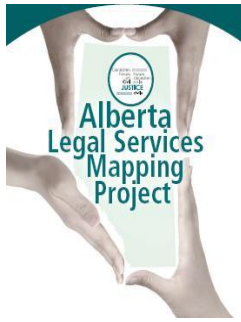


# SUMMARY REPORT

JULY 2011

Canadian Forum on Civil Justice



The *Alberta Legal Services Mapping Project* (ALSMP) was a large-scale, collaborative research initiative overseen by the Canadian Forum on Civil Justice. It was designed to gain a better understanding of Albertans' legal needs, the extent to which these are being met and how access to legal services can be improved. It was funded by the Alberta Law Foundation and Alberta Justice. Details and publications are available at:

<http://cfcj-fcj.org/research/mapping-en.php> .

## Alberta Legal Services Mapping Project (ALSMP) An Overview of Findings from the Eleven Judicial Districts

### Access to Justice and Legal Services: A Social Context

- The 'justice system' is a fundamental, far-reaching but complex component of Canada's system of democracy.
- It is a set of institutionalized processes with overlapping provincial, territorial, and federal jurisdictions.
- There are civil, family, criminal and administrative divisions and both substantive and procedural laws that must be applied to each situation.
- Courts and Tribunals are increasingly dealing with problems arising from Canada's failure to solve resistant social problems.
- In an economic climate that encourages service and legal aid cutbacks, middle income Canadians cannot afford legal advice or representation for more than routine matters.
- The most vulnerable and socially excluded often have the highest need for legal assistance.
- Most of us don't know what to do, where to go, or who to speak with when we have a legal problem.
- There is evidence that unresolved legal and social problems tend to multiply. ALSMP findings underscore this, illustrating the negative costs of failure to access legal and social justice for individuals, families and society.
- To achieve access to justice for all Canadians, legal services must be delivered as part of a coordinated and holistic response to local social conditions and needs.

### The ALSMP Goals

- Collect and share information about existing legal services in Alberta.
- Gain a better understanding about the characteristics of people and communities across Alberta and their legal needs.
- Identify strengths and gaps in current legal service delivery and resources.
- Strengthen relationships between legal service providers through the sharing of knowledge and expertise.

### The Research Approach

- Community-based mapping, a form of collaborative needs assessment that includes and values local knowledge as essential to understanding communities.
- The approach is adaptable, working with whatever resources are available.
- It typically identifies geographical dispersal, resource allocation, services, physical barriers and social networks and relations.
- The active involvement of community members in creating the knowledge and suggesting solutions helps to enhance ownership of the findings and buy-in to any recommendations for change.
- A database of service information was created. View with Username /Password: guest / mapping data at : <http://albertalegalservices.ca/admin/>
- Key contacts, interviews, focus groups, and researcher observations contributed to data that were analyzed with a variety of appropriate tools.
- Findings have been widely shared.

## The Participants

Stakeholders from 27 legal and social service organizations formed an Advisory Group and provided 8 Research Directors, who along with research staff, gave input to the project. Individual interviews were completed with 286 service providers and 46 members of the public. Sixteen additional focus and/or community working groups were held.

## The Alberta Service Delivery Context: Geographic and Demographic Realities

- Alberta covers 661,000 km<sup>2</sup>, has a population of 3.7 million and the youngest provincial median age of 35.8.
- About two million people live in Edmonton and Calgary. Of the remaining 700,000, most live south of Edmonton. Red Deer is the next largest city with just over 90,000 residents.
- The largest northern centre is Fort McMurray to the east with around 72,000 permanent residents. Grande Prairie to the west has a population around 47,000. All other northern communities have populations of less than 10,000.
- Geographic dispersal poses significant barriers to equitable delivery of, and access to, legal and other services for all Albertans.
- Overall Alberta's high school completion rate is 80% but outside of Edmonton and Calgary the completion rates are below this provincial average. Low levels of literacy are a concern.

## Legal Services Mapped

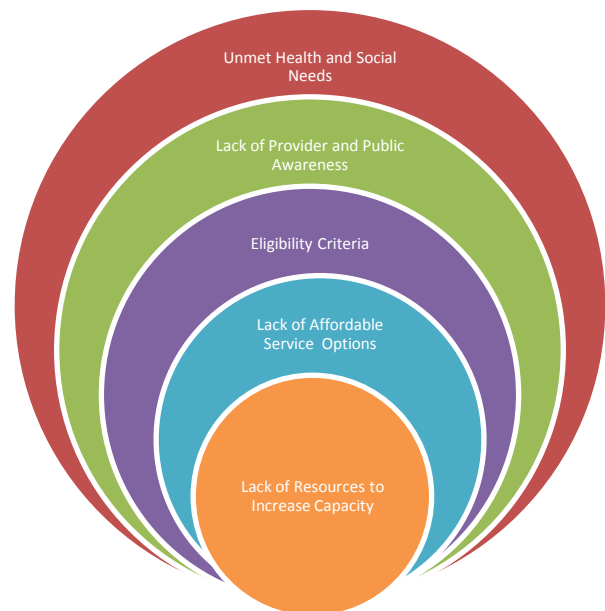
- The ALSMP database contains information on 704 discrete services with a legal component. Across Alberta 1,548 access points to these services were identified.
- Over a quarter of these access points are within the cities of Calgary and Edmonton with the remainder distributed among 180 communities.
- Of those 1142 access points outside of Edmonton and Calgary, 57% are situated

south of Edmonton, while 37% are located among more communities and the greater distances north of Edmonton.

- Alberta has 5,704 private practice lawyers – 53% are in the city of Calgary and 34% in Edmonton; almost 9% of the remainder practice south of Edmonton and of the 5% serving the north over half practice within the Edmonton Judicial District.
- Most available legal services offer only information. Services offering legal advice or representation are sparse and often non-existent in rural areas.
- Overall, for all types of service, the area of criminal law has the most resources and administrative law the least.
- In rural areas even Public Legal Education and Information (PLEI) access points are few when considered against the number of communities to be served.

## Legal Service Access: Major Barriers

In addition to the significant challenges posed by geography and population dispersal, most existing services lack the capacity to fully meet the legal needs of Albertans. Other major barriers essentially stem from lack of capacity.



## Meeting the Legal, Social and Health Needs of Vulnerable Albertans

Unmet needs create vulnerability. They tend to cluster and multiply and are very costly to justice and other social systems. Health and social needs are inseparable from legal problems and service delivery issues. The following groups of Albertans were identified as having unmet legal needs:

- Self-represented litigants
- Children and youth at risk
- First Nation, Métis, and Inuit Peoples
- New Canadians and ethnic minorities
- People living with disabilities, serious illness, and/or addictions
- People surviving homelessness
- Seniors
- People surviving domestic and sexual violence

The ALSMP found that the legal needs of vulnerable groups are not well met. Few services incorporate specialized staff knowledge or training to assist people with special needs. This includes knowledge of the laws that relate to these groups as well as understanding of cultural and social contexts. Service providers need – and want – training to help in these areas.

*Poverty, addictions, abuse, neglect, malnutrition, inappropriate nutrition, literacy concerns, employment issues, under-employment, mental health concerns and everything seems to cycle back to life stressors due to poverty.*

The needs of vulnerable people cannot be met by legal services alone. A coordinated multi-sector response is needed and this was well recognized by front-line service providers. The ALSMP database also includes entries for 1,106 health and social services that see clients with high rates of legal problems. The full report details issues

and service gaps specific to vulnerable groups, along with recommendations for better meeting identified needs.

*Here's a gap. I think we as helping professionals need to be better educated about clients' legal rights.... We are gatekeepers and stakeholders in this whole mess and there are few resources out here, so we need to be better for our clients.*

## Public Legal Education and Information: Making it Effective

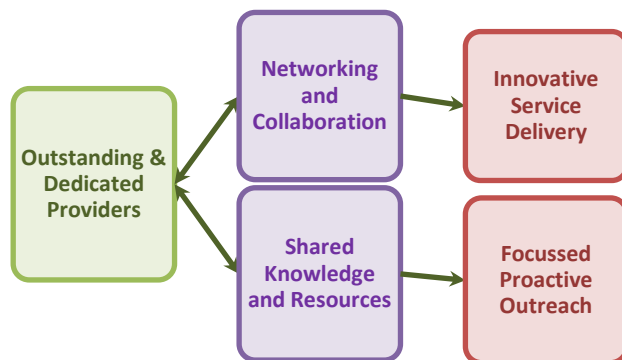
PLEI has a vital role in helping Albertans understand and address their legal needs. There are some excellent resources and examples of PLEI practices documented in the District reports. There are also some challenges to be met in ensuring PLEI is effective:

- A collaborative alliance is needed to identify, document and consistently share existing PLEI resources.
- There are gaps in current PLEI that need to be filled by employing a coordinated plan of action.
- Gaps are especially notable in areas of law specific to vulnerable groups, including a lack of materials in languages other than English.
- More input into PLEI content is needed from the people who use it.
- Ways must be found to ensure that available PLEI is placed in the paths of service providers and users.

## Building on Existing Strengths

There is much that is already being done well in the delivery of Alberta's legal services. The dedication of service providers is a foundation on which to build. The District reports provide

many examples of innovative program development and delivery.



### Recommendations to Improve Legal Service Delivery and Access

Based on research findings, the ALSMP overview report makes 60 detailed recommendations that span the following broad areas and issues:

- Initiatives to reduce geographic legal service access inequities and increase outreach into rural and remote communities.
- Consistent and improved collection and sharing of legal service statistics.
- Devoting resources to increasing the capacity of proven services and programs, including expanding the range of services to address identified gaps, especially in providing legal advice and representation.
- A commitment to a permanent, maintained, comprehensive and easily accessible database of legal and related services across Alberta.
- A collaborative, coordinated action plan to maximize access to and effectiveness of public legal education resources, including outreach to service providers.
- Increased training for legal service providers to increase their knowledge of other services, PLEI, and the cultural and social contexts in which service delivery occurs.

- Increased service components that specifically focus on the needs of vulnerable groups.
- Evaluation of current programs aimed at building on strengths and further researching areas identified as not yet meeting needs.
- Placing emphasis on multi-sector collaborations that can better meet related legal and social needs and work towards addressing root causes of problems.

### ALSMP Future Potentials

The ALSMP built on previous legal service mapping research to create the most comprehensive province-wide project so far undertaken in Canada. As much information as it provides, it has also uncovered many questions that need further investigation. The data are already assisting stakeholders to identify priority areas (such as the geographical distribution of services) that were previously unclear. The study also adds to other national and provincial research by once again identifying a set of core issues and challenges in delivering services that ensure Canadians have equitable access to justice. Among the ALSMP contributions are insights that can assist in understanding both the financial costs of providing an effective justice system and the broader socio-economic costs of failing to do so.

*If I was a person who needed a legal service I would have trouble knowing where to start....Most people just have no idea....If there was better information....ways of staying constantly updated, what programs are new, who do I call?*