact they can have, individuals within any community will have a variety of legal needs. A legal need arises when an individual (or a group of individuals) is faced with a justice-related problem but experience a deficit in legal capability and, therefore, require legal support to manage the issue. However, when legal support is not available to help resolve justice-related problems, legal needs are oftentimes left unmet which ultimately means there is no access to justice (OECD/Open Society Foundations, 2019). With that said, Canada is facing a major access to justice problem, as a series of national studies have suggested a considerable proportion of Canadians have legal needs that are left unmet (Currie, 2009, 2006; Farrow et al., 2016; Savage & McDonald, 2022). Access to justice is therefore concerned with peoples' ability to effectively navigate their justice-related problems and to access and utilize the services necessary to achieve sufficient resolution to these problems, whether it be through formal or informal systems and with appropriate legal and/or non-legal support (McDonald, 2017; OECD/Open Society Foundations, 2019). Developing a better understanding of peoples' legal needs and their experiences navigating justice-related problems is the first step toward achieving equal access to justice (World Justice Project, 2019a).

Despite recent developments in data collection and research efforts to improve access to justice in Canada (see Currie, 2009, 2006; Farrow, 2014; Farrow et al., 2016; McLachlin, 2011; Savage & McDonald, 2022), there is still a deficit in data and research addressing legal needs and access to justice issues in the province of Saskatchewan. While the latest national legal needs surveys in Canada targeted residents in each of the 10 provinces (Farrow et al., 2016; Savage & McDonald, 2022), Saskatchewan residents have made up a rather small proportion of the total sample (e.g., representing 3.1% in Farrow and colleagues' 2016 study). Therefore, findings from national surveys are not detailed enough to inform policy and programming specific to Saskatchewan's access to justice issues and legal needs. To that end, the University of Saskatchewan's College of Law, CREATE Justice, and Centre for Forensic Behavioural Science and Justice Studies (CFBSJS) conducted a research project that sought to design and administer a Saskatchewan-based legal needs survey to assess the justice-related problems, legal needs, and barriers to access to justice within communities in Saskatchewan. Two survey instruments, broadly referred to as the 2021-2022 Saskatchewan Legal Needs Survey, were designed to assess Saskatchewan communities' legal needs and accesses to justice issues from the perspective of those who provide justice-related support and services (i.e., lawyers and representatives of community-based organizations). Taken together, the primary focus of this report was to present and discuss findings from Saskatchewan's 2021-2022 Legal Needs Survey.

## Methods

### Study Design

A cross-sectional research design was used to assess (practicing or non-practicing) lawyers', as well as legal and non-legal service providers' (i.e., representatives of community-based organizations), perceptions of the access to justice issues and priority legal needs of individuals and communities in Saskatchewan. The 2021-2022 Saskatchewan Legal Needs Survey is comprised of two online self-report questionnaires. One questionnaire was tailored to legal and non-legal service providers (i.e., the Community Agency Survey), whereas the other was tailored to lawyers (i.e., the Lawyer Survey); thus, these groups represent independent samples. In general, these questionnaires asked lawyers and representatives of community-based organizations in the province to reflect on:

- General perceptions of justice-related problems, legal needs, and access to justice barriers as it relates to the communities and clients in which they serve.
- Types of justice-related problems and legal needs experienced in their community and by their clients (especially community members' experiences navigating these issues).
- Areas of law most in demand in their community and barriers to accessing services in these areas of law.
- Legal and non-legal supports/services most in demand in their community and barriers to accessing these supports/services to manage justice-related problems.
- Social groups most in need of legal supports/services in their community and barriers these groups encounter when accessing these supports/services.
- Ways to increase access to legal supports and services in their community.

### Sample: Community Agency Survey

A total of 67 representatives of community-based organizations that provide legal and/or non-legal supports and services across the province comprised the sample for the Community Agency Survey. A geographic-based sampling approach was used to identify community-based organizations operating in Saskatchewan communities with a population size of 4,000 or greater (in addition to those operating in some smaller communities to represent the Far North). Each community-based organization selected into the initial sampling frame ( $N = 179$ ) was first contacted by telephone to provide a brief description of the study and inquire as to whether a representative from the agency (i.e., an Executive Director or other designated individual in a managerial position) would like to receive a follow-up invitation to participate in the survey. Of the 179 organizations originally contacted, a total of 89 (49.7%) agreed to receive a formal invitation to complete the survey. Of the 89 representatives of community-based organizations that were invited to participate in the study through this sampling and data collection procedure, approximately 49 completed the survey (i.e., a 55% response rate). Participants for this survey were also recruited through supplementary strategies (e.g., presentations, newsletters, social media posts, pilot survey invitations, etc.), which resulted in 18 additional representatives of community-based organizations.

To gather a better understanding of whose opinions are reflected in the survey, representatives of community-based organizations were asked several demographic questions. Foremost, many participants indicated their organization provided services pertaining to mental health and addictions (22%), justice (17%), and child, youth, and family (10%). With respect to the legal services respondents' organizations provide to assist people with justice-related problems, most indicated that they provide referrals to legal (50%) and non-legal (47%) service providers, advocacy (33%), legal information (23%), mediation (22%), document preparation and form filling (17%), and "other" legal services (13%).

Participants were also asked about the community (or communities) they serve, as well as whether they deliver services in northern Saskatchewan. In accordance with the geographic sampling approach, most of these representatives reported their organization served the Central region (35%), followed by South (19%), South West (17%), North (17%), North East (15%), North West (8%), South East (6%), Central East (4%), and Central West (4%). In addition, 19% of respondents indicated that they serve the entire province. Finally, 40% ( $n = 21$ ) indicated their organization delivers services in northern Saskatchewan, whereas 56% ( $n = 29$ ) said they did not provide services in the north.

### **Sample: Lawyer Survey**

A total of 272 practicing (and non-practicing) lawyers who have provided legal supports and services within Saskatchewan comprised the sample for the Lawyer Survey. Participants were first invited through a series of advertisements in the Law Society of Saskatchewan's (LSS) weekly newsletter to its listserv subscribers. At the time of the study, there were approximately 2,865 LSS listserv subscribers. Among these individuals, 82 completed the survey through this sampling and data collection procedure (i.e., a 3% response rate). Given the low response rate obtained through this initial sampling strategy, a secondary sampling strategy was employed. In this case, mining of the Law Society of Saskatchewan's "Find Legal Assistance" directory (i.e., a webpage that can be used by the public to search for members of the LSS who are licensed to practice law) led to the identification of 745 LSS members actively practicing law in Saskatchewan (and with available contact information). Formal invitations were sent via email to the 745 LSS members to invite them to complete the survey. Of the 745 LSS members that were invited to participate in the study through this sampling and data collection procedure, approximately 176 completed the survey (i.e., a 23.6% response rate). Participants for this survey were also recruited through supplementary strategies (e.g., presentations, newsletters, social media posts, pilot survey invitations, etc.), which resulted in 96 additional lawyers.

To gather a better understanding of whose opinions are reflected in the survey, lawyers were asked several demographic questions. With respect to the type of organization participants work for, the majority indicated that they work for a law firm (67%), followed by the provincial government (13%), Legal Aid (3%), as an in-house counsel (3%), as well as community-based organizations (2%), legal clinics (1%), professional associations (1%), the Saskatchewan Health Authority (1%), Crown Corporations (1%), and the municipal government (1%). Approximately 7% ( $n = 15$ ) of these respondents also selected "other" organization. No lawyers stated that they worked for a First Nation, Métis Nation, or Tribal Council.

In terms of the legal services that respondents provide, most indicated they provide legal advice (77%), legal representation (68%), assistance with litigation (53%), legal information (52%), and assistance with negotiation (51%). With respect to the length of time they had been providing legal services, many indicated they had been practicing law for more than 30 years (23%), followed by 11 to 15 years (16%), 1 to 5 years (13%), 6 to 10 years (13%), 16 to 20 years (12%), 21 to 25 years (11%), and 26 to 30 years (7%). Only two participants had been practicing law for less than 1 year. In addition, 5 individuals indicated they were a non-practicing lawyer. For those who were non-practicing lawyers, respondents reported they had previously provided legal services for 11 to 15 years ( $n = 1$ ) and more than 30 years ( $n = 3$ ).

Lawyers were also asked about the community (or communities) they serve and whether they deliver services in northern Saskatchewan. Most participants reported that they practiced in the South and Central regions (33%, respectively), followed by Central West (9%), South West (8%), North (7%), Central East (6%), North East (5%), South East (4%), and North West (4%). In addition, 21% ( $n = 39$ ) of participants indicated that they serve the entire province. Furthermore, 29% ( $n = 62$ ) indicated they deliver legal services in northern Saskatchewan, whereas 69% ( $n = 146$ ) said they did not provide legal services in the north.

With respect to sociodemographic characteristics, lawyers who completed the survey were, on average, 48 years of age ( $SD = 13.03$ ), primarily identified as men (52%,  $n = 110$ ) or women (41%,  $n = 87$ ), and over three-quarters (77%) identified as White race/ethnicity, followed by First Nation, Métis, or Inuit (7%), Other (3%), South Asian (2%), Black (2%), Chinese (1%), Arab (1%), and Southeast Asian (1%).

## **Data Analysis**

**Quantitative Data.** All close-ended survey questions were analyzed in SPSS using descriptive statistical techniques (i.e., calculating relative frequencies and measures of central tendency) to identify the response items that were most frequently endorsed by participants. Quantitative data from the Community Agency Survey and Lawyer Survey were analyzed separately.

**Qualitative Data.** All open-ended survey questions were analyzed using thematic analysis, which aims to identify and categorize thematic patterns emerging from text-based data (Braun & Clarke, 2006; Boyatzis, 1998; Castleberry & Nolen, 2018). Several steps were followed to conduct the thematic analysis. In general, participants' responses were categorized according to the survey question and were reviewed to develop a coding scheme (which would be used to identify and categorize major themes based on the similarities that emerged across participants' answers); responses were systematically analyzed and coded according to the relevant theme(s); and, finally, key responses were extracted and organized in accordance with the thematic patterns emerging from the data. Qualitative data from the Community Agency Survey and Lawyer Survey were analyzed separately.

## Results: Community Agency Survey

### General Perceptions of Justice-Related Problems and Legal Needs

Reflecting upon the community in which they serve and the work they do, representatives of community-based organizations generally suggested that some barriers may exist with respect to individuals and communities in Saskatchewan being able to navigate their justice-related problems and meet their legal needs. The table below provides a detailed overview on the general perceptions of justice-related problems and legal needs in Saskatchewan according to representatives of community-based organizations.

**ES Table 1: Representatives' Perceptions of Justice-Related Problems and Legal Needs**

Survey Item	Key Findings
<b>Over the course of a lifetime, almost everyone will confront a justice-related problem.</b>	<ul style="list-style-type: none"> <li>Representatives of community-based organizations were likely to Agree (42%) or Strongly Agree (34%) with this statement.</li> </ul>
<b>The legal system is difficult to navigate for those seeking legal support(s) for justice-related problems.</b>	<ul style="list-style-type: none"> <li>Representatives of community-based organizations were likely to Strongly Agree (54%) or Agree (36%) with this statement.</li> </ul>
<b>People experiencing a justice-related problem are better off addressing it through the formal legal system.</b>	<ul style="list-style-type: none"> <li>Representatives of community-based organizations Neither Agreed nor Disagreed (33%), as well as a further 19% Agreeing and 21% Disagreeing, with this statement.</li> </ul>
<b>The vast majority of justice-related problems can be resolved outside of the formal legal system.</b>	<ul style="list-style-type: none"> <li>Representatives of community-based organizations were likely to Agree (33%), as well as a further 27% Neither Agreeing nor Disagreeing, with this statement.</li> </ul>
<b>People are less likely to take action to solve justice-related problems that have higher costs (e.g., financial, time, energy, etc.).</b>	<ul style="list-style-type: none"> <li>Representatives of community-based organizations were likely to Strongly Agree (49%) or Agree (34%) with this statement.</li> </ul>
<b>Eligibility criteria for free, subsidized, or low-cost legal services (e.g., Legal Aid) are too restrictive.</b>	<ul style="list-style-type: none"> <li>Representatives of community-based organizations were likely to Strongly Agree (46%) or Agree (28%) with this statement.</li> </ul>
<b>There are an adequate number of services available to support the legal needs of our community.</b>	<ul style="list-style-type: none"> <li>Representatives of community-based organizations were likely to Disagree (52%) or Strongly Disagree (33%) with this statement</li> </ul>
<b>People are aware of the legal support(s) available in the community which may assist in resolving a justice-related problem.</b>	<ul style="list-style-type: none"> <li>Representatives of community-based organizations were likely to Disagree (61%) or Strongly Disagree (27%) with this statement.</li> </ul>



Survey Item	Key Findings
<b>A significant barrier to addressing individuals' legal needs is the unintegrated nature of services available in the community.</b>	<ul style="list-style-type: none"> <li>Representatives of community-based organizations were likely to Agree (46%) or Strongly Agree (18%) with this statement.</li> </ul>
<b>Legal service providers deliver services in a culturally appropriate manner (e.g., services are tailored, where necessary, to account for clients' cultural backgrounds).</b>	<ul style="list-style-type: none"> <li>Representatives of community-based organizations were likely to Disagree (42%) with this statement (28% Neither Agreed nor Disagreed).</li> </ul>
<b>People are able to...</b>	
<b>Obtain effective legal advice for a justice-related problem (if they are in need of legal advice).</b>	<ul style="list-style-type: none"> <li>Representatives of community-based organizations reported that people faced with a justice-related problem are Sometimes (54%) or Rarely (28%) able to obtain effective legal advice.</li> </ul>
<b>Obtain effective legal information for a justice-related problem (if they are in need of legal information).</b>	<ul style="list-style-type: none"> <li>Representatives of community-based organizations reported that people faced with a justice-related problem are Sometimes (60%) or Rarely (27%) able to obtain effective legal information.</li> </ul>
<b>Obtain effective legal representation for a justice-related problem (if they are in need of legal representation).</b>	<ul style="list-style-type: none"> <li>Representatives of community-based organizations reported that people faced with a justice-related problem are Sometimes (52%) or Rarely (30%) able to obtain effective legal representation.</li> </ul>
<b>Access legal support(s) in a timely manner to resolve a justice-related problem.</b>	<ul style="list-style-type: none"> <li>Representatives of community-based organizations reported that people faced with a justice-related problem are Sometimes (48%) or Rarely (37%) able to access legal support in a timely manner.</li> </ul>
<b>Satisfactorily resolve justice-related problems as a result of seeking legal support(s).</b>	<ul style="list-style-type: none"> <li>Representatives of community-based organizations reported that people faced with a justice-related problem are Sometimes (42%) or Rarely (24%) able to resolve these problems by seeking legal support.</li> </ul>

## Legal Needs

Representatives of community-based organizations highlighted the types of justice-related problems their clients most often have. The top five justice-related problems pertain to:

- Criminal matters (64%)
- Family (relationship breakdown) (61%)
- Social assistance (49%)
- Housing (46%)
- Money or debt (36%)
- Family (other) (36%)

On the one hand, when asked about the types of legal supports clients most often need to manage their justice-related problems, it was suggested they require access to:

- (1) Legal information and education;

- (2) Affordable legal services and support;
- (3) Legal consultation, representation, guidance, and support;
- (4) Adequate language, interpretation, and cultural services; and
- (5) Other legal supports.

On the other hand, when asked about the types of non-legal supports clients most often need to manage their justice-related problems, it was indicated they require:

- (1) Access to social services and community support (including referrals);
- (2) Access to general information, consultation, and guidance;
- (3) Access to cultural services; and
- (4) Other non-legal supports.

### **Legal Services/Support(s)**

Representatives of community-based organizations highlighted the types of legal services that are most in demand but not adequately offered in their community. The top five include:

- Legal advice (67%)
- Legal representation (57%)
- Legal information (52%)
- Advocacy (48%)
- Mediation (42%)

Respondents further highlighted the five most common reasons it is difficult for individuals to access the legal support(s) they need, which include:

- Having limited financial resources for legal representation/accessing legal support (70%)
- Having limited personal resources to support attendance at legal appointments (66%)
- Having limited understanding of the formal justice system (63%)
- Cultural barriers (63%)
- Having limited knowledge of legal rights and responsibilities (61%)

Relatedly, several ideas were suggested to make legal services and support(s) more accessible to those with justice-related problems in their community, such as:

- (1) Enhancing resources/practices to offer free, subsidized, or low-cost legal consultation, representation, guidance, and support;
- (2) Increasing public knowledge;
- (3) Developing dedicated services/supports to assist clients through the legal system/process;
- (4) Integrating social and legal services;
- (5) Increasing access to cultural support (including language/translation services); and
- (6) Other strategies.

### **Demographic Groups Served**

Reflecting upon their community and the work they do, representatives of community-based organizations outlined the demographic groups that often need legal support(s) but are not being adequately served. The top five demographic groups that are underserved include:

- Low-income earners (60%)
- Persons with mental illness (52%)
- Unemployed/economically inactive persons (52%)
- Indigenous peoples (51%)
- Homeless persons (49%).

With respect to the factors that make it difficult for underserved demographic groups to access the legal supports they require, the five most commonly reported challenges include:

- Having limited financial resources for legal representation/accessing legal support (64%)
- Having limited understanding of the formal justice system (61%)
- Cultural barriers (58%)
- Having limited personal resources which support attendance at legal appointments (55%)
- Having limited awareness of legal rights and responsibilities (54%).

Several ideas were suggested to make the legal supports needed by underserved demographic groups more accessible in their community, which included:

- (1) Enhancing resources/practices to offer free, subsidized, or low-cost legal consultation, representation, guidance, and support;
- (2) Increasing public knowledge;
- (3) Developing dedicated services/supports to assist clients through the legal system/process;
- (4) Increasing community engagement;
- (5) Increasing access to cultural support (including language/translation services); and
- (6) Other strategies.

### **Geographic-Based Analysis**

Secondary analyses were conducted on select close-ended survey questions using a geographic lens. Specifically, statistical tests were conducted to identify the perceived legal needs of individuals and communities in Saskatchewan according to participants who represent community agencies that deliver services in the northern part of the province ( $n = 21$ ) versus those who do not ( $n = 29$ ). In general, results suggest that those who deliver services in the north have somewhat different perceptions than those who do not with respect to the types of justice-problems clients have; legal services in demand but not adequately offered; challenges individuals face accessing legal support(s); demographic groups in need of legal support but underserved; and, challenges underserved demographic groups face seeking legal support. Although there was variability in perceptions of legal needs and barriers according to whether participants represent agencies that deliver services in the north, these differences were not statistically significant.

## **Results: Lawyer Survey**

### **General Perceptions of Justice-Related Problems and Legal Needs**

Reflecting upon the community in which they serve and the work they do, lawyers generally suggested that some barriers may exist with respect to individuals and communities in Saskatchewan being able to navigate their justice-related problems and meet their legal needs.

However, unlike representatives of community-based organizations, lawyers generally believed that people faced with a justice-related problem are able to obtain the legal advice, information, and representation they need, as well as address their problems in a timely manner and satisfactorily resolve them. The table below provides a detailed overview on the general perceptions of justice-related problems and legal needs in Saskatchewan according to lawyers.

**ES Table 2: Lawyers' Perceptions of Justice-Related Problems and Legal Needs**

Survey Item	Key Findings
<b>People experiencing a justice-related problem are better off addressing it through the formal legal system.</b>	<ul style="list-style-type: none"> <li>• Lawyers Neither Agreed nor Disagreed (34%), as well as a further 24% Agreeing and 26% Disagreeing, with this statement.</li> </ul>
<b>The vast majority of justice-related problems can be resolved outside of the formal legal system.</b>	<ul style="list-style-type: none"> <li>• Lawyers were likely to Agree (41%) or Strongly Agree (16%) with this statement (17% Neither Agreed nor Disagreed and 21% Disagreed).</li> </ul>
<b>People are less likely to take action to solve justice-related problems that have higher costs (e.g., financial, time, energy, etc.).</b>	<ul style="list-style-type: none"> <li>• Lawyers were likely to Strongly Agree (45%) or Agree (41%) with this statement.</li> </ul>
<b>Eligibility criteria for free, subsidized, or low-cost legal services (e.g., Legal Aid) are too restrictive.</b>	<ul style="list-style-type: none"> <li>• Lawyers were likely to Strongly Agree (39%) or Agree (28%) with this statement.</li> </ul>
<b>There are an adequate number of services available to support the legal needs of our community.</b>	<ul style="list-style-type: none"> <li>• Lawyers were likely to Disagree (43%) or Strongly Disagree (28%) with this statement.</li> </ul>
<b>People are aware of the legal support(s) available in the community which may assist in resolving a justice-related problem.</b>	<ul style="list-style-type: none"> <li>• Lawyers were likely to Disagree (52%) or Strongly Disagree (16%) with this statement.</li> </ul>
<b>A significant barrier to addressing individuals' legal needs is the unintegrated nature of services available in the community.</b>	<ul style="list-style-type: none"> <li>• Lawyers were likely to Agree (38%) or Strongly Agree (15%) with this statement (20% Neither Agreed nor Disagreed).</li> </ul>
<b>There are an adequate number of legal service providers (e.g., lawyers and supporting legal assistants) practicing in the areas of law in which our community is in need.</b>	<ul style="list-style-type: none"> <li>• Whereas many lawyers Disagreed (31%) or Strongly Disagreed (11%) with this statement, 27% also Agreed with it (15% Neither Agreed nor Disagreed).</li> </ul>
<b>Legal service providers deliver services in a culturally appropriate manner (e.g., services are tailored, where necessary, to account for clients' cultural backgrounds).</b>	<ul style="list-style-type: none"> <li>• Whereas lawyers were likely to Disagree (26%) with this statement, 20% also Agreed with it (24% Neither Agreed nor Disagreed).</li> </ul>

Survey Item	Key Findings
<b>People are able to...</b>	
<b>Obtain effective legal advice for a justice-related problem (if they are in need of legal advice).</b>	<ul style="list-style-type: none"> <li>Lawyers reported that people faced with a justice-related problem are Sometimes (48%) or Often (30%) able to obtain effective legal advice.</li> </ul>
<b>Obtain effective legal information for a justice-related problem (if they are in need of legal information).</b>	<ul style="list-style-type: none"> <li>Lawyers reported that people faced with a justice-related problem are Sometimes (46%) or Often (32%) able to obtain effective legal information.</li> </ul>
<b>Obtain effective legal representation for a justice-related problem (if they are in need of legal representation).</b>	<ul style="list-style-type: none"> <li>Lawyers reported that people faced with a justice-related problem are Sometimes (49%) or Often (24%) able to obtain effective legal representation.</li> </ul>
<b>Access legal support(s) in a timely manner to resolve a justice-related problem.</b>	<ul style="list-style-type: none"> <li>Lawyers reported that people faced with a justice-related problem are Sometimes (49%), Rarely (19%), or Often (18%) able to access legal support(s) in a timely manner to resolve their legal issue.</li> </ul>
<b>Satisfactorily resolve justice-related problems as a result of seeking legal support(s).</b>	<ul style="list-style-type: none"> <li>Lawyers reported that people faced with a justice-related problem are Sometimes (50%) or Often (26%) able to resolve these problems by seeking legal support.</li> </ul>

### Areas of Law

With respect to the area(s) of law participants provide services, the top five included:

- Wills and estates (44%)
- Real estate (38%)
- Family (38%)
- Corporate/commercial (37%)
- Criminal (30%)

Furthermore, participants were asked to identify up to three areas of law they believe are in demand but not adequately offered in their community. The top five areas of law that were most endorsed included:

- Family (43%)
- Criminal (32%)
- Immigration/refugee (20%)
- Housing/residential tenancies (20%)
- Aboriginal/Indigenous (13%)

Of the three areas of law participants identified as being in demand but not adequately offered, they were further asked to select one area of law they believed was *most* in demand in their community. In this case, the top three areas of law that were endorsed were:

- (1) Family (27%)

- (2) Criminal (13%)
- (3) Housing/residential tenancies (7%)

Based on participants' responses regarding the one area of law they believed was *most* in demand but not adequately offered, they were asked a series of follow-up questions about the barriers to accessing this particular area of law and potential solutions for increasing accessibility.

The table below highlights key findings with respect to barriers in accessing family law and potential solutions for increasing accessibility.

### ES Table 3: Barriers and Facilitators for Accessing Family Law

#### Key Findings

- Lawyers believed services in family law are not adequately offered primarily because free or government-subsidized services are not available in this area of law (69%), this area of law and related legal procedures are too complex (53%), and legal service providers lack the capacity to meet the demand for services in this area of law (37%).
- To establish or expand services in family law, lawyers primarily suggested there should be an increased availability of free or government-subsidized services in this area of law (69%), additional resources dedicated to service provision in this area of law (46%), and increased utilization of alternative billing arrangements in this area of law (38%).
- The factors that make it difficult to access services and supports in family law include limited financial resources for legal representation and other expenses associated with accessing legal support (80%), delays/time lags (e.g., waitlists) in this area of law (51%), and the complexity of the area of law and related legal procedures (49%).
- To make family law more accessible to those with legal needs in this area, lawyers suggested greater access to low-cost or free full-scope (70%) and limited-scope (61%) legal representation, as well as greater utilization of alternative dispute resolution models (57%).

The table below highlights key findings with respect to barriers in accessing criminal law and potential solutions for increasing accessibility.

### ES Table 4: Barriers and Facilitators for Accessing Criminal Law

#### Key Findings

- Lawyers believed services in criminal law are not adequately offered because free or government-subsidized services are not available in this area of law (62%), there is a low profit for legal service providers in this area of law (56%), and legal service providers lack the capacity to meet the demand for services in this area of law (50%).
- To establish or expand services in criminal law, lawyers noted there should be increased availability of free or government-subsidized services in this area of law (79%), additional resources dedicated to service provision in this area of law (71%), as well as improved collaboration between legal and non-legal service providers in this area of law (47%).
- The factors that make it difficult to access services and supports in criminal law included mistrust of the justice system (79%), limited financial resources for legal representation and

### Key Findings

other expenses associated with accessing legal support (77%), and limited personal resources (e.g., childcare, transportation) which support attendance at legal appointments (65%).

- To make criminal law more accessible to those with legal needs in this area, lawyers suggested there should be greater access to low-cost or free full-scope legal representation (82%), additional funding for legal and advocacy support networks (76%), and greater access to low-cost or free limited-scope legal representation (59%).

The table below highlights key findings with respect to barriers in accessing housing/residential tenancies law and potential solutions for increasing accessibility.

### ES Table 5: Barriers and Facilitators for Accessing Housing/Residential Tenancies Law

#### Key Findings

- Lawyers believed services in housing/residential tenancies law are not adequately offered because there is a low profit for legal service providers in this area of law (63%), a lack of interest in providing services in this area of law among legal service providers (53%), and free or government-subsidized services are not available in this area of law (42%).
- To establish or expand services in housing/residential tenancies law, lawyers suggested there should be increased availability of free or government-subsidized services in this area of law (63%), improved collaboration between legal and non-legal service providers in this area of law (53%), as well as allowing non-legal service providers to practice in this area of law with a limited license (47%).
- The factors that make it difficult to access services and supports in housing/residential tenancies law included the limited financial resources for legal representation and other expenses associated with accessing legal support (58%), lack of understanding of the formal justice system (47%), and cultural barriers (47%).
- To make housing/residential tenancies law more accessible to those with legal needs in this area, lawyers suggested there should be greater access to low-cost or free full-scope legal representation (68%), additional funding for legal and advocacy support networks (53%), and greater access to low-cost or free limited-scope legal representation (47%).

Lawyers were provided the opportunity to share anything else about the area(s) of law they believed were in demand in their community. A total of 50 individuals provided additional insights, which can be categorized according to the following themes:

- (1) System-based challenges;
- (2) Funding/financing;
- (3) Non-legal support/social services; and
- (4) Cultural training and culturally appropriate services.

## Social Groups Served

Lawyers were asked to identify up to three social groups they believed were in need of legal support(s) but are not being adequately served in their community. The top five social groups that were most endorsed included:

- Low-income earners (42%)
- Indigenous peoples (23%)
- Persons with mental illness (22%)
- Unemployed/economically inactive persons (21%)
- Immigrants/newcomers/refugees (17%)

Of the three social groups participants identified as being in need of legal support(s) but not being adequately served, they were further asked to select one social group they believed were *most* in need of legal support(s) in their community. In this case, the top three social groups that were identified were:

- (1) Low-income earners (25%)
- (2) Indigenous peoples (10%)
- (3) Persons with mental illness (8%)

Based on participants' responses regarding the one social group they believed was *most* in need of legal supports but not being adequately served, they were asked a series of follow-up questions about the barriers to accessing services and supports for the particular social group and potential solutions for increasing accessibility.

The table below highlights key findings with respect to barriers to accessing services and supports for low-income earners and potential solutions for increasing accessibility.

### ES Table 6: Barriers and Facilitators for Accessing Legal Supports for Low Income Earners

#### Key Findings

- Lawyers believed legal service providers are not able to adequately offer support to low-income earners because free or government-subsidized services are not available to provide legal support(s) to this group (84%) and a lack of capacity among legal service providers to meet this group's legal needs (27%).
- The factors that make it difficult for low-income earners to access the legal supports they require included limited financial resources for legal representation and other expenses associated with accessing legal support (81%), limited personal resources (e.g., childcare, transportation) which support attendance at legal appointments (42%), and restrictions in eligibility for legal support(s).
- To make the legal supports low-income earners need more accessible, lawyers suggested there should be greater access to low-cost or free full-scope (70%) and limited-scope (61%) legal representation, as well as additional funding for legal and advocacy support networks (51%).



### Key Findings

- Lawyers suggested the areas of law low-income earners are most in need of included family (79%), criminal (58%), housing/residential tenancies (31%), debtor/creditor (28%), and government income (18%).
- To better provide low-income earners the areas of law they need, lawyers suggested increasing the availability of free or government-subsidized services in the area(s) of law they need (79%), as well as additional resourcing dedicated to service provision in the area(s) of law this group needs (64%), and increased utilization of alternative billing arrangements (e.g., flat fee, co-pay systems) in the area(s) of law needed (37%).

The table below highlights key findings with respect to barriers to accessing services and supports for Indigenous peoples and potential solutions for increasing accessibility.

### ES Table 7: Barriers and Facilitators for Accessing Legal Supports for Indigenous Peoples

#### Key Findings

- Lawyers believed legal service providers are not able to adequately offer support to Indigenous peoples because free or government-subsidized services are not adequately available to provide legal support(s) to this group (67%), a lack of collaboration between legal and non-legal service providers (59%), and a lack of capacity among legal service providers to meet this group's legal needs (56%).
- The factors that make it difficult for Indigenous peoples to access the legal supports they require included a fear of being mistreated within the justice system (85%), cultural barriers (82%), and concerns about the fairness of the justice system (82%).
- To make the legal supports Indigenous peoples need more accessible, lawyers suggested there should be cultural training for legal service providers (78%), as well as greater recognition of Indigenous cultural values, ideologies, and legal traditions (74%), and additional funding for legal and advocacy support networks (70%).
- Lawyers suggested the areas of law Indigenous peoples are most in need of included family (70%), criminal (56%), police complaint (44%), human rights (e.g., discrimination) (44%), and housing/residential tenancies (44%).
- To better provide Indigenous peoples the areas of law they need, lawyers suggested additional resourcing dedicated to service provision in the areas of law they need (89%), increased availability of free or government-subsidized services in the areas of law they need (78%), and improved collaboration between legal and non-legal service providers in the areas of law they need (67%).

The table below highlights key findings with respect to barriers to accessing services and supports for persons with mental illness and potential solutions for increasing accessibility.

### **ES Table 8: Barriers and Facilitators for Accessing Legal Supports for Persons with Mental Illness**

#### **Key Findings**

- Lawyers believed legal service providers are not able to adequately offer support to persons with mental illness due to a lack of expertise among legal service providers to meet this group's legal needs (68%), a lack of capacity among legal service providers to meet this group's legal needs (55%), and a lack of collaboration between legal and non-legal service providers (41%).
- The factors that make it difficult for persons with mental illness to access the legal supports they require included a lack of awareness of how to access legal support(s) to resolve a justice-related problem (55%), limited financial resources for legal representation and other expenses associated with accessing legal support (46%), as well as the complexity of laws and related legal procedures (46%).
- To make the legal supports persons with mental illness need more accessible, lawyers suggested there should be additional funding for legal and advocacy support networks (73%), greater collaboration with community service providers to provide legal services in trusted spaces (55%), and greater access to low-cost or free full-scope legal representation (46%).
- Lawyers suggested the areas of law persons with mental illness are most in need of included criminal (64%), human rights (e.g., discrimination) (46%), guardianship/incapacity (46%), housing/residential tenancies (41%), and health/medical (41%).
- To better provide persons with mental illness the areas of law they need, lawyers suggested additional resourcing dedicated to service provision in the areas of law they need (59%), increased availability of free or government-subsidized services in the areas of law they need (55%), and improved collaboration between legal and non-legal service providers in the areas of law they need (55%).

Lawyers were provided the opportunity to share anything else about the social groups they believed were in need of legal services and supports in their community. A total of 25 individuals provided additional insights, which can be categorized according to the following themes:

- (1) System-based challenges;
- (2) Greater access to affordable legal representation, consultation, and support;
- (3) Combination of legal and non-legal support/services;
- (4) Targeting cultural needs and providing culturally appropriate services.

#### **Clients' Legal Needs**

Lawyers were asked to highlight the types of justice-related problems their clients most often have, with the top five relating to:

- Family (relationship breakdown) (32%)
- Family (other) (27%)

- Criminal matters (26%)
- Contract disputes (20%)
- Wills and power of attorney (19%)

With respect to the types of legal support(s) lawyer' clients most often need to manage their justice-related problems, participants suggested:

- (1) Access to adequate legal representation;
- (2) Access to adequate legal information, navigation, advice, and advocacy;
- (3) Increased access to resources which support the procurement of legal consultation, representation, guidance, and support;
- (4) Increased access to free, subsidized, or low-cost legal representation;
- (5) Access to non-legal support(s);
- (6) Multi-faceted support(s); and
- (7) Other support(s).

### **Geographic-Based Analysis**

Secondary analyses were conducted on select close-ended survey questions using a geographic lens. Specifically, statistical tests were conducted to identify the perceived legal needs of individuals and communities in Saskatchewan according to lawyers who deliver services in the northern part of the province ( $n = 62$ ) versus those who do not ( $n = 146$ ). In general, results suggest that lawyers who deliver services in the north have somewhat different perceptions than those who do not with respect to the types of justice-related problems clients have; areas of law in demand but not adequately offered; and, social groups in need of legal support(s) but not adequately served. Notably, those who deliver services in the north were significantly more likely to report that their clients have legal problems related to criminal matters, whereas those who do not deliver services in the north were significantly more likely to report that their clients have legal problems related to contract disputes and wills and power of attorney. However, other observed differences were not statistically significant.

### **Conclusion**

Research on justice-related problems and legal needs has gained momentum in the past 30 years, mounting evidence to highlight the met and unmet legal needs of populations in many countries and jurisdictions across the globe in efforts to identify and address access to justice gaps; thus, improving the ability of individuals to effectively navigate and resolve justice-related problems. With an estimated 1.4 billion people in the world who experience a justice-related problem and are unable to meet their legal needs (World Justice Project, 2019a, 2019b), this represents a major access to justice problem. This is not exclusive to any one country or jurisdiction, as access to justice has been identified as one of the greatest challenges facing the Canadian justice system (Farrow, 2014; McLachlin, 2011)—especially given the evidence from several recent national legal needs surveys suggesting that a notable proportion of Canadians experience one or more justice-related problems and, further, many Canadians have unmet legal needs related to these problems (Currie, 2009, 2006; Farrow et al., 2016; Savage & McDonald, 2022). Accordingly, legal needs surveys are an important tool for uncovering access to justice gaps in a population and, further, findings can provide a roadmap for governments and various decision-

and policy-making groups to help inform the development of justice programs, policies, and services aimed at addressing the legal needs for Canadians (Savage & McDonald, 2022).

This study adds to the growing body of global research on justice-related problems and legal needs, as well as builds upon the evidence from national legal needs surveys in Canada (e.g., see Currie, 2009, 2006; Farrow et al., 2016; Savage & McDonald, 2022). The 2021-2022 Saskatchewan Legal Needs Survey departed from the tradition of past legal needs surveys to provide unique insight into the justice-related problems, legal needs, and access to justice gaps experienced within Saskatchewan communities. Specifically, we adopted a service provider-centered approach (as opposed to a user-centered approach) to investigate the extent to which lawyers, as well as legal and non-legal service providers (i.e., representatives of community-based organizations), believed individuals and communities in Saskatchewan are able to access the supports and services necessary to resolve justice-related problems. Although these professionals are unable to capture the full scope of community members' experiences (as not everyone faced with a justice-related problem will seek a formal remedy), findings from the current study are relatively consistent with those from user-centred legal needs surveys in Canada and the province of Saskatchewan. Therefore, the views of individuals who provide services to people experiencing justice-related problems can add valuable insight into potential avenues for bridging access to justice gaps. For instance, combining the views of people who experience justice related problems and (legal and non-legal) service providers can aid in the development of well-rounded services and supports. Taken together, findings from this study can be used to inform the development and evaluation of access to justice initiatives in Saskatchewan.

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## Definitions

The following terms are commonly used to inform access to justice research and practices; however, definitions often vary across context and reports. Therefore, for the purposes of this report, we have adopted the following definitions:

***Everyday Legal Problems:*** Problems that arise out of the normal activities people engage in or the situations they encounter which may be resolved through legal action and/or processes (also referred to as Justice-Related Problems; see below).

***Justice-Related Problems:*** Matters arising out of individuals' normal daily activities that result in one or more problems that have a legal element and potential legal solution, irrespective of whether it is recognized by the individual as being a "legal issue."

***Legal Need:*** A situation that arises when an individual (or group of individuals) is faced with a justice-related problem but has a deficit in personal legal capability (e.g., limited to no legal knowledge), resulting in the need for adequate legal support to effectively manage the problem.

***Legal Service Provider:*** Lawyers and assistants working under the supervision of lawyers who provide legal services.

***Non-Legal Service Provider:*** Non-lawyer professionals who provide support(s) to individuals experiencing justice-related problems, such as community service organizations.

***Unmet Legal Need:*** A situation that arises when a justice-related problem exists and legal support is required to resolve it, but the legal support is not sufficiently available to address an individual's or group's deficit in legal capability—resulting in neglect or inappropriate management of the problem.

## 1. 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 access to justice initiatives in Canada—particularly, in the province of Saskatchewan. In this effort, it is recognized that **there is a need to develop and enhance the evidentiary base for access to justice issues**, especially concerning civil and family law (McCashin et al., 2018). It is also recognized that current practices for collecting and analyzing justice data have been deficient (Canadian Bar Association, 2013; McCashin et al., 2018). Indeed, the Canadian Bar Association (2013) has signified the limited ability to provide answers to even the most basic inquiries concerning access to justice, which is the result of fragmented data practices in Canada at the national, provincial, and territorial levels. To that end, the University of Saskatchewan’s College of Law, CREATE Justice, and Centre for Forensic Behavioural Science and Justice Studies (CFBSJS) have undertaken a research project to develop a more cohesive picture of the access to justice issues and legal needs of individuals and communities in Saskatchewan.<sup>1</sup> There are two main outputs associated with this research project:

- 1) A scan of existing justice data being collected by various legal and non-legal organizations in Saskatchewan to determine the usability of that data to identify gaps in the justice system; inform service delivery; improve access to justice; and establish a data commons.<sup>2</sup>
- 2) A Saskatchewan-based Legal Needs Survey of lawyers, as well as **legal and non-legal service providers**, to identify the legal needs and gaps that exist within the Saskatchewan justice system.

In accordance with the second component of this research project, **the main objective was to compile foundational data concerning the justice-related problems and legal needs of Saskatchewan residents from the perspective of those who provide justice-related support and services** (i.e., lawyers and representatives of community-based organizations). The focus of this report is twofold. First, to provide a review of secondary literature on the topic of justice-related problems, legal needs, and access to justice, as well as a critical review of legal needs surveys and access to justice metrics.<sup>3</sup> Second, to present and discuss findings from Saskatchewan’s 2021-2022 Legal Needs Surveys (i.e., a Community Agency Survey and Lawyer Survey). Ultimately, the purpose of these Legal Needs Surveys—which capture lawyers’ and legal and non-legal service providers’ perceptions of access to justice issues and legal needs within communities across Saskatchewan—is to compliment and bolster user-centered information on access to justice issues and legal needs, sourced through national- and provincial-level surveys (e.g., the 2021 Canadian Legal Problems Survey).<sup>4</sup>

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<sup>1</sup> This research primarily focuses on civil and family law but also focuses on other areas, such as criminal law.

<sup>2</sup> See Jewell and Stoliker (2022).

<sup>3</sup> The literature review included primary and secondary sources and focused on the Canadian, as well as international, context.

<sup>4</sup> For more information, see: <https://www23.statcan.gc.ca/imdb/p2SV.pl?Function=getSurvey&SDDS=5337>



## 2. Literature Review

### 2.1. Justice-Related Problems, Legal Needs, and Access to Justice

Over the past 25 years, a consistent pattern has emerged from studies assessing legal needs across varying jurisdictions (OECD/Open Society Foundations, 2019). That is, in many countries, a notable proportion of the population will experience a **justice-related problem** in their lifetime (World Justice Project, 2019a)—which may necessitate the use of formal or informal legal and non-legal systems to appropriately resolve these problems. Justice-related problems generally refer to matters arising out of individuals' normal daily activities which have a legal aspect and potential legal solution whether or not it is recognized as being “legal” (Farrow et al., 2016; Genn, 1999). Many justice-related problems that people experience are nested within civil and family law, which span several areas, including education, consumerism, employment, money, debt, injury, health, housing or land, social assistance and public services, discrimination, immigration, and family relationships (Coumarelos et al., 2012; Farrow et al., 2016; World Justice Project, 2019a).

#### 2.1.1. Prevalence and Impacts of Everyday Legal Problems

**Global estimates suggest that just over one-third (36%) of the world's population have experienced at least one justice-related problem within a two-year period**<sup>5</sup> (World Justice Project, 2019b). The extent of these problems varies across countries and jurisdictions (World Justice Project, 2019a), with as little as 14% of people from Vietnam and Hong Kong, and as high as 89% of people from Greece, experiencing a justice-related problem within a two-year reference period.<sup>6,7</sup> **In the Canadian context, 52% of people reported experiencing a justice-related problem over this same two-year period** (World Justice Project, 2019a). This mirrors estimates found in an earlier Canadian study, which suggests that approximately 48.4% of the adult population (or 11.4 million Canadians) experienced one or more justice-related problems within a three-year period that they considered to be challenging to resolve (Farrow et al., 2016). According to data from the 2021 Canadian Legal Problems Survey (CLPS), which is the latest national study on legal problems in Canada, one-third (34%) of Canadians (in the provinces) reported experiencing at least one dispute or problem in the previous three years, of which nearly 1 in 5 (18%) indicated the issue was serious and not easy to fix (Savage & McDonald, 2022). **These data suggest that almost everyone will face a problem which has a legal aspect and potential legal solution in their lifetime** (Canadian Bar Association, 2013). This is unsurprising given that law permeates many facets of contemporary life (Coumarelos et al., 2012; Currie, 2006; OECD/Open Society Foundations, 2019).

<sup>5</sup> Two years preceding data collection, which took place in 2017 and 2018 (World Justice Project, 2019a).

<sup>6</sup> See the World Justice Project (2019a) for a detailed account of the extent of justice-related problems for each of the 101 countries and jurisdictions included in the study.

<sup>7</sup> Prior to the World Justice Project's (2019a, 2019b) effort to assess justice-related problems and legal needs on a global scale, previous studies had provided some insight into the variability of justice-related problems across countries. For instance, whereas a 2001 survey of English and Welsh residents (Pleasence et al., 2004) reported similar estimates to those found worldwide (37%), Australian data suggest that 50% of respondents experienced at least one justice-related problem within a one-year reference period (Coumarelos et al., 2012).

**While justice-related problems are pervasive, some types are more prevalent than others** (Currie, 2009; OECD/Open Society Foundations, 2019). From a global perspective (World Justice Project, 2019b), the most prevalent justice-related problems include those pertaining to money, debt, or consumer issues (30%); housing, land, or neighbours (22%); accessing public services (21%); family (9%); and employment (8%).<sup>8</sup> This is similar to patterns found in secondary literature on legal needs and access to justice in civil and family matters conducted in several high-income countries (e.g., Canada: Farrow et al., 2016; Australia: Coumarelos et al., 2012; England and Wales: Pleasence et al., 2004; United States: American Bar Association, 1994). Specifically, recent data suggest Canadians most frequently experience issues pertaining to consumerism, money and debt, housing, family, accessing public services, and employment (Currie, 2009, 2006; Farrow et al., 2016; World Justice Project, 2019a).<sup>9,10</sup> In Canada's latest national study on legal problems (Savage & McDonald, 2022), it was found that the most common serious problems or disputes were related to neighbourhood issues (21%), harassment (16%), poor or incorrect medical treatment (16%), discrimination (16%), and large purchases or services (15%). Taken together, this suggests that some sectors of the justice system will witness greater use than others.

**As with many problems experienced throughout the course of life, justice-related problems do not always occur in isolation as one problem is likely to bring about or follow from another;** thus, these issues tend to cluster and multiply (Action Committee on Access to Justice in Civil and Family Matters, 2013; Canadian Bar Association, 2013, 2016; Currie, 2009; Farrow et al., 2016; OECD/Open Society Foundations, 2019; Pleasence et al., 2004). Indeed, Australian data suggest that 22% of respondents experienced three or more legal problems in a one-year period (Coumarelos et al., 2012); likewise, Canadian data highlight that 30% of people experienced two or more legal problems within a three-year period (Farrow et al., 2016). According to the 2021 CLPS, among Canadians who experienced at least one serious problem or dispute within a three-year period, 43% had experienced two or more issues (Savage & McDonald, 2022). Some have specifically investigated the clustering of problem types. In a 2004 study by Pleasence and colleagues, it was found that 17% of English and Welsh residents had two or more justice-related problems (in a three-and-a-half-year reference period) and that problems cluster according to family; social exclusion; health; and economic and other.<sup>11</sup>

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<sup>8</sup> The prevalence and severity of certain justice-related problems is expected to vary across countries and jurisdictions (for full country profiles, see World Justice Project, 2019a). For example, the World Justice Project (2019a) shows that people in Afghanistan experienced several problem types, wherein land (27%) and housing (24%) were the most commonly reported problems. Conversely, people in Albania experienced few problem types, and consumerism (9%) was the most commonly reported problem.

<sup>9</sup> Specifically, the World Justice Project (2019a) suggests Canadians experience legal problems pertaining to housing (26%), money and debt (25%), consumerism (19%), public services (17%), family (12%), employment (12%), accidental illness and injury (9%), education (8%), land (8%), community and natural resources (8%), citizenship and identification (7%), and law enforcement (3%). See also Currie (2009, 2006) and Farrow et al. (2016) for a detailed account of justice-related problems experienced by Canadians.

<sup>10</sup> Data from Currie (2009) suggest Saskatchewan residents most frequently experienced problems related to consumerism, debt, family (relationship breakdown), discrimination, and housing. In addition, data from Savage (2022) suggest Saskatchewan residents most commonly reported problems related to housing (18%), government assistance (17%), employment (16%), poor or incorrect medical treatment (16%), and discrimination (16%).

<sup>11</sup> The 'family' cluster included domestic violence, divorce, relationship breakdown, and children problems. The 'social exclusion' cluster included homelessness, unfair police treatment, and action being taken against the

Accordingly, individuals who experience one problem are likely to experience additional problems of a similar type (whether directly or indirectly related to the index problem).

**Evidence further suggests that a large majority of justice-related problems concentrate in a small proportion of the population.** For instance, Coumarelos and colleagues' (2012) study on legal needs in Australia found that 22% of respondents experienced 85% of all justice-related problems (see also Pleasence et al., 2004). There are various explanations as to why some individuals may be more vulnerable to experiencing justice-related problems than others. Most notably, **certain social and demographic characteristics set the preconditions for legal problems** (Coumarelos et al., 2012; Currie, 2009; OECD/Open Society Foundations, 2019). For example, single parents may experience justice-related problems primarily linked to relationship breakdown (Pleasence et al., 2004), whereas those who are unemployed or low-income earners may experience problems primarily linked to employment and social assistance, respectively (Currie, 2009). Therefore, justice-related problems are in part a function of social and demographic background and resultant life experiences.<sup>12</sup>

**While not everyone who has (one or more) justice-related problems will experience social, economic and health disadvantage, those with such disadvantage are disproportionately affected and may be more vulnerable to additive legal problems** (Action Committee on Access to Justice in Civil and Family Matters, 2013; Coumarelos et al., 2012; Currie, 2009, 2006; OECD/Open Society Foundations, 2019; Pleasence, 2006; Pleasence et al., 2004; Savage & McDonald, 2022). Indeed, Coumarelos et al. (2012) reported that Australians living with a disability, who are unemployed, living in disadvantaged housing, or who were single parents may be more likely to experience legal problems. In addition, Indigenous people in Australia were more likely to experience multiple legal problems (Coumarelos et al., 2012). In a Canadian study, it was found that disability status<sup>13</sup>, and in some cases employment status and income level<sup>14</sup>, were strong predictors of (certain) justice-related problems (Currie, 2009).<sup>15</sup> Similar findings have been reported in the 2021 CLPS, as people with disabilities and lower household incomes are more likely to experience one or more serious problems or disputes (Savage & McDonald, 2022). In fact, those living with a disability may be one of the most disadvantaged groups in society as this is a consistent predictor of justice-related problems (Currie, 2009, 2006)<sup>16</sup> and, further, those with disabilities are much more likely to experience multiple serious

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individual. The 'health' cluster included medical negligence and mental health. The 'economic and other' cluster included consumer transactions, money and debt, employment, neighbours, rented/owned housing, personal injury, welfare benefits, and thinking of taking legal action.

<sup>12</sup> For a detailed account of justice-related problems experienced across varying social and demographic groups in Canada, see Currie (2009).

<sup>13</sup> This includes limitations in everyday activities, such as seeing, hearing, communicating, learning, walking, or climbing stairs (as per Statistics Canada, 2002).

<sup>14</sup> Individuals who were unemployed were most likely to experience issues related to employment and housing, whereas those with a low income level (i.e., an annual income less than \$25,000) were most likely to experience issues related to social assistance and housing.

<sup>15</sup> In Currie's 2006 study on low- and moderate-income Canadians, characteristics with the strongest predictive value for experiencing one or more justice-related problems (versus none) included younger age (18-29), single parenthood, visible minority status, and receiving social assistance.

<sup>16</sup> In Currie's 2009 study, individuals with a disability reported legal issues related to consumerism; employment; debt; social assistance; disability pension; housing; discrimination; police action; relationship breakdown; other

problems (Savage & McDonald, 2022).<sup>17</sup> Younger age (i.e., between 18 and 29 years) was also found to be a strong predictor of experiencing several justice-related problems (Currie, 2009, 2006), signifying issues may emerge because of one's stage in life. With respect to the Indigenous population in Canada, data suggest this group is at greater likelihood of experiencing several legal problems (Currie, 2009)<sup>18</sup> and First Nations people, Métis and Inuit living in the provinces are much more likely than non-Indigenous people to experience one or more serious problems or disputes (Savage & McDonald, 2022).<sup>19</sup> Those who are foreign-born,<sup>20</sup> belong to a visible minority group,<sup>21</sup> and Black Canadians<sup>22</sup> may also need assistance with several problem types (Currie, 2009, 2006). Relatedly, immigrants and people belonging to a group designated as a visible minority (including Black Canadians) are more likely to experience one or more serious problems (Savage & McDonald, 2022). Furthermore, certain groups may be at heightened risk for multiple and related problems. For example, younger individuals and those who are economically inactive may have a greater number of problems related to social exclusion, whereas those with long-term illness or disability may have a greater number of problems related to health (Pleasence et al., 2004; see also Savage & McDonald, 2022). Taken together, it is apparent that certain individuals may be in greater need of services and assistance as compared with others (Currie, 2009).

Unsurprisingly, **legal problems can carry economic burden for the individual**. According to data from the 2021 CLPS, three-quarters (75%) of Canadians who had experienced a serious problem or dispute in the previous three years reported they were financially impacted as a result (Savage & McDonald, 2022). Furthermore, Farrow and colleagues' (2016) study revealed that individuals spent, on average, \$6,100 to resolve justice-related problems which equates to approximately \$7.7 billion spent on an annual basis by Canadians.<sup>23</sup> **The economic burden further extends to the state**, as justice-related problems may result in greater need of social assistance, employment insurance, or health care which is estimated to cost social and health service sectors in Canada a combined total of \$800 million annually (Farrow et al., 2016).<sup>24</sup> In

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family law; wills and powers of attorney; personal injury; hospital treatment and release; and threat of legal action. In Currie's 2006 study, respondents whose major source of income was a disability pension were 2.8 times more likely than others to report experiencing problems.

<sup>17</sup> In Savage and McDonald's (2022) report, people with disabilities were more likely than those without disabilities to report serious problems related to poor or incorrect medical treatment (29% versus 13%), a problem with receiving disability assistance (17% versus 2%), with government assistance payments (12% versus 4%), harassment (20% versus 15%), and discrimination (19% versus 15%).

<sup>18</sup> Indigenous people reported issues related to social assistance, discrimination, disability benefits, police action, family, relationship breakdown, housing, employment, and debt (Currie, 2009).

<sup>19</sup> In Savage and McDonald's (2022) report, Indigenous people were more likely to experience various forms of harassment and discrimination in the three years preceding the 2021 Canadian Legal Problems Survey (CLPS).

<sup>20</sup> Foreign-born individuals reported issues related to immigration and discrimination.

<sup>21</sup> Individuals belonging to a visible minority group reported issues related to discrimination, police action, disability benefits, threat of legal action, debt, employment, consumerism, and other family.

<sup>22</sup> Compared with East Asian, Indigenous, White and other non-White Canadians, Black Canadians were more likely to report problems related to police action, discrimination, immigration, debt, employment, and consumerism.

<sup>23</sup> These figures were estimated according to data from the subset of respondents who indicated they had spent some money to manage their legal issue, as well as provided detailed information on monetary cost ( $n = 486$ ). See Farrow et al. (2016).

<sup>24</sup> Specifically, Farrow et al. (2016) estimated that everyday legal problems cost \$248 million annually in social assistance payments, \$450 million annually in employment insurance payments, and \$101 million annually in health care visits (these figures are likely conservative).

addition to the financial costs, **legal problems can bring about other significant challenges for the individual**. The World Justice Project (2019a) estimates that 49% of Canadians experienced a hardship because of a legal problem they had dealt with over the two-year period preceding the study. Among those who reported experiencing a hardship, nearly 1 in 3 (31%) had experienced health-related issues; 27% experienced loss of income, employment, or had to relocate; 18% experienced relationship breakdown; and 10% experienced substance abuse issues. According to Farrow and colleagues' (2016) Canadian survey, a considerable proportion of individuals with a legal problem (51% or 5.7 million Canadians) had attributed stress and emotional issues directly to that problem. Relatedly, Savage and McDonald (2022) reported that 79% of Canadians who had experienced at least one serious problem or dispute stated that the issue(s) had an adverse impact on their health—which disproportionately affected women (85% vs. 72% of men) and Indigenous people (82% vs. 79% of non-Indigenous people)—of which extreme stress was the most commonly reported. Notably, as the number of serious problems or disputes increases, so do the proportion of Canadians who report financial and health impacts because of these issues (Savage & McDonald, 2022). Therefore, the cost of justice-related problems is significant for individuals who are facing these issues, as well as the state (Farrow et al., 2016; see also Action Committee on Access to Justice in Civil and Family Matters, 2013; Coumarelos et al., 2012).

### 2.1.2. Legal Need and Unmet Needs

Given the ubiquitous nature of everyday problems which might carry legal aspects and have a potential legal solution, there is reasonable expectation that individuals within a community have a variety of legal needs. In general, a **legal need** arises when an individual (or a group of individuals) is faced with a justice-related problem but experience a deficit in legal capability,<sup>25</sup> which necessitates legal support to appropriately manage the problem. A legal need is deemed unmet when legal support is not sufficiently available to address a deficit in legal capability, resulting in neglect or inappropriate management of the problem (Action Committee on Access to Justice in Civil and Family Matters, 2019a; OECD/Open Society Foundations, 2019). This access to justice gap (i.e., unmet legal needs) is of global concern as approximately 1.4 billion people in the world experience a civil or administrative justice-related problem and are unable to meet their legal needs (World Justice Project, 2019a, 2019b). Several factors may serve as indicators of an **unmet legal need**, including the extent to which problems remain unresolved, the extent to which situations become worse because problems go unresolved, and when problems are resolved but the resolution is perceived to be unfair (Currie, 2006). Four Canadian national legal needs surveys have collected data on one or more of these indicators (Currie, 2009, 2006; Farrow et al., 2016; Savage & McDonald, 2022).

According to the earliest study (Currie, 2006),<sup>26</sup> as much as 34% of justice-related problems were unresolved.<sup>27</sup> Unsurprisingly, this is not uniformly distributed as certain groups in society

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<sup>25</sup> Broadly speaking, 'legal capability' refers to the capacity to effectively manage a particular justice-related problem, which may be determined by an ability to recognize legal issues, an awareness of the law and an ability to research the law (as well as associated services and processes), and personal ability to handle law-related problems (Action Committee on Access to Justice in Civil and Family Matters, 2019a).

<sup>26</sup> Data were collected in 2004 (Currie, 2006).

<sup>27</sup> The problem categories with the highest proportion of unresolved cases included immigration (61%), discrimination (60%), social assistance (58%), disability pensions (55%), and housing (41%). This is followed by employment (33%), money and debt (32%), and consumerism (29%). See Currie (2006).

may be more likely to have unresolved problems than others, including those who are younger, with lower incomes or on a disability pension, as well as racial and ethnic minorities. In the same study, it was found that unresolved problems had resulted in worsening situations in 46% of cases.<sup>28</sup> It was also found that, while most problems were reported to have been resolved, resolutions were perceived to have been unfair in 29% of cases.<sup>29</sup> In the 2006 study (Currie, 2009), approximately 35% of all justice-related problems were unresolved.<sup>30</sup> Among those who had not resolved their problem, 12% reported that the situation worsened whereas 66% reported that the issue had remained the same. For those problems that were resolved, 44% of respondents perceived the outcome as unfair.<sup>31</sup> In the 2014 study (Farrow et al., 2016), findings suggest that nearly one-third (30%) of respondents had justice-related problems that had not been resolved, with an additional 15% who had one problem resolved with another problem ongoing. Among those with at least one unresolved problem, 16% reported the ongoing problems had become worse. Further, for those with problems that had been resolved, 46% perceived the outcome to be unfair. In the 2021 study (Savage & McDonald, 2022), data suggest the majority of serious problems or disputes remain unresolved as only two in ten (21%) Canadians stated their issue(s) had been resolved, with an additional 19% stating their problem was still in the process of being resolved.<sup>32</sup> Collectively, these studies highlight the stability of unmet legal needs for Canadians over time, which necessitates improved access to appropriate legal and non-legal supports to effectively resolve justice-related problems.

These Canadian studies have also found that, although most people take one or more actions to attempt to resolve a justice-related problem, some take no action whatsoever or drop or give up trying to resolve the problem (Currie, 2009; Farrow et al., 2016; Savage & McDonald, 2022).<sup>33</sup> The reasons for which people do not take action to resolve a legal matter are varied but have been attributed to the belief that nothing could be done, a lack of certainty concerning one's rights, a lack of knowledge concerning what to do or where to get help, the belief that it would take too much time or cost too much money, the belief that it would make the problem worse, the belief that it would damage relationships with the opposing party, being afraid to take action or thought it would be too stressful, or that the problem was not important enough (Currie, 2009; Farrow et al., 2016; Savage & McDonald, 2022). Irrespective of the rationale, those who do not

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<sup>28</sup> The problem categories with the highest proportion of unresolved problems becoming worse were in the disability pensions (74%), social assistance (64%), housing (52%), and relationship breakdown and children (50%) categories. See Currie (2006).

<sup>29</sup> The problem categories with the highest proportion of perceived unfairness were in the discrimination (67%) and immigration (60%) categories. See Currie (2006).

<sup>30</sup> The problem categories with the highest proportion of unresolved cases included disability pensions (65%), immigration (57%), discrimination (57%), social assistance (51%), and personal injury (51%). See Currie (2009).

<sup>31</sup> The problem categories with the highest proportion of perceived unfairness were in the discrimination (62%) and police action (61%) categories. See Currie (2009).

<sup>32</sup> It is important to note that data for the 2021 CLPS were collected during the COVID-19 pandemic, which impacted individuals' ability to resolve their problems; thus, leading to lower rates of resolution compared with previous national legal needs surveys. Indeed, 42% of Canadians who had experienced a serious problem said that their dispute or problem worsened or became more difficult to resolve as a result of the COVID-19 pandemic.

<sup>33</sup> In Farrow et al.'s (2016) recent Canadian study, among respondents with a legal problem, 95% reported taking one or more actions to manage their problem, whereas 5% took no action to resolve the problem. In Currie's (2009) earlier Canadian study, among individuals with a legal problem, 20% made no attempt to resolve the problem. In Savage and McDonald's (2022) latest report on data from the 2021 CLPS, among individuals with a serious problem, 87% had taken some action to address their problem whereas 12% had dropped or given up on resolving the issue.

take action to resolve justice-related problems are likely to have unmet legal needs. For instance, those who dealt with their problems were more likely to perceive the outcome of a resolution as fair, whereas those who took no action were more likely to perceive the outcome as unfair (Currie, 2009). This reinforces the importance of improving outreach strategies (e.g., through public legal education) to help individuals who are less inclined to take action to resolve their justice-related problems (Currie, 2009).

### 2.1.3. Access to Justice

As a multidimensional concept (World Justice Project, 2019b), definitions of access to justice vary. However, in the broadest sense, access to justice concerns peoples' ability to effectively navigate their **everyday legal problems** and to obtain sufficient resolution to these problems, whether it be through formal or informal systems and with appropriate legal and/or non-legal support (McDonald, 2017; OECD/Open Society Foundations, 2019). Access to justice is therefore concerned with the extent to which people can access and utilize the services necessary to achieve appropriate solutions for a justice-related problem, which is not exclusive to the access and use of legal services (McDonald, 2017; OECD/Open Society Foundations, 2019). More specifically, the Department of Justice Canada defines access to justice as:

Enabling Canadians to obtain the information and assistance they need to help prevent legal issues from arising and help them to resolve such issues efficiently, affordably, and fairly, either through informal resolution mechanisms, where possible, or the formal justice system, when necessary (McDonald, 2017, p. 9).

In a qualitative study involving Canadians, Farrow (2014) found that individuals broadly conceptualized access to justice as “access to the kind of life—and the kinds of communities in which—people would like to live. It is about accessing equality, understanding, education, food, housing, security, happiness, et cetera.” (p. 983). Understandably, legal stakeholders (e.g., judges, lawyers, lawmakers, researchers, educators, etc.) may have a different perception of access to justice as compared with the public.<sup>34</sup> Accordingly, access to justice is not only about fair process (in the form of procedural justice and access to lawyers, police, and courts), it is about substantive justice and helping people achieve comfortable lives (Farrow, 2014).

The concept of access to justice is closely linked to the concept of legal need—when a legal need is left unmet, there is no access to justice (OECD/Open Society Foundations, 2019). Given the number of people in Canada (Currie, 2009, 2006; Farrow et al., 2016; Savage & McDonald, 2022), and across the globe (World Justice Project, 2019a, 2019b), who have legal needs that are left unmet, this represents a major access to justice problem. It is therefore regarded as one of the most pressing justice issues today,<sup>35</sup> garnering attention from a variety of legal and non-legal stakeholders (Farrow, 2014). Indeed, access to justice is named as part of the United Nation's (UN) 2030 Sustainable Development Goals which aim to guide global and national development policies—target 16.3 commits all UN members to “promote the rule of law at the national and international levels and ensure equal access to justice for all” (United Nations, 2015, p. 28).

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<sup>34</sup> Especially concerning marginalized populations (Dodge, 2013).

<sup>35</sup> Access to justice has been identified as one of the greatest challenges facing the Canadian justice system (Farrow, 2014; McLachlin, 2011).

Relatedly, Canada has developed a set of Justice Development Goals which serves as a framework for coordinating and improving access to justice efforts across the country (Action Committee on Access to Justice in Civil and Family Matters, 2019b).<sup>36</sup>

Developing a better understanding of peoples' legal needs and their experiences navigating everyday legal problems is the first step toward designing policies that aim to achieve equal access to justice (World Justice Project, 2019a). The World Justice Project (2019a) provides global insight into the access to justice issue. As the first-ever effort to capture comparable data on legal needs and access to civil justice from more than 100,000 people in 101 countries and jurisdictions,<sup>37</sup> the World Justice Project study highlights the paths followed by people to deal with their everyday legal problems within and across countries.<sup>38</sup> In general, most people do not seek advice through the formal justice system (e.g., lawyers and courts). Less than one-third (29%) of people sought any advice to manage their legal problem, of which friends and family members were most often approached. People also face several barriers with respect to navigating everyday legal problems and meeting their justice needs. In this case, fewer than 1 in 3 people (29%) were able to recognize their problem had legal aspects and a potential legal solution; 1 in 6 (16%) found it difficult to cover the cost required to resolve the problem; and 17% had reported that they had an ongoing problem but had given up on trying to resolve it. Finally, nearly half (43%) reported that their legal problem had an adverse impact on their lives.<sup>39</sup>

To further elucidate the extent to which legal needs are being met, the World Justice Project (2019a) study provided a detailed account of people's paths to justice for their everyday legal problems in each of the 101 countries and jurisdictions.<sup>40</sup> Pertaining to legal capability, many Canadian respondents knew where to get advice and information for their problem (72%), felt they could get all the expert help they wanted (59%), and were confident they could achieve a fair outcome (68%). Interestingly, however, only 32% of Canadians were able to access the support they needed to deal with their legal problem—which largely consisted of seeking a lawyer or utilizing professional advice services (44%) or consulting friends and/or family members (42%).<sup>41</sup> Similar to previous research (Currie, 2009), the World Justice Project found that about 1 in 5 Canadians (21%) had an ongoing problem and gave up trying to resolve it. Whereas 68% of Canadians felt the process followed to resolve their problem was fair

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<sup>36</sup> Canada's Justice Development Goals are as follows: (1) address everyday legal problems; (2) meet legal needs; (3) make courts work better; (4) improve family justice; (5) work together; (6) build capability; (7) innovate; (8) analyze and learn; and (9) improve funding strategies. For more detail, see Action Committee on Access to Justice in Civil and Family Matters (2019b).

<sup>37</sup> These data were collected via a standardized survey module on legal needs and access to justice, which was administered in 2017 and 2018 as part of the World Justice Project's General Population Poll (World Justice Project, 2019a).

<sup>38</sup> See the World Justice Project (2019a) for a detailed account of the paths followed by people to deal with their everyday legal problems for each of the 101 countries and jurisdictions.

<sup>39</sup> Approximately 29% reported experiencing physical or stress-related illness, whereas 23% reported losing their job or having to relocate because of their legal problem.

<sup>40</sup> Canadian data were based on a probability sample of 1,000 respondents from Vancouver, Toronto, and Montreal.

<sup>41</sup> Canadians also sought help from government legal aid offices (20%), court or government body or police (20%), a health or welfare professional (20%), a trade union or employer (8%), a civil society organization or charity (6%), or a religious or community leader (3%).



(regardless of outcome), 1 in 9 (11%) believed it was challenging to find financial resources necessary to resolve the problem.

Farrow and colleagues (2016) and Savage and McDonald (2022) also provide evidence for the paths followed by people in Canada to deal with their everyday legal problems. Similar to findings from the World Justice Project (2019a), Farrow et al. (2016) found that very few Canadians used the formal legal system to resolve their problems—approximately 7% of those with a legal problem reported appearing before a court or tribunal. Instead, Canadians use a variety of other options to deal with their everyday legal problems. For instance, a majority contacted the opposing party in the dispute (75%) or obtained advice from friends and/or family members (61%). One-third also searched online for help. In addition, almost 1 in 5 (19%) sought legal advice (e.g., from private bar lawyers) whereas 28% obtained non-legal assistance from an organization (e.g., union or advocacy group). Many Canadians felt these options were helpful for resolving their legal problems. Specifically, many believed that the legal advice (81%) and non-legal assistance (68%) they received was helpful, along with the information found on the internet (58%) and the assistance provided by friends and family (68%). However, not all options for resolving legal problems were deemed to be helpful. For instance, almost half (49%) of those who attempted to resolve their problem by negotiating with the opposing party felt this approach was not useful. Expanding on these findings by Farrow et al. (2016), data from the 2021 CLPS further suggest that the majority of Canadians seek resolution without involving the formal justice system, as one-third (33%) contacted a legal professional and 8% contacted a court or tribunal to manage their most serious problem (Savage & McDonald, 2022). Among those who looked outside the formal justice system to resolve their most serious problem, many sought advice from friends or relatives (51%), searched the internet (51%), contacted the opposing party (47%), contacted a government department or agency (21%), contacted a community centre or community organization (11%), or contacted a labour union (4%). Further, among those who took action to resolve their serious problem, but not did contact a lawyer, just over one-third (37%) indicated they could not afford legal help, just under one-half (41%) did not think legal help would be useful, and one-third (33%) wanted to resolve the problem on their own. Notably, the most helpful actions taken to resolve a serious problem or dispute included contacting a legal professional (77%), obtaining advice from friends or relatives (73%), and searching the internet (70%).<sup>42</sup>

### *Measuring Access to Justice*

Although there is some agreement among justice stakeholders with respect to what ‘access to justice’ encompasses, in addition to the fact that an access to justice problem exists in many countries (including Canada), there remains the challenge of assessing the effectiveness of initiatives (e.g., research, policy, programming) which seek to improve access to justice. Arguably, part of the challenge has been an absence of a unified approach to measuring access to justice. Justice stakeholders have recognized this gap and highlighted the need for a common measurement framework to serve as a ‘blueprint’ for developing, evaluating, comparing, and improving access to justice initiatives (Access to Justice British Columbia, 2019; Action

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<sup>42</sup> Savage and McDonald (2022) suggested that seven in ten (70%) people who contacted the opposing party to resolve their serious problem stated it was not helpful, similar to findings from Farrow et al. (2016).

Committee on Access to Justice in Civil and Family Matters, 2013; Lowenberger et al., 2021; National Center for Access to Justice, 2021).

Accordingly, a network of justice stakeholders in Canada developed the Triple Aim approach to measuring access to justice,<sup>43</sup> which is a justice metrics framework that can be used to assess the functions and outputs of access to justice initiatives (Access to Justice British Columbia, 2019). The purpose of this measurement framework is two-fold. First, it intends to provide the ‘blueprint’ for monitoring a population’s experience in managing their justice-related problems and accessing the justice system. Second, it intends to provide justice stakeholders with a shared frame of reference to align the development and evaluation of access to justice initiatives. Importantly, the goal of the framework is not to provide a single methodology or standardized set of justice indicators to measure access to justice initiatives; rather, it serves as a structured, yet flexible, guide to assessing the performance of these initiatives (Access to Justice British Columbia, 2019). According to this measurement framework, there are three key elements, or aims (i.e., the ‘Triple Aim’), pertaining to the measurement of access to justice initiatives: (1) improved population access to justice; (2) improved user experience of access to justice; and (3) improved costs. Each of these elements (or aims) consist of varying dimensions under which several justice indicators (i.e., measurable concepts) can be adopted or developed. Table 1 summarizes the ‘Triple Aim’ access to justice measurement framework, outlining each element and the associated dimensions.<sup>44</sup>

**Table 1: Overview of the ‘Triple Aim’ Access to Justice Measurement Framework**

Element	Dimensions
<b>Improved Population Access to Justice</b>	<ul style="list-style-type: none"> <li>• Prevalence of legal needs/problems</li> <li>• Response to legal needs</li> <li>• Fair and equitable access to justice</li> <li>• Social and economic impact of access to justice</li> </ul>
<b>Improved User Experience of Access to Justice</b>	<ul style="list-style-type: none"> <li>• User experience of obstacles to access to justice</li> <li>• Quality of user experience of the justice system</li> <li>• Effectiveness of justice system in addressing user legal problems</li> <li>• Appropriateness of the justice process</li> <li>• Justice outcomes for the users</li> </ul>
<b>Improved Costs</b>	<ul style="list-style-type: none"> <li>• Per-capita costs of services</li> <li>• Per-user costs of services</li> <li>• Other costs</li> </ul>

Source: Access to Justice British Columbia (2019)

<sup>43</sup> Inspired by the Triple Aim approach originally developed in the health sector (Access to Justice British Columbia, 2019).

<sup>44</sup> See Access to Justice British Columbia (2019) for a full discussion on each element and the associated dimensions and, further, the relevant justice indicators underlying each dimension.

To illustrate, when it comes to determining whether initiatives are improving population access to justice, evaluations may focus on the extent to which individuals are able to adequately respond to legal needs. In this regard, it might be important to capture the paths people take to address justice-related problems or the availability of legal information and education. To determine whether initiatives are improving user experience of access to justice, evaluations may focus on the obstacles endured by individuals when attempting to resolve justice-related problems. In this case, it might be important to capture the impact of social and economic disadvantage on an individual's ability to access the justice system and obtain a just resolution to their problem. Finally, to determine whether initiatives are improving costs, evaluations may focus on the social and economic costs of justice-related problems (see Farrow et al., 2016). Here, it might be important to capture the extent to which access to justice initiatives decrease financial costs for the individual (e.g., through reduced legal fees) and the state (e.g., through decreased demand on social and health services). While there are limited examples of how the 'Triple Aim' access to justice measurement framework can be applied in practice, it has been used to inform the development and evaluation of legal programs in Saskatchewan (Lowenberger et al., 2021).<sup>45</sup>

Arguably, a criticism of the Triple Aim approach to measuring access to justice is that it prioritizes a user-centered approach at the expense of service provider perspectives. In other words, access to justice measurement primarily centres on the user perspective and their experiences navigating justice-related problems and addressing legal needs, with little emphasis on the insights of service providers and what they identify as opportunities or barriers for addressing these issues. While it is agreed that access to justice research should continue to adopt a user-centred focus (World Justice Project, 2019a, 2019b; Farrow, 2014) as this provides direct insight into what individuals need to successfully navigate justice-related problems, there is utility in gathering lawyers' and legal and non-legal service providers' perspectives on the access to justice issues and legal needs within a community. As such, it can be suggested that an emphasis should be placed on both a user and service provider perspective to effectively bridge the access to justice gap. For instance, including the views of those who provide services to individuals experiencing justice-related problems may highlight connections between user needs and service provider support and, therefore, help inform policy change. Although there have been (local) studies on service provider perspectives concerning legal needs and justice system gaps (Blocka & Waghray, 2015), knowledge is still limited in this regard. Therefore, this research project intends to increase insight into the service providers' perspective on access to justice issues. This can be helpful when triangulated with primary source (i.e., user-centered) information on legal needs, such as data from the 2021 Canadian Legal Problems Survey (CLPS),<sup>46</sup> to bridge the access to justice gap in terms of user needs and service provider support.

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<sup>45</sup> One such program is the LISTEN project—a program dedicated to providing survivors of sexual assault with free legal information and advice—whereby program processes and objectives were linked to the three key elements of the 'Triple Aim' access to justice measurement framework to inform its (ongoing) evaluation (Lowenberger et al., 2021).

<sup>46</sup> For further information on the 2021 CLPS, see: <https://www23.statcan.gc.ca/imdb/p2SV.pl?Function=getSurvey&SDDS=5337>

## 2.2. Legal Needs Surveys

The OECD/Open Society Foundations (2019) report, *Legal Needs Surveys and Access to Justice*, provides an overview of previous legal needs surveys and, more specifically, draws from the experiences of these surveys to offer a comprehensive guide for measuring legal needs across varying jurisdictions.<sup>47</sup> Though legal needs surveys have a long history<sup>48</sup> their use has drastically increased in recent years as a considerable number of national and sub-national surveys have been conducted, or are currently being conducted, in many places around the world, including Canada<sup>49</sup> (OECD/Open Society Foundations, 2019; see also World Justice Project, 2019a, 2019b). Primarily focused on civil and family legal issues—but, in some cases, also capturing other legal issues—legal needs surveys explore the nature of justice-related problems, pathways and obstacles to resolution for these problems, and the impact of these problems on individuals and communities. They are a tool to shed light on legal problems, drive policy reform and programming, and monitor progress toward access to justice (Action Committee on Access to Justice in Civil and Family Matters, 2019a; OECD/Open Society Foundations, 2019). Traditionally, “legal needs surveys investigate the experience of [justice-related] problems from the perspective of those who face them...” (OECD/Open Society Foundations, 2019, p. 23). The current research project departs from this trend, however, as the goal was to investigate legal needs and barriers to access to justice from the perspective of lawyers and legal and non-legal service providers.<sup>50</sup> This can help develop a more complete picture of legal needs and access to justice issues within a community, especially when combined with data that reflects the perspectives of those who experience justice-related problems.<sup>51</sup>

The OECD/Open Society Foundations (2019) report highlights the importance of conducting legal needs surveys. Such surveys can provide vital data concerning access to justice as they enable unique insight into the justice system and legal needs within a community, which would be difficult to achieve through other means. For instance, administrative data—whether collected by courts, government agencies, or legal and non-legal service providers—does not provide researchers, policymakers, and practitioners with all necessary information to assess the true scope of legal needs and barriers to access to justice (OECD/Open Society Foundations, 2019). Indeed, such datasets may not adequately capture access to justice indicators. There are also issues concerning the collection of administrative data, including fragmented and unstandardized

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<sup>47</sup> This report (or guide) was designed to support the effective implementation of target 16.3 of the UN’s 2030 Sustainable Development Goals, as well as support countries in better understanding and measuring their progress toward improving access to justice.

<sup>48</sup> As noted in the OECD/Open Society Foundations (2019) report, the first legal needs survey was conducted in Connecticut, U.S. to assess how the community’s needs for legal services were being met during the 1930s recession.

<sup>49</sup> The Canadian Legal Problems Survey (CLPS), undertaken by Statistics Canada between February and August 2021, is the most recent national survey on legal problems in Canada which aims to capture the justice-related problems people face, how people resolve these problems, and how experiencing these problems impact people’s lives. For more information, see <https://www23.statcan.gc.ca/imdb/p2SV.pl?Function=getSurvey&SDDS=5337>

<sup>50</sup> The major limitation to a service provider focus versus a user-centered focus, of course, is that it potentially limits the scope to formal legal and non-legal services and processes. In addition, service providers may only see a limited scope of need (e.g., individuals may not seek service providers for help when they experience certain justice-related problems) which may further limit the perspectives provided on legal needs and barriers to access to justice.

<sup>51</sup> Capturing the perspectives of those who experience justice-related problems is the next step for our research on legal needs and access to justice in the province of Saskatchewan, Canada.

policies and practices, as well as duplicated efforts, across institutions. Legal needs surveys may, therefore, serve to complement and contextualize administrative data which can be instrumental in the development of access to justice policies and programming (OECD/Open Society Foundations, 2019). Indeed, national and sub-national legal needs surveys and their findings have helped shape justice system stakeholders' thinking around access to justice issues and strategies for improving legal service delivery (OECD/Open Society Foundations, 2019).

### 2.2.1. Developing and Conducting a Legal Needs Survey

In recognition of the access to justice problem within Canada's justice system (Farrow, 2014; McLachlin, 2011; see also Currie, 2009, 2006; Farrow et al., 2016), and in addition to the fact that many justice system stakeholders have information needs that are left unmet (McCashin et al., 2018), there has been a noticeable increase in data collection and research efforts to improve access to justice in Canada. For example, a legal needs assessment process and toolkit was spearheaded in Ontario, which was associated with the legal clinic system expansion in the late 1990s (Leering, 2001) and, in 2018, the Alberta Law Foundation undertook a reassessment of legal needs in Alberta, with key research findings impacting funding prioritization to address the most significant gaps.<sup>52</sup> Most recently, Legal Aid British Columbia conducted an *Everyday Legal Needs Survey* (Bacica & Kendrick, 2020) and the Canadian Bar Association introduced a Task Force on Justice Issues Arising from the COVID-19 pandemic, which involved fact finding, consultations, and research intended to assess immediate and evolving issues surrounding legal service delivery (Canadian Bar Association, 2021). Specific to Saskatchewan, CREATE Justice has recently led several research projects which provide a snapshot of the legal needs, as well as successes and challenges surrounding access to justice, within the province. These research efforts are briefly summarized in Table 2 (see page 16).

Despite recent developments in data collection and research efforts to improve access to justice in Canada, there is still a deficit in data and research addressing legal needs in the province of Saskatchewan. While the latest national legal needs surveys in Canada targeted residents in each of the 10 provinces (Farrow et al., 2016; Savage & McDonald, 2022), Saskatchewan residents made up a rather small proportion (3.1%) of the total sample in Farrow et al.'s (2016) study.<sup>53</sup> Representing such a small percentage of the sample, findings from national surveys are not detailed enough to inform policy and programming specific to Saskatchewan's access to justice issues and legal needs. A Saskatchewan-specific legal needs survey would provide unique insight into justice system processes and legal services across the province and, most importantly, it would help identify the legal needs specific to Saskatchewan residents. Right now, many legal and non-legal organizations in Saskatchewan are engaging in individualized data collection and research initiatives to inform their access to justice efforts; however, no broad scope data exists. Data from a province-wide legal needs survey would therefore provide context to, and complement, these individualized efforts which could help improve access to justice

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<sup>52</sup> See the Alberta Law Foundation letter on funding priorities, which have developed from legal needs assessment projects (<https://static1.squarespace.com/static/5d23a55dc8a45d0001462320/t/5ee268020b5b9049f57a3de0/1591896067582/April+1%2C+2019+Funding+Guideline+Letter.PDF>).

<sup>53</sup> Information on sampling distribution across the 10 provinces is not currently available for the 2021 Canadian Legal Problems Survey (<https://www23.statcan.gc.ca/imdb/p2SV.pl?Function=getSurvey&SDDS=5337>).

initiatives in Saskatchewan. Most importantly, a legal needs survey has the potential to provide much-needed data to begin to gain a full picture of the legal landscape in Saskatchewan.

In May of 2019, CREATE Justice took initial steps in transforming discussions of a legal needs survey for Saskatchewan into reality. Building from these initial steps, the current research project sought to design and implement Saskatchewan's first broad-scale legal needs assessment. Specifically, our goal was to administer legal needs surveys to identify gaps that exist within Saskatchewan's justice system from the perspective of lawyers and legal and non-legal service providers. The first task was to learn as much as possible about legal needs surveys and how they have been implemented at the global, national, and sub-national levels—especially concerning objectives and methodology (Action Committee on Access to Justice in Civil and Family Matters, 2019a; OECD/Open Society Foundations, 2019; World Justice Project, 2019a, 2019b; for previous national legal needs surveys in Canada, see: Currie, 2009, 2006; Farrow et al., 2016; for detailed research on legal needs assessments in Canada, see: Bacica & Kendrick, 2020; Leering, 2001).

**Table 2: Summary of Recent Research on Legal Needs and Access to Justice in Saskatchewan**

Project	Purpose	Method	Major Findings
<b>Architects of Justice</b> (CREATE Justice, 2017)	<ul style="list-style-type: none"> <li>Capture the general public's perception on: (1) where they prefer to seek help when facing legal issues; (2) reasons people may not take action through the legal system; and (3) what can be done to help people deal with legal problems.</li> </ul>	<ul style="list-style-type: none"> <li>Online survey administered to a random sample of 400 adults from the general public in Saskatchewan.</li> </ul>	<ul style="list-style-type: none"> <li>Many prefer to access legal advice from their own lawyer or paralegal, family and friends, and the internet.</li> <li>Factors which might dissuade people from taking action through the legal system when facing a legal problem include cost, complexity, and lack of faith in the system.</li> <li>Respondents believed the justice system could be improved by reducing complexity and cost; providing more information about the law/legal processes; providing more legal options that are free or less costly than a lawyer; and delivering services in a client-focused manner.</li> </ul>
<b>Saskatchewan Access to Legal Information (SALI) Project 1.0</b> (CREATE Justice, 2018)	<ul style="list-style-type: none"> <li>Compile data surrounding requests for legal information from public libraries in Saskatchewan.</li> </ul>	<ul style="list-style-type: none"> <li>Two online surveys administered to public libraries, one which collected data on requests for legal information (<math>n = 25</math>) and another which collected library demographic information (<math>n = 27</math>)</li> </ul>	<ul style="list-style-type: none"> <li>Over the span of 5 months, 25 libraries received a total of 46 requests for legal information.</li> <li>There is a wide range of legal information topics for which librarians receive requests, but most commonly requests pertained to the following legal topics: family; criminal; tax; health; and rent.</li> <li>More than two-thirds of requests for legal information resulted in at least one referral by library personnel.</li> </ul>
<b>Saskatchewan Access to Legal Information (SALI) Project 2.0</b> (CREATE Justice, 2019b)	<ul style="list-style-type: none"> <li>Examine instances and types of legal-related questions asked by library patrons, as well as identify whether library personnel are</li> </ul>	<ul style="list-style-type: none"> <li>Four total surveys administered to personnel from two public library systems to collect information on: (1)</li> </ul>	<ul style="list-style-type: none"> <li>Over the span of 1 month, nearly one-third of library personnel received a legal-related question from a library patron. Among those that received a legal-related question, 69% were somewhat to very comfortable responding to these questions.</li> </ul>

Project	Purpose	Method	Major Findings
	<p>able to assist library patrons with their legal-related questions.</p>	<p>library characteristics (<math>n = 10</math>); (2) library personnel's experience with legal-related questions (<math>n = 43</math>); (3) types of legal information requested (<math>n = 12</math>); and (4) law-related materials circulated in the province.</p>	<ul style="list-style-type: none"> <li>• To address legal-related queries, library personnel most often directed patrons to library books or materials, referred them to a community organization, or referred them to a government agency.</li> <li>• Library personnel believed several factors could increase their confidence in answering legal-related questions, including training on referral sources, how to identify legal issues and area of law, as well as legal research.</li> <li>• The legal topics library patrons asked about typically involved criminal law, government agency, power of attorney, family law, or other law topics.</li> </ul>
<p><b>Public Perceptions of the Saskatchewan Justice System and its Accessibility to Saskatchewan Residents</b> (CREATE Justice, 2019c)</p>	<ul style="list-style-type: none"> <li>• Gather information on Saskatchewan residents' perceptions of, and experiences with, the Saskatchewan legal system; specifically, pertaining to access to justice, availability of legal assistance, and preferred supports when facing legal issues.</li> </ul>	<ul style="list-style-type: none"> <li>• Four independent telephone surveys administered in four separate waves, each to a random sample of 400 adults from the general public in Saskatchewan (<math>N = 1,600</math>).</li> </ul>	<ul style="list-style-type: none"> <li>• Many respondents agreed that Saskatchewan residents have equal and fair access to the Saskatchewan justice system (although this varied according to demographics).</li> <li>• Respondents indicated that the most surprising aspect about their legal dispute was the cost, length of time to settle the dispute, and how much the process would affect their life.</li> <li>• Most respondents indicated that, when facing a legal issue, they would seek help from their own lawyer or paralegal, family or friends, or search for a lawyer or paralegal.</li> </ul>



At the core of legal needs survey design and development is identifying what overarching research question(s) the survey instrument is attempting to answer regarding access to justice and legal needs, as well as establishing the indicators (i.e., survey items) that aim to answer those questions. For instance, the Tilburg Institute for Interdisciplinary Studies of Civil Law and Conflict Resolution Systems' (TISCO) 2009 *Handbook for Measuring the Costs and Quality of Access to Justice* follows a justice user's path to justice according to three central questions,<sup>54</sup> which are assessed via survey instruments containing indicators and sub-indicators pertaining to the overarching questions (Action Committee on Access to Justice in Civil and Family Matters, 2019a). Accordingly, the current study aimed to address the following research question:

*To what extent do lawyers, as well as legal and non-legal service providers, believe individuals and communities in Saskatchewan are able to access the legal and non-legal supports and services necessary to resolve justice-related problems?*

Two survey instruments—broadly referred to as the 2021-2022 Saskatchewan Legal Needs Survey—were designed to address the abovementioned research question (further details on these instruments, including indicators, are provided in [Section 3: Methods](#)). As highlighted in the OECD/Open Society Foundations (2019) report, *Legal Needs Surveys and Access to Justice*, despite being part of the same tradition, the objectives and methodology of past legal needs surveys vary considerably.<sup>55</sup> Most legal needs surveys have focused on nationally representative samples; however, some have focused on specific target populations (e.g., low- and moderate-income Canadians: Currie, 2006) or involved oversampling of certain demographics (e.g., Indigenous Peoples in Australia: Coumarelos et al., 2012). There is also wide variation in the structure and design of legal needs surveys (OECD/Open Society Foundations, 2019). Indeed, past surveys vary according to sample size, topic, degree of detail and sophistication of questions, length, and modes of administration—each of which depend on the ultimate purpose of the survey. Furthermore, units of measurement differ across legal needs surveys (OECD/Open Society Foundations, 2019). Most surveys collect data at the individual level; however, some have collected data at the household/family level, business level, and even community level. In addition, legal needs surveys have primarily targeted those who have experienced justice-related problems (OECD/Open Society Foundations, 2019), though some have solicited the perspectives of other community members (e.g., service providers). Therefore, past legal needs surveys have provided varying lenses through which access to justice issues and legal needs can be viewed. Investigating access to justice issues and legal needs within communities across Saskatchewan from the perspective of lawyers, as well as legal and non-legal service providers, serves as another lens into this area of research. Ultimately, this will lead to a better understanding of how people in Saskatchewan navigate justice-related problems and the barriers they face in accessing legal supports and services and, most notably, it will provide a better understanding of the perspectives of lawyers and legal and non-legal service providers with respect to justice-related problems and legal needs in the province.

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<sup>54</sup> (1) What are the average costs for people who follow this procedure?; (2) How do they rate the quality of the procedure?; (3) How do the users rate the outcome of the procedure? (TISCO, 2009, p. 16)

<sup>55</sup> All have utilized broad population sampling frames and, for the most part, probability samples (OECD/Open Society Foundations, 2019).

## 3. Methods

This section of the report provides a description of the methodological approach used to conduct the 2021-2022 Saskatchewan Legal Needs Survey, including the research design, sampling and data collection procedure, measures, participants, analytic approach, as well as methodological limitations. It is important to note that this study surveyed lawyers and legal and non-legal service providers separately due to the varying knowledge they may have concerning justice-related problems and legal needs of Saskatchewan residents. These groups therefore represent independent samples. As such, methodology is discussed in relation to the overall study and, where applicable, separately for lawyers versus legal and non-legal service providers.

### 3.1. Procedures

#### 3.1.1. Study Design

A cross-sectional research design was used to assess lawyers', as well as legal and non-legal service providers' (i.e., representatives of community-based organizations), perceptions of the justice-related problems and legal needs of individuals and communities in Saskatchewan. Specifically, two online self-report surveys were designed and administered to gather information from participants on access to justice issues and priority legal needs in their community based on the work they do and experiences with clients. One survey was tailored to legal and non-legal service providers (i.e., the Community Agency Survey; Appendix A), whereas the other was tailored to lawyers (i.e., the Lawyer Survey; Appendix B). The content of the questionnaires is similar, with some slight differences to capture a community-based versus legal perspective; however, both quantitative and qualitative data were collected through each survey. In general, these surveys asked lawyers and representatives of community-based organizations in the province to reflect on the:

- Justice-related problems and legal needs experienced in their community and by their clients (especially community members' experiences navigating these issues);
- Areas of law most in demand in their community and barriers to accessing services in these areas of law;
- Legal and non-legal supports/services most in demand in their community and barriers to accessing these supports/services to manage justice-related problems;
- Social groups most in need of legal supports/services in their community and barriers these groups encounter when accessing these supports/services;
- Ways to increase access to legal supports and services in their community.

The development of the 2021-2022 Saskatchewan Legal Needs Survey was informed through several sources, including: (1) previous research into justice-related problems, legal needs, and access to justice in Canada and other jurisdictions; (2) existing legal needs surveys that assess user-centred experiences; (3) ongoing legal needs research and access to justice initiatives in

other Canadian provinces (e.g., through the Law Foundation of Alberta and Law Foundation of Manitoba); and (4) regular and reflexive consultations with subject matter experts.

### 3.1.2. Sampling and Data Collection

Prior to sampling and data collection activities, the research team finalized and programmed the surveys. As noted above, two separate surveys were developed to collect data from each set of prospective participants (i.e., representatives of community-based organizations and practicing or non-practicing lawyers) independent from one another. Once the surveys were approved and finalized, they were programmed into SurveyMonkey which served as the web-based platform to collect and store participants' data for this study. Both surveys were initially tested by the research team to identify and resolve any issues (e.g., with respect to accessing the survey, viewing content, responding to questions, text-based errors, etc.). The surveys were then piloted by individuals who qualified as the likely audience for each survey (see "Supplementary Sampling Strategies" below for further details). The goal of the piloting phase was to identify any last-minute issues with the line of questioning that would be presented to participants, as well as flag any technical or other issues that were missed by the research team in the initial testing phase. From here, the research team developed a sampling frame, recruited participants, and launched the surveys. The remainder of this section provides a detailed description of the sampling and data collection procedures for this study, separately for the Community Agency Survey and Lawyer Survey.

#### *Community Agency Survey*

Representatives of community-based organizations that provide legal and/or non-legal supports and services across the province made up the sample for the Community Agency Survey ( $N = 67$ ). Prior to the current study, CREATE Justice prepared an inventory of legal and non-legal service providers in Saskatchewan to help inform the target population of the Community Agency Survey. The inventory included a total of 894 entries and captured various types of service providers across the province.<sup>56</sup> In addition to this database, the CLASSIC *Rehabilitative Alternatives to Incarceration: Handbook of Community and Government Programs in Saskatchewan* (Community Legal Assistance Services for Saskatoon Inner City Inc. (CLASSIC), 2020) served as the primary reference for the sampling frame. Specifically, this handbook provides a detailed list of community-based services and government resources,<sup>57</sup> categorized according to community and service type. Accordingly, the sampling frame for this study consisted of community-based organizations listed in the CLASSIC handbook and CREATE Justice inventory. It is important to note that we primarily relied upon the CLASSIC handbook to select community-based organizations into the sampling frame (given the comprehensive nature of this index), whereas the CREATE Justice database was used as a supplementary source for

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<sup>56</sup> The types of services provided by legal and non-legal service providers listed in the main inventory fell into the categories of advocacy; children and families; complaints; corrections, courts, justice, and policing; consumer; employment; health; housing; human rights; immigration; mental health and addictions; municipal government; First Nation programs (e.g., health, mental health, justice, community development, etc.); supports for vulnerable populations (e.g., social and human services); federal government; municipal government; and, other services.

<sup>57</sup> This includes addictions and mental health services, alternative measures and extrajudicial sanctions, counselling services, anger management, and other programming.

identifying organizations.<sup>58</sup> A small number of community-based organizations ( $n = 9$ )<sup>59</sup> were also identified through other sources (e.g., a web search of relevant agencies and consultations with subject matter experts). Overall, a total of 179 unique community-based organizations were initially selected into the sampling frame.

The agencies identified for sampling ( $N = 179$ ) were selected according to the following procedures. First, we took a geographic-based sampling approach—using information from the 2016 Census (Saskatchewan Bureau of Statistics, 2017)—to capture “cities” and “towns” from various regions of the province. Specifically, we identified the largest population centres in North, Central, and Southern Saskatchewan (further stratified by West, Central, and East regions for each area). All Saskatchewan communities with a population size of 4,000 or greater were selected into the sample, in addition to some smaller communities to represent the Far North (i.e., with less than 4,000 but greater than 1,000 people). Roughly informed by Census Division boundaries, these communities were then grouped according to one of nine geographic regions of the province (for a map of Saskatchewan Census Divisions, see Appendix C). Notably, selecting community-based organizations according to geographic location aimed to increase the probability that the Community Agency Survey captured a representative sample of legal and non-legal service providers in Saskatchewan.<sup>60</sup> Table 3 provides details on the communities that were selected, their size, their geographic region, and the number of relevant legal and/or non-legal service providers that were identified in these locations. Second, using the CLASSIC handbook (Community Legal Assistance Services for Saskatoon Inner City Inc. (CLASSIC), 2020), we selected all organizations listed for the communities screened into the sampling frame.<sup>61</sup> Community-based organizations were therefore selected into the sample from this resource if they were operating in one of the pre-defined communities. This selection was supplemented by (a) the CREATE Justice inventory of legal and non-legal service providers in Saskatchewan, (b) a web search of potentially relevant agencies, and (c) consultations with subject matter experts.

**Table 3. Communities Included in the Community Agency Survey Sampling Frame**

Community ( $N = 21$ )	Size	Region	Service Providers Identified ( $N = 179$ )
<b>Prince Albert<sup>1</sup></b>	35,926	North	21
<b>Melfort<sup>1</sup></b>	5,992	North East	8
<b>Nipawin<sup>2</sup></b>	4,401	North East	3
<b>La Ronge<sup>2</sup></b>	2,688	North East	7
<b>Creighton<sup>2</sup></b>	1,402	North East	3
<b>Meadow Lake<sup>1</sup></b>	5,344	North West	7
<b>La Loche<sup>3</sup></b>	2,372	North West	4

<sup>58</sup> There was considerable overlap between the community-based organizations in the CLASSIC handbook and CREATE Justice inventory.

<sup>59</sup> This included family services, mediation, immigration, and LGBTQ2S+ organizations.

<sup>60</sup> In other words, the goal of the geographic-based sampling approach was to increase the chances that the survey reached community-based organizations in all areas of the province.

<sup>61</sup> The types of services provided by the 179 unique community-based organizations were categorized as addictions and mental health; alternative measures and extrajudicial sanctions; counselling and programming; family services; immigration; LGBTQ2S; and mediation services (family, child protection, high conflict).

Community ( <i>N</i> = 21)	Size	Region	Service Providers Identified ( <i>N</i> = 179)
<b>Saskatoon (CMA)</b>	246,376	Central	47
<b>Warman<sup>1</sup></b>	11,020	Central	0
<b>Martensville<sup>1</sup></b>	9,645	Central	1
<b>Yorkton<sup>1</sup></b>	16,343	Central East	7
<b>Humboldt<sup>1</sup></b>	5,869	Central East	2
<b>Melville<sup>1</sup></b>	4,562	Central East	1
<b>Lloydminster (SK)<sup>1</sup></b>	11,765	Central West	4
<b>North Battleford<sup>1</sup></b>	14,315	Central West	14
<b>Kindersley<sup>2</sup></b>	4,571	Central West	0
<b>Regina (CMA)</b>	215,106	South	22
<b>Estevan<sup>1</sup></b>	11,483	South East	6
<b>Weyburn<sup>1</sup></b>	10,870	South East	4
<b>Moose Jaw<sup>1</sup></b>	33,890	South West	10
<b>Swift Current<sup>1</sup></b>	16,604	South West	5

*Note.* La Ronge, La Loche, and Creighton provide representation of the Far North; CMA = Census Metropolitan Areas; provincial agencies that spanned several communities were also included in this initial subset ( $n = 3$ ); <sup>1</sup> City, <sup>2</sup> Town, <sup>3</sup> Northern village.

Each community-based organization selected into the final sampling frame ( $N = 179$ ) was first contacted by telephone. The purpose of this phone call was to introduce the research team, describe the goals and objectives of the study, as well as determine each organization's interest in participating in the study. Specifically, a trained research assistant phoned the agencies and provided a brief description of the study, as well as inquired as to whether a representative from the agency would like to receive a follow-up invitation to participate in the Community Agency Survey. In this case, the research assistant asked for the contact information of the Executive Director or other designated individual in a managerial position at the agency. Of the 179 organizations, a total of 89 (49.7%) agreed to receive the survey invitation and provided contact information for a representative of the agency. In most cases ( $n = 60$ ) the email address of an agency representative (e.g., Executive Director, Director, Manager, Program Coordinator, Supervisor, etc.) was provided for direct contact, whereas in other cases ( $n = 29$ ) the email address of the agency was provided for indirect contact. With respect to the latter scenario, the contact information was for the agency's receptionist who would then forward any communication about the survey to an individual in a managerial position at that organization. It is important to note the factors that led to paring the sample of community-based organizations from 179 to 89. The main reasons included non-response to the initial phone call ( $n = 41$ ); identification of duplicate organizations following communication attempts ( $n = 16$ ); the agency was no longer in service ( $n = 7$ ); or the invitation to participate in the survey was declined ( $n = 25$ ).

The research assistant assigned to contact each agency compiled the list of 89 community-based organizations that agreed to receive a follow-up communication about the survey. Using this list, formal invitations were sent via email to representatives (or receptionists) at each agency, which outlined details of the study and provided a link to complete the Community Agency Survey. Following best practices for online survey administration (Dillman et al., 2014), a series of

direct, personalized, and adequately timed email invitations were distributed to invite prospective participants to complete the survey. In this case, an initial invitation was sent, followed by two reminder emails (each of which were spaced 2 weeks apart). The mail merge function in Microsoft Word was used to distribute personalized study invitations and reminders. The link provided in each of the invitations directed prospective participants to the Community Agency Survey webpage on SurveyMonkey, where they were first presented with the consent form for the study (for the consent form, see Appendix A). After reviewing the consent form, participants were able to complete the survey which took about 10-15 minutes. Participants' free and informed consent was implied through the completion and submission of the questionnaire. Of the 89 representatives of community-based organizations that were invited to participate in the study through this sampling and data collection procedure, approximately 49 completed the survey. This strategy therefore resulted in a 55% response rate (i.e., an excellent response rate). Participants for this survey were also recruited through other methods (see "Supplementary Sampling Strategies" below).

### *Lawyer Survey*

Practicing and non-practicing lawyers who have provided legal supports and services within Saskatchewan made up the sample for the Lawyer Survey ( $N = 272$ ). Two primary sampling strategies were adopted for this survey. Initially, lawyers were invited to participate in the survey through a series of weekly communications to subscribers of the Law Society of Saskatchewan's (LSS) listserv. Specifically, the research team drafted a series of communications (informed by Dillman et al., 2014) that were provided to LSS to include as an advertisement in their weekly newsletter to its members (which is distributed via email). The first communication provided a brief description of the study and alerted prospective participants of the survey opening in the following week. Thereafter, a total of three communications were included in the LSS's weekly newsletters—distributed once a week (ending on December 16, 2021)—each of which briefly introduced the study and provided a link to complete the Lawyer Survey. It is important to note that weekly newsletters to LSS's listserv subscribers is a standard practice and, therefore, the advertisement for this study was included only as a component of a consistent email communication. As such, not every individual who was contacted may have viewed the advertisement for the study. At the time of the study, there were approximately 2,865 LSS listserv subscribers.<sup>62</sup> Among these individuals, 82 completed the survey through this sampling and data collection procedure. Based on the total number of members that were contacted, and ultimately the completed survey, this strategy resulted in a 3% response rate (i.e., a poor response rate).

Given the remarkably low response rate obtained through the initial sampling strategy, the research team opted to employ a secondary sampling strategy which followed similar best practices for online survey administration as the Community Agency Survey (Dillman et al., 2014). Several steps were followed for this sampling strategy. First, three trained research assistants "mined" the Law Society of Saskatchewan's "Find Legal Assistance" directory,<sup>63</sup> which is a webpage that can be used by the public to search for members of the LSS who are

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<sup>62</sup> Listserv subscribers comprises of various types of LSS membership (e.g., active, inactive, pro bono, retired, etc.)

<sup>63</sup> Formerly known as the "Find-A-Lawyer" directory, the updated directory can be accessed at: <https://lssv6.alinityapp.com/Client/PublicDirectory>

licensed to practice law and able to assist with various justice-related problems. The directory provides the ability to search for licensed legal practitioners by name, gender, location, firm/company, language, area of law or legal issue, service model, and pricing and payment. At the time of the study, there were 2,087 active practicing LSS members (residing in and out of the province) that may be listed across the various areas of law or legal issues within this directory.<sup>64</sup> Research assistants searched the directory (by areas of law and legal issues) for LSS members actively practicing law in Saskatchewan and, from here, transferred information on each unique individual to a single database (i.e., an Excel spreadsheet with each individual's name, organization/firm, city, and email address). This search yielded 745 LSS members actively practicing law in the province (and with available contact information),<sup>65</sup> which served as the sampling frame. Similar to the Community Agency Survey, the mail merge function in Microsoft Word was used to distribute formal invitations via email to the list of 745 LSS members actively practicing law, which outlined details of the study and provided a link to complete the Lawyer Survey. Again, following best practices for online survey administration (Dillman et al., 2014), a series of direct, personalized, and adequately timed email invitations were distributed to invite prospective participants to complete the survey. An initial invitation was sent, followed by two reminder emails (each of which were spaced 2 weeks apart). The link provided in each of the invitations directed prospective participants to the Lawyer Survey webpage on SurveyMonkey, where they were first presented with the consent form for the study (for the consent form, see Appendix B). After reviewing the consent form, participants were able to complete the survey which took about 15-20 minutes. Participants' free and informed consent was implied through the completion and submission of the questionnaire. Of the 745 LSS members actively practicing law that were invited to participate in the study through this sampling and data collection procedure, approximately 176 completed the survey. This strategy therefore resulted in a 23.6% response rate (i.e., a good response rate). Participants for this survey were also recruited through other methods (see "Supplementary Sampling Strategies" below).

### *Supplementary Sampling Strategies*

In addition to the abovementioned sampling strategies for the Community Agency Survey and Lawyer Survey, research team members also shared the surveys via other outlets through which the remainder of participants were ultimately recruited. This comprised a total of 18 representatives of community-based organizations and 96 practicing and/or non-practicing lawyers (who make up the remainder of the total samples). Specifically, the survey links were distributed through a variety of mechanisms, including a presentation at a 2021 Saskatchewan

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<sup>64</sup> The areas of law or legal issues covered by legal practitioners listed in the Law Society of Saskatchewan's public directory at the time of the study are as follows: Aboriginal/First Nations/Indigenous; Administrative/Boards/Tribunals; Agricultural/Farm; Bankruptcy/Insolvency/Receivership; Class Actions; Constitutional; Consumer; Corporate/Commercial; Criminal; Disability; Education; Elder; Entertainment; Environmental/Natural Resources; Family; Foreclosure; Guardianship; Health/Medical; Housing/Residential Tenancies; Human Rights; Immigration/Refugee; Insurance; Intellectual Property; Labour/Employment; Municipal; Personal Injury; Public Services; Real Estate; Small Claims; Tax; Traffic; Wills and Estates.

<sup>65</sup> It should be noted that LSS's public directory is a searchable database to locate members of the Law Society of Saskatchewan who are licensed to practice law. The directory lists all licensed lawyers in the province but not all choose to display certain personal characteristics (e.g., email).

Access to Legal Information (SALI) virtual conference series session;<sup>66</sup> a brief learning session on the 2021-2022 Saskatchewan Legal Needs Survey with the Anti-Racism Network's Justice Subcommittee members (followed by a distribution of the surveys to these members via chat and email);<sup>67</sup> communications with members of the Saskatoon Poverty Reduction Partnership<sup>68</sup> and Saskatoon Inter-Agency Response to COVID-19 (SIRC);<sup>69</sup> as well as through a multitude of communication channels by the Law Society of Saskatchewan.<sup>70</sup> The Lawyer Survey was further shared through a mass email communication to LSS's Designated Firm Representatives.<sup>71</sup> In addition, individuals affiliated with community-based organizations ( $n = 2$ ) and the Law Society of Saskatchewan ( $n = 14$ ) piloted the surveys and, therefore, were included in the final sample.<sup>72</sup>

Unfortunately, these supplementary recruitment activities did not utilize a formalized sampling strategy and pre-defined sampling frame. As such, it is not clear precisely who the surveys may and may not have reached through these collective recruitment efforts (and how many people), nor is it clear whether and how the surveys were further shared outside of these events and communications. Therefore, a response rate cannot be reliably calculated for these sampling strategies. In addition, the quality and type of information about the study presented to prospective participants through these efforts varied considerably. In general, however, participants recruited through these supplementary activities received a brief description of the study, along with the link to the surveys. With that said, irrespective of the method by which individuals were recruited for the study, each participant followed the exact same protocol once they clicked on either the Community Agency Survey or Lawyer Survey link that redirected them to the study's SurveyMonkey webpage(s).

### 3.2. Measures

The 2021-2022 Saskatchewan Legal Needs Survey was informed by the extensive body of research on justice-related problems, legal needs, and access to justice, as well as the methodology of various legal needs surveys in Canada and across the globe (for a review, see [Section 2](#)). It was also largely informed by the Alberta Law Foundation's 2018 *Bridging the*

<sup>66</sup> Only a handful of individuals ( $n = 10$ ) attended the conference series presentation; however, many individuals received the invitation to attend this session, which included a brief description of the presentation and links to the surveys. The number of unique recipients of the invitation is generally unknown; however, the registration page, which included links to the survey, had 226 views. Thus, people could have completed the questionnaires even if they did not attend the session.

<sup>67</sup> At the time of the study, there were 18 Anti-Racism Network Justice Subcommittee members; however, of particular note is that these members may have further distributed the survey to others.

<sup>68</sup> This included an email to a list of approximately 86 partners, as well as a social media post through the Saskatoon Poverty Reduction Partnership's Facebook account (which is believed to have initially reached 158 individuals and, further, led to one redistribution via Facebook's "share" function to an unknown number of recipients).

<sup>69</sup> This included an email to a list of approximately 57 partners. The SIRC is dedicated to meeting the needs of people who are especially vulnerable to the impacts of the COVID-19 pandemic due to housing and food insecurity.

<sup>70</sup> This included the publication of 2 news posts on the Law Society of Saskatchewan's website (which received a total of 445 views), which was further distributed through various sources, such as the LSS's "Legal Sourcery" newsletter (with 250+ subscribers) and social media accounts (i.e., Twitter, Facebook, and LinkedIn; collectively, these accounts have 1,700+ followers).

<sup>71</sup> It is estimated that, at the time of the study, there were over 300 Designated Firm Representatives that had at least received the email.

<sup>72</sup> For the pilot groups, the survey was sent to a total of 3 individuals for the Community Agency Survey and 19 individuals for the Lawyer Survey.



*Gaps* project, which aimed to identify priority legal needs and access to justice issues in communities in Alberta through a survey of representatives of community-based organizations. In this case, much of the content from the *Bridging the Gaps* survey<sup>73</sup> had been adopted and adapted to create the Community Agency Survey and Lawyer Survey for the Saskatchewan Legal Needs project. Notably, while this Saskatchewan-specific legal needs questionnaire does not capture all areas of access to justice measurement, survey items reflect some of the most common access to justice indicators (Action Committee on Access to Justice in Civil and Family Matters, 2019a; OECD/Open Society Foundations, 2019).<sup>74</sup> The remainder of this section provides an overview of the items included in the legal needs surveys for the current study. The full version of these instruments can be found in Appendix A (Community Agency Survey) and Appendix B (Lawyer Survey).

### 3.2.1. Community Agency Survey

#### *General Perceptions of Justice-Related Problems and Legal Needs*

Participants were asked to reflect upon their general perceptions of justice-related problems and legal needs as it relates to the community in which they serve. Specifically, participants indicated their level of agreement for 10 general statements pertaining to justice-related problems, legal needs, and access to justice barriers. This included statements such as, “over the course of a lifetime, almost everyone will confront a justice-related problem,” “the vast majority of justice-related problems can be resolved outside of the formal legal system,” “there are an adequate number of services available to support the legal needs of our community,” and “people are aware of the legal support(s) available in the community which may assist in resolving a justice-related problem.” Level of agreement on these statements was scored on a 5-point Likert scale from Strongly Disagree (1) to Strongly Agree (5). Participants were also presented with 5 statements that asked how frequently “people are able to...” obtain effective legal advice for a justice-related problem; obtain effective legal information for a justice-related problem; obtain effective legal representation for a justice-related problem; access legal support(s) in a timely manner to resolve a justice-related problem; and, satisfactorily resolve justice-related problems as a result of seeking legal support(s). These items were also scored using a 5-point Likert scale from Never (1) to Always (5).

#### *Legal Needs*

Several survey questions asked participants about the justice-related problems their clients most often experience, as well as the services/supports needed to manage these problems. Participants

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<sup>73</sup> The Alberta Law Foundation’s *Bridging the Gaps* survey had also been informed by previous legal needs and access to justice literature.

<sup>74</sup> Based on review of secondary literature, the Action Committee on Access to Justice in Civil and Family Matters (2019a) outlines ten common indicators or areas of access to justice measurement to be considered in legal needs assessments: (1) types of justice-related problems; (2) help sought and others involved; (3) resolution processes and other problem-solving behaviours; (4) outcomes/conclusions both in fact and type; (5) perceptions of quality, fairness, accessibility, and appropriateness of both the process and outcome; (6) cost and impact in terms of economic expenses, time spent, and negative effects on health, substance use, and relationships; (7) personal factors including awareness of law, process, and support, and legal capability and confidence; (8) legal needs and unmet needs; (9) barriers and obstacles faced; and (10) disaggregated demographic information.

were first asked to identify the types of justice-related problems their clients most often have, whereby they could select one or more categories from a list of justice-related problems (e.g., “Consumer,” “Criminal,” “Family,” “Housing,” etc.). Responses to this survey question were coded as a series of dichotomous variables<sup>75</sup> (1 = yes, 0 = no). Following this survey item, participants were presented with three open-ended questions which asked, “What types of legal supports do your clients most often need to manage their justice-related problems, if any?” and “What types of non-legal supports do your clients most often need to manage their justice-related problems, if any?” and “What is your organization’s role in assisting clients with their justice-related problems, if any?”

### *Legal Services/Support(s)*

Three survey questions captured participants’ perceptions of their community with respect to the types of legal services in demand, barriers to accessing legal support(s), and how to increase the accessibility of legal services and support(s). First, participants were asked, “In your community, which types of legal services do you believe are most in demand but are not adequately offered?” and could select one or more categories from a list of legal services (e.g., “Dispute resolution,” “Document preparation and form filling,” “Legal information,” “Legal coaching,” etc.). Following this survey question, participants were asked, “In your community, what makes it difficult for individuals to access the legal support(s) they need?” and could again select one or more categories from a list of potential barriers (e.g., “Lack of understanding of the formal justice system,” “Limited financial resources for legal representation and other expenses associated with accessing legal support,” “Limited-to-no legal service providers available in the community,” etc.). Responses to these survey questions were coded as a series of dichotomous variables (1 = yes, 0 = no). Participants were also presented with an open-ended question which asked, “What should be done to make legal services and support(s) more accessible in your community?”

### *Demographic Groups Served*

Three survey questions captured participants’ perceptions of their community with respect to the demographic groups most in need of legal support(s), barriers to accessing legal support(s) for the groups identified, and how to increase the accessibility of legal services and support(s) for these groups. Specifically, participants were asked, “In your community, what demographic groups do you believe are most in need of legal support(s) but are not being adequately served?” and could select one or more categories from a list of demographic groups (e.g., “Young Adults (18-35 years),” “Low Income Earners,” “Immigrants/Newcomers/Refugees,” “Indigenous Peoples,” “Persons with Mental Illness,” etc.). Following this survey question, participants were asked, “What makes it difficult for these demographic groups to access the legal support(s) they require?” and could again select one or more categories from a list of potential barriers (e.g., “Lack of understanding of the formal justice system,” “Limited financial resources for legal representation and other expenses associated with accessing legal support,” “Limited-to-no legal

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<sup>75</sup> Dichotomous variables are those which consist of only two values to designate respondents’ membership to one of two possible categories; in this case, selecting one response category versus all other possible categories. As such, these variables are used to compute relative frequencies (i.e., percentages) to identify the proportion of respondents who select a particular category.

service providers available in the community,” etc.). Participants were then provided with an open-ended survey question which asked, “What should be done to make the legal support(s) needed by these demographic groups more accessible in your community?”

### ***Respondent Demographics***

Several survey questions were included to gather a better understanding of the organization the participant represented and, therefore, who completed the survey. Participants were asked about the type of services their organization provides, the legal services (if any) provided by the organization to assist individuals with justice-related problems, the community (or communities) served by the organization, and whether the organization delivers services in northern Saskatchewan. Participant characteristics are presented below (see [Section 3.3](#)).

### **3.2.2. Lawyer Survey**

#### ***General Perceptions of Justice-Related Problems and Legal Needs***

Much like the Community Agency Survey, Lawyer Survey participants were asked to reflect upon their general perceptions of justice-related problems and legal needs as it relates to the community in which they serve. Specifically, participants indicated their level of agreement for 9 general statements pertaining to justice-related problems, legal needs, and access to justice barriers. This included statements such as, “people experiencing a justice-related problem are better off addressing it through the formal legal system,” “the vast majority of justice-related problems can be resolved outside of the formal legal system,” “there are an adequate number of services available to support the legal needs of our community,” and “people are aware of the legal support(s) available in the community which may assist in resolving a justice-related problem.” Level of agreement on these statements was scored on a 5-point Likert scale from Strongly Disagree (1) to Strongly Agree (5). Participants were also presented with 5 statements that asked how frequently “people are able to...” obtain effective legal advice for a justice-related problem; obtain effective legal information for a justice-related problem; obtain effective legal representation for a justice-related problem; access legal support(s) in a timely manner to resolve a justice-related problem; and, satisfactorily resolve justice-related problems as a result of seeking legal support(s). These items were also scored using a 5-point Likert scale from Never (1) to Always (5).

#### ***Areas of Law***

A series of survey questions captured participants’ perceptions of their community with respect to the areas of law they believe are in demand, barriers to accessing supports and services in these areas of law, as well as how to increase the accessibility and availability of supports and services in these areas of law. Participants were first asked to indicate the area(s) of law in which they provide services, whereby they could select one or more categories from a list of areas of law (e.g., “Aboriginal/Indigenous,” “Consumer,” “Criminal,” “Disability,” “Family,” “Health/Medical,” etc.). Following this survey question, participants were asked, “In your community, which three (3) areas of law do you believe are most in demand but are not adequately offered?” and could select up to three categories from the same list for areas of law.

Participants were then asked, “Of the three areas of law you previously selected, which area of law do you believe is most in demand in your community but is not adequately offered?” and could select only one area of law. Responses to each of these survey questions were coded as a series of dichotomous variables (1 = yes, 0 = no). Based on the survey question that asked participants to select one area of law they believed to be most in demand in the community, a series of follow-up questions were asked in relation to that area of law. Specifically, in reference to the area of law selected, participants were asked: (1) why they believed services in that area of law are not adequately offered; (2) what should be done to establish or expand services in that area of law; (3) what makes it difficult for individuals to access services and support(s) in that area of law; (4) what should be done to make that area of law more accessible to individuals with legal needs in that area. Responses to each of the follow-up survey questions were also coded as a series of dichotomous variables (1 = yes, 0 = no). Participants were also presented with an open-ended survey question which asked, “Is there anything else you would like to share about the areas of law you believe are in demand in your community?”

### *Social Groups Served*

A series of survey questions captured participants’ perceptions of their community with respect to the social groups they believe are most in need of legal support(s), barriers to accessing legal supports and services for these social groups, the areas of law these social groups are most in need of, as well as how to increase the accessibility and availability of supports and services for these social groups. Participants were first asked, “In your community, what social groups do you believe are most in need of legal support(s) but are not being adequately served?” and could select up to three categories from a list of social groups (e.g., “Young Adults (18-35 years),” “Low Income Earners,” “Immigrants/Newcomers/Refugees,” “Indigenous Peoples,” “Persons with Mental Illness,” etc.). Following this survey question, participants were asked, “Of the three social groups you previously selected, what social group do you believe is most in need of legal support(s) but is not being adequately served?” and could select only one social group. Responses to these survey questions were coded as a series of dichotomous variables (1 = yes, 0 = no). Based on the survey question that asked participants to select one social group they believed to be most in need of legal support(s), a series of follow-up questions were asked. Specifically, in reference to the social group selected, participants were asked: (1) why they believed legal service providers are not able to adequately offer support(s) to that social group; (2) what makes it difficult for that social group to access the legal support(s) they require; (3) what should be done to make the legal support(s) that social group needs more accessible; (4) which areas of law that social group is most in need of; and, (5) what should be done to better provide that social group the areas of law they need. Responses to each of the follow-up survey questions were also coded as a series of dichotomous variables (1 = yes, 0 = no). Participants were also presented with an open-ended survey question which asked, “Is there anything else you would like to share about the social groups you believe are in need of legal services and support(s) in your community?”

### *Clients’ Legal Needs*

Two survey questions asked participants about the justice-related problems their clients most often experience, as well as the legal support(s) needed to manage these problems. Specifically,

participants were asked, “What types of justice-related problems do your clients most often have?” and could select one or more categories from a list of justice-related problems (e.g., “Consumer,” “Criminal,” “Family,” “Housing,” etc.). Responses to this survey question were coded as a series of dichotomous variables (1 = yes, 0 = no). Following this question, participants were presented with an open-ended question which asked, “What types of legal support(s) do your clients most often need to manage their justice-related problems?”

### ***Respondent Demographics***

Several survey questions were included to gather a better understanding of the practicing and non-practicing lawyers who completed the survey. Participants were asked about the type of organization they work for, the legal services they provide, the main sources they receive referrals from and make referrals to in the provision of legal services, how long they have been providing legal services, the community (or communities) they serve, whether they deliver legal services in northern Saskatchewan, as well as sociodemographic characteristics (e.g., age, gender, and racial/ethnic background). Participant characteristics are presented below (see [Section 3.3](#)).

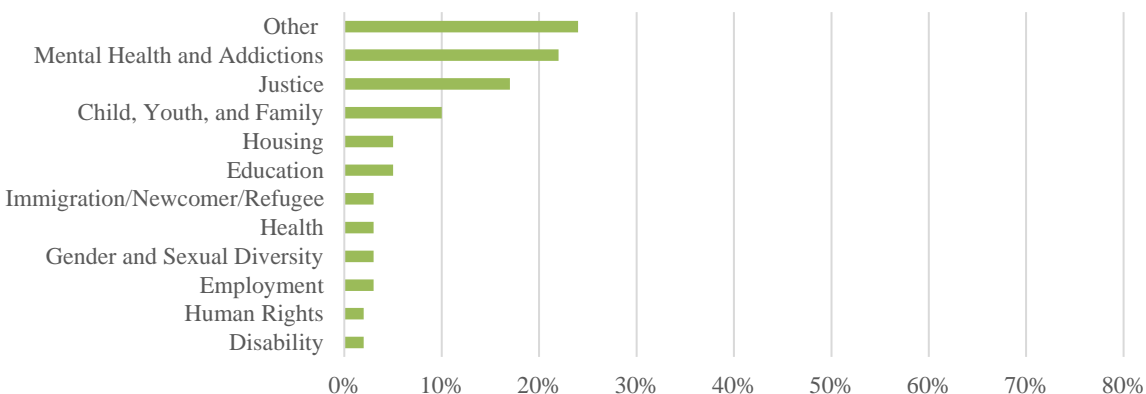
## **3.3. Participants**

As highlighted above, the final sample for this study comprised of 67 representatives of community-based organizations, as well as 272 practicing and non-practicing lawyers, in the province of Saskatchewan. To provide a better understanding of whose opinions are reflected in the surveys, respondents were asked several demographic questions. Below is a detailed description of participant characteristics, separately for the Community Agency Survey and Lawyer Survey.

### ***Community Agency Survey***

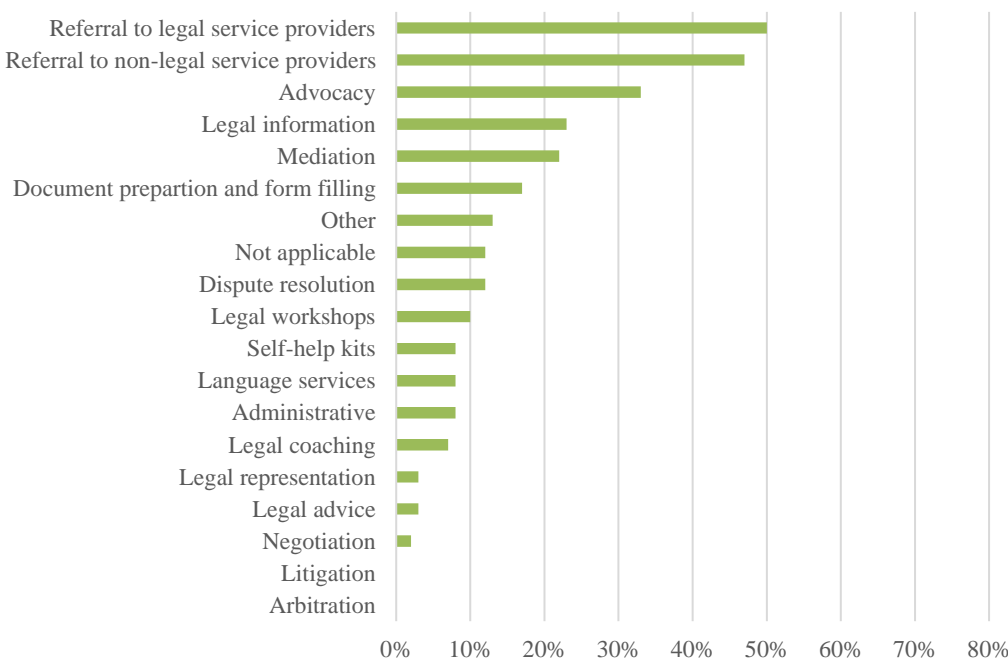
Of the 67 representatives of community-based organizations, a total of 59 responded to the survey question that asked what type of services their organization provides. Among these respondents, several indicated that their organization provided services pertaining to mental health and addictions (22%), justice (17%), and child, youth, and family (10%). Figure 1 presents further detail on the types of services provided by participants’ organizations. It should be noted that, although 24% of respondents suggested their organization provides “other” services, many of these fell within the range of valid response categories. Specifically, participants mentioned representing organizations that provide justice-related services ( $n = 7$ ), health services ( $n = 1$ ), and services for immigrants, newcomers, refugees, and foreign workers ( $n = 1$ ). In addition, four respondents indicated they provide social services, whereas two suggested they provide all services listed in the survey.

**Figure 1. General Services Respondents' Organization Provides ( $n = 59$ )**



With respect to the legal services respondents' organizations provide to assist people with justice-related problems, most indicated that they provide referrals to legal (50%) and non-legal (47%) service providers, advocacy (33%), legal information (23%), mediation (22%), and document preparation and form filling (17%). Figure 2 presents information on the types of legal services provided by respondents' organizations. Among the 13% of respondents who suggested their organization provides "other" legal services, some of these services fell within the range of valid response categories. In this case, participants mentioned representing organizations that provide connection to legal services ( $n = 2$ ), legal information ( $n = 2$ ), assessment services ( $n = 1$ ), access to technology ( $n = 1$ ), or indicated that they do not provide legal services ( $n = 1$ ).

**Figure 2. Legal Services Respondents' Organization Provides ( $n = 60$ )**



Participants were also asked about the community (or communities) they serve, as well as whether they deliver services in northern Saskatchewan. Approximately 48 respondents

indicated the geographic locations they serve.<sup>76</sup> In accordance with the geographic sampling approach, most of these representatives reported their organization served the Central region (35%), followed by South (19%), South West (17%), North (17%), North East (15%), North West (8%), South East (6%), Central East (4%), and Central West (4%).<sup>77</sup> In addition, 19% ( $n = 9$ ) of respondents indicated that they serve the entire province. It should be noted that, while most of the communities listed by respondents comprised of the predefined cities and/or towns, some representatives of community-based organizations listed communities outside of the sampling frame (or served several communities). However, any additional cities/towns listed were still organized according to one of the nine regions. Furthermore, among 52 respondents, 40% ( $n = 21$ ) indicated their organization delivers services in northern Saskatchewan, whereas 56% ( $n = 29$ ) said they did not provide services in the north.<sup>78</sup>

### *Lawyer Survey*

Of the 272 practicing and non-practicing lawyers, a total of 217 responded to the survey question that asked what type of organization they work for. Among these respondents, the majority indicated that they work for a law firm (67%), followed by the provincial government (13%), Legal Aid (3%), as an in-house counsel (3%), as well as community-based organizations (2%), legal clinics (1%), professional associations (1%), the Saskatchewan Health Authority (1%), Crown Corporations (1%), and the municipal government (1%). Approximately 7% ( $n = 15$ ) of these respondents also selected “other,” further specifying that they worked for a community-based organization and legal clinic ( $n = 1$ ), the provincial government ( $n = 1$ ), various public or private legal practices ( $n = 3$ ), a Crown Corporation ( $n = 1$ ), a regulatory body ( $n = 1$ ), as well as an independent practitioner ( $n = 2$ ), within an educational role in the context of the government ( $n = 1$ ), or are no longer practicing ( $n = 3$ ). Of note, no lawyers stated that they worked for a First Nation, Métis Nation, or Tribal Council.

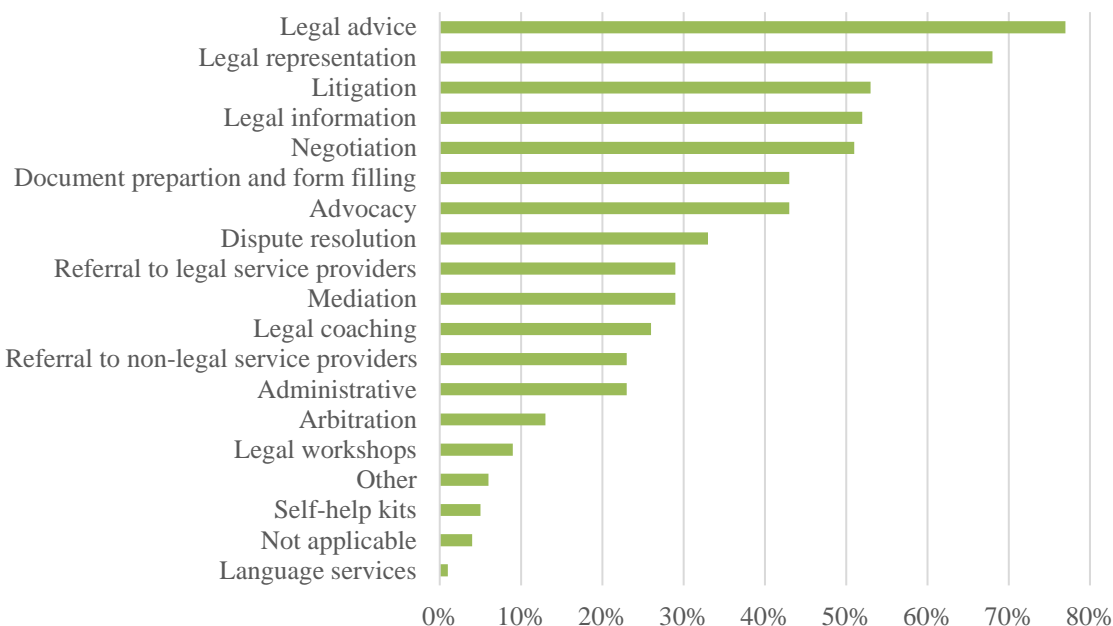
In terms of the legal services that respondents provide, most indicated they provide legal advice (77%), legal representation (68%), assistance with litigation (53%), legal information (52%), and assistance with negotiation (51%). Figure 3 presents information on the types of legal services provided by lawyers. Among the 6% ( $n = 14$ ) of respondents who selected “other,” they further stated that they provide services with respect to collaborative law ( $n = 1$ ), collaborative process ( $n = 1$ ), parent coordination ( $n = 2$ ), developing funding applications and fundraising for legal service payment ( $n = 1$ ), justice services ( $n = 1$ ), legal opinions ( $n = 1$ ), legal technology ( $n = 1$ ), prosecution ( $n = 1$ ), legal information ( $n = 1$ ), and tax advice ( $n = 1$ ).

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<sup>76</sup> Three respondents provided a response but referred to social groups served as opposed to the city or town they operate in, whereas the remainder ( $n = 16$ ) had missing data.

<sup>77</sup> Respondents were able to list more than one community and, therefore, prevalence rates do not add up to 100% as some community-based organizations may serve more than one region.

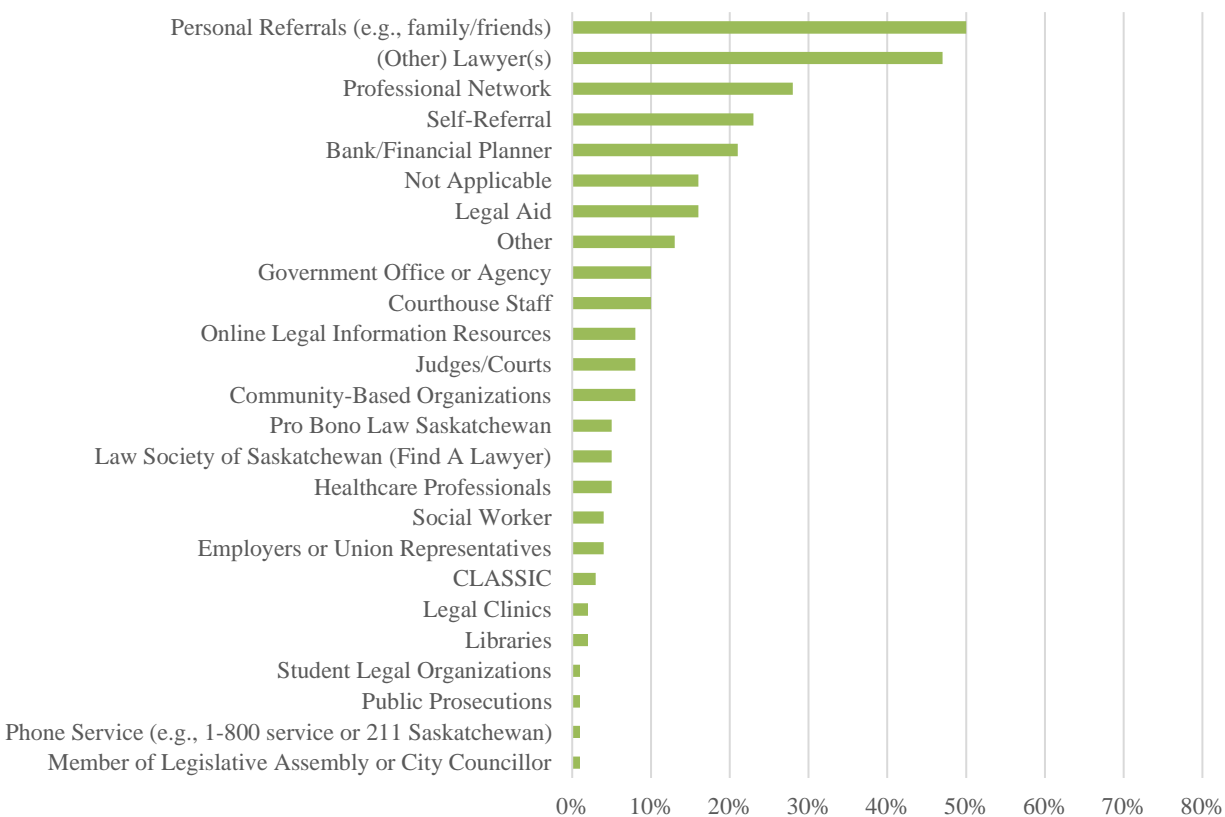
<sup>78</sup> Two individuals (4%) indicated they did not know, and 15 participants were missing data on this item.

**Figure 3. Legal Services Lawyers Provide ( $n = 220$ )**

Participants were asked about the main sources they receive referrals from, as well as the main sources they make referrals to, in the provision of legal services. Approximately 216 lawyers provided information on where they receive referrals from for legal services (see Figure 4). Among these respondents, most suggested the main sources they receive referrals from include personal connections (50%), other lawyers (47%), their professional network (28%), self-referrals (23%), or banks and financial planners (21%). Approximately 13% ( $n = 28$ ) indicated they receive referrals from “other” sources, which included existing or previous clients ( $n = 13$ ), government agencies ( $n = 2$ ), formal and informal advertisement (e.g., word of mouth, social media, etc.) ( $n = 6$ ), real estate agents ( $n = 2$ ), non-government organizations ( $n = 1$ ), police agencies ( $n = 1$ ), and former employers ( $n = 1$ ).



**Figure 4. Main Sources Lawyers Receive Referrals From for Legal Services ( $n = 216$ )**



Furthermore, approximately 218 lawyers provided information on where they make referrals to in the provision of legal services (see Figure 5). Among these respondents, most suggested the main sources they make referrals to included other lawyers (54%), Legal Aid (46%), Pro Bono Law Saskatchewan (32%), CLASSIC (24%), and online legal information resources (21%). Approximately 6% ( $n = 14$ ) indicated they make referrals to “other” sources, which included financial professionals ( $n = 6$ ), counselling and treatment ( $n = 5$ ), criminal justice professionals (e.g., court workers, probation, Indigenous court workers, etc.) ( $n = 3$ ), legal information and education sources ( $n = 3$ ), mediation and dispute resolution supports ( $n = 2$ ), housing support ( $n = 1$ ), and victim services ( $n = 1$ ).

**Figure 5. Main Sources Lawyers Make Referrals to for Legal Services (n = 218)**

Among the 220 respondents who answered the question about the length of time they had been providing legal services, many indicated they had been practicing law for more than 30 years (23%), followed by 11 to 15 years (16%), 1 to 5 years (13%), 6 to 10 years (13%), 16 to 20 years (12%), 21 to 25 years (11%), and 26 to 30 years (7%). Only two participants had been practicing law for less than 1 year. In addition, 5 individuals indicated they were a non-practicing lawyer and 3 preferred not to answer the survey question. For those who were non-practicing lawyers, respondents reported they had previously provided legal services for 11 to 15 years ( $n = 1$ ) and more than 30 years ( $n = 3$ ).

Lawyers were also asked about the community (or communities) they serve and whether they deliver services in northern Saskatchewan. Approximately 189 respondents indicated the geographic locations (i.e., cities and/or towns) they serve.<sup>79</sup> While the lawyers were not selected through a geographic sampling strategy, it is possible to categorize participants according to one of the nine regions of the province that were used to sample representatives of community-based organizations. In this case, most participants reported that they practiced in the South and Central regions (33%, respectively), followed by Central West (9%), South West (8%), North (7%), Central East (6%), North East (5%), South East (4%), and North West (4%).<sup>80</sup> In addition, 21% ( $n = 39$ ) of participants indicated that they serve the entire province. Furthermore, among 213

<sup>79</sup> Fifteen participants provided a response, but it was not a geographic location (e.g., they referred to social groups served), whereas the remainder ( $n = 68$ ) had missing data.

<sup>80</sup> Respondents were able to list more than one community and, therefore, prevalence rates do not add up to 100% as lawyers may serve more than one region.

participants, 29% ( $n = 62$ ) indicated they deliver legal services in northern Saskatchewan, whereas 69% ( $n = 146$ ) said they did not provide legal services in the north.<sup>81</sup>

With respect to sociodemographic characteristics, lawyers who completed the survey were, on average, 48 years of age ( $SD = 13.03$ ),<sup>82</sup> primarily identified as men (52%,  $n = 110$ ) or women (41%,  $n = 87$ ),<sup>83</sup> and over three-quarters (77%) identified as White race/ethnicity, followed by First Nation, Métis, or Inuit (7%), Other (3%), South Asian (2%), Black (2%), Chinese (1%), Arab (1%), and Southeast Asian (1%).<sup>84</sup>

### 3.4. Data Analysis

Data from both the Community Agency Survey and Lawyer Survey were extracted from SurveyMonkey and transferred to IBM SPSS (i.e., the Statistical Package for the Social Sciences, version 28). Once data were transferred to SPSS, two trained research assistants (one per survey) were assigned to clean and analyze the data. Details are provided below regarding the quantitative and qualitative techniques used to analyze the survey data.

#### 3.4.1. Quantitative Data

With respect to quantitative data analysis, all close-ended survey questions<sup>85</sup> were analyzed in SPSS using descriptive statistical techniques. Specifically, relative frequencies (i.e., prevalence rates) and measures of central tendency (i.e., means and standard deviations) were calculated to identify the response items that were most frequently endorsed by participants across the close-ended survey questions. Findings from these analyses are presented in-text and in graphs/tables throughout the Results section of the report. It is important to note that, where applicable, unknown/missing data were accounted for in analyses<sup>86</sup> and (where possible) information is provided on the number and/or proportion of cases for which values are unknown/missing. Further, quantitative data from the Community Agency Survey and Lawyer Survey were analyzed separately.

#### 3.4.2. Qualitative Data

With respect to qualitative data analysis, all open-ended survey questions were analyzed using thematic analysis (Braun & Clarke, 2006; Castleberry & Nolen, 2018). This is a qualitative method that involves systematically identifying and categorizing thematic patterns emerging from text-based data (Boyatzis, 1998). Specifically, text-based responses to each open-ended survey question were transferred from SPSS to a Microsoft Word document to be cleaned and

<sup>81</sup> Five individuals (2%) indicated they did not know, and 59 participants were missing data on this item.

<sup>82</sup> Data on age were available for 192 participants.

<sup>83</sup> Data on gender were available for 213 participants, 2 of which selected “other” gender but did not specify and 14 indicated they preferred not to answer (59 participants were missing data).

<sup>84</sup> Data on racial/ethnic background were available for 215 participants (57 were missing data).

<sup>85</sup> Open-ended response categories within close-ended survey questions were treated as quantitative data (e.g., respondents who selected “other” were prompted to provide further context for this selection).

<sup>86</sup> Relative frequencies (i.e., prevalence rates) are therefore calculated according to the base of the total sample, irrespective of unknown/missing data on the survey item, and not the “valid percent.”

organized, as well as to conduct analyses to highlight major themes according to participants' qualitative responses.

Several steps were followed to conduct the thematic analysis. First, participants' responses were categorized according to the survey question. Responses were then reviewed to develop a coding scheme, which would be used to identify and categorize major themes based on the similarities that emerged across participants' answers. Data were then systematically analyzed, coding the text-based responses according to the relevant theme(s). Throughout this process, several passes were made through the data to confirm the coding scheme, organize major themes, and categorize participants' responses. The final step consisted of extracting and organizing key responses to each open-ended survey question in accordance with the thematic patterns emerging from the data. Thematic patterns, along with the associated narrative, are presented in the Results section of this report. The lead author (BS) analyzed all qualitative data and findings were reviewed by the second author (LJ) for accuracy. Similar to the approach taken for quantitative data analysis, qualitative data from the Community Agency Survey and Lawyer Survey were analyzed separately. It should also be noted that many participants left open-ended survey questions blank and, therefore, some data are missing (the reasons for which are unknown).

### 3.5. Limitations

Findings from this study (see [Section 4](#)) should be interpreted in light of several limitations to the methodology and data. First, the use of multiple sampling strategies for the surveys, especially the supplementary recruitment activities that did not utilize a formalized sampling strategy and pre-defined sampling frame, introduced weaknesses to the reliability and validity of the data. In this case, the surveys were not originally designed to screen respondents according to whether they match the target samples (i.e., representatives of community-based organizations or practicing and non-practicing lawyers in various regions across Saskatchewan) and, therefore, anybody who received or viewed the survey links could access them and complete the questionnaire. While it is not deemed to be a common or significant issue, there is the possibility that the data include responses from individuals who do not adequately represent the target samples.

Second, while the primary sampling strategy for the Community Agency Survey yielded an acceptable response rate (55%), the initial and secondary sampling strategy for the Lawyer Survey yielded low response rates (3% and 24%, respectively). With respect to the latter situation, it has been suggested, via anecdotal accounts, that lawyers are challenging to recruit for research studies. This may partially explain the low response rates for this group. In either case, it is unclear whether and how participants differ from non-participants and, further, if those who did not participate would offer different perspectives on legal needs and access to justice issues as compared with those who did.

Third, while a geographic sampling approach was implemented for the Community Agency Survey to increase the probability of capturing a representative sample of legal and non-legal service providers in Saskatchewan, some regions had better representation than others. However, this is somewhat unsurprising as it is expected that regions with higher populated centres (e.g., Central and South) would have more community-based organizations to pool from versus

regions with a collection of smaller communities (e.g., Northern regions). Despite any limitations surrounding the representation of participants across regions of the province, the sample did include representatives from agencies in each of the nine pre-defined regions. Relatedly, a geographic sampling approach was not adopted for the Lawyer Survey, which may have impacted the representation of lawyers from various regions of the province (e.g., most participants practiced in the South and Central regions). Taken together, the perspectives shared through these legal needs surveys are unlikely to be representative of the entire province and, instead, are skewed toward those regions with greater representation—particularly, urban versus rural and remote centres. In addition, the surveys did not inquire whether participants operated and/or practiced within Indigenous communities and, therefore, it is unclear how well-represented these communities are. Future research should consider specific investigations into the legal needs and access to justice issues within rural and remote, as well as Indigenous, communities in the province of Saskatchewan.

Fourth, legal needs surveys have traditionally investigated justice-related problems, legal needs, and access to justice issues from the perspective of those who experience them (e.g., see OECD/Open Society Foundations, 2019; for a Canadian perspective, see also Currie, 2006, 2009; Farrow et al., 2016; Savage & McDonald, 2022). However, as mentioned above (see [Section 2](#)), the 2021-2022 Saskatchewan Legal Needs Survey departed from this tradition to shed light on these issues from the perspective of those who provide legal and/or non-legal services and supports to those facing justice-related problems. While there are many strengths to this methodological approach, such as tapping into the knowledge and expertise of those potentially in a position to make systemic changes and facilitate access to justice, it comes with limitations as well. For instance, these professionals are unable to capture the full scope of community members' experiences, as not everyone faced with a justice-related problem will seek a formal remedy (whether that includes a legal and/or non-legal service provider or a lawyer). Therefore, participants of the Community Agency Survey and Lawyer Survey were only able to provide their perspective on legal needs and access to justice issues as it pertains to community members who seek out their services and support.

### 3.6. Ethics

The Saskatchewan Legal Needs project received ethical approval by the University of Saskatchewan's Behavioural Research Ethics Board (see Appendix D). It is also important to note that the Law Society of Saskatchewan's Truth and Reconciliation Advisory Group was invited to be included as an advisor on the project to consult on the development of the survey, as well as aid in the interpretation of findings, from an Indigenous perspective.

## 4. Results

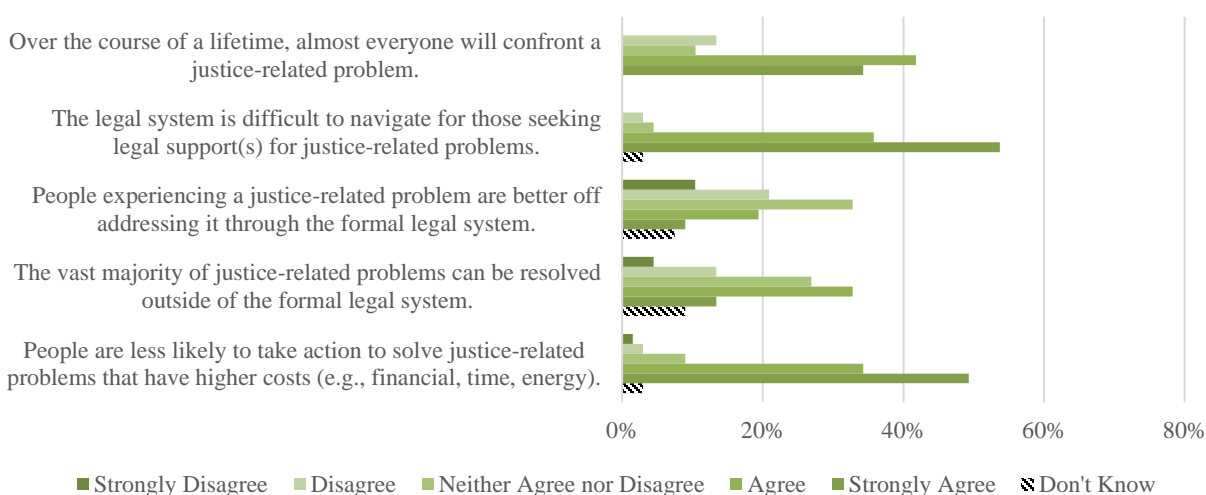
### 4.1. Community Agency Survey

#### 4.1.1. General Perceptions of Justice-Related Problems and Legal Needs

Reflecting upon their community and the work they do, representatives of community-based organizations were likely to agree (42%) or strongly agree (34%) that almost everyone will face

a justice-related problem in their lifetime. Despite this understanding, many respondents strongly agreed (54%) or agreed (36%) that the legal system is difficult to navigate for those looking for legal support for their justice-related problem. Furthermore, one-third of the sample (33%) neither agreed nor disagreed that people experiencing a justice-related problem are better off addressing it through the formal legal system (approximately 19% agreed and 21% disagreed). Related to this point, one-third (33%) of the sample further agreed that the vast majority of justice-related problems could be resolved outside of the formal legal system (27% neither agreed nor disagreed). Many respondents strongly agreed (49%) or agreed (34%) that people are less likely to take action to resolve a justice-related problem if it is too costly (e.g., financial, time, energy, etc.). For further detail on these findings, see Figure 6 below.<sup>87</sup>

**Figure 6. Representatives' General Perceptions of Justice-Related Problems and Legal Needs**

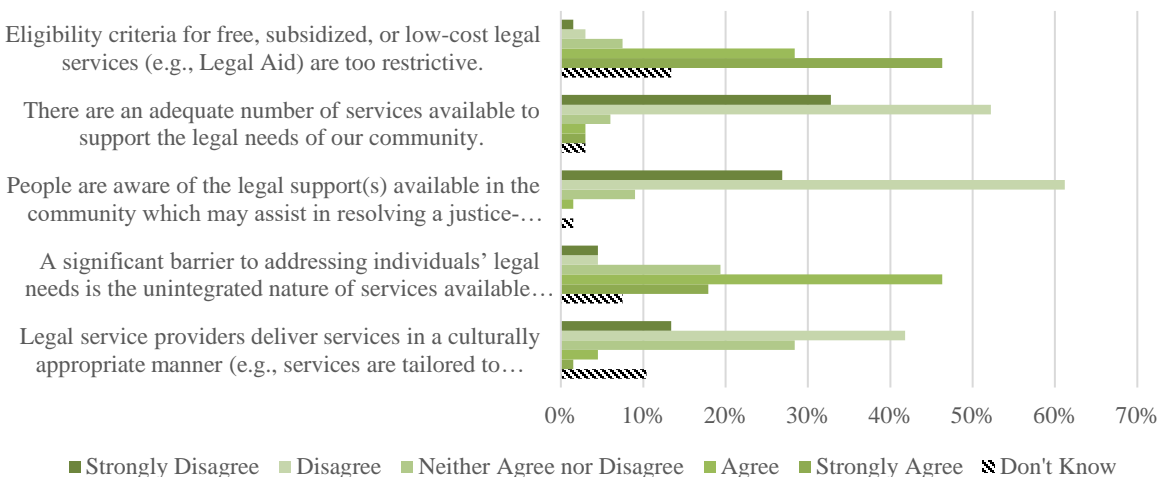


Respondents also strongly agreed (46%) or agreed (28%) that eligibility criteria for free, subsidized, or low-cost legal services (e.g., Legal Aid) are too restrictive. Further, it was generally perceived that the communities in which respondents operated did not offer adequate legal supports and services. Specifically, many participants disagreed (52%) or strongly disagreed (33%) that there were an adequate number of services available to support the legal needs of their community. Related to this point, many disagreed (61%) or strongly disagreed (27%) that people are aware of the legal supports in their community. It was also believed that community services were not providing optimal support to help address individuals' legal needs. In this case, most participants agreed (46%) or strongly agreed (18%) that a significant barrier to addressing individuals' legal needs is the unintegrated (or disconnected) nature of services available in the community. Many also disagreed (42%) that legal service providers deliver services in a culturally appropriate manner (28% neither agreed nor disagreed). For further detail on these findings, see Figure 7 below.<sup>88</sup>

<sup>87</sup> All participants provided a response to these survey items, with exception to the second and fifth item ( $n = 66$ ).

<sup>88</sup> All participants provided a response to these survey items, with exception to the first item ( $n = 66$ ).

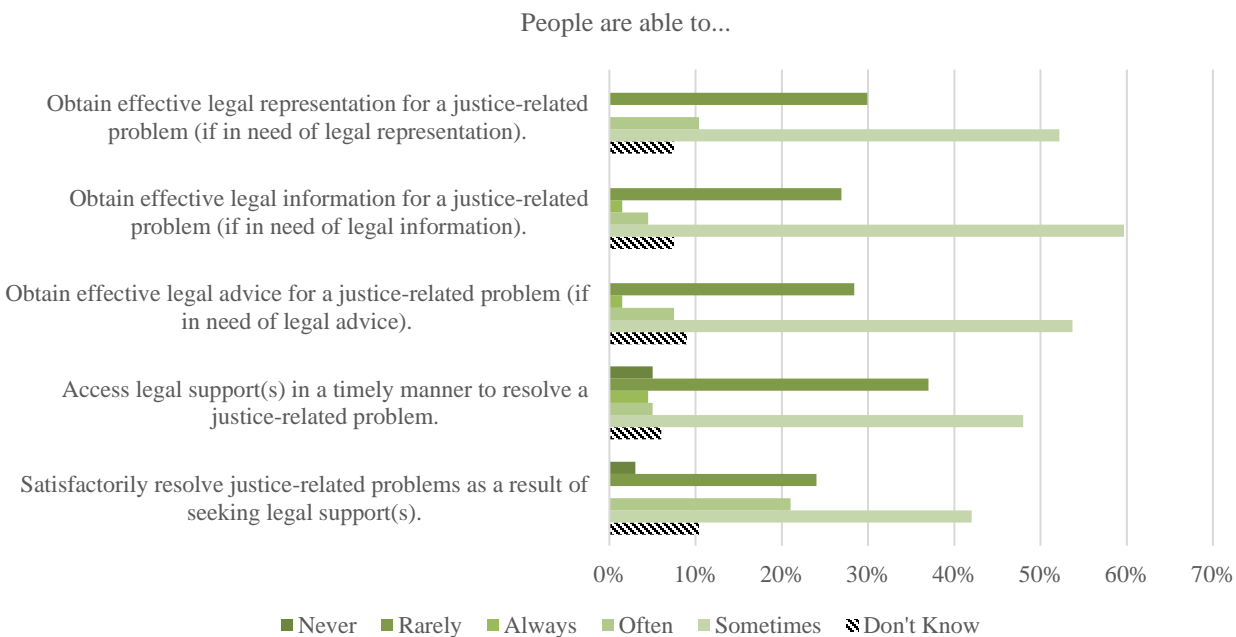
**Figure 7. Representatives' General Perceptions of Justice-Related Problems and Legal Needs**



Reflecting upon their community and the work they do, representatives of community-based organizations reported that people faced with a justice-related problem are able to sometimes or rarely obtain effective legal representation (52% and 30%, respectively), obtain effective legal information (60% and 27%, respectively), as well as obtain effective legal advice (54% and 28%, respectively). Respondents further suggested that those faced with a justice-related problem are sometimes (48%) or rarely (37%) able to access legal support in a timely manner to resolve their legal issue. Finally, it was believed that those faced with justice-related problems are able to sometimes (42%) or rarely (24%) resolve these problems as a result of seeking out legal support. For further detail on these findings, see Figure 8 below.<sup>89</sup>

<sup>89</sup> All participants provided a response to these survey items ( $n = 67$ ).

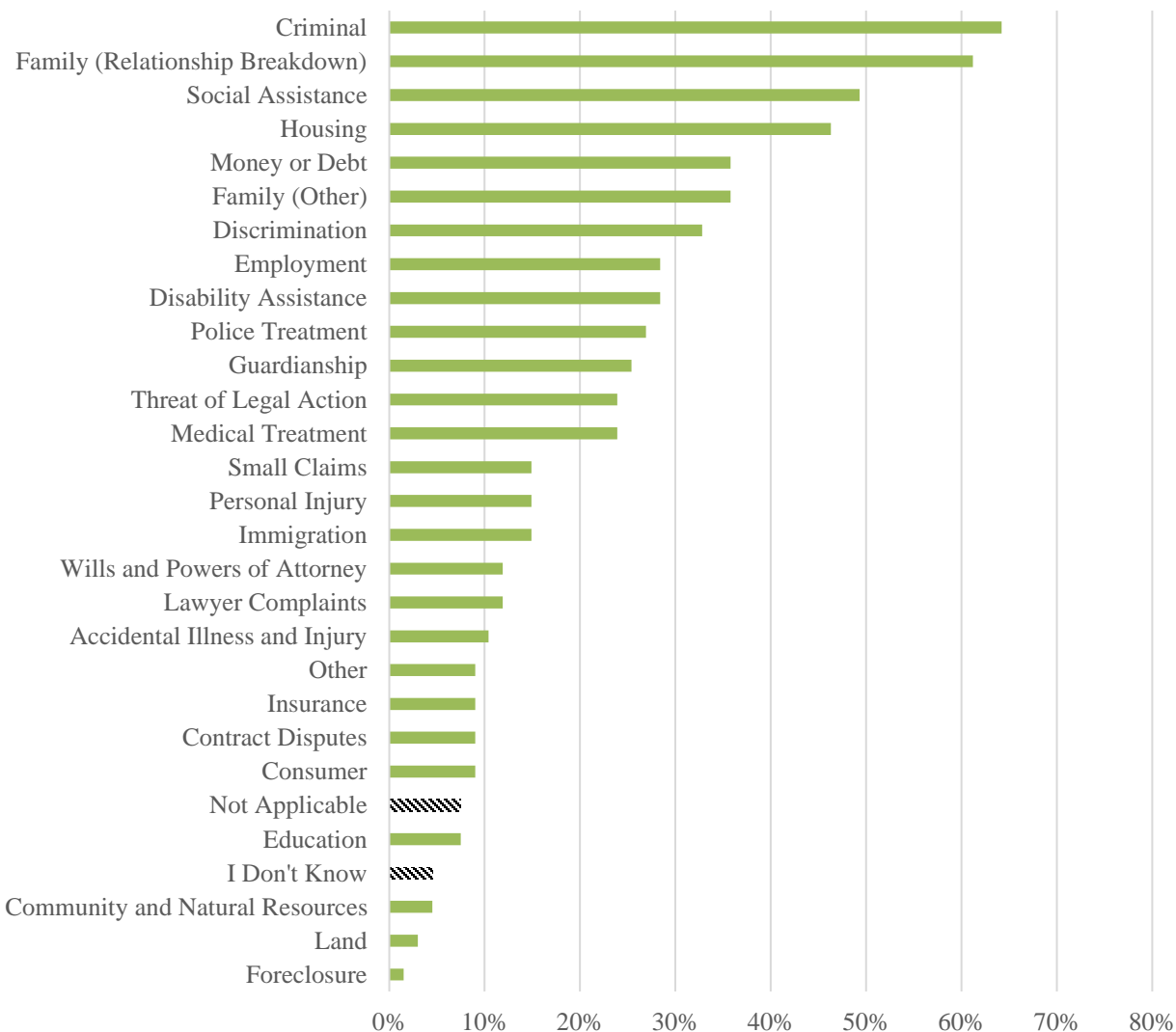
**Figure 8. Representatives' General Perceptions of Justice-Related Problems and Legal Needs**



#### 4.1.2. Legal Needs

Representatives of community-based organizations highlighted the types of justice-related problems their clients most often have. Figure 9 below outlines the most to least commonly endorsed types of justice-related problems experienced by participants' clients. The top five justice-related problems pertain to criminal matters (64%), family (relationship breakdown) (61%), social assistance (49%), housing (46%), and money or debt (36%) and family (other) (36%). Approximately 9% ( $n = 6$ ) indicated their clients most often experience "other" justice-related problems, which included a scarcity of Legal Aid lawyers in the community and long waiting periods ( $n = 1$ ), driving infractions and foreign work-related ( $n = 1$ ), property-related (e.g., evictions, property taken and sold) ( $n = 1$ ), housing ( $n = 1$ ), and language barriers ( $n = 1$ ). One of the six participants that selected "other" noted they were unable to speak to the specific justice-related problems community members experience.



**Figure 9. Type of Justice-Related Problems Respondents' Clients Often Have (N = 62)**

When asked about the types of legal supports participants' clients most often need to manage their justice-related problems, 47 individuals provided their insights. It was suggested that clients most often require legal support surrounding access to: (1) legal information and education; (2) affordable legal services and support; (3) legal consultation, representation, guidance, and support; (4) adequate language, interpretation, and cultural services; and (5) other legal supports. Table 4 summarizes the key types of legal supports needed by participants' clients, along with accompanying narrative.

**Table 4. Legal Supports Clients Need to Manage Justice-Related Problems (N = 47)**

Legal Supports Clients Need	Participants' Perspectives
<b>Access to Legal Information and Education</b>	<i>"Information and mediation."</i>
	<i>"Access to information regarding self-representation."</i>

Legal Supports Clients Need	Participants' Perspectives
	<p><i>“Information regarding family law and immigration.”</i></p> <p><i>“...access to suitable relevant prepared resources, supported literacy education for prevention... transparency on principles of justice, access to information, context within the process...”</i></p> <p><i>“Proper information and guidance at the right time by legal aid lawyers.”</i></p> <p><i>“Clear information, structure of fees and how they are billed, and an understanding of the legal system works.”</i></p> <p><i>“Court appearances and understanding procedures.”</i></p> <p><i>“Access to information on supports.”</i></p> <p><i>“Explanation of criminal justice system processes.”</i></p>
<p><b>Access to Affordable Legal Services and Support</b></p>	<p><i>“Most of our clients are in need of legal aid or low cost legal advice.”</i></p> <p><i>“Legal Aid.”</i> (this term was strictly listed 6 times)</p> <p><i>“Lots of time my clients will not qualify for Legal Aid support in Family Matters, often due to finances. However, they also cannot afford a lawyer on their own.”</i></p> <p><i>“Usually, we have difficulty getting in contact with an attorney that can provide aid for our low-income clients.”</i></p> <p><i>“Waiver of fees.”</i></p> <p><i>“Mediators and affordable representation for the clients whom are employed but still cannot afford legal representation but do not qualify for legal aide.”</i></p> <p><i>“Cost is the major barrier to any legal advice.”</i></p> <p><i>“Most often it is legal aid that our participants have access to as they would not have the means to paid for legal services. A service already overloaded and congested.”</i></p>

Legal Supports Clients Need	Participants' Perspectives
	<p><i>“Nearly all clients require access to legal aide lawyers.”</i></p> <p><i>“Free legal advice. Financial support in order to have equal treatment and representation within the justice system.”</i></p>
<p><b>Access to Legal Consultation, Representation, Guidance, and Support</b></p>	<p><i>“Sometimes facilitation services.”</i></p> <p><i>“Legal aid or court-appointed lawyer.”</i></p> <p><i>“Day-of-court presence and support as well as planning for in-court appearances.”</i></p> <p><i>“Support regarding family law and immigration.”</i></p> <p><i>“Several clients need legal support due to Child Protection, Family visitations, deal with their previous charges.”</i></p> <p><i>“Access to a legal service, legal consult service.”</i></p> <p><i>“We need more support workers in the court system to support clients with the court process.”</i></p> <p><i>“...self-representation guidance or context of process options... cross-disability/age supports in hearings including additional time, emergency support access and awareness in advance... help expressing oneself when unfamiliar with business communications, support in accurate forms, process navigation, communication supports- digital filing and online meeting/hearing support (reliable phone and email access)... document organizing, filing forms/applications... increased forms of communication for access including drop-in and evening and Saturday access.”</i></p> <p><i>“In the community that we provide services for, there are no law offices or lawyers. If anyone wants to speak to a lawyer, they would have to go out of the community.”</i></p> <p><i>“Proper information and guidance at the right time by legal aid lawyers.”</i></p>

Legal Supports Clients Need	Participants' Perspectives
	<p><i>“Either a lawyer or someone who can teach them how to be their own lawyer.”</i></p> <p><i>“They often need access to good/adequate legal advice, which is not readily available/accessible.”</i></p> <p><i>“Access to a lawyer to answer questions or advocate for them in housing or social assistance needs.”</i></p> <p><i>“Timely legal advice or representation in the most common cases such as: domestic dispute, altercation or petty fights with others, DUI, small claims.”</i></p> <p><i>“Our clients require access to legal supports where they are supported from the very beginning including understanding the court process, legal terms, their RIGHTS, alternatives to sentencing and advocacy to ensure the conditions for which they are on are reasonable and understood.”</i></p> <p><i>“Representation and consultation from a Lawyer in order to navigate through the justice system.”</i></p> <p><i>“It is very difficult to access even legal aid. No one answers the phone anymore and working your way through the selection of choices by the message manager is enough to get anyone frustrated. The other issues are maybe the client does not have a telephone so how can they get a call back. Office hours do not always fit a clients needs per say and that can create issues as well. Legal aid does not deal with certain charges so where are people to go. Pro Bono Law does what they can but they are not full time legal counsel for those that do not qualify for legal aid.”</i></p> <p><i>“Access to mediators/lawyers/collaborative in rural areas.”</i></p> <p><i>“Consultation/ representation to get them to the Alternative Measures process for their issues.”</i></p>
<p><b>Access to Adequate Language, Interpretation, and Cultural Services</b></p>	<p><i>“Someone who can talk to them in language they understand.”</i></p> <p><i>“Court worker fluent in dene.”</i></p>

Legal Supports Clients Need	Participants' Perspectives
	<p><i>"Translation services."</i></p> <p><i>"Nearly all clients require access to...indigenous court workers."</i></p> <p><i>"Aboriginal court workers are often asked for help and while they do have some areas where they can help, they are not lawyers plain and simple... New Canadians need to speak with a person that speaks their language in order to fully understand the Canadian system and its laws."</i></p>
<b>Other Legal Supports Clients Need</b>	<p><i>"Lawyer or community advocate."</i></p> <p><i>"Advice/life skills."</i></p> <p><i>"Referrals or assistance to access legal resources and supports."</i></p>

When asked about the types of non-legal supports participants' clients most often need to manage their justice-related problems, 47 individuals again provided their insights. It was indicated that clients most often require non-legal support surrounding: (1) access to social services and community support (including referrals); (2) access to general information, consultation, and guidance; (3) access to cultural services; and (4) other non-legal supports. Table 5 summarizes the types of non-legal supports noted, along with accompanying narrative.

**Table 5. Non-Legal Supports Clients Need to Manage Justice-Related Problems (N = 47)**

Non-Legal Supports Clients Need	Participants' Perspectives
<b>Access to Social Services and Community Support (including referrals)</b>	<p><i>"Community support programs addressing the social needs of the client."</i></p> <p><i>"Non-legal supports such as treatment, counselling, housing, mental health support, income are all non-legal supports our clients need and often are the reasons they are involved in the justice system."</i></p> <p><i>"Counselling, employment or educational counselling, educational programming, life skills programming, reintegration/reparative programming, addictions support, financial support/programming, housing support, disability support programming."</i></p> <p><i>"Social services, housing, employment."</i></p>

Non-Legal Supports Clients Need	Participants' Perspectives
	<p><i>“They need addictions, mental health and support workers who are trained. I find a lot of services in communities are not adequate. Our clients need more intensive interventions.”</i></p> <p><i>“Referrals to community based organizations.”</i></p> <p><i>“Referrals to housing; childcare, mental health supports, addiction counselling, child psychotherapists, transportation.”</i></p> <p><i>“Adequate food and housing; transportation, childcare, hyper-local availability.”</i></p> <p><i>“Community Justice worker.”</i></p> <p><i>“Access to parenting coordinators.”</i></p> <p><i>“Victim services...”</i></p> <p><i>“Counselling, support groups.”</i></p> <p><i>“Addictions and Counseling services.”</i></p> <p><i>“The need for housing is great amongst our clients. Most are homeless and can't be released from custody unless they have an address to reside at.”</i></p> <p><i>“Mental Health and/or seek treatment for their addictions.”</i></p> <p><i>“Community organization, Fine Options, and Housing.”</i></p> <p><i>“Ideally pet therapy if not allergic or phobic, anxiety management planning...trained volunteers, child care...”</i></p> <p><i>“Social worker support -having a good social worker that can actually provide guidance during difficult times. We also find that barriers to financial aid are often present or hard to navigate through.”</i></p> <p><i>“Money, food, shelter, emotional support, personal security.”</i></p>

Non-Legal Supports Clients Need	Participants' Perspectives
	<p><i>“Mental health or therapeutic treatments and supports. Addiction supports.”</i></p> <p><i>“Financial support.”</i></p> <p><i>“After hour treatment options for the employed [individuals with addictions issues] that need and want help with their addictions and anger at an affordable or free cost.”</i></p>
<p><b>Access to General Information, Consultation, and Guidance</b></p>	<p><i>“Information on domestic violence and mental health/addictions.”</i></p> <p><i>“Supports in communication through conversation to understand areas they need to address and avenues to contact for further guidance to address their personal issues.”</i></p> <p><i>“General knowledge about services.”</i></p> <p><i>“Library of easy to understand case models.”</i></p> <p><i>“Feedback on what is relevant and not relevant to their matter; assistance identifying documents required; assistance with the time of providing documents and information while still managing their other time commitments.”</i></p> <p><i>“More people to answer their questions.”</i></p> <p><i>“Someone to listen and guide them through process.”</i></p> <p><i>“Information on how to go about separations, and dismissal from employment.”</i></p> <p><i>“They need to talk with someone who has the knowledge and information they are seeking. Getting the run around is a constant and I am sure that people would just plain give up. Many services are not trained to "listen" to the client and if they don't know they simply say, sorry we cannot help you!”</i></p> <p><i>“Assistance in using a computer, assistance in locating related information on the internet.”</i></p>

Non-Legal Supports Clients Need	Participants' Perspectives
	<i>"Having go-to services in the community that can provide advice with one stop service. NOT lawyers offices."</i>
<b>Access to Cultural Services</b>	<i>"Our clients require culturally appropriate supports, access to Elders."</i>
<b>Other Non-Legal Supports Clients Need</b>	<p><i>"Someone to talk to that maybe is not part of the Justice System, many of our clients may not have had the most positive experiences with the justice system so often seek support from other agencies."</i></p> <p><i>"Access to assessors for custody &amp; access."</i></p> <p><i>"Transportation."</i></p> <p><i>"Transportation support when weather or health is a barrier, offline resources and supports."</i></p> <p><i>"Internet."</i></p> <p><i>"Life skills."</i></p> <p><i>"Access to a telephone."</i></p> <p><i>"Income."</i></p>

Furthermore, participants were asked to describe their organization's role in assisting clients with their justice-related problems. According to analysis of qualitative responses from 50 respondents, organizations fit into several categories according to the assistance they provide to clients with justice-related problems. Table 6 lists these categories, along with the total number of participants who endorsed it.

**Table 6. Organizational Role in Assisting Clients with Justice-Related Problems**

Role in Assisting Client	% (n)
<b>Referrals<sup>1</sup></b>	34 (17)
<b>Legal Consultation, Representation, Guidance, and Support</b>	28 (14)
<b>Alternative Measures<sup>2</sup></b>	10 (5)
<b>Advocacy</b>	8 (4)
<b>Source of Legal and Non-Legal Information</b>	16 (8)
<b>Social Services<sup>3</sup></b>	30 (15)
<b>Cultural Support and Services</b>	8 (4)

Note. Percentages are calculated according to the base of 50 (missing data were not included in analysis).

<sup>1</sup>For example, referrals to social services, community supports, information resources, and legal supports.



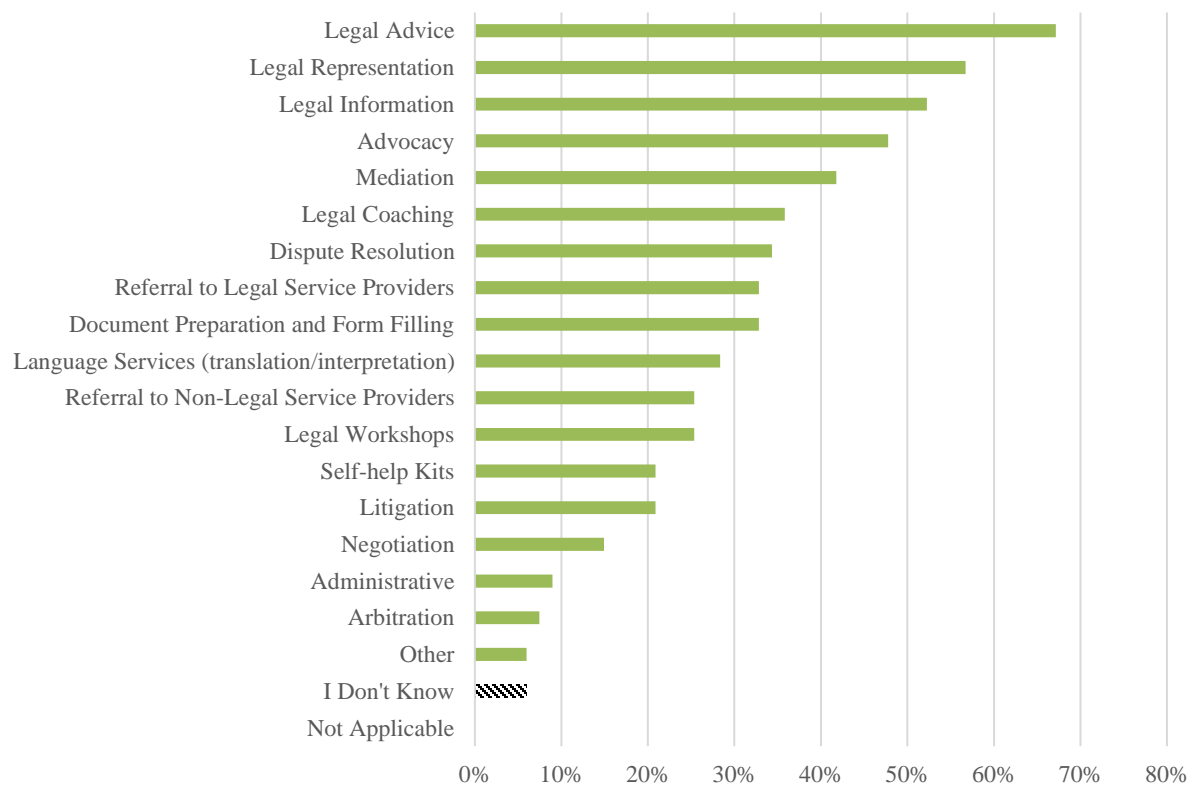
<sup>2</sup> For example, mediation and dispute resolution.

<sup>3</sup> For example, victim services, mental health treatment/counselling, disability support, family services, housing, employment, etc.

### 4.1.3. Legal Services/Support(s)

Several questions aimed to identify the extent to which individuals in Saskatchewan communities can access the legal services they require to address justice-related problems. Representatives of community-based organizations provided their insight on the types of legal services that are most in demand but not adequately offered in their community. Figure 10 below highlights the most to least commonly endorsed types of legal services in demand but not adequately offered. The top five include legal advice (67%), legal representation (57%), legal information (52%), advocacy (48%), and mediation (42%). Approximately 6% ( $n = 4$ ) indicated “other” legal services are in demand but not adequately offered, which largely consisted of selections available in the pre-existing list of legal services as shown here (e.g., mediation, language services, and low-cost or free legal service providers with capacity).

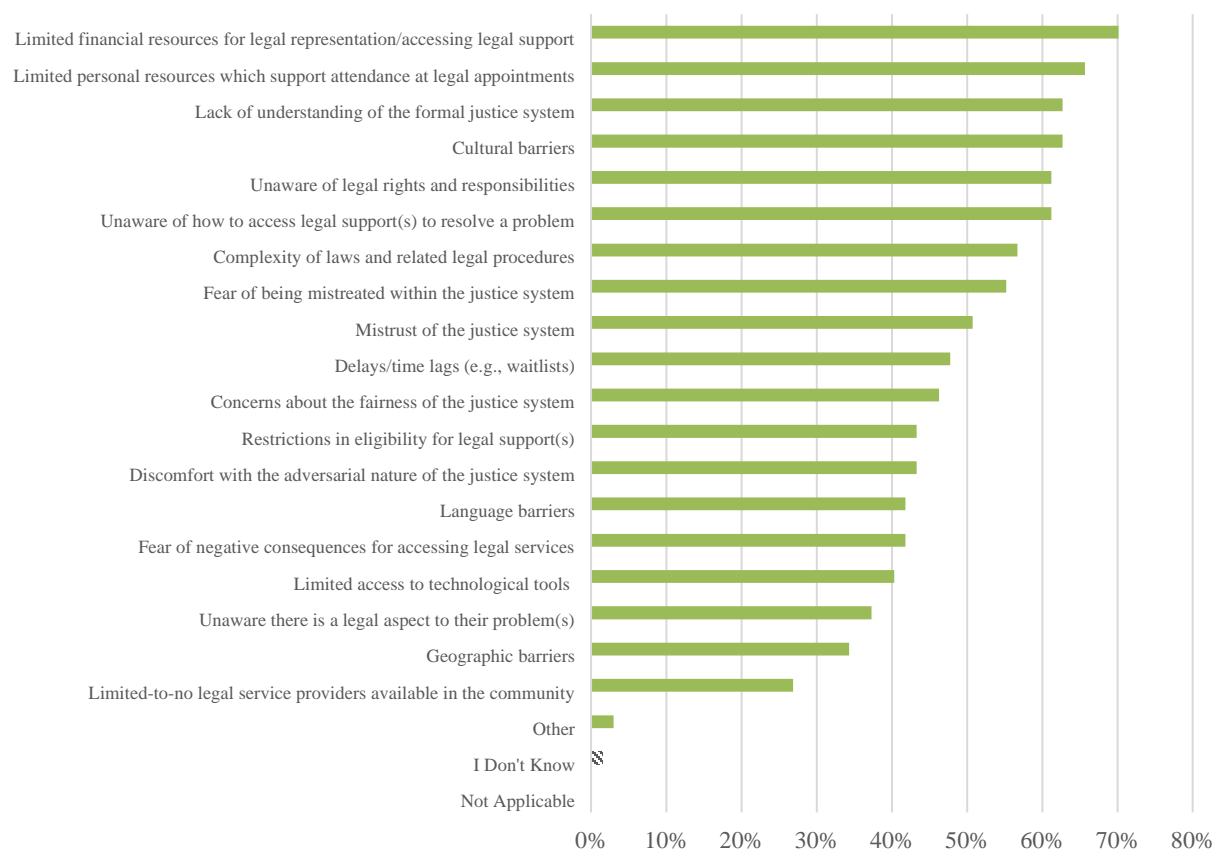
**Figure 10. Types of Legal Services Most in Demand But Not Adequately Offered ( $N = 61$ )**



Respondents further highlighted the five most common reasons it is difficult for individuals to access the legal support(s) they need, which include having limited financial resources for legal representation/accessing legal support (70%); having limited personal resources to support attendance at legal appointments (66%); having limited understanding of the formal justice system (63%); cultural barriers (63%); and having limited knowledge of legal rights and responsibilities (61%). In addition, approximately 3% ( $n = 2$ ) indicated “other” reasons it is

difficult for individuals to access the legal support(s) they need, which included barriers surrounding cost or personal challenges (e.g., disability, age, cultural background, etc.). Figure 11 below provides further detail with respect to participants' perceptions of the challenges individuals face in terms of accessing legal services/supports to address justice-related problems.

**Figure 11. Challenges Individuals Face Accessing Legal Support(s) (N = 61)**



Related to the above line of questions, participants were asked what should be done to make legal services and support(s) more accessible in their community. A total of 43 representatives of community-based organizations provided a response to this question. Among these participants, several ideas were suggested to make legal services and support(s) more accessible to those with justice-related problems (see Table 7), such as: (1) enhancing resources/practices to offer free, subsidized, or low-cost legal consultation, representation, guidance, and support; (2) increasing public knowledge; (3) developing dedicated services/supports to assist clients through the legal system/process; (4) integrating social and legal services; (5) increasing access to cultural support (including language/translation services); and (6) other ways to make legal services/supports more accessible.

**Table 7. Avenues to Make Legal Services and Support(s) More Accessible**

Avenues to Increase Accessibility	Participants' Perspectives
Enhance Resources/Practices to Offer Free, Subsidized, or Low-	<i>"Most people that are in trouble with the law in the communities, contact Legal Aid Lawyers. The only time</i>

Avenues to Increase Accessibility	Participants' Perspectives
<p><b>Cost Legal Consultation, Representation, Guidance, and Support</b></p>	<p><i>that lawyers are present in the communities, is when court is scheduled. I believe most of the work is done over the phone, but not everyone has a phone/cell to call for legal advice or retention of a lawyer. Long wait list for Legal Aid Lawyers consultations.”</i></p> <p><i>“The recent Emergency Canada Response Benefits to Canadians has increased the income threshold so that individuals do not qualify for Legal Aid. Many have to plead their case before the courts to access Court Appointed Counsel. There needs to be greater access to informal and pro-bono legal supports and resources and the formal criminal justice system needs to acknowledge these additional legal supports as additional resources.”</i></p> <p><i>“Access to free legal support is very limited. One practically has to be unemployed almost, or on mat leave, to qualify for the service. Legal aid either has a long waitlist or there are no lawyers available, or the schedule is too far in between. The income requirement to get free legal services should be reviewed, and the legal aid program should have more schedules and legal practitioners available. In many of the domestic disputes when the RCMP is called, most often clients are asked to make a plea... Immigration consultants are quite expensive as well. There are some clients that do their own papers but may have a question or two. It would be great to have free immigration services as well.”</i></p> <p><i>“Everyone should have equal access to legal representation and the wage that someone is unable to access free legal representation should be much higher than it is and not based off of the poverty line. For the average person having to obtain legal advice and pay a lawyer causes extreme hardships or is unattainable. The judicial system is set up for people who have more money to get a lawyer and proceed through with more fair treatment. Wealth should not determine the quality of how well someone is represented and everyone should be able to have legal supports when needed.”</i></p> <p><i>“I personally don't believe everything should be free, including legal services, but there should be something setup to at least make it a level playing field to be able to access some of these services... Here in [my community]</i></p>

Avenues to Increase Accessibility	Participants' Perspectives
	<p><i>there is not... I believe that our clients can sometimes actually get better legal advice from the prosecutors or RCMP than they can from the legal systems providers."</i></p> <p><i>"Expand pro bono services, expansion of the existing legal aid system."</i></p> <p><i>"Increase funding of legal assistance, supports and emergency assistance..."</i></p> <p><i>"More low/no cost legal services in the community."</i></p> <p><i>"Legal Aid is always very very busy. Need more staff at legal aid and ProBono needs a better system to assist clients in following through with their appts."</i></p> <p><i>"More resources available to lower income, financially struggling people."</i></p> <p><i>"More legal aide lawyers."</i></p> <p><i>"Other options if Legal Aid cannot represent them."</i></p> <p><i>"GoS and Law Foundation should fund more free community resources."</i></p> <p><i>"Re-evaluating the process and requirements to Legal Aid or even a subsidized fee structure for low to middle income individuals/families."</i></p> <p><i>"Online legal advice at no cost or low cost."</i></p> <p><i>"Provide a consistent location for pro bono legal clinic."</i></p> <p><i>"More free services."</i></p>
<p><b>Increase Public Knowledge</b></p>	<p><i>"Increase literacy with a diversity of resources for a diversity of forms of communication. Public targeted ads on transit, awareness of nonlegal accommodations, transparent awareness of services and outcomes, awareness of diversity of communication forms of access."</i></p> <p><i>"As an organization, we always provide various information sessions on many topics. One huge topic is</i></p>

Avenues to Increase Accessibility	Participants' Perspectives
	<p><i>the legal system and how to access [it]. We usually ask for local lawyers to do this. But sometimes schedule is a concern, or since we live in a small community, lawyers are wary that there might be clients or other parties in the audience. Is there a group of lawyers who are trained to give information sessions such as this?"</i></p> <p><i>"Most of our clients do not understand the court process and cannot afford to pay for lawyers."</i></p> <p><i>"Provide pamphlets and information to deal with legal problems."</i></p> <p><i>"Education &amp; access."</i></p> <p><i>"Providing more workshops."</i></p> <p><i>"More information on how to access and what is available."</i></p> <p><i>"Better advertising."</i></p> <p><i>"More legal information and assistance with completing quasi-legal documents."</i></p> <p><i>"Community consultations to explain the understanding of common law, rights and responsibilities."</i></p>
<p><b>Develop Dedicated Services/Supports to Assist Clients Through the Legal System/Process</b></p>	<p><i>"Community support workers to help navigate the legal system other than lawyers and RCMP."</i></p> <p><i>"I think that providing more community services that connect clients to legal representation at low or no cost would be very beneficial. We as a queer organization are often doing that work for folks that come through our doors, even though none of us have formal training and we are a small non-profit that does not specialize in legal advice. If more centres were available to help people navigate legal situations, this would alleviate a lot of our client concerns, especially if they have been through diversity and inclusion training and are ready to meet the needs of a diverse and vulnerable population."</i></p> <p><i>"Hire more legal persons that are there just to provide that service. They do not have to create a whole new job</i></p>

Avenues to Increase Accessibility	Participants' Perspectives
	<p><i>or agency but to just guide people through and ensuring that the service they are referring clients to is a solid resource and is willing to work with said clients.”</i></p> <p><i>“Provide agencies like mine with a unified presentation of legal options and scenarios. Or a starting point to direct clients to with these questions/needs.”</i></p> <p><i>“I have had conversations with community members regarding the availability of court forms for self-litigants. For self-litigants, they struggle to find appropriate and effective resources to aid their journey through litigation. Perhaps developing a more comprehensive resource for self-litigants is important.”</i></p> <p><i>“More: ... community legal clinics.”</i></p> <p><i>“There should be a qualified person or someone who can be trained to address a majority of issues stated above. Underfunding leads to unqualified employees or they leave to a better paying job.”</i></p> <p><i>“We need more funding to put legal services and supports on the ground in the community and with longer hours for all to access.”</i></p> <p><i>“More resources put towards where and how to access help.”</i></p>
<p><b>Integration of Social and Legal Services</b></p>	<p><i>“...I think clients benefit from being met where they are, both physically and legally - that is, a client's goals should be able to be foregrounded, while also working with practitioners who are able to keep their legal knowledge at the forefront of their response (that is, working with a lawyer or paralegal frames the problem). In order to provide a more holistic care, legal practitioners would be better served by teaming up with other disciplines than by trying to provide extra-legal support to a client.”</i></p> <p><i>“Possibly that legal services might be able to meet the clients at community organizations to alleviate their anxiety and actually be able to address their legal needs in starting their process in following through.”</i></p>

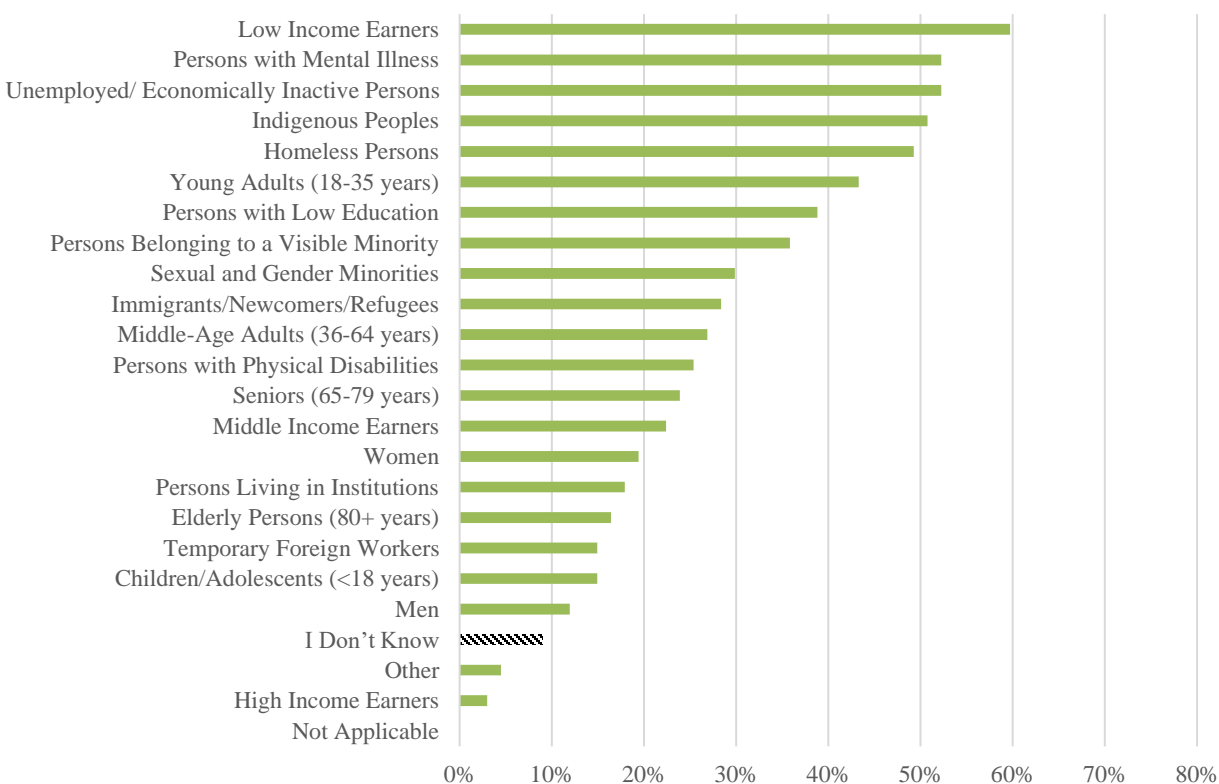
Avenues to Increase Accessibility	Participants' Perspectives
	<p><i>“More: ... integration with other services (e.g., medical, newcomer/racialized community services).”</i></p> <p><i>“Increase partnerships with community agencies who can explain/refer and support, provide resources to access legal services...”</i></p>
<p><b>Increase Access to Cultural Support (including Language/Translation services)</b></p>	<p><i>“Sentencing circles should be in the community rather than in the courthouse. This can be done in remote communities, why not in the city? Indigenous people should not have to go to a building within the colonialist system to find Indigenous justice.”</i></p> <p><i>“Translators available.”</i></p> <p><i>“Hire more Indigenous lawyers and support workers to assist clients involved in the justice system...Some do not even speak English as their first language.”</i></p> <p><i>“Ensure all materials are written in a language people can understand and in both English and the communities Indigenous language.”</i></p>
<p><b>Other Ways to Make Legal Services/Supports More Accessible</b></p>	<p><i>“Due to COVID-19, most of the legal services were offered through online platforms, which made those who did not have access to technological resources to miss out on legal resources. Efforts to provide technological tools will help those who are in remote parts of Saskatchewan and are unable to access legal services and supports in bigger centres.”</i></p> <p><i>“Rapid access to indigenous court workers and mental health support case workers to ensure a full understanding of the charges and or conditions being placed.”</i></p> <p><i>“Clear and updated resource information to law firms so they can pass it on to client who are unable to retain their services because of language or financial barriers.”</i></p> <p><i>“Most clients do not have access to the internet or have transportation.”</i></p> <p><i>“Online / phone consults should be more accessible.”</i></p>

Avenues to Increase Accessibility	Participants' Perspectives
	<p data-bbox="699 233 1187 268"><i>“Easier accessibility to legal advice.”</i></p> <p data-bbox="699 306 1354 380"><i>“Support Early Resolution and Information (online dispute resolution is a great start).”</i></p> <p data-bbox="699 417 987 453"><i>“Hire a courtworker.”</i></p> <p data-bbox="699 491 1008 527"><i>“Faster meeting times.”</i></p> <p data-bbox="699 564 1377 600"><i>“Advice and options for non legal closure to issues.”</i></p> <p data-bbox="699 638 1045 674"><i>“More service for people.”</i></p>

#### 4.1.4. Demographic Groups Served

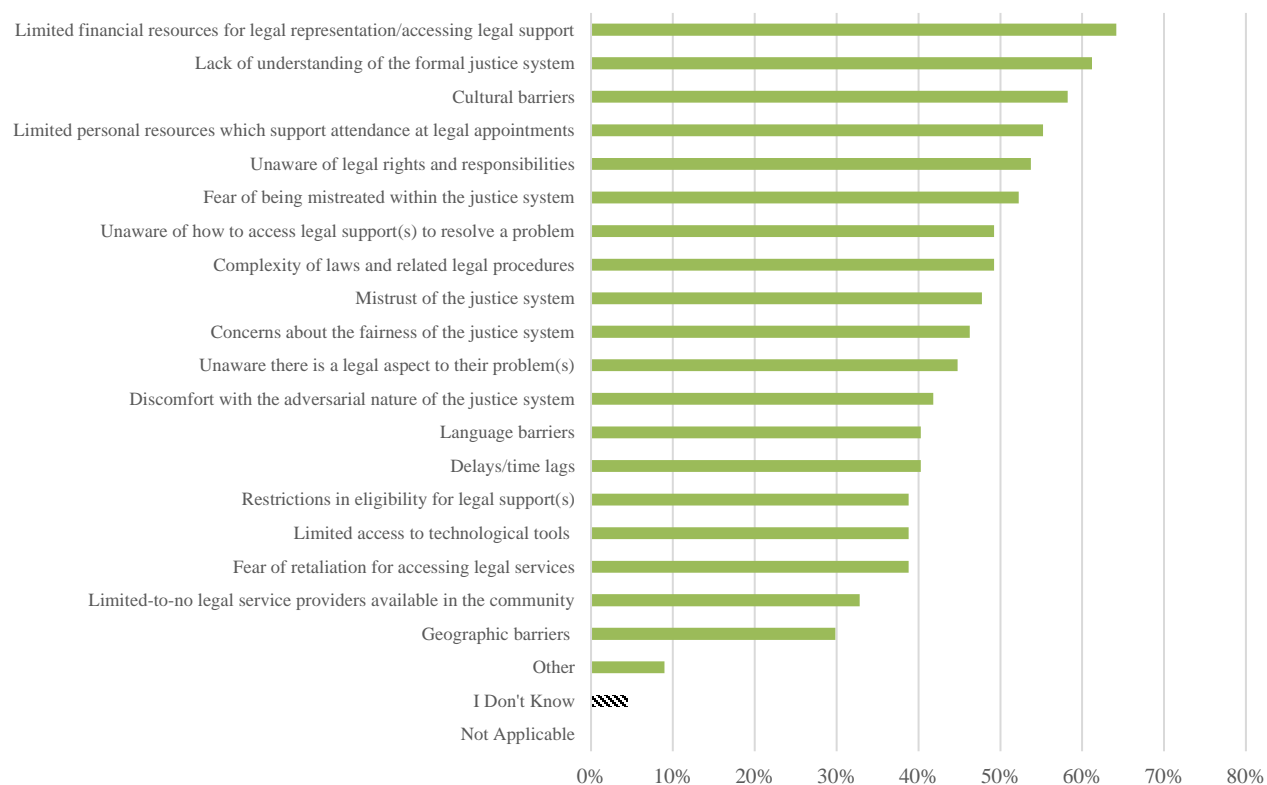
A series of survey questions aimed to capture the unique legal needs of specific demographic groups and the extent to which those needs are currently being met in participants' communities. Reflecting upon their community and the work they do, representatives of community-based organizations outlined the demographic groups that often need legal support(s) but are not being adequately served. Figure 12 below indicates the top five demographic groups that are underserved include low-income earners (60%), persons with mental illness (52%), unemployed/economically inactive persons (52%), Indigenous peoples (51%), and homeless persons (49%). Rankings for other demographic groups are shown in the figure. Roughly 5% ( $n = 3$ ) suggested “other” demographic groups are in need of legal supports and are underserved; however, these participants did not specify a particular demographic group outside of those already listed.



**Figure 12. Demographic Groups in Need of Legal Support(s) But are Underserved (N = 61)**

Respondents further reflected on the factors that make it difficult for underserved demographic groups to access the legal supports they require. The five most common challenges include: having limited financial resources for legal representation/accessing legal support (64%); having limited understanding of the formal justice system (61%); cultural barriers (58%); having limited personal resources which support attendance at legal appointments (55%); and having limited awareness of legal rights and responsibilities (54%). Figure 13 below provides rankings for other challenges related to accessing legal supports. In addition, 9% ( $n = 6$ ) of participants noted “other” reasons it is difficult for underserved demographic groups to access the legal support(s) they require. However, several ( $n = 4$ ) listed challenges similar to those already provided. For example, it was noted that difficulties centre on the complexity of laws for persons with mental illness ( $n = 1$ ) and the inability for low income workers to access Legal Aid because they make too much at minimum wage ( $n = 1$ ). One participant noted a unique challenge in that individuals may experience pressures to treat the problem as a social issue rather than a legal issue, lack the knowledge for self-representation, or are tired of sharing their story in multiple places.

**Figure 13. Challenges Underserved Demographic Groups Face Seeking Legal Support (N = 61)**



Participants were further asked what should be done to make the legal support(s) needed by underserved demographic groups more accessible in their community. A total of 34 representatives of community-based organizations provided a response to this question. Among these participants, several ideas were suggested to make the legal supports needed by underserved demographic groups more accessible (see Table 8). Notably, responses here were quite similar to those provided in terms of making services and support(s) more accessible in the community in general (see Table 7). Specifically, strategies to increase the accessibility of legal supports for underserved demographic groups included: (1) enhancing resources/practices to offer free, subsidized, or low-cost legal consultation, representation, guidance, and support; (2) increasing public knowledge; (3) developing dedicated services/supports to assist clients through the legal system/process; (4) increasing community engagement; (5) increasing access to cultural support (including language/translation services); and (6) other ways to make legal supports more accessible to underserved demographic groups. Although major themes overlapped between this survey question and that which assessed accessibility to legal services and supports more generally, the narrative provided by participants did somewhat differ across these themes.

**Table 8. Avenues to Make Legal Services and Support(s) More Accessible to Underserved Demographic Groups**

Avenues to Increase Accessibility	Participants' Perspectives
Enhance Resources/Practices to Offer Free, Subsidized, or Low-	<i>"Make legal aid available to all. Few people have the resources to pay legal costs."</i>

Avenues to Increase Accessibility	Participants' Perspectives
<b>Cost Legal Consultation, Representation, Guidance, and Support</b>	<p><i>“Better access for legal support to low income and single parent persons.”</i></p> <p><i>“Review and revision of requirements to Legal Aid or a subsidized fee structure.”</i></p> <p><i>“Legal representation should be readily accessible and free of cost for everyone.”</i></p> <p><i>“Legal Aid should have a permanent full time legal office open in [Northern communities].”</i></p>
<b>Increase Public Knowledge</b>	<p><i>“Legal information should be shared through familiar sources such as social media where people turn to get their news.”</i></p> <p><i>“More awareness of what's available, have services housed in [organizations] where these groups frequent.”</i></p> <p><i>“Education and awareness of the laws. Which resources are available near the community.”</i></p> <p><i>“More resources, advertisement, information.”</i></p> <p><i>“Information and education.”</i></p> <p><i>“Better advertising.”</i></p> <p><i>“Legal workshops.”</i></p> <p><i>“Education &amp; accessibility.”</i></p> <p><i>“Online supports at no or low cost.”</i></p> <p><i>“More information provided.”</i></p> <p><i>“More awareness on success stories/outcomes.”</i></p> <p><i>“More education and distribution of resources available.”</i></p>
<b>Develop Dedicated Services/Supports to Assist</b>	<p><i>“More government funded programs to address all of the above barriers.”</i></p>

Avenues to Increase Accessibility	Participants' Perspectives
<b>Clients Through the Legal System/Process</b>	<p><i>“Encourage community advocates to help triage/ support referrals to legal expertise.”</i></p> <p><i>“More... in person support, building with access to internet and a support person to aid in the information research and support.”</i></p> <p><i>“Up to date and clear information such as directories of resources law firms can direct individuals to.”</i></p> <p><i>“Proper funding to hire or train qualified, knowledgeable people. They may not be well versed in their jobs but proper wages will keep them around and ongoing training will make them able to provide services or assistance to many of these problems listed.”</i></p>
<b>Increase Community Engagement</b>	<p><i>“Although I provide services to folks within a number of the demographics above, I do not belong to most of them myself, so I think that continued engagement with members of communities that are underserved is important to ensure that any service changes or additions benefit communities. That said, I think community presence and awareness in the community are obviously key - referrals depend on this awareness and on a positive presence.”</i></p> <p><i>“Building rapport at community level.”</i></p>
<b>Increase Access to Cultural Support (Including Language/Translation Services)</b>	<p><i>“Have translators, knowledge keepers available to support their needs and who can explain things clearly.”</i></p> <p><i>“Address language barriers.”</i></p> <p><i>“Hiring practices to encourage representation of cultural diversity.”</i></p> <p><i>“Greater focus on community Justice or restorative Justice measures that include indigenous cultural practices and ways of knowing.”</i></p> <p><i>“Written content should use simple language and be translated into the Indigenous communities language as well.”</i></p>

Avenues to Increase Accessibility	Participants' Perspectives
	<p><i>“More interpretation services and culturally sensitive legal information workshops for newcomer populations. More workshops to help these groups understand the legal structure and legal processes, as well as their rights and responsibilities.”</i></p> <p><i>“Translate.”</i></p>
<p><b>Other Ways to Make Legal Supports More Accessible to Underserved Demographic Groups</b></p>	<p><i>“Legal supports should be made available in all communities.”</i></p> <p><i>“Ensure there are partnerships with the agencies supporting the clients so that they can provide support/refer and are aware of what is accessible in the community they live in.”</i></p> <p><i>“...having an agencies staff be able to open the door for communication to start and continue in order for the client to actually address the request. Possibly having the legal system meet with community organizations to inform them on ways that can better serve clients in the community in order to utilize these services with confidence.”</i></p> <p><i>“Explain to service agencies how to help clients begin navigating legal support.”</i></p> <p><i>“More entry points... targeted services at poverty medical clinics.”</i></p> <p><i>“Having more social workers in the province to be able to oversee community needs before they turn into legal issues.”</i></p> <p><i>“More funding.”</i></p> <p><i>“More funding to make legal supports more accessible.”</i></p>

#### 4.1.5. Geographic-Based Analysis

In addition to the primary quantitative data analysis (see above), secondary analyses were conducted on select close-ended survey questions using a geographic lens. Specifically, statistical tests were conducted to identify the perceived legal needs of individuals and communities in Saskatchewan according to participants who represent community agencies that

deliver services in the northern part of the province ( $n = 21$ ) versus those who do not ( $n = 29$ ). Table 9 presents findings for these analyses based on the top seven responses to select close-ended questions in the primary analyses. In general, results suggest that those who deliver services in the north have somewhat different perceptions than those who do not with respect to types of justice-problems clients have; legal services in demand but not adequately offered; challenges individuals face accessing legal support(s); demographic groups in need of legal support but underserved; and, challenges underserved demographic groups face seeking legal support. For example, those who deliver services in the north were more likely than those who do not to report that their clients have legal problems related to criminal matters, family, housing, and money or debt. Although there was variability in perceptions of legal needs and barriers according to whether participants represent agencies that deliver services in the north, these differences were not statistically significant.

**Table 9. Perceived Legal Needs of Individuals and Communities in Saskatchewan According to Whether Participants Deliver Services in the North**

	<u>Delivers Services in the North</u>	
	Yes ( $n = 21$ )	No ( $n = 29$ )
	%	%
<b>Justice-Related Problems Clients Most Often Have</b>		
Criminal	76	69
Family (Relationship Breakdown)	76	69
Social Assistance	48	62
Housing	52	48
Money or Debt	48	35
Family (Other)	48	31
Discrimination	38	41
<b>Legal Services in Demand But Not Adequately Offered</b>		
Legal Advice	81	79
Legal Representation	81	55
Legal Information	62	59
Advocacy	48	62
Mediation	33	62
Legal Coaching	38	38
Dispute Resolution	48	41
<b>Challenges Individuals Face Accessing Legal Support(s)</b>		
Limited financial resources for legal representation/accessing legal support	76	90
Limited personal resources which support attendance at legal appointments	81	79
Lack of understanding of the formal justice system	76	72
Cultural barriers	67	76
Unaware of legal rights and responsibilities	81	66
Unaware of how to access legal support(s) to resolve a problem	62	79
Complexity of laws and related legal procedures	67	66

	<b>Delivers Services in the North</b>	
	<b>Yes (n = 21)</b>	<b>No (n = 29)</b>
<b>Demographic Groups in Need of Legal Support But Underserved</b>		
Low Income Earners	76	66
Persons with Mental Illness	48	69
Unemployed/Economically Inactive Persons	81	52
Indigenous Peoples	67	62
Homeless Persons	62	55
Young Adults (18-35 years)	57	45
Persons with Low Education	33	52
<b>Challenges Underserved Demographic Groups Face Seeking Legal Support</b>		
Limited financial resources for legal representation/accessing legal support	81	76
Lack of understanding of the formal justice system	81	72
Cultural barriers	67	72
Limited personal resources which support attendance at legal appointments	71	69
Unaware of legal rights and responsibilities	71	66
Fear of being mistreated within the justice system	76	55
Unaware of how to access legal support(s) to resolve a problem	62	62

*Note.* Statistical tests (i.e., Chi-square test of independence) were used to determine whether the responses on each of the variables listed in the left-hand column were statistically significantly different for those who deliver services in the north versus those who do not deliver services in the north. That is, a “statistically significant difference” suggests there is a true quantitative difference between the percentages reported. An alpha-level (i.e., significance level) of 0.05 was set and, therefore, probability values of < 0.05 were considered statistically significant. Findings suggest there were no statistically significant differences between the groups.

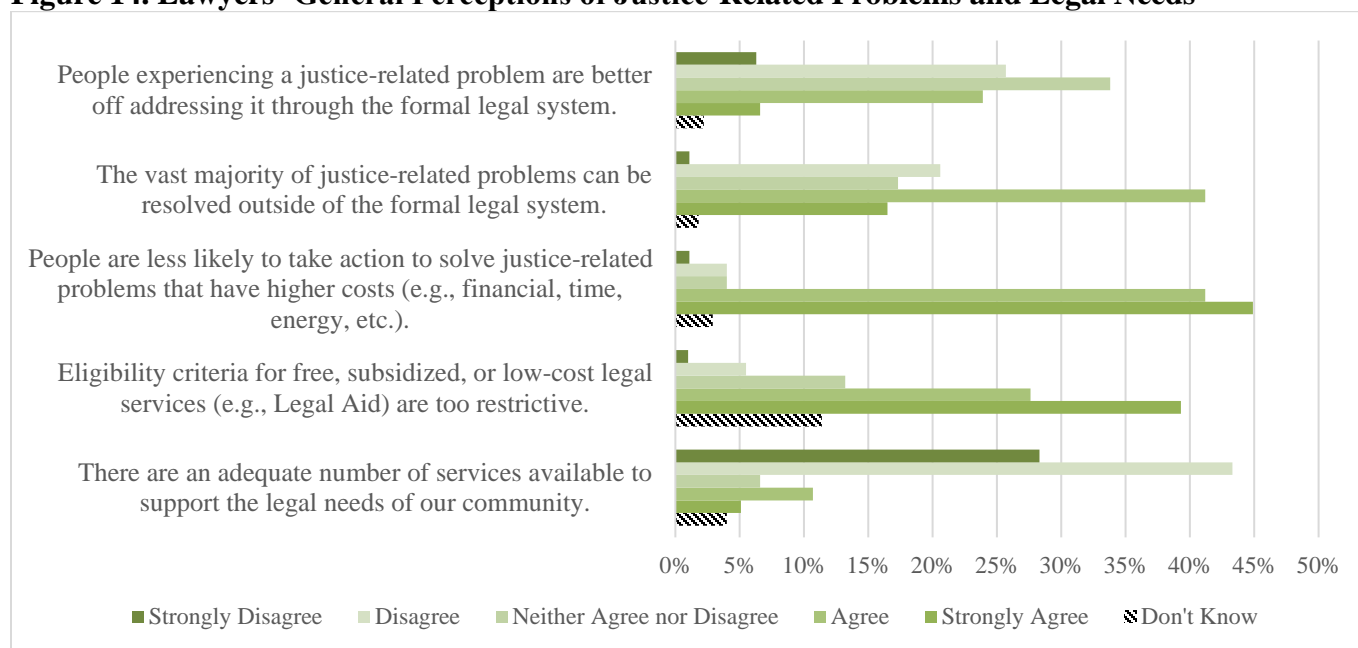
## 4.2. Lawyer Survey

### 4.2.1. General Perceptions of Justice-Related Problems and Legal Needs

Reflecting upon their community and the work they do, just over one-third of lawyers (34%) neither agreed nor disagreed that people experiencing a justice-related problem are better off addressing it through the formal legal system (roughly 24% agreed and 26% disagreed). Many lawyers further agreed (41%) or strongly agreed (16%) that the vast majority of justice-related problems could be resolved outside of the formal legal system (17% neither agreed nor disagreed and 21% disagreed). Nearly all respondents strongly agreed (45%) or agreed (41%) that people are less likely to take action to resolve justice-related problems that have higher costs (e.g., financial, time, energy, etc.). In line with this notion, many lawyers also strongly agreed (39%) or agreed (28%) that eligibility criteria for free, subsidized, or low-cost legal services (e.g., Legal Aid) are too restrictive. Notably, most participants disagreed (43%) or strongly disagreed (28%)

that there are an adequate number of services available to support the legal needs of their community. For further detail on these findings, see Figure 14 below.<sup>90</sup>

**Figure 14. Lawyers' General Perceptions of Justice-Related Problems and Legal Needs**

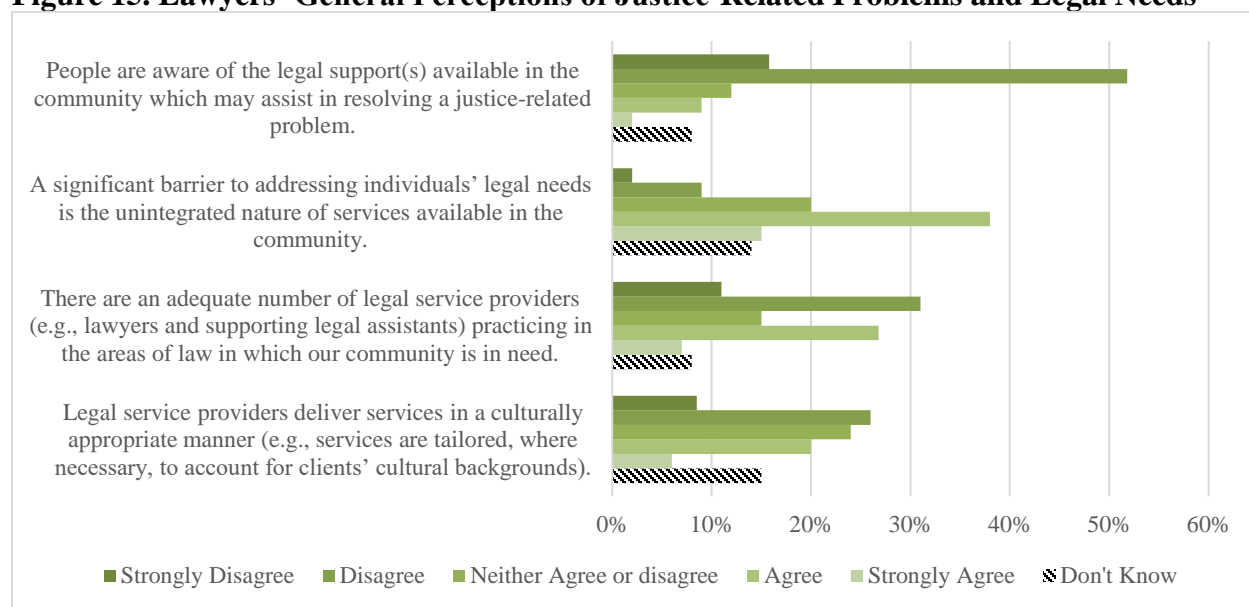


Furthermore, lawyers were mostly likely to disagree (52%) or strongly disagree (16%) that people are aware of the legal support(s) available in the community which may assist in resolving a justice-related problem. Many also agreed (38%) and strongly agreed (15%) that a significant barrier to addressing individuals' legal needs is the unintegrated nature of services available in the community (20% neither agreed nor disagreed). While many lawyers disagreed (31%) and strongly disagreed (11%) that there are an adequate number of legal service providers (e.g., lawyers and supporting legal assistants) practicing in the areas of law in which their community is in need, 27% also agreed with this statement (15% neither agreed nor disagreed). In addition, many participants disagreed (26%) that legal service providers deliver services in a culturally appropriate manner (e.g., services are tailored, where necessary, to account for clients' cultural backgrounds); however, approximately 20% agreed with this statement and 24% neither agreed nor disagreed. Figure 15 presents further detail on these findings.<sup>91</sup>

<sup>90</sup> Data were missing on the first ( $n = 4$ ), second ( $n = 4$ ), third ( $n = 5$ ), fourth ( $n = 5$ ), and fifth ( $n = 6$ ) survey items.

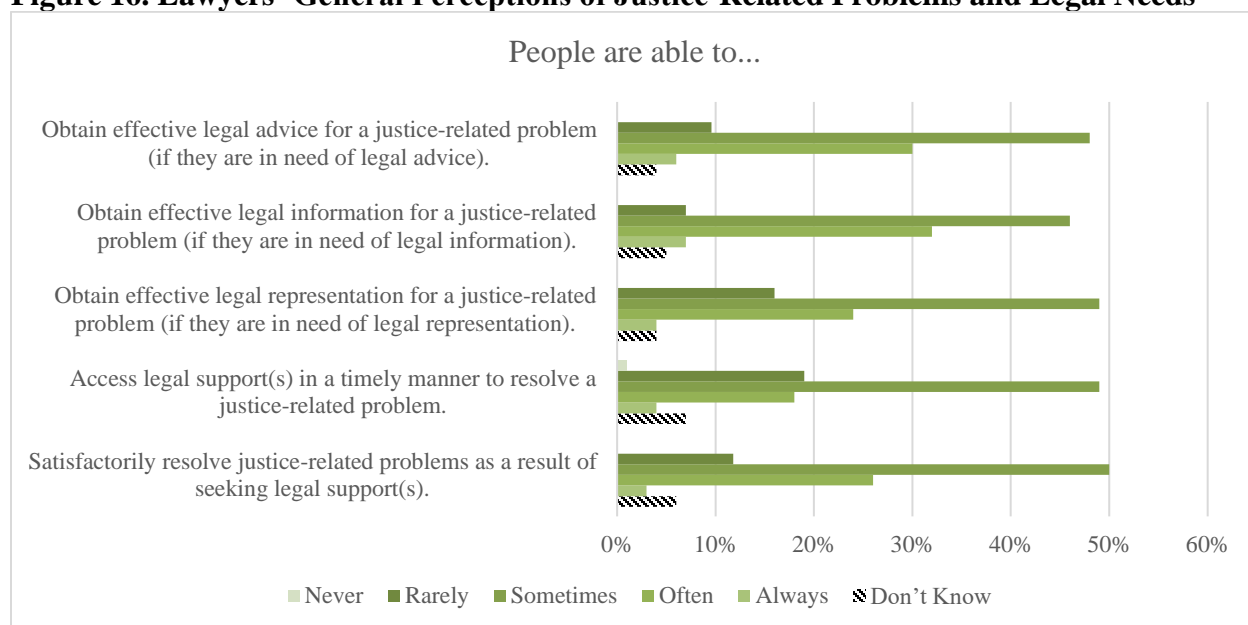
<sup>91</sup> Data were missing on the first ( $n = 8$ ), second ( $n = 6$ ), third ( $n = 4$ ), and fourth ( $n = 4$ ) survey items.



**Figure 15. Lawyers' General Perceptions of Justice-Related Problems and Legal Needs**

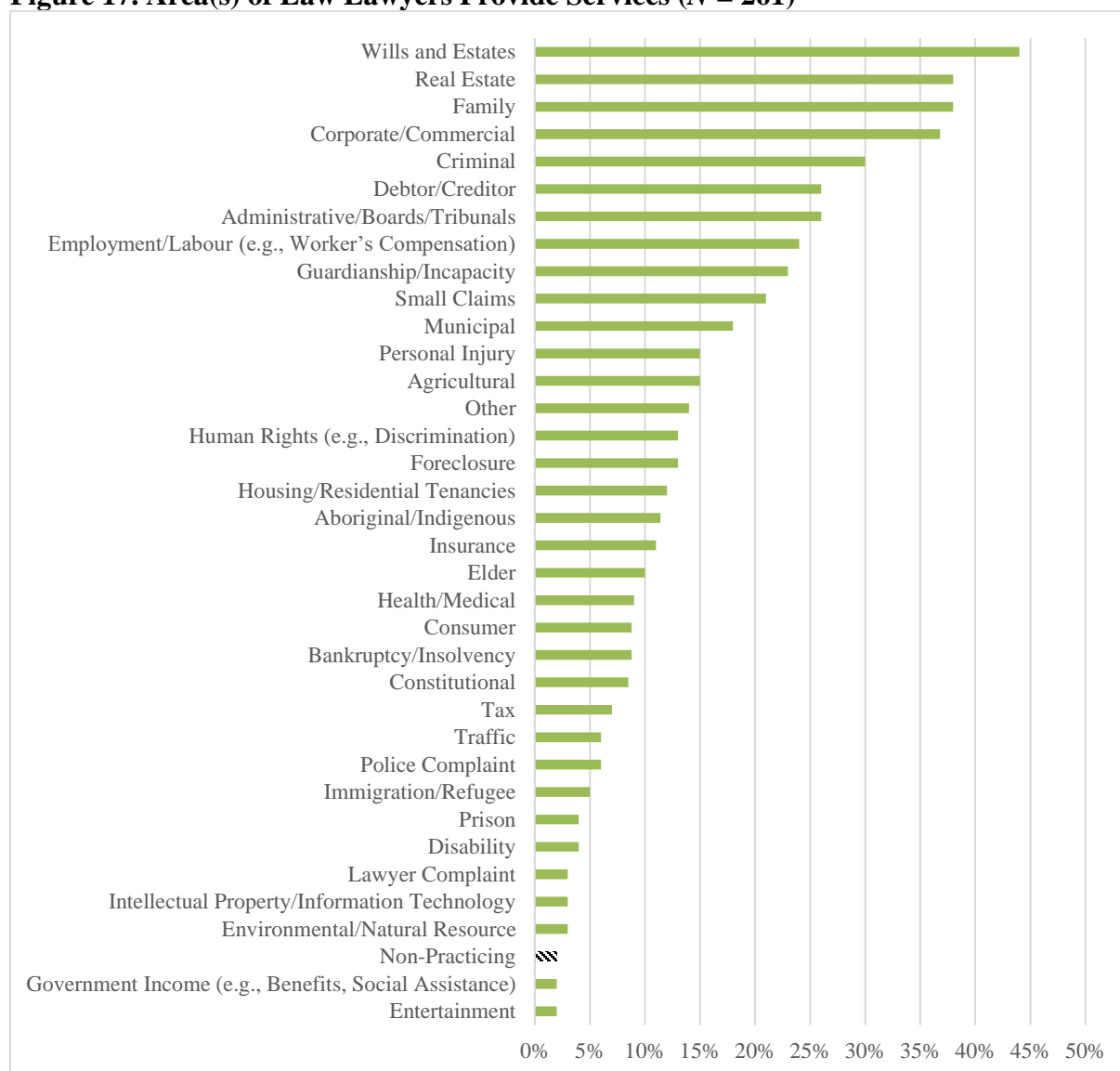
Reflecting upon their community and the work they do, lawyers reported that people faced with a justice-related problem are able to sometimes or often obtain effective legal advice (48% and 30%, respectively), obtain effective legal information (46% and 32%, respectively), and obtain effective legal representation (49% and 24%, respectively). Respondents further suggested that those faced with a justice-related problem are sometimes (50%) or often (26%) able to resolve these problems as a result of seeking legal support. Finally, it was believed that those faced with a justice-related problem are able to sometimes (49%), rarely (19%), or often (18%) access legal support(s) in a timely manner to resolve their legal issue. For further detail on these findings, see Figure 16 below.<sup>92</sup>

<sup>92</sup> Data were available from 263 participants on each of these five survey items.

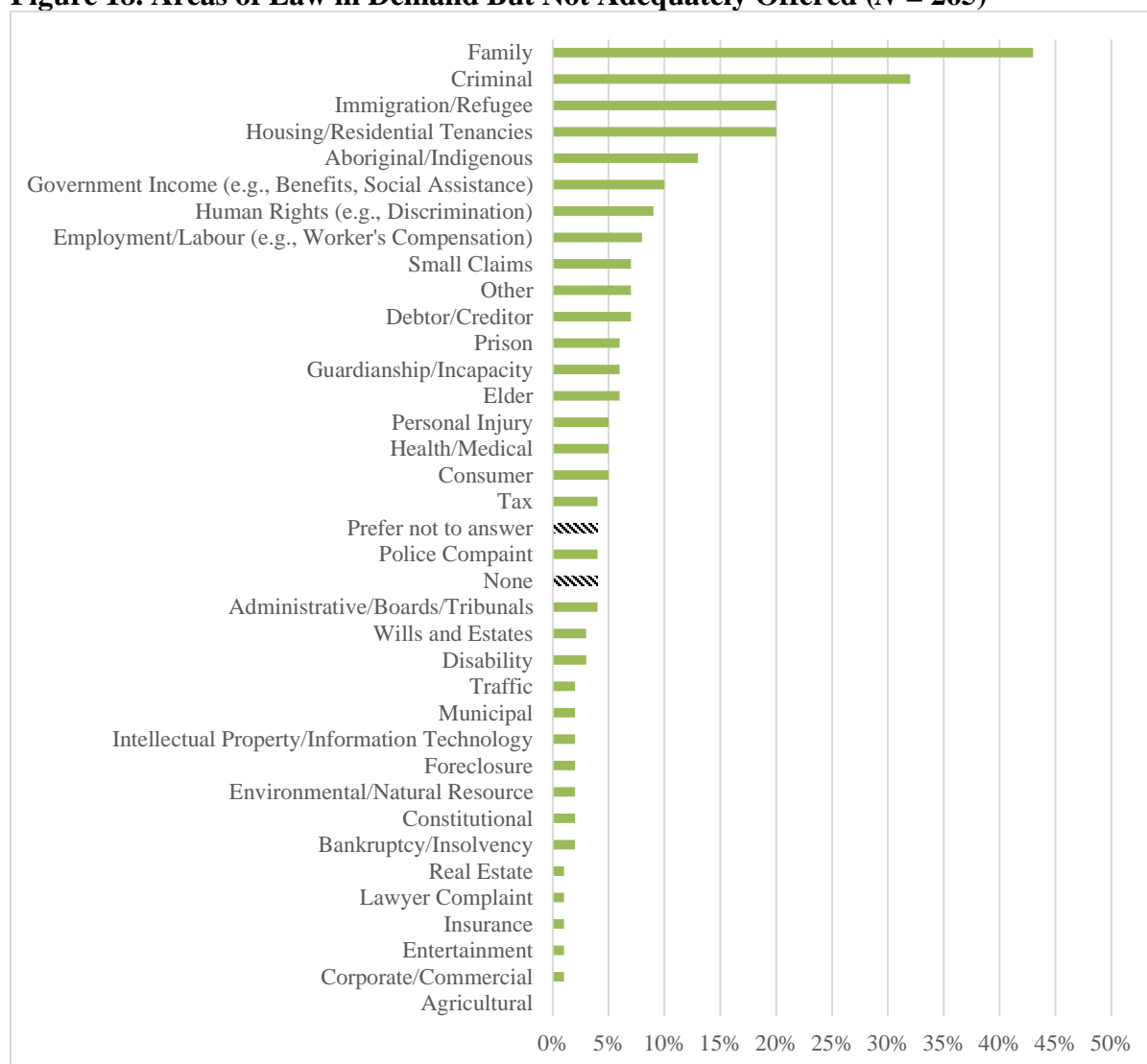
**Figure 16. Lawyers' General Perceptions of Justice-Related Problems and Legal Needs**

#### 4.2.2. Areas of Law

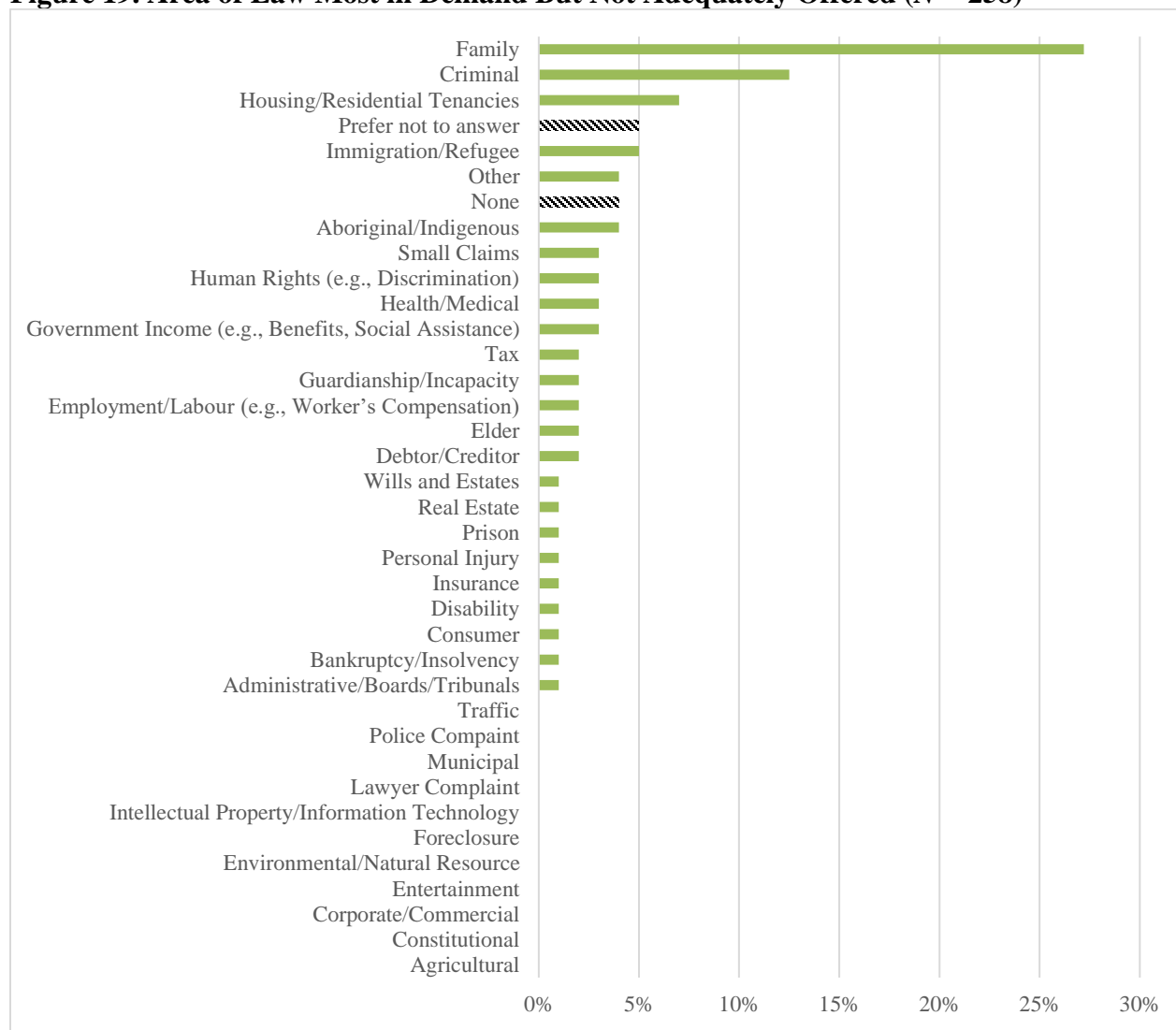
Participants were first asked what area(s) of law they provide services. Figure 17 below outlines the most to least commonly endorsed areas of law. The top five areas of law participants provide services included wills and estates (44%), real estate (38%), family (38%), corporate/commercial (37%), and criminal (30%). Roughly 14% ( $n = 37$ ) of participants further suggested they provide services in “other” areas of law, which included child protection ( $n = 3$ ), civil litigation ( $n = 4$ ), collaborative law ( $n = 1$ ), mediation ( $n = 3$ ), commercial litigation ( $n = 1$ ), defamation ( $n = 1$ ), dispute resolution ( $n = 1$ ), education ( $n = 1$ ), Federal Court litigation ( $n = 1$ ), general commercial litigation ( $n = 1$ ), general consumer litigation ( $n = 1$ ), government ( $n = 2$ ), privacy ( $n = 2$ ), public ( $n = 1$ ), regulatory ( $n = 1$ ), and self-governing professions ( $n = 1$ ). Some participants who suggested they provide services in “other” areas of law described areas that would fall within those already listed (e.g., workplace harassment, sexual violence and sexual harassment, mental health, simple wills, medical negligence, and information technology).

**Figure 17. Area(s) of Law Lawyers Provide Services (N = 261)**

Furthermore, participants identified the three areas of law they believe are in demand but not adequately offered in their community (see Figure 18). The top five areas of law that were most endorsed included family (43%), criminal (32%), immigration/refugee (20%), housing/residential tenancies (20%), and Aboriginal/Indigenous (13%). An additional 7% ( $n = 20$ ) of participants suggested “other” areas of law were in demand but not adequately offered. Several responses described areas that would generally fall within those already listed (e.g., Aboriginal claims and litigation, criminal, family, medical negligence, and worker’s compensation claims, services for immigrants, and climate change litigation). Other participants noted poverty law ( $n = 3$ ), civil litigation ( $n = 1$ ). Notably, two participants suggested that it is not that the area of law is not offered, rather the issue is that lawyers and the legal system are too expensive for individuals to access. One individual further noted that all areas of law are in demand and that individuals need effective legal information and access to advice/representation at price points they can afford.

**Figure 18. Areas of Law in Demand But Not Adequately Offered (N = 265)**

Of the three areas of law participants identified as being in demand but not adequately offered, they were further asked to select one area of law they believed was *most* in demand in their community (see Figure 19). Among the 258 participants who provided a response to this survey item, the top three areas of law that were endorsed were family (27%), criminal (13%), and housing/residential tenancies (7%). An additional 4% ( $n = 12$ ) of participants noted that an “other” area of law was most in demand but not adequately offered in the community, which often included areas that were already listed (e.g., Aboriginal claims and litigation, child and family services, medical negligence, prison law, worker’s compensation claims). Other participants noted civil litigation ( $n = 1$ ), poverty law ( $n = 2$ ), and Indigenous people with social and legal needs ( $n = 1$ ). One individual again noted that most areas of law are in demand and that individuals have different problems and needs and, therefore, look for assistance to resolve these problems.

**Figure 19. Area of Law Most in Demand But Not Adequately Offered (N = 258)**

Based on participants' response regarding the one area of law they believed was *most* in demand but not adequately offered, they were then presented with a series of follow-up questions which generally asked about the barriers to accessing this particular area of law and potential solutions for increasing accessibility. The remainder of this section presents findings for these follow-up questions according to the three top areas of law identified as being *most* in demand but not adequately offered in Saskatchewan communities.

### ***Barriers and Facilitators for Accessing Family Law***

When asked why services in family law are not adequately offered, participants ( $n = 71$ )<sup>93</sup> most frequently indicated that free or government-subsidized services (e.g., Legal Aid) are not adequately available in this area of law (69%), followed by the complexity of this area of law and related legal procedures (53%), and the lack of capacity among legal service providers to

<sup>93</sup> Data were missing on this survey item for 3 participants.

meet the demand for services in this area of law (37%). Figure 20 highlights other reasons why services in family law are not adequately offered. Approximately 18% ( $n = 13$ ) identified “other” barriers that impact the provision of services in family law. In this case, participants primarily remarked on the complexity of this area of law and the costly nature of the legal procedures. Participants’ perceptions are further detailed below.

*““Real” lawyers don't think family law is important or complicated, despite the fact that it is the area where most people are likely to require legal services.”*

*“Court forms and processes are far too complex, even for lawyers. Financial Statement form and Property Statement form are almost to understand with much useless information.”*

*“Accessing lawyers in family law matters can be cost prohibitive for people who don't qualify for Legal Aid, but who can't afford the high cost of counsel. People end up having to choose between paying rent or paying their lawyer. Also, not everyone knows where to turn when a family matter goes to Court unless they happen to know a lawyer and because the process is so formal, it's intimidating to navigate alone.”*

*“Legal Aid guidelines cut off a significant number of people who are above the guidelines but are really below a living income. Therefore cannot afford private providers.”*

*“Many of the most difficult issues are experienced by the people least able to pay.”*

*“There are vast numbers of people who cannot afford proper access to legal assistance when dealing with pre-marital or post-break up family matters.”*

*“The mediation requirement seems to only add significant cost. The “working poor” seem to be under-serviced in this area.”*

*“The current litigation process is way too costly and procedural.”*

*“This service needs to be much more integrated with non-legal supports (i.e. mental health, addictions, counselling, housing, etc.). Clients are not set up for success when they're also dealing with many other issues resulting from or contributing to marital breakdown.”*

*“Stress involved in dealing with clients in family law area - not worth it.”*

**Figure 20. Barriers to the Provision of Services in Family Law (N = 71)**

With respect to strategies for establishing or expanding services in family law (see Figure 21), participants ( $n = 70$ )<sup>94</sup> primarily suggested there should be an increased availability of free or government-subsidized services (e.g., Legal Aid) in this area of law (69%), followed by additional resources (e.g., funding, personnel, etc.) dedicated to service provision in this area of law (46%), and increased utilization of alternative billing arrangements (e.g., flat fee, co-pay systems) in this area of law (38%). Approximately 18% ( $n = 13$ ) identified “other” solutions for establishing or expanding services in family law. In this case, participants primarily remarked on the need to address issues surrounding the complexity of legal procedures within family law (i.e., simplifying processes) and addressing issues surrounding cost (i.e., providing legal representation at an affordable price point). Participants’ perceptions are further detailed below.

*“Use of mediation and other alternative dispute resolution processes, as well as simplified procedures.”*

*“Need private lawyers with an interest in this area of the law in the community, especially for negotiated or contested matters.”*

*“Simplifying the law and processes in Family Law may make it easier for unrepresented litigants to navigate.”*

*“If you look at Legal Aid guidelines, maximum income for service, back to their beginning, you will find that it has rarely moved. The result is inflation has resulted in more and more people being cut off. Where we are today is no where near where we were*

<sup>94</sup> Data were missing on this survey item for 4 participants.

*when legal aid was created. I am not sure if the demographic numbers also have resulted in more people falling into this gap area between legal aid and affordability.”*

*“More accessibility to lawyers in rural areas. There is a significant deficit of lawyers, and an aging bar in rural areas which is impacting our ability to provide legal services. Family law is a demanding area, but there is more work than lawyers available in general.”*

*“Family Law is necessarily complex and time consuming. Meanwhile, many other areas such as Real Estate and Wills & Estates are unnecessarily time consuming. Investing in automating repetitive solicitor-focused areas of law will create more availability of legal professionals to assist in non-repetitive barrister-focused work. That said, Family Law could certainly see a reduction in complexity with a bit of legislative improvement.”*

*“There is a large gap between people who qualify for legal aid and people who can afford a lawyer. This results in many people representing themselves and not getting the access to justice that their situation requires and deserves.”*

*“The root cause of the problem is that litigation has become the area where people on legal aid or the rich can access. Ordinary citizens cannot realistically pay for the enormous cost of litigation. Fix the system. The rest borders on window dressing.”*

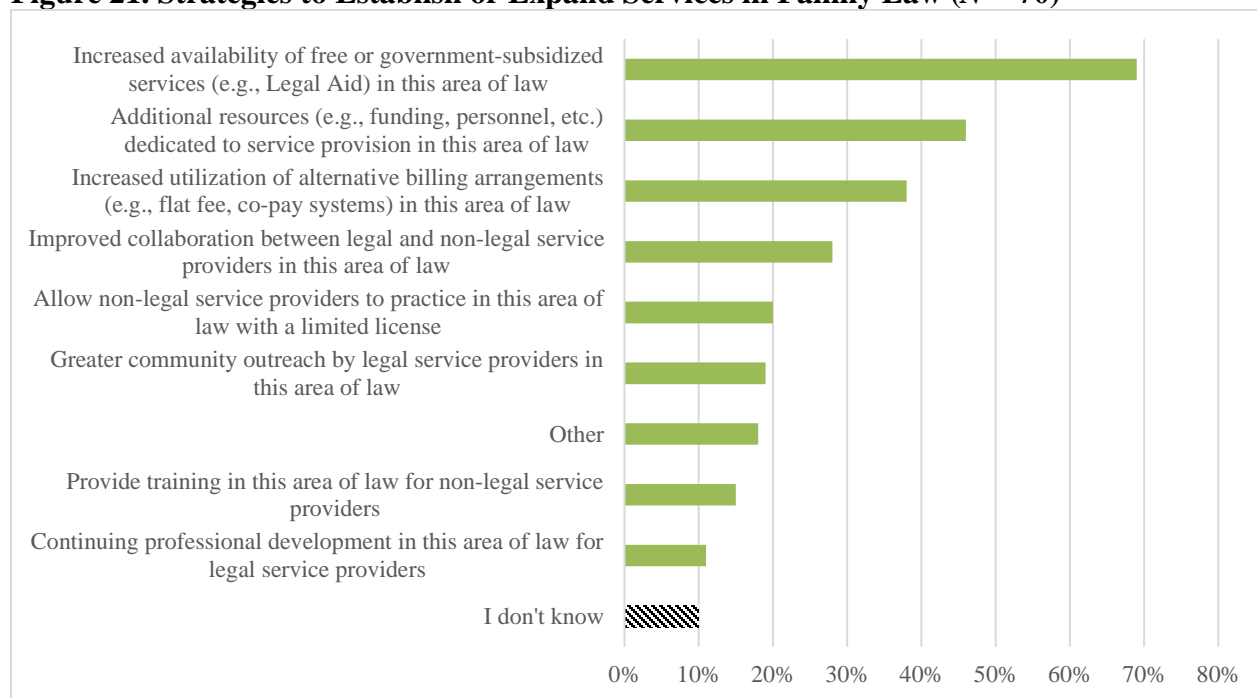
*“Alternative legal processes, e.g., a specific, less complex process for child support applications, as obtaining child support is the most common issue for people attending pro bono legal clinics.”*

*“In order to address what I think is a lack of easily accessible information to assist those unfamiliar with the court processes, maybe when a petition is issued, for example, information about how to access legal services should accompany the documents being served. I'd also be happy to see a higher threshold for Legal Aid or a subsidized option for those who can't afford the cost of legal fees for family matters.”*

*“Simplifying the Court process for certain family issues.”*

*“Greater assistance could be provided by court services to assist people with procedure and process, there are several examples of this out of province.”*



**Figure 21. Strategies to Establish or Expand Services in Family Law (N = 70)**

Participants ( $n = 71$ )<sup>95</sup> further highlighted the challenges in accessing services and support(s) in family law for individuals requiring assistance in this area (see Figure 22). The top three factors that present difficulties in accessing services and supports in family law included limited financial resources for legal representation and other expenses associated with accessing legal support (80%), followed by delays/time lags (e.g., waitlists) in this area of law (51%), and the complexity of the area of law and related legal procedures (49%). Among the 7% ( $n = 5$ ) of participants that indicated “other” difficulties are present with respect to accessing services and supports in family law, it was again largely suggested that this area is quite complex and costly for those attempting to resolve family-related legal matters. These perceptions are detailed below.

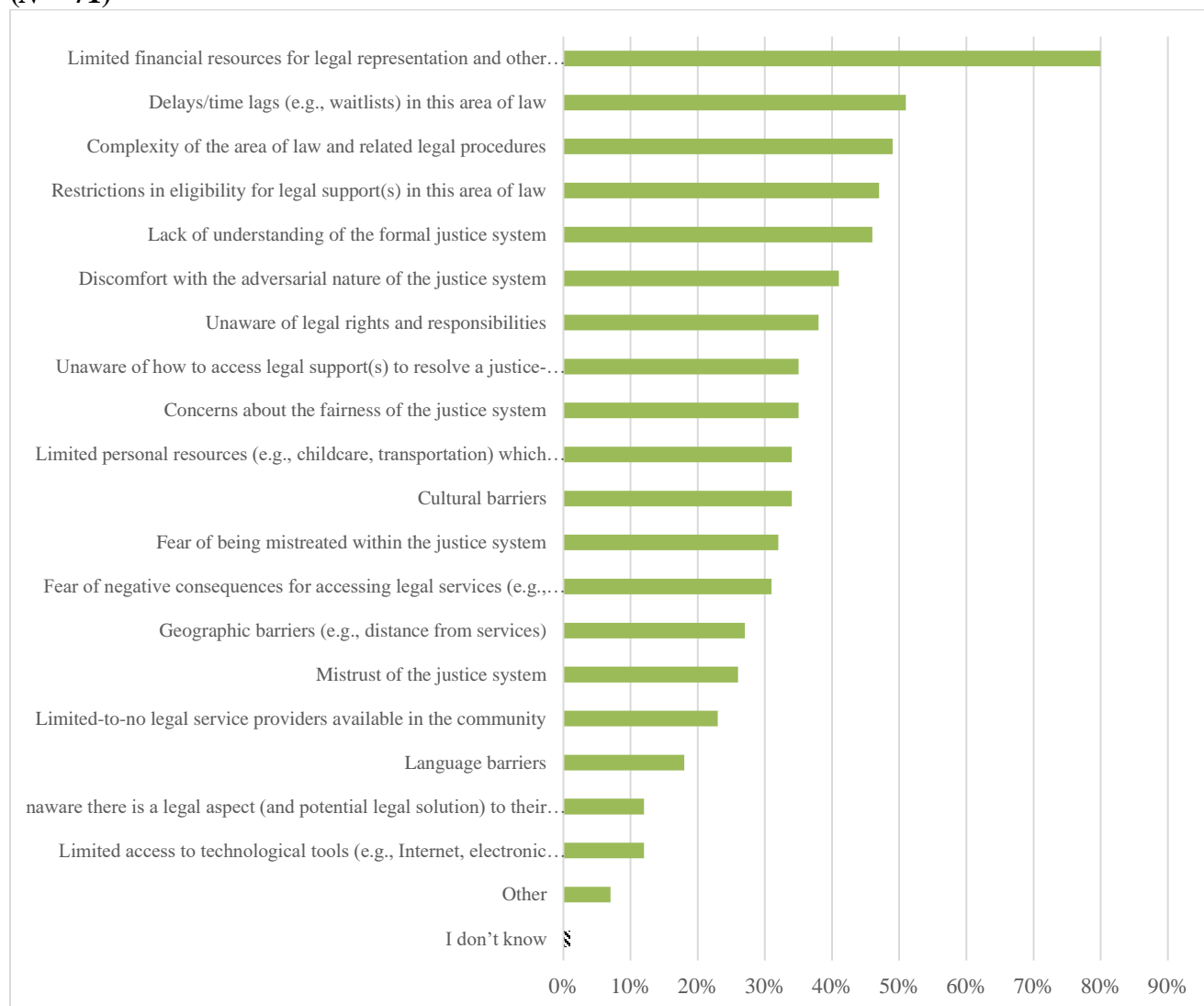
*“Legal Aid is not adequately funded.”*

*“Lack of awareness, or sophistication on the part of the clients fix the basic court process by making it simpler.”*

*“The emotional experience of marital breakdown needs to be dealt with prior to or at the same time as the legal process - and this can lead to sub optimal outcomes when individuals are not prepared for the experience. If lawyers “take over” they can make the experience adversarial when it doesn't need to be.”*

<sup>95</sup> Data were missing on this survey item for 4 participants.

**Figure 22. Challenges Faced by Individuals in Accessing Services/Supports in Family Law (N = 71)**



With respect to things that should be done to make family law more accessible to individuals with legal needs in this area (see Figure 23), participants ( $n = 71$ )<sup>96</sup> suggested there should be greater access to low-cost or free full-scope (70%) and limited-scope (61%) legal representation, as well as greater utilization of alternative dispute resolution models (57%). Among the 16% ( $n = 12$ ) of participants that selected “other,” responses primarily centered on eliminating costs for those managing family matters and increasing accessibility of legal information and representation, as well as removing family matters from the court process. These perceptions are detailed below.

*“Holistic or multi-disciplinary service delivery.”*

<sup>96</sup> Data were missing on this survey item for 4 participants.

*“More legal service providers in rural areas in the area of family law.”*

*“Self reps in this area slow everything down and increase costs for those represented by legal counsel. Self-representation should not be encouraged where possible.”*

*“The existing DIY kits for family law are NOT well-written and should be revised for better accessibility. Although I checked off the boxes for adjudicators and alternative dispute resolution there also needs to be better recognition that this is NOT appropriate for all family law scenarios due to issues of family violence and power imbalances.”*

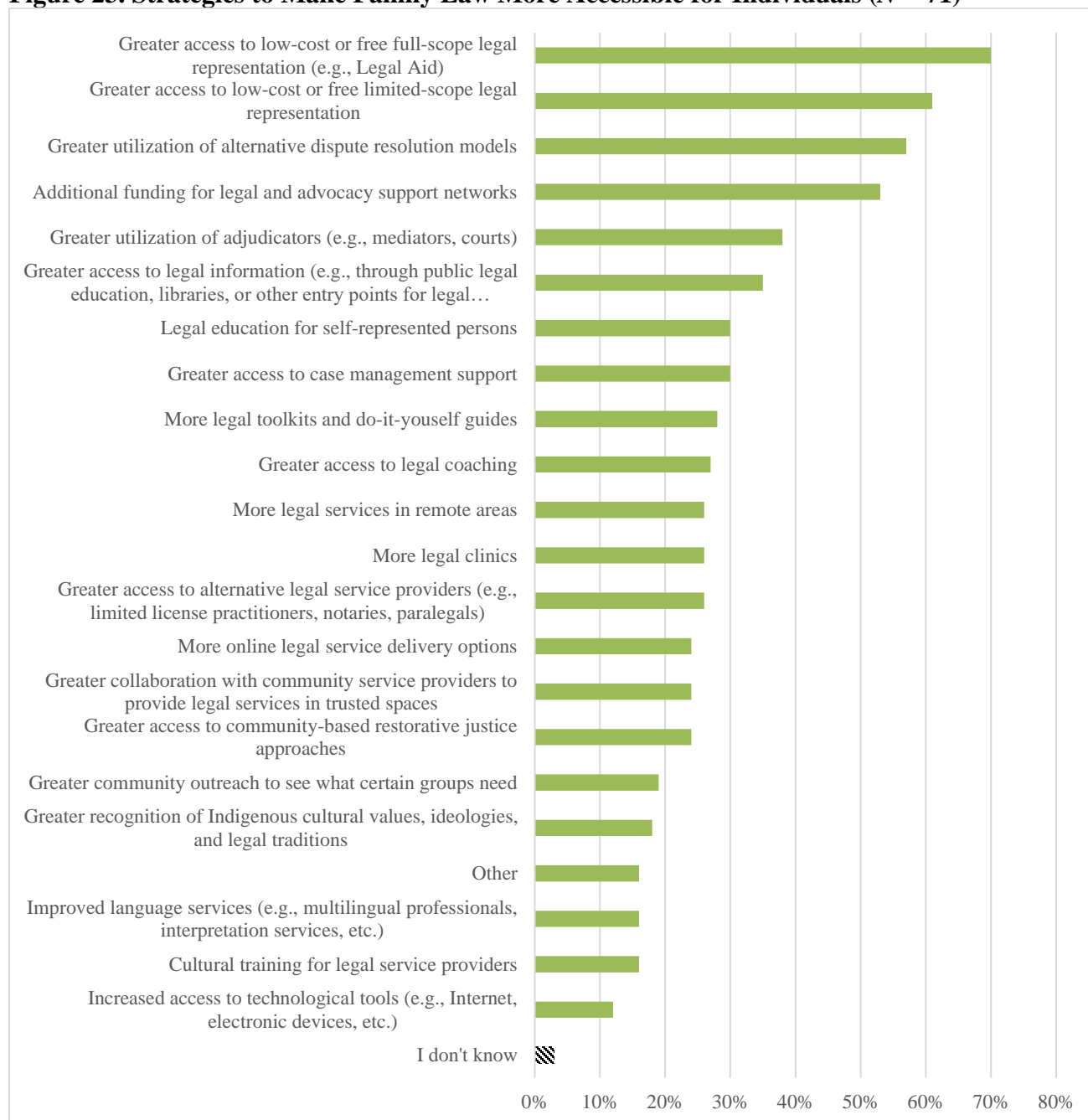
*“Greatly increase funding for legal aid.”*

*“Family law should not be with private lawyers - all persons should have roster lawyers work collaboratively. Family cases should not be in Court - should not have advantage if one party can pay for top lawyer other needs legal aid. The money will win. There is no winner in family law matters.”*

*“Streamline the family law process in the Court of [King’s] Bench - it is too complicated and complex or take family law out of the Court of [King’s] Bench entirely.”*

*“Because mediation is now mandatory there needs to be free government funded mediation available for those who cannot afford it.”*

*“Better public education, more assistance from court services.”*

**Figure 23. Strategies to Make Family Law More Accessible for Individuals (N = 71)**

### ***Barriers and Facilitators for Accessing Criminal Law***

When asked why services in criminal law are not adequately offered, participants ( $n = 32$ )<sup>97</sup> were most likely to suggest that free or government-subsidized services (e.g., Legal Aid) are not adequately available in this area of law (62%), followed by low profit for legal service providers in this area of law (56%), and a lack of capacity among legal service providers to meet the

<sup>97</sup> Data were missing on this survey item for 2 participants.

demand for services in this area (50%). Figure 24 presents other factors that impede upon offering adequate services in criminal law. Of note, 9% ( $n = 3$ ) of participants identified “other” barriers that impact the provision of services in criminal law. Here, participants noted the lack of funding and staff at Legal Aid, as well as limitations in who qualifies for this service, as a key contributor to challenges in the provision of adequate services in criminal law. These thoughts are exemplified below.

*“Cuts to Legal Aid and Court-appointed counsel programming have left people underrepresented in both criminal and family services matters.”*

*“Legal Aid has historically been underfunded. Progress is being made, however, there is little societal interest in helping individuals who suffer from poverty, substance abuse and trauma, therefore, Legal Aid remains understaffed, and overwhelmed with heavy caseloads. This problem is not restricted to the area of criminal law. It involves family law, housing issues, access to assistance, etc.”*

*“Who qualifies for Legal Aid should be expanded (greatly). Legal Aid lawyers should be funded on part with their counterparts in Government and the amount of Legal Aid lawyers needs to greatly expand.”*

**Figure 24. Barriers to the Provision of Services in Criminal Law ( $N = 32$ )**



In terms of strategies for establishing or expanding services in criminal law (see Figure 25), participants ( $n = 32$ )<sup>98</sup> noted there should be increased availability of free or government-subsidized services (e.g., Legal Aid) in this area of law (79%), followed by additional resources (e.g., funding, personnel, etc.) dedicated to service provision in this area of law (71%), as well as improved collaboration between legal and non-legal service providers in this area of law (47%).

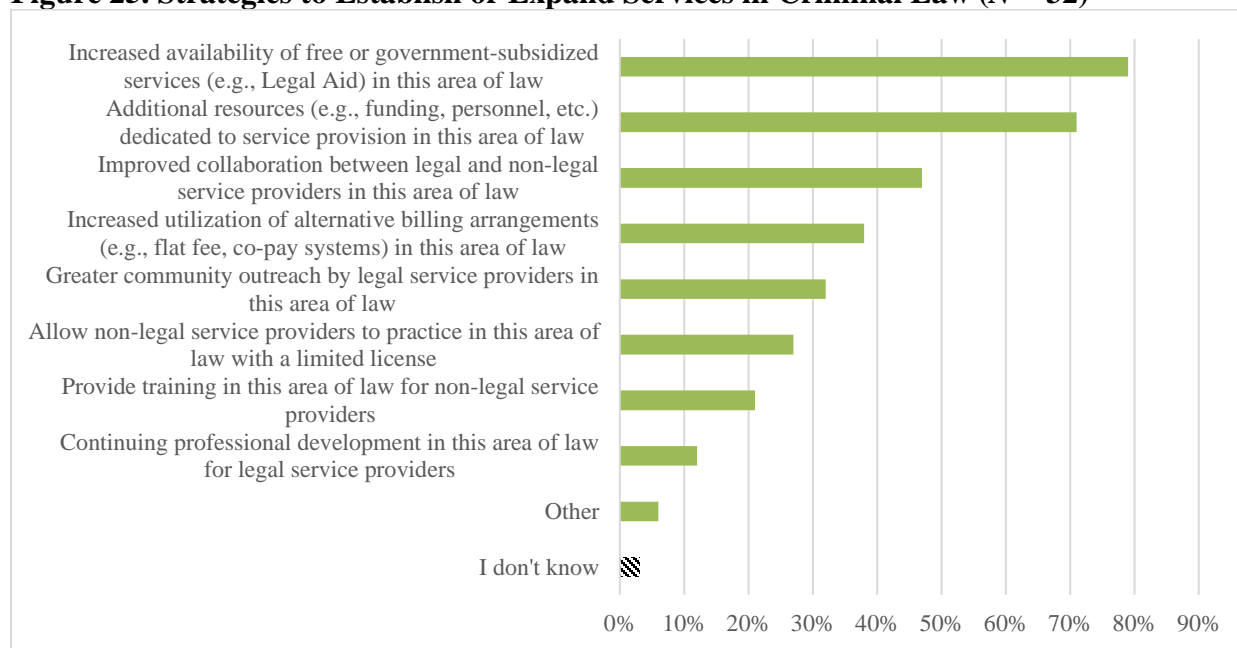
<sup>98</sup> Data were missing on this survey item for 2 participants.

Only 2 participants identified “other” solutions for establishing or expanding services in criminal law. These thoughts are provided below.

*“Need to attract lawyers to work in this area. There is a very senior contingent in the bar retiring which has left a significant gap in the delivery of legal services. Young counsel are not staying in Regina, the talent has or is leaving and attracting competent/trained talent is lacking or non-existent.”*

*“We are lacking adequate numbers of Court Workers who can assist people with questions about the legal system and help them deal with their matters.”*

**Figure 25. Strategies to Establish or Expand Services in Criminal Law (N = 32)**



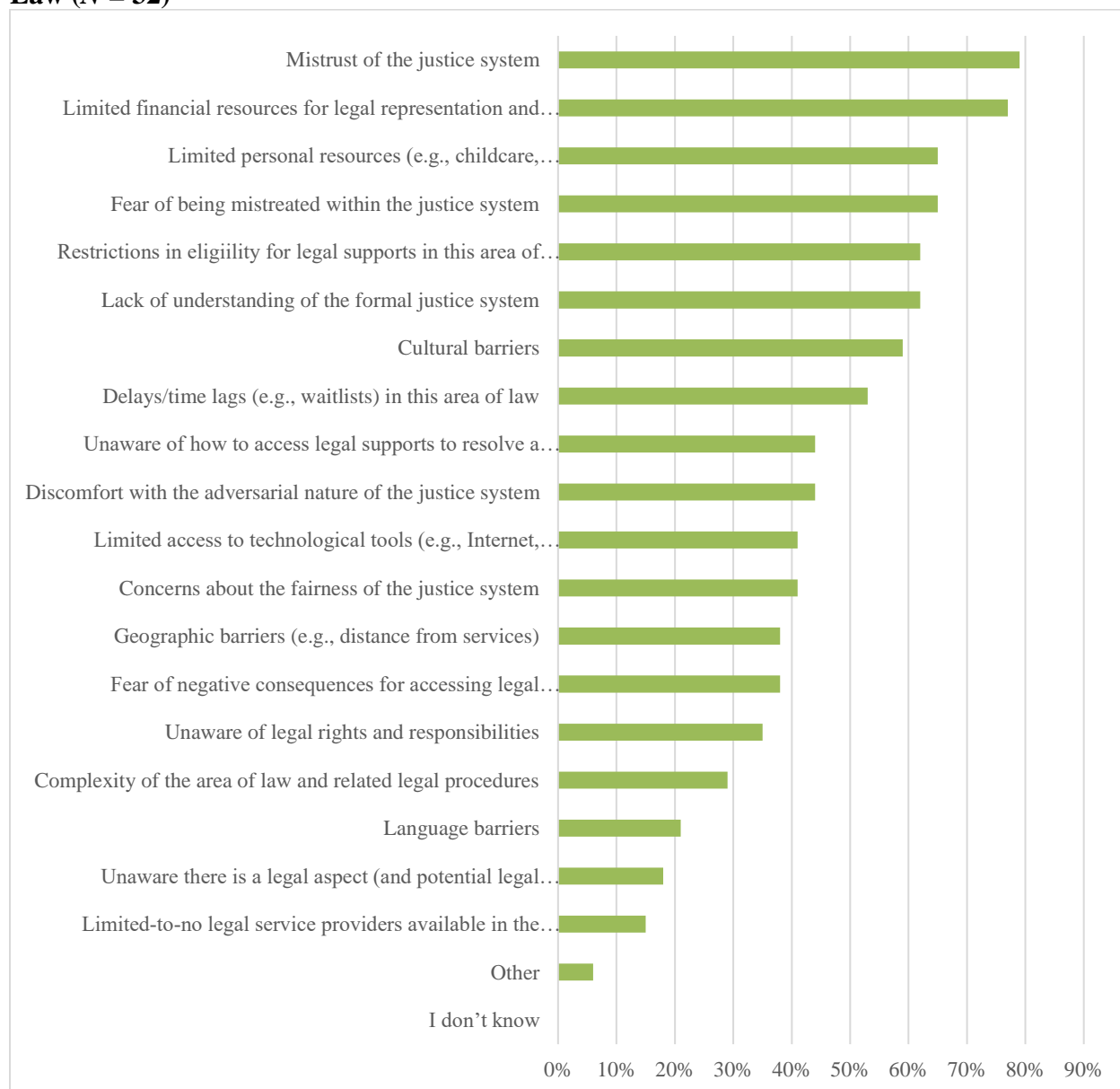
Participants ( $n = 32$ )<sup>99</sup> also highlighted the challenges in accessing services and support(s) in criminal law for individuals requiring assistance in this area (see Figure 26). The top three challenges included mistrust of the justice system (79%), limited financial resources for legal representation and other expenses associated with accessing legal support (77%), and limited personal resources (e.g., childcare, transportation) which support attendance at legal appointments (65%). Again, only 2 individuals indicated “other” difficulties are present with respect to accessing services and supports in criminal law. These perceptions are detailed below.

*“Legal costs.”*

*“The legal system has made strides to make itself more approachable, but there remains a huge disparity between those who act within it (Judges, lawyers, clerks, etc.) and those who are participants therein.”*

<sup>99</sup> Data were missing on this survey item for 2 participants.

**Figure 26. Challenges Faced by Individuals in Accessing Services/Supports in Criminal Law (N = 32)**



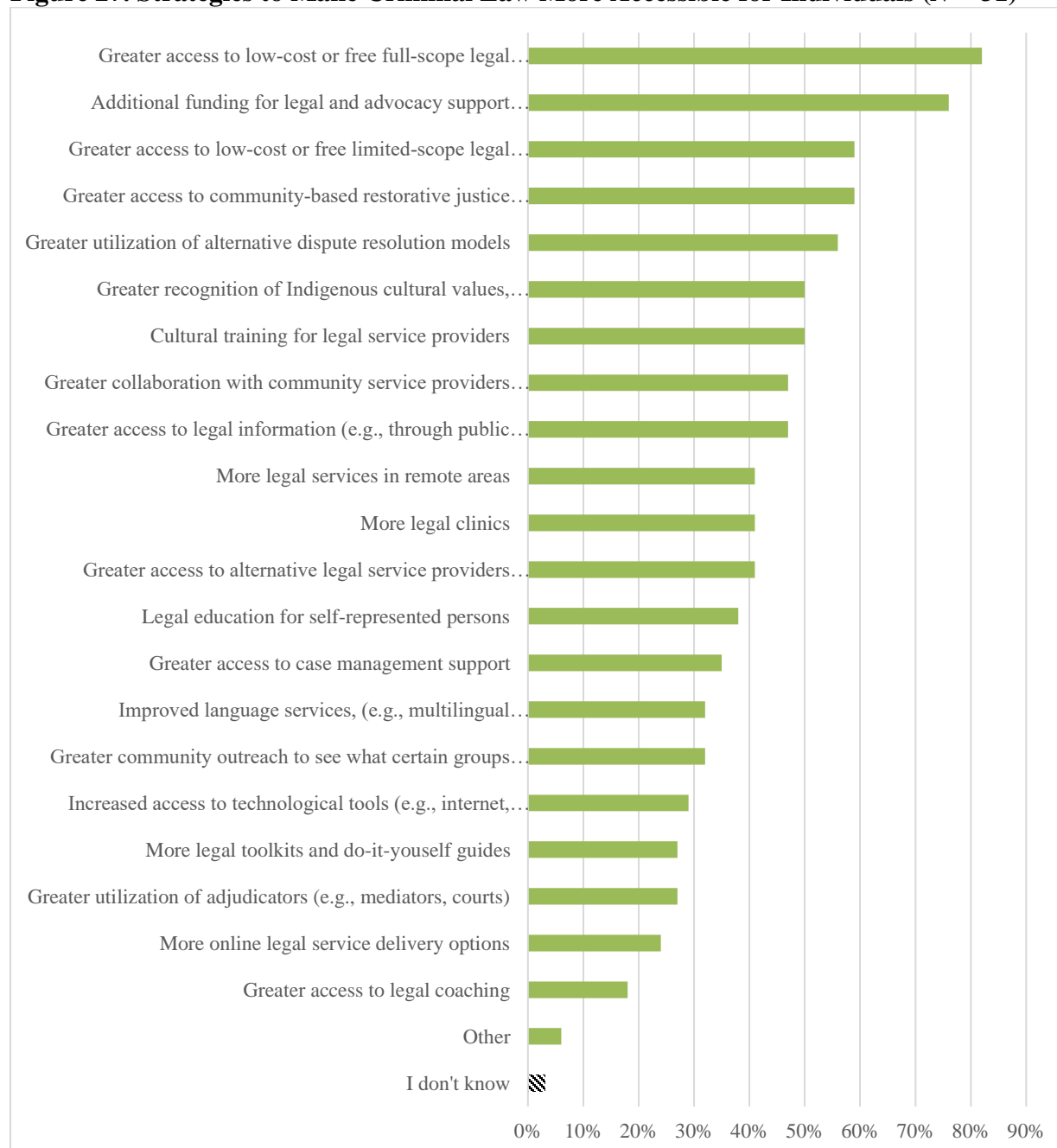
With regards to what should be done to make criminal law more accessible to individuals with legal needs in this area (see Figure 27), participants ( $n = 31$ )<sup>100</sup> suggested there should be greater access to low-cost or free full-scope legal representation (82%), followed by additional funding for legal and advocacy support networks (76%), and greater access to low-cost or free limited-scope legal representation (59%). Two individuals suggested “other” things should be done to make this area of law more accessible. These perceptions are detailed below.

*“Some sort of clinic or workbook for self reps - trying to piece together a legal defence with no training is extremely difficult with the public resources currently available.”*

<sup>100</sup> Data were missing on this survey item for 3 participants.

*“Specific, targeted funding for criminal defence. More funding for the Courts or the Crown is not the answer. For example, the Crown has an appeals division, an economic crimes prosecutor, sexual offence prosecutor, and multiple people assigned solely to the purpose of flagging and attempting to designate individuals as dangerous offenders. All of this at Legal Aid must be farmed out at \$92/hr (with hours that are nowhere near enough to cover actual preparation), or handled internally.”*

**Figure 27. Strategies to Make Criminal Law More Accessible for Individuals (N = 31)**





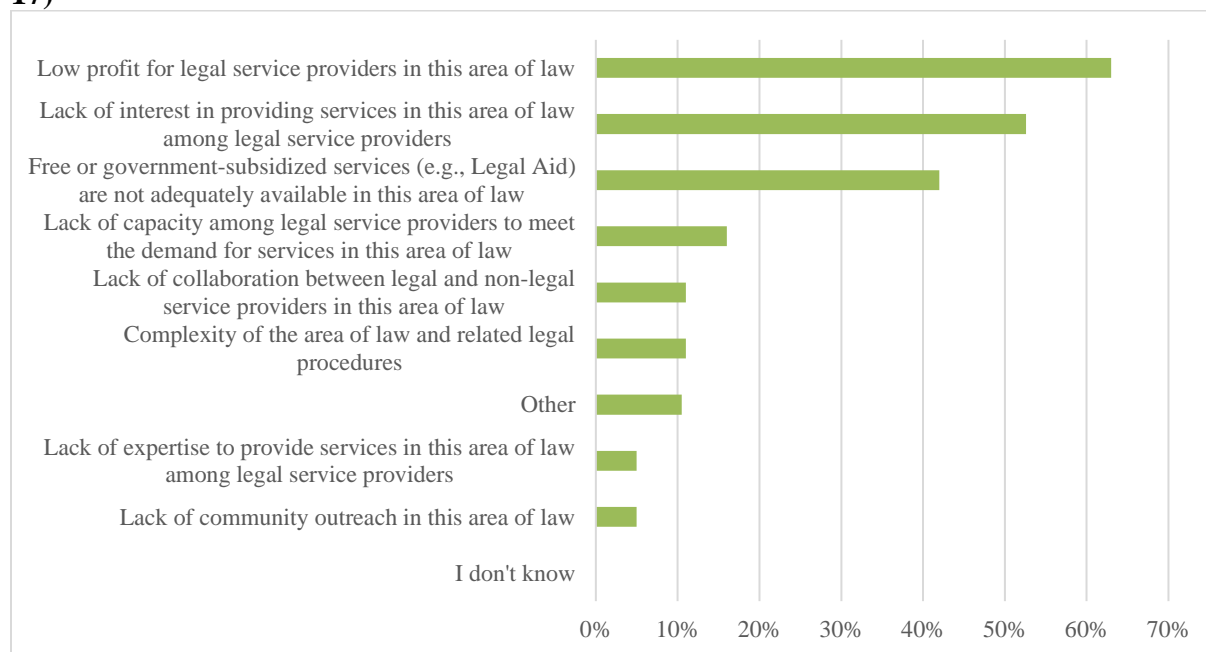
### *Barriers and Facilitators for Accessing Housing/Residential Tenancies Law*

When asked why services in housing/residential tenancies law are not adequately offered (see Figure 28), participants ( $n = 17$ )<sup>101</sup> were most likely to suggest there is a low profit for legal service providers in this area of law (63%), followed by a lack of interest in providing services in this area of law among legal service providers (53%), as well as free or government-subsidized services (e.g., Legal Aid) not being adequately available in this area of law (42%). Two participants identified “other” barriers that impact the provision of services in housing/residential tenancies law. These thoughts are highlighted below.

*“Monetary amount in issue does not justify legal costs. It is difficult for articling students to even help sometimes unless they are doing it for free or subsidized costs. Sometimes the other side is represented by Classic and just like those represented by lawyers, they are not always on the “right” side, making it difficult for the other person to afford a lawyer to represent their position.”*

*“There is a combination of issues which act to make this area the one that I have identified as lacking in legal services. In saying this I am referring to services for tenants, not landlords. As mentioned above, there is no money in such work so few people get involved. In addition, there are systemic barriers within the way the process works which affect access by tenants to the decision-making processes such as simple communication devices, barriers to appeals, etc. The issues are many and the need for housing is so central to the health and well-being of people that this area is in need of considerable attention.”*

**Figure 28. Barriers to the Provision of Services in Housing/Residential Tenancies Law ( $N = 17$ )**



<sup>101</sup> Data were missing on this survey item for 2 participants.

With respect to potential strategies for establishing or expanding services in housing/residential tenancies law (see Figure 29), participants ( $n = 17$ )<sup>102</sup> suggested there should be increased availability of free or government-subsidized services (e.g., Legal Aid) in this area of law (63%), followed by improved collaboration between legal and non-legal service providers in this area of law (53%), as well as allowing non-legal service providers to practice in this area of law with a limited license (47%). Again, only 2 participants identified “other” solutions for establishing or expanding services in housing/residential tenancies law. These thoughts are provided below.

*“Anyone licensed to help people in this area needs appropriate legal training and they should be vetted for ethical suitability. Since it is a business for them, the training does not need to be for free. There could also be self-help sessions periodically available although tenants needs are usually time sensitive so that may not always work. Don't forget about helping landlords also. I have seen many people financially devastated and lose their property to foreclosure by the actions of tenants. Landlords are not the "bad guy". Most are ordinary people and not wealthy.”*

*“Duty Counsel system for the ORT. Change in the decision-making process from adversarial to inquisitorial with hearing officers acting to implement the duty to assist and acting to ensure that the process is a fair one, accessible to all. Finally, the RTA is, in my mind, improperly drafted in relation to tenant appeals such that tenants are preventing from accessing redress through appeal to the Court of Appeals in relation to Orders for Possession.”*

**Figure 29. Strategies to Establish or Expand Services in Housing/Residential Tenancies Law (N = 17)**



<sup>102</sup> Data were missing on this survey item for 2 participants.

With respect to the challenges in accessing services and support(s) in housing/residential tenancies law for individuals requiring assistance in this area (see Figure 30), participants ( $n = 18$ )<sup>103</sup> indicated challenges centre on the limited financial resources for legal representation and other expenses associated with accessing legal support (58%), lack of understanding of the formal justice system (47%), and cultural barriers (47%). A total of 3 individuals indicated “other” difficulties are present with respect to accessing services and supports in housing/residential tenancies law. These perceptions are detailed below.

*“The cost of legal representation is high in relation to the amount in issue, and some, but not all tenants, have low income.”*

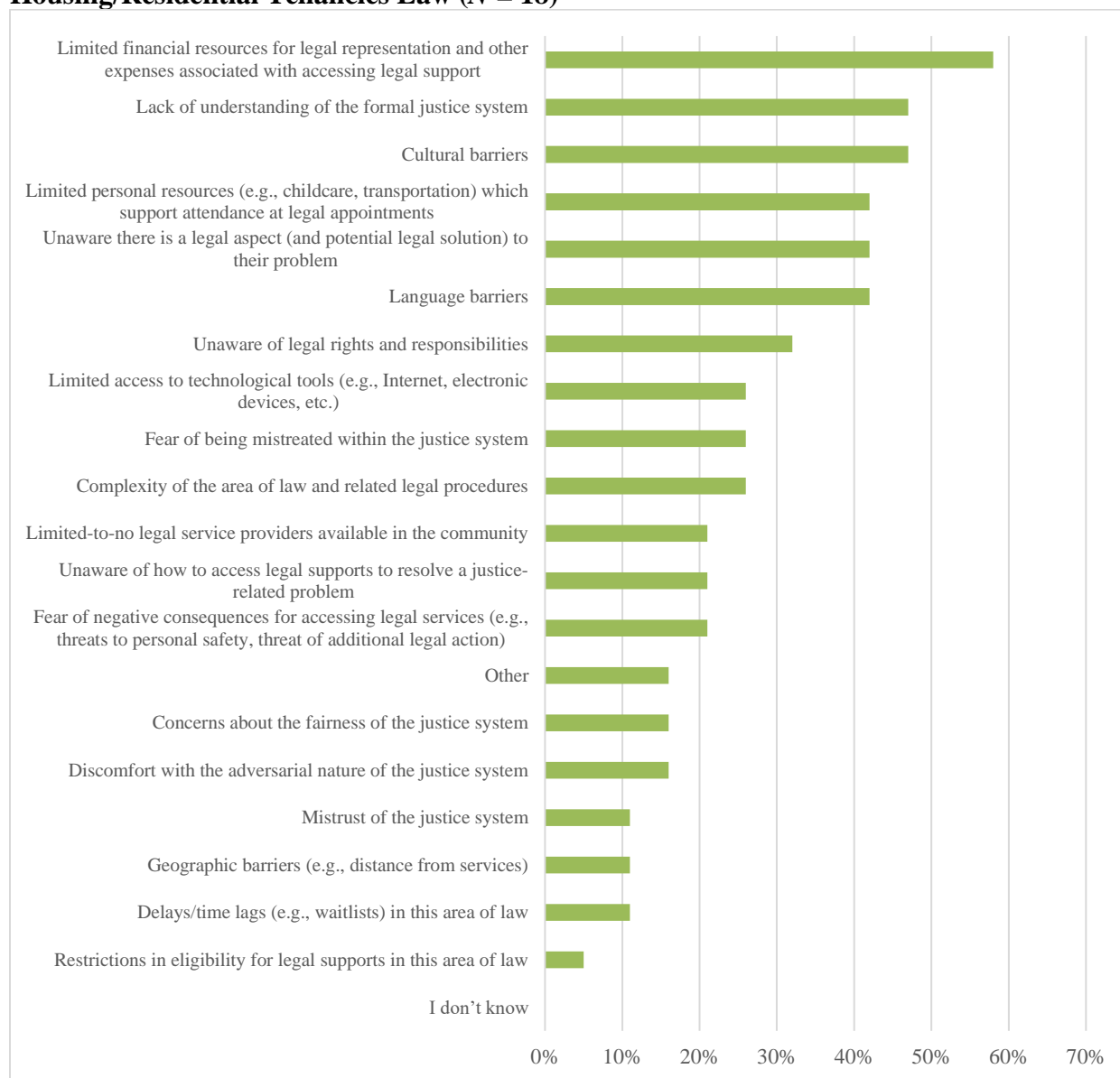
*“Lack of knowledge by Landlords of Tenant's rights under Cannabis legislation leading to unfair discrimination.”*

*“While many of these apply, it would seem that the greatest barriers are access to the technology to be able to participate (whether to submit documents or to appear at a hearing), and simply lack of regard for the decision-making process. I think that it is regularly the case that tenants will, for a number of reasons, choose to move out rather than to fight through a hearing process. One of the reason is, I think, that the ORT has a reputation for being strongly pro-landlord.”*

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<sup>103</sup> Data were missing on this survey item for 1 participant.

**Figure 30. Challenges Faced by Individuals in Accessing Services/Supports in Housing/Residential Tenancies Law (N = 18)**

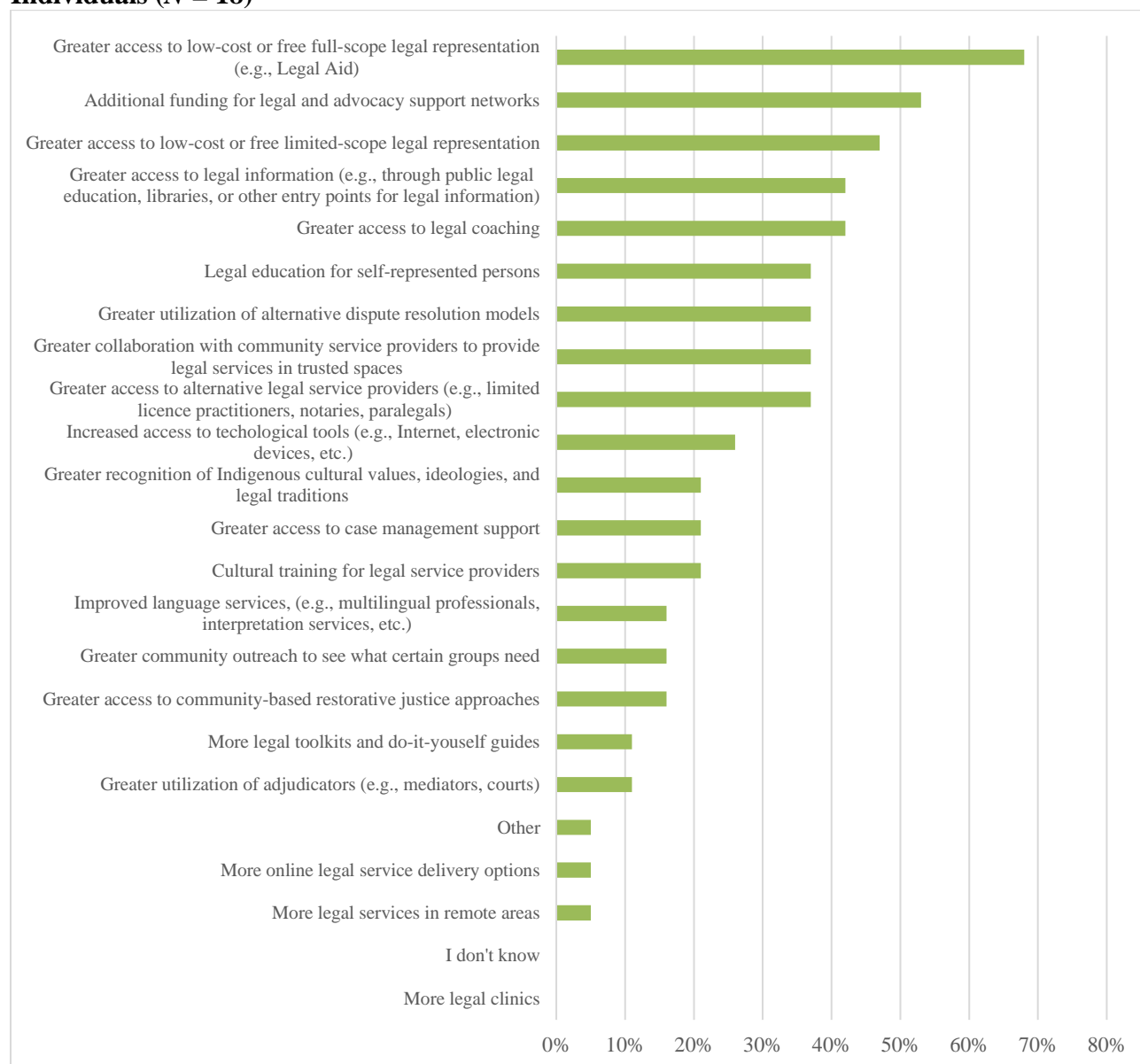


When it comes to things that should be done to make housing/residential tenancies law more accessible to individuals with legal needs in this area (see Figure 31), participants ( $n = 18$ )<sup>104</sup> suggested there should be greater access to low-cost or free full-scope legal representation (68%), followed by additional funding for legal and advocacy support networks (53%), and greater access to low-cost or free limited-scope legal representation (47%). Only one participant suggested “other” things should be done to make this area of law more accessible, which as detailed below.

<sup>104</sup> Data were missing on this survey item for 1 participant.

*“Again, don't forget about landlords. I have acted for clients where tenants, especially during the pandemic, didn't pay their rent and remedies were suspended, forcing the landlord into foreclosure. All of these legal services forget that landlords are often not wealthy and they can be victimized by the system as well. That's not to detract from the serious problems that tenants can face, but I think assistance should be available to all ... especially self-help kits and information.”*

**Figure 31. Strategies to Make Housing/Residential Tenancies Law More Accessible for Individuals (N = 18)**



## Open-Ended Perspectives on Areas of Law

Participants were provided the opportunity to share anything else they would like about the area(s) of law they believed were in demand in their community. A total of 50 individuals provided additional insights. Table 10 categorizes these perspectives according to the following themes: (1) system-based challenges; (2) funding/financing; (3) non-legal support/social services; and (4) cultural training and culturally appropriate services.

**Table 10. Participants' Additional Perspectives on the Area(s) of Law in Demand**

Major Themes	Participants' Perspectives
<p><b>System-Based Challenges</b></p>	<p><i>“They say small claims is ideal for self-reps. I beg to differ-- it is still too complicated for self-reps. The justice system's reputation for being unfair and random does not help either.”</i></p> <p><i>“I do believe that the percentage of unrepresented accused and plaintiffs will increase in the future, overburdening the justice system and resulting in unjust results for accused and plaintiffs. Legal coaching, with its lower fees and focus on providing persons who are capable with the tools they need to represent themselves effectively in court, including assistance with document preparation, will help solve these problems. This type of service requires lawyers, not victims services or that type of worker. It will be attractive to lawyers who are prepared to charge significantly lower fees and to put aside their egos.”</i></p> <p><i>“Legal aid should be expanded to include not just criminal cases and family law cases but damages law suits, class action law suits, wrongful conviction law suits, damages for improper and unsafe education -- for bullying victims, any sector really on the edge of developed and established law that makes members of the bar reluctant to take on such cases because of the amount of work involved especially in comparison to the prospect of compensation. eg. Class Actions where the potential damages are in the tens or hundreds of thousands rather than the tens or hundreds of millions.”</i></p> <p><i>“The main issue when people experience inequality in or inability to access to justice is the disconnect between the level of complexity in the legal system and the cost incurred because of that complexity. People should be able to have a sense if it is worth their pursuing the legal issue they have without fear that they are spending money</i></p>

Major Themes	Participants' Perspectives
	<p><i>only to find out they cannot obtain a satisfactory resolution or that they have to actually pay more than they believe they have lost. As a lawyer, I should not have to explain to my clients that if they go to court it is as reliable as gambling - even if the odds are in their favour, they still may not "win" (get the result they want). Private practice is a business. The cost to lawyers is high to run that business and the public who require the services do not have the ability to pay that cost. Personally, I think legal services should be as accessible as medical services."</i></p> <p><i>"Any issues with income assistance are all controlled by the government who has superior knowledge, resources and discretion, but who place the burden to argue against them on people whose position is precarious and who are extremely vulnerable and who are expected to act without any advocacy or support often, because the government who is fighting them won't fund any advocacy support. But people on social assistance most often cannot hire a lawyer at all and if they could, then the government would use that against them to show they got an overpayment of assistance. It's not a good or fair system."</i></p> <p><i>"I feel that part of the issue with housing also has to do with the way in which social services provides benefits to clients. This area of the law has not been dealt with much at all in our province and the social services decision making bodies act without any real understanding of the law and procedural fairness."</i></p> <p><i>"Our judges are emphasizing mandatory ADR before court applications can be brought and there is a concern that this is decreasing effective access to justice. A party can prevent court applications by taking steps to delay or avoid the mandatory ADR sessions and our judges are far too hesitant to grant exemptions when needed."</i></p> <p><i>"Our litigation/court process is broken. It is too costly and procedural. I recall when they brought in mandatory mediation. This may work sometimes but often, it is just another roadblock in the way. It adds cost to the process and adds process and time. One does not get fair value for it."</i></p>

Major Themes	Participants' Perspectives
	<p><i>“It is more profitable for many lawyers to practice in areas where non-lawyers do the bulk of the work. Real Estate is a prime example. Allowing non-lawyers to operate in solicitor-style areas of law will reduce the profitability of those areas, thereby encouraging lawyers to focus on litigation. This increases access to legal professionals in Family Law.”</i></p> <p><i>“I just strongly question the logic and effectiveness of a traditional trial process in everyday disputes involving everyday people.”</i></p> <p><i>“We are in an age of "plenty of clients" so lawyers don't need to take "loser cases" (ie ones that won't pay). Firms place a lot of pressure on receipts, billables, etc. so cases that are just and right to take on morally do not fit the mold within firms and are often forbidden.”</i></p> <p><i>“In smaller communities and rural practices, litigation conflicts lawyers out of too many clients. Thus, many don't want to practice in the area, especially when there is already a limited client base. Large cities don't have this issue to the same extent.”</i></p> <p><i>“In general my experience points to situations where government decision-makers whose decisions affect the most vulnerable in our society are generally immune from oversight. This would include prison decision-makers, police decision-makers and social assistance decision-makers. The problem is that, in the absence of oversight, these different decision-makers make decisions in a way and with a result of impacting negatively the most vulnerable in our society. In other words, the effect is that racialized groups, people living with disabilities and other who are systemically disadvantaged and then further disadvantaged.”</i></p> <p><i>“Rural communities are facing a shrinking lawyer pool which will severely impact access to justice for those living in those areas. Additionally other services used in conjunction with the court system are lacking. For example in Yorkton there is no one on the minister's list for family mediation, so anyone needing those services is looking to Regina or Saskatoon for providers.”</i></p>



Major Themes	Participants' Perspectives
	<p><i>“If you can find a way to make Crim more profitable and palatable, more lawyers would do it. Law is a market like any other. I don't know of any simple solution to that problem.”</i></p>
<p><b>Funding/Financing</b></p>	<p><i>“Fund legal aid appropriately. This is the quickest, simplest solution.”</i></p> <p><i>“It has been my experience and is my opinion that the reduction in legal aid funding and accessibility given the rising cost of living will have a far more drastic effect on the ability of the average person to retain criminal defence and family law representation as a single factor, than most of the other factors listed in this survey.”</i></p> <p><i>“Legal Aid income cutoffs and coverage areas are extremely restrictive. Given the legal needs of the province, Legal Aid's funding levels are pathetic. The notion that someone working full time on minimum wage can't access Legal Aid is an embarrassment to the province. Legal Aid does excellent work for its monumental task and low funding.”</i></p> <p><i>“Legal aid needs to expand services and increase eligibility greatly.”</i></p> <p><i>“Limitations on eligibility for Legal Aid and Court-appointed counsel have a significant effect on the ability of many people in our community with legal issues to access supports, particularly in criminal, family services, and family law matters.”</i></p> <p><i>“Greater funding for legal aid.”</i></p> <p><i>“I see the following shortcomings of legal aid in the criminal Justice system in the community: 1. The eligibility income threshold is very low. People are denied services, but do not have enough income to afford a private criminal law lawyer. People may apply for court appointed counsel only after they have appealed the denial of services to legal aid head office and the appeal has been denied. 2. Legal Aid has said that they will not represent people if Crown counsel indicate up</i></p>

Major Themes	Participants' Perspectives
	<p><i>front that potential jail is not in the sentencing range if convicted.”</i></p> <p><i>“Family services is also underserved, particularly for those above the Legal Aid threshold but making a working class wage.”</i></p> <p><i>“Encouraging self-representation leads to disaster - if we fund supports correctly they will not have to represent themselves.”</i></p> <p><i>“All lawyers should be encouraged or even required to provide a certain amount of free or reduced-cost services in the community. In the areas of environment and natural resources and municipal law, the legal community could reach out to the many groups and individuals out there in the community to provide assistance.”</i></p> <p><i>“There is a large French immigrant population who are low income and need help in family law and immigration matters.”</i></p> <p><i>“People show up in criminal courts all the time stating [they] cannot afford private bar and legal aid turned them down. This is a daily occurrence and over the course of a 27 year career, it has become epidemic. It is daily in docket court in our small rural area.”</i></p>
<p><b>Non-Legal Support/Social Services</b></p>	<p><i>“The time and energy needed to represent those most in need of assistance is a deterrent for practitioners who have to balance time and related costs in their practices. People need counseling, anger management, communications, addictions, mental health assistance as much if not more than legal assistance. The need for that assistance leads to the need for legal assistance.”</i></p> <p><i>“I chose housing because without secure housing there is no ability to address the other legal crises in their lives. The homelessness situation in urban settings has been exacerbated by recent program changes to social benefits.”</i></p> <p><i>“There is a need to increase capacity to connect accused with mental health services.”</i></p>

Major Themes	Participants' Perspectives
	<p><i>“Especially in criminal law in rural areas there is a large lack of services that address the underlying problem. Probation services rely heavily on telephone contact, which is a barrier to many of my clients. Often times the burden placed on those in the justice system is something that is either difficult or impossible for them to meet due to outside factors such as poverty, housing instability, and medical/addiction issues. The criminal justice system needs to be more integrated with supports that allow for the underlying causes to be addressed.”</i></p> <p><i>“Saskatchewan is lagging behind other provinces in the provision of actual services for poor people. Those service providers that do exist are overburdened and underfunded.”</i></p> <p><i>“Most of this area of law could be well addressed through limited scope services or alternative service providers. There are some service organizations which have created resources to help people plan for their estate distribution and funeral in a very practical way. This resource could mesh nicely with legal service providers providing the legal information and advice piece, and drafting wills or court application documents with respect to estates. The legal piece is actually smaller than most people assume. There isn't enough collaboration between legal service providers and others who provide relevant and related supports.”</i></p>
<p><b>Cultural Training and Culturally Appropriate Services</b></p>	<p><i>“I appreciate the increased CPD offerings by both the LSS and CBA in the area of indigenous issues but we need full day intensive training offered to fully educate legal service providers of the barriers and complex issues that indigenous people in our Province face. One hour webinars is not enough. It will take years to get the majority of lawyers up to speed at that pace.”</i></p> <p><i>“There are not enough services available to First Nation members who are in conflict with their own Nation because most lawyers practising in Indigenous law would be conflicted out by representing the Nations themselves. More culturally appropriate services are needed to ensure that First Nation members are able to seek</i></p>

Major Themes	Participants' Perspectives
	<i>redress against their Nations for aspects of First Nation governance and service delivery.</i> "

### 4.2.3. Social Groups Served

Participants ( $n = 238$ )<sup>105</sup> identified three social groups they believed were in need of legal support(s) but are not being adequately served in their community (see Figure 32). The top five social groups that were most endorsed included low income earners (42%), Indigenous peoples (23%), persons with mental illness (22%), unemployed/economically inactive persons (21%), and immigrants/newcomers/refugees (17%). In addition, 3% ( $n = 9$ ) of participants suggested “other” social groups were in need of legal support(s) but are not being adequately served. These perceptions are detailed below.

*“Faith groups...”*

*“Any marginalized group of people.”*

*“First Nations community leaders.”*

*“The legal system works to protect the systems of power and privilege that exist in our society. In other words, it works for the privileged and works against the interests of those that live in a situation of disadvantage. In general, the greater the disadvantage, the less the legal system will offer support and benefits to them.”*

*“Half of these categories could be the answer.”*

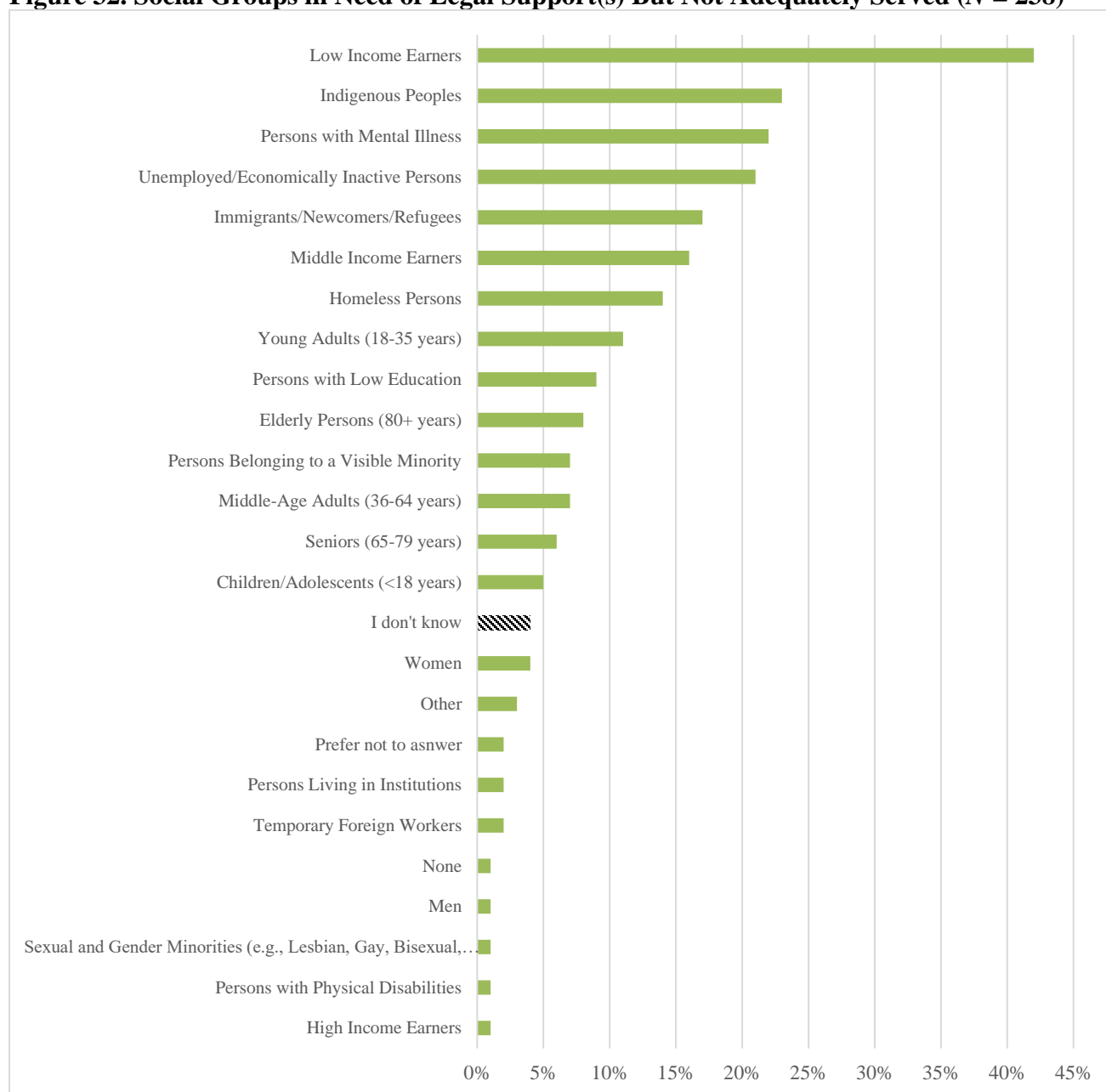
*“The need for adequate legal supports regarding medical negligence on behalf of plaintiffs.”*

*“Those with addictions.”*

*“Traditionally and actually disadvantaged groups.”*

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<sup>105</sup> Data were missing on this survey item for 34 participants.

**Figure 32. Social Groups in Need of Legal Support(s) But Not Adequately Served (N = 238)**

Of the three social groups participants identified as being in need of legal support(s) but not being adequately served, they were further asked to select one social group they believed were *most* in need of legal support(s) in their community (see Figure 33). Among the 235 participants who provided a response to this survey item, the top three social groups that were identified were low income earners (25%), Indigenous peoples (10%), and persons with mental illness (8%). An additional 3% ( $n = 7$ ) of participants noted that an “other” social group was most in need of legal supports but not adequately served in the community. These participants’ perceptions are provided below.

*“People from traditionally and actually disadvantaged groups.”*

*“While my initial response was “Indigenous Peoples”, they can access Legal Aid Services. Those individuals who are low income earners, however, do not qualify for Legal Aid services, but cannot afford to retain counsel. The eligibility guidelines to qualify for Legal Aid are unreasonably low.”*

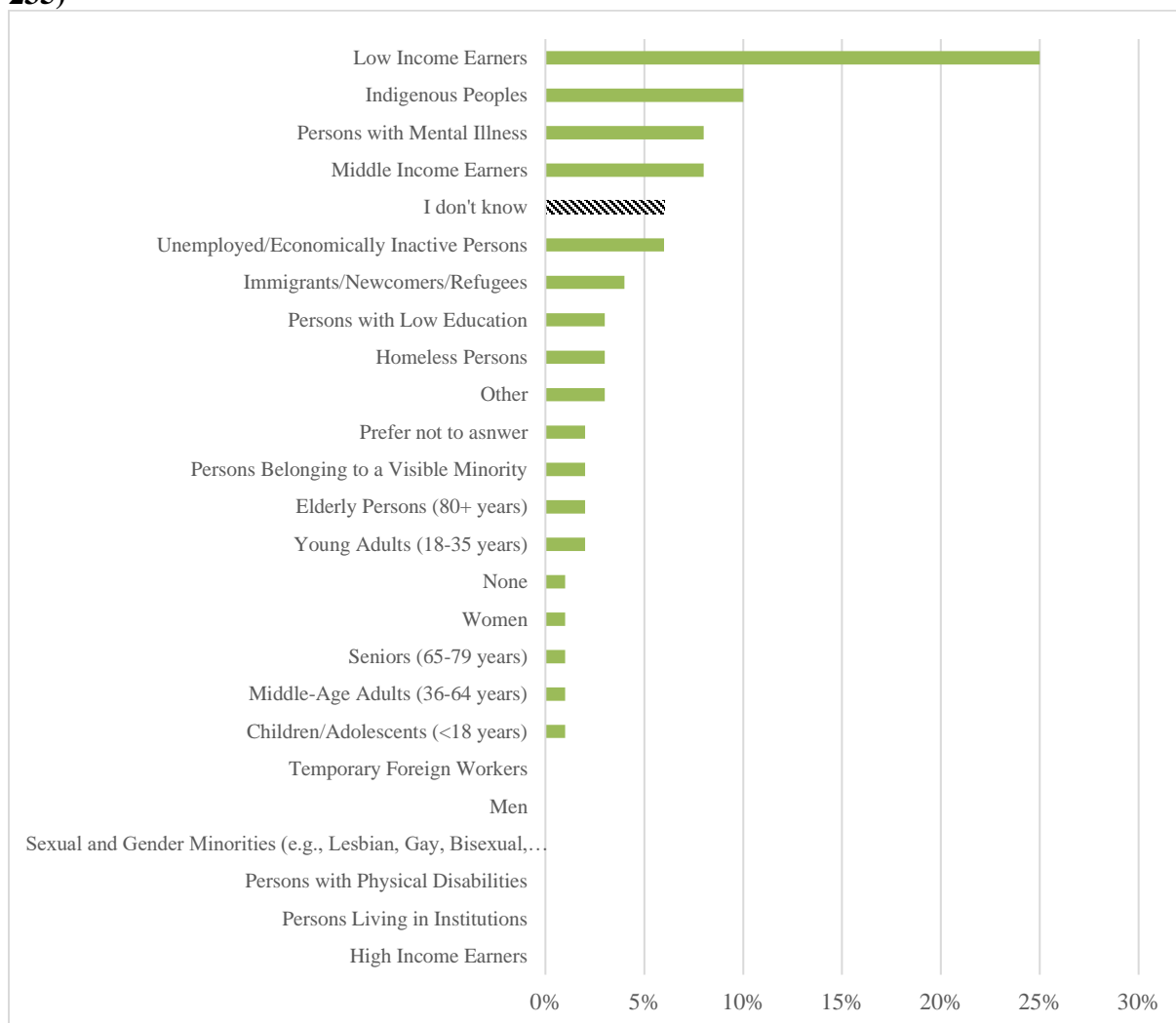
*“As previously stated it is widespread throughout society.”*

*“So many groups are not being served, I would not dare to choose only one.”*

*“Those that are systemically and traditionally disadvantaged.”*

*“Marginalized groups.”*

**Figure 33. Social Group Most in Need of Legal Support(s) But Not Adequately Served (N = 235)**



Similar to the previous section concerned with areas of law ([Section 4.2.2](#)), based on participants' responses regarding the one social group they believed was *most* in need of legal supports but not being adequately served, they were presented with a series of follow-up questions. These follow-up questions generally asked about the barriers to accessing services and supports for the particular social group and potential solutions for increasing accessibility. The remainder of this section presents findings for these follow-up questions according to the three top social groups identified as being most in need of legal support(s) in Saskatchewan communities.

### ***Barriers and Facilitators for Accessing Legal Supports for Low Income Earners***

Those who identified low income earners as the social group most in need of legal supports were asked why they believed legal service providers are not able to adequately offer support(s) to this group (see Figure 34). Among the 64 participants<sup>106</sup> who provided a response to this question, a large majority suggested the primary reason is that free or government-subsidized services (e.g., Legal Aid) are not adequately available to provide legal support(s) to this group (84%), followed by a lack of capacity among legal service providers to meet this group's legal needs (27%). In addition, approximately 13% ( $n = 9$ ) of participants identified "other" barriers that impact the provision of legal services and support(s) for low income earners. These perceptions are further detailed below.

*"Lack of willingness among lawyers to charge reduced fees for providing services so that it is affordable for low income earners. It is simply too expensive."*

*"Although legal aid is available to some low-earners, it is not available to all. Additionally, legal aid does not deal with property issues with respect to family law. Which results in low-earners not being able to be represented as some cannot afford private counsel."*

*"I cannot work for free and this group cannot afford a lawyer and are too rich for legal aid. They need some type of help to obtain legal, collaborative or mediation services."*

*"The court process is too costly."*

*"This group, which includes many of the groups identified in the last question, ie. immigrants and people with mental illness or addiction, etc. falls through the cracks because they don't qualify for Legal Aid and can't afford private counsel. Legal clinics are great, but not having someone to attend court with you isn't a great option."*

*"The work is often too complex to do for the resources which clients can pay."*

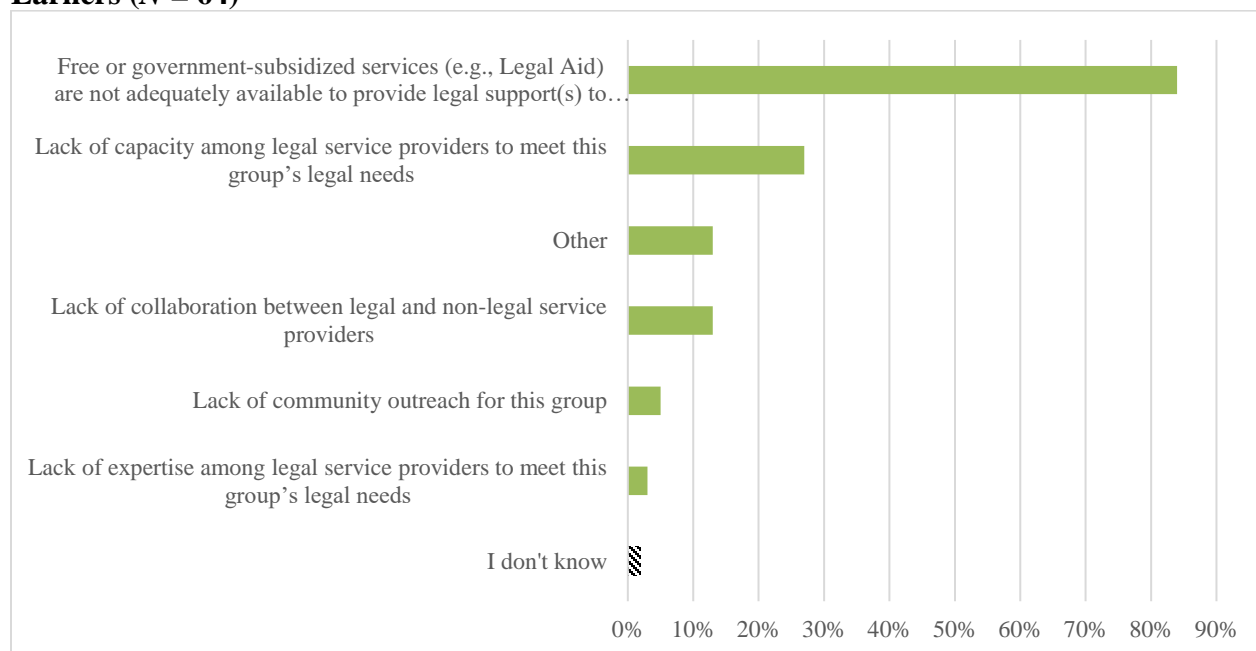
*"It is not profitable for private lawyers to serve this group."*

*"Lawyer cannot offer rates low enough to be affordable to Low Income Earners."*

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<sup>106</sup> Data were missing on this survey item for 3 participants.

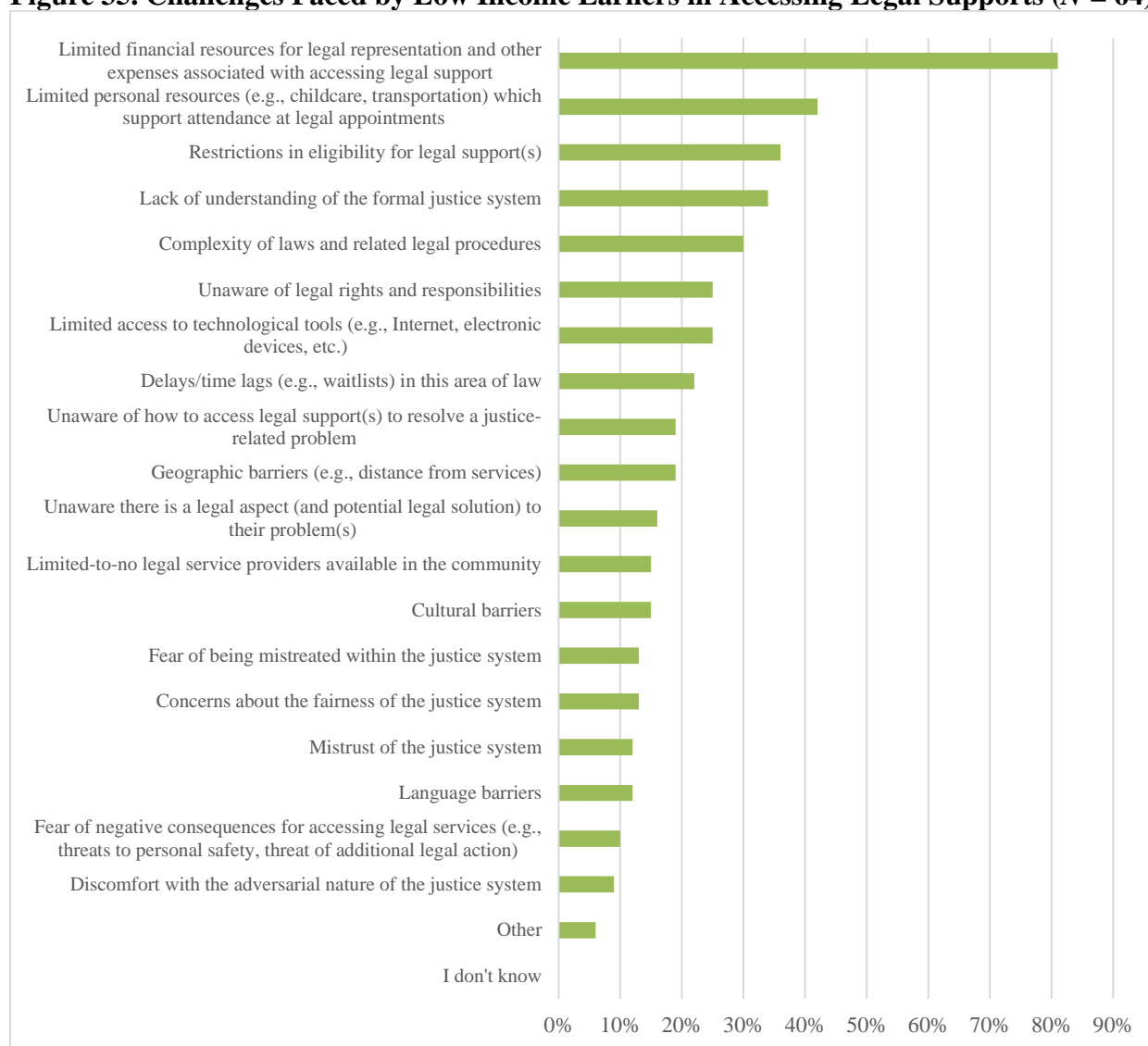
**Figure 34. Factors that Impact the Provision of Legal Services/Supports for Low Income Earners (N = 64)**



With respect to the factors that make it difficult for low income earners to access the legal support(s) they require (see Figure 35), unsurprisingly, participants ( $n = 64$ )<sup>107</sup> suggested that this social group has limited financial resources for legal representation and other expenses associated with accessing legal support (81%), in addition to limited personal resources (e.g., childcare, transportation) which support attendance at legal appointments (42%), and restrictions in eligibility for legal support(s). A total of four participants suggested there are “other” difficulties low income earners face with respect to accessing legal support, which primarily centred around the high cost of services and restrictions on eligibility for Legal Aid (e.g., making too much to qualify for Legal Aid, but not enough to afford a lawyer).

<sup>107</sup> Data were missing on this survey item for 3 participants.



**Figure 35. Challenges Faced by Low Income Earners in Accessing Legal Supports (N = 64)**

In terms of things that should be done to make the legal support(s) low income earners need more accessible (see Figure 36), participants ( $n = 64$ )<sup>108</sup> suggested there should be greater access to low-cost or free full-scope (70%) and limited-scope (61%) legal representation, as well as additional funding for legal and advocacy support networks (51%). A total of five participants suggested “other” things should be done to make the legal support(s) this groups need more accessible, which are highlighted below.

*“Lowering the legal aid income criteria.”*

*“Expand Legal Aid and increase the threshold for income.”*

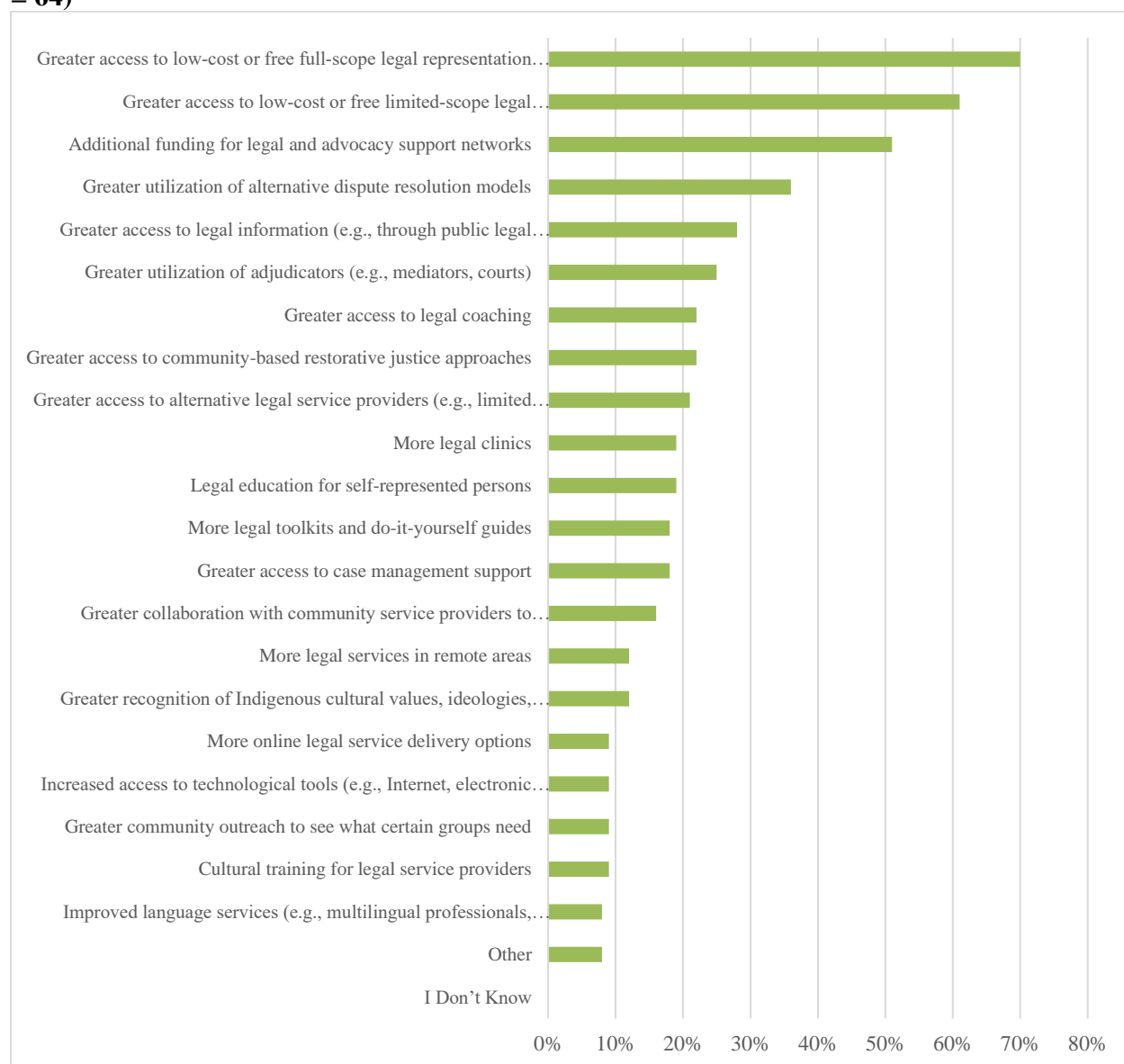
*“Need gov’t subsidy to access collaborative process.”*

<sup>108</sup> Data were missing on this survey item for 3 participants.

*“Force lawyers to abandon billable hour and give fixed estimates and quotes like a plumber, mechanic, etc.”*

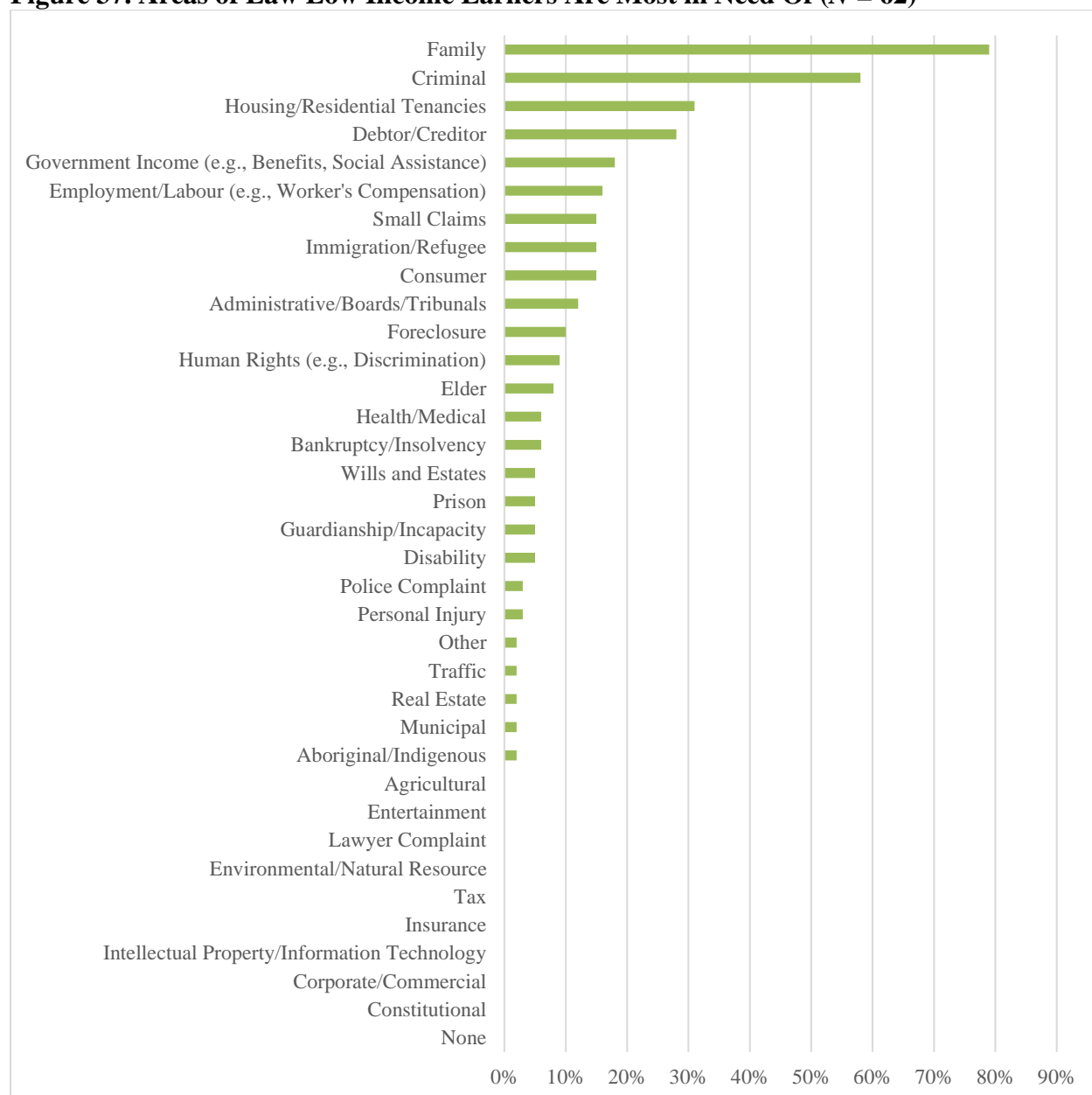
*“While alternative dispute resolution is part of it, the family law system needs to be completely re-thought to reflect the needs of stakeholders. Right now it is more often used [as] a weapon by one spouse against the other rather than a way of ending a relationship.”*

**Figure 36. Strategies to Make Legal Supports More Accessible to Low Income Earners (N = 64)**



Furthermore, participants were asked about the areas of law that low income earners are most in need of (see Figure 37). Among the 62 participants<sup>109</sup> that provided their perspective on this question, it was indicated that the areas of law needed by low income earners included family (79%), criminal (58%), housing/residential tenancies (31%), debtor/creditor (28%), and government income (e.g., benefits, social assistance) (18%). Only one participant suggested “other” areas of law are needed by low income earners, which fell within family law (i.e., “family services”).

**Figure 37. Areas of Law Low Income Earners Are Most in Need Of (N = 62)**



<sup>109</sup> Data were missing on this survey item for 5 participants.

Following up on the previous question concerning the areas of law low income earners are most in need of, participants ( $n = 64$ )<sup>110</sup> were asked to provide their insights on what should be done to better provide low income earners the areas of law they need (see Figure 38). In this case, the top three suggestions included increasing the availability of free or government-subsidized services (e.g., Legal Aid) in the area(s) of law they need (79%), as well as additional resourcing (e.g., funding, personnel, etc.) dedicated to service provision in the area(s) of law this group needs (64%), and increased utilization of alternative billing arrangements (e.g., flat fee, co-pay systems) in the area(s) of law needed (37%). Among the four participants who selected “other,” several thoughts are highlighted below.

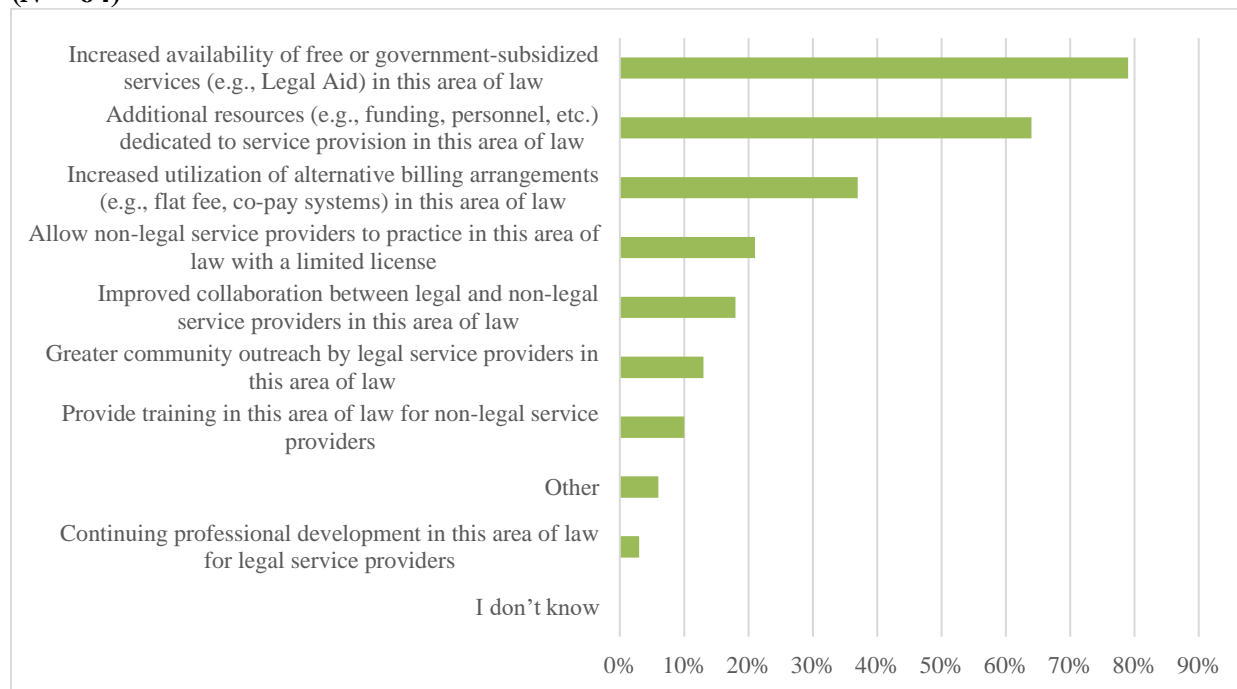
*“Private firms can only do so much due to the costs involved.”*

*“Simplify the court process to make it more affordable and faster.”*

*“Simplify processes.”*

*“Too often the legal system is just not built for low income people. We need to re-think how to get meaningful solutions.”*

**Figure 38. Strategies to Better Provide Low Income Earners the Areas of Law They Need (N = 64)**



### ***Barriers and Facilitators for Accessing Legal Supports for Indigenous Peoples***

Those who identified Indigenous peoples as the social group most in need of legal supports were asked why they believed legal service providers are not able to adequately offer support(s) to this

<sup>110</sup> Data were missing on this survey item for 3 participants.

group (see Figure 39). Among the 26 participants<sup>111</sup> who provided a response to this question, most indicated the primary reason is that free or government-subsidized services (e.g., Legal Aid) are not adequately available to provide legal support(s) to this group (67%), followed by a lack of collaboration between legal and non-legal service providers (59%), and a lack of capacity among legal service providers to meet this group’s legal needs (56%). In addition, four participants identified “other” barriers that impact the provision of legal services and support(s) for Indigenous peoples. These insights are detailed below.

*“I am not referring specifically to First Nations or Bands in this answer, but to individual Indigenous persons. Systemic discrimination throughout the justice system is also a factor, in addition to poverty and other issues.”*

*“Lack of availability where Indigenous people are; lack of trust by Indigenous people; lack of funding.”*

*“The historical alienation and current treatment of aboriginal and indigenous persons by the criminal justice system has caused a deep (and earned) distrust of the system in general. As well in northern communities where Cree/Dene, or other languages are spoken interpreters are difficult to obtain for both meetings with counsel, as well as court proceedings in general.”*

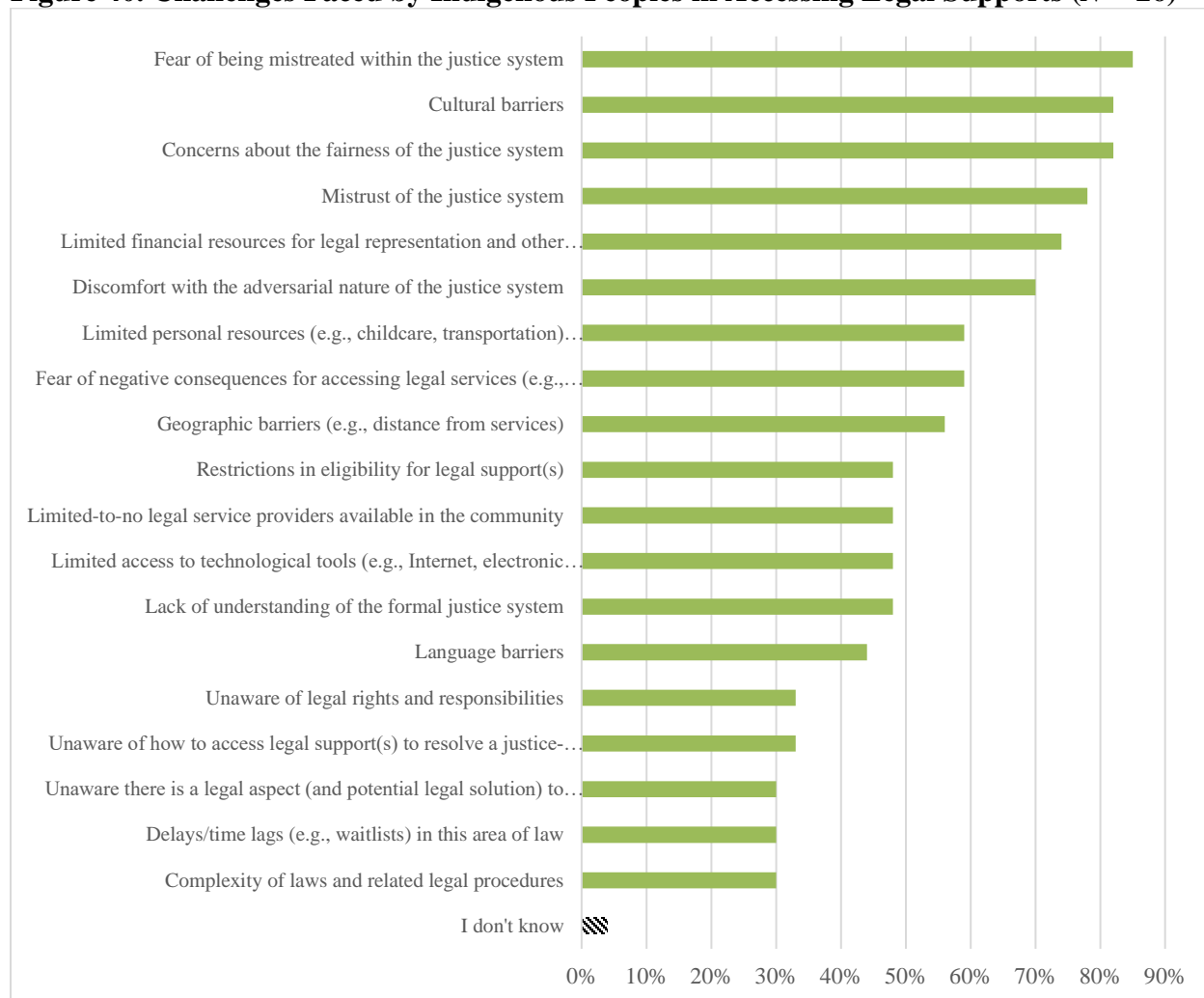
**Figure 39. Factors that Impact the Provision of Legal Services/Supports for Indigenous Peoples (N = 26)**



<sup>111</sup> Data were missing on this survey item for 1 participant.

In terms of factors that make it difficult for Indigenous peoples to access the legal support(s) they require (see Figure 40), participants ( $n = 26$ )<sup>112</sup> primarily suggested that this social group experiences fear of being mistreated within the justice system (85%), cultural barriers (82%), as well as concerns about the fairness of the justice system (82%). Only one participant suggested there are “other” difficulties Indigenous peoples face with respect to accessing legal support; however, they did not further specify.

**Figure 40. Challenges Faced by Indigenous Peoples in Accessing Legal Supports ( $N = 26$ )**



Concerning the things that should be done to make the legal support(s) Indigenous peoples need more accessible (see Figure 41), participants ( $n = 26$ )<sup>113</sup> indicated there should be cultural training for legal service providers (78%), as well as greater recognition of Indigenous cultural values, ideologies, and legal traditions (74%), and additional funding for legal and advocacy support networks (70%). Only two participants further suggested “other” things should be done to make the legal support(s) this groups need more accessible, which are highlighted below.

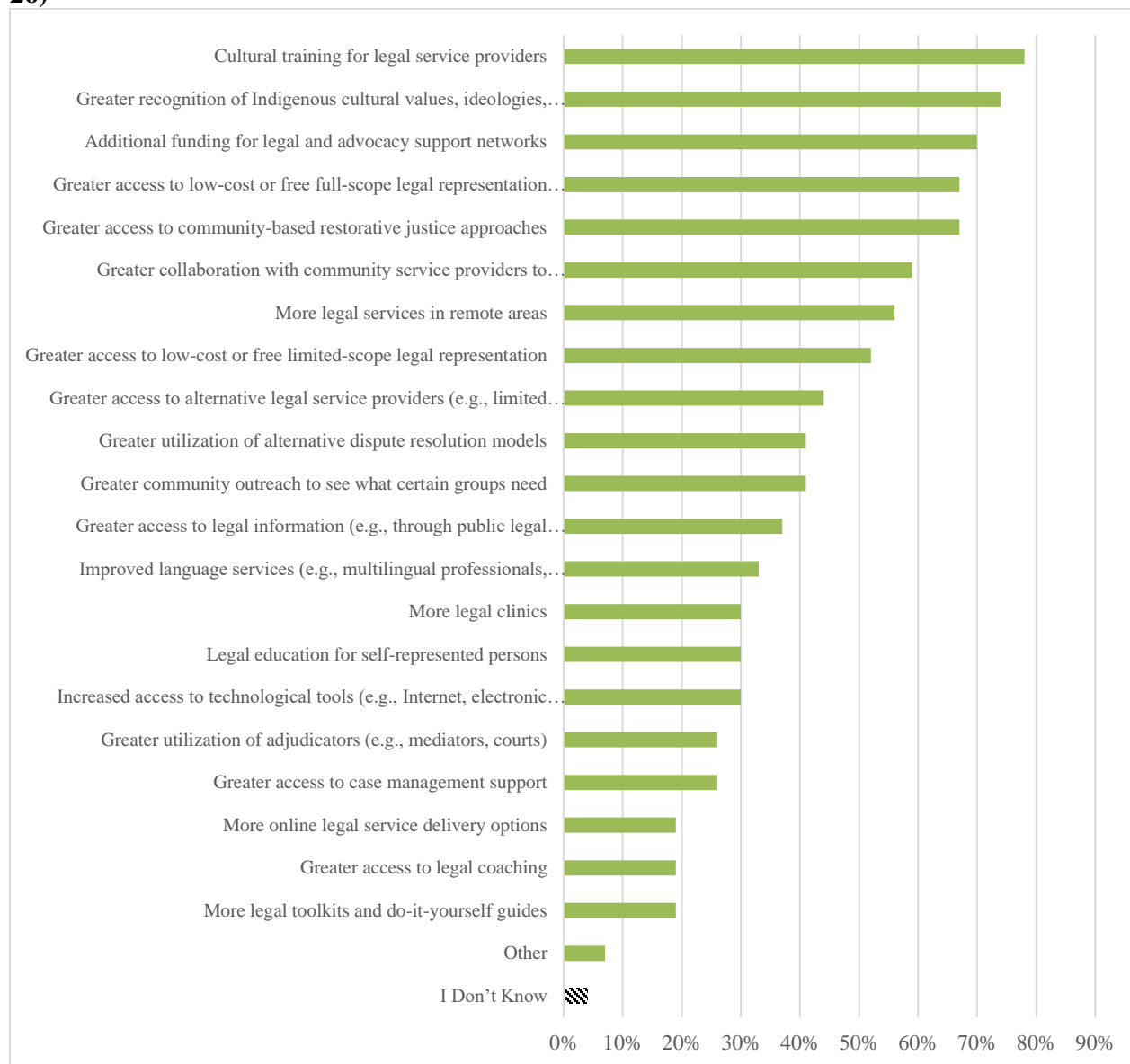
<sup>112</sup> Data were missing on this survey item for 1 participant.

<sup>113</sup> Data were missing on this survey item for 1 participant.

*“Better cultural and anti-discrimination training for police, prosecutors, and judges.”*

*“Systems changes to the current legal systems.”*

**Figure 41. Strategies to Make Legal Supports More Accessible to Indigenous Peoples (N = 26)**

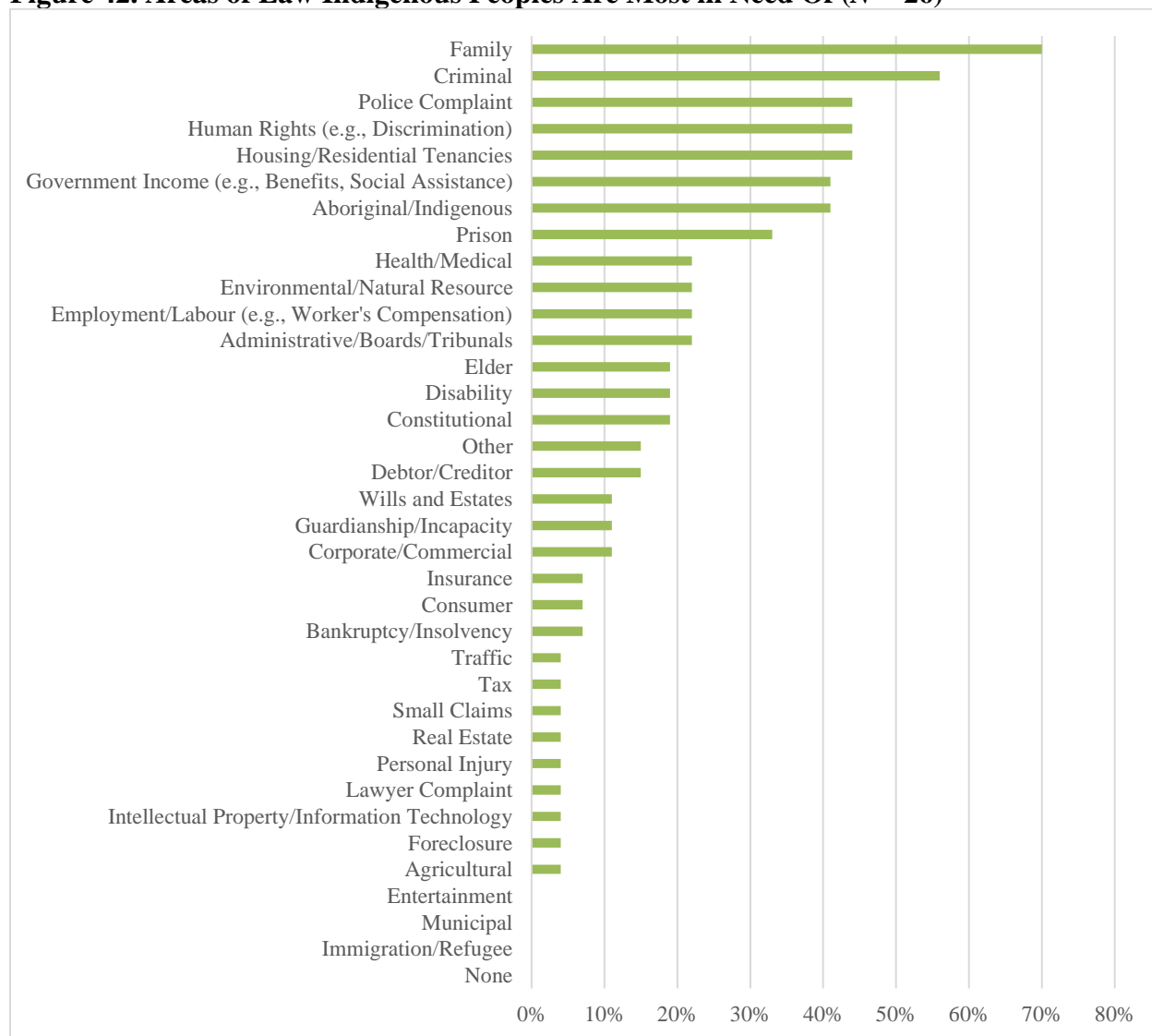


Among the 26 participants<sup>114</sup> that provided their perspective on the areas of law that Indigenous peoples are most in need of (see Figure 42), it was suggested that this social group primarily required legal services in the following top five areas of law: family (70%); criminal (56%); police complaint (44%); human rights (e.g., discrimination) (44%); and housing/residential tenancies (44%). Four participants suggested “other” areas of law are needed by Indigenous

<sup>114</sup> Data were missing on this survey item for 1 participant.

peoples, which included children protection ( $n = 1$ ), family services ( $n = 1$ ), and Federal Court litigation ( $n = 1$ ). One participant further noted that they were unable to provide a response to this question as they cannot speak for the experiences of Indigenous peoples, especially concerning the justice system.

**Figure 42. Areas of Law Indigenous Peoples Are Most in Need Of ( $N = 26$ )**



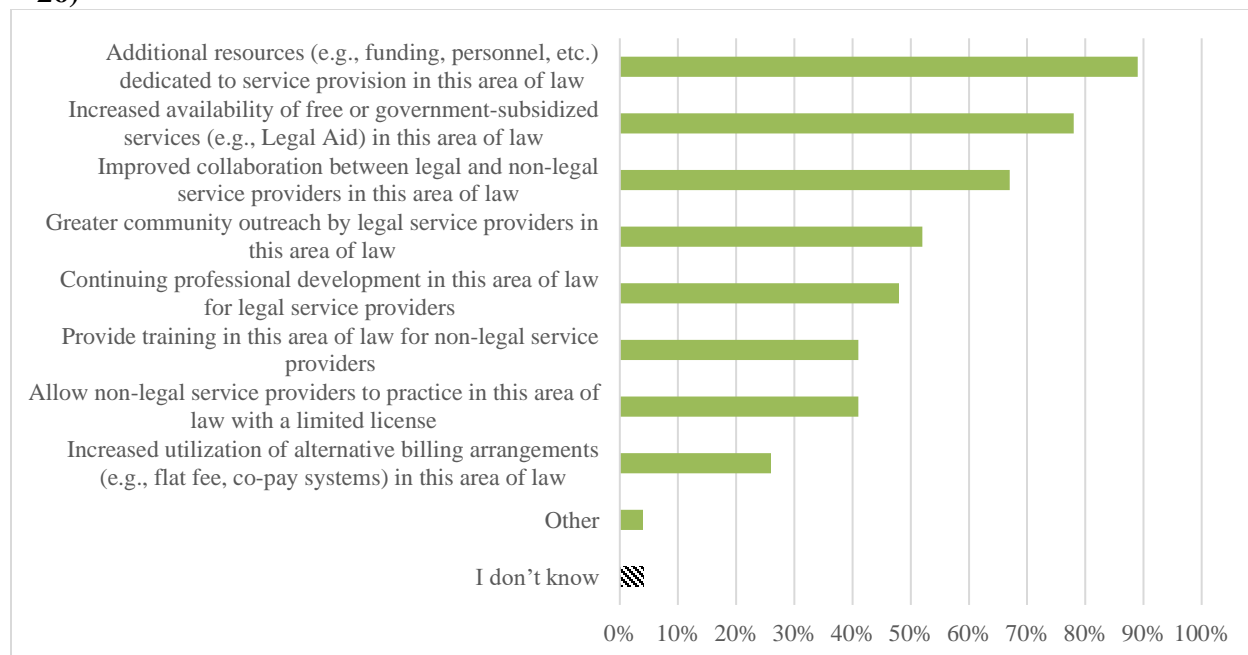
Following from the previous question concerning the areas of law Indigenous peoples are most in need of, participants ( $n = 26$ )<sup>115</sup> were asked to provide their opinion on what should be done to better provide Indigenous peoples the areas of law they need (see Figure 43). In this case, the top three suggestions included additional resourcing (e.g., funding, personnel, etc.) dedicated to service provision in the areas of law they need (89%), increased availability of free or government-subsidized services (e.g., Legal Aid) in the areas of law they need (78%), and improved collaboration between legal and non-legal service providers in the areas of law they

<sup>115</sup> Data were missing on this survey item for 1 participant.



need (67%). Only one participant selected “other,” suggesting that law school should focus more on this complex area.

**Figure 43. Strategies to Better Provide Indigenous Peoples the Areas of Law They Need (N = 26)**



### ***Barriers and Facilitators for Accessing Legal Supports for Persons with Mental Illness***

Among those who identified persons with mental illness as the social group most in need of legal supports ( $n = 22$ ), each of these participants provided their perspective on why they believed legal service providers are not able to adequately offer support(s) to this group (see Figure 44). In this case, a majority suggested the primary reason is a lack of expertise among legal service providers to meet this group's legal needs (68%), a lack of capacity among legal service providers to meet this group's legal needs (55%), and a lack of collaboration between legal and non-legal service providers (41%). In addition, four participants identified “other” barriers that impact the provision of legal services and support(s) for persons with mental illness. These insights are detailed below.

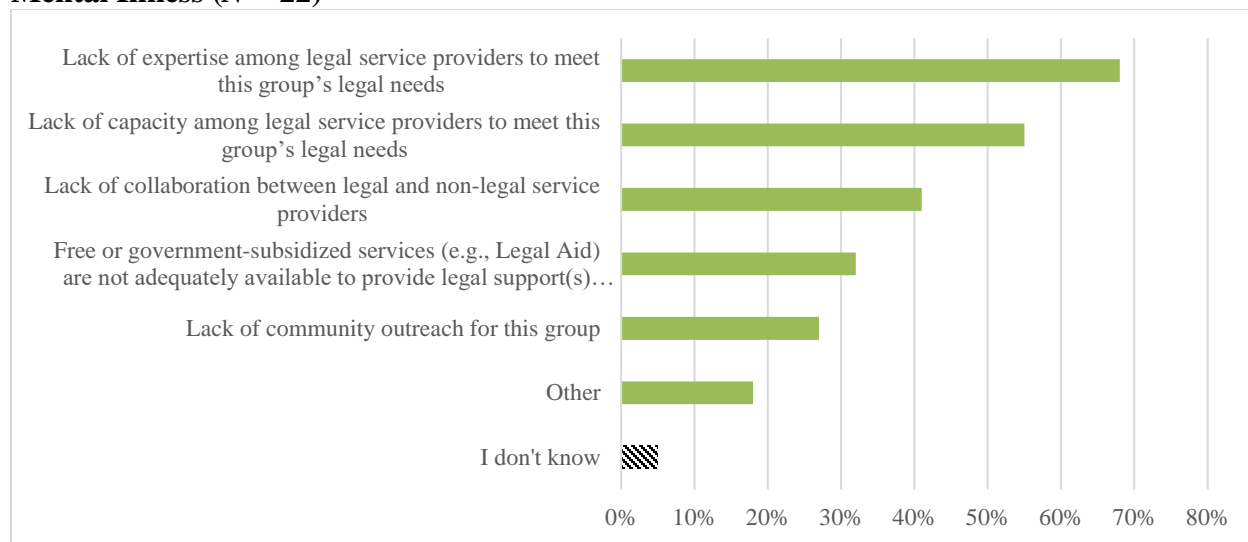
*“The system exacerbates their issues. severe lack of education on the part of the profession and especially judges.”*

*“People with mental health issues have difficulty obtaining the resources they need for their mental health. Legal professionals often do not have the training to appropriately manage persons with mental health issues. Sometimes people with mental health issues are not aware of their issues and are unable to communicate what they need.”*

*“Lack of resources to do court assessments in a timely manner or to provide services to people with mental health in general such that the individuals come into conflict with the Criminal Justice System.”*

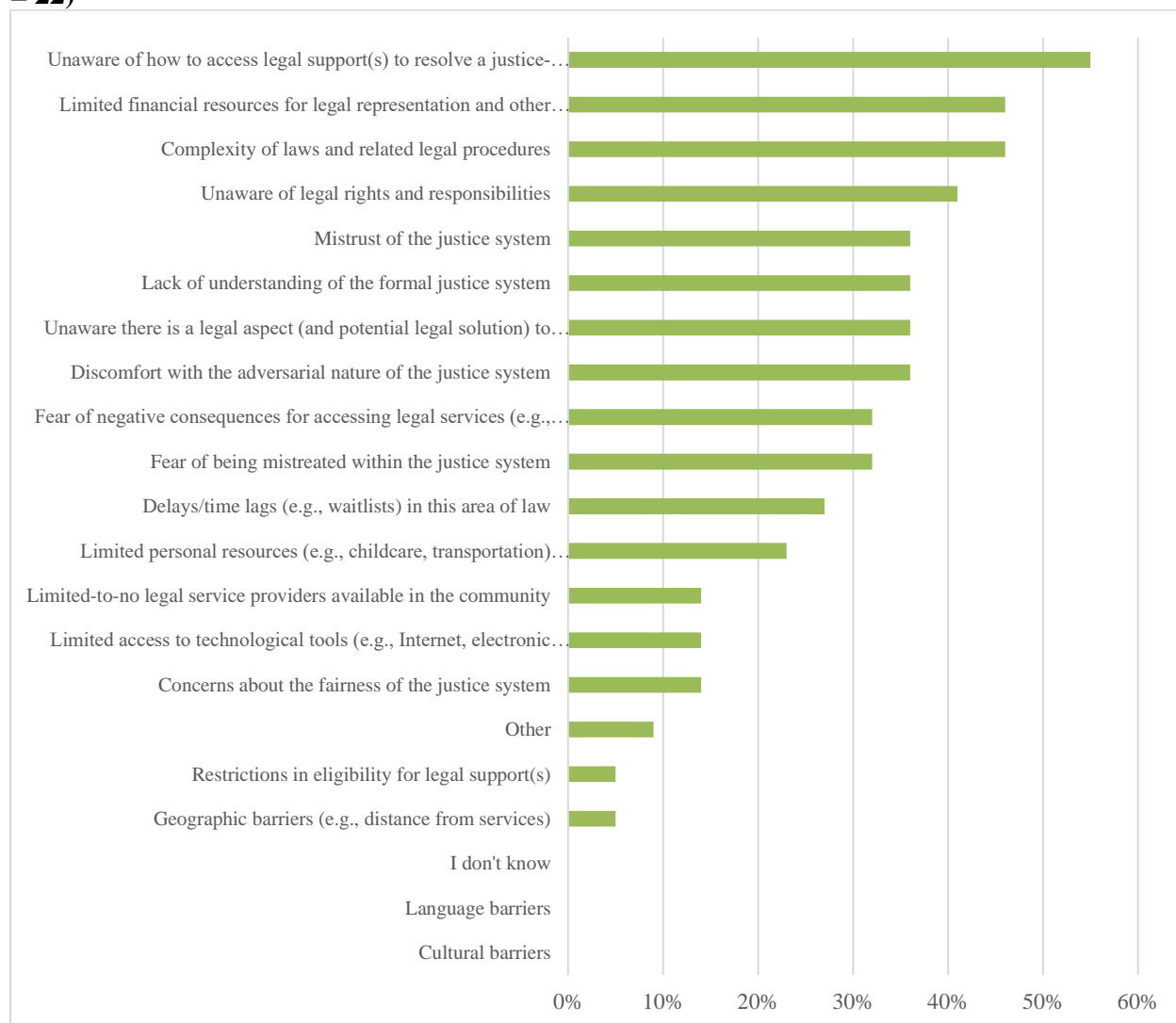
*“The stigma of mental health issues.”*

**Figure 44. Factors that Impact the Provision of Legal Services/Supports for Persons with Mental Illness (N = 22)**



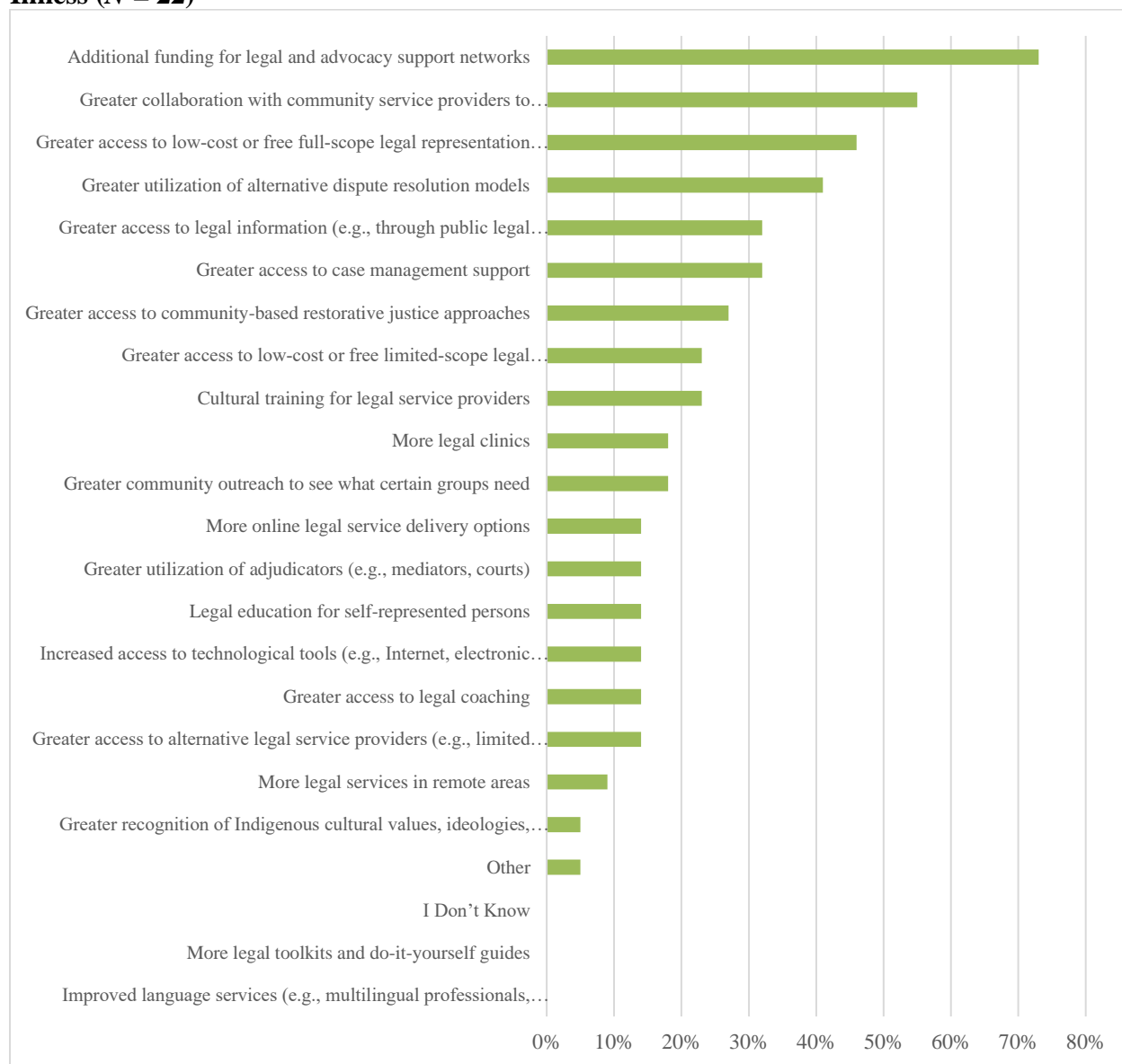
With respect to the factors that make it difficult for persons with mental illness to access the legal support(s) they require (see Figure 45), participants ( $n = 22$ ) largely indicated that this social group is unaware of how to access legal support(s) to resolve a justice-related problem (55%) and have limited financial resources for legal representation and other expenses associated with accessing legal support (46%), as well as the complexity of laws and related legal procedures (46%). Two participants suggested there are “other” difficulties persons with mental illness face with respect to accessing legal support, which included the fact that barriers vary depending on the mental health and legal issues ( $n = 1$ ) and the general fact that they are living with a mental illness ( $n = 1$ ).

**Figure 45. Challenges Faced by Persons with Mental Illness in Accessing Legal Supports ( $N = 22$ )**

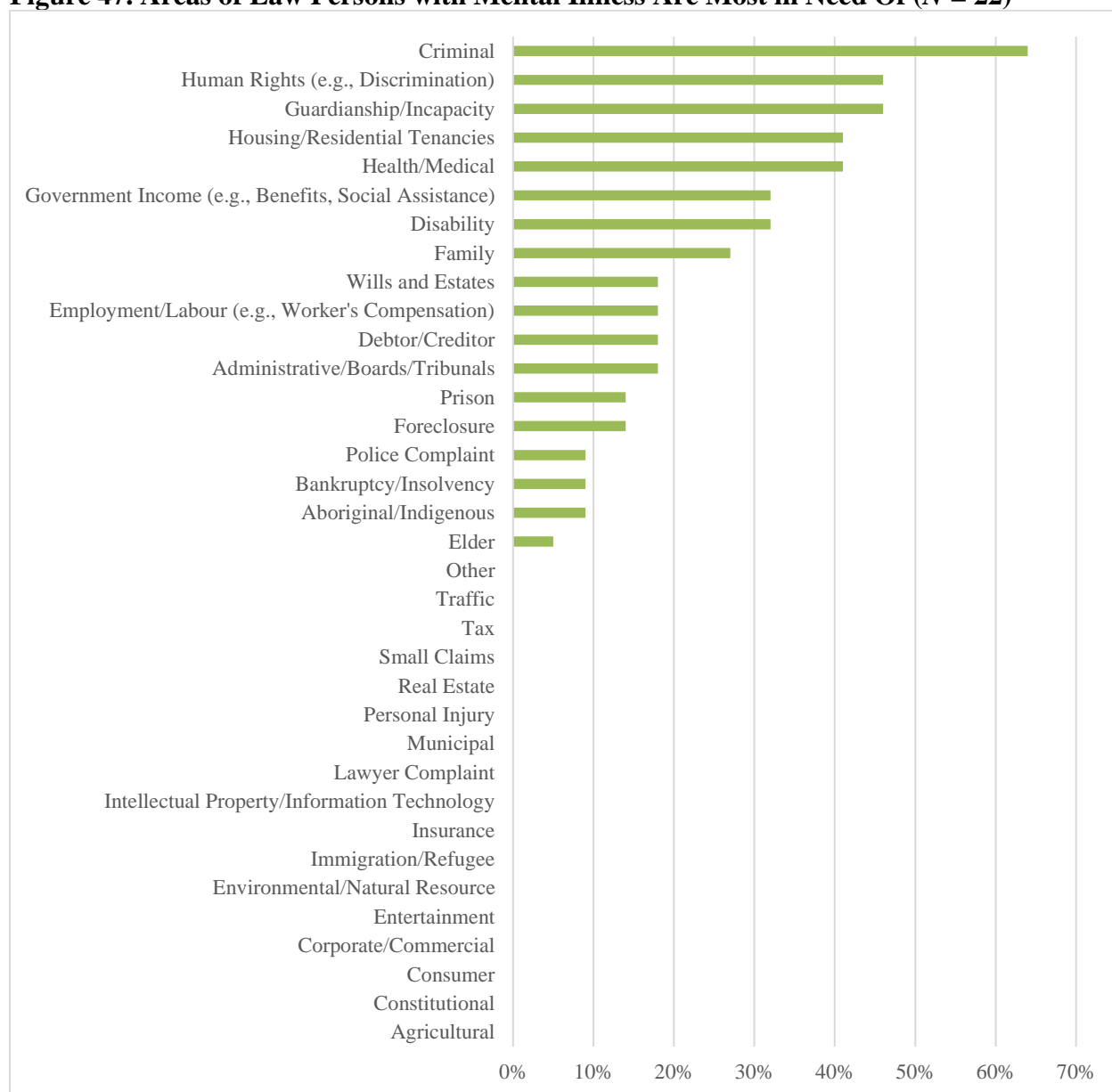


With respect to the things that should be done to make the legal support(s) needed by persons with mental illness more accessible (see Figure 46), participants ( $n = 22$ ) suggested there should be additional funding for legal and advocacy support networks (73%), followed by greater collaboration with community service providers to provide legal services in trusted spaces (55%), and greater access to low-cost or free full-scope legal representation (46%). Only one participant further suggested “other” things should be done to make the legal support(s) this group needs more accessible, which included “a better social understanding of mental health.”

**Figure 46. Strategies to Make Legal Supports More Accessible to Persons with Mental Illness (N = 22)**

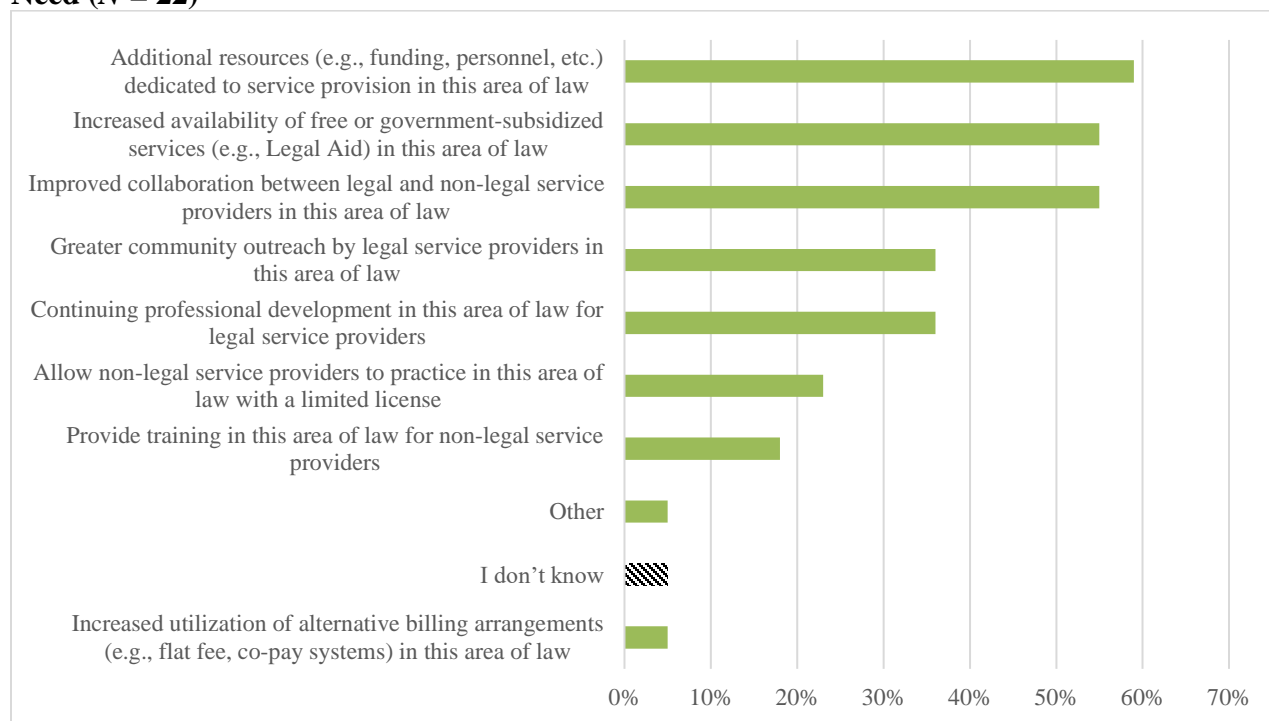


Of the 22 participants that provided their perspective on the areas of law that persons with mental illness are most in need of (see Figure 47), it was suggested that this social group primarily required legal services in the following top five areas of law: criminal (64%); human rights (e.g., discrimination) (46%); guardianship/incapacity (46%); housing/residential tenancies (41%); and health/medical (41%).

**Figure 47. Areas of Law Persons with Mental Illness Are Most in Need Of (N = 22)**

Following up on the previous question concerning the areas of law persons with mental illness are most in need of, participants ( $n = 22$ ) were asked to provide their opinion on what should be done to better provide persons with mental illness the areas of law they need (see Figure 48). In this case, the top three suggestions included additional resourcing (e.g., funding, personnel, etc.) dedicated to service provision in the areas of law they need (59%), increased availability of free or government-subsidized services (e.g., Legal Aid) in the areas of law they need (55%), and improved collaboration between legal and non-legal service providers in the areas of law they need (55%). Only one participant selected “other,” suggesting that there should be “education of legal service providers on mental health, mental health issues and the resources available to deal with mental health issues in our community.”

**Figure 48. Strategies to Better Provide Persons with Mental Illness the Areas of Law They Need (N = 22)**



### Open-Ended Perspectives on Social Groups in Need of Legal Services/Supports

Participants were provided the opportunity to share anything else they would like about the social groups they believed were in need of legal services and supports in their community. A total of 25 individuals provided additional insights. Table 11 categorizes these perspectives according to the following themes: (1) system-based challenges; (2) greater access to affordable legal representation, consultation, and support; (3) combination of legal and non-legal support/services; and (4) targeting cultural needs and providing culturally appropriate services.

**Table 11. Participants' Additional Perspectives on Social Groups in Need of Legal Services/Supports**

Major Themes	Participants' Perspectives
<b>System-Based Challenges</b>	<p><i>"I think low income earners need lawyers who will take on their case and represent them. It hardly seems fair to set up systems where they get "advice" and are forced to self-represent or mostly manage their legal issues on their own with merely receiving advice from a lawyer on what may be a complex issue. The cost of lawyers is too high and most people cannot afford the service, so they simply walk away from pursuing their legal dispute - never getting justice."</i></p> <p><i>"Non-lawyer service providers cannot and should not provide legal opinions and advice, but they can locate</i></p>

Major Themes	Participants' Perspectives
	<p><i>resources for individuals to access and use. Courts need serious reform to allow access to more individuals. Alternatives to the courts should be available to resolve simple disputes.”</i></p> <p><i>“Everyone needs to be treated with dignity and respect. How can we as a profession claim to support human rights and equality if we allow many social groups to be treated as second class citizens? Raise taxes to fund programs that close the equity gap.”</i></p> <p><i>“In general people from traditionally and actually disadvantaged groups suffer a whole range of disadvantage, include disadvantage at the hands of the justice system. In order to address these issues it would be important to remove the disadvantage.”</i></p> <p><i>“My impression is that most efforts to make legal resources accessible rely on the internet as an educational tool. The clients I work with do not have sufficient income to access technology. They also lack the literacy necessary to be effective online researchers or advocates. Access to justice initiatives have mostly involved efforts to make justice more accessible to middle class people, with an emphasis on family law. The most disadvantaged members of our communities are unable to take advantage of these initiatives.”</i></p>
<p><b>Greater Access to Affordable Legal Representation, Consultation, and Support</b></p>	<p><i>“There has been chronic underfunding of Legal Aid. Lawyers are trained in the law. People requiring legal advice that cannot afford to pay private practice lawyers should have access to government-funded legal aid. The eligibility criteria should be changed to allow more low income earners access to a lawyer.”</i></p> <p><i>“I would say the access to Justice for both low income and middle income earners is in need. The cutoff for free or lower fee legal services is so low and the number of people who live pay check to pay check means that people who are earning middle incomes cannot afford to access services but are seen as people who should be able to. As a new lawyer I couldn't afford myself let alone a more senior lawyer if I need one.”</i></p>

Major Themes	Participants' Perspectives
	<p><i>“There is ever increasing focus and funding on fringe areas of society. There needs to be more access to legal information for average citizens and more affordable alternatives to private lawyers. We are far behind other countries like Britain, Australia and USA in this regard.”</i></p> <p><i>“Legal Aid’s eligibility needs to be expanded, it isn’t reflective of the current cost to hire legal counsel. People denied service because they make too much money, without being able to pay for private counsel is a serious flaw and people are getting left behind.”</i></p> <p><i>“The threshold for accessing Legal Aid is so low: people earning just a bit above it are ineligible for Legal Aid but certainly not in a financial position to hire a lawyer privately. It’s quite unfair.”</i></p> <p><i>“When referring to the middle class, I mean the working poor. People who do not qualify for free or subsidized services, do not have money to pay a lawyer, and do not have time to try to figure it out on their own. Their stress level is fairly high as they try to meet the demands of living let alone adding a legal issue on top of that. Even coaching or unbundled services do not always help because the more help they need, the higher the cost. And law, especially family law, is complex, very fact dependent, and appears inconsistent to most people.”</i></p>
<p><b>Combination of Legal and Non-Legal Support/Services</b></p>	<p><i>“I don’t think having more non legal people attempt to perform legal work will assist. Rather I think there needs to be more co-operation between different groups like social workers, shelters, lawyers etc to share the information to support the community as a whole. Legal work is hard and to not involve the lawyer early in the process is resulting in an increasing number of more complex files that could have been resolved differently if the lawyers were consulted and brought on board earlier rather than cut out of the process.”</i></p>
<p><b>Targeting Cultural Needs and Providing Culturally Appropriate Services</b></p>	<p><i>“Just that poverty affects individuals in all areas of law, whether it be criminal, family, or otherwise. While Indigenous people make up only a small percentage of the population, they make up the majority of incarcerated individuals. Despite Gladue and Ippellee, Indigenous</i></p>

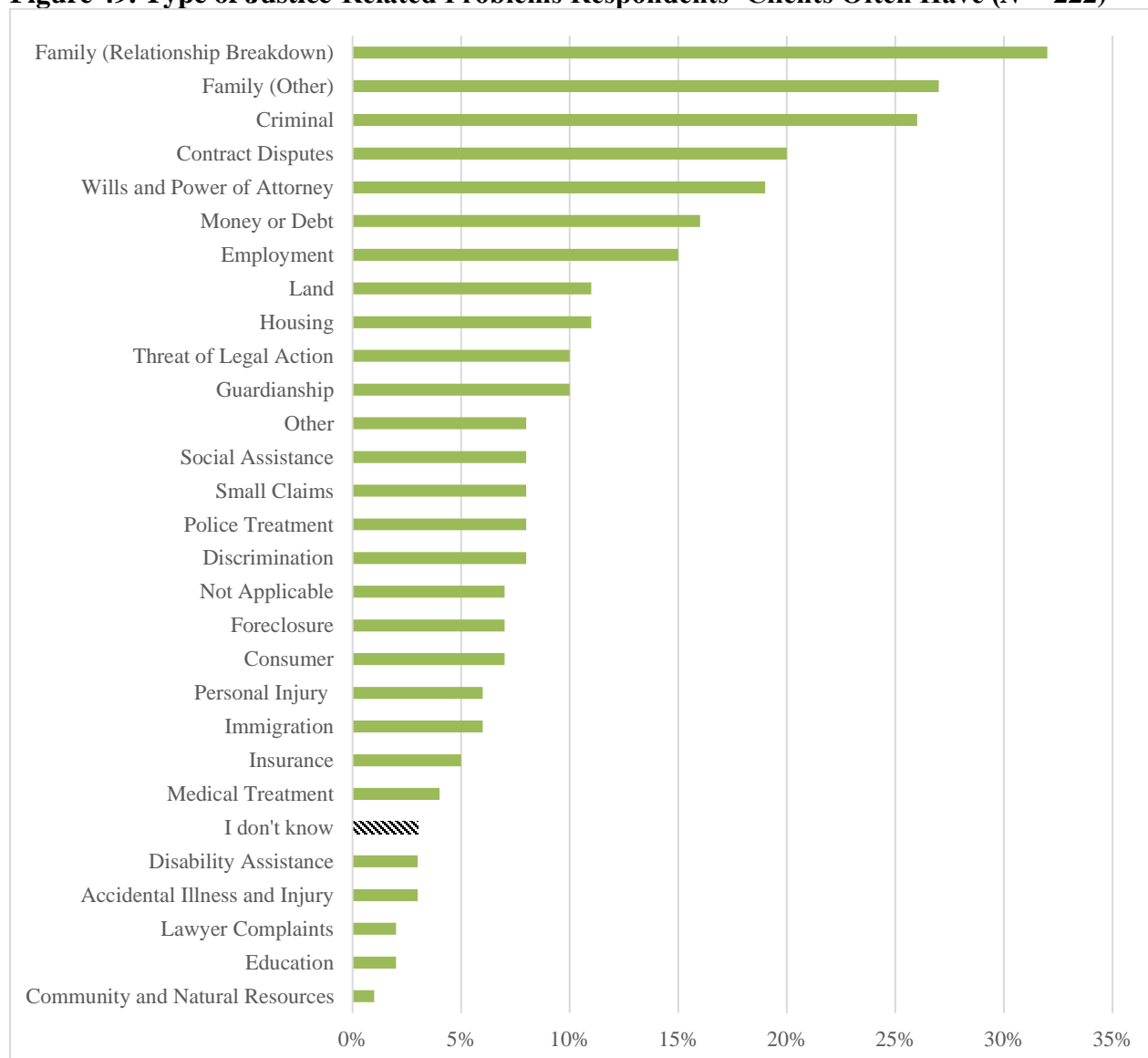


Major Themes	Participants' Perspectives
	<i>offenders continue to be incarcerated at higher rates than non-Indigenous offenders. More resources need to be used to address the intergenerational trauma caused by residential schools."</i>

#### 4.2.4. Clients' Legal Needs

Practicing and non-practicing lawyers who participated in this survey highlighted the types of justice-related problems their clients most often have ( $n = 222$ ).<sup>116</sup> Figure 49 below outlines the most to least commonly endorsed types of justice-related problems experienced by participants' clients. The top five justice-related problems pertain to family matters (both relationship breakdown (32%) and other (27%)), criminal matters (26%), contract disputes (20%), and wills and power of attorney (19%). Approximately 8% ( $n = 21$ ) indicated their clients most often experience "other" justice-related problems, which included administrative ( $n = 2$ ), mental health and addictions playing a role in their legal matters ( $n = 1$ ), estates ( $n = 1$ ), tax ( $n = 2$ ), civil litigation ( $n = 2$ ), improper treatment within the prison setting ( $n = 1$ ), prison law ( $n = 1$ ), commercial litigation ( $n = 1$ ), privacy law ( $n = 2$ ), municipal assessment ( $n = 1$ ), financial abuse ( $n = 1$ ), compensation for medical negligence ( $n = 1$ ), business issues ( $n = 1$ ), environmental advising/permitting ( $n = 1$ ), Indigenous related claims ( $n = 2$ ), energy related issues ( $n = 1$ ), technology law ( $n = 1$ ), and parenting (decision making and support) ( $n = 1$ ).

<sup>116</sup> Data were missing on this survey item for 50 participants.

**Figure 49. Type of Justice-Related Problems Respondents' Clients Often Have (N = 222)**

Related to the above question, participants were asked to identify the types of legal support(s) their clients most often need to manage their justice-related problems. A total of 91 practicing and non-practicing lawyers suggested several types of legal support(s) that are needed for those with justice-related problems (see Table 12), such as: (1) access to adequate legal representation; (2) access to adequate legal information, navigation, advice, and advocacy; (3) increased access to resources which support the procurement of legal consultation, representation, guidance, and support; (4) increased access to free, subsidized, or low-cost legal representation; (5) access to non-legal support(s); (6) multi-faceted support(s); and (7) other support(s).

**Table 12. Types of Legal Support(s) Needed for Those with Justice-Related Problems**

Major Themes	Participants' Perspectives
Access to Adequate Legal Representation	<i>"People need lawyers."</i>

Major Themes	Participants' Perspectives
	<p><i>“Their preference is full legal representation.”</i></p> <p><i>“I think lawyers need to be the go to source for service, but the whole process needs to be overhauled to a simpler less procedural solution. I am in favour of lawyers working with non-legal support people as one means of making things simpler and less costly.”</i></p> <p><i>“Legal representation. There needs to be more government funding for in-person full representation outside of the Legal Aid regime. Legal information, non-lawyers and self-help services only go so far in assisting with legal matters. People want and need full representation to deal with legal issues. The system is designed for full representation from lawyers, not self-represented litigants. In the alternative, we should uncomplicate the legal system.”</i></p> <p><i>“Assistance of a lawyer with a view to navigating a system that acts to further their disadvantage or which is difficult for them to understand and move through on their own.”</i></p> <p><i>“They need legal representation. The system built as it is, the overwhelming majority of people, whether educated or not, are not capable of navigating it themselves. Only the wealthy can afford to shell out \$25k to see a matter through.”</i></p> <p><i>“An experienced lawyer.”</i></p> <p><i>“Lawyers.”</i></p> <p><i>“Experienced legal counsel in criminal and family matters.”</i></p> <p><i>“Support from a qualified lawyer.”</i></p> <p><i>“A lawyer to determine rights under contract and to make legal arguments for assessment tribunals.”</i></p> <p><i>“Access to supports and legal professionals.”</i></p> <p><i>“Qualified experienced defence counsel.”</i></p>

Major Themes	Participants' Perspectives
	<p><i>“Legal representation.”</i></p> <p><i>“Access to a lawyer.”</i></p> <p><i>“Full representation in criminal allegations.”</i></p>
<p><b>Access to Adequate Legal Information, Navigation, Advice, and Advocacy</b></p>	<p><i>“They need legal information tailored to their needs, they need someone to listen to them, and they need someone to help them prioritize what issue needs to be sorted out first, then second, etc. Most of our clients benefit greatly from a legal coaching approach.”</i></p> <p><i>“Most of my clients need legal assistance simply to understand the problem and how to address it. Once there is an understanding of how the legal system works and how their problem fits within that process, they can be realistic about their goals. This would not have to be done by a lawyer, but it usually is.”</i></p> <p><i>“Information about their rights and protection from negative consequences if they assert their rights.”</i></p> <p><i>“Access to easy to understand information at an affordable cost.”</i></p> <p><i>“Information about rights and obligations; access to information about their issue area.”</i></p> <p><i>“Explanation of the law and the processes of the criminal justice system.”</i></p> <p><i>“My clients are in the business sector and require and rely on my advice.”</i></p> <p><i>“Education and advice as to how to proceed, court applications, help with negotiations and mediation.”</i></p> <p><i>“Good guidance from non-lawyers to supplement legal advice.”</i></p> <p><i>“General information about options, and specific resources to assist with self-representation.”</i></p>

Major Themes	Participants' Perspectives
	<p><i>“Someone who will take the time to explain procedural and substantive law to them; tell them what their rights and responsibilities are.”</i></p> <p><i>“Legal advice regarding their options for dealing with their issue, and advice regarding the justice system.”</i></p> <p><i>“Education on the legal system in general, the potential outcomes and the resources available.”</i></p> <p><i>“Support around advocacy. There are many aspects to this. They include translation of their language from expression of their feelings into the expression of legal issues. Working to provide information as to the strength and weakness of their position. Raising more complicated legal issues relating to discrimination and procedural fairness. Calling evidence. Cross examining witnesses. Making legal argument. Understanding mediation and negotiation including the strengths and weaknesses of their position. Filling out forms and preparing documents. To mention a few.”</i></p> <p><i>“Consultation to understand what they can do as a self represented person.”</i></p> <p><i>“TAX advice. Advice on how to file a claim. Advice on limitations. Advice on the cost and duration of litigation.”</i></p> <p><i>“Explanation of the laws. Help drafting documents. Assist with gathering info and negotiations. Appearing in court.”</i></p> <p><i>“Advice on the paperwork required; preparation, execution and registration of paperwork.”</i></p> <p><i>“Extensive legal information, and sometimes legal advice.”</i></p> <p><i>“Explanation of rights and obligations, explanation of options and advice on options based on personal experience, hands on assistance with process and procedure.”</i></p> <p><i>“Litigation advice and representation.”</i></p>

Major Themes	Participants' Perspectives
	<p><i>“Access to advice and representation when needed.”</i></p> <p><i>“Legal advice and guidance.”</i></p> <p><i>“Explanation of what will happen.”</i></p> <p><i>“An advocate.”</i></p> <p><i>“Problem solving advice.”</i></p> <p><i>“Initial advice.”</i></p> <p><i>“Legal advice and services.”</i></p> <p><i>“Information and Guidance.”</i></p> <p><i>“Access to information.”</i></p> <p><i>“Corporate commercial and tax advice.”</i></p> <p><i>“Legal information.”</i></p>
<p><b>Increased Access to Resources Which Support the Procurement of Legal Consultation, Representation, Guidance, and Support</b></p>	<p><i>“Access to counsel, resources to get them from jurisdiction to jurisdiction for trials, access to technology to connect with counsel.”</i></p> <p><i>“Financial help to afford the cost of legal services.”</i></p> <p><i>“Financial support.”</i></p> <p><i>“Money, childcare, transportation.”</i></p>
<p><b>Increased Access to Free, Subsidized, or Low-Cost Legal Representation</b></p>	<p><i>“Legal Aid is an amazing organization. It would be much more effective if it was provided with sufficient resources to perform its duties.”</i></p> <p><i>“Cost to retain and the long difficult justice system and minimum financial compensation.”</i></p> <p><i>“When negligence or potential negligence by a professional is the primary issue, the only option is to bring or threaten to bring a claim in court, and this is a huge barrier for non lawyers - most cannot afford to hire and pay a NEW lawyer to sue the old lawyer, and most</i></p>

Major Themes	Participants' Perspectives
	<p><i>don't feel capable of doing it themselves. Most non-profit legal provision services don't assist with financial claims like this.</i></p> <p><i>“Free or low cost quality legal services.”</i></p> <p><i>“Low cost and fast mediation services.”</i></p> <p><i>“A lawyer who has a low hourly rate.”</i></p> <p><i>“Low cost lawyers.”</i></p> <p><i>“Access to legal aid.”</i></p> <p><i>“Full scope Legal Aid Services or Court appointed counsel.”</i></p>
<b>Access to Non-Legal Support(s)</b>	<p><i>“Lack of communication or inability to communicate effectively is the root of most family issues. The support they need is relational, not legal. But they come for legal support because most people appear to be unwilling to face and address the relational issues.”</i></p> <p><i>“Sometimes referrals to other support services or programs.”</i></p> <p><i>“Referral for support services.”</i></p>
<b>Multi-faceted Support(s)</b>	<p><i>“Appropriate supports, delivered at the appropriate time, in a culturally sensitive way, in a safe pace. We need education, relationships with community, self-help services with languages built in, brief service advice by legal professionals in spaces where clients feel comfortable, and full-representation once it is clear the matter is going ahead and the client will need representation in court. Tiered approach, right resource at the right time in the right place.”</i></p> <p><i>“Given I am fairly general practice it really varies from matter to matter. Sometimes legal advise is all that is required. That is usually the case when there is really nothing the individual can do so it is a matter of telling them that. But when they need to make an application or action with the court, they usually need representation. For some matters, such as wills an estates for example,</i></p>

Major Themes	Participants' Perspectives
	<p><i>coaching them through the forms is enough. But for complicated immigration applications or family matters, representation is what is needed.</i></p> <p><i>“Having the opportunity to consult with a lawyer and work with benefit providers such as EI or disability and housing organizations benefits the client.”</i></p> <p><i>“Administrative support navigating the justice system. Financial support to find that administrative support.”</i></p> <p><i>“Lawyers, court workers, court based programming.”</i></p> <p><i>“Lawyer, financial planner, divorce coach, mediator.”</i></p> <p><i>“Coaching, counsel, and cost effective service.”</i></p>
<b>Other Support(s)</b>	<p><i>“Culturally appropriate legal services with understanding and compliance with Indigenous laws and protocols.”</i></p> <p><i>“Counselling provided quicker than three or four months for the first meeting.”</i></p> <p><i>“Litigation support.”</i></p>

#### 4.2.5. Geographic-Based Analysis

Similar to analysis of the Community Agency Survey, secondary analyses were conducted on select close-ended survey questions in the Lawyer Survey using a geographic lens. Specifically, statistical tests were conducted to identify the perceived legal needs of individuals and communities in Saskatchewan according to lawyers who deliver services in the northern part of the province ( $n = 62$ ) versus those who do not ( $n = 146$ ). Table 13 presents findings for these analyses based on the top seven responses to select close-ended questions in the primary analyses. In general, results suggest that lawyers who deliver services in the north have somewhat different perceptions than those who do not with respect to types of justice-problems clients have; areas of law in demand but not adequately offered; and, social groups in need of legal support(s) but not adequately served. Notably, those who deliver services in the north were significantly more likely to report that their clients have legal problems related to criminal matters, whereas those who do not deliver services in the north were significantly more likely to report that their clients have legal problems related to contract disputes and wills and power of attorney. However, other observed differences were not statistically significant.



**Table 13. Perceived Legal Needs of Individuals and Communities in Saskatchewan According to Whether Participants Deliver Services in the North**

	<b>Delivers Services in the North</b>	
	Yes (n = 62)	No (n = 146)
	<b>%</b>	<b>%</b>
<b>Justice-Related Problems Clients Often Have</b>		
Family (Relationship Breakdown)	37	43
Family (Other)	40	31
Criminal*	45	27
Contract Disputes*	16	30
Wills and Power of Attorney*	15	30
Money or Debt	18	22
Employment	19	20
<b>Areas of Law in Demand But Not Adequately Offered</b>		
Family	45	47
Criminal	36	33
Immigration/Refugee	19	23
Housing/Residential Tenancies	18	25
Aboriginal/Indigenous	16	12
Government Income (e.g., Benefits, Social Assistance)	13	12
Human Rights (e.g., Discrimination)	7	8
<b>Social Groups in Need of Legal Support(s) But Not Adequately Served</b>		
Low Income Earners	53	47
Indigenous Peoples	37	25
Persons with Mental Illness	21	29
Unemployed/Economically Inactive Persons	21	27
Immigrants/Newcomers/Refugees	19	23
Middle Income Earners	21	19
Homeless Persons	18	17

*Note.* Statistical tests (i.e., Chi-square test of independence) were used to determine whether the responses on each of the variables listed in the left-hand column were statistically significantly different for those who deliver services in the north versus those who do not deliver services in the north. That is, a “statistically significant difference” suggests there is a true quantitative difference between the percentages reported. An alpha-level (i.e., significance level) of 0.05 was set and, therefore, probability values of < 0.05 were considered statistically significant.

\* Statistically significant differences between groups.

## 5. Summary

### 5.1. Justice-Related Problems in Canada and Saskatchewan

#### 5.1.1. Types of Justice-Related Problems

Evidence from national-level legal needs surveys suggest that a considerable number of Canadians will experience a justice-related problem, lending credibility to the notion that almost everyone will face a problem with a legal aspect and potential legal solution in their lifetime

(Canadian Bar Association, 2013). For instance, the World Justice Project's (2019a) study on legal needs and access to civil justice involving 100,000 people in 101 different countries and jurisdictions found that 52% of Canadians reported experiencing a justice-related problem within a two-year period, which was similar to findings from Farrow et al. (2016) that had suggested roughly 48% of the adult population in Canada had experienced one or more justice-related problems within a three-year period. According to data from the 2021 Canadian Legal Problems Survey (CLPS), 34% of Canadians (in the provinces) reported experiencing at least one dispute or problem in the previous three years, of which nearly 1 in 5 (18%) indicated the issue was serious and not easy to fix (Savage & McDonald, 2022). While the current data are unable to provide insight into the prevalence of justice-related problems experienced by Saskatchewan residents, representatives of community-based organizations were likely to agree (42%) or strongly agree (34%) that almost everyone will confront a justice-related problem over the course of a lifetime. Notably, data from the latest national legal needs survey in Canada (i.e., the CLPS) suggest that nearly 2 in 10 (19%) people living in Saskatchewan experienced at least one serious dispute or problem in the previous three years (Savage, 2022).

It is understood that some justice-related problems are more prevalent than others and, further, the presentation of these issues is expected to vary across jurisdictions (World Justice Project, 2019a). It is also expected that these issues vary as a function of the target population for a particular study and the types of justice-related problems that are captured. Drawing from the perspectives of those who have experienced justice-related problems, the World Justice Project (2019a) found that Canadians experienced legal problems pertaining to housing (26%), money and debt (25%), consumerism (19%), public services (17%), family (12%), employment (12%), accidental illness and injury (9%), education (8%), land (8%), community and natural resources (8%), citizenship and identification (7%), and law enforcement (3%). Similarly, other data suggest Canadians most frequently experience issues pertaining to consumerism, money and debt, housing, family, accessing public services, and employment (Currie, 2009, 2006; Farrow et al., 2016). According to the 2021 CLPS (Savage & McDonald, 2022), the most common problems Canadians experienced were related to neighbourhood issues (21%), harassment (16%), poor or incorrect medical treatment (16%), discrimination (16%), large purchases or services (15%), and money or debt (15%). Data from the current study largely resemble these findings from national studies in Canada, as representatives of community-based organizations in Saskatchewan indicated their clients most often experience justice-related problems pertaining to criminal matters (64%), family matters (relationship breakdown (61%) and other (36%)), social assistance (49%), housing (46%), and money or debt (36%). In addition, practicing and non-practicing lawyers in Saskatchewan indicated their clients most often experience justice-related problems pertaining to family matters (both relationship breakdown (32%) and other (27%)), criminal matters (26%), contract disputes (20%), wills and power of attorney (19%), and money or debt (16%). These perspectives from individuals who provide legal and/or non-legal supports to those facing justice-related problems in Saskatchewan are somewhat similar to data from the 2021 CLPS. Specifically, Saskatchewan residents reported they most commonly experienced serious problems or disputes related to housing (18%), government assistance (17%), employment (16%), poor or incorrect medical treatment (16%), and discrimination (16%) (Savage, 2022).

### 5.1.2. Navigating Justice-Related Problems and Legal Needs

Individuals faced with a justice-related problem, undoubtedly, have a variety of legal needs—which vary according to the context of the problem and the resources they have available to address it. In general, legal needs arise when an individual requires legal and/or non-legal support to effectively manage their justice-related problem due to the limited knowledge and capacity to navigate the issue on their own. A legal need is left unmet when legal and/or non-legal supports are not available to adequately support the resolution of an individual’s legal problem (Action Committee on Access to Justice in Civil and Family Matters, 2019a; OECD/Open Society Foundations, 2019) and, therefore, can result in these problems being left unresolved and, in some cases, becoming worse (Currie, 2009, 2006; Farrow et al., 2016; Savage & McDonald, 2022). When legal needs are left unmet and individuals are unable to resolve their problems, there is no access to justice (OECD/Open Society Foundations, 2019). Accordingly, access to justice exists when people can achieve sufficient solutions for a justice-related problem, either through legal and/or non-legal supports, services, and systems (McDonald, 2017; OECD/Open Society Foundations, 2019). Drawing from the Triple Aim’ access to justice measurement framework (Access to Justice British Columbia, 2019), the paths available and obstacles endured by individuals when attempting to resolve justice-related problems provides insight into the successes or challenges surrounding access to justice within a population.

Data from studies across the globe (World Justice Project, 2019a) and in Canada (Farrow et al., 2016; Savage & McDonald, 2022) have consistently shown that most people do not use the formal legal system to manage their problems; instead, a variety of other options are used to deal with justice-related problems, such as obtaining advice from friends and/or family members. In Saskatchewan, a similar trend is apparent as data from the 2021 CLPS (Savage, 2022) suggest that people were most likely to seek advice from friends or relatives (48%), followed by contacting the other party (42%), and searching the Internet (40%). According to the current data, for both representatives of community-based organizations and lawyers in Saskatchewan, it was neither agreed nor disagreed that people experiencing a justice-related problem are better off addressing it through the formal legal system. Conversely, these participants generally agreed that the vast majority of justice-related problems could be resolved outside of the formal legal system. Collectively, these data suggest that, while the formal legal system may be a feasible route for addressing justice-related problems in some cases, formal intervention is not always necessary. The fact that lawyers and legal and non-legal service providers also recognize people can obtain sufficient resolution to their problems outside the formal legal system provides evidence to suggest that access to justice requires informal legal and non-legal supports and services.

There are a multitude of barriers people face with respect to navigating justice-related problems and meeting their legal needs, which might contribute to taking no action or giving up trying to resolve their problem (Currie, 2009; Farrow et al., 2016; Savage & McDonald, 2022). One factor that has consistently emerged as a barrier in studies conducted on a global scale (World Justice Project, 2019a), as well as in Canada (Currie, 2009; Farrow et al., 2016; Savage & McDonald, 2022), includes the costly nature of legal remedies and the difficulties people face trying to cover the financial costs necessary to attain legal help to resolve their problem. In addition to financial costs, people may be less likely to address a legal problem if it is believed it would take too

much time or be too stressful (Currie, 2009; Farrow et al., 2016). With that said, representatives of community-based organizations and lawyers in Saskatchewan both agreed that people are less likely to take action to resolve justice-related problems that have higher costs (e.g., financial, time, energy, etc.). Relatedly, these participants agreed that eligibility criteria for free, subsidized, or low-cost legal services (e.g., Legal Aid) are too restrictive.

An additional barrier identified in previous studies, which might contribute to taking no action or giving up trying to resolve a problem, includes a lack of knowledge concerning what to do or where to get help (Savage & McDonald, 2022). Related to this point, both representatives of community-based organizations and lawyers in Saskatchewan reported that people are generally unaware of the legal support(s) available in the community which may assist in resolving a justice-related problem. This contrasts with findings from the World Justice Project (2019a), which suggested that many Canadians felt they knew where to get advice and information for their problem (72%) and felt they could get all the expert help they wanted (59%). Therefore, our findings suggest that Saskatchewan residents may not be as knowledgeable about the legal supports in their community and how to access them. Alternatively, it could also be that there are not enough legal supports and services available in Saskatchewan communities, leading to a limited awareness among community members concerning the available supports. Indeed, both representatives of community-based organizations and lawyers generally indicated that there were an inadequate number of services available to support the legal needs of their community. In addition, lawyers generally suggested that there are an inadequate number of legal service providers (e.g., lawyers and supporting legal assistants) practicing in the areas of law in which their community is in need. Furthermore, both representatives of community-based organizations and lawyers in Saskatchewan agreed that a significant barrier to addressing individuals' legal needs is the unintegrated nature of services available in the community. Importantly, these participants generally disagreed that legal service providers deliver services in a culturally appropriate manner (e.g., services are tailored, where necessary, to account for clients' cultural backgrounds). Taken together, these findings highlight the importance of developing and enhancing legal services in Saskatchewan communities as a step toward increasing access to justice.

According to data from the World Justice Project (2019a), just under one-third (32%) of Canadians reported they were able to access the support they need to deal with their legal problem, which primarily consisted of seeking a lawyer or utilizing professional advice services (44%). Furthermore, data from the 2021 CLPS suggest that one-third (33%) of Canadians and nearly 3 in 10 (28%) Saskatchewan residents contacted a legal professional to manage their legal problem (Savage, 2022; Savage & McDonald, 2022). Reflecting upon their community and the work they do, representatives of community-based organizations in Saskatchewan reported that people faced with a justice-related problem are sometimes or rarely able to obtain effective legal advice, legal information, and legal representation, as well as sometimes or rarely resolve these problems as a result of seeking out legal support. Conversely, lawyers in Saskatchewan reported that people faced with a justice-related problem are sometimes or often able to obtain effective legal advice, legal information, and legal representation, as well as sometimes or often able to resolve these problems as a result of seeking out legal support. Therefore, these participants had slightly different perceptions of Saskatchewan residents' ability to access to legal support they need for a justice-related problem. Notably, it has been suggested that the ability for people to

resolve their legal problems in a timely manner is one sign of an effective justice system (Savage & McDonald, 2022). However, both participants groups suggested that those faced with a justice-related problem are sometimes or rarely able to access legal support(s) in a timely manner to resolve their legal issue. This may signify an access to justice gap in Saskatchewan.

### 5.1.3. Perceived Supports Needed to Manage Justice-Related Problems

Representatives of community-based organizations and lawyers in Saskatchewan provided further insight into the types of legal and non-legal supports their clients most often need to manage their justice-related problems. With respect to the types of non-legal supports Saskatchewan residents need to manage their justice-related problems, representatives of community-based organizations suggested their clients require access to: (1) social services and community support (including referrals); (2) general information, consultation, and guidance; and (3) other non-legal supports. Table 14 provides highlights from participants' responses surrounding these themes.

**Table 14. Highlights of Non-Legal Supports Needed to Manage Justice-Related Problems**

Non-Legal Supports Clients Need	Highlights
<b>Access to Social Services and Community Support (including referrals)</b>	<ul style="list-style-type: none"> <li>• Clients often require access to community-based support and programming (via direct contact or referral) to address varying social and health-related needs, including mental health and addictions (e.g., counselling and treatment), employment and income, housing, education, disabilities, childcare, and food—which are all perceived to be factors leading to justice-related problems.</li> </ul>
<b>Access to General Information, Consultation, and Guidance</b>	<ul style="list-style-type: none"> <li>• Clients need a service in the community with trained professionals who can provide information and guide them through basic steps of managing their legal problem (e.g., identifying and seeking out the appropriate resources).</li> </ul>
<b>Other Non-Legal Supports Clients Need</b>	<ul style="list-style-type: none"> <li>• Clients require access to culturally appropriate supports and services, as well as access to the necessary 'tools' to manage their problem (e.g., telephone, Internet, transportation, etc.).</li> </ul>

With respect to the types of legal supports Saskatchewan residents need to manage their justice-related problems, representatives of community-based organizations suggested their clients most often require access to: (1) legal information and education; (2) affordable legal services and support; (3) legal consultation, representation, guidance, and support; (4) adequate language, interpretation, and cultural services; and (5) other legal supports. Table 15 provides highlights for responses surrounding these themes.

**Table 15. Legal Supports Clients Need According to Representatives of Community-Based Organizations**

<b>Legal Supports Clients Need</b>	<b>Highlights</b>
<b>Access to Legal Information and Education</b>	<ul style="list-style-type: none"> <li>• Clients require access to general information about their legal problem and the justice system, as well as how to go about addressing the problem.</li> </ul>
<b>Access to Affordable Legal Services and Support</b>	<ul style="list-style-type: none"> <li>• Clients need legal services and supports that do not carry an unreasonable financial burden. A significant gap exists for those who are employed but are unable to afford private legal representation and also do not qualify for Legal Aid.</li> </ul>
<b>Access to Legal Consultation, Representation, Guidance, and Support</b>	<ul style="list-style-type: none"> <li>• Clients need access to trained legal professionals, primarily lawyers, who can provide the appropriate advice on their legal matter and guide them through the process from the beginning and, where applicable, represent them in their legal matters.</li> </ul>
<b>Access to Adequate Language, Interpretation, and Cultural Services</b>	<ul style="list-style-type: none"> <li>• Clients require access to support workers/services that can translate information into their language to be able to understand the legal process, as well as the availability of Indigenous support workers/services.</li> </ul>
<b>Other Legal Supports</b>	<ul style="list-style-type: none"> <li>• Clients generally require a lawyer or community advocate, advice and life skills, and referrals to legal resources and supports.</li> </ul>

Moreover, lawyers suggested their clients most often require: (1) access to adequate legal representation; (2) access to adequate legal information, navigation, advice, and advocacy; (3) increased access to resources which support the procurement of legal consultation, representation, guidance, and support; (4) increased access to free, subsidized, or low-cost legal representation; (5) access to non-legal support(s); (6) multi-faceted support(s); and (7) other support(s). Table 16 provides highlights for responses surrounding these themes.

**Table 16. Legal Supports Clients Need According to Lawyers**

<b>Legal Supports Clients Need</b>	<b>Highlights</b>
<b>Access to Adequate Legal Representation</b>	<ul style="list-style-type: none"> <li>• Clients require full legal representation from qualified lawyers (in addition to non-lawyer legal assistance and self-help services) to effectively manage their legal problem as the justice system is designed for this.</li> </ul>

Legal Supports Clients Need	Highlights
<b>Access to Adequate Legal Information, Navigation, Advice, and Advocacy</b>	<ul style="list-style-type: none"> <li>• Clients require the assistance of a trained legal professional to provide legal information and advice tailored to their needs, as well as guidance to understand the problem and options for addressing it in a systematic way (which includes education on the legal system and its processes, as well as their rights).</li> </ul>
<b>Increased Access to Resources Which Support the Procurement of Legal Consultation, Representation, Guidance, and Support</b>	<ul style="list-style-type: none"> <li>• Clients generally require access to the ‘tools’ that aid in addressing their legal problem, such as technology, transportation, childcare, and financial support.</li> </ul>
<b>Increased Access to Free, Subsidized, or Low-Cost Legal Representation</b>	<ul style="list-style-type: none"> <li>• Clients need free or low-cost quality legal services to manage their legal problem, which might require the restructuring of government-supported services (e.g., Legal Aid) to ensure they are effectively resourced to provide free or low-cost legal services.</li> </ul>
<b>Access to Non-Legal Support(s)</b>	<ul style="list-style-type: none"> <li>• Although clients require legal supports, they also require access to appropriate social services and programs.</li> </ul>
<b>Multi-faceted Support(s)</b>	<ul style="list-style-type: none"> <li>• Clients require a combination of community-based support and programming and legal advice and representation. The support and services, and their intensity, is dependent on the context and the situation the client faces at the particular time.</li> </ul>
<b>Other Support(s)</b>	<ul style="list-style-type: none"> <li>• Clients require culturally appropriate legal services and timely access to counselling.</li> </ul>

## 5.2. Social Groups and Access to Justice

### 5.2.4. Socially Marginalized Groups with Legal Needs

Secondary literature on legal needs suggest that a large majority of justice-related problems concentrate in a small proportion of the population and, therefore, some individuals in society may be more vulnerable to experiencing justice-related problems as compared with others. Specifically, those with social, economic and health disadvantage are disproportionately affected by justice-related problems (Action Committee on Access to Justice in Civil and Family Matters, 2013; Coumarelos et al., 2012; Currie, 2009, 2006; OECD/Open Society Foundations, 2019; Pleasence, 2006; Pleasence et al., 2004; Savage & McDonald, 2022). In several Canadian studies, it was found that people living with disabilities, who are unemployed, and have lower

household incomes are more likely to experience one or more legal problems or disputes (Currie, 2009, 2006; Savage & McDonald, 2022). These studies have also indicated that individuals who are younger in age, belong to a group designated as a visible minority, and who have immigrated to Canada are also social groups with an increased likelihood of experiencing one or more justice-related problems.

With respect to Indigenous people in Canada, Currie's (2009) report suggests that this group is likely to experience several legal problems, including issues related to social assistance, discrimination, disability benefits, police action, family, relationship breakdown, housing, employment, and debt. According to data from the 2021 CLPS, First Nations people, Métis and Inuit living in the provinces were much more likely than non-Indigenous people to experience one or more serious problems or disputes, which primarily included harassment and discrimination (Savage & McDonald, 2022). Savage (2022) also reported that Indigenous people living in Saskatchewan were significantly more likely than non-Indigenous people to report experiencing a serious problem or dispute in the three years preceding the 2021 CLPS. Specifically, Indigenous people were more likely than non-Indigenous people in Saskatchewan to report experiencing problems surrounding harassment (17% vs. 14%), discrimination (24% vs. 14%), poor or incorrect medical treatment (20% vs. 15%), child custody or other parental problems (18% vs. 8%), wills or taking care of financial or health issues for someone (15% vs. 5%), and employer or work (29% vs. 13%).

Data from the current study adds to knowledge concerning the social groups most in need of legal support(s) within the context of Saskatchewan. Specifically, representatives of community-based organizations suggested the top six social groups in Saskatchewan that are often need legal support(s), but are not being adequately served, include low-income earners (60%), persons with mental illness (52%), unemployed/economically inactive persons (52%), Indigenous peoples (51%), and homeless persons (49%), and young adults (18-35; 43%). In addition, lawyers suggested the top six social groups in Saskatchewan that are most in need of legal support(s) were low-income earners (42%), Indigenous peoples (23%), persons with mental illness (22%), unemployed/economically inactive persons (21%), immigrants/newcomers/refugees (17%), and middle-income earners (16%). These findings overlap with those from previous national (Currie, 2009, 2006; Savage & McDonald, 2022) and provincial (Savage, 2022) legal needs surveys in Canada. This highlights the importance of increasing the available resources for these particular groups, especially those in Saskatchewan, which will require tailored initiatives to address the unique legal and social needs of these groups.

### **5.2.5. Socially Marginalized Groups and Accessing Legal Support(s)**

The Community Agency Survey and Lawyer Survey aimed to identify the perceived barriers and facilitators with respect to accessing legal support(s) for social groups that need these supports and services but are not being adequately served. Representatives of community-based organizations suggested that the factors which make it difficult for underserved demographic groups to access the legal supports they require include having limited financial resources for legal representation/accessing legal support (64%); having limited understanding of the formal justice system (61%); cultural barriers (58%); having limited personal resources which support attendance at legal appointments (55%); and having limited awareness of legal rights and



responsibilities (54%). Conversely, these participants provided several ideas to make the legal support(s) needed by underserved demographic groups more accessible in their community. Specifically, strategies to increase the accessibility of legal supports for underserved demographic groups included: (1) enhancing resources/practices to offer free, subsidized, or low-cost legal consultation, representation, guidance, and support; (2) increasing public knowledge; (3) developing dedicated services/supports to assist clients through the legal system/process; (4) increasing community engagement; (5) increasing access to cultural support (including language/translation services); and (6) other ways to make legal supports more accessible to underserved demographic groups. Table 17 provides highlights for responses surrounding these themes.

**Table 17. Strategies to Increase Accessibility to Legal Supports for Marginalized Social Groups According to Representatives of Community-Based Organizations**

Avenues to Increase Accessibility	Highlights
<b>Enhance Resources/Practices to Offer Free, Subsidized, or Low-Cost Legal Consultation, Representation, Guidance, and Support</b>	<ul style="list-style-type: none"> <li>• Everyone (especially lower income individuals) should have access to affordable legal representation, requires revisions to government-supported services (e.g., Legal Aid) to reduce eligibility restrictions or improve fee structures.</li> </ul>
<b>Increase Public Knowledge</b>	<ul style="list-style-type: none"> <li>• There should be efforts to increase awareness of available supports and services to manage legal problems (e.g., through online platforms, organizations people frequent, and other readily accessible outlets).</li> </ul>
<b>Develop Dedicated Services/Supports to Assist Clients Through the Legal System/Process</b>	<ul style="list-style-type: none"> <li>• Implementation of community-based services with qualified personnel dedicated to providing individuals with various legal matters basic assistance and guidance to the appropriate legal information, advice, and representation.</li> </ul>
<b>Increase Community Engagement</b>	<ul style="list-style-type: none"> <li>• Continuous engagement with members of the community (especially those which are underserved) is important for developing or enhancing services and supports.</li> </ul>
<b>Increase Access to Cultural Support (Including Language/Translation Services)</b>	<ul style="list-style-type: none"> <li>• Supports and services for justice-related problems should aim to increase diversity, equity, and inclusion by providing culturally appropriate services and support workers, as well as incorporating resources and staff that help accommodate various language-related needs.</li> </ul>
<b>Other Ways to Make Legal Supports More Accessible to</b>	<ul style="list-style-type: none"> <li>• Develop stronger partnerships between community-based organizations who often assist individuals with</li> </ul>

Avenues to Increase Accessibility	Highlights
<b>Underserved Demographic Groups</b>	justice-related problems and the justice system to provide accurate and effective support, as well as increase the entry points to access justice.

Lawyers were asked to identify one social group they believed was most in need of legal support(s) in their community. The top three social groups that were identified included low-income earners (25%), Indigenous peoples (10%), and persons with mental illness (8%). For each of these social groups, lawyers provided their insights into what makes it challenging for them to access the legal supports they need, as well as strategies for improving access. For instance, participants were asked: (1) why they believed legal service providers are not able to adequately offer support(s) to that social group; (2) what makes it difficult for that social group to access the legal support(s) they require; and (3) what should be done to make the legal support(s) that social group needs more accessible. Table 18 provides a summary of the perceived barriers and facilitators for accessing legal support for these social groups according to lawyers.

**Table 18. Barriers and Facilitators for Accessing Legal Support(s) According to Lawyers**

Social Group	Why legal service providers are not able to adequately offer support(s).	What makes it difficult to access legal support(s).	What should be done to make legal support(s) more accessible.
<b>Low-Income Earners</b>	<ul style="list-style-type: none"> <li>Free or government-subsidized services (e.g., Legal Aid) are not adequately available to provide legal support(s) to this group (84%)</li> <li>Lack of capacity among legal service providers to meet this group's legal needs (27%)</li> <li>Lack of collaboration between legal and non-legal service providers (13%)</li> </ul>	<ul style="list-style-type: none"> <li>Limited financial resources for legal representation and other expenses associated with accessing legal support (81%)</li> <li>Limited personal resources (e.g., childcare, transportation) which support attendance at legal appointments (42%)</li> <li>Restrictions in eligibility for legal support(s) (36%)</li> </ul>	<ul style="list-style-type: none"> <li>Greater access to low-cost or free full-scope (70%) and limited-scope (61%) legal representation</li> <li>Additional funding for legal and advocacy support networks (51%)</li> <li>Greater utilization of alternative dispute resolution models (36%)</li> </ul>
<b>Indigenous Peoples</b>	<ul style="list-style-type: none"> <li>Free or government-subsidized services (e.g., Legal Aid) are not adequately available to provide</li> </ul>	<ul style="list-style-type: none"> <li>Fear of being mistreated within the justice system (85%)</li> <li>Cultural barriers (82%)</li> </ul>	<ul style="list-style-type: none"> <li>Cultural training for legal service providers (78%)</li> <li>Greater recognition of Indigenous cultural values,</li> </ul>

Social Group	Why legal service providers are not able to adequately offer support(s).	What makes it difficult to access legal support(s).	What should be done to make legal support(s) more accessible.
	legal support(s) to this group (67%) <ul style="list-style-type: none"> <li>• Lack of collaboration between legal and non-legal service providers (59%)</li> <li>• Lack of capacity among legal service providers to meet this group’s legal needs (56%)</li> </ul>	<ul style="list-style-type: none"> <li>• Concerns about the fairness of the justice system (82%)</li> </ul>	ideologies, and legal traditions (74%) <ul style="list-style-type: none"> <li>• Additional funding for legal and advocacy support networks (70%).</li> </ul>
<b>Persons with Mental Illness</b>	<ul style="list-style-type: none"> <li>• Lack of expertise among legal service providers to meet this group’s legal needs (68%)</li> <li>• Lack of capacity among legal service providers to meet this group’s legal needs (55%)</li> <li>• Lack of collaboration between legal and non-legal service providers (41%)</li> </ul>	<ul style="list-style-type: none"> <li>• Unaware of how to access legal support(s) to resolve a justice-related problem (55%)</li> <li>• Limited financial resources for legal representation and other expenses associated with accessing legal support (46%)</li> <li>• Complexity of laws and related legal procedures (46%)</li> </ul>	<ul style="list-style-type: none"> <li>• Additional funding for legal and advocacy support networks (73%)</li> <li>• Greater collaboration with community service providers to provide legal services in trusted spaces (55%)</li> <li>• Greater access to low-cost or free full-scope legal representation (46%)</li> </ul>

### 5.3. Legal Services/Supports and Areas of Law in Saskatchewan

#### 5.3.6. Legal Services/Supports: Barriers and Facilitators

Representatives of community-based organizations in Saskatchewan suggested that the top five types of legal services that are most in demand but not adequately offered in their community include legal advice (67%), legal representation (57%), legal information (52%), advocacy (48%), and mediation (42%). It was additionally suggested that the reasons it is difficult for individuals to access the legal support(s) they need include having limited financial resources for legal representation/accessing legal support (70%); having limited personal resources to support attendance at legal appointments (66%); having limited understanding of the formal justice system (63%); cultural barriers (63%); and having limited knowledge of legal rights and responsibilities (61%). These participants further provided insight into what should be done to generally make legal services and support(s) more accessible in their community, which

included: (1) enhancing resources/practices to offer free, subsidized, or low-cost legal consultation, representation, guidance, and support; (2) increasing public knowledge; (3) developing dedicated services/supports to assist clients through the legal system/process; (4) integrating social and legal services; (5) increasing access to cultural support (including language/translation services); and (6) other ways to make legal services/supports more accessible. Table 19 provides highlights for responses surrounding these themes.

**Table 19. Strategies to Increase Accessibility to Legal Supports According to Representatives of Community-Based Organizations**

Avenues to Increase Accessibility	Highlights
<b>Enhance Resources/Practices to Offer Free, Subsidized, or Low-Cost Legal Consultation, Representation, Guidance, and Support</b>	<ul style="list-style-type: none"> <li>Free or low-cost legal advice, information, and representation should be more accessible. This will require a revision of policies and operations of government-funded legal services (e.g., Legal Aid) to reduce the stringent eligibility criteria surrounding income requirements, as well as increase resourcing (e.g., staff), to improve the availability of necessary legal support.</li> </ul>
<b>Increase Public Knowledge</b>	<ul style="list-style-type: none"> <li>Legal practitioners and legal and non-legal community-based organizations should engage in various initiatives to increase public awareness and knowledge, including targeted advertisements in the community and information sessions/workshops.</li> </ul>
<b>Develop Dedicated Services/Supports to Assist Clients Through the Legal System/Process</b>	<ul style="list-style-type: none"> <li>Increase community support workers and services to help clients navigate the legal system and connect them to the appropriate legal resources (e.g., advice, information, and representation).</li> </ul>
<b>Integration of Social and Legal Services</b>	<ul style="list-style-type: none"> <li>Legal practitioners should collaborate and engage with community-based services to provide holistic support and, preferably, meet clients at community organizations to address their legal needs. Legal practitioners could also educate community-based organizations to strengthen knowledge on available legal resources in the community.</li> </ul>
<b>Increase Access to Cultural Support (Including Language/Translation Services)</b>	<ul style="list-style-type: none"> <li>Revise practices surrounding legal services and supports to provide a culturally responsive approach to managing a justice-related problem, including increasing the availability of support and materials in languages other than just English.</li> </ul>
<b>Other Ways to Make Legal Supports More Accessible to</b>	<ul style="list-style-type: none"> <li>General increase in availability of community services and supports, as well as increasing the</li> </ul>

Avenues to Increase Accessibility	Highlights
<b>Underserved Demographic Groups</b>	availability of legal resources (especially for those with barriers, including technology and language).

### 5.3.7. Areas of Law: Barriers and Facilitators

Lawyers were asked to identify one area of law they believed was most in demand in their community but is not adequately offered. The top three areas of law that were identified included family (27%), criminal (13%), and housing/residential tenancies (7%). For each of these areas of law, lawyers provided their insights into what makes it challenging for individuals to access services and supports in that area of law, as well as strategies for improving access. For instance, participants were asked: (1) why they believed services in that area of law are not adequately offered; (2) what makes it difficult for individuals to access services and support(s) in that area of law; and (3) what should be done to make that area of law more accessible to individuals with legal needs in that area. Table 20 provides a summary of the perceived barriers and facilitators for accessing legal support in these areas of law according to lawyers.

**Table 20. Barriers and Facilitators for Accessing Areas of Law According to Lawyers**

Area of Law	Why services in this area of law are not adequately offered.	What makes it difficult for individuals to access services and support(s) in this area of law.	What should be done to make this area of law more accessible to individuals with legal needs in this area.
<b>Family</b>	<ul style="list-style-type: none"> <li>Free or government-subsidized services (e.g., Legal Aid) are not adequately available in this area of law (69%)</li> <li>Complexity of this area of law and related legal procedures (53%)</li> <li>Lack of capacity among legal service providers to meet the demand for services in this area of law (37%)</li> </ul>	<ul style="list-style-type: none"> <li>Limited financial resources for legal representation and other expenses associated with accessing legal support (80%)</li> <li>Delays/time lags (e.g., waitlists) in this area of law (51%)</li> <li>Complexity of the area of law and related legal procedures (49%)</li> </ul>	<ul style="list-style-type: none"> <li>Greater access to low-cost or free full-scope (70%) and limited-scope (61%) legal representation</li> <li>Greater utilization of alternative dispute resolution models (57%)</li> <li>Additional funding for legal and advocacy support networks (53%)</li> </ul>

Area of Law	Why services in this area of law are not adequately offered.	What makes it difficult for individuals to access services and support(s) in this area of law.	What should be done to make this area of law more accessible to individuals with legal needs in this area.
<b>Criminal</b>	<ul style="list-style-type: none"> <li>• Free or government-subsidized services (e.g., Legal Aid) are not adequately available in this area of law (62%)</li> <li>• Low profit for legal service providers in this area of law (56%)</li> <li>• Lack of capacity among legal service providers to meet the demand for services in this area (50%)</li> </ul>	<ul style="list-style-type: none"> <li>• Mistrust of the justice system (79%)</li> <li>• Limited financial resources for legal representation and other expenses associated with accessing legal support (77%)</li> <li>• Limited personal resources (e.g., childcare, transportation) which support attendance at legal appointments (65%)</li> </ul>	<ul style="list-style-type: none"> <li>• Greater access to low-cost or free full-scope legal representation (82%)</li> <li>• Additional funding for legal and advocacy support networks (76%)</li> <li>• Greater access to low-cost or free limited-scope legal representation (59%)</li> </ul>
<b>Housing/Residential Tenancies</b>	<ul style="list-style-type: none"> <li>• Low profit for legal service providers in this area of law (63%)</li> <li>• Lack of interest in providing services in this area of law among legal service providers (53%)</li> <li>• Free or government-subsidized services (e.g., Legal Aid) are not adequately available in this area of law (42%)</li> </ul>	<ul style="list-style-type: none"> <li>• Limited financial resources for legal representation and other expenses associated with accessing legal support (58%)</li> <li>• Lack of understanding of the formal justice system (47%)</li> <li>• Cultural barriers (47%)</li> </ul>	<ul style="list-style-type: none"> <li>• Greater access to low-cost or free full-scope legal representation (68%)</li> <li>• Additional funding for legal and advocacy support networks (53%)</li> <li>• Greater access to low-cost or free limited-scope legal representation (47%)</li> </ul>

## 6. Conclusion

A growing body of evidence has shined light on the met and unmet legal needs of populations in several countries across the globe in efforts to elucidate access to justice gaps and, therefore, identify strategies to improve peoples' experiences navigating justice-related problems. With an estimated 1.4 billion people in the world who experience a justice-related problem and are unable to meet their legal needs (World Justice Project, 2019a, 2019b), this represents a major access to justice problem. The Canadian population is not immune to this issue, as access to justice has been identified as one of the greatest challenges facing the Canadian justice system (Farrow, 2014; McLachlin, 2011). Indeed, several recent national legal needs surveys have suggested that a considerable number of Canadians have unmet legal needs (Currie, 2009, 2006; Farrow et al., 2016; Savage & McDonald, 2022). Accordingly, legal needs surveys are an important tool that help uncover access to justice gaps by investigating a population's experience with respect to navigating their legal problems. Findings from these assessments can serve as a guide for governments and various decision- and policy-makers in the development of effective justice programs, policies, and services aimed at improving access to justice for Canadians (Savage & McDonald, 2022).

The 2021-2022 Saskatchewan Legal Needs Survey departed from the tradition of past legal needs surveys (i.e., with a people-centred focus) to provide unique insight into justice-related problems, legal needs, and access to justice gaps experienced within Saskatchewan communities. Specifically, we investigated the extent to which lawyers, as well as representatives of (legal and non-legal) community-based organizations, believe individuals and communities in Saskatchewan are able to access the legal and non-legal supports and services necessary to resolve justice-related problems. This was the first legal needs assessment conducted solely in the province of Saskatchewan,<sup>117</sup> as well as the first to tap into the knowledge and expertise of those who provide legal and/or non-legal services and supports to those facing justice-related problems. Although these professionals are unable to capture the full scope of community members' experiences (as not everyone faced with a justice-related problem will seek a formal remedy), findings from the current study are relatively consistent with those from user-centred legal needs surveys in Canada and the province of Saskatchewan. This lends support to the notion that soliciting the views of those who provide services to individuals experiencing justice-related problems can add valuable insight into justice system-user needs; thus, providing a more comprehensive understanding of potential avenues to bridge access to justice gaps surrounding legal (and non-legal) services and supports. Future work would benefit from further analyzing this feedback from lawyers and representatives of community-based organizations, alongside the user-focused perspectives on justice-related problems, legal needs, and barriers to access to justice from those who face these issues in Saskatchewan (e.g., Savage, 2022). Such efforts would provide greater context to the current findings.

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<sup>117</sup> National legal needs surveys in Canada (Currie, 2009, 2006; Farrow et al., 2016; Savage & McDonald, 2022) have included Saskatchewan residents as part of their sample, however, these assessments were not designed to provide detailed insight into Saskatchewan-specific trends with respect to justice-related problems, legal needs, and access to justice. Although, some studies have disaggregated the national sample to highlight trends in the provinces, including Saskatchewan (Currie, 2009; Savage, 2022).

This study adds to the growing body of legal needs surveys, with particular focus on the legal needs and access to justice issues experienced in the province of Saskatchewan. In particular, lawyers and representatives of community-based organizations reflected on the justice-related problems and legal needs experienced in their communities, as well as the perceived barriers and facilitators surrounding community members' access to legal and/or non-legal supports and services for these problems. Findings from this study may therefore help inform decision- and policy-makers tasked with developing and evaluating access to justice initiatives in Saskatchewan.



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## Appendix A: Community Agency Survey and Consent Form



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### Legal Needs in Saskatchewan: Consent Form and Survey

#### Legal Needs in Saskatchewan

You are invited to participate in an online study to assess current legal needs/gaps in Saskatchewan to prioritize areas and issues for action to increase access to justice. This survey is part of a broader study intended to address the deficit of Saskatchewan-specific data related to met and unmet legal needs in the province.

**Researchers:** The study is being conducted by the University of Saskatchewan's College of Law, Centre for Research, Evaluation, and Action Towards Equal Justice (CREATE Justice), and Centre for Forensic Behavioural Science and Justice Studies (CFBSJS).

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**Procedures:** The survey will take approximately 10 minutes and consists of an online questionnaire to collect information about the priority legal needs you identify in your community, as well as your perceptions about whether legal supports and services are available in your community to the extent they are required. The survey will also ask you about strategies that can be adopted to address any gaps you identify related to legal services and populations served.

**Study Funders:** This study is funded by the Law Foundation of Saskatchewan and the Law Society of Saskatchewan.

**Potential Risks:** There are no known or anticipated risks to you by participating in this study. It is possible that you may experience some anxiety when you are asked to share your knowledge and experiences about the adequacy of legal services provided by you or your organization and might not want to talk about some the gaps and challenges you have observed. If this is the case, you can answer only the questions you feel comfortable answering.

**Potential Benefits:** Your participation in this study will add to the limited amount of data that is currently available about legal needs/gaps in Saskatchewan. Based on the survey's findings, recommendations and initiatives will be developed to address the unmet needs/gaps that are identified.

**Confidentiality:** All information collected through this survey will be anonymous. While the survey is intended to be anonymous, it is possible that your responses may include some identifying information about you or your organization. Any identifying information will not be included in any reports, articles, presentations, or fact sheets created to disseminate the findings. The data will be reported in aggregate form so that it will not be possible to identify individuals.

**Storage of Data:** This survey is hosted by Survey Monkey. Your data will be stored in facilities hosted in Canada. Please see the following for more information on [Survey Monkey's Privacy Policy](#). Once the survey is closed, your responses will be stored securely at the University of Saskatchewan on a secure network drive. If the data is collected while the researchers are working remotely due to the COVID-19 pandemic, all survey data will be stored securely on the University of Saskatchewan's OneDrive cloud storage service and will only be accessible to the research team. All electronic devices used in the researchers' homes are secure, password-protected devices that are not accessible to other individuals living in the home. Data will be stored for five years post-publication; at that time, it will be destroyed permanently and beyond recovery. The Principal Investigator, Dr. Lisa Jewell, is responsible for the storage of the data.

**Right to Withdraw:** Participation in this survey is voluntary. You can decide not to participate at any time by closing your browser or choosing not to answer any questions you do not feel comfortable with. Survey responses will remain anonymous. Since the survey is anonymous, once it is submitted it cannot be removed. Your responses will not be shared with anyone outside of the research team. Whether you choose to participate or not will have no effect on your employment or how you will be treated.

**Follow-up:** A summary of the results of this study will be posted on: 1) the Centre for Forensic Behavioural Science and Justice Studies' website: <https://cfbsjs.usask.ca/>; and 2) CREATE Justice's website: <https://law.usask.ca/createjustice/>. The results will be available in May 2022. The results of this study will also be submitted for publication in an academic journal.

**Questions or Concerns:** This research project has been approved on ethical grounds by the University of Saskatchewan Behavioural Research Ethics Board. Any questions regarding your rights as a participant may be addressed to that committee through the Research Ethics Office: [ethics.office@usask.ca](mailto:ethics.office@usask.ca); 306-966-2975; out of town participants may call toll free 1-888-966-2975.

If you have any questions about the survey, please do not hesitate to contact Dr. Lisa Jewell at 306-966-2707 or [lisa.jewell@usask.ca](mailto:lisa.jewell@usask.ca) or [any of the other researchers listed above](#).

By completing and submitting this questionnaire, **your free and informed consent is implied** and indicates that you understand the above conditions of participation in this study.

## GENERAL PERCEPTIONS OF JUSTICE-RELATED PROBLEMS AND LEGAL NEEDS

We are interested in learning about the extent to which the legal needs of individuals and communities in Saskatchewan are being met. One way we are doing that is by asking representatives from community agencies, such as yourself, about their perceptions of legal needs in the province based on their experiences with their clients and the work they do. This first set of questions ask you to reflect upon your general perceptions of justice-related problems and legal needs.

**Justice-related problems are defined as “everyday problems which have a legal aspect and a potential legal solution.” A legal need is defined as “a deficit in personal legal capability, which necessitates legal support(s) to appropriately manage a justice-related problem.”**

Please indicate the extent to which you agree or disagree with each statement regarding the community in which you serve and community members’ experiences with justice-related problems and legal needs.

	(1) Strongly disagree	(2) Disagree	(3) Neither Agree nor Disagree	(4) Agree	(5) Strongly agree	Don't know
1. Over the course of a lifetime, almost everyone will confront a justice-related problem.						
2. The legal system is difficult to navigate for those seeking legal support(s) for justice-related problems.						
3. People experiencing a justice-related problem are better off addressing it through the formal legal system.						
4. The vast majority of justice-related problems can be resolved outside of the formal legal system.						
5. People are less likely to take action to solve justice-related problems that have higher costs (e.g., financial, time, energy).						
6. Eligibility criteria for free, subsidized, or low-cost legal services (e.g., Legal Aid) are too restrictive.						



7. There are an adequate number of services available to support the legal needs of our community.						
8. People are aware of the legal support(s) available in the community which may assist in resolving a justice-related problem.						
9. A significant barrier to addressing individuals' legal needs is the unintegrated nature of services available in the community.						
10. Legal service providers deliver services in a culturally appropriate manner (e.g., services are tailored, where necessary, to account for clients' cultural backgrounds).						

Please indicate how frequently (from never to always) the following situations occur in the community in which you serve in relation to community members' experiences with justice-related problems and legal needs. **Justice-related problems are defined as "everyday problems which have a legal aspect and a potential legal solution."** A **legal need** is defined as "a deficit in personal legal capability, which necessitates legal support(s) to appropriately manage a justice-related problem."

	(1) Never	(2) Rarely	(3) Sometimes	(4) Often	(5) Always	Don't know
<b>People are able to:</b>						
1. Obtain effective legal advice for a justice-related problem (if they are in need of legal advice).						
2. Obtain effective legal information for a justice-related problem (if they are in need of legal information).						
3. Obtain effective legal representation for a justice-related problem (if they are in need of legal representation).						

4. Access legal support(s) in a timely manner to resolve a justice-related problem.						
5. Satisfactorily resolve justice-related problems as a result of seeking legal support(s).						

### LEGAL NEEDS

Many community agencies serve clients who have co-occurring justice-related problems (i.e., clients have justice-related problems in addition to the reasons for which they are seeking services from a given agency). We are interested in learning about the justice-related problems your clients have and the supports they require to manage those problems.

1. What types of justice-related problems do your clients most often have? *Select one or more categories, if applicable, from the list provided. If other, please specify.*
  - Accidental Illness and Injury
  - Community and Natural Resources
  - Consumer
  - Contract Disputes
  - Criminal
  - Disability Assistance
  - Discrimination
  - Employment
  - Education
  - Family (Relationship Breakdown)
  - Family (Other)
  - Foreclosure
  - Guardianship
  - Housing
  - Immigration
  - Insurance
  - Land
  - Lawyer Complaints
  - Medical Treatment
  - Money or Debt
  - Personal Injury
  - Police Treatment
  - Small Claims
  - Social Assistance
  - Threat of Legal Action
  - Wills and Powers of Attorney
  - Other – Specify
  - I Don't Know

2. What types of legal supports do your clients most often need to manage their justice-related problems, if any?
  - [open-ended response]
3. What types of non-legal supports do your clients most often need to manage their justice-related problems, if any?
  - [open-ended response]
4. What is your organization's role in assisting clients with their justice-related problems, if any?
  - [open-ended response]

### LEGAL SERVICES/SUPPORT(S)

A wide variety of legal services exist to support individuals in addressing their justice-related problems. We are interested in the extent to which individuals in your community have access to the legal services they require.

1. In your community, which types of legal services do you believe are most in demand but are not adequately offered? *Select one or more categories, if applicable, from the list provided. If other, please specify.*
  - Administrative
  - Advocacy
  - Arbitration
  - Dispute resolution
  - Document preparation and form filling
  - Language services (e.g., translation/interpretation)
  - Legal advice
  - Legal coaching
  - Legal information
  - Legal representation
  - Legal workshops
  - Litigation
  - Mediation
  - Negotiation
  - Referral to legal service providers
  - Referral to non-legal service providers
  - Self-help kits
  - Other – Specify
2. In your community, what makes it difficult for individuals to access the legal support(s) they need? *Select one or more categories, if applicable, from the list provided. If other, please specify.*
  - Complexity of laws and related legal procedures

- Concerns about the fairness of the justice system
  - Cultural barriers
  - Delays/time lags (e.g., waitlists)
  - Discomfort with the adversarial nature of the justice system
  - Fear of being mistreated within the justice system
  - Fear of negative consequences for accessing legal services (e.g., threats to personal safety, threat of additional legal action)
  - Geographic barriers (e.g., distance from services)
  - Lack of understanding of the formal justice system
  - Language barriers
  - Limited access to technological tools (e.g., Internet, electronic devices)
  - Limited personal resources (e.g., childcare, transportation) which support attendance at legal appointments
  - Limited financial resources for legal representation and other expenses associated with accessing legal support
  - Limited-to-no legal service providers available in the community
  - Mistrust of the justice system
  - Restrictions in eligibility for legal support(s)
  - Unaware of how to access legal support(s) to resolve a justice-related problem
  - Unaware of legal rights and responsibilities
  - Unaware there is a legal aspect (and potential legal solution) to their problem(s)
  - Other – Specify
  - I Don't Know
3. What should be done to make legal services and support(s) more accessible in your community?
- [open-ended response]

### DEMOGRAPHIC GROUPS SERVED

In this section, we are interested in learning about the unique legal needs of specific demographic groups and the extent to which those needs are currently being met in your community.

2. In your community, what demographic groups do you believe are most in need of legal support(s) but are not being adequately served? *Select one or more categories, if applicable, from the list provided. If other, please specify.*
- Children/Adolescents (<18 years)
  - Young Adults (18-35 years)
  - Middle-Age Adults (36-64 years)
  - Seniors (65-79 years)
  - Elderly Persons (80+ years)
  - Unemployed Persons/Economically Inactive
  - Low Income Earners
  - Middle Income Earners
  - High Income Earners

- Temporary Foreign Workers
  - Immigrants/Newcomers/Refugees
  - Indigenous Peoples
  - Persons Belonging to a Visible Minority
  - Homeless Persons
  - Persons Living in Institutions
  - Persons with Low Education
  - Persons with Mental Illness
  - Persons with Physical Disabilities
  - Sexual and Gender Minorities (e.g., Lesbian, Gay, Bisexual, Transgender)
  - Women
  - Men
  - Other – Specify
  - I Don't Know
3. What makes it difficult for these demographic groups to access the legal support(s) they require? *Select one or more categories, if applicable, from the list provided. If other, please specify.*
- Complexity of laws and related legal procedures
  - Concerns about the fairness of the justice system
  - Cultural barriers
  - Delays/time lags (e.g., waitlists)
  - Discomfort with the adversarial nature of the justice system
  - Fear of being mistreated within the justice system
  - Fear of retaliation for accessing legal services
  - Geographic barriers (e.g., distance from services)
  - Lack of understanding of the formal justice system
  - Language barriers
  - Limited access to technological tools (e.g., Internet, electronic devices)
  - Limited personal resources (e.g., childcare, transportation) which support attendance at legal appointments
  - Limited financial resources for legal representation and other expenses associated with accessing legal support
  - Limited-to-no legal service providers available in the community
  - Mistrust of the justice system
  - Restrictions in eligibility for legal support(s)
  - Unaware of how to access legal support(s) to resolve a justice-related problem
  - Unaware of legal rights and responsibilities
  - Unaware there is a legal aspect (and potential legal solution) to their problem(s)
  - Other – Specify
  - I Don't Know
4. What should be done to make the legal support(s) needed by these demographic groups more accessible in your community?

- [open-ended response]

## RESPONDENT DEMOGRAPHICS

1. What **best** describes the types of services your organization provides? *Please select the term that best describes the work you do. If other, please specify.*
  - Disability
  - Education
  - Employment
  - Child, Youth, and Family
  - Gender and Sexual Diversity
  - Health
  - Housing
  - Human Rights
  - Immigration/Newcomer/Refugee
  - Justice
  - Mental Health and Addictions
  - Or, please specify: \_\_\_\_\_
2. What legal services, if any, does your organization provide to assist individuals with their justice-related problems? *Select one or more categories, if applicable, from the list provided. If other, please specify.*
  - Administrative
  - Advocacy
  - Arbitration
  - Dispute resolution
  - Document preparation and form filling
  - Language services (e.g., translation/interpretation)
  - Legal advice
  - Legal coaching
  - Legal information
  - Legal representation
  - Legal workshops
  - Litigation
  - Mediation
  - Negotiation
  - Referral to legal service providers
  - Referral to non-legal service providers
  - Self-help kits
  - Other – Specify
  - NOT APPLICABLE
3. What community or communities do you serve?
  - [open-ended response]

4. Do you deliver services in northern Saskatchewan?
  - Yes
  - No
  - I don't know
  
5. Please provide any additional comments that you have about legal needs in Saskatchewan.

## Appendix B: Lawyer Survey and Consent Form



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### Legal Needs in Saskatchewan: Consent Form and Survey

#### Legal Needs in Saskatchewan

You are invited to participate in an online study to assess current legal needs/gaps in Saskatchewan to prioritize areas and issues for action to increase access to justice. This survey is part of a broader study intended to address the deficit of Saskatchewan-specific data related to met and unmet legal needs in the province.

**Researchers:** The study is being conducted by the University of Saskatchewan's College of Law, Centre for Research, Evaluation, and Action Towards Equal Justice (CREATE Justice), and Centre for Forensic Behavioural Science and Justice Studies (CFBSJS).

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**Procedures:** The survey will take approximately 15 minutes and consists of an online questionnaire to collect information about the legal services you or your organization currently provide and the priority legal needs you identify in your community. The survey will also ask you about strategies that can be adopted to address any gaps you identify related to legal services, areas of law, and populations served.

**Study Funders:** This study is funded by the Law Foundation of Saskatchewan and the Law Society of Saskatchewan.

**Potential Risks:** There are no known or anticipated risks to you by participating in this study. It is possible that you may experience some anxiety when you are asked to share your knowledge and experiences about the adequacy of legal services provided by you or your organization and might not want to talk about some the gaps and challenges you have observed. If this is the case, you can answer only the questions you feel comfortable answering.

**Potential Benefits:** Your participation in this study will add to the limited amount of data that is currently available about legal needs/gaps in Saskatchewan. Based on the survey's findings,



recommendations and initiatives will be developed to address the unmet needs/gaps that are identified.

**Confidentiality:** All information collected through this survey will be anonymous. While the survey is intended to be anonymous, it is possible that your responses may include some identifying information about you or your organization. Any identifying information will not be included in any reports, articles, presentations, or fact sheets created to disseminate the findings. The data will be reported in aggregate form so that it will not be possible to identify individuals.

**Storage of Data:** This survey is hosted by Survey Monkey. Your data will be stored in facilities hosted in Canada. Please see the following for more information on [Survey Monkey's Privacy Policy](#). Once the survey is closed, your responses will be stored securely at the University of Saskatchewan on a secure network drive. If the data is collected while the researchers are working remotely due to the COVID-19 pandemic, all survey data will be stored securely on the University of Saskatchewan's OneDrive cloud storage service and will only be accessible to the research team. All electronic devices used in the researchers' homes are secure, password-protected devices that are not accessible to other individuals living in the home. Data will be stored for five years post-publication; at that time, it will be destroyed permanently and beyond recovery. The Principal Investigator, Dr. Lisa Jewell, is responsible for the storage of the data.

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**Follow-up:** A summary of the results of this study will be posted on: 1) the Centre for Forensic Behavioural Science and Justice Studies' website: <https://cfbsjs.usask.ca/>; and 2) CREATE Justice's website: <https://law.usask.ca/createjustice/>. The results will be available in May 2022. The results of this study will also be submitted for publication in an academic journal.

**Questions or Concerns:** This research project has been approved on ethical grounds by the University of Saskatchewan Behavioural Research Ethics Board. Any questions regarding your rights as a participant may be addressed to that committee through the Research Ethics Office: [ethics.office@usask.ca](mailto:ethics.office@usask.ca); 306-966-2975; out of town participants may call toll free 1-888-966-2975.

If you have any questions about the survey, please do not hesitate to contact Dr. Lisa Jewell at 306-966-2707 or [lisa.jewell@usask.ca](mailto:lisa.jewell@usask.ca) or [any of the other researchers listed above](#).

By completing and submitting this questionnaire, **your free and informed consent is implied** and indicates that you understand the above conditions of participation in this study.

## GENERAL PERCEPTIONS OF JUSTICE-RELATED PROBLEMS AND LEGAL NEEDS

We are interested in learning about the extent to which the legal needs of individuals and communities in Saskatchewan are being met. One way we are doing that is by asking lawyers, such as yourself, about their perceptions of legal needs in the province based on their experiences with their clients and the work they do. This first set of questions ask you to reflect upon your general perceptions of justice-related problems and legal needs.

**Justice-related problems** are defined as “everyday problems which have a legal aspect and a potential legal solution.” A **legal need** is defined as “a deficit in personal legal capability, which necessitates legal support(s) to appropriately manage a justice-related problem.”

Please indicate the extent to which you agree or disagree with each statement regarding the community in which you serve and community members’ experiences with justice-related problems and legal needs.

	(1) Strongly disagree	(2) Disagree	(3) Neither Agree nor Disagree	(4) Agree	(5) Strongly agree	Don't know
11. People experiencing a justice-related problem are better off addressing it through the formal legal system.						
12. The vast majority of justice-related problems can be resolved outside of the formal legal system.						
13. People are less likely to take action to solve justice-related problems that have higher costs (e.g., financial, time, energy).						
14. Eligibility criteria for free, subsidized, or low-cost legal services (e.g., Legal Aid) are too restrictive.						
15. There are an adequate number of services available to support the legal needs of our community.						
16. People are aware of the legal support(s) available in the community which may assist in resolving a justice-related problem.						

17. A significant barrier to addressing individuals' legal needs is the unintegrated nature of services available in the community.						
18. There are an adequate number of legal service providers (e.g., lawyers and supporting legal assistants) practicing in the areas of law in which our community is in need.						
19. Legal service providers deliver services in a culturally appropriate manner (e.g., services are tailored, where necessary, to account for clients' cultural backgrounds).						

Please indicate how frequently (from never to always) the following situations occur in the community in which you serve in relation to community members' experiences with justice-related problems and legal needs. **Justice-related problems are defined as "everyday problems which have a legal aspect and a potential legal solution."** A **legal need** is defined as **"a deficit in personal legal capability, which necessitates legal support(s) to appropriately manage a justice-related problem."**

	(1) Never	(2) Rarely	(3) Sometimes	(4) Often	(5) Always	Don't know
<b>People are able to:</b>						
1. Obtain effective legal advice for a justice-related problem (if they are in need of legal advice).						
2. Obtain effective legal information for a justice-related problem (if they are in need of legal information).						
3. Obtain effective legal representation for a justice-related problem (if they are in need of legal representation).						
4. Access legal support(s) in a timely manner to resolve a justice-related problem.						

5. Satisfactorily resolve justice-related problems as a result of seeking legal support(s).						
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### AREAS OF LAW

In this section, we are interested in learning about the areas of law in which you provide services, the areas of law you perceive to be in demand but are not adequately offered, and strategies for increasing access to these areas of law.

1. In what area(s) of law do you provide services? *Please select one or more categories, if applicable, from the list provided. If other, please specify.*
  - Aboriginal/Indigenous
  - Administrative/Boards/Tribunals
  - Agricultural
  - Bankruptcy/Insolvency
  - Constitutional
  - Consumer
  - Corporate/Commercial
  - Criminal
  - Debtor/Creditor
  - Disability
  - Elder
  - Employment/Labour (e.g., Worker's Compensation)
  - Entertainment
  - Environmental/Natural Resource
  - Family
  - Foreclosure
  - Government Income (e.g., Benefits, Social Assistance)
  - Guardianship/Incapacity
  - Health/Medical
  - Housing/Residential Tenancies
  - Human Rights (e.g., Discrimination)
  - Immigration/Refugee
  - Insurance
  - Intellectual Property/Information Technology
  - Lawyer Complaint
  - Municipal
  - Personal Injury
  - Police Complaint
  - Prison
  - Real Estate
  - Small Claims

- Tax
  - Traffic
  - Wills and Estates
  - Other – Specify
  - Non-Practising Lawyer
2. In your community, which three (3) areas of law do you believe are most in demand but are not adequately offered? *Please select **up to three (3)** categories. If other, please specify.*
- Aboriginal/Indigenous
  - Administrative/Boards/Tribunals
  - Agricultural
  - Bankruptcy/Insolvency
  - Constitutional
  - Consumer
  - Corporate/Commercial
  - Criminal
  - Debtor/Creditor
  - Disability
  - Elder
  - Employment/Labour (e.g., Worker’s Compensation)
  - Entertainment
  - Environmental/Natural Resource
  - Family
  - Foreclosure
  - Government Income (e.g., Benefits, Social Assistance)
  - Guardianship/Incapacity
  - Health/Medical
  - Housing/Residential Tenancies
  - Human Rights (e.g., Discrimination)
  - Immigration/Refugee
  - Insurance
  - Intellectual Property/Information Technology
  - Lawyer Complaint
  - Municipal
  - Personal Injury
  - Police Complaint
  - Prison
  - Real Estate
  - Small Claims
  - Tax
  - Traffic
  - Wills and Estates
  - Other – Specify

- None
  - Prefer Not to Answer
3. Of the three areas of law you previously selected, which area of law do you believe is **most** in demand in your community but is not adequately offered? *Please select the top category. If other, please specify.*
- Aboriginal/Indigenous
  - Administrative/Boards/Tribunals
  - Agricultural
  - Bankruptcy/Insolvency
  - Constitutional
  - Consumer
  - Corporate/Commercial
  - Criminal
  - Debtor/Creditor
  - Disability
  - Elder
  - Employment/Labour (e.g., Worker's Compensation)
  - Entertainment
  - Environmental/Natural Resource
  - Family
  - Foreclosure
  - Government Income (e.g., Benefits, Social Assistance)
  - Guardianship/Incapacity
  - Health/Medical
  - Housing/Residential Tenancies
  - Human Rights (e.g., Discrimination)
  - Immigration/Refugee
  - Insurance
  - Intellectual Property/Information Technology
  - Lawyer Complaint
  - Municipal
  - Personal Injury
  - Police Complaint
  - Prison
  - Real Estate
  - Small Claims
  - Tax
  - Traffic
  - Wills and Estates
  - Other – Specify
  - None
  - Prefer Not to Answer

FOLLOW-UP QUESTIONS (FROM Q3) ACCORDING TO AREA OF LAW

[DEFINITIONS BELOW TO BE INCLUDED AT TOP OF PAGE]

For the purposes of this survey:

**Legal service providers** are defined as lawyers and assistants working under the supervision of lawyers who provide legal services.

**Alternative legal service providers** are defined as non-lawyer professionals who provide legal services within a limited scope, such as limited licence practitioners, notaries public, and paralegals.

**Non-legal service providers** are defined as non-lawyer professionals who provide support(s) to individuals experiencing justice-related problems, such as community service organizations.

4. Why do you believe services in [INSERT AREA OF LAW] law are not adequately offered? *Select one or more categories, if applicable, from the list provided.*
  - Complexity of the area of law and related legal procedures
  - Free or government-subsidized services (e.g., Legal Aid) are not adequately available in this area of law
  - Lack of capacity among legal service providers to meet the demand for services in this area of law
  - Lack of collaboration between legal and non-legal service providers in this area of law
  - Lack of community outreach in this area of law
  - Lack of expertise to provide services in this area of law among legal service providers
  - Lack of interest in providing services in this area of law among legal service providers
  - Low profit for legal service providers in this area of law
  - Other - Specify
  - I Don't Know
  
5. What should be done to establish or expand services in [INSERT AREA OF LAW] law? *Select one or more categories, if applicable, from the list provided.*
  - Additional resources (e.g., funding, personnel) dedicated to service provision in this area of law
  - Allow non-legal service providers to practice in this area of law with a limited license
  - Continuing professional development in this area of law for legal service providers
  - Greater community outreach by legal service providers in this area of law
  - Improved collaboration between legal and non-legal service providers in this area of law

- Increased availability of free or government-subsidized services (e.g., Legal Aid) in this area of law
  - Increased utilization of alternative billing arrangements (e.g., flat fee, co-pay systems) in this area of law
  - Provide training in this area of law for non-legal service providers
  - Other – Specify
  - I Don't Know
6. What makes it difficult for individuals to access services and support(s) in [INSERT AREA OF LAW] law? *Select one or more categories, if applicable, from the list provided.*
- Complexity of the area of law and related legal procedures
  - Concerns about the fairness of the justice system
  - Cultural barriers
  - Delays/time lags (e.g., waitlists) in this area of law
  - Discomfort with the adversarial nature of the justice system
  - Fear of being mistreated within the justice system
  - Fear of negative consequences for accessing legal services (e.g., threats to personal safety, threat of additional legal action)
  - Geographic barriers (e.g., distance from services)
  - Lack of understanding of the formal justice system
  - Language barriers
  - Limited access to technological tools (e.g., Internet, electronic devices)
  - Limited personal resources (e.g., childcare, transportation) which support attendance at legal appointments
  - Limited financial resources for legal representation and other expenses associated with accessing legal support
  - Limited-to-no legal service providers available in the community
  - Mistrust of the justice system
  - Restrictions in eligibility for legal support(s) in this area of law
  - Unaware of how to access legal support(s) to resolve a justice-related problem
  - Unaware of legal rights and responsibilities
  - Unaware there is a legal aspect (and potential legal solution) to their problem(s)
  - Other – Specify
  - I Don't Know
7. What should be done to make [INSERT AREA OF LAW] law more accessible to individuals who have legal needs in this area? *Select one or more categories, if applicable, from the list provided.*
- Additional funding for legal and advocacy support networks
  - Cultural training for legal service providers
  - Greater access to alternative legal service providers (e.g., limited license practitioners, notaries, paralegals)
  - Greater access to case management support
  - Greater access to community-based restorative justice approaches



- Greater access to legal coaching
  - Greater access to legal information (e.g., through public legal education, libraries, or other entry points for legal information)
  - Greater access to low-cost or free full-scope legal representation (e.g., Legal Aid)
  - Greater access to low-cost or free limited-scope legal representation
  - Greater collaboration with community service providers to provide legal services in trusted spaces
  - Greater community outreach to see what certain groups need
  - Greater recognition of Indigenous cultural values, ideologies, and legal traditions
  - Greater utilization of adjudicators (e.g., mediators, courts)
  - Greater utilization of alternative dispute resolution models
  - Improved language services (e.g., multilingual professionals, interpretation services)
  - Increased access to technological tools (e.g., Internet, electronic devices)
  - Legal education for self-represented persons
  - More legal clinics
  - More legal services in remote areas
  - More legal toolkits and do-it-yourself guides
  - More online legal service delivery options
  - Other - Specify
  - I Don't Know
8. Is there anything else you would like to share about the **areas of law** you believe are in demand in your community?
- [open-ended response]

### SOCIAL GROUPS SERVED

In this section, we will ask you questions about the social groups you believe are most in need of legal supports but are not being adequately served, what makes it challenging for these social groups to access the legal supports and areas of law they require, and strategies for improving their access to legal supports and areas of law in the future.

5. In your community, what social groups do you believe are most in need of legal support(s) but are not being adequately served? *Please select **up to three (3)** categories. If other, please specify.*
- Children/Adolescents (<18 years)
  - Young Adults (18-35 years)
  - Middle-Age Adults (36-64 years)
  - Seniors (65-79 years)
  - Elderly Persons (80+ years)
  - Unemployed/ Economically Inactive Persons
  - Low Income Earners
  - Middle Income Earners
  - High Income Earners

- Temporary Foreign Workers
  - Immigrants/Newcomers/Refugees
  - Indigenous Peoples
  - Persons Belonging to a Visible Minority
  - Homeless Persons
  - Persons Living in Institutions
  - Persons with Low Education
  - Persons with Mental Illness
  - Persons with Physical Disabilities
  - Sexual and Gender Minorities (e.g., Lesbian, Gay, Bisexual, Transgender)
  - Women
  - Men
  - Other – Specify
  - None
  - I Don't Know
6. Of the three social groups you previously selected, what social group do you believe is **most** in need of legal support(s) but is not being adequately served? *Please select the top category. If other, please specify.*
- Children/Adolescents (<18 years)
  - Young Adults (18-35 years)
  - Middle-Age Adults (36-64 years)
  - Seniors (65-79 years)
  - Elderly Persons (80+ years)
  - Unemployed Persons/Economically Inactive
  - Low Income Earners
  - Middle Income Earners
  - High Income Earners
  - Temporary Foreign Workers
  - Immigrants/Newcomers/Refugees
  - Indigenous Peoples
  - Persons Belonging to a Visible Minority
  - Homeless Persons
  - Persons Living in Institutions
  - Persons with Low Education
  - Persons with Mental Illness
  - Persons with Physical Disabilities
  - Sexual and Gender Minorities (e.g., Lesbian, Gay, Bisexual, Transgender)
  - Women
  - Men
  - Other – Specify
  - None
  - I Don't Know

FOLLOW-UP QUESTIONS (FROM Q2) ACCORDING TO SOCIAL GROUP

[DEFINITIONS BELOW TO BE INCLUDED AT TOP OF PAGE]

For the purposes of this survey...

**Legal service providers** are defined as lawyers and assistants working under the supervision of lawyers who provide legal services.

**Alternative legal service providers** are defined as non-lawyer professionals who provide legal services within a limited scope, such as limited licence practitioners, paralegals, and notaries public.

**Non-legal service providers** are defined as non-lawyer professionals who provide support(s) to individuals experiencing justice-related problems, such as community service organizations.

7. Why do you believe legal service providers are not able to adequately offer support(s) to [INSERT SOCIAL GROUP]? *Select one or more categories, if applicable, from the list provided.*
  - Free or government-subsidized services (e.g., Legal Aid) are not adequately available to provide legal support(s) to this group
  - Lack of capacity among legal service providers to meet this group's legal needs
  - Lack of collaboration between legal and non-legal service providers
  - Lack of community outreach for this group
  - Lack of expertise among legal service providers to meet this group's legal needs
  - Other – Specify
  - I Don't Know
  
8. What makes it difficult for [INSERT SOCIAL GROUP] to access the legal support(s) they require? *Select one or more categories, if applicable, from the list provided. If other, please specify.*
  - Complexity of laws and related legal procedures
  - Concerns about the fairness of the justice system
  - Cultural barriers
  - Delays/time lags (e.g., waitlists)
  - Discomfort with the adversarial nature of the justice system
  - Fear of being mistreated within the justice system
  - Fear of negative consequences for accessing legal services (e.g., threats to personal safety, threat of additional legal action)
  - Geographic barriers (e.g., distance from services)
  - Lack of understanding of the formal justice system
  - Language barriers
  - Limited access to technological tools (e.g., Internet, electronic devices)

- Limited personal resources (e.g., childcare, transportation) which support attendance at legal appointments
  - Limited financial resources for legal representation and other expenses associated with accessing legal support
  - Limited-to-no legal service providers available in the community
  - Mistrust of the justice system
  - Restrictions in eligibility for legal support(s)
  - Unaware of how to access legal support(s) to resolve a justice-related problem
  - Unaware of legal rights and responsibilities
  - Unaware there is a legal aspect (and potential legal solution) to their problem(s)
  - Other – Specify
  - I Don't Know
9. What should be done to make the legal support(s) [INSERT SOCIAL GROUP] need more accessible? *Select one or more categories, if applicable, from the list provided.*
- Additional funding for legal and advocacy support networks
  - Cultural training for legal service providers
  - Greater access to alternative legal service providers (e.g., limited license practitioners, notaries, paralegals)
  - Greater access to case management support
  - Greater access to community-based restorative justice approaches
  - Greater access to legal coaching
  - Greater access to legal information (e.g., through public legal education, libraries, or other entry points for legal information)
  - Greater access to low-cost or free full-scope legal representation (e.g., Legal Aid)
  - Greater access to low-cost or free limited-scope legal representation
  - Greater collaboration with community service providers to provide legal services in trusted spaces
  - Greater community outreach to see what certain groups need
  - Greater recognition of Indigenous cultural values, ideologies, and legal traditions
  - Greater utilization of adjudicators (e.g., mediators, courts)
  - Greater utilization of alternative dispute resolution models
  - Improved language services (e.g., multilingual professionals, interpretation services)
  - Increased access to technological tools (e.g., Internet, electronic devices)
  - Legal education for self-represented persons
  - More legal clinics
  - More legal services in remote areas
  - More legal toolkits and do-it-yourself guides
  - More online legal service delivery options
  - Other - Specify
  - I Don't Know

10. Which areas of law are [INSERT SOCIAL GROUP] **most** in need of? *Select one or more categories, if applicable, from the list provided. If other, please specify.*

- Aboriginal/Indigenous
- Administrative/Boards/Tribunals
- Agricultural
- Bankruptcy/Insolvency
- Constitutional
- Consumer
- Corporate/Commercial
- Criminal
- Debtor/Creditor
- Disability
- Elder
- Employment/Labour (e.g., Worker's Compensation)
- Entertainment
- Environmental/Natural Resource
- Family
- Foreclosure
- Government Income (e.g., Benefits, Social Assistance)
- Guardianship/Incapacity
- Health/Medical
- Housing/Residential Tenancies
- Human Rights (e.g., Discrimination)
- Immigration/Refugee
- Insurance
- Intellectual Property/Information Technology
- Lawyer Complaint
- Municipal
- Personal Injury
- Police Complaint
- Prison
- Real Estate
- Small Claims
- Tax
- Traffic
- Wills and Estates
- Other – Specify

11. What should be done to better provide [INSERT SOCIAL GROUP] the areas of law they need? *Select one or more categories, if applicable, from the list provided.*

- Additional resources (e.g., funding, personnel) dedicated to service provision in this area of law
- Allow non-legal service providers to practice in this area of law with a limited license

- Continuing professional development in this area of law for legal service providers
- Greater community outreach by legal service providers in this area of law
- Improved collaboration between legal and non-legal service providers in this area of law
- Increased availability of free or government-subsidized services (e.g., Legal Aid) in this area of law
- Increased utilization of alternative billing arrangements (e.g., flat fee, co-pay systems) in this area of law
- Provide training in this area of law for non-legal service providers
- Other – Specify
- I Don't Know

12. Is there anything else you would like to share about the **social groups** you believe are in need of legal services and support(s) in your community?

- [open-ended response]

## CLIENTS' LEGAL NEEDS

In this section, we will ask you about the types of justice-related problems your clients most often have and the types of legal supports they typically require to manage those problems.

5. What types of justice-related problems do your clients most often have? *Select one or more categories, if applicable, from the list provided. If other, please specify.*
- Accidental Illness and Injury
  - Community and Natural Resources
  - Consumer
  - Contract Disputes
  - Criminal
  - Disability Assistance
  - Discrimination
  - Employment
  - Education
  - Family (Relationship Breakdown)
  - Family (Other)
  - Foreclosure
  - Guardianship
  - Housing
  - Immigration
  - Insurance
  - Land
  - Lawyer Complaints
  - Medical Treatment
  - Money or Debt
  - Personal Injury

- Police Treatment
  - Small Claims
  - Social Assistance
  - Threat of Legal Action
  - Wills and Powers of Attorney
  - Other – Specify
  - Not Applicable
  - I Don't Know
6. What types of legal support(s) do your clients most often need to manage their justice-related problems?
- [open-ended response]

## RESPONDENT DEMOGRAPHICS

In this final section of the survey, we wish to learn more about you to help us better understand who completed the survey.

1. What type of organization do you work for? *Please select only one. If other, please specify.*
- Academic Institution
  - Community-Based Organization
  - Court
  - Crown Corporation
  - Government - Federal
  - Government - Municipal
  - Government - Provincial
  - In-House Counsel
  - First Nation, Métis Nation, or Tribal Council
  - Law Firm
  - Legal Aid
  - Legal Clinic
  - Police
  - Professional Association
  - Saskatchewan Health Authority
  - Victim Services
  - Other—Specify
2. What legal services do you provide? *Please select one or more categories, if applicable, from the list provided. If other, please specify.*
- Administrative
  - Advocacy
  - Arbitration
  - Dispute resolution
  - Document preparation and form filling

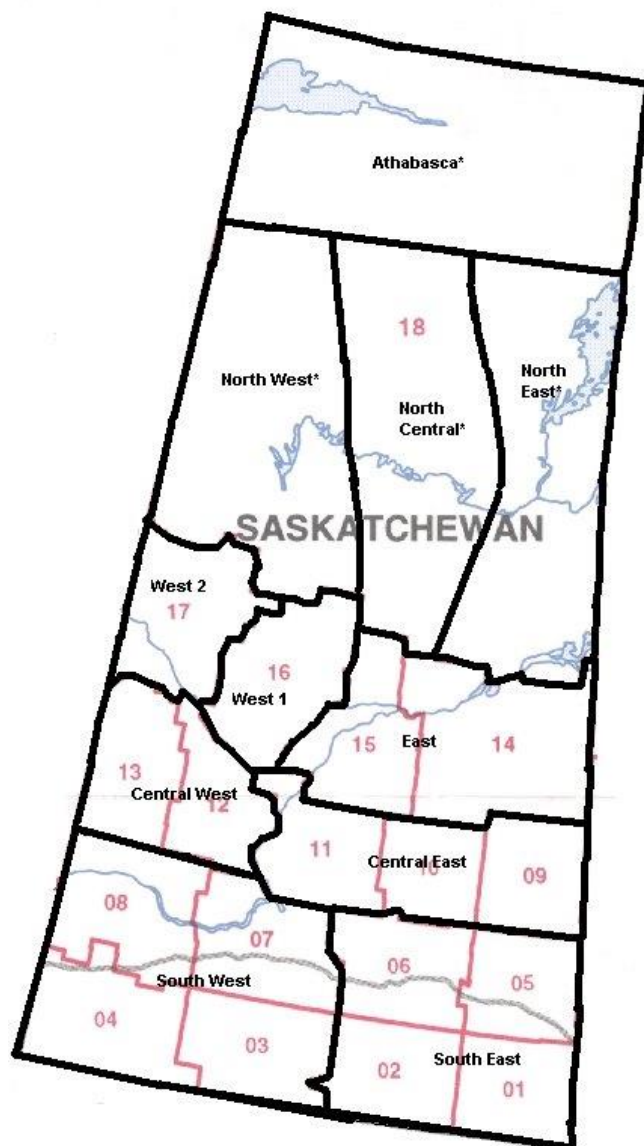
- Language services (e.g., translation/interpretation)
  - Legal advice
  - Legal coaching
  - Legal information
  - Legal representation
  - Legal workshops
  - Litigation
  - Mediation
  - Negotiation
  - Referral to legal service providers
  - Referral to non-legal service providers
  - Self-help kits
  - Other – Specify
3. What are the main sources you **receive referrals from** for legal services? *Select one or more categories, if applicable, from the list provided. If other, please specify.*
- Bank/Financial Planner
  - CLASSIC (Community Legal Assistance Services For Saskatoon Inner City Inc.)
  - Community-Based Organizations
  - Courthouse Staff
  - Employers or Union Representatives
  - Government Office or Agency
  - Healthcare Professionals
  - Judges/Courts
  - Law Society of Saskatchewan (Find A Lawyer)
  - (Other) Lawyer(s)
  - Libraries
  - Legal Aid
  - Legal Clinics
  - Member of Legislative Assembly or City Councillor
  - Online Legal Information Resources
  - Personal Referrals (e.g., family/friends)
  - Phone Service (e.g., 1-800 service or 211 Saskatchewan)
  - Pro Bono Law Saskatchewan
  - Professional Network
  - Public Prosecutions
  - Self-Referral
  - Social Worker
  - Student Legal Organizations
  - Other – Specify
  - Not Applicable
4. What are the main sources you **make referrals to** in provision of legal services? *Select one or more categories, if applicable, from the list provided. If other, please specify.*



- Bank/Financial Planner
  - CLASSIC (Community Legal Assistance Services For Saskatoon Inner City Inc.)
  - Community-Based Organizations
  - Courthouse Staff
  - Employers or Union Representatives
  - Government Office or Agency
  - Healthcare Professionals
  - Judges/Courts
  - Law Society of Saskatchewan (Find A Lawyer)
  - (Other) Lawyer(s)
  - Libraries
  - Legal Aid
  - Legal Clinics
  - Member of Legislative Assembly or City Councillor
  - Online Legal Information Resources
  - Phone Service (e.g., 1-800 service or 211 Saskatchewan)
  - Pro Bono Law Saskatchewan
  - Professional Network
  - Public Prosecutions
  - Social Worker
  - Student Legal Organizations
  - Other – Specify
  - Not Applicable
5. How long have you been providing legal services?
- < 1 year
  - 1 – 5 years
  - 6 – 10 years
  - 11 – 15 years
  - 16 – 20 years
  - 21 – 25 years
  - 26 – 30 years
  - More than 30 years
  - I am a Non-Practising Lawyer
    - i. [*If Non-Practising Lawyer*] For how many years did you provide legal services?
6. What community or communities do you serve?
- [open-ended response]
7. Do you deliver legal services in northern Saskatchewan?
- Yes
  - No
  - I Don't know

8. What is your age (in years)?
- [List]
  - Prefer not to answer
9. What best describes your gender?
- Man
  - Woman
  - Or, please specify: \_\_\_\_\_
  - Prefer not to answer
10. Which of the following categories best describes your racial and/or ethnic background?  
*Select one or more categories, if applicable, from the list provided. Please note: These categories are the same categories used by Statistics Canada on the 2021 Census.*
- First Nation, Métis, or Inuk (Inuit)
  - White
  - South Asian (e.g., East Indian, Pakistani, Sri Lankan)
  - Chinese
  - Black
  - Filipino
  - Arab
  - Latin American
  - Southeast Asian (e.g., Vietnamese, Cambodian, Laotian, Thai)
  - West Asian (e.g., Iranian, Afghan)
  - Japanese
  - Korean
  - Or, please specify: \_\_\_\_\_
  - Prefer not to answer
11. Please provide any additional comments that you have about legal needs in Saskatchewan.

**Appendix C: Map of Saskatchewan Census Divisions**



## Appendix D: Ethics Certificate



UNIVERSITY OF  
SASKATCHEWAN

Behavioural Research Ethics Board (Beh-REB) 20-Jan-2021

### *Certificate of Approval*

Application ID: 2345

Principal Investigator: Lisa Jewell

Department: Centre for Forensic Behavioural Science  
and Justice Studies

Locations Where Research  
Activities are Conducted: Saskatchewan, Canada

Student(s): Bryce Stoliker

Funder(s): Law Foundation of Saskatchewan  
Law Society of Saskatchewan

Sponsor: University of Saskatchewan

Title: Legal Needs in Saskatchewan

Approved On: 20-Jan-2021

Expiry Date: 20-Jan-2022

Approval Of: Behavioural Research Ethics Application

Appendix A: Interview Invitation Letter

Appendix B: Interview Consent Form

Appendix C: Interview Guide

Appendix D: Transcript Release Form

Appendix E: Survey Invitation Letter and 2 Reminder Letters

Appendix F: Legal Needs Assessment Consent Form and Survey (updated)

Acknowledgment Of: Bryce Stoliker TCPS2 Certificate

Review Type: Delegated Review

#### **CERTIFICATION**

The University of Saskatchewan Behavioural Research Ethics Board (Beh-REB) is constituted and operates in accordance with the current version of the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans (TPCS 2 2018). The University of Saskatchewan Behavioural Research Ethics Board has reviewed the above-named project. The proposal was found to be acceptable on ethical grounds. The principal investigator has the responsibility for any other administrative or regulatory approvals that may pertain to this project, and for ensuring that the authorized project is carried out according to the conditions outlined in the original protocol submitted for ethics review. This Certificate of Approval is valid for the above time period provided there is no change in experimental protocol or consent process or documents.

Any significant changes to your proposed method, or your consent and recruitment procedures should be reported to the Chair for Research Ethics Board consideration in advance of its implementation.

#### **ONGOING REVIEW REQUIREMENTS**

In order to receive annual renewal, a status report must be submitted to the REB Chair for Board consideration within one month prior to the current expiry date each year the project remains open, and upon project completion. Please refer to the following website for further instructions: <https://vpresearch.usask.ca/researchers/forms.php>.

*Digitally Approved by Stephanie Martin  
Vice-Chair, Behavioural Research Ethics Board  
University of Saskatchewan*