

# Canada Country Report

ILAG Cologne 2025

## 1. Country Details

### 1.1 Population

In July 2024, Statistics Canada estimated Canada's population at 41,288,599.<sup>1</sup> From July 2023 to July 2024, Canada's population grew by approximately 3.0%, representing an increase of around 1,205,115 people.

The population growth rate (3.0%) increased 0.3% from 2022-23, which was previously the highest annual population growth rate on record since 1957 (3.3%). This marks the second 12-month period in Canada's history where the population grew by over 1 million people.

The largest driver of this population growth was the third quarter of 2023 (1.1% increase). Comparatively, population increased by 0.7% in the fourth quarter of 2023 and 0.6% in the first and second quarters of 2024. This indicates that there is a gradual slowdown of population growth.

Canada continues to lead the G7 countries in population growth.<sup>2</sup> International migration accounted for nearly all of the growth recorded (96%).

**Figure 1: Population Estimates<sup>3</sup>**

Geography	Population
Alberta	4,931,601
British Columbia	5,719,594
Manitoba	1,499,981
New Brunswick	857,381
Newfoundland & Labrador	545,880
Nova Scotia	1,079,676
N.W.T	44,936
Nunavut	41,258
Ontario	16,171,802
PEI	179,301

<sup>1</sup> Statistics Canada, The Daily – Canadian Economic Growth Report, (25 September 2024), online: <https://www150.statcan.gc.ca/n1/daily-quotidien/240925/dq240925a-eng.htm>

<sup>2</sup> Waterloo Economic Development Corporation, Canada Fastest Growing Country in 2021, (2021), online: <https://www.waterlooeconomic.ca/blog/canada-fastest-growing-country-2021>

<sup>3</sup> Statistics Canada, Table 17-10-0009-01 – Population Estimates for Canada, (last updated 2024), online: <https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=1710000901>

Quebec	9,100,249
Saskatchewan	1,246,691
Yukon	46,948
Canada	41,465,298

## 1.2 Gross Domestic Product (GDP)

In 2023, Canada's Gross Domestic Product (GDP) was approximately C\$2.89 trillion.<sup>4</sup> Real GDP grew in every province of Canada, except Newfoundland and Labrador. However, real GDP grew only 1.1%, marking Canada's slowest growth rate since 2016.<sup>5</sup> Several factors contributed to this lack of growth, including high interest rates, natural disasters, and strikes across several industries.

The majority of real GDP growth occurred in Q4 of 2023, indicating a slight upward trend following a revised loss of 0.5% in Q3. Higher exports and lower imports were the main drivers of Q4 growth, with exports rising 5% and outpacing the 0.3% increase in imports.<sup>6</sup> Net trade overall added 2.4 percentage points to GDP growth.

Real GDP by industry increased by 1.2% in 2023, which is a slower rate than the 2022 fiscal year (-2.4%).<sup>7</sup> Experts attribute this slower growth rate to tight monetary policy, persistent inflation, and climate change-related difficulties. Nunavut led real GDP growth and was the only jurisdiction that had a meaningful increase in economic growth (3.4%).

Canada also saw a growth in demand for services, likely caused by the high rate of population growth. Growth in the service sector kept seven provincial and territorial economies in positive territory.<sup>8</sup> The public sector (educational services, health care, social assistance and public administration) was a significant contributor to GDP growth across the country.

## 1.3 Canada's Official Poverty Line

In June 2019, Canada adopted the *Poverty Reduction Act*.<sup>9</sup> This legislation sets out Canada's Official Poverty line and other metrics to measure poverty.

Canada's official poverty line is the Market Basket Measure (MBM). According to the MBM, a family lives in poverty if they cannot afford a specific basket of goods and services in their community.<sup>10</sup> This "basket" represents a modest and basic standard of living. Costs included in the MBM include food, clothing, footwear, transportation, shelter, and other expenses, depending on the individual family and their family size.

<sup>4</sup> Federal Reserve Bank of St. Louis, Gross Domestic Product – Canada, (last updated 2024), online: <https://fred.stlouisfed.org/series/NGDPXDCCAA>

<sup>5</sup> Aside from 2020 because of the pandemic

<sup>6</sup> Statistics Canada, The Daily – Poverty and Income Inequality, (7 November 2024), online: <https://www150.statcan.gc.ca/n1/daily-quotidien/241107/dq241107a-eng.htm>

<sup>7</sup> Statistics Canada, The Daily – Poverty and Income Inequality, (7 November 2024), online: <https://www150.statcan.gc.ca/n1/daily-quotidien/241107/dq241107a-eng.htm>

<sup>8</sup> PEI, Nova Scotia, NB, Manitoba, Ontario, SK, and BC

<sup>9</sup> *Poverty Reduction Act*, S.C. 2019, c. 29, s. 315, online: <https://laws.justice.gc.ca/eng/acts/P-16.81/index.html>

<sup>10</sup> Statistics Canada, The Daily – Poverty and Income Inequality, (7 November 2024), online: <https://www150.statcan.gc.ca/n1/daily-quotidien/241107/dq241107a-eng.htm>

Analysts then contrast these costs with the disposable income of families to determine whether they fall below the poverty line.

Using the MBM, the poverty rate is the percentage of people who live in poverty in Canada. Different provinces and different regions within certain provinces have varying MBMs (e.g., Calgary, Alberta has an MBM of \$49,462 whereas rural Alberta has an MBM of \$46,054).<sup>11</sup>

In 2022, researchers estimated that 9.9% of the Canadian population was living in poverty (approximately 3.8 million people).<sup>12</sup> Compared to 2021, the poverty rate increased by 2.5%, meaning that over a million Canadians fell into poverty in 2022.

The Canadian government has not yet released the 2023 poverty statistics, but it predicts the poverty rate will rise to around 10.2% in 2023.<sup>13</sup>

A combination of economic factors—including high costs of goods and services, wages not keeping pace with inflation, and a lack of government supports—has driven the increasing poverty rate.<sup>14</sup> Social factors also play a role, as the most recent statistics show that those who are most marginalized are more likely to live in poverty and face challenges in accessing available benefits/services.

**Figure 2: Official Poverty Rates**

Year	Rate (%)
2018	11.2
2019	10.3
2020	6.4
2021	7.4
2022*	9.0
2023*	10.2

*\*Estimated/Modeled Poverty Rates*

## 1.4 Number of Practising Lawyers in Canada

All practitioners of law in Canada (and notaries in Quebec) are required to be a member of a law society and abide by the regulations set forth by the law society.

Each province/territory in Canada has a law society, with a statutory mandate to ensure that legal professionals meet high standards of competence and professional

<sup>11</sup> Statistics Canada, Table 11-10-0066-01 – Low Income Statistics, (last updated 2024), online: <https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=1110006601>

<sup>12</sup> Government of Canada, National Advisory Council on Poverty – 2024 Annual Report, (2024), online: <https://www.canada.ca/en/employment-social-development/programs/poverty-reduction/national-advisory-council/reports/2024-annual.html#h2.7>

<sup>13</sup> Statistics Canada, Income Distribution and Economic Well-Being Report, (2024), online: <https://www150.statcan.gc.ca/n1/pub/75f0002m/75f0002m2024001-eng.htm>

<sup>14</sup> Government of Canada, Poverty Reduction Strategies and Policy Initiatives – 2024 Annual Report, (2024), online: <https://www.canada.ca/en/employment-social-development/programs/poverty-reduction/national-advisory-council/reports/2024-annual.html#h2.8>

conduct. Canada has 14 provincial and territorial law societies that govern over 136,000 lawyers, 4,200 notaries, and 10,600 independent paralegals.<sup>15</sup>

## 2. Legal Aid Organisation / Authority / Status

### 2.1 Delivery & Administration of Legal Aid

Under Canadian constitutional law, the federal government has authority to enact criminal law and law related to criminal procedure. The federal government is also responsible for immigration and refugee law. The constitution grants provincial governments authority for the administration of justice and gives them exclusive jurisdiction over civil law. In the territories, the federal government has constitutional authority over both criminal and civil law.

The delivery and administration of legal aid is a provincial/territorial responsibility. As a result, 13 distinct programs across Canada deliver legal aid, each operating independently. Each program determines its own eligibility thresholds and coverage guidelines.

The legal aid plans in 11 of the 13 jurisdictions are established through legislation. Two jurisdictions, Prince Edward Island (PEI) and Alberta, do not have any formal legal aid legislation. In PEI, the provincial Department of Justice administers the legal aid plan directly. In Alberta, Legal Aid Alberta (LAA), a publicly funded, not-for-profit organization, administers legal aid. The Law Society of Alberta and the provincial Ministry of Justice govern LAA.

Of the 11 legal aid plans established by legislation, seven are non-profit societies or corporations (British Columbia, Manitoba, New Brunswick, Northwest Territories, Nunavut, Ontario, Yukon); and four are independent commissions (Newfoundland-Labrador, Nova Scotia, Quebec, Saskatchewan).

The Association of Legal Aid Plans of Canada (ALAP) is an umbrella group that represents the legal aid plans, and provides an opportunity to share best practices in the delivery of legal aid services and collectively consider access to justice issues.

### 2.2 Legal Aid Service Delivery Models

All of the legal aid plans in Canada operate under one of three service delivery models: the staff model, the judicare model, and the mixed model.<sup>16</sup> In the staff model, legal aid plans employ lawyers and other service providers (e.g., paralegals) to deliver legal aid services. In comparison, the judicare model delivers legal services through private lawyers, who are paid by the legal aid plan based on tariff rates. The mixed model uses a combination of staff and private lawyers to provide legal aid services.

In 2022-23, there were approximately 10,553 lawyers providing legal aid services in Canada.<sup>17</sup> Out of this group, 87% were private bar lawyers. There were also

<sup>15</sup> Federation of Law Societies of Canada, About Us, (2024), online: <https://flsc.ca/about-us/>

<sup>16</sup> Department of Justice Canada, Legal Aid in Canada – 2022-2023 Report, (2023), online: <https://www.justice.gc.ca/eng/rp-pr/jr/aid-aide/2023/p9.html>

<sup>17</sup> Department of Justice Canada, Legal Aid in Canada – 2022-2023 Report, (2023), online: <https://www.justice.gc.ca/eng/rp-pr/jr/aid-aide/2023/p9.html> Staff lawyer column is inclusive of legal clinic lawyers.

approximately 2,025 non-lawyers assisting with the delivery of legal aid services.<sup>18</sup> Of these non-lawyers, 83% were intake workers or support staff, 13% were paralegals or legal assistants, and 4% were articling students or other personnel (e.g. managers).<sup>19</sup>

**Figure 3: Legal Aid Plan Personnel as of March 31, 2023<sup>20</sup>**

	Total legal aid plan personnel N (%)		Lawyers providing legal aid					Non- lawyers	
			Total lawyers N (%)		Private bar lawyers	Staff lawyers	Other lawyers	Total non-lawyers N (%)	
N.L.	158	100%	87	55%	13	70	4	71	45%
P.E.I.	36	100%	29	81%	20	8	1	7	19%
N.S.	418.6	100%	326	78%	216	106	4	92.2	22%
N.B.	190	100%	146	77%	107	40	3	44	23%
Que.	2,803	100%	2,212	79%	1,752	392	68	591	21%
Ont.	4,028	100%	3,352	83%	2,943	383	26	676	17%
Man.	444	100%	344	77%	286	52	6	100	23%
Sask.	303	100%	212	70%	118	83	11	91	30%
Alta.	2,892	100%	2,709	94%	2,594	115	0	183	6%
B.C.	1,261	100%	1,091	87%	1,056	32	3	170	13%
Yuk.	20	100%	11	55%	10	11	0	9	45%
N.W.T.	–	–	–	–	–	–	–	–	–
Nvt.	–	–	–	–	–	–	–	–	–
<b>Canada</b>	<b>12,533</b>	<b>100%</b>	<b>10,508</b>	<b>84%</b>	<b>9,105</b>	<b>1,277</b>	<b>126</b>	<b>2,025</b>	<b>16%</b>

### 3. Paying Providers of Legal Advice & Services

#### 3.1 Salaried Staff

For jurisdictions that use the staff model or mixed model,<sup>21</sup> staff lawyers and non-lawyer legal aid personnel are salaried staff. Salaries for staff lawyers vary depending on jurisdiction and years of experience.

<sup>18</sup> Department of Justice Canada, Legal Aid in Canada – 2022-2023 Report, (2023), online: <https://www.justice.gc.ca/eng/rp-pr/jr/aid-aide/2023/p9.html>

<sup>19</sup> Department of Justice Canada, Legal Aid in Canada – 2022-2023 Report, (2023), online: <https://www.justice.gc.ca/eng/rp-pr/jr/aid-aide/2023/p9.html>

<sup>20</sup> Department of Justice Canada, Legal Aid in Canada – 2022-23 Report, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/aid-aide/2023/docs/2024-legal-aid-in-canada-2022-23-eng.pdf>

<sup>21</sup> In Canada, this includes British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec, Prince Edward Island, and Newfoundland and Labrador.

**Figure 4: Legal Aid Staff Lawyer Salary Ranges, 2024**

Jurisdiction	Salary Range
Alberta	\$84,000 – \$164,000
British Columbia	\$73,060 - \$148,530
Manitoba	
New Brunswick	\$59,126 – \$147,264
Newfoundland and Labrador	\$80,452 – \$155,607
Northwest Territories	
Nova Scotia	
Nunavut	
Ontario	\$90,187 - \$154,117
Prince Edward Island	
Quebec	
Saskatchewan	\$90,466 - \$185,852
Yukon	\$90,000 - \$154,000

### 3.2 Private Bar

In jurisdictions with a judicare system,<sup>22</sup> the legal aid plans pay private bar lawyers a sum based on an hourly rate. The legal aid plan generally pays private bar lawyers with less than five years' experience the lowest rate. The rates increase with experience and for complex case matters. A few legal aid plans pay a flat hourly rate to private bar lawyers regardless of experience. The hourly rate paid to private bar lawyers who do legal aid work varies considerably across Canada. Please refer to **Appendix B** for a detailed overview of tariff structures for private lawyers in each jurisdiction.

### 3.3 Legal Clinics

There are also around 500 legal clinics across Canada providing legal aid services. The administration of these clinics may vary and there is no consistent funding model for legal clinics across Canada.<sup>23</sup> Clinics may be funded through the federal Department of Justice, provincial/territorial governments, provincial/territorial legal aid bodies, law foundations, provincial law societies, provincial pro bono organizations, non-profit community organizations, university law departments, and/or provincial gaming grant supports.<sup>24</sup>

Ontario's legal clinic system has over 80 clinics offering legal services in specialized areas (e.g. housing, social assistance, etc.).<sup>25</sup> Legal Aid Ontario (LAO) funds these legal clinics, but they operate independently. In 2022-23, LAO provided around

<sup>22</sup> In Canada, this includes Nova Scotia, New Brunswick, Yukon, Nunavut, and the Northwest Territories.

<sup>23</sup> Department of Justice Canada, Legal Aid Clinics – Discussion Paper, (2023), online: <https://www.justice.gc.ca/eng/rp-pr/jr/clinics-cliniques/discussion.html#s5-3-1>

<sup>24</sup> Department of Justice Canada, Legal Aid Clinics – Discussion Paper, (2023), online: <https://www.justice.gc.ca/eng/rp-pr/jr/clinics-cliniques/discussion.html#s5-3-1>

<sup>25</sup> Department of Justice Canada, Legal Aid Clinics – Discussion Paper, (2023), online: <https://www.justice.gc.ca/eng/rp-pr/jr/clinics-cliniques/discussion.html#s5-2>

\$95.5M in funding to legal clinics across the province.<sup>26</sup> The total funding to clinics consists of direct funding transfers and the cost of centrally provided support services.<sup>27</sup>

Legal Aid British Columbia has established two kinds of legal clinics that offer family law services, Family Law Centres (FLC) and Parent Legal Centres (PLC). Legal Aid BC opened two FLCs in December 2024 that help survivors of family violence address legal and non-legal issues. The FLC provides legal representation and support throughout a family law case. Clients work with a lawyer and an advocate to stabilize their family law matter.

PLCs help parents resolve their child protection matters early and collaboratively, offering services at any stage of a child protection matter. The centres provide:

- information and advice on options for resolving child protection issues out of court,
- legal advice and representation, where appropriate, through collaborative processes such as mediation and family case planning conferences,
- legal advice and representation at uncontested hearings,
- an advocate who will support you and go with you to meetings and appointments, and
- referrals to other services, including online resources and other public agencies.

Alberta and Newfoundland & Labrador do not provide legal aid services through legal clinics.

## 4. Budget and Spend

### 4.1 Legal Aid Plan Revenue

Provincial and territorial legal aid plans receive their funding from a variety of sources, including provincial and federal contributions.

In all provinces, the largest proportion of legal aid revenue comes from the provincial governments.<sup>28</sup> While the federal government has no role in the delivery of legal aid services in Canada, it does provide funding to provinces and territories to support their legal aid plans.

In the areas of criminal law and immigration and refugee law, the federal Department of Justice Legal Aid Program provides funding.<sup>29</sup> Funding for civil legal aid is provided through the Canada Social Transfer (a federal block transfer to provinces

<sup>26</sup> Legal Aid Ontario, Annual Report 2022-23, (2023), online: <https://www.legalaid.on.ca/wp-content/uploads/LAO-annual-report-2022-23-EN.pdf>

<sup>27</sup> Legal Aid Ontario, Annual Report 2022-23, (2023), online: <https://www.legalaid.on.ca/wp-content/uploads/LAO-annual-report-2022-23-EN.pdf>

<sup>28</sup> Department of Justice Canada, Legal Aid in Canada – 2022-23 Report, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/aid-aide/2023/docs/2024-legal-aid-in-canada-2022-23-eng.pdf>

<sup>29</sup> Department of Justice Canada, Legal Aid in Canada – 2022-23 Report, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/aid-aide/2023/docs/2024-legal-aid-in-canada-2022-23-eng.pdf>



and territories for social services, social assistance and post-secondary education), which is administered by the Department of Finance Canada.<sup>30</sup>

Legal aid plans also receive some revenue from other sources, such as the legal profession, investment income, etc. As an example, the Law Foundation of Ontario provides a portion of Legal Aid Ontario's funding through interest earned on lawyers' trust fund balances, after the foundation deducts its expenses.<sup>31</sup> These revenues are variable year to year and depend largely on the Bank of Canada overnight interest rate and real estate activity levels in the province.

Total revenues nationally for 2022-23 were over \$1.14B.<sup>32</sup> Provincial and territorial (P/T) governments directly fund legal aid. In 2022-23, provincial and territorial governments contributed more than \$635 million to legal aid plans across Canada, which amounts to 76% of total legal aid revenues. This represents a 10% decrease from the P/T contributions to legal aid plans in 2021-22. Federal contributions for criminal, civil legal aid,<sup>33</sup> and immigration and refugee legal aid totaled over \$228 million or 20% of all revenues. This represents a 10% increase in federal contributions from the previous year.

**Figure 5: Legal aid plan revenues by type of revenue, annual, 2022-23<sup>34</sup>**

	Type of Revenue											
	Total legal aid plan revenues <sup>1</sup> Dollars (%)		Federal contributions from 2022-23 agreements <sup>2</sup>			P/T contributions to legal aid plans <sup>4</sup> Dollars (%)		Client contributions and cost recoveries to legal aid plans <sup>5</sup> Dollars (%)		Contributions of the legal profession and interest earned from lawyers' trust accounts <sup>6</sup> Dollars (%)		Other legal aid plan revenues
			Criminal (+civil in territories) Dollars (%)	Immigration and Refugee <sup>3</sup> Dollars (%)								
N.L.	18,648,644	100%	2,612,824	14%	0 0%	14,424,076	77%	49,641	0%	1,465,679	8%	96,424
P.E.I.	1,021,585	100%	545,887	53%		475,698	47%	0	0%	0	0%	0
N.S.	32,843,372	100%	4,987,881	15%	836,000 3%	26,534,219	81%	31,397	0%	0	0%	453,875
N.B.	12,719,232	100%	3,107,771	24%		8,358,478	66%	643,969	5%	200,000	2%	409,014
Que.	180,512,857	100%	31,480,868	17%	8,466,095 5%	134,846,137	75%	3,461,249	2%	0	0%	2,258,508
Ont.	577,745,083	100%	61,190,384	11%	44,224,211 8%	226,214,685	39%	12,919,086	2%	231,786,894	40%	1,409,823
Man.	36,889,162	100%	9,430,933	26%	215,000 1%	23,275,038	63%	1,842,196	5%	1,536,484	4%	589,511
Sask.	29,664,754	100%	8,734,788	29%		20,501,212	69%	5,575	0%	0	0%	423,179
Alta.	120,647,765	100%	21,722,798	18%	924,000 1%	87,458,292	72%	4,923,029	4%	2,728,761	2%	2,890,975
B.C.	122,446,843	100%	21,189,390	17%	6,780,000 6%	90,777,185	74%	0	0%	2,463,311	2%	1,236,957
Yuk.	3,250,533	100%	1,356,163	42%		1,830,518	56%	12,950	0%	902	0%	50,000
N.W.T.												
Nvt.												
Canada	1,136,389,830	100%	166,359,597	15%	61,445,306 5%	634,695,538	56%	23,889,092	2%	240,182,031	21%	9,818,266

## 4.2 Legal Aid Plan Expenditures

Overall, 51% of legal aid expenditures related to criminal matters, 6% related to immigration and refugee, and 42% related to other civil matters.

<sup>30</sup> Civil legal aid refers to non-criminal and non-immigration legal matters. It typically includes family law (such as divorce, child custody, and support), housing issues (like evictions), and other civil disputes. The specific services covered under civil legal aid can vary by province or territory, as each has its own legal aid plan with distinct eligibility criteria and coverage policies.

<sup>31</sup> Department of Justice Canada, Legal Aid in Canada – 2022-23 Report, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/aid-aide/2023/docs/2024-legal-aid-in-canada-2022-23-eng.pdf>

<sup>32</sup> Department of Justice Canada, Legal Aid in Canada – 2022-23 Report, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/aid-aide/2023/docs/2024-legal-aid-in-canada-2022-23-eng.pdf>

<sup>33</sup> In the territories only.

<sup>34</sup> Department of Justice Canada, Legal Aid in Canada – 2022-23 Report, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/aid-aide/2023/docs/2024-legal-aid-in-canada-2022-23-eng.pdf>



Ontario and Quebec had the highest legal aid expenditures in the country, with 47% of the national total coming from Ontario, and 21% from Quebec.

Quebec, Ontario, and Prince Edward Island spend more on civil matters than criminal matters. Nationally, less than half of legal aid spending goes to criminal law due to lower spending in Quebec and Ontario. These provinces have larger populations and higher overall spending, which skews the average.

The jurisdictions with the highest proportion of total legal aid expenditures on criminal matters (of all legal aid expenditures for that jurisdiction) were Saskatchewan (80%), Alberta (74%), and Manitoba (72%).

**Figure 6: Legal aid plan expenditures, by type of expenditure, 2022-23<sup>35</sup>**

	Total Expenditures <sup>1</sup> Dollars (%)		Legal Services Expenditures (including administrative and other costs)						
			Criminal matters Dollars (%)		Civil matters				
					Immigration and refugee <sup>2</sup> Dollars (%)		All other civil Dollars (%)		
N.L.	17,547,740	100%	11,314,906	64%	32,357	0%	6,200,477	35%	
P.E.I.	2,160,414	100%	938,887	43%			1,221,527	57%	
N.S.	32,154,098	100%	19,139,682	60%	836,751	3%	12,177,665	38%	
N.B.	11,102,326	100%	6,174,267	56%			4,928,059	44%	
Que	205,121,351	100%	81,299,548	40%	8,466,095	4%	113,355,708	56%	
Ont.	468,797,356	100%	210,687,608	45%	44,521,388	10%	213,588,360	46%	
Man.	33,771,458	100%	24,445,837	72%	216,059	1%	9,109,562	27%	
Sask.	31,635,669	100%	25,151,101	80%			6,484,568	20%	
Alta.	100,065,238	100%	75,813,344	76%	726,143	1%	23,525,751	24%	
B.C.	95,578,798	100%	57,659,028	60%	7,580,607	8%	31,339,163	32%	
Yuk.	3,242,688	100%	—	—			—	—	
N.W.T.	—	—	—	—			—	—	
Nvt.	—	—	—	—			—	—	
Canada	1,002,177,136	100%	512,624,208	51%	62,379,400	6%	423,930,840	42%	

<sup>35</sup> Department of Justice Canada, Legal Aid in Canada – 2022-23 Report, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/aid-aide/2023/p11.html#tbl2a-hc>

### 4.3 Client Contributions

In 2022-23, client contributions made up 2% of legal aid plan revenues in Canada (approximately \$23,889,092).

The majority of legal aid plans in Canada require clients to contribute to the cost of the legal services in certain circumstances.<sup>36</sup> British Columbia and Newfoundland & Labrador do not request client contributions. The majority of client contribution revenues came from legal aid plans in Ontario, Alberta, and Quebec.<sup>37</sup>

Legal Aid Ontario may require clients to enter into an agreement to contribute to the cost of legal aid services where:

- The assets of the individual's family unit include an interest in land in Ontario or an asset that is not readily convertible to money;
- The individual or person responsible is able to contribute to the cost of providing legal aid services to the individual; or
- The individual expects to receive money or other property, whether in a proceeding or otherwise, and the money or other property, if received, would be available for contribution towards the cost of providing legal aid services to the individual.

Legal Aid Alberta expects client to pay for the legal services they receive. Once financial and services eligibility requirements have been established, clients are set up with a payment plan.

Nova Scotia Legal Aid may require a contribution agreement for individuals who do not qualify financially and who are able to pay a portion of the cost. Nova Scotia Legal Aid may also enter into a contribution agreement when a matter is complex, taking into account the abilities and resources of the client, and consideration of whether retaining private counsel would be beyond the means of the client.

Northwest Territories (NWT) Legal Aid may require clients to pay some or all of the costs.<sup>38</sup> There are 3 contribution levels for NWT legal aid clients: \$500 contributions, \$750 contributions, and \$1000 contributions.<sup>39</sup> Contribution levels are determined by location, household size and annual net income.

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<sup>36</sup> Department of Justice Canada, Legal Aid in Canada – 2022-23 Report, (2024), online: <https://justice.canada.ca/eng/rp-pr/jr/aid-aide/2023/docs/2024-legal-aid-in-canada-2022-23-eng.pdf>

<sup>37</sup> Department of Justice Canada, Legal Aid in Canada – 2022-23 Report, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/aid-aide/2023/docs/2024-legal-aid-in-canada-2022-23-eng.pdf>

<sup>38</sup> Government of Northwest Territories, Legal Aid Services, (2024), online: <https://www.justice.gov.nt.ca/en/legal-aid/>

<sup>39</sup> Government of Northwest Territories, Legal Aid Financial Eligibility Table, (2024), online: <https://www.justice.gov.nt.ca/en/files/legal-aid/Financial%20Eligibility%20Table%20.pdf>

## 5. Scope, Caseload and Eligibility

### 5.1 Scope

While some jurisdictions focus almost exclusively on providing full representation for court or tribunal proceedings, others provide a continuum of services and tailor legal services to the client's need and abilities.

Given Canada's vast size and dispersed population, jurisdictions deliver services through a variety of means. In larger urban centres, legal aid plans may augment in-person services with telephone or web-based access. In other areas, video-conferencing and the use of other technologies can provide services across large distances. Ultimately, however, each legal aid jurisdiction in Canada varies in the manner and scope of direct legal services provided.

Please refer to **Appendix A** for information on the types of legal services, scope and restrictions on Canada's legal aid plans.

### 5.2 Legal Aid Plan Applications and Eligibility

Legal aid plans received approximately 512,300 legal aid applications in 2022-23. The number of applications reflects the number of individual requests for assistance, rather than the total number of persons seeking assistance; i.e., a single individual may file multiple applications.

Of the 512,300 applications for summary or full legal representation received in 2022-23, over half (54%) were for criminal matters, while 44% were for civil matters (including immigration and refugee).<sup>40</sup> The highest proportion of civil matter applications was for family matters (30%), followed by child protection (29%), non-family matters (21%), and immigration and refugee (20%). Of the 257,204 applications for criminal legal aid, 92% were from adults and 8% were from youth.

Quebec received the most applications at 219,754, which accounted for 43% of all applications received nationally in 2022-23. Ontario and Alberta were the next two provinces that received the most applications (24% and 7% respectively). Looking at the breakdown between criminal and civil applications within each province/territory, Prince Edward Island (79%), Alberta (79%) and Yukon (76%) had the highest proportion of criminal applications compared to civil. Quebec (57%), Ontario (48%) and New Brunswick (45%) had the lowest proportion of criminal applications compared to civil.

The number of applications hit a low in 2020-21, due in large part to the COVID-19 pandemic. Applications declined by 18% compared to the previous year and application approvals saw a corresponding decrease. In 2021-22, the numbers began to increase, with the number of applications up by 7% and number of approved applications up by 4% compared to the previous year. In 2022-23, the number of applications was up by 4% but the number of approved applications decreased 1% compared to the previous year.

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<sup>40</sup> Department of Justice Canada, Legal Aid in Canada – 2022-23 Report, (2024), online: <https://justice.canada.ca/eng/rp-pr/jr/aid-aide/2023/docs/2024-legal-aid-in-canada-2022-23-eng.pdf>

Legal aid plans approved eight in ten legal aid applications for full legal representation. Financial ineligibility was the most common reason for application refusal. Refused applications refer to all requests for legal aid that legal aid plans deny. This includes applications where the system approves no services, as well as those denied full legal representation but granted summary services. Of the 84,263 applications (both criminal and civil) with a reported reason for refusal, legal aid plans refused 60% due to financial ineligibility. ‘Coverage restrictions’ and ‘other reasons for refusal’ were the next most common reasons for refusal (15%, and 20% respectively).

### 5.3 Legal Aid Eligibility

Legal aid plans in Canada have varying income and asset thresholds governing financial eligibility. **Appendix A** lays out these thresholds in detail for each Canadian jurisdiction.

In all jurisdictions except Alberta, individuals who are on social assistance will qualify for legal aid.<sup>41</sup> There is limited recent data on the proportion of the overall population eligible for legal aid in Canada. In 2005, estimates showed that the percentage of low-income adults aged 18 to 35 who were eligible for legal aid ranged from 20.7% to 88.1%.<sup>42</sup> The proportion of low-income families who were eligible ranged from 18% to 87%.<sup>43</sup> Because of economic changes and changes to the financial eligibility thresholds of legal aid plans, these percentages are likely outdated. A more recent survey from the Canadian Bar Association indicates that a higher number of the population in the “working poor” category is unable to access legal aid services.<sup>44</sup>

### 5.4 Cost Awards

Legal aid clients in some jurisdictions may be responsible for paying a cost award made against them. In Ontario, court costs awarded against a legally aided client are the responsibility of the client. There are rare and limited circumstances in which, on application by the client or the party to whom costs are owed, LAO, in its discretion, may pay some or all of the court costs on behalf of the client.<sup>45</sup>

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<sup>41</sup> Department of Justice Canada, Legal Aid Research Report – Section 2: Legal Aid Eligibility, (2023), online: [https://www.justice.gc.ca/eng/rp-pr/csj-sjc/jsp-sjp/rr03\\_la5-rr03\\_a5/p2.html#header17](https://www.justice.gc.ca/eng/rp-pr/csj-sjc/jsp-sjp/rr03_la5-rr03_a5/p2.html#header17)

<sup>42</sup> The most recent data available only looks at this age group because they are a target group for the Department of Justice, largely because the 18-35 year old age group makes up 32.9% of the adult population. See Department of Justice Canada, Legal Aid Research Report – Section 4: Funding and Administration, (2023), online: [https://www.justice.gc.ca/eng/rp-pr/csj-sjc/jsp-sjp/rr03\\_la5-rr03\\_a5/p4.html](https://www.justice.gc.ca/eng/rp-pr/csj-sjc/jsp-sjp/rr03_la5-rr03_a5/p4.html) and Department of Justice Canada, Legal Aid Research Report – Section 4.2: Provincial and Territorial Legal Aid, (2023), online: [https://www.justice.gc.ca/eng/rp-pr/csj-sjc/jsp-sjp/rr03\\_la5-rr03\\_a5/p4\\_2.html](https://www.justice.gc.ca/eng/rp-pr/csj-sjc/jsp-sjp/rr03_la5-rr03_a5/p4_2.html)

<sup>43</sup> There is a wide range because the proportion of families eligible for legal aid differs based on the province/territory and their financial eligibility threshold, asset thresholds, and the family size. See **Appendix D** for specific provincial details.

<sup>44</sup> Canadian Bar Association, Equal Justice – Survey Results, (2024), online: [https://www.cba.org/CBAMediaLibrary/cba\\_na/images/Equal%20Justice%20-%20Microsite/PDFs/CBA\\_Survey\\_Results.pdf](https://www.cba.org/CBAMediaLibrary/cba_na/images/Equal%20Justice%20-%20Microsite/PDFs/CBA_Survey_Results.pdf)

<sup>45</sup> Legal Aid Ontario, Orders and Settlements in Respect of Court Costs, (2024), online: <https://www.legalaid.on.ca/wp-content/uploads/Orders-and-settlements-in-respect-of-court-costs-EN.pdf>

In British Columbia, if a client receives a costs award, the costs award is assigned and paid to Legal Aid British Columbia (LABC), not the client. LABC does not pay costs awarded against legal aid clients; they are the client's responsibility.

In Nova Scotia, where a court orders costs against a recipient of legal aid, these costs are payable by the recipient and not by the Nova Scotia Legal Aid Commission, unless prior written agreement exists between the recipient and the Commission. Where a court orders that costs be paid to a recipient of legal aid, the recipient may be required to pay those costs to the Commission.

In Newfoundland and Labrador, cost awards against legally aided clients are not a common issue.

## 6. Quality Assurance

As noted above, every legal service provider in Canada, namely lawyers, paralegals, and notaries, are required to be a member of a law society and governed by its rules. In addition, each legal aid organization has a range of tools to ensure quality service delivery:

- Standards for private bar membership on specific rosters
- Complaints
- Ethics Hotline
- Dedicated Quality Assurance programs and Audits
- Client satisfaction surveys
- Evaluations
- Training materials and resources
- Inspections/peer reviews
- Performance reviews for staff
- Mentoring programs
- Limits to the number of hours and cases annually

In Ontario, for example, private bar lawyers must meet minimum experience requirements outlined in the *Legal Aid Services Rules* to provide legal aid services,<sup>46</sup> and roster members must submit an annual self-report to maintain authorization, or risk administrative suspension.<sup>47</sup> LAO also ensures quality through mandatory reading lists, quality service expectations, Lunch & Learn training sessions, and mentorship programs.<sup>48</sup> LAO's Audit and Compliance Unit conducts random and targeted audits to

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<sup>46</sup> Legal Aid Ontario, Rules Amending the Rules – August 2, 2022, (2022), online: [https://www.legalaid.on.ca/wp-content/uploads/Rules-Amending-the-Rules-August-2-2022\\_citation-final-w-date.pdf](https://www.legalaid.on.ca/wp-content/uploads/Rules-Amending-the-Rules-August-2-2022_citation-final-w-date.pdf)

<sup>47</sup> Legal Aid Ontario, Updates to Self-Report Process for 2022 Reporting Period, (2024), online: <https://www.legalaid.on.ca/in-briefs/updates-to-self-report-process-for-2022-reporting-period/> Legal Aid Ontario, Lawyers' Annual Self-Report, (2024), online: <https://www.legalaid.on.ca/lawyers-legal-professionals/interested-in-doing-legal-aid-work/lawyers-annual-selfreport/>

<sup>48</sup> Legal Aid Ontario, Material for Review by Roster Members, (2024), online: <https://www.legalaid.on.ca/documents/material-for-review-by-roster-members/#01> Legal Aid Ontario, Second Chair Program – Mentoring Opportunities at Legal Aid Ontario, (2024), online:

address billing errors, while client satisfaction surveys assess service quality. LAO also manages complaints through a two-stage policy and allows change of lawyer requests, tracking data to improve service delivery.<sup>49</sup> Through these measures, LAO maintains high-quality legal aid while fostering professional development.

In Alberta, all roster lawyers must apply to join the roster and sign Legal Aid Alberta's Roster Agreement, which outlines the expectations and service standards that lawyers must maintain. The Roster Management Team at Legal Aid Alberta ensures that quality and compliance reviews follow the Roster Management Strategy.

In British Columbia, Legal Aid British Columbia (LABC) informs clients of the basic standards they can expect from lawyers and provides new lawyers with orientation sessions covering topics like tariffs, billing practices, and compliance. LABC offers training and mentorship opportunities to roster lawyers through its bursary program and other initiatives. LABC monitors service quality through client satisfaction surveys, pulse surveys, case management reviews, and a complaints process, while also exploring additional quality assurance methods.

In Nova Scotia, the Legal Aid Tariff Manual sets Practice Concentration Standards for private lawyers representing clients on certificates, with higher standards for more serious cases. Lawyers must also:

- Complete at least 20% of their annual CPD training in family/criminal law, with 20% of their practice in those areas (increasing to 30% for criminal lawyers handling homicide or designated cases).
- Be familiar with key reports, including the 2015 Calls to Action of the Truth and Reconciliation Commission, the 2019 Missing and Murdered Indigenous Women and Girls report, and other significant justice-related documents.

In Newfoundland and Labrador, private solicitors must make application pursuant to the regulations under the *Legal Aid Act* to become a member of the established Legal Aid panels.

## 7. Public Legal Education

In 2021, the Government of Canada conducted the Canadian Legal Problems Survey (CLPS) to identify serious legal problems faced by Canadians, resolutions, and the impact of legal issues on their lives.<sup>50</sup> Statistics Canada facilitated this survey on behalf of the Department of Justice and other federal departments. To complement the findings of the CLPS, Statistics Canada contracted community-based researchers to

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<https://www.legalaid.on.ca/lawyers-legal-professionals/mentoring-opportunities-at-legal-aid-ontario/second-chair-program/>

<sup>49</sup> Legal Aid Ontario, Complaints Policy, (2024), online: <https://www.legalaid.on.ca/documents/lao-complaints-policy/> and Legal Aid Ontario, Complaints Policy, (2024), online: <https://www.legalaid.on.ca/wp-content/uploads/LAO-change-of-lawyer-EN.pdf>

<sup>50</sup> Statistics Canada, Survey of Safety in Public and Private Spaces, (2024), online: <https://www23.statcan.gc.ca/imdb/p2SV.pl?Function=getSurvey&SDDS=5337> and Department of Justice Canada, Survey and Research Reports on Justice Issues, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/survey-enquete.html>



complete a series of studies looking deeper at the experiences of specific populations in Canada who had or were experiencing a serious legal problem.<sup>51</sup>

- **A Qualitative Look at Serious Legal Problems of Older Adults in Ontario:** In 2023, the Advocacy Centre for the Elderly conducted qualitative interviews with older adults in Ontario.<sup>52</sup>
- **A Qualitative Look at Serious Legal Problems: Trans, Two-Spirit, and Non-Binary People in Canada:** This study consisted of semi-structured interviews with trans, Two-Spirit, and non-binary people from across Canada who were asked to describe the serious legal problems they experienced in the previous three years.<sup>53</sup>
- **Serious Legal Problems faced by Lesbian, Gay, Bisexual, and Other Sexual-Minority People in Western Canada: A Qualitative Study:** The Community-Based Research Centre conducted qualitative interviews with sexual-minority individuals in British Columbia, Alberta, and Manitoba.<sup>54</sup>
- **A Qualitative Look at Serious Legal Problems – Lesbian-Gay-Bisexual People in Central and Eastern Canada:** This study consists of qualitative interviews with 2SLGBTQI+ people who had recently experienced a serious legal problem in Central and Eastern Canada.<sup>55</sup>
- **A Qualitative Look at Serious Legal Problems Faced by Immigrants in Greater Victoria and Vancouver, British Columbia:** Between July and November 2020, researchers conducted qualitative interviews with newcomers and established immigrants in Greater Victoria and the Vancouver area.<sup>56</sup>
- **A Qualitative Look at Serious Legal Problems Facing Immigrants in London and Toronto, Ontario:** In mid to late 2020, researchers conducted qualitative interviews with recent immigrants living in London and Toronto, Ontario. This study explored legal problems, such as consumer debt, employment-related problems, and problems with neighbours, family, and discrimination.<sup>57</sup>
- **A Qualitative Look at Serious Legal Problems – Métis Community:** This study provides insights into the experiences of 10 Métis individuals from

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<sup>51</sup> Department of Justice Canada, Survey and Research Reports on Justice Issues, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/survey-enquete.html>

<sup>52</sup> Department of Justice Canada, Qualitative Study on Legal Services for Persons with Opposing and Aligned Objectives, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/qlslpoao-egpjgtpao/index.html>

<sup>53</sup> Department of Justice Canada, Qualitative Study on Legal Services for Persons Transitioning to New Personal Circumstances, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/qlslpttnpc-rqpijgptbnc/index.html>

<sup>54</sup> Department of Justice Canada, Legal Issues and LGBTQ+ Communities, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/lgbtq/index.html>

<sup>55</sup> Department of Justice Canada, Legal Barriers and Protection for LGBTQ+ Communities, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/lgbpcec-rqpijgplgbcc/index.html>

<sup>56</sup> Department of Justice Canada, Intimate Violence and Victimization in Canada, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/ivvbc/index.html>

<sup>57</sup> Department of Justice Canada, Indigenous Legal Traditions and Ontario, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/ilto/index.html>

communities in the Northwest Territories. The study also captured perspectives of five service providers who live and work in these communities.<sup>58</sup>

- **Serious Problems Experienced by People with Disabilities Living in Atlantic Canada:** Through qualitative interviews, this research report examined problems experienced by people who live with disabilities in Atlantic Canada, with a focus on New Brunswick.<sup>59</sup>
- **A Qualitative Look at Serious Legal Problems for People with Disabilities in Central Canada:** The Disabled Women's Network conducted qualitative research with persons with disabilities in Ontario and Quebec who had encountered serious legal problems in the past three years.<sup>60</sup>
- **Serious Problems Experienced by Diverse People with Disabilities Western Canada:** This report uses qualitative interviews and a focus group to explore the experiences of people with disabilities in Western Canada (British Columbia, Alberta, Saskatchewan, and Manitoba).<sup>61</sup>
- **Urban African Canadians: A Qualitative Study of Serious Legal Problems in Quebec:** In the summer and fall of 2020, researchers conducted qualitative interviews with members of Quebec's Black population.<sup>62</sup>
- **Voices matter: the impact of serious legal problems on 16- to 30-year-olds in the Black community:** Using an online survey and focus groups, this study examines the impact of serious legal problems on 16- to 30-year-olds in the Black community in Toronto and Ottawa. Participants reported that they faced discrimination in public settings, issues with housing, police contact, employment issues, and child support/custody.<sup>63</sup>
- **Holistic Representation: Enhancing Client-Centred Criminal Legal Aid in BC:** Many Legal Aid British Columbia (LABC) clients have frequent contact with the criminal legal system because of significant challenges related to health, housing, poverty, trauma, and other unmet non-legal needs. From 2023-2024, LABC undertook an extensive consultation and research project to learn about these clients' experiences and how LABC could better design legal aid services to meet their needs.

Legal aid plans across Canada also offer a range of public legal education and information. Examples include:

- Nova Scotia has developed videos for public legal information on criminal law, family law, and social justice issues.

<sup>58</sup> Department of Justice Canada, Qualitative Study on Legal Services for Persons Managing Conflict, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/qlslpmc-egpojgcm/index.html>

<sup>59</sup> Department of Justice Canada, Persons with Disabilities and Access to Justice, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/pwdac-phca/index.html>

<sup>60</sup> Department of Justice Canada, Persons with Disabilities and Criminal Court Challenges, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/pwdcc-phcc/index.html>

<sup>61</sup> Department of Justice Canada, Persons with Disabilities and Workplace Challenges, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/pwdwc-phcw/index.html>

<sup>62</sup> Department of Justice Canada, Unaccompanied and Asylum-Seeking Children, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/uac-amu/index.html>

<sup>63</sup> Department of Justice Canada, Youth-Based Challenges and Justice Considerations, (2024), online: <https://www.justice.gc.ca/eng/rp-pr/jr/ybc-jcn/index.html>

- Legal Aid Ontario helps fund Steps to Justice which provides:
  - step-by-step information to help the public work through their legal problems;
  - practical tools, such as checklists, fillable forms, and self-help guides;
  - referral information for legal and social services across Ontario; and
  - live chat and email support.
- Legal Aid Navigators are staff at LABC who provide holistic assistance to historically marginalized clients and/or clients with complex needs. Navigators work one-on-one with clients to provide tailored legal information. Activities can include ongoing case-management for the client, reminding clients of court appearances and accompanying them, supporting clients in working with their lawyers, helping clients understand and adhere to court conditions, and providing warm-referrals to community services such as income assistance, mental health/addictions, housing, and more.
- LABC also recently launched a new PLEI website designed to provide clients, community partners and the public with updated information and resources related to family law, immigration, and criminal legal aid. LABC has also expanded the availability of French legal resources as part of a broader effort to provide increased access to justice for Francophones living in British Columbia.
- Among other things, Legal Aid Alberta regularly holds televised “Ask a Lawyer” segments, and online and in-person training sessions.
- The Yukon Public Legal Education Association provides a wide range of services to the public, including in-person, or phone appointments 5 days a week and a number of publications to assist self-represented individuals, including self-help guides in the areas of wills and estates, civil and family law and criminal law.

## 8. Alternative Sources of Legal Services

There are a range of alternative source of legal services available to individuals, depending on their jurisdiction. These alternative sources include community legal clinics, Student Legal Aid Societies (SLASS), and pro bono legal services.

### 8.1 Pro Bono Legal Services

Pro-Bono Canada (PBC) encourages and supports the development of provincial pro-bono programs to bridge the gap between those who cannot afford legal services and lawyers who wish to volunteer their services.<sup>64</sup> PBC supports pro-bono programs providing direct legal services to more than 36,000 low-income Canadians annually.<sup>65</sup> The different programs supported by PBC assist self-represented litigants, vulnerable children, survivors of domestic abuse and victims of fraud and elder abuse.

Pro-Bono Students Canada (PBSC) is a student-based organization with chapters at 22 law schools in Canada.<sup>66</sup> PBSC engages approximately 1,450 law students across the country to provide free legal information and services in partnership with community

<sup>64</sup> Pro Bono Canada, Pro Bono Legal Services in Canada, (2024), online: <https://probonocanada.org/>

<sup>65</sup> Pro Bono Canada, Our Impact, (2024), online: <https://probonocanada.org/our-impact/>

<sup>66</sup> Pro Bono Students Canada, Who We Are, (2024), online: <https://www.probonostudents.ca/who-we-are>

organizations. Student volunteers provide approximately 115,000+ hours of free legal support across 450 projects annually.<sup>67</sup> Student volunteers at PBSC directly serve an estimated 14,000 Canadians through PBSC initiatives.

## 8.2 Legal Clinics

Legal clinics provide legal services, usually in specialized areas of law.

Legal Aid Ontario provides poverty law services through its community legal clinic program. Ontario's legal clinic system has over 80 clinics -- 73 community legal clinics and 7 Student Legal Services Organizations. These provide services for vulnerable clients dealing with legal issues in underserved areas of law, including housing, landlord/tenant, employment insurance, disability, workplace safety, and human rights/immigration. In 2023/24, almost 120,000 case files were opened in Ontario's legal aid clinics.<sup>68</sup>

Of LAO's 73 legal clinics, 19 provide specialty legal services covering a specific area of law (ex: workers health & safety; people living with HIV/AIDS, etc.) or representing specific groups of people (e.g., older adults, youth, people with disabilities, people who identify as First Nations, Métis, Inuit, or people who are Chinese and Southeast Asian/South Asian/Black).

Northwest Territories Legal Aid Commission operates Outreach Legal Aid Clinics, which provide limited, confidential legal information and/or advice.<sup>69</sup> Outreach Clinics only provide legal advice and do not represent clients in court. These clinics assist people in dealing with issues relating to housing law, disability law, employment rights, and child protection matters, among others.

## 8.3 Other Sources

Supported by the Law Foundation of Ontario and the University of Windsor's faculty of law, the National Self-Represented Litigants Project (NSRLP) aims to enhance access to justice for self-represented litigants through a variety of means including the provision of resources, development of programs, and ongoing advocacy with lawyers, judges, and court staff.<sup>70</sup> Since 2013, the NSRLP has developed an extensive body of resources available to self-represented litigants and compiled a case law database.<sup>71</sup> In 2022, the NSRLP launched a free online pilot program for self-represented litigants.<sup>72</sup>

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<sup>67</sup> Pro Bono Students Canada, Impact, (2024), online: <https://www.probonostudents.ca/impact>

<sup>68</sup> Legal Aid Ontario, 2023-24 Annual Report, (2024) at p. 33, online: [https://www.legalaid.on.ca/wp-content/uploads/2023-24-Annual-Report\\_EN.pdf](https://www.legalaid.on.ca/wp-content/uploads/2023-24-Annual-Report_EN.pdf)

<sup>69</sup> Department of Justice Northwest Territories, Outreach Legal Aid Clinics, (2024), online: <https://www.justice.gov.nt.ca/en/outreach-legal-aid-clinics/>

<sup>70</sup> University of Windsor – Faculty of Law, National Self-Represented Litigants Project, (2024), online: <https://www.uwindsor.ca/law/nsrlp/>

<sup>71</sup> National Self-Represented Litigants Project, Our SRL Resources, (2024), online: <https://representingyourselfcanada.com/our-srl-resources/>

<sup>72</sup> Law Society of Ontario, Access to Justice Week 2024 – NSRLP's School for Family Litigants, (2024), online: <https://lso.ca/the-action-group/access-to-justice-week/programming/a2j-week-2024-nsrlp%E2%80%99s-school-for-family-litigants>

Additionally, there has been an increase in online software aimed at making accessing legal services more available to self-represented litigants and those who cannot afford full legal representation. Examples include:

- LegalShield, which offers a monthly subscription service through which individuals and/or businesses gain access to a law firm and lawyer to handle their immediate legal needs;<sup>73</sup>
- DivorceMate, a cloud family law software that simplifies family law calculations, forms, and agreements;<sup>74</sup> and
- LawDepot offers downloadable legal documents that users can quickly customize, format, and print using their online software.<sup>75</sup>

## 9. Holistic legal services

### 9.1 Specialized Courts

Specialized or problem-solving courts focus on a particular type of offence or offender. They typically involve an interdisciplinary team that is focused on addressing the underlying causes of offending.

### 9.2 Mental Health/Wellness/Community Courts

These courts assist accused persons who have mental health issues. This typically involves specially trained personnel and processes that take into consideration the difficulties that a person with mental health issues may encounter in the criminal justice process. Wellness/community courts offer integrated supports and services designed to address the problems associated with repeat offenders struggling to reintegrate into society. Eleven jurisdictions operate mental health/wellness/community courts. These include Newfoundland and Labrador, Nova Scotia, New Brunswick, Quebec, Ontario, Manitoba, Saskatchewan, Alberta, British Columbia, Northwest Territories and Yukon.

### 9.3 Drug Treatment Courts

These courts aim to reduce drug-related crime through court-monitored treatment and community service support for non-violent offenders with drug addictions. Drug treatment courts currently operate in Newfoundland and Labrador, Nova Scotia, Quebec, Ontario, Manitoba, Saskatchewan, Alberta, and British Columbia.

### 9.4 Indigenous/First Nations/Gladue Courts

These courts offer restorative justice and traditional approaches for sentencing Indigenous offenders. These courts currently operate in Nova Scotia, New Brunswick, Quebec, Ontario, Manitoba, Saskatchewan, Alberta, and British Columbia.

<sup>73</sup> LegalShield Canada, How It Works, (2024), online: <https://www.legalshield.ca/how-it-works/>

<sup>74</sup> Canadian Lawyer Magazine, Welcome to the New DivorceMate Cloud – It's Everything You Need for Family Law, (2024), online: <https://www.canadianlawyermag.com/practice-areas/family/welcome-to-the-new-divorcemate-cloud-its-everything-you-need-for-family-law/383140>

<sup>75</sup> LawDepot Canada, LawDepot – Legal Documents and Forms, (2024), online: <https://www.lawdepot.ca/>



## 9.5 Youth Courts

Youth between the ages of 12 and 17 facing criminal charges have their matters heard in youth court, which is a separate court division. Youth courts currently operate in every province and territory in Canada.

## 9.6 Family/Domestic Violence Courts

These courts are designed to handle cases of domestic/family violence by offering an integrated, collaborative approach focusing on supporting victims, increasing offender responsibility, and providing early intervention. These courts currently operate in Newfoundland and Labrador, Nova Scotia, New Brunswick, Quebec, Ontario, Manitoba, Saskatchewan, Alberta, and Northwest Territories.

## 9.7 Justice Centres

Justice Centres move justice out of the traditional courtroom into a community setting.<sup>76</sup> They aim to combine justice, health, and social services to address the root causes of crime and prevent recidivism. The goal of Justice Centres is to hold offenders accountable while connecting them to key services, such as health, mental health, addictions, and housing supports.

Ontario has established Justice Centres in four locations that the provincial government identified through a needs assessment.<sup>77</sup> Each location has different focus points and supports based on the needs identified. For example, the Toronto Northwest centre will focus on gun violence intervention and strategies because of escalating gun violence and crime involving youth and young adults.

British Columbia has Family Justice Centres and Indigenous Justice Centres. Family Justice Centres operate across the province with staff available to assist with issues related to separation or divorce. All services are provided free of charge to parents and other family members. All Centres have Family Justice Counsellors (accredited mediators) who can provide a full range of services virtually through telephone and video conferencing.<sup>78</sup>

Indigenous Justice Centres (IJC) provide culturally appropriate information, advice, support and representation directly to Indigenous people at the community level.<sup>79</sup> IJC reflect a partnership between the British Columbia First Nations Justice Council and local First Nations leadership. While focused primarily on criminal law and child protection issues (priorities set by First Nations leaders in BC), they also offer additional services based on community and cultural needs.

<sup>76</sup> Government of Ontario, Justice Centres, (2024), online: <https://www.ontario.ca/page/justice-centres>

<sup>77</sup> Toronto Downtown East, Toronto Northwest, Kenora, London.

<sup>78</sup> Government of British Columbia, Family Justice Centres, (2024), online: <https://www2.gov.bc.ca/gov/content/life-events/divorce/family-justice/who-can-help/family-justice-centres>

<sup>79</sup> BC First Nations Justice Council, Indigenous Justice Centres in British Columbia, (2024), online: <https://bcfnjc.com/indigenous-justice-centres-in-british-columbia/>



## 9.8 Community Based Organizations & Programs

In Toronto, Ontario, individuals with lived experience in mental health, addiction, and the criminal justice system provide and receive mental health and addiction support through Sound Times Support Services.<sup>80</sup> The program provides legal supports in the areas of immigration and refugee, criminal, family and limited civil/administrative law matters to clients with complex mental health issues.<sup>81</sup> It also provides legal services to street-involved legal aid clients who are facing ‘street offences’ by providing them with representation at the Provincial Offences Court at Old City Hall.

Legal Aid Ontario also funds the Health Justice Program (HJP), which is a partnership between St. Michael’s Hospital and a number of legal clinics in Toronto.<sup>82</sup> The HJP provides legal support for low-income patients facing legal issues through legal information, referrals and brief services for rostered patients of the St. Michael’s Hospital Family Health Team; inter-professional education for healthcare & legal practitioners; and systemic advocacy project work grounded in community engagement.

## 10. UN SDG Standard 16.3

The United Nations Sustainable Development Goal 16.3 calls on states to promote the rule of law and ensure equal access to justice. Legal aid plans across Canada play a vital role in fulfilling this mandate by offering a range of services that remove barriers to justice, support test case litigation, and contribute to national legal discussions such as criminal and restorative justice symposiums. Legal Aid Ontario, for example, supports access to justice through funding and partnerships for test cases that address systemic issues in areas like criminal, family, and refugee law.<sup>83</sup>

In Nova Scotia, Legal Aid initiatives have expanded to address the unique needs of vulnerable populations. Programs include mental health and prison law navigation services, legal advocacy for parents involved in child protection cases, and support workers who assist clients facing social justice challenges. Specialized roles—such as African Nova Scotian and Indigenous social workers—provide culturally relevant support in navigating legal processes. Additionally, the opening of a new legal aid office staffed by Mi’kmaq lawyers in Sipekne’katik First Nation reflects a commitment to community-centered service delivery and reconciliation.

### 10.1 Innovative Projects and Service Expansion in 2023-24

#### General

<sup>80</sup> Sound Times, More About Sound Times, (2024), online: <https://soundtimes.com/more-about-sound-times/>

<sup>81</sup> Sound Times, Services, (2024), online: <https://soundtimes.com/services/>

<sup>82</sup> Neighbourhood Legal Services Toronto, Health Justice Program, (2024), online: <https://www.nlstoronto.org/health-justice-program.html>

<sup>83</sup> Legal Aid Ontario, Test Cases, (2024), online: <https://www.legalaid.on.ca/lawyers-legal-professionals/test-cases/>

- Increases to financial eligibility thresholds in various provinces (Alberta, British Columbia, Ontario, Nova Scotia, PEI) has enabled more low-income individuals across the country to access legal services

### **Ontario**

- Bail specialists hired by LAO help unrepresented clients navigate complex bail-related issues and litigation, with the aim of preventing unnecessary detention.
- An expedited *habeas corpus* certificate application process supports efficiency in bail courts, and allows for a simplified application process, and a more timely response.
- Implementation of new tariff fees and hourly rates to ensure fair compensation for private lawyers, retention of experienced counsel, quality legal representation.

### **British Columbia**

- Legal Aid Navigators, who are non-lawyers employed by Legal Aid British Columbia and provide holistic support to clients with contracts from private bar lawyers.
- Lawyer-initiated online applications for criminal clients so private lawyers can make legal aid applications on behalf of any previous client to begin services immediately.

### **Alberta**

- Information system and technological enhancements to operating systems to help modernize system infrastructure and enhance accessibility.

### **Nova Scotia**

- Sipekne'katik First Nations Legal Aid Office offers legal services to the Sipekne'katik community, aiming to address barriers that Indigenous community members face when attempting to access legal services outside the community.
- Mental Health Legal Services Navigator Program to provide peer-based services and guidance, and ensure that individuals with lived experience of mental health challenges receive appropriate legal assistance.
- Implementation of new tariff fees and hourly rates to ensure fair compensation for private lawyers, retention of experienced counsel, quality legal representation.

See **Appendix C** for a list of technological and service innovations.

## **10.2 Negative Trends and Challenges 2023-24**

### **General**

- Funding for refugee services is not meeting demand leading to concerns about access to timely legal representation, fair hearings, and due process for refugee claimants.
- Increased volume of digital Crown disclosure can increase costs of legal aid services and delay case preparation.
- Difficulty finding lawyers willing to take on legal aid cases resulting in reduced access to representation, particularly in rural/underserved areas

## **Ontario**

- Decreasing family law roster and low satisfaction rates among family lawyers affect the availability and quality of legal representation for family law clients, particularly where there are complex issues like domestic violence.

## **Nova Scotia**

- Ongoing challenges with modernizing and updating financial eligibility guidelines means that many low-income individuals may not be qualifying for legal aid, leaving them without necessary support in light of economic changes and inflation.
- Difficulty finding private lawyers to accept certificates for family and criminal law which limits clients options for legal representation, can cause delays in proceedings, and reduces availability of legal services.

## **Alberta**

- Limited availability of mental health and addiction supports can lead to inadequate representation and outcomes for clients with such challenges.

## **10.3 Biggest Challenges for 2025**

### **General**

- Increasing use/incorporation of artificial intelligence into the legal world must be balanced with public sector obligations and ensuring fairness, equity and accessibility.
- Increasing number of self-represented litigants, who may struggle with complex legal procedures and understanding court rules and conventions, creating delays and backlogs.
- Creating accessible, relevant public legal education resources (usable by those who are elderly, do not have access to technology, speak English as a second language, etc.) requires significant investments to ensure people are aware of their legal rights/how to exercise them.
- Increasingly hostile rhetoric towards marginalized groups (racialized immigrants, 2SLGBTQ+ individuals (especially transgender ones), etc.) contributes to a climate of fear and discrimination, in which marginalized clients will face more disproportionate harm and some individuals may be deterred from seeking legal help.

## **Ontario**

- Meeting demand for family law services particularly in light of court backlogs, decreasing engagement of family lawyers, and increasing numbers of unrepresented individuals in family courts, causing delays.
- Addressing growing backlogs in criminal and family courts and immigration and landlord-tenant tribunals, which can put fundamental rights at risk and create further delays.

## **British Columbia**

- The increasing complexity of client needs and the growing barriers to accessing legal aid services demand more significant investments to ensure these services are accessible to all
- Potential fiscal/funding challenges may alter eligibility thresholds, service delivery, etc.

**Nova Scotia**

- Insufficient funding for legal aid staffing, compared to investments in Crown and judiciary staffing, leads to high caseloads and tight timelines, compromising quality and increasing burnout risk.

**Alberta**

- Increase in the volume of eligible Albertans seeking legal aid services and funding constraints create difficulty in meeting demand for legal aid services.