

EVERYDAY LEGAL PROBLEMS AND THE COST OF JUSTICE IN CANADA



Within a three-year period, **almost 50% of Canadians over the age of 18** will experience at least one legal problem they consider to be serious and difficult to resolve.



The top problems experienced by Canadians are **consumer problems, debt problems, and employment problems**. These are closely followed by neighbour and family problems.

Only 6.7% of people use formal court or tribunal processes to resolve their problems.

Everyday legal problems have several associated costs. Nearly 18% of people who reported having a legal problem experienced **stress or emotional difficulty** as a *direct* consequence of having that problem.

The percentage of respondents reporting they experienced a physical health problem as a result of the legal problem increased from **39.1% for people 18-35 years of age to 61.5% for individuals aged 55-64**

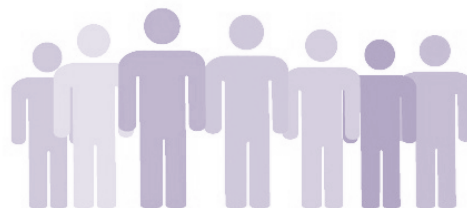
Unresolved legal problems result in annual increased costs to the public purse. For example, we estimate that Canadians' unresolved legal problems result in approximately:

- **\$458 million** in additional employment insurance costs.
- **\$248 million** in additional social assistance costs.
- **\$40 million** in additional health care costs.

These “knock on” costs cost the state an estimated \$746,000,000 dollars annually. This is approximately 2.35 times greater than the annual direct service expenditures on legal aid.

Women were more likely than men to identify a physical health problem as a direct result of a legal problem; **67.1% of women compared with 53.2% of men.**

Everyday legal problems, particularly those that remain unresolved, affect the social and economic wellbeing of individuals, their families and their businesses.



Cost of Justice Project

The Cost of Justice project (2011-2016) 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 access to justice researchers investigating the various dimensions of 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), Nicole Aylwin, Sabreena Delhon, Les Jacobs and Diana Lowe.

The Cost of Justice project has been commented on by the Chief Justice of Canada, the Right Honourable Beverley McLachlin, P.C., who stated that:

“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. (2011)

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 www.cfcj-fcjc.org/cost-of-justice.



Social Sciences and Humanities
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Canada

“Everyday Legal Problems and the Cost of Justice in Canada”

“Everyday Legal Problems and the Cost of Justice in Canada” is a national legal-needs survey conducted by the Canadian Forum on Civil Justice, which assesses the frequency and multi-dimensional costs of everyday legal problems faced by Canadians aged 18 years and older. It is an initiative of the Cost of Justice project.

Completed in 2014 with over 3000 respondents, the survey, led by a research team including Trevor Farrow, Nicole Aylwin, Ab Currie, Sabreena Delhon, Les Jacobs and David Northrup, finds that everyday legal problems are ubiquitous in the lives of adult Canadians. These problems typically have a negative effect on the social and economic wellbeing of individuals and their families, which can potentially lead to lost productivity and considerable expense to publicly funded services and programs.

“Everyday Legal Problems and the Cost of Justice in Canada” provides critical, measurable insights about the cost of access to justice challenges in Canada. It is the first Canadian study of its kind to explore what everyday legal problems cost Canadians - not just in dollars, but in time and opportunity costs, costs to their physical and mental health, and costs to their livelihood.

