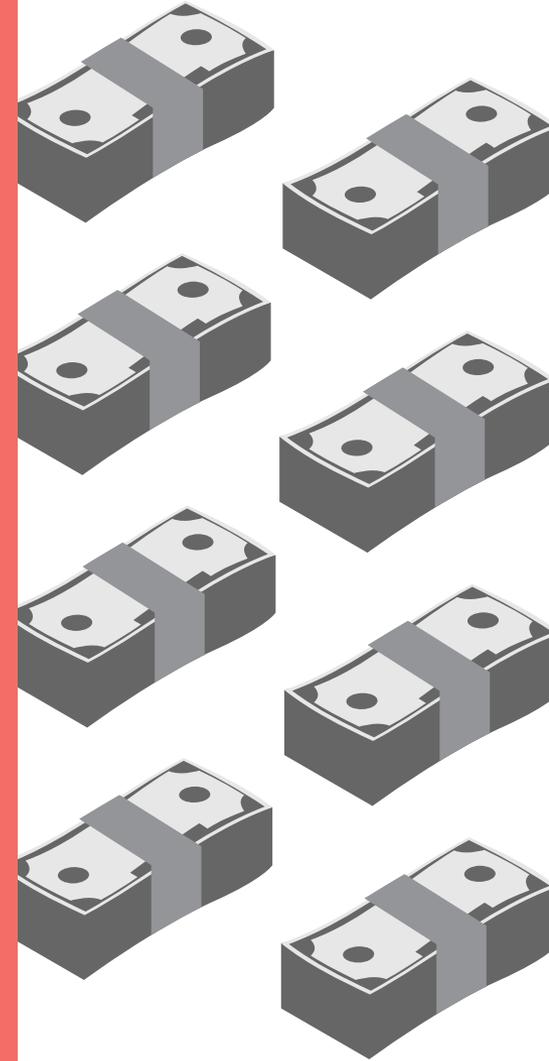

EVERYDAY LEGAL PROBLEMS AND THE COST OF
JUSTICE IN CANADA

INCOME



“This research ... by the Canadian Forum on Civil Justice will be essential in helping us understand the true extent of the problem of cost and how it impacts on the justice system. I believe that it will prove to be of great assistance to ... identify concrete solutions to the problem of access to justice.”

– The Right Honourable Beverley McLachlin, P.C., Chief Justice of Canada (2011)

The Canadian Forum on Civil Justice (CFCJ) is a national not-for-profit organization dedicated to civil justice reform and access to justice research and advocacy. Established by the Canadian Bar Association and affiliated with Osgoode Hall Law School, the CFCJ envisions an accessible, sustainable and effective justice system for all Canadians.

Overview of the Cost of Justice project. The Cost of Justice project (2011-2018) examines the social and economic costs of Canada’s justice system. It is guided by two questions: What is the cost of delivering access to justice? And what is the cost of not delivering access to justice? Comprised of leading researchers investigating various dimensions of access to justice and cost across the country, the Cost of Justice project is producing empirical data that will inform the future of access to justice in Canada and abroad. The lead research team includes: Trevor C.W. Farrow (Principal Investigator), Lisa Moore, Nicole Aylwin and Les Jacobs.

The Cost of Justice project is funded by a \$1 million grant from the Social Sciences and Humanities Research Council of Canada. For more details please visit Canadian Forum on Civil Justice, “Cost of Justice”, online: CFCJ <www.cfcj-fcjc.org/cost-of-justice>.



Social Sciences and Humanities
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Canada

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EVERYDAY LEGAL PROBLEMS AND THE COST OF JUSTICE IN CANADA INCOME

OVERVIEW

INTRODUCTION

The national “Everyday Legal Problems and the Cost of Justice in Canada” (Cost of Justice) survey was conducted with a random sample of 3,263 adults ages 18 years and older. 3,051 resided in households with land lines and 212 used cell phones only. The data presented in the following pages is based on the 3,051 land line calls. Weighted to the Canadian population, this represents an estimated 23,590,697 people from the ten provinces.¹

For this first national legal needs survey in ten years, respondents were asked questions aimed at measuring the frequency and ways in which the Canadian public experience civil and family justice problems. Based on our survey results, it is estimated that within a 3-year period, approximately 11.4 million adult Canadians (or 48.4%) will experience at least one everyday legal problem. Respondents to the Canadian Forum on Civil Justice’s (CFCJ’s) Cost of Justice survey were also asked a series of demographic questions to help aid the analysis of the survey results. This report presents some of the key

data from the Cost of Justice in Canada survey based on income. The data in this report is organized into 3 groups based on total annual household income: Less than \$60,000, \$60,000 - \$125,000 and more than \$125,000.

Of the 84 specific problem scenarios around which the Cost of Justice national questionnaire was developed, problems were organized into the following 17 problem categories: Consumer, Debt, Employment, Neighbors, Discrimination, Family (Relationship Breakdown), Wills & Incapacity, Medical Treatment, Housing, Personal Injury, Treatment by Police, Disability Assistance, Threat of Legal Action, Social Assistance, Immigration, Family (Other) and Criminal Charges (in the context of experiences of civil justice problems).² The data reflecting respondent experiences of each of these problem types have been reproduced in this report based on the 3 income categories.

¹For more information on the Cost of Justice study, see: Canadian Forum on Civil Justice, Everyday Legal Problems and the Cost of Justice in Canada: Overview Report (Toronto, Canadian Forum on Civil Justice, 2016), online: <http://www.cfcj-fcjc.org/sites/default/files/Everyday%20Legal%20Problems%20and%20the%20Cost%20of%20Justice%20in%20Canada%20-%20Overview%20Report.pdf>.

²For more information on each of these problem types, see: Canadian Forum on Civil Justice Everyday Legal Problems and the Cost of Justice in Canada Fact Sheets on 17 Problem Types (Toronto, Canadian Forum on Civil Justice, 2016), online: <http://cfcj-fcjc.org/cost-of-justice>.

INCOME

CFCJ Cost of Justice survey respondents were asked to indicate their total household income (from all sources) before taxes, to the nearest thousand dollars.

Of the survey's 3,051 land line respondents, a total of 2,529 people indicated how much they earn annually. 522 people (17% of respondents) refused to respond. Of the 2,529 people who responded, 1,318 indicated that they had not experienced a serious civil or family justice problem during the three-year reference period of the survey. 1,211 people indicated that they had experienced 1 or more serious civil or family justice problems during the same period.

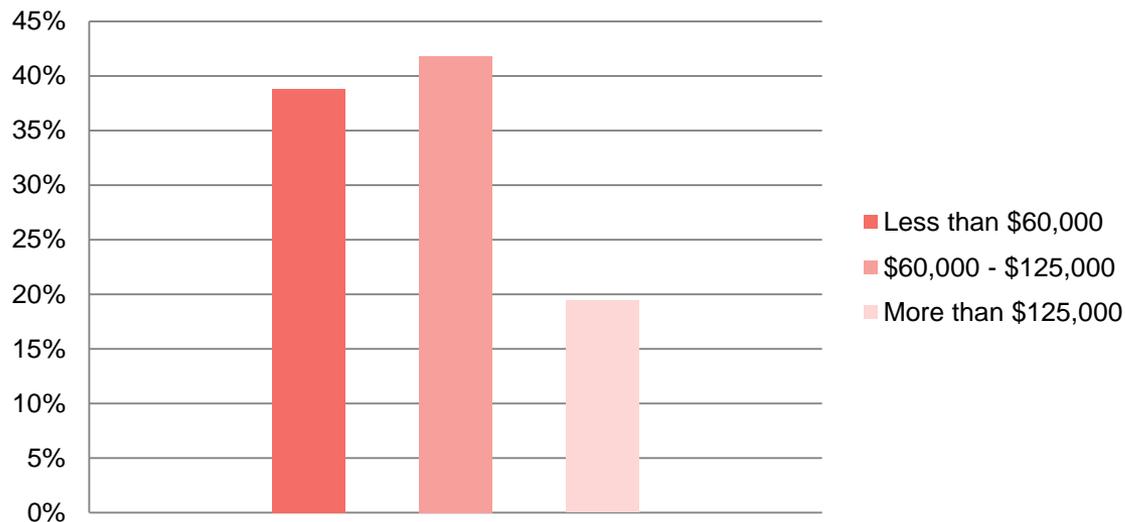
Of the 1,318 respondents who had not experienced a civil or family justice problem, 82 people indicated that they earn less than \$20,000 in total annual household income, 236 people earn between \$20,000 and \$39,999, 213 people earn between \$40,000 and \$59,999, 205 people earn between \$60,000 and \$79,999, 166 people earn between \$80,000 and \$99,999, 174 people earn between \$100,000 and \$124,999, 71 people earn between \$125,000 and \$149,999 and 171 people earn more than \$150,000.

Of the 1,211 respondents who experienced one or more serious civil or family justice problems, 105 people indicated that they earn less than \$20,000 in total annual household income, 183 people earn between \$20,000 and \$39,999. 209 people earn between \$40,000 and \$59,999, 164 people earn between \$60,000 and \$79,999, 149 people earn between \$80,000 and \$99,999, 164 people earn between \$100,000 and \$124,999, 67 people earn between \$125,000 and \$149,999 and 170 people earn more than \$150,000.

INCOME

From an initial 8 income groups, data in this report has been further grouped into the following income groups: Less than \$60,000, \$60,000 - \$125,000 and More than \$125,000. Based on these categories, 1,028 respondents indicated that they earn less than \$60,000, 1,022 respondents indicated that they earn between \$60,000 and \$125,000 and 479 respondents indicated that they earn more than \$125,000. Weighted to the population, this represents an estimated 7,636,410 people who earn less than \$60,000, 8,224,591 who earn between \$60,000 and \$125,000 and 3,823,648 people who earn more than \$125,000.

Percentage of Respondents by Income Group



Income Groups		Estimate
Population Estimate	Less than \$60,000	7,636,410
	\$60,000 - \$125,000	8,224,591
	More than \$125,000	3,823,648
% of Total	Less than \$60,000	38.8%
	\$60,000 - \$125,000	41.8%
	More than \$125,000	19.4%

EVERYDAY LEGAL PROBLEMS AND THE COST OF JUSTICE IN CANADA
INCOME

CIVIL AND FAMILY JUSTICE PROBLEM TYPES

EVERYDAY LEGAL PROBLEMS AND INCOME

1,416 respondents in total indicated that they experienced one or more civil or family justice problem(s) during the 3-year reference period of the Cost of Justice survey. Weighted to the population, this represents an estimated 11,420,890 adults in Canada who experience at least one serious civil or family justice problem within a 3-year period.

1,321 respondents were asked about the details of their experiences with at least one and up to seven serious civil or family justice problem(s). This is an estimated 10,543,556 people.

Individuals experiencing 1 or more problems		Income			
		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000	TOTAL
No	Population Estimate	3,730,191	4,279,311	1,893,676	9,903,178
Yes	Population Estimate	3,906,219	3,945,281	1,929,971	9,781,471 ³

³ The total amounts to less than 11.4 million because of the nearly 20% of respondents who did not indicate their income.

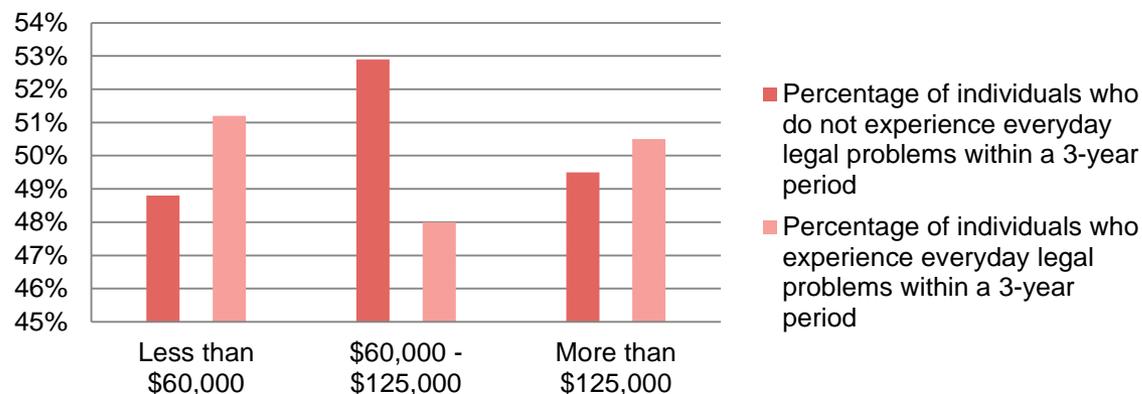
EVERYDAY LEGAL PROBLEMS

Almost 50% of people in Canada over the age of 18 will experience an everyday legal problem in a given 3-year period. Furthermore, essentially every Canadian will experience an everyday legal problem over the course of their lifetime.

Based on income, that amounts to:

- 3,906,219 who earn less than \$60,000 annually
- 3,945,281 who earn \$60,000 - \$125,000 annually
- 1,929,971 who earn more than \$125,000 annually

Percentage Of People
Based on Income Experiencing Everyday Legal
Problems

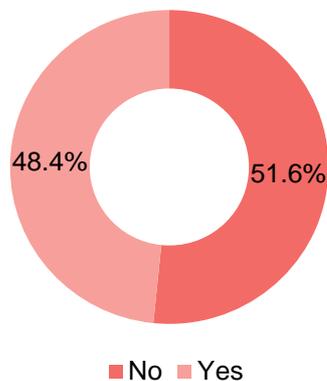


Individuals experiencing 1 or more problems		Income			
		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000	TOTAL
No	Population Estimate	3,730,191	4,279,311	1,893,676	9,903,178
	Percentage Estimate	48.8%	52.9%	49.5%	50.3%
Yes	Population Estimate	3,906,219	3,945,281	1,929,971	9,781,471
	Percentage Estimate	51.2%	48.0%	50.5%	49.7%
TOTAL	Population Estimate	7,636,410	8,224,592	3,823,647	19,684,649

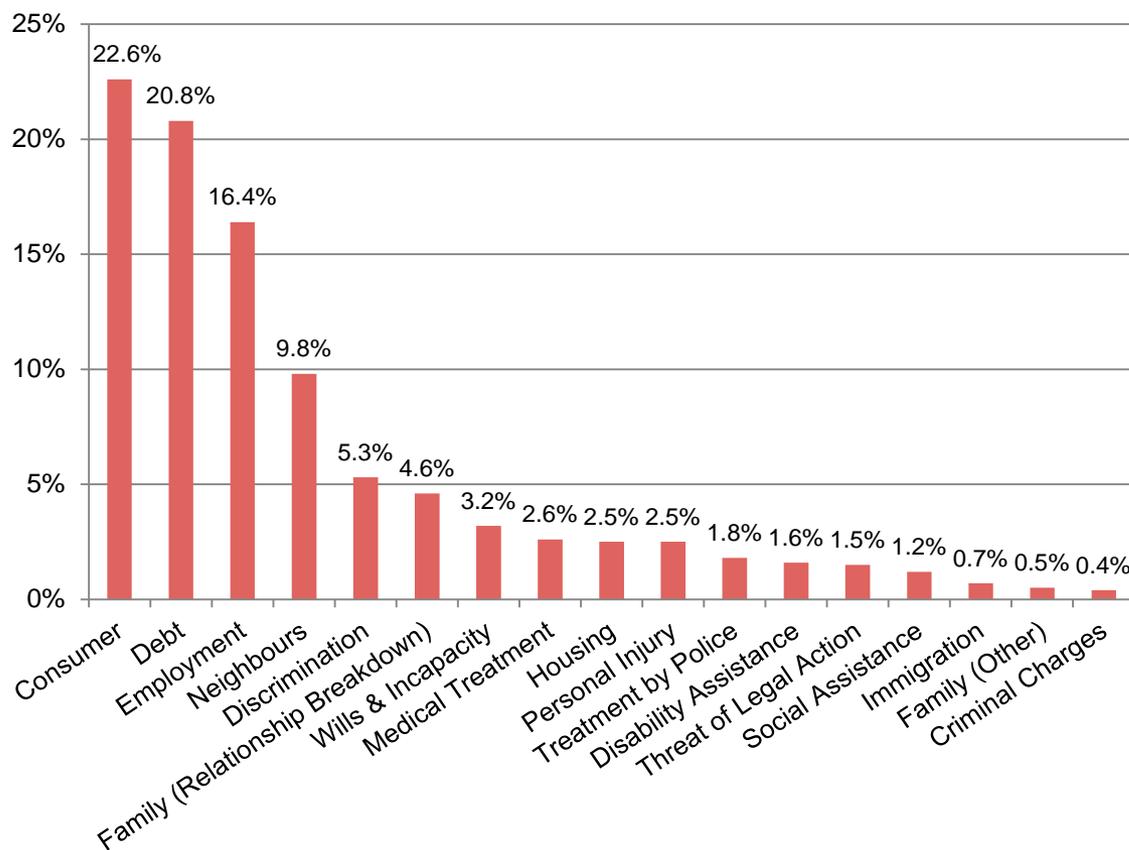
EVERYDAY LEGAL PROBLEM TYPES

Canadians experience a range of civil and family justice problems. Consumer, debt, employment and problems with neighbors are the most frequently occurring problem types, followed by family problems related to relationship breakdown, problems related to wills and incapacity and medical treatment problems.

Percentage of Canadians who will experience an everyday legal problem over the course of any given three years



Percentage of People Experiencing One or More Legal Problems within Problem Types



CONSUMER PROBLEMS

22.6% of people report experiencing one or more consumer problems.

Based on income, this represents:

21.1%

of people earning less than \$60,000

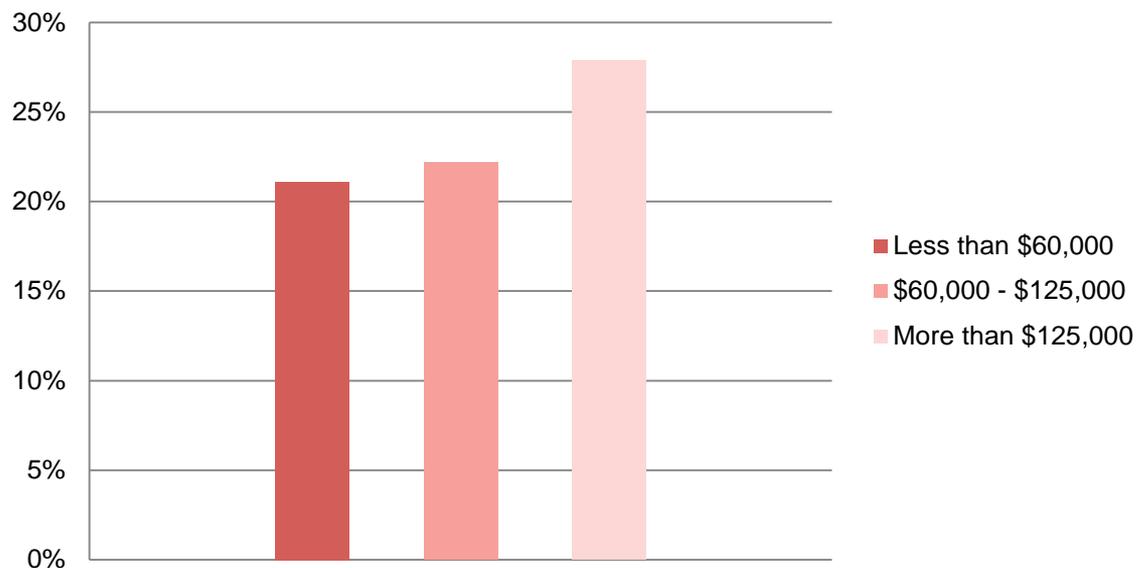
22.2%

of people earning \$60,000 to \$125,000

27.9%

of people earning more than \$125,000

Percentage of People Based on Income with One or More Consumer Problems



Consumer Problems		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000
One or More	Population Size	1,614,781	1,828,255	1,067,226
	% within Household Income	21.1%	22.2%	27.9%

DEBT PROBLEMS

20.8% of people report experiencing one or more debt problems.

Based on income, this represents:

24.8%

of people earning less than \$60,000

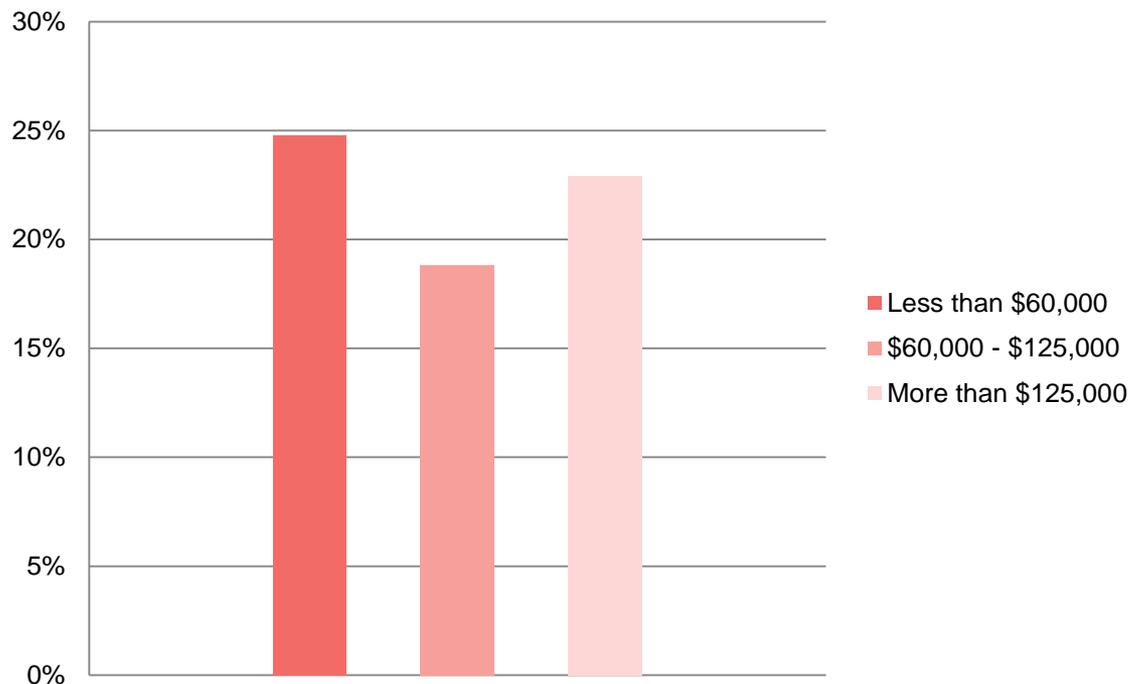
18.8%

of people earning \$60,000 to \$125,000

22.9%

of people earning more than \$125,000

Percentage of People Based on Income with One or More Debt Problems



Debt Problems		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000
One or More	Population Size	1,890,433	1,543,434	876,515
	% within Household Income	24.8%	18.8%	22.9%

EMPLOYMENT PROBLEMS

16.4% of people report experiencing one or more employment problems.

Based on income, this represents:

15.8%

of people earning less than \$60,000

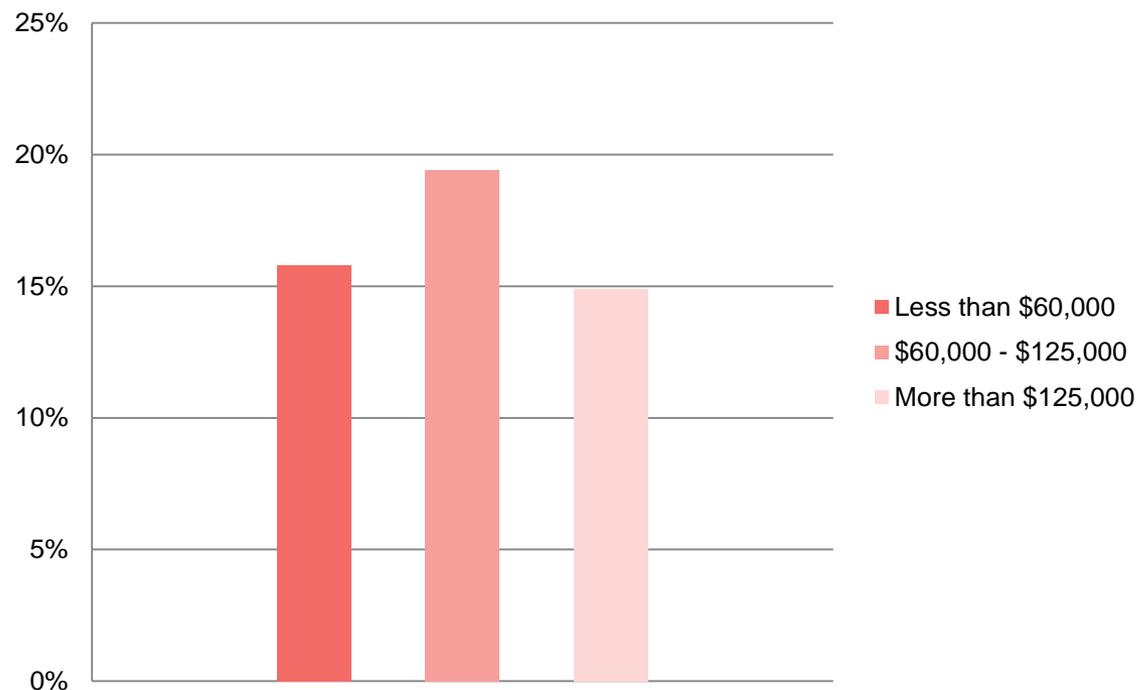
19.4%

of people earning \$60,000 to \$125,000

14.9%

of people earning more than \$125,000

Percentage of People Based on Income with One or More Employment Problems



Employment Problems		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000
One or More	Population Size	1,207,328	1,593,856	568,708
	% within Household Income	15.8%	19.4%	14.9%

PROBLEMS WITH NEIGHBOURS

9.8% of people report experiencing one or more problems with neighbours.

Based on income, this represents:

10.7%

of people earning less than \$60,000

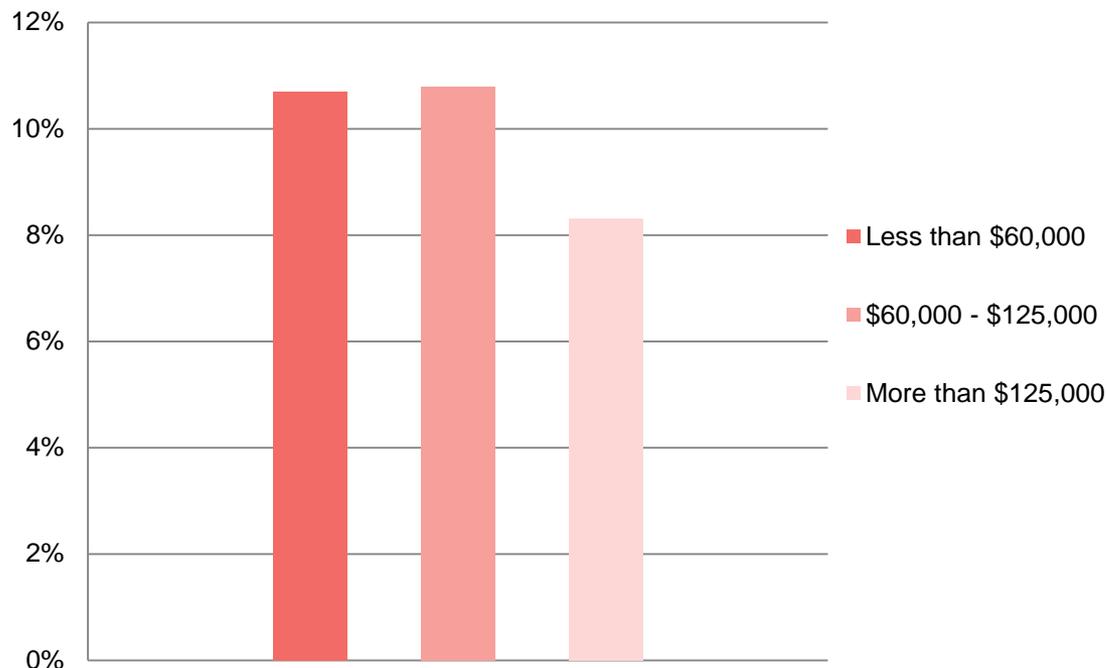
10.8%

of people earning \$60,000 to \$125,000

8.3%

of people earning more than \$125,000

Percentage of People Based on Income with One or More Problems with Neighbours



Neighbour Problems		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000
One or More	Population Size	816,342	885,231	315,603
	% within Household Income	10.7%	10.8%	8.3%

DISCRIMINATION PROBLEMS

5.3% of people report experiencing one or more discrimination problems.

Based on income, this represents:

4.9%

of people earning less than \$60,000

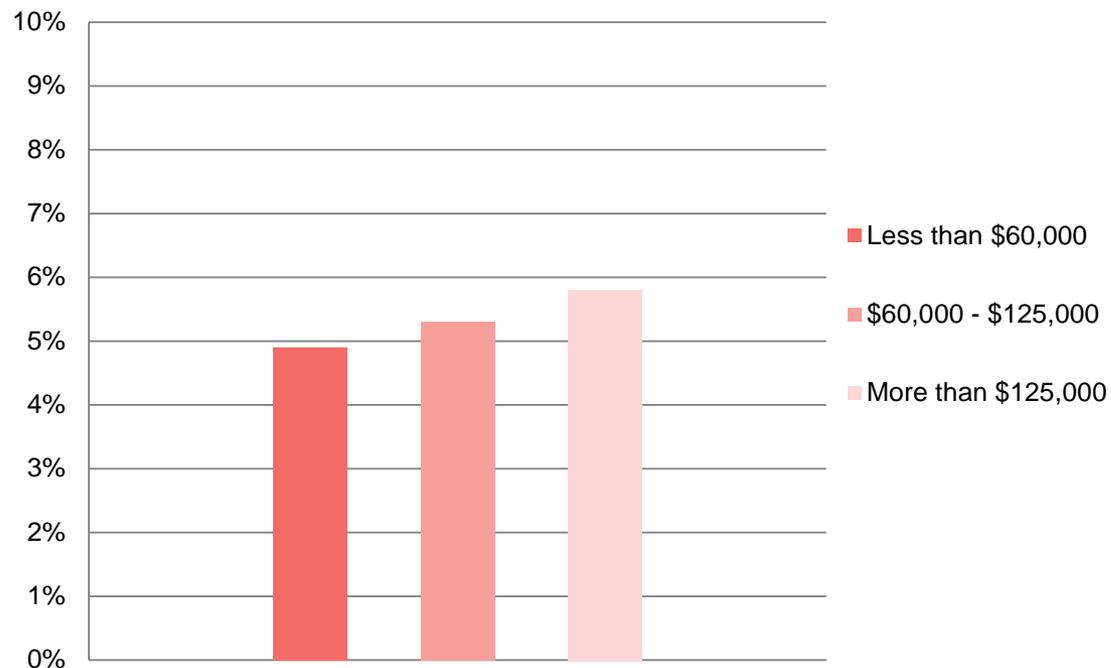
5.3%

of people earning \$60,000 to \$125,000

5.8%

of people earning more than \$125,000

Percentage of People Based on Income with One or More Discrimination Problems



Discrimination Problems		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000
One or More	Population Size	377,863	437,660	221,387
	% within Household Income	4.9%	5.3%	5.8%

FAMILY (RELATIONSHIP BREAKDOWN) PROBLEMS⁴

4.6% of people report experiencing one or more family (relationship breakdown) problems.

Based on income, this represents:

5.5%

of people earning less than \$60,000

5.6%

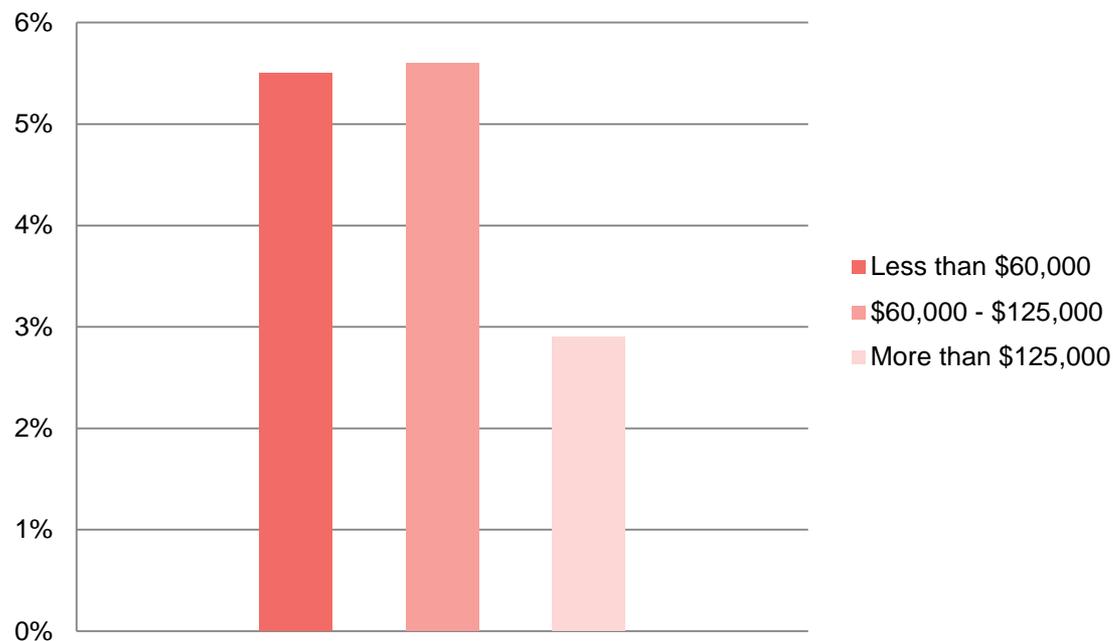
of people earning \$60,000 to \$125,000

2.9%

of people earning more than \$125,000

⁴Relationship breakdown problems include: divorce, separation, changes in child support, division of assets after family break-up, collection of spousal support, family matters that involve a restraining order and other relationship breakdown problems.

Percentage of People Based on Income with One or More Family (Relationship Breakdown) Problems



Family Law – Relationship Breakdown Problems		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000
One or More	Population Size	419,356	458,382	110,322
	% within Household Income	5.5%	5.6%	2.9%

WILLS AND INCAPACITY PROBLEMS

3.2% of people report experiencing one or more problems related to wills and incapacity.

Based on income, this represents:

2.8%

of people earning less than \$60,000

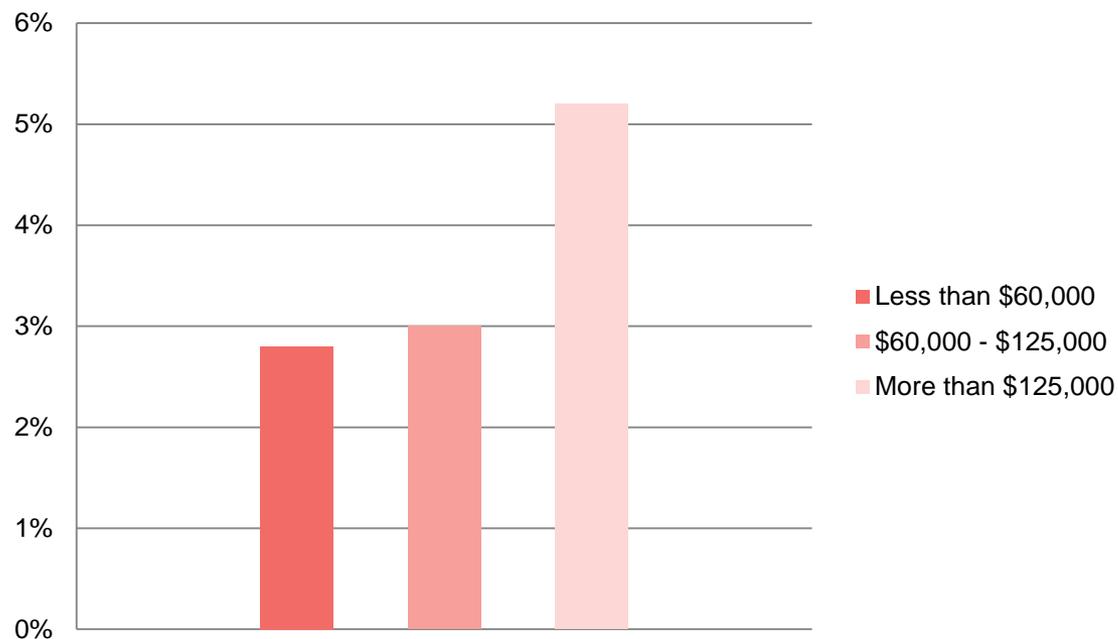
3.0%

of people earning \$60,000 to \$125,000

5.2%

of people earning more than \$125,000

Percentage of People Based on Income with One or More Problems related to Wills and Incapacity



Problems related to Wills and Incapacity		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000
One or More	Population Size	216,283	247,151	198,648
	% within Household Income	2.8%	3.0%	5.2%

PROBLEMS RELATED TO MEDICAL TREATMENT

2.6% of people report experiencing one or more problems related to medical treatment.

Based on income, this represents:

3.0%

of people earning less than \$60,000

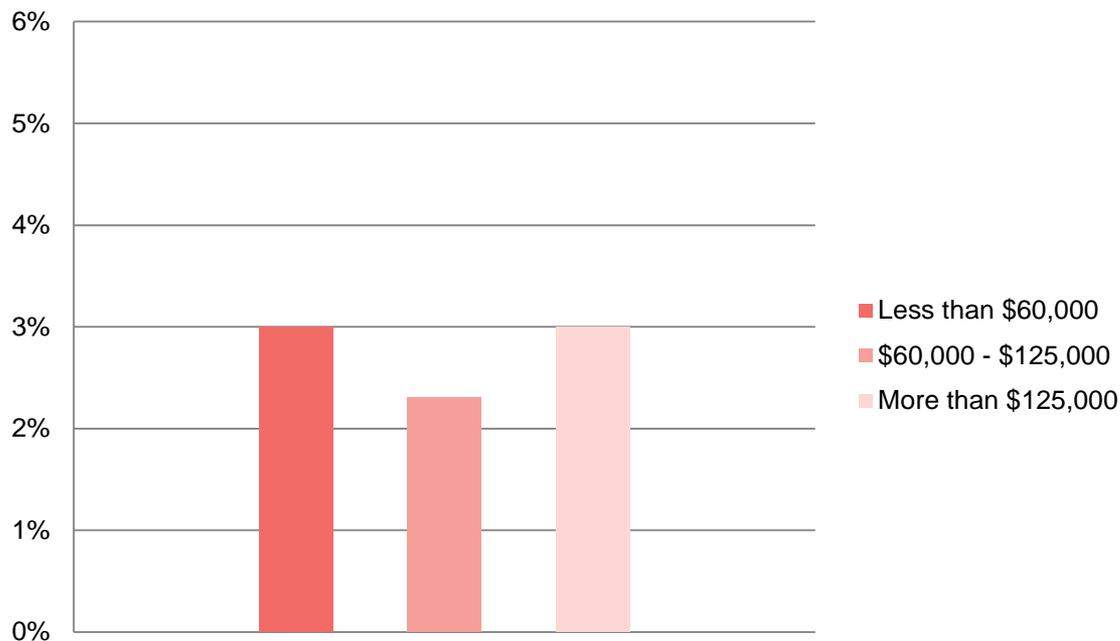
2.3%

of people earning \$60,000 to \$125,000

3.0%

of people earning more than \$125,000

Percentage of People Based on Income with One or More Problems related to Medical Treatment



Medical Treatment Problems		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000
One or More	Population Size	232,553	185,950	113,509
	% within Household Income	3.0%	2.3%	3.0%

PERSONAL INJURY PROBLEMS

2.5% of people report experiencing one or more personal injury problems.

Based on income, this represents:

2.8%

of people earning less than \$60,000

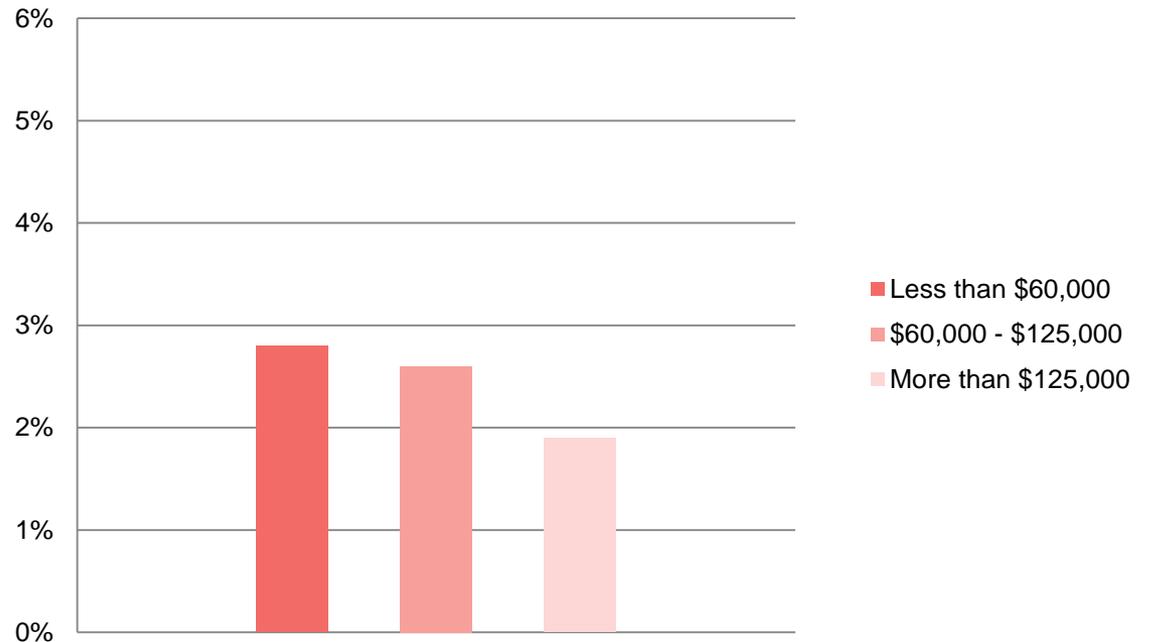
2.6%

of people earning \$60,000 to \$125,000

1.9%

of people earning more than \$125,000

Percentage of People Based on Income with One or More Personal Injury Problems



Personal Injury Problems		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000
One or More	Population Size	215,389	217,545	71,859
	% within Household Income	2.8%	2.6%	1.9%

HOUSING PROBLEMS

2.5% of people report experiencing one or more housing problems.

Based on income, this represents:

4.6%

of people earning less than \$60,000

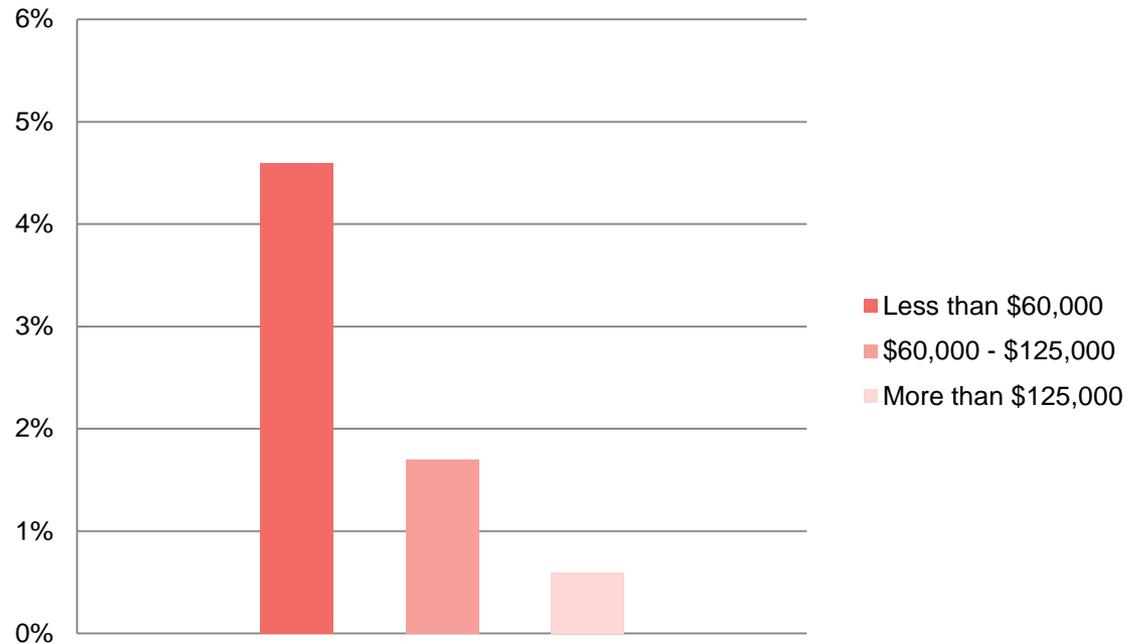
1.7%

of people earning \$60,000 to \$125,000

0.6%

of people earning more than \$125,000

Percentage of People Based on Income with One or More Housing Problems



Housing Problems		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000
One or More	Population Size	353,717	137,039	24,184
	% within Household Income	4.6%	1.7%	0.6%

PROBLEMS RELATED TO TREATMENT BY POLICE

1.8% of people report experiencing one or more problems related to treatment by police.

Based on income, this represents:

1.7%

of people earning less than \$60,000

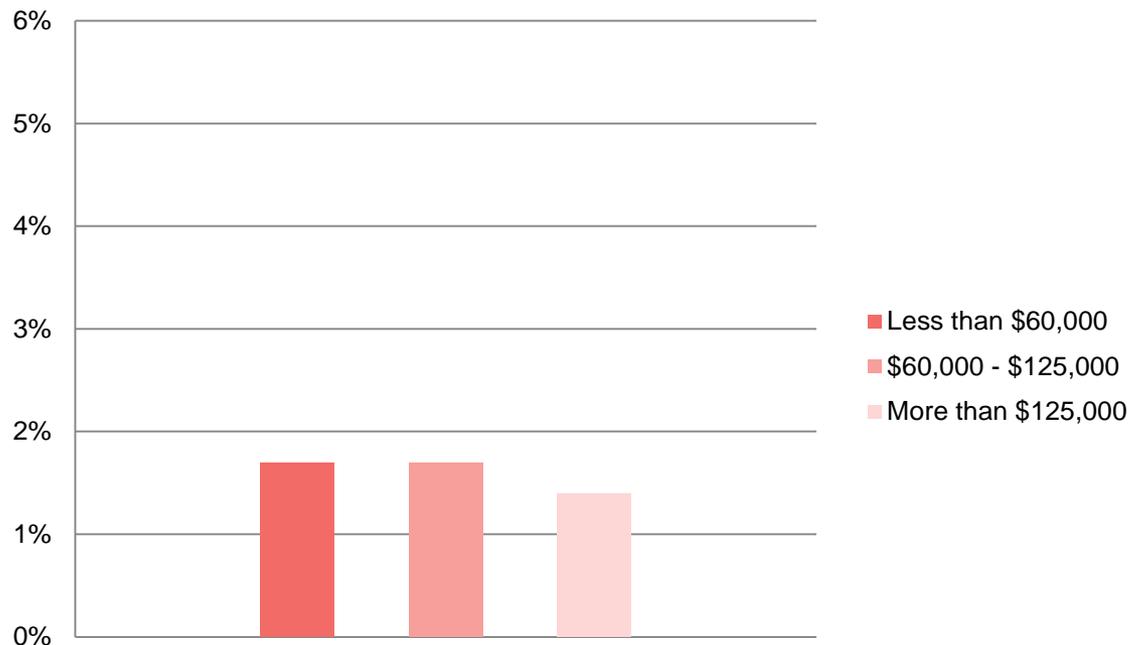
1.7%

of people earning \$60,000 to \$125,000

1.4%

of people earning more than \$125,000

Percentage of People Based on Income with One or More Problems related to Treatment by Police



Problems related to Treatment by Police		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000
One or More	Population Size	131,488	139,390	52,831
	% within Household Income	1.7%	1.7%	1.4%

DISABILITY ASSISTANCE PROBLEMS

1.6% of people report experiencing one or more disability assistance problems.

Based on income, this represents:

2.4%

of people earning less than \$60,000

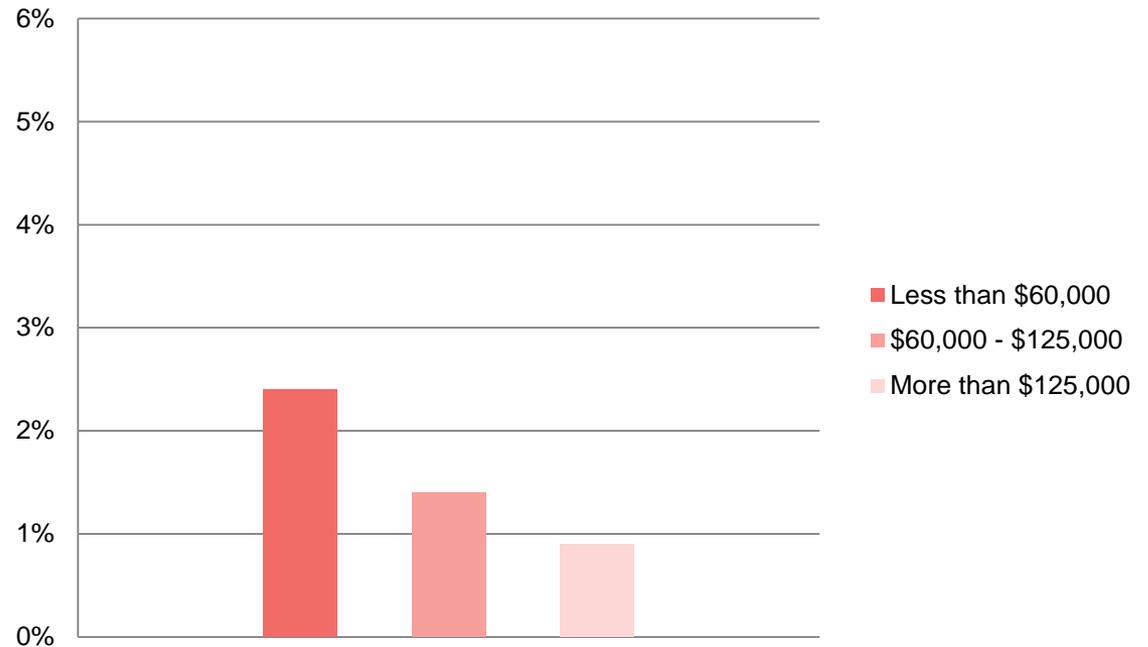
1.4%

of people earning \$60,000 to \$125,000

0.9%

of people earning more than \$125,000

Percentage of People Based on Income with One or More Disability Assistance Problems



Disability Assistance Problems		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000
One or More	Population Size	184,703	117,110	32,610
	% within Household Income	2.4%	1.4%	0.9%

PROBLEMS RELATED TO THREATS OF LEGAL ACTION

1.5% of people report experiencing one or more problems related to threats of legal action.

Based on income, this represents:

1.7%

of people earning less than \$60,000

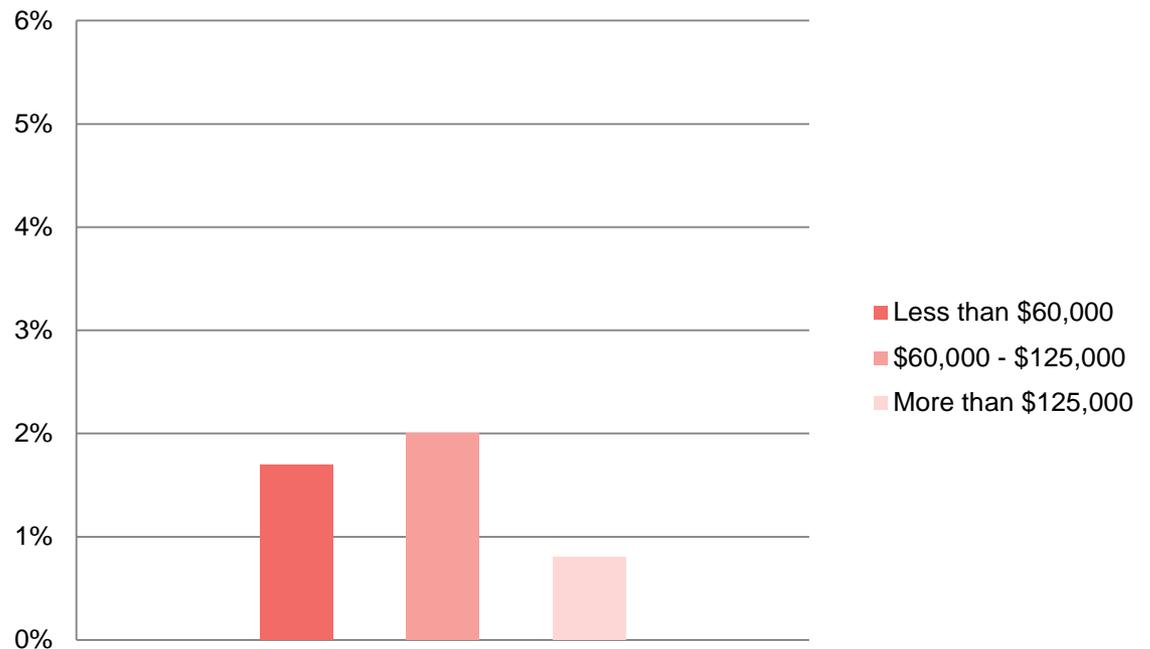
2.0%

of people earning \$60,000 to \$125,000

0.8%

of people earning more than \$125,000

Percentage of People Based on Income with One or More Problems related to Threats of Legal Action



Problems related to Threats of Legal Action		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000
One or More	Population Size	129,188	161,404	28,695
	% within Household Income	1.7%	2.0%	0.8%

SOCIAL ASSISTANCE PROBLEMS

1.2% of people report experiencing one or more social assistance problems.

Based on income, this represents:

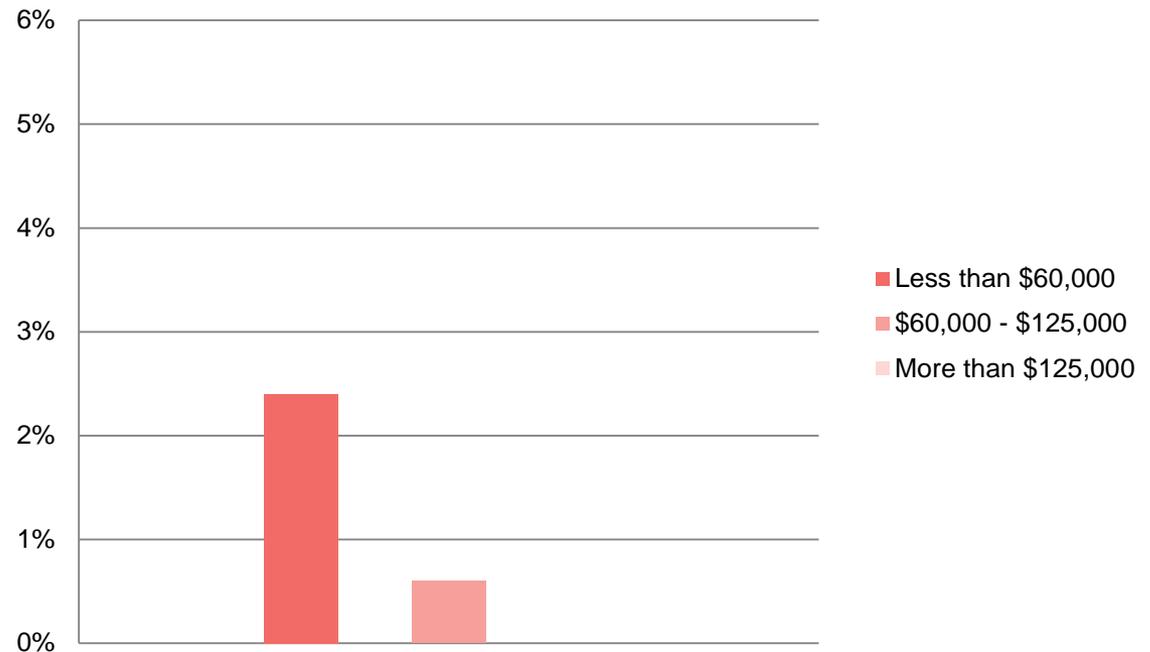
2.4%

of people earning less than \$60,000

0.6%

of people earning \$60,000 to \$125,000

Percentage of People Based on Income with One or More Social Assistance Problems



Social Assistance Problems		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000 ⁵
One or More	Population Size	185,392	47,250	
	% within Household Income	2.4%	0.6%	

⁵ No respondents who indicated that they earn more than \$125,000 reported social assistance problems.

IMMIGRATION PROBLEMS

0.7% of people report experiencing one or more immigration problems.

Based on income, this represents:

1.1%

of people earning less than \$60,000

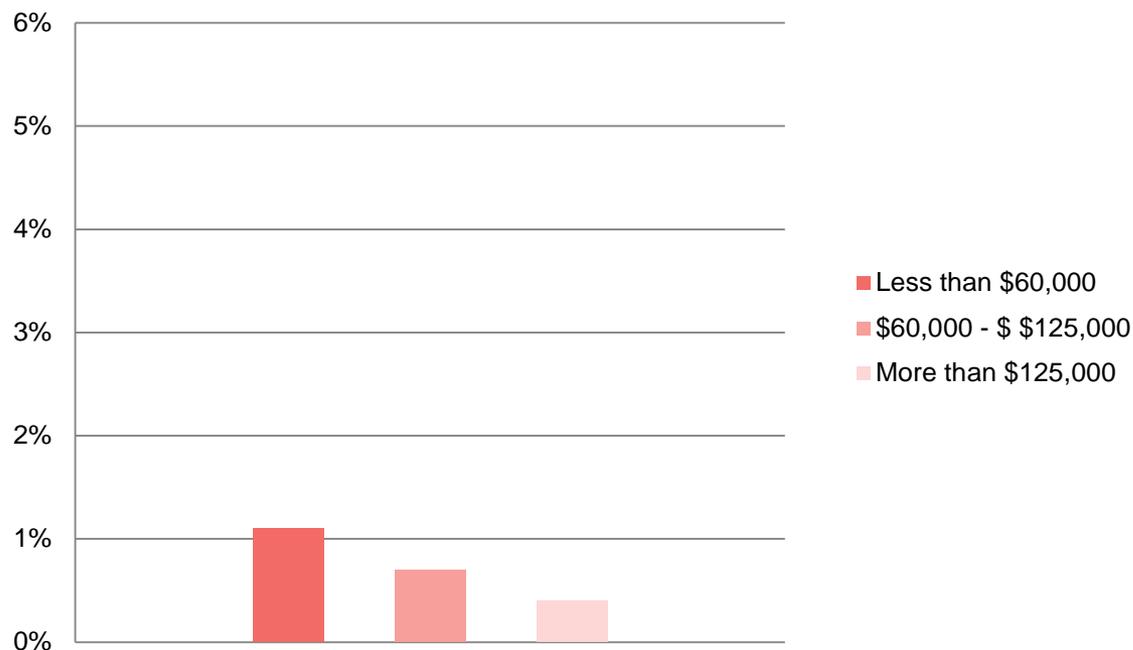
0.7%

of people earning \$60,000 to \$125,000

0.4%

of people earning more than \$125,000

Percentage of People Based on Income with One or More Immigration Problems



Immigration Problems		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000
One or More	Population Size	83,708	61,000	14,428
	% within Household Income	1.1%	0.7%	0.4%

FAMILY (OTHER) PROBLEMS⁶

0.5% of people report experiencing one or more family problems (other than relationship breakdown).

Based on income, this represents:

0.6%

of people earning less than \$60,000

0.7%

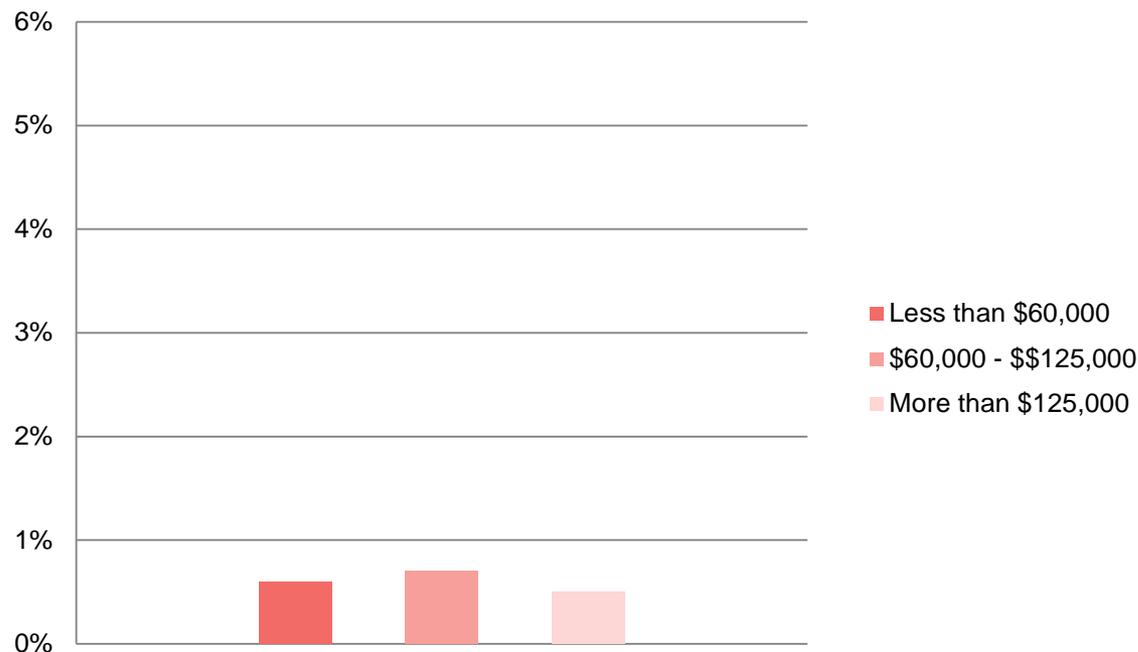
of people earning \$60,000 to \$125,000

0.5%

of people earning more than \$125,000

⁶ Family (other) problems relate to: becoming the guardian of a child, having a child under your guardianship taken away, representation for a child in a dispute, child abduction and disputes regarding a child's status in school.

Percentage of People Based on Income with One or More Family (Other) Problems



Family (Other) Problems		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000
One or More	Population Size	44,134	58,955	20,094
	% within Household Income	0.6%	0.7%	0.5%

PROBLEMS RELATED TO CRIMINAL CHARGES

0.4% of people report experiencing one or more problems related to criminal charges (related to their civil and family justice problems).

Based on income, this represents:

0.3%

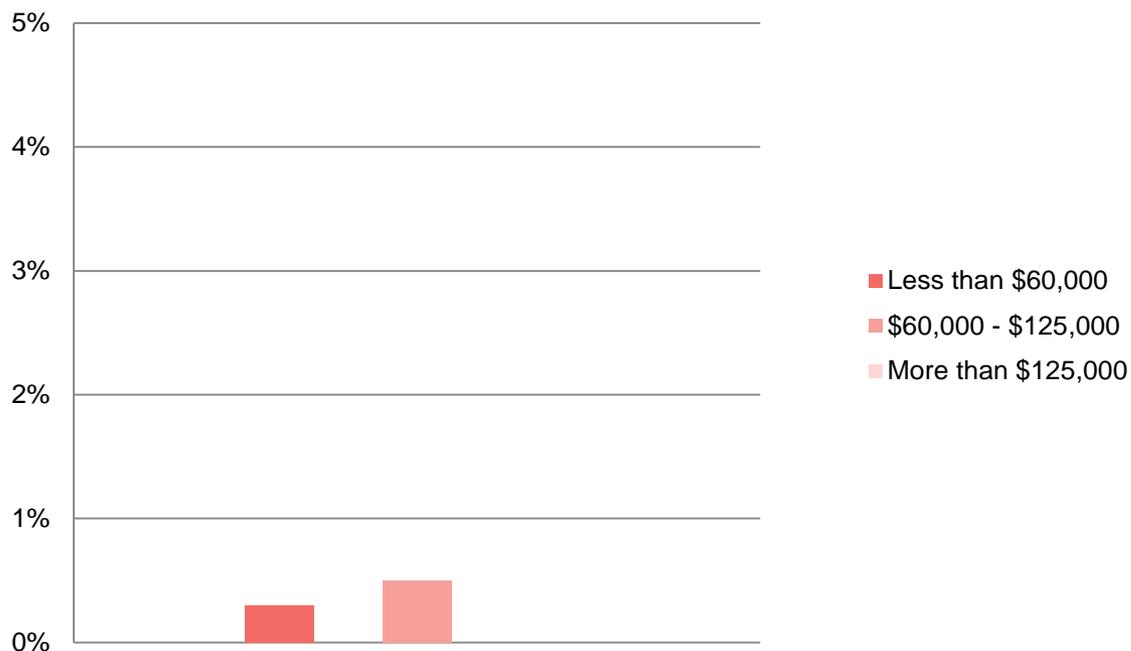
of people earning less than \$60,000

0.5%

of people earning \$60,000 to \$125,000

⁷No respondents who indicated that they earn more than \$125,000 reported facing criminal charges.

Percentage of People Based on Income with One or More Problems related to Criminal Charges



Criminal Law Problems		Less than \$60,000	\$60,000 - \$125,000	More than \$125,000 ⁷
One or More	Population Size	19,303	40,363	
	% within Household Income	0.3%	0.5%	

COST, INCOME AND EVERYDAY LEGAL PROBLEMS

The breakdown of the Cost of Justice survey data by income group reveals that the likelihood of reporting a problem across the full range of problems does not vary by income. There is, however, some variation in reporting on problem types. For example, lower income households are more likely to report problems with their housing and social assistance while higher income households are more likely to report consumer problems and problems with wills and related issues. Those in the middle income range are less likely to report problems with debts than either the lower or the higher incomes groups.

COST

42.9% of people report spending some money to try to resolve their civil or family justice problem.

Based on spending details provided by respondents to the CFCJ's Cost of Justice survey, the approximate amount spent is \$6,109.99.

Based on income, average spending to resolve legal problems is:

\$4,787.67

among people earning less than \$60,000.

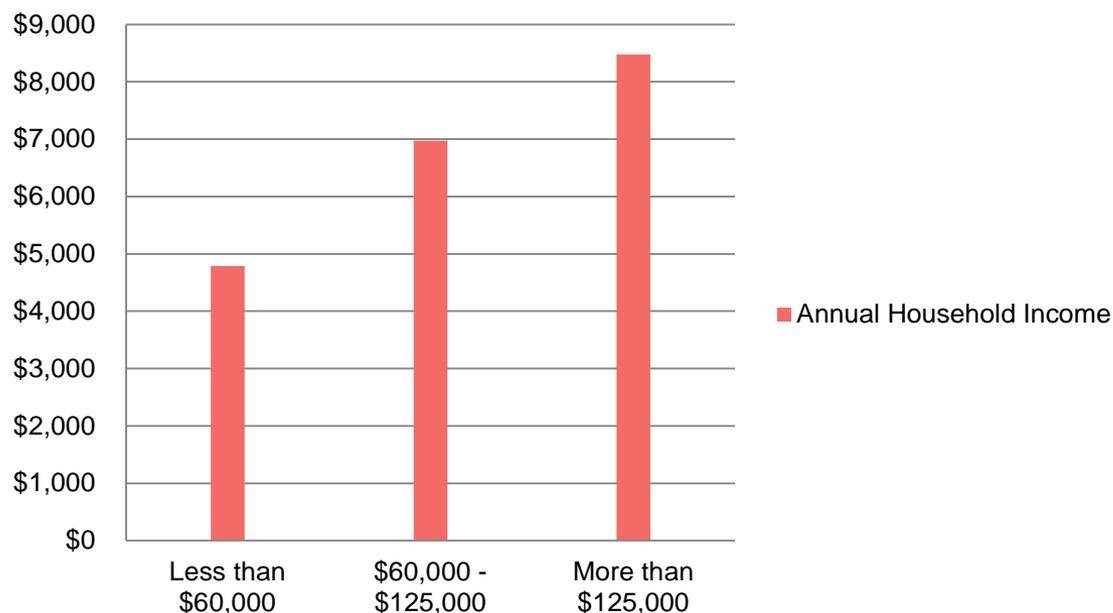
\$6,974.17

among people earning \$60,000 to \$125,000.

\$8,478.39

among people earning more than \$125,000.

Approximate Cost to Deal with One or More Legal Problems Based on Income



Statistically, the amount of money spent to deal with a problem is correlated with income. Those at the lowest household income levels spend less (\$4,788) to resolve their problems than those at the highest income level (\$8,478).

CANADIAN FORUM ON CIVIL JUSTICE FORUM CANADIEN SUR LA JUSTICE CIVILE

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