

Poverty and Access to Justice - Annotated Bibliography

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Action Committee on Access to Justice in Civil and Family Matters (2013). *Access to civil and family justice – A roadmap for change*, October 2013. [https://www.cfcj-
fcjc.org/sites/default/files/docs/2013/AC_Report_English_Final.pdf](https://www.cfcj-fcjc.org/sites/default/files/docs/2013/AC_Report_English_Final.pdf)

This article emphasizes the presence of the issue related to access to justice in Canada. Public understanding of the justice system may often be difficult based on its complexity, the speed of justice processes, and the expenses related to justice. It is emphasized that individuals with low-income may experience more legal problems than those less economically disadvantaged. Further, the report details that 40% of individuals who have legal problems may also experience an associated social or health problem. Access legal aid and coverage for the costs of legal issues is often limited, further exacerbating many issues for those with legal needs.

Audet, C., Collins, S., Jay, M., Irvine, K., Hill-Lehr, A., & Schmolke, C. (2014). Poverty, mental health, and counsellors for social justice: Reflections on an interactive workshop. *Canadian Journal of Counselling and Psychotherapy*, 48(3), 321–342. [https://cjc-
rcc.ucalgary.ca/article/view/60036/45399](https://cjc-rcc.ucalgary.ca/article/view/60036/45399)

This article summarizes a workshop offered by the Social Justice Chapter at the 2010 conference of the Canadian Counselling and Psychotherapy Association. The Chapter's purpose is to bring to light issues relating to poverty, mental health, and social justice, and is designed to raise consciousness, challenge perceptions, and motivate actions towards interventions that address Canada's poverty needs. The article discusses poverty in the context of mental health and well being, social injustice, and social oppression. Counsellors are seen as an important tool in addressing poverty, and it is contended that addressing these issues begins with awareness, social support, and resources. The authors emphasize that basic human needs must be met in order to empower individuals, and that empowerment can be tied into three intervention tactics; basic human needs, control over their lives, and participation in decision making. Overall there exists a complex interface between poverty and issues such as social justice and mental health. Workshops involving social justice counselors can be seen as a tool to promote awareness and understanding about this phenomenon.

Babchishin, K., M., Keown, L., & Mularczyk, K. P. (2021). *Economic outcomes of Canadian federal offenders*. (Research Report No. 2021-R002). Public Safety Canada.

<https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2021-r002/2021-r002-en.pdf>

A recent study conducted by multiple government sectors, Public Safety Canada, Statistics Canada, and Correctional Service of Canada (CSC), examining the outcomes of over 11,000 federal offenders admitted to CSC between 1999 and 2001; each of whom had been released into the community. Findings indicate that individuals who possess criminal records face substantial barriers when seeking employment. Only half of the participants had found employment after 14 years and previously incarcerated individuals made substantially less income, had less participation in the labour market, filed taxes less than the general population, and received more social assistance payments. A majority of the individuals were unemployed, with a median income of \$0. Of the individuals that were employed, their average reported income was less than half of what employed Canadians in the general population earn. These barriers to finding employment impact women, Indigenous, and older individuals disproportionately.

Beqiraj, J. & McNamara, L. (2014). *International Access to Justice: Barriers and Solutions*.

Bingham Centre for the Rule of Law. International Bar Association.

https://www.biicl.org/documents/485_iba_report_060215.pdf

The International Bar Association (IBA) provides assistance to access to justice. This article describes how poverty is both a cause and consequence of not being able to receive access to justice. The publication overviews the societal, cultural, institutional, and intersectional barriers that impede access to justice and provides various suggestions as to how the obstacles resulting from these barriers can be reduced.

Ben-Ishai, S., & Nayerahmadi, A. (2019). Over-indebted criminals in Canada. *Manitoba Law Journal*, 42(4), 207–240.

<https://journals.library.ualberta.ca/themanitobalawjournal/index.php/mlj/article/view/112>

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This article overviews the topic of justice debts, with a special focus on its effects on indigent and marginalized individuals in Canada. Overall, the research suggests that many indigent individuals have to choose between paying their justice debt or meeting their basic needs. The article describes the economic and non-economic consequences of justice debt and presents reform solutions for the criminal justice system to reduce the perpetual nature of justice debt on indigent individuals that are as a result of systemic policies.

Birnbaum, R., Bala, N., and Bertrand, L. (2012). The rise of self-representation in Canada's family courts. *Canadian Bar Review*, 91:67-95.

<https://cbr.cba.org/index.php/cbr/article/view/4288>

This article analyzes and compares four studies on the topic of self representation by family litigants. The studies evaluate perceptions of lawyers in Ontario and Alberta, family litigants in Ontario, and Canadian judges. Findings demonstrate a clear increase in the number of family cases with self representation and the perception that this will not have a significant impact on the outcome. Recommendations to address negative effects created by self representation include a more comprehensive response approach from institutions, agencies and professionals in family courts.

Bond, J., Wiseman, & Bates, E. (2016). The cost of uncertainty: Navigating the boundary between legal information and legal services in the access to justice sector. *Journal of Law and Social Policy*, 25: 1-25.

<https://digitalcommons.osgoode.yorku.ca/jlsp/vol25/iss1/1>

This case study investigates the ambiguous distinction between the meaning of legal information compared to legal services, and how this affects justice initiatives. Previous efforts to increase access to justice has led to legal assistance being provided by under-trained, loosely regulated officials that are not adequate for the sector. Not having a clear distinction between the two services brings about extra financial expenses, resource burdens, and most importantly, limits program innovation in a sector that desperately needs creative approaches to increase access to justice.

Bowen, P., & Gibbs, B. (2018). *Just technology: Emergent technologies and the justice system... And what the public thinks about it*. Centre for Justice Innovation.

<https://justiceinnovation.org/sites/default/files/media/documents/2019-03/just-technology.pdf>

This report evaluates how the application of new technology could make the justice system more effective and improve accessibility to the public. The report makes recommendations in the areas of crime prevention and policing, legal advice, and video technology in criminal courts, artificial intelligence, machine learning, decision making, risk assessment and electronic monitoring. Authors suggest that online technology could drastically expand the public's access to justice through the adoption of video technology in the court system and the deployment of artificial intelligence. The article also addresses potential risks of utilizing technology in a justice setting, some of which include decreasing perceptions of fairness, and de-humanizing the justice system process.

Bressan, A., & Coady, K. (2017). *Guilty please among Indigenous people in Canada*.

Department of Justice Canada. <https://www.justice.gc.ca/eng/rp-pr/jr/gp-pc/gp-pc.pdf>

This publication denotes the overrepresentation of Indigenous persons incarcerated in Canada, and dissects the various circumstances that compel many of them to plead guilty. The three key circumstances or factors identified are justice system incentives, social vulnerabilities, and culture

and community. The report highlights how bail conditions, criminal records, and remand are significant contributors to the increase of Indigenous persons falling back into contact with the justice system and experiencing more social issues such as poverty.

Buckley, M. (2013). *Evolving legal services: Review of current literature*. Community Legal Education Ontario. <https://cleoconnect.ca/wp-content/uploads/2015/01/Appendix-A-Evolving-Legal-Services-Literature-Review.pdf>

This comprehensive literature review investigates various research findings on civil legal needs, as well as the effectiveness of different legal services programs. Altogether the author uses this research to make recommendations to the Evolving Legal Services Research Project, which intends to help individuals with legal problems access justice.

Canadian Bar Association. (2013). *Reaching equal justice report: An invitation to envision and act*. https://www.cba.org/CBAMediaLibrary/cba_na/images/Equal%20Justice%20-%20Microsite/PDFs/EqualJusticeFinalReport-eng.pdf

This report of the CBA Access to Justice Committee's Equal Justice Initiative discusses the barriers to equal access to justice in Canada. Proposed within the report is a strategic framework that specifies targets and interim goals to achieve equal justice in Canada by 2030. Further, the report includes anecdotes from a series of consultations with community members living in marginalized conditions across Canada.

Carmona, M. (2014). *Improving access to justice for people living in poverty: Recommendations and innovative approaches*. United Nations. <http://dx.doi.org/10.2139/ssrn.2533877>

This publication highlights new innovative methods to create more accessibility to justice. One of the methods highlighted is the use of mobile courts as a means to improve access for individuals struggling with poverty. A mobile court is intended to eliminate expenses due to the ability of the individual accessing all their court needs in one place. This also means that individuals may avoid distanced travel to legal aid and can access court from the location of their computer. This technological development in the legal aid process allows individuals to answer or ask questions remotely. However, it is noted that for many these interventions remain insufficient for those living in situations of extreme poverty and inaccessibility to aid.

Collard, S. & Deeming, C. (2011). *Public Legal Education Evaluation Framework*. University of Bristol, Personal Finance Research Centre. <http://www.lawforlife.org.uk/wp-content/uploads/2011/12/core-framework-final-version-nov-2011-v2-370.pdf>

Legal capability is a newly used term and in this article the authors describe it as an individual being able to recognize and deal with any law related issues that the individual may be presented with. In order to know more about legal issues the individual needs to be able to access reliable

sources for information and advice but this is hard for individuals in poverty. The individual must also be able to have good interpersonal skills and personal skills to help communicate their wants and needs and to self motivate themselves to stay on the right path.

Coumarelos, C., Macourt, D., People, J., McDonald, H, M., Wei, Z., Iriana, R., & Ramsey, S.

(2012). *Legal Australia-wide survey: Legal need in Australia*. Law and Justice Foundation of New South Wales.

[http://www.lawfoundation.net.au/ljf/site/templates/LAW_NSW/\\$file/LAW_Survey_NS_W.pdf](http://www.lawfoundation.net.au/ljf/site/templates/LAW_NSW/$file/LAW_Survey_NS_W.pdf)

This article refers to the legal aid in New-South Wales. This report is one in nine of the reports done by LAW Survey. It found that in Australia, 50% of the people who were interviewed had at least one legal problem within the past 12 months prior to the interview. Additionally 23% had experienced two or three legal problems within the past year. For 56% of the respondents these legal problems had a severe impact on their lives. It also found that most of the people were unaware of the not-for-profit legal aid services that are available for them.

Cotter, A. (2021). *Criminal victimization in Canada, 2019*. Statistics Canada. Retrieved from

<https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00014-eng.htm>

This article details the victimization rates in Canada. The author depicts experiences of homelessness related to violent victimization and found that those who had experienced homelessness reported violent victimization at a rate that was three times higher than those who had not experienced homelessness. It was also found that lower-income individuals are more likely to experience victimization than those with a higher-income.

Currie, A. (2007). *The legal problems of everyday life: The nature, extent and consequences of justiciable problems experienced by Canadians*. Department of Justice Canada.

https://www.justice.gc.ca/eng/rp-pr/csj-sjc/jsp-sjp/rr07_la1-rr07_aj1/rr07_la1.pdf

This Government of Canada publication is the result of extensive research on the nature and extent of civil justice problems in Canada over a three year period. The author identified predictors of different types of legal problems such as family law, personal injury, employment, and debt problems, and investigated the incidence and prevalence of civil justice problems. General attitudes and perceptions about the justice system in Canada were collected as well. Overall, research shows that civil justice problems are persistent and pervasive in Canada, and one fifth of those experiencing them experience three or more problems at the same time.

Dahan, S., & Liang, D. (2021). The case for AI-powered legal aid. (Special issue: COVID-19 and the law). *Queen's Law Journal*, 46(2), 415. [https://ca.vlex.com/vid/the-case-for-ai-](https://ca.vlex.com/vid/the-case-for-ai-869809083)

[869809083](https://ca.vlex.com/vid/the-case-for-ai-869809083)

This article argues that the digital shift toward remote justice was exacerbated by the COVID-19 pandemic, but first began in response to the persistent access to justice problem. It contends that technological innovations may provide new opportunities to improve access to legal aid and simplify court processes. The use of legal assistance systems powered by artificial intelligence could facilitate universal online dispute resolution, however, there are concerns about privacy and security. Nonetheless, these authors argue that direct-to-public tools such as artificial intelligence legal assistance may be a step towards increasing the availability, affordability, and quality of assistance offered in Canada.

Dandurand, Y., & Jahn, J. (2017). *Access to justice measurement framework*. Access to Justice BC. <https://icclr.org/wp-content/uploads/2019/06/Access-to-Justice-Measurement-Framework-Final-2017.pdf?x37853>

This study suggests an access to justice measurement framework to evaluate and monitor improvements in access to justice in the province of British Columbia, with a special focus on the areas of civil and family law. The framework is based on a “Triple Aim” model of improving access to justice outcomes, improving user experience, and improving costs. To measure, the prevalence of legal problems, the system’s response to legal needs, fair and equitable access to justice, and the social and economic impact of access to justice must be identified within a population.

Dandurand, Y. & Jahn, J. (2018). *Measuring the economic impact of family legal aid in British Columbia: Feasibility review*. Report prepared for the Law Society of British Columbia. DOI: [10.13140/RG.2.2.33397.63200](https://doi.org/10.13140/RG.2.2.33397.63200)

This article provides insight on research related to the impact of civil and family legal aid. In reviewing and measuring the economic impact of family legal aid in British Columbia (BC), the authors identify the required data needed to support an economic impact analysis. Further discussion surrounds data availability and how gaps in the data contribute to the difficulty of estimating the social and economic impact of family legal aid in BC.

Dandurand, Y., & Maschek, P. (2014). *Assessing the economic impact of legal aid in British Columbia - Promising areas for future research*. Prepared for The Law Foundation of British Columbia. Abbotsford: UFV School of Criminology.

A feasibility study conducted on the economic and social impact of legal aid. The authors propose four future studies on the influence of legal aid in Canada to address apparent gaps in existing data and research into legal aid outcomes.

Department of Justice and Regulation (2016). *Access to justice review*. Government of Victoria.

[https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.vic-engage.files/3314/8601/7221/Access to Justice Review -
_Report and recommendations_Volume 1.PDF](https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.vic-engage.files/3314/8601/7221/Access_to_Justice_Review_-_Report_and_recommendations_Volume_1.PDF)

This Australian article highlights the need to increase access to justice. It is indicated that there are significant gaps in the research regarding access to justice, civil justice, and legal assistance. Further, much of the research that has been done regarding this topic is from the LAW Survey of New-South Wales in 2012. However, Victorians represented 5.3% of the respondents and accounted for 50.2% of the reported problems. This represents the need to improve access to justice and legal aid.

Easton, S., Furness, H., & Brantingham, P. (2014). *The cost of crime in Canada*. Fraser Institute.

<http://www.sfu.ca/~easton/Econ382/cost-of-crime-2014-revised-FPPs.pdf>

This report aims to understand and highlight the costs of crime in Canada. Two main cost components are identified, including costs to the victims of criminal acts and costs to taxpayers in an effort to denounce, punish, and prevent acts that are criminal in nature. There are numerous costs of crime to consider, including pain and suffering, the cost of fear, costs of stolen and damaged goods, health and medical associated costs, lost productivity, business losses, costs to personal security, and the value of life. The analysis of the data suggests that Canadians spend over \$85 billion on crime, whether that is through catching, punishing, or falling victim to crime. The costs to victims constitute about half of that total.

Farrow, T. C. W. (2014). What is access to justice. *Osgood Hall Law Journal*, 51(3): 957-988.

<https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=2761&context=ohl>

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This article highlights public perceptions on access to justice. In Canada, 65% of the people are unaware of their rights and how to navigate their way through the justice system. This study interviewed 99 people and found major themes for reform, for example, making the justice system more about fairness, equality, and morality. An uprising concern includes the cost of accessible justice as well as what it will cost if there is not accessible justice.

Farrow, T. C. W., Currie, A., Aylwin, N., Jacobs, L., Northrup, D. & Moore, L. (2016).

Everyday legal problems and the cost of justice in Canada: Overview report. Canadian Forum on Civil Justice. <https://digitalcommons.osgoode.yorku.ca/olsrps/150/>

This report details the findings of the “Everyday Legal Problems and Costs of Justice in Canada” survey, which measured what ways and how often people in Canada experienced legal problems. In terms of costs, this survey measured monetary, opportunity, physical, mental, and livelihood costs of legal problems experienced by the Canadian public. The study found that approximately 11.4 million adult Canadians will experience at least one difficult or serious everyday legal problem. The types of problem range from consumer, debt, and employment problems to

neighbour, discrimination, and family problems. The study found that annually, Canadians spend approximately \$7.7 billion to deal with everyday legal problems. Costs of everyday legal problems are both tangible and intangible, and include money spent in an attempt to resolve their problems, decreasing physical health, increased stress, emotional problems, relationship strains, and costs to the security of the person with housing or employment problems.

Flynn, A & Hodgson, J. (2017). *Access to justice and legal aid: Comparative perspectives on unmet legal need*. Hart Publishing.

This book is a comparative discussion of England, Wales and Australia's policies, practices, and political culture, as it relates to providing access to justice and legal aid. Legal assistance and accessibility in areas of criminal, civil and family law are evaluated in a comprehensive manner to provide recommendations for improvement. Additionally, the book discusses the harmful impact of reduced legal aid funding and restrictions on the most vulnerable groups in society.

Forell, S. and McDonald, H. M. (2015). Beyond great expectations: Modest, meaningful and measurable community legal education and information. *Justice Issues, Paper 21*.

[http://www.lawfoundation.net.au/ljf/site/articleIDs/D1D67F87F681ECBACA257F0F0021C08A/\\$file/JI_21_Beyond_great_expectations.pdf](http://www.lawfoundation.net.au/ljf/site/articleIDs/D1D67F87F681ECBACA257F0F0021C08A/$file/JI_21_Beyond_great_expectations.pdf)

This article reviews the work of the Community Legal Education and Information (CLEI) and their core strategies. CLEI helps give individuals a better understanding of legal problems and seeks to help people and their ability to “self-help”. CLEI’s main goal is to improve knowledge and empower people to help themselves.

Fragomeni, B., Scarrow, K., Mcfarlane, J. (2020). *Tracking the trends of the self-represented litigant phenomenon: Data from the national self-represented litigants project, 2018/2019*.

National Self-Represented Litigants Project. <https://representingyourselfcanada.com/wp-content/uploads/2020/01/Intake-Report-2019-Final.pdf>

This study breaks down the demographics and trends of self-represented litigants in three Canadian provinces; Ontario, British Columbia, and Alberta. Some demographics include gender, income, and education level, and also covers experiences with legal services, mediation services, and bringing support to court. Additionally, the document covers what kind of help self-represented litigants seek most often.

Gaetz, S. A. (2014). *Coming of age: reimagining the response to youth homelessness in Canada*. Canadian Homelessness Research Network Press.

https://www.homelesshub.ca/sites/default/files/attachments/ComingOfAgeHH_0.pdf

There are three main prevention approaches to improve youth homelessness. The first is the prevention approach which incorporates support systems to help reduce the risk of youth

becoming homeless. The second approach is called the emergency response which involves intervention for when the individual has already become homeless. The third approach helps with rapidly transferring homeless youth into homes and support systems to ensure they do not go back to being homeless.

Golub, S. (2010). *Legal empowerment: Practitioners' perspectives*. International Development Law Organization.

<https://www.myjusticemyanmar.org/sites/default/files/IDLO%20Legal%20Empowerment%20Practitioners%E2%80%99%20Perspectives.pdf>

This book covers legal empowerment, and discusses what it is, why it is important, and what research can adequately assess and improve its influence. Contributing authors include practitioners that are associated with developmental agencies or organizations, all of which cover different situations, actions, and influences that contribute to the classification of legal empowerment.

Gramatikov, M., Barendrecht, M., & Verdonschot, J. H. (2011). Measuring the costs and quality of paths to justice: Contours of a methodology. *Hague Journal on the Rule of Law*, 3(2), 349-379. <http://dx.doi.org/10.2139/ssrn.1269328>

This article takes a look into the cost for an individual to obtain access to justice from an individual who has been involved in the justice system. If a person is on a pathway to justice then this is seen as that individual taking steps towards resolving their legal problems. There are two types of costs that an individual will have to endure, the first includes costs from lawyers and legal fees and the second includes out of pocket expenses like time spent.

Gramatikov, M. A. & Porter, R. B. (2011). Yes I can: Subjective legal empowerment. *Georgetown Journal on Poverty Law and Policy*, 18(2), 169-199.

<http://dx.doi.org/10.2139/ssrn.1685839>

This article highlights the need for empowerment and how the actions made toward empowerment are not sufficiently helping individuals. The main way to increase empowerment was found in increasing self-belief that a person can do this for themselves and solve their legal problems. Finding that relationships help motivate individuals to solve their problems leading the individual to feel like they have enough power to find the solution. Many individuals may believe that money can solve your legal problems however, it also has to do a lot with the individuals personal belief that they will find the solution.

Griener, D. J., Jimenez, D. & Lupica, L. (2017). Self-help, reimagined. *Indiana Law Journal*, 3(92), 1119-1173. <https://www.repository.law.indiana.edu/ilj/vol92/iss3/6>

According to this article, self-help is an important aspect in addressing justice problems. In order to be sufficient in self-help, an individual must find the materials they need in a timely-matter as well as being able to use these materials to effectively advance their problem solving methods. When individuals are presented with legal problems it raises a lot of anxiety and feelings of threat which makes it even harder for an individual to self-help. One of the main ways that an individual may feel as though they cannot provide sufficient self-help is because of the abundance of individuals who are unfamiliar with the ways in which the justice system works.

Gupta, R., Wit, M., McKeown, D. (2007). The impact of poverty on the current and future health status of children, *Paediatrics & Child Health*, 12(8), 667–672.

<https://doi.org/10.1093/pch/12.8.667>

This article examines the effects poverty has on children and how it also affects their adult lives. Children from low-income households tend to be less prepared for learning which inflicts their abilities to change their lifestyle and achieve greater employment. Children in families with greater material resources enjoy more secure living conditions and greater access to a range of opportunities that are often unavailable to children from low-income families. There was some recommendations made that include having the health sector provide services to mitigate the health effects of poverty, and articulate the health-related significance of child poverty

Gutierrez, L., & Chadwick, N. (2020) Are conditional sentence orders used differently for indigenous offenders? A comparison of sentences and outcomes of Canada. *Canadian Journal of Criminology and Criminal Justice*, 62(4), 1-29.

<https://doi.org/10.3138/cjccj.2019-0044>

This article evaluates the use, reliance on, and selection of conditional sentence orders (CSO's) as an alternative to incarceration for Indigenous offenders in Canada. It discusses the use of CSO's, and the actual effectiveness of their outcomes compared to other sentencing measures including the length of CSO, frequency type of optional conditions, number of breaches, and rates of reoffending. Findings indicate that indigenous individuals receive shorter CSOs than Caucasian individuals but that they were more likely to be convicted of breaches of their CSO.

Halushka, J. M. (2020). The runaround: Punishment, welfare, and poverty survival after prison.

Social Problems, 67(2), 233–250. <https://doi.org/10.1093/socpro/spz018>

This article is American but relevant to recidivism rates, reducing stigmatization and understanding the bilateral relationship between inclusion and poverty. It evaluates how former prisoners attempt to navigate both the criminal justice system and welfare bureaucracies in their daily lives after they are released and investigates how stress caused by poverty can exacerbate distrust of the legal system and actually contribute to recidivism in some cases.

Harding, D. J., Wyse, J. J., Dobson, C., & Morenoff, J. D. (2011). *Making ends meet after prison: How former prisoners use employment, social support, public benefits, and crime to meet*

their basic material needs. (Report No. 11-748). Population Studies Center.
<https://www.psc.isr.umich.edu/pubs/pdf/rr11-748.pdf>

Once a prisoner is released from prison there are many obstacles that the individual has to overcome. This article looks at the ways in which post-incarcerated inmates meet their basic material needs. Finding that many individuals have a hard time even getting the main resources like food and shelter let alone stability and employment. For those who were able to make these needs meet they had family or partners by their side helping them get through the tough stages.

Herring, C., Yarbrough, D., & Alatorre, L. M. (2020). Pervasive penalty: How the criminalization of poverty perpetuates homelessness. *Social Problems*, 67(1), 131–149.

<https://doi.org/10.1093/socpro/spz004>

This study used surveys and in-depth interviews to examine how the CJS perpetuates poverty and inequality through use of punitive measures, destruction of property, limit homeless people's access to services, housing, and jobs, while simultaneously harming their mental and physical well-being, health, and safety. The authors found anti-homeless laws and enforcement perpetuates the cycle and creates crime displacement instead of resolving the social issue. It is also contended that this negative bi-directional relationship between justice and poverty deepens existing health, gender, and racial inequalities. This study also expands on the definition of criminalization of poverty, and states that a focus on incarceration itself does not fully grasp the extent that the CJS perpetuates homelessness and poverty. It is suggested that agencies investigate the actual impacts of punitive sanctions imposed by the CJS such as tickets, fines, and policing to gain a further understanding of the scope of the problem before action can be taken to reduce the harm.

Ivsins, A., & Yake, K. (2020). Looking beyond harm: meaning and purpose of substance use in the lives of marginalized people who use drugs. *Drugs: Education, Prevention & Policy*, 27(1), 27–36. <https://doi.org/10.1080/09687637.2018.1497145>

This study was conducted in Vancouver's Downtown Eastside, and used in-depth qualitative interviews to investigate the benefits of substance use among individuals living in the DTES. Authors claim that most current research focuses on the known negative consequences of substance use, but by gaining an understanding of the benefits and why marginalized individuals use substances, there may be alternative interventions that are more effective in reducing drug-related harm. Findings indicate that participants used criminalized substances to replace prescription drugs used to deal with issues such as stress. They further suggest it is essential to offer more meaningful, efficient solutions to environmental stressors such as poverty and discrimination in order to address substance use among marginalized people. The authors argue there is a need to ask questions beyond why people use drugs; instead striving to understand the social and cultural contexts that lead people to drug-related harm.

Jacobs, L., Kryszaitys, D., & McManus, M. (2015). *Paths to justice and the resolution of consumer problems: Findings from the 2014 everyday legal problems and the costs of civil justice in Canada National Survey*. Canadian Forum on Civil Justice.

<http://www.cfcj->

[fcj.org/sites/default/files/Paths%20to%20Justice%20and%20the%20Resolution%20of%20Consumer%20Problems.pdf](http://www.cfcj-justice.org/sites/default/files/Paths%20to%20Justice%20and%20the%20Resolution%20of%20Consumer%20Problems.pdf)

This article specifically looks into what it is like for individuals with different ethnicities and how they find accessing justice. Finding that indigenous individuals perceive the justice system to be the least fair and they also thought that the justice system works better for the rich. As well, it was found that mostly all the ethnic groups did not contact a lawyer to solve their legal problems.

Jahn, J. & Dandurand, Y. (2021). *Mapping the complexity of access to justice pathways:*

Problem resolution routes for people experiencing civil and family law problems.

UVicACE.

This literature review seeks to inform the design of a future study that will map out existing problem resolution routes for people experiencing legal problems. The review focuses on the pathways to justice for people who are experiencing civil and family legal problems, such as which services they are accessing, their decision-making process in resolving these problems, whether or not and how they try to access the justice system, and the overall outcomes of their experiences. The results highlight that only small percentages of individuals with legal problems seek to remedy them through the justice system; raising questions about what the rest of this population is doing to resolve their problems, and what the implications are if they are leaving them unresolved.

Jayasuriya-Illesinghe, V. (2018). Immigration policies and immigrant women's vulnerability to intimate partner violence in Canada. *Journal of International Migration & Integration*, 19(2), 339–348. <https://doi-org.proxy.ufv.ca:2443/10.1007/s12134-018-0545-5>

This article analyzes the relationship between Canada's immigration policies and the influence they have on immigrant women's susceptibility to experiencing domestic violence. The author contends that the immigration policies contribute to structural conditions that increase vulnerability for IPV, and that there are gaps in resources made available to immigrant women experiencing IPV. It is argued that immigrant women already experience discrimination because of characteristics such as gender, race, and socioeconomic status, as well the stigma surrounding immigrants in Canada. Immigrant women are more likely to be living in poverty, which is also associated with other adverse outcomes such as stress and substance use, further increasing the risk of experiencing IPV. Overall, the author suggests that the effects of certain policy implications need to be considered in order to gain an understanding of the social issues faced by all types of population groups in Canada.

Kia, H., Robinson, M., MacKay, J., & Ross, L. E. (2021). Poverty in lesbian, gay, bisexual, transgender, queer, two-spirit, and other sexual and gender minority (LGBTQ2S+) communities in Canada: Implications for social work practice. *Research on Social Work Practice, 31*(6), 584–598. <https://doi.org/10.1177/1049731521996814>

This article reviews current literature on poverty in LGBTQ2S+ communities and conceptualizes social work interventions that may be used to promote material equality among these groups. Authors draw on insights along with theoretical frameworks grounded in intersectionality and relational poverty analysis to suggest interventions that target LGBTQ2S+ poverty at the micro, meso and macro level of social work practice. Suggests civil engagement and programming led by members of these marginalized communities may be vital to moving forward with intersectional anti-poverty work.

Lee, C.R., and Briggs, A. (2019). *The cost of poverty in Ontario: 10 years later*. Feed Ontario. <https://feedontario.ca/wp-content/uploads/2019/09/Feed-Ontario-Cost-of-Poverty-2019.pdf>

This report “locates the cost of poverty in the loss of tax revenue and in the increased health and justice system expenses that economies, provinces, and nations incur by maintaining people in poverty”. The authors argue that when governments fail to reduce poverty, they fail the economy of its ability to grow and balance its debts. It is emphasized that unattached adults and single person households are experiencing heavy levels of poverty, even as poverty rates decrease. Food bank data confirms this finding, demonstrating that single person households are increasingly becoming the most frequent users of food banks in Ontario. Further, the article suggests that disinvesting through the reduction of resources for people is not an effective economic growth strategy, and the most impactful investment strategy is to invest in people.

Macey J. R. (1994). Judicial preferences, public choice, and the rules of procedure. *Journal of Legal Studies, 23*, 627-646. https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=4863&context=fss_papers

This publication discusses judicial discretion, and how judges have a distinct ability to control their agendas by creating decision rules that would allow judges to dispose of cases. This ability also allows judges to filter out undesirable cases and cases with little entertainment value and focus on cases that they find interesting. The author discusses how lawyers and other consumers of judicial services influence this process, but overall, that the judiciary has an overarching advantage when it comes to obtaining procedural rules that indicate their own interest.

Macfarlane, J. (2013). *The National self-represented litigant project: Identifying and meeting the*

needs of self-represented litigants final report. National Self Represented Litigants Project.

<https://scholar.uwindsor.ca/cgi/viewcontent.cgi?article=1021&context=lawnsrlppubs>

This report provides a summary analysis of a study conducted on self-represented litigants in Canada. It analyzes cases by a number of factors including province, court, gender, age, income, previous legal representation and more. It provides an in-depth discussion about engagement with the justice system and why individuals elect to self represent. Further, it evaluates differences in SRL in family and civil courts and provides recommendations for alternatives to the legal process for applicable cases on topics including access to legal information, online resources, court forms and the delivery of legal services to name a few.

McDonald, H. M. & Wei, Z. (2016). How people solve legal problems: Level of disadvantage and legal capability. *Justice Issues, paper 23*. Law and Justice Foundation of New South Wales.

[http://www.lawfoundation.net.au/ljf/site/articleIDs/4752B67A5D6A030FCA257F6A0004C3C5/\\$file/JI_23_Disadvantage_legal_capability.pdf](http://www.lawfoundation.net.au/ljf/site/articleIDs/4752B67A5D6A030FCA257F6A0004C3C5/$file/JI_23_Disadvantage_legal_capability.pdf)

This paper investigates the legal capability of disadvantaged individuals. The authors found that disadvantaged individuals were more likely to take no action to remedy their legal problems; and when they did take action, they were less likely to use self-help resources, and more likely to use non-profit legal services. Significantly disadvantaged individuals also had lower awareness about the existence of non-profit legal services. Overall, the authors contend that non-profit legal services are vital in expanding access to justice.

McEown, C. (2009). *Civil legal needs research report* (2nd ed.). Law Foundation of British Columbia.

<https://www.lawfoundationbc.org/wp-content/uploads/Civil-Legal-Needs-Research-FINAL.pdf>

Research report that evaluates civil needs surveys to identify common themes and provide an analysis of gaps and areas of overlap in research on poverty law needs. It provides an overview of legal needs through mapping self help services and the civil hub research project and looks at BC's population to define and measure the problem of inaccessibility of legal services in different demographics. It also summarizes results from Law Foundation studies and legal needs studies and makes recommendations for work that should be done in BC on the topic of legal aid and self help.

McLachlin, B. (2015). *Remarks of the Right Honourable Beverley McLachlin, P.C., Chief Justice of Canada*, at the Annual Conference of the Canadian Institute for the Administration of Justice, October 16, 2015.

The Right Honourable Beverley McLachlin discusses three questions about access to justice. This includes asking why access to justice matters, what the barriers are to accessing justice, and how we can address the cultural barriers that Indigenous peoples face in accessing justice. Altogether, she recognizes the need for change in the Canadian justice system and emphasizes that collaboration between agencies is vital in making this change.

Moore, L., Currie, A., Aylwin, N., Farrow, C. W., Gilbert-Walters, Q., & Di Libero, P. (2017a).

The cost of experiencing everyday legal problems related to social assistance. Canadian Forum on Civil Justice. <https://cfcj-fcjc.org/sites/default/files/docs/The%20Cost%20of%20Experiencing%20Everyday%20Legal%20Problems%20Related%20to%20Social%20Assistance.pdf>

This article emphasizes that the cost of legal aid services is largely dependent on the seriousness of the dispute and that this expense can fluctuate dramatically. Findings indicate that the average financial cost for legal help in Canada totals approximately \$61,000. The authors subsequently conclude that many Canadians are unable to afford current legal aid services because of these costs.

Moore, L., Currie, A., Aylwin, N., Farrow, C. W., & Di Libero, P. (2017b). *The cost of*

experiencing everyday legal problems related to physical and mental health. Canadian Forum on Civil Justice. <https://cfcj-fcjc.org/sites/default/files/docs/The%20Cost%20of%20Experiencing%20Everyday%20Legal%20Problems%20Related%20to%20Physical%20and%20Mental%20Health.pdf>

This document discusses financial costs of physical and mental health problems related to legal problems in Canada. The Forum identifies external factor areas of cost that they believe could be addressed and subsequently reduce spending and improve quality of life for the individual. This is a summary report that investigates the relationship between public spending, health issues, and civil and family law problems, in Canada. Through the evaluation of different legal problem types, the Forum seeks to identify potential trigger issues in civil and family justice and provide recommendations to address them.

Moore, L., & Farrow, T. C. W. (2019). *Investing in justice: A literature review in support of the*

case for improved access. Canadian Forum on Civil Justice. <https://cfcj-fcjc.org/wp-content/uploads/Investing-in-Justice-A-Literature-Review-in-Support-of-the-Case-for-Improved-Access-by-Lisa-Moore-and-Trevor-C-W-Farrow.pdf>

This report focuses on return on investment (ROI) and social return on investment (SROI) research in justice. Argues that investing in access to justice is not simply the right thing to do, it actually has measurable economic and social returns. Access to justice is an issue everyone

needs to be concerned about, and to understand what is gained by investing in justice. Important to consider what we lose when we do not invest in justice. The authors discuss the benefits of investing in civil legal aid services, privately funded justice services, community based justice, rehabilitative justice, and legal empowerment. They Suggest that monetary investments on justice programs benefits individuals and communities, provides economic gains and efficiencies and individual and collective wellbeing. They provide examples of research that can be done in different sectors and different regions to help provide further evidence to support better informed justice policy. They suggests making the business case for access to justice is a key consideration that is gaining global recognition.

OECD and Open Society Foundations (2016). *Leveraging the SDGs for inclusive growth:*

Delivering access to justice for all. <https://www.oecd.org/governance/delivering-access-to-justice-event.htm>

This event highlighted the Organization for Economic Co-operation and Development's (OECD) goals in promoting access to justice. The OECD summarizes the disparities that exist across different countries regarding access to justice, and state they intend to focus on increasing the understanding of existing linkages between access to justice, inclusive growth, and sustainable development.

Organization for Economic Co-operation and Development (2019). *Equal access to justice for inclusive growth: Putting people at the centre.* OECD Publishing.

<https://www.oecd.org/gov/equal-access-to-justice-for-inclusive-growth-597f5b7f-en.htm>

This comprehensive report investigates how governments across the world can enhance access to justice, and ensure that the justice services are able to adequately address the needs of people using them. The report draws on over 5 years of research involving collaboration between partner countries and economies, and sets out a framework for service design and delivery that can be universally applied to legal and justice institutions.

Paetsch, J. J., Bertrand, L. D., Boyd, J. D. (2017). *An evaluation of the cost of family disputes:*

Measuring the cost implications of various dispute resolution methods. Canadian

Research Institute for Law and the Family. <https://www.cfcj->

[fcjc.org/sites/default/files/docs/Cost-Implication-of-Family-Law-Disputes.pdf](https://www.cfcj-fcjc.org/sites/default/files/docs/Cost-Implication-of-Family-Law-Disputes.pdf)

This project measures the cost implications of family law disputes in Canada. It adds to the sparse literature available on the effectiveness and cost of dispute resolution methods implemented to improve access to justice. The authors found that lawyers are using dispute resolution processes rather than litigation to resolve family law disputes, and the consensus among most lawyers was that individuals should try and resolve their disputes through a different process before litigating, and that litigation should be used as a last resort. Litigation was found to be used more often than mediation, collaboration, or arbitration.

Perrault, S. (2015). *Criminal victimization in Canada, 2014*. Statistics Canada.

<https://www150.statcan.gc.ca/n1/en/pub/85-002-x/2015001/article/14241-eng.pdf?st=sNO45AX>

This article provides details related to the victimization rates for homeless individuals. With a focus on violent victimization, it is noted how homeless individuals may be more likely to experience victimization than those who are not experiencing homelessness. In alignment with these findings, individuals reported a victimization rate five times higher than the latter. Further, it is emphasized how low social cohesion associates with a higher risk of violent victimization.

Pleasence, P., Balmer, N. J., & Sandefur, R. L. (2013). *Paths to justice: A past, present and future roadmap*. Centre for Empirical Legal Studies and Nuffield Foundation.

<https://www.nuffieldfoundation.org/sites/default/files/files/PTJ%20Roadmap%20NUFFIELD%20Published.pdf>

This report investigates methodological issues, comprises findings, evaluates the impact of, and provides recommendations and resources for future research involving justiciable problems. Justiciable problems are considered to be issues that raise civil legal problems for individuals, how and if they are recognized by the people facing them, and whether or not they seek to remedy them in a way that involves the justice system. The authors contend that previous surveys have been influential on legal services, legal aid, and access to justice policies.

Pleasence, P., Balmer, N. J., Denvir, C. (2015). *How people understand and interact with the law*. The Legal Education Foundation. https://www.thelegaleducationfoundation.org/wp-content/uploads/2015/12/HPUIL_report.pdf

This project uses data from 2010 to 2012 to investigate the public's understanding of legal and law services, aspects of legal capability, expectations of legal assistance, and how all of this is relative to experiencing legal problems. Problems that occurred often for respondents were anti-social neighbours, consumer issues, employment, and financial issues, while more serious public law issues that occurred involved relationships, intimate partner violence, negligence, education, and employment.

Polyzoi, E., Acar, E., Babb, J., Skwarchuck, S.-L., Brownell, M., Kinnear, R., & Cliteur, K.

(2020). Children facing deep poverty in Manitoba, Canada: Subsidized licensed childcare and school readiness for children with and without special needs. *Journal of Research in Childhood Education*, 34(2), 306-329. <https://doi.org/10.1080/02568543.2019.1666198>

This article details the experiences of children living in extreme poverty. As a part of the analysis, it is noted that many families lack the means to meet basic necessities. Further, while many

people may be employed, income earned is often unable to sustain effectively financially support a family. Moreover, connections are noted between youth poverty and teen pregnancy, increased hospitalizations and mortality rates in infants, and concerns for the development and behaviour of children.

Queudot, M., Charton, E, & Meurs, M. (2020). Improving access to justice with legal chatbots.

Stats, 3(23), 356–375. <https://doi-org.proxy.ufv.ca:2443/10.3390/stats3030023>

This article discusses a new technological advancement in legal aid services known as “chatbots”. It is noted that chatbots may help improve access to justice as a remote method of gaining answers to legal questions. A chatbot is a secure place for any individual to ask questions and receive answers, and replaces the need for individuals to gather information from sources that may lack the same reliability. This article focuses on the first chatbot to exist which is based on immigration issues. It is emphasized that this chatbot helps those who have questions concerning immigration legal information.

Richard, B. (2018). *B.C. poverty reduction strategy submission*. Office of the Representative for

Children and Youth. <https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/initiatives-plans-strategies/poverty-reduction-strategy/submissions/office-of-the-representative-for-children-and-youth.pdf>.

This article establishes that most people who are categorized in the poverty sector are working and making above minimum wage. However, they consist mostly of single parents which is why they are categorized as poor. Richard makes the readers aware of the slippery slope from poverty to homeless that can happen very quickly even when earning a wage. As a result children are maltreated and neglected harming the children's well-being. When children have a hard upbringing and are presented with amounts of stress from their parents then they are more susceptible to being involved in the Criminal Justice System when they grow up.

Roberts, T. & Dandurand, Y. (2020). Documenting the social return on investments in access to

justice programs: Making your data speak. *Access to Justice BC*.

This guide overviews the “Triple Aim Access to Justice Measurement Framework” as it relates to social return on investment (SROI). The Triple Aim measurement framework details factors that relate to improving population access to justice, improving user experience of access to justice, and improving costs. This guide aims to inform justice stakeholders, funders, partners, and programmers when conducting SROI studies in the assessment of access to justice needs. This guide provides insight into cost-benefit, determining if there is relevant data to conduct an SROI, the possible outcomes, and calculating the SROI for certain plans, and provides sample impact maps.

Roebuck, B. (2008). *Homelessness, victimization, and crime: Knowledge and actionable recommendations*. Public Safety Canada.

<https://www.publicsafety.gc.ca/lbrr/archives/cnmcs-plcng/cn35305-eng.pdf>

This article details the victimization risk for homeless individuals, how incarceration affects these individuals, offences committed by these individuals, and recommendations for preventing the incarceration cycle. The authors note that when homeless individuals are awaiting trial, most are put in remand rather than on bail as they lack stable housing which may affect their ability to attend trial. However, it is noted that remand affects the ability to work, upkeep bills, and decreases opportunity for income during and after release. Therefore, the need to implement alternatives to traditional punitive responses, (such as ticketing individuals in poverty for breaching bylaws) is emphasized. It is also recommended that judges consider alternatives to custody when sentencing homeless individuals.

Rothwell, D., & Robson, J. (2018). The prevalence and composition of asset poverty in Canada: 1999, 2005, and 2012. *International Journal of Social Welfare*, 27(1), 17–27.

<https://doi.org/10.1111/ijsw.12275>

This article reviews the 1999, 2005, and 2012 cycles of the Survey of Financial Security which analyzes both the levels of asset poverty and income poverty across different geographical groups. The authors seek to clarify how the risk for different levels of poverty are shaped by factors such as differences in age, gender, geographical area, and immigration status. Overall, findings indicate that asset poverty rates are almost three times higher than those of income poverty. The results suggest that households experiencing some of the highest rates of poverty are those led by young adults, and adults ages 25-44 faced more risks of experiencing asset poverty than income poverty. In terms of areas, it was determined that living in rural vs. urban areas indicated lower rates of net-worth poverty but higher rates of income poverty and asset poverty. In terms of gender, results suggest that households headed by single mothers experience some of the highest poverty rates overall. And based on immigration status, those who have immigrated to Canada face a much higher risk of experiencing income poverty as compared to other forms of poverty.

Rowlands Snyder, E. C., Boucher, L. M., Bayoumi, A. M., Martin, A., Marshall, Z., Boyd, R., LeBlanc, S., Tyndall, M., & Kendall, C. E. (2021). A cross-sectional study of factors associated with unstable housing among marginalized people who use drugs in Ottawa, Canada. *PLoS ONE*, 16(7), 1-11. <https://doi.org/10.1371/journal.pone.0253923>

The authors contend that there is a significant connection between unstable housing and mental health. The focus of this study looks at risks associated with unstable housing among those who use drugs in the Ottawa region. Results indicate that support programs for those in poverty (such as post-incarceration support programs) fail to adequately address the issue of unstable housing

among the population of drug users in Ottawa. Recommendations include integrated services that target health needs among these communities.

Sandefur, R. L. & Smyth, A. C. (2011). *Access across America: First report of the civil justice Infrastructure mapping project*. American Bar Foundation.

<http://dx.doi.org/10.2139/ssrn.1962790>

This report documented who is eligible for free civil legal information, advice, and representation, how civil legal assistance services are produced and delivered, how individuals access such services, how the assistance is funded, how it is coordinated, and how both free and fee-based legal services are regulated across each state in the United States of America. The authors found there were a variety of different programs and models available across the country, but coordination and cooperation were lacking at both the state and national level.

Saulnier, C. & Plante, C. (2021). *The cost of poverty in the Atlantic provinces*. Canadian Centre for Policy Alternatives.

<https://www.policyalternatives.ca/sites/default/files/uploads/publications/Nova%20Scotia%20Office/2021/04/Cost%20of%20poverty%20in%20Atlantic%20provinces%20CCPA.pdf>

This report speaks to the importance of eradicating poverty and the costs of poverty in the Atlantic provinces. Importantly, this report overviews three interrelated indirect costs of poverty including opportunity costs, remedial costs, and intergenerational costs. Opportunity costs are defined by things such as lost productivity and forgone revenue and are calculated based on the costs of poverty that occur when indigent individuals are blocked from beneficial economic opportunities. Remedial costs of poverty include increased health care spending and increased crime costs. With regard to the cost of crime, it is noted that “the components of the cost of crime include direct expenditures, victim costs, and preventative measures...”. Thirdly, intergenerational costs represent the cost of entrapment in the poverty cycle. The report provides the example that those who are raised in poverty are more at risk of experiencing less productivity and tax contribution (opportunity) and are also more likely to be affected by health care spending and direct costs of crime (remedial).

Schetzer, L. & Henderson, J. (2003). *Access to justice and legal needs: A project to identify legal needs, pathways and barriers for disadvantaged people in NSW*. Law and Justice Foundation of New South Wales.

[http://www.lawfoundation.net.au/ljf/site/articleIDs/EA0F86973A9B9F35CA257060007D4EA2/\\$file/public_consultations_report.pdf](http://www.lawfoundation.net.au/ljf/site/articleIDs/EA0F86973A9B9F35CA257060007D4EA2/$file/public_consultations_report.pdf)

This report summarizes important input received by the Law and Justice Foundation of New South Wales during a consultation process conducted as part of their Access to Justice and Legal Needs

Project. The consultation included and identified a variety of groups as being disadvantaged in their ability to access justice, identified their specific barriers, and discussed diverse services and innovations to assist disadvantaged people in accessing justice.

Selita, F. (2019). Improving access to justice: Community-based solutions. *Asian*

Journal of Legal Education, 6(1–2), 83–90. <https://doi.org/10.1177/2322005819855863>

This article contends that the root cause of inaccessibility to justice is inequality. Inequality is seen as interconnected with poverty, creating intersectional barriers to accessing justice. Community-based solutions to improving accessibility to justice are suggested, which includes facilitating pro bono contributions from the legal workforce as well as increasing representativeness through different recruitment processes. It is also suggested that existing law education should be enhanced by providing modules focused on the realities of accessing justice as well as individual differences and their biological, genetic, and psychological origins.

Sentis. (2020). *Everyday legal needs 2020 survey*. Vancouver: Legal Aid BC.

https://legalaid.bc.ca/sites/default/files/2020-09/Everyday%20Legal%20Needs%20Survey_1.pdf

The results of a survey conducted on behalf of Legal Aid BC in 2020. The sample of 1,207 survey respondents were all low income BC residents who were 18 years or old. The methodology section of the report outlines what is considered the eligibility for low income in BC. The highlights of the report include the top 5 legal problems that were experience in the past 3 years, including consumer problems, employment problems, money or debt problems, housing or land problems, and discrimination problems. Importantly, the top issues experienced as a result of these legal problems are listed, and these include emotional health issues, financial issues, physical health issues, employment issues, and safety/security/violence issues.

Sentis (2018a). *Legal services society: Everyday legal problems*. Legal Aid BC.

https://lss.bc.ca/sites/default/files/2019-03/lssEverydayLegalProblems07_2018.pdf

This report discusses the background, methodology, highlights, and findings of research conducted by the Legal Services Society regarding everyday legal problems in British Columbia, Canada. Specifically, the types of problems faced, how and if they have rectified these problems, barriers to addressing these problems, the impact of them, as well as perceptions of justice system fairness.

Sentis (2018b). *Legal services society: 2018 client satisfaction survey*. Legal Aid BC.

<https://lss.bc.ca/sites/default/files/2019-03/lssClientSurveyResultsJuly2018.pdf>

This is a report on the findings of a survey of client satisfaction with the legal aid services in British Columbia, Canada. This research intended to track legal aid's performance, plan for

improvements, and assess the progress on achieving program goals such as increasing the use of LSS services, have clients participating in solving their legal problems, and clients getting help with related problems so they can prevent and solve future problems.

Sentis. (2020). *Legal services society: Everyday legal needs 2020 survey*. Legal Aid BC.

https://legalaid.bc.ca/sites/default/files/2020-09/Everyday%20Legal%20Needs%20Survey_1.pdf

This report discusses the background, methodology, highlights, and findings of research conducted by the Legal Services Society regarding everyday legal needs of low income citizens in British Columbia, Canada. Specifically, the types of legal problems faced, how and if they have rectified these problems, barriers to addressing these needs, the impact of legal problems, perceptions of justice system fairness, as well as the impact of COVID-19 on legal problems.

Serrano-Argüeso, M., Jesús, N. E., & Vidu, A. (2021). Overcoming poverty and social risk: A comprehensive action model for female victims of gender-based violence. *Frontiers: A Journal of Women Studies*, 42(2), 1–24. <https://doi.org/10.1353/fro.2021.0015>

This article addresses the risks that female victims of gender-based violence (GBV) face, such as loss of social capital and social exclusion, and how poverty plays a role in the significance of their impact. The research analyzes the effects of current public measures implemented to assist these women in overcoming poverty and the risks associated with exclusion. The article includes a discussion of interviews with victims of GBV and third-party organizations regarding the effectiveness of current implemented measures and their recommendations for improvement; these measures include reintegration policies, poverty reduction strategies. Lastly, the research highlights areas of employment, education, empowerment, continued support and commitment as key factors of a successful comprehensive action model. ** Note that the research and recommendations are based on Basque Country, Spain.

Shestowsky, D. (2018). Inside the mind of the client: An analysis of litigants' decision criteria for choosing procedures. *Conflict Resolution Quarterly*, 36(1), 29-87.

<https://www.law.uh.edu/blakely/advocacy-survey/Insde%20the%20Mind%20of%20the%20Client.pdf>

This article summarizes findings from a longitudinal study that asked civil litigants about what criteria they consider when selecting legal procedures, and subsequently assessed their decision-making criteria. Most commonly, litigants criteria for selecting legal procedures included lawyer's costs, advice, and time.

Sit, V., & Stermac, L. (2021). Improving formal support after sexual assault: Recommendations from survivors living in poverty in Canada. *Journal of Interpersonal Violence*, 36(3/4), 1823–1843. <https://doi.org/10.1177/0886260517744761>

This research article evaluates barriers that sexual assault survivors living poverty face when seeking help and formal services. The study seeks to address the following research questions: what can be done to encourage service use among survivors living in poverty and what is required to improve the *quality* of the help they receive? Overall, the research found that there were three key themes to the recommendations of participants including increased accessibility of information, improved training of formal support workers and greater opportunities for empowerment. The study concludes by addressing practical implications of the findings

Skinnider, E., & Montgomery, R. (2017). *Enhancing access to justice for women living in rural and remote Areas of British Columbia: Reviewing practices from Canada and abroad to improve our response*. International Centre for Criminal Law Reform and Criminal Justice Policy. <https://icclr.org/wp-content/uploads/2019/06/BCLF-WA2J-Report-Final.pdf?x96127>

This article focuses on access to justice for women in remote areas, and the need to increase women's empowerment through the enhancement of legal awareness. Prominent discussion includes geographic, social, and cultural challenges associated with resource, service, and infrastructure limitations for women. Although remote areas may have services available, few are oriented towards helping women. The authors suggest that more adequate analysis of women's legal needs, justice service requirements, and barriers to justice is necessary to properly address the individual and unique needs of women in remote areas.

Smith, R. (2016). *Digital delivery of legal services to people on low incomes*. The Legal Education Foundation. <https://thelegaleducationfoundation.org/wp-content/uploads/2018/01/Digital-Technology-Winter-2017.pdf>

This report provides a detailed overview of the digital delivery of legal services to people with low-incomes. Important advances in this area have come from British Columbia, England, Wales, the United States, and the Netherlands, all of which are discussed in detail within the report. The author also discusses potential issues that digital delivery of legal services can raise for governments, providers, and consumers.

Tabbara, M. (2020). *Dismantling vicious cycle of poverty and systemic racism should guide criminal justice reform*. Policy Options Politiques. <https://policyoptions.irpp.org/magazines/july-2020/dismantling-vicious-cycle-of-poverty-and-systemic-racism-should-guide-criminal-justice-reform/>

This article examines what it is like for indigenous and black Canadians who are living in poverty. It specifically looks at Canada's pattern of criminalizing poverty. For example, homeless people are criminalized for seeking many of the things that they need to survive like panhandling, sleeping on benches and loitering. This article also looks at the bans that are in place for police officers

and how they affect homeless individuals. A lot of the fines that are given to homeless individuals cannot be paid which leads to more interactions with the justice system. Once an individual has a criminal record there are many consequences that not only affect that individual but it also affects their family. With this, the poverty council should take into consideration that there needs to be qualified personnel dealing with individuals in poverty to make sure all their needs are taken into consideration and their different circumstances.

Teufel, J., Renner, L. M., Gallo, M., & Hartley, C. C. (2021). Income and poverty status among women experiencing intimate partner violence: A positive social return on investment from civil legal aid services. *Law & Society Review*, 55(3), 405.

<https://doi.org/10.1111/lasr.12572>

This article explores the economic status of women who had both experienced intimate partner violence (IPV) and had sought out legal aid in the US. The study found that women's poverty rates decreased and their average income increased after utilizing civil legal services. Moreover, the article discusses the implications these findings have on social returns of investments and legal aid costs. By analyzing costs of legal aid services, poverty rates, and public income, the study investigates how these factors are connected for female victims of IPV and whether or not legal aid services are a worthwhile and effective solution.

The Canadian Forum on Civil Justice (2012). *The cost of justice: Weighing the costs of fair & effective resolution to legal problems*. http://www.cfcj-fcjc.org/sites/default/files/docs/2012/CURA_background_doc.pdf

This report evaluates the financial costs of the civil and family justice system and formal legal processes, their impact to the public, and whether this cost has an impact on the apparent resolution of their legal dispute. It summarizes the Cost of Justice Project; a project designed to provide new insight and innovative research into Canadian civil justice systems in Canada, the affordability of legal services, and justice responses to public needs.

Thompson, D. (2015). Creating new pathways to justice using simple artificial intelligence and online dispute resolution. *International Journal of Online Dispute Resolution*, Vol. 1 (2), 1-43. <https://digitalcommons.osgoode.yorku.ca/olsrps/152>

This article evaluates access to justice, the efficiency of the justice system, and proposes recommendations for improvement in both of these areas through the use of artificial intelligence. The purpose of this article is to describe a system designed to improve and enhance access to justice for non-experts in the field and explore the potential benefits of this expert system. The proposed system includes problem diagnosis, delivery of custom information, self help features, and triage protocols.

Truth and Reconciliation Commission of Canada. (2015). *Summary of the final report of the Truth and Reconciliation Commission of Canada: Summary : Honouring the truth, reconciling for the future*. Winnipeg: Truth and Reconciliation Commission of Canada.

This publication is a summary of the TRC's Final Report. The contents of this document unveil the truth of what happened to Indigenous persons in Canada, and detail many of the experiences of those who have been affected by the residential school system and its legacy. Found within the document are 94 Calls to Action that have been established by the TRC based on the evidence they uncovered. These calls to action call on many different governments and institutions and are intended to guide reconciliation efforts.

Tsouklalas, S. & Roberts, J. (2002). *Legal aid eligibility and coverage in Canada*. Department of Justice Canada.

This report, in accordance with the Canadian Council on Social Development Ottawa, evaluates legal aid plans in each Canadian province, coverage restrictions and financial eligibility, and provides an in-depth data analysis of jurisdictions and their individual guidelines. The two main conclusions identified by this report are as follows: that legal aid eligibility guidelines are consistently below income levels; and that applicants for legal aid don't appear to have the same access to legal aid based on this income level.

Wang, J. J. J. & Poynton, S. (2017). *Intensive correction orders versus short prison sentence: A comparison of re-offending* (Crime and Justice Bulletin No. 207). NSW Bureau of Crime Statistics and Research. <https://www.bocsar.nsw.gov.au/Publications/CJB/2017-Report-Intensive-correction-orders-versus-short-prison-sentence-CJB207.pdf>

The article details a study conducted into the benefits and detriments of short-term prison sentences (less than two years) and intensive correction orders (ICO). The goal was to compare reoffending rates between these two groups and determine whether or not there was a significant difference in the likelihood of reoffending. Findings of the study indicate that there was an 11-13% reduction in the likelihood of reoffending for offenders who had received an ICO when compared to offenders who received short prison sentences.

Webster, C. M. (2015). *"Broken bail" in Canada: How we might go about fixing it*. Research and Statistics Division: Department of Justice Canada. https://publications.gc.ca/collections/collection_2018/jus/J4-73-2015-eng.pdf

This article highlights the lengthy process of bail determination and the waiting period for those awaiting remand. It is suggested that in order to fix the issues presented in this area, there needs to be a clearer distinction between the bail problem and remand problem. Further, it is recommended that a new bail reform act is implemented to address the problems and consequences associated with the current bail process.

Wintersteiger, L. (2015). *Legal needs, legal capability and the role of public education. A report by Law for Life: The Foundation for Public Legal Education*. The Legal Education Foundation. https://research.thelegaleducationfoundation.org/wp-content/uploads/2018/03/LNCPLE_report.pdf

This report focuses on public legal education and information (PLEI) developments. Based on results from the UK Civil and Social Justice Panel Survey, this report suggests the presence of significant gaps in legal knowledge within the UK population. It is emphasized that the lack of knowledge, confidence, and capability surrounding legal matters contributes to the presence of barriers that impede access to justice. Further, the report notes the different types of legal problems faced by the public, the public's understanding of legal rights, common legal capabilities and services available, beliefs and attitudes regarding the law, and extensive PLEI recommendations.

Wissler, R. R. (2002). When does familiarity breed content? A study of the role of different forms of ADR education and experience in attorneys' ADR recommendations. *Pepperdine Dispute Resolution Law Journal*, 2(2), 199–240.

<https://digitalcommons.pepperdine.edu/drlj/vol2/iss2/2>

This study evaluates the apparent success and failures of different alternative dispute resolution education and its influence on attorney recommendations for alternative dispute resolution. Because alternative dispute resolution programs require voluntary participation, the recommendation and encouragement of attorneys in this area has considerable influence. For this reason, this article seeks to better understand how attorney education about alternative dispute resolution programs and courses impacts their likelihood of recommending it for clients.

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