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Canada

Ministère de la Justice  
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# LEGAL AID IN CANADA **2018-19**



Research and Statistics Division  
and Legal Aid Directorate  
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2020

Canada 

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## Legal Aid in Canada, 2018-19

Access to justice is a key issue facing all stakeholders in the justice system. Legal aid services support access to justice for those who are economically disadvantaged and unable to pay for a lawyer on their own.

The federal government supports legal aid services in the provinces and territories through two sources. The Department of Justice Canada's (JUS) Legal Aid Program provides funding to all provinces for criminal legal aid through contribution agreements. These agreements also support immigration and refugee (I&R) legal aid in the six provinces (Alberta, British Columbia, Manitoba, Newfoundland and Labrador, Ontario, and Quebec) that provide services in this area. The federal government supports criminal and civil legal aid in the territories through consolidated access to justice services agreements.

The Department of Finance Canada's Canada Social Transfer (CST) is a block transfer payment provided to each province and territory for provincial health care, post-secondary education, social assistance and social services. Civil legal aid is an eligible expenditure under the CST.<sup>1</sup>

The Legal Aid Survey was a Canadian Centre for Justice Statistics (CCJS)/Statistics Canada annual survey on revenues, expenditures, personnel, and caseload statistics associated with the administration and delivery of legal aid in Canada. The Legal Aid Survey was first conducted in 1983-84 and data was last published in 2016 (for fiscal year 2014-15). After the discontinuation of the Legal Aid Survey in 2016, the Department of Justice Canada (JUS) began data collection and reporting in-house. This is the third annual edition of this report.

While policies related to criminal legal aid are a shared federal/provincial/territorial responsibility, each province and territory is responsible for the delivery of legal aid services based on their own policies and procedures.

### Provinces and territories contributed close to three quarters of legal aid revenues in 2018-19

Legal aid plans are the organizations responsible for providing legal aid services to those who cannot afford a lawyer. There are 13 recognized legal aid plans in Canada. Legal aid plans reported receiving total funding of more than \$1 billion in 2018-19. Federal and provincial/territorial government sources contributed the majority of this amount—89% of the total. The remaining funding was received from client contributions, cost recoveries from legal settlements, and contributions from the legal profession and other sources (Table 1).

Provincial and territorial (P/T) governments directly fund legal aid. In 2018-19, provincial and territorial governments contributed more than \$748 million to legal aid plans across Canada, which amounts to 74% of total legal aid revenues.

In 2018-19, JUS contributed more than \$152 million to the provinces and territories for the delivery of criminal legal aid, civil legal aid (in the territories), and I&R legal aid (where applicable). This amounts to 15% of total legal aid revenues (Table 1). Ontario and Quebec were the largest legal aid plans, comprising 49% and 18% of all legal aid plan revenues respectively, or 67% for the two plans combined (Table 1).

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<sup>1</sup> Any funds in the CST for civil legal aid can not be traced directly to the legal aid plans.

**Table 1 - Legal aid plan revenues<sup>1</sup>, by type of revenue, annual, 2018-19**

	Total legal aid plan revenues Dollars (%)	Type of Revenue				
		Federal contributions from 2018-2019 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 to legal aid plans and other revenues <sup>6</sup> Dollars (%)
		Criminal (+civil in Territories) Dollars (%)	I&R <sup>3</sup> Dollars (%)			
NL	17,472,714 (100)	2,264,383 (13)	8,766 (.1)	14,614,351 (84)	174,705 (1)	410,509 (2)
PEI	900,518 (100)	452,107 (50)		448,411 (50)	-	-
NS	27,623,146 (100)	3,924,203 (14)		23,488,112 (85)	31,378 (.1)	179,453 (1)
NB	9,500,687 (100)	2,574,596 (27)		6,162,303 (65)	118,651 (1)	645,137 (7)
QC	182,618,951(100)	25,224,744 (14)	6,500,000 (4)	145,404,356 (80)	4,122,331 (2)	1,367,520 (1)
ON	495,872,595(100)	47,426,321 (10)	16,904,311 (3)	340,660,468 (69)	10,618,579 (2)	80,262,916 (16)
MB	37,910,969 (100)	6,176,335 (16)	481,000 (1)	27,581,272 (73)	1,440,738 (4)	2,231,624 (6)
SK	25,928,256 (100)	5,659,006 (22)		20,050,994 (77)	10,799 (0)	207,457 (1)
AB	109,880,465(100)	13,107,876 (12)	1,004,900 (1)	89,987,224 (82)	4,707,722 (4)	1,072,743 (1)
BC	95,781,858 (100)	15,767,936 (16)	2,093,000 (2)	70,711,526 (74)	-	7,209,396 (8)
YK	-	-		-	-	-
NT	-	-		-	-	-
NU	12,318,000 (100)	2,700,818 (22)		9,617,182 (78)	100 (0)	-
<b>CA</b>	<b>1,015,808,259 (100)</b>	<b>125,278,325 (12)</b>	<b>26,991,977 (3)</b>	<b>748,726,199 (74)</b>	<b>21,225,003 (2)</b>	<b>93,586,755 (9)</b>

– Refers to data that were not available or that were not provided by the jurisdiction as reported in the Statement of Final Claim.

1. Revenues refer to all monies received by the legal aid plan for assistance in the provision of legal aid services. Funding is received by legal aid plans from three main sources: government contributions, client contributions and cost recoveries, and contributions from the legal profession.
2. Federal government contributions refer to the federal contribution amounts for criminal and where applicable, I&R legal aid. Federal contributions flow directly to the consolidated revenue fund of each province/territory, and are subsequently allocated by the provinces/territories to their respective legal aid plans.
3. Immigration and Refugee (I&R) matters refer to proceedings of persons (individuals, or principal applicants and family) involved in the immigration and refugee determination system under the provisions of the *Immigration and Refugee Protection Act* (IRPA). I&R legal aid covers the provision of legal advice, assistance and representation for immigration or refugee proceedings before the Immigration and Refugee Board (IRB) of Canada, the Federal Court (FC), or Immigration, Refugees and Citizenship Canada (IRCC) officials on post-determination actions. I&R legal aid is available in 6 provinces: NL, QC, ON, MB, AB, and BC.
4. Provincial/territorial (PT) contributions refer to the contribution amounts received for legal aid services from the legal aid plan's respective provincial/territorial government. Many legal aid plans are unable to isolate the federal contribution received by the P/T government from JUS. Therefore, these federal contributions may be included in the total "P/T contributions to legal aid plans" figure.
5. Client contributions refer to all monies received from the aided person for legal assistance; flat user fees are included. The amount of client contribution is established in an agreement between the jurisdiction and the client. Agreements may vary from jurisdiction to jurisdiction. Cost recoveries refer to the party costs ordered or agreed to be recovered in the case. Includes monies recovered from a judgement, award or settlement.
6. Contributions of the legal profession and other revenues refers to all monies received from the law profession (e.g., provincial/territorial law foundation funding, levies) as well as other revenues that have not already been accounted for in the above categories. This may include interest from lawyers' trust accounts, revenues from investments, research sales, general interest earnings and any other revenue.

**Notes:**

- For NB, provincial funding includes base grant + \$18,725 supplementary funding for Major Cases + Fee for service funding received from provincial government separate from base grant (\$98,616 for Family Duty Counsel, \$194,000 for Family Advice Lawyer and \$24,336 for Intimate Partner Violence Intervention). Family Advice Lawyer services are not defined as a legal aid service.
- For NB, Public Trustee does not fall under the same screening criteria as our criminal and family legal aid services; however their revenue is included in this table as revenue received from the provincial Dept of Justice. It is also used to cover expenditures related to PT services.
- For NB, "Other Legal Aid Plan Revenues" includes liens, Public Trustee Client Recovery, Public Trustee Fee Revenue, Interest, misc.
- For MB, "Other Legal Aid Plan Revenues" includes judgements and settlements, interest income, misc.
- For SK "Other Legal Aid Plan Revenues" includes interest, grants, and miscellaneous.
- For AB, "Total Government Contributions includes \$1.0M redirected to reserves which does not show as revenue in Financial Statement.
- For BC "Other Legal Aid Plan Revenues" includes investment income and miscellaneous.
- For NL "Other Legal Aid Plan Revenues" includes interest.

## A majority of jurisdictions spend more on criminal matters than civil matters

Table 2a shows 2018-19 legal aid plan expenditures, broken down by type of expenditure. Overall, 48% of legal aid expenditures were related to criminal matters, 6% were related to I&R matters, and 45% were related to all other civil matters. Ontario and Quebec had the highest legal aid expenditures in the country, with 50% of all expenditures as a proportion of the national total from Ontario and 18% from Quebec.

Looking at legal aid expenditures by jurisdiction, just three jurisdictions (Quebec, Ontario, and Prince Edward Island) spend more on civil matters than criminal matters. The fact that less than half of legal aid expenditures are related to criminal law at the national level is driven by lower prevalence Quebec and Ontario. These two provinces have the largest populations, and spend more overall -- contributing more to 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 (77%), and Manitoba (72%).

While the data collection for the Legal Aid Annual Report is done at a national level, it is important to note that from year-to-year some limitations on coverage exist and some legal aid plans may be unable to report all or some data elements. Due to these limitations, Canada-level totals may not include all provinces and territories.

Table 2b breaks out the total administrative costs for legal aid plans in 2018-19. These expenses are also reflected under 'legal aid plan expenditures' in table 2a, and they amounted to over \$175 million dollars.

<b>Table 2a - Legal aid plan expenditures<sup>1</sup>, by type of expenditure, 2018-19</b>				
	Total Dollars (%)	Legal aid plan expenditures <sup>2</sup> (including direct administrative and other costs)		
		Criminal matters Dollars (%)	Civil matters	
			I&R <sup>3</sup> Dollars (%)	All other civil Dollars (%)
NL	17,315,992 (100)	10,096,721 (58)	17,919 (0.1)	7,201,352 (42)
PEI	1,940,114 (100)	900,518 (46)		1,039,596 (54)
NS	26,246,776 (100)	15,565,817 (59)		10,680,959 (41)
NB	8,459,011 (100)	4,513,694 (53)		3,945,317 (47)
QC	177,790,570 (100)	73,301,729 (41)	6,565,499 (4)	97,923,342 (55)
ON	482,705,194 (100)	205,488,387 (43)	43,013,263 (9)	234,203,544 (48)
MB	34,168,542 (100)	24,638,062 (72)	481,634 (1)	9,048,846 (26)
SK	26,287,133 (100)	20,268,019 (77)		6,019,114 (23)
AB	102,822,606 (100)	66,479,629 (65)	1,027,882 (1)	35,315,095 (34)
BC	81,874,164 (100)	48,579,179 (59)	3,920,459 (5)	29,374,526 (36)
YK	-	-		-
NT	-	-		-
NU <sup>4</sup>	11,941,220 (100)	-		-
<b>CA</b>	<b>971,551,322 (100)</b>	<b>469,831,755 (48)</b>	<b>55,026,656 (6)</b>	<b>434,751,691 (45)</b>

– Refers to data that were not available or that were not provided by the jurisdiction as reported in the Statement of Final Claim.

- Expenditures are the actual gross dollars expended by the legal aid plan in a given fiscal year.
- Direct legal aid service expenditures are the sum of payments made to private law firms and the costs of legal service delivery by legal aid plan staff. These expenditures include monies spent on the provision of legal advice and representation services to clients. All law office and contracted community clinic expenses are included (for example, staff salaries, benefits and overhead expenses).
- Immigration and Refugee (I&R) matters refer to proceedings of persons (individuals, or principal applicants and family) involved in the immigration and refugee determination system under the provisions of the *Immigration and Refugee Protection Act* (IRPA). I&R legal aid covers the provision of legal advice, assistance and representation for immigration or refugee proceedings before the Immigration and Refugee Board (IRB) of Canada, the Federal Court (FC), or Immigration, Refugees and Citizenship Canada (IRCC) officials on post-determination actions. I&R legal aid is available in 6 provinces: NL, QC, ON, MB, AB, and BC.
- Nunavut does not track administrative expenses by type of legal aid services.

### Notes

For NU, total expenditures are not audited.

<b>Table 2b- Total legal aid plan administrative costs, 2018-19 (Dollars)</b>	
NL	2,854,080
PEI	356,322
NS	1,810,749
NB	2,279,332
QC	49,267,339
ON	76,807,860
MB	5,827,663
SK	1,694,395
AB	14,102,302
BC	19,189,471
YK	-
NT	-
NU	1,578,039
<b>CA</b>	<b>175,767,552</b>

Total legal aid plan expenditures from Table 2a include these admin costs.

– Refers to data that were not available or that were not provided by the jurisdiction as reported in the Statement of Final Claim.

### **Legal aid services are delivered primarily by private bar lawyers**

Table 3 provides an overview of the proportion of staff lawyers versus private bar lawyers delivering services at legal aid plans. It is not intended to represent the case loads of the private bar versus staff lawyers. In some cases a legal aid plan may have a higher proportion of private bar lawyers, but the staff lawyers at that plan may be managing a higher proportion of cases. Looking at the breakdown of legal aid service delivery by type of lawyer, in 2018-19, 89% of the over 11,000 lawyers providing legal aid services in Canada were private bar lawyers (Table 3). Staff lawyers made up 10% of lawyers providing direct legal aid services to clients and other lawyers (such as Executive Directors) made up 1%.

Among private bar lawyers, 47% provided both criminal and civil law services. There were roughly equal proportions of private bar lawyers providing only criminal law services or only civil law services (24% and 23%). Of the staff lawyers, the highest proportion provided both criminal and civil law services (69%), while 17% provided only criminal services and 5% provided only civil law services.

Overall, 31% of the 11,820 lawyers providing legal aid services in Canada were in Ontario, and 26% were in Alberta. When looking at the breakdown between private and staff lawyers within each province/territory, Alberta and British Columbia had the highest proportions of private bar lawyers (97% and 97%), while Newfoundland and Labrador and Yukon had the highest proportions of staff lawyers (70% and 58%) (Table 3).

**Table 3 – Legal aid service delivery by private bar, staff, and other lawyers, 2018-19**

	Total lawyers providing legal aid services N (%)	Type of lawyer providing legal aid services														
		Private bar lawyers <sup>1</sup>					Staff lawyers <sup>2</sup>					Other lawyers (e.g. Executive Director) <sup>3</sup>				
		Criminal	I&R <sup>4</sup>	Civil	Criminal & Civil	TOTAL N (%)	Criminal	I&R	Civil	Criminal & Civil	TOTAL N (%)	Criminal	I&R	Civil	Criminal & Civil	TOTAL N (%)
NL	104 (100)	-	-	-	28	28 (27)	-	-	-	73	73 (70)	-	-	-	3	3 (3)
PEI	36 (100)	9		11	7	27 (75)	3		5	0	8 (22)	0		0	1	1 (3)
NS	349 (100)	-		-	248	248 (71)	-		-	-	97 (28)	-		-	-	4 (1)
NB	140 (100)	22		49	37	108 (77)	21		9	0	30 (21)	0		1	1	2 (1)
QC	2,643 (100)	-	-	-	2,237	2,237 (85)	-	-	-	341	341 (13)	-	-	-	65	65 (3)
ON	3,716 (100)	1,355	236	1,169	587	3,347 (90)	119	12	2	195	328 (9)	11	2	0	28	41 (1)
MB	352 (100)	0	0	0	292	292 (83)	23	0	18	13	54 (15)	0	0	0	6	6 (2)
SK	227 (100)	0		0	143	143 (63)	0		0	83	83 (37)	0		0	1	1 (0)
AB	3,087 (100)	708	262	829	1,186	2,985 (97)	-	-	-	102	102 (3)	-	-	-	-	-
BC	1,054 (100)	409	61	349	198	1,017 (97)	14	1	7	3	25 (2)	0	0	0	12	12 (1)
YK	19 (100)	2		6	0	8 (42)	1		0	10	11 (58)	0		0	1	1 (5)
NT	35 (100)	-		-	-	19 (54)	9		7	-	16 (46)	-		-	-	-
NU	58 (100)	29		7		36 (62)	12		8		20 (36)	1		-	1	2 (3)
CA	11,820 (100)	2,534	559	2,420	4,963	10,495 (89)	202	13	56	820	1,188 (10)	12	2	1	119	138 (1)

– Refers to data that were not available or that were not provided by the jurisdiction as reported in the Statement of Final Claim.

1. Private bar lawyers are those who were active members of the private bar who delivered legal services and billed the legal aid plan during the fiscal year. Active bar members include the total number of lawyers certified and insured to practice in the jurisdiction. Government-employed and legal aid staff lawyers are excluded.
2. Staff lawyers refer to lawyers employed by the legal aid plan.
3. Other lawyers – refers to personnel who are designated as counsel, but not performing in this capacity (e.g. Executive Director). For NB, Other Lawyers includes Executive Director and Public Trustee & Director of Family Law Services.
4. Immigration and Refugee (I&R) matters refer to proceedings of persons (individuals, or principal applicants and family) involved in the immigration and refugee determination system under the provisions of the *Immigration and Refugee Protection Act* (IRPA). I&R legal aid covers the provision of legal advice, assistance and representation for immigration or refugee proceedings before the Immigration and Refugee Board (IRB) of Canada, the Federal Court (FC), or Immigration, Refugees and Citizenship Canada (IRCC) officials on post-determination actions. I&R legal aid is available in 6 provinces: NL, QC, ON, MB, AB, and BC.

Notes:

For NB, Public Trustee Services staff listed separately under "Civil" as their caseloads etc, are not included in civil statistics reported elsewhere.

For MB, Civil includes all staff lawyers taking I&R, CFS, domestic and civil matters; For MB, Private Bar accept cases in all identified categories.

For SK, the number of private bar lawyers reported is irrespective to the number of files handled throughout the year, as private bar lawyers with only one appointment are included in the count.

## Non-lawyers made up 15% of legal aid plan personnel

Legal aid plans employ a variety of non-lawyer personnel to support the delivery of legal aid services to clients. While lawyers made up 85% of legal aid plan personnel, non-lawyers made up the other 15% (Table 4).

Of the 1,967 non-lawyers working for legal aid plans, the most common were support staff (57%), while intake workers (25%), legal assistants (12%), and articling students (3%) were the next most common types of non-lawyer personnel. 'Other' (i.e. managers) (2%) and paralegals (1%) made up the remaining personnel (Table 4).



**Table 4 - Legal aid plan personnel as of March 31, 2018-19**

	Total legal aid plan personnel	Lawyers providing legal aid				Non-lawyers						
		Total lawyers	Private bar lawyers <sup>1</sup>	Staff lawyers <sup>2</sup>	Other <sup>3</sup>	Total non-lawyers	Intake workers <sup>4</sup>	Support Staff <sup>5</sup>	Para-legals <sup>6</sup>	Legal assistants <sup>7</sup>	Articling students <sup>8</sup>	Other (managers) <sup>9</sup>
NL	175 (100)	104 (59)	28	73	3	71 (41)	4	23	3	33	8	0
PE	42 (100)	36 (86)	27	8	1	6 (14)	0	6	0	0	0	0
NS	181.2 (100)	101 (56)		97	4	80.2 (44)	0	8	0	67.2	3	2
NB	178 (100)	140 (79)	108	30	2	38 (21)	12	5	0	6	0	15
QC	3,203 (100)	2,643 (83)	2,237	341	65	560 (18)	73	445	0	26	16	0
ON	4,337 (100)	3,716 (86)	3,347	328	41	621 (14)	246	350	11	3	11	0
MB	452 (100)	352 (78)	292	54	6	100 (22)	29	20	4	34	12	1
SK	299 (100)	226 (76)	143	83	0	73 (24)	5	7	11	43	1	6
AB	3,257 (100)	3,087 (95)	2,985	102	0	170 (5)	71	73	0	23	3	0
BC	1,198 (100)	1,017 (85)	1,017	0	0	181 (5)	27	154	-	-	-	-
YK	26 (100)	19 (73)	8	10	1	7 (27)	2	5	0	0	0	
NT	52 (100)	35 (67)	19	16		17 (33)		7				10
NU	101	58 (57)	36	20	2	43 (43)	21	16	-	-	-	6
CA	<b>13,501.2 (100)</b>	<b>11,534 (85)</b>	<b>10,247</b>	<b>1,162</b>	<b>125</b>	<b>1,967 (15)</b>	<b>490</b>	<b>1,119</b>	<b>29</b>	<b>235.2</b>	<b>54</b>	<b>40</b>

- Refers to data that were not available or that were not provided by the jurisdiction as reported in the Statement of Final Claim.

1. Private bar lawyers are those active members of the private bar who delivered legal services and billed the legal aid plan during the fiscal year. Active bar members include the total number of lawyers certified and insured to practice in the jurisdiction. Government-employed and legal aid staff lawyers are excluded.
2. Staff lawyers are lawyers employed by legal aid plans who provide legal aid services to clients. They include duty counsel, staff lawyers at legal clinics, and others.
3. Other lawyers – refers to personnel who are designated as counsel, but not performing in this capacity (e.g. Executive Director). For NB, Other Lawyers includes Executive Director and Public Trustee & Director of Family Law Services.
4. Intake workers refer to staff employed by the legal aid plan who provide intake services, assess clients' needs, make appropriate referrals, prepare and review letters and documents, maintain records and perform other duties as required.
5. Support staff refers to staff employed by the legal aid plan who provide support in assisting clients but do not provide legal assistance. For example, a receptionist, an administrative person, human resource staff, an IT specialist, etc.
6. Paralegals refer to legal staff who have the ability to represent clients on many matters, including all provincial offences and summary criminal cases, as well as work for provincial tribunals and boards. Paralegals are non-lawyers providing legal services in specified areas of practice.
7. Legal assistants refer to staff who work under the supervision of a lawyer, qualified through education, training or work experience to perform substantive legal work. They help lawyers deliver legal services but are prohibited from practicing law independently.
8. Articling students refer to Students-at-Law. Under the supervision of a senior lawyer, they can assist with legal advice, duty counsel, legal research, etc. Articling students must complete the articling program and be called to the bar before becoming a lawyer. For the purpose of this document, articling students are classified as non-lawyers no matter what the rules are in various jurisdictions.
9. Other (e.g., managers) - Personnel who are not performing tasks directly associated with support, paralegal, legal assistants or articling. For NB, "Other Non-lawyer" includes and not limited to HR Manager, Manager of Corporate Services, Manager of Trust & Guardianship, Guardian Officers, etc.

**Notes:**

For SK, private bar (PB) lawyers vary in taking files, therefore the number reported can be a PB taking one certificate or several files like a full case load like a staff lawyer.

For MB, Civil includes all Staff taking immigration, CFS, domestic and civil matters.

For MB, PB accept cases in all identified categories.

For NB, Public Trustee Services staff listed separately under "Civil" as their caseloads etc, are not included in civil statistics reported elsewhere.

For SK, the number of private bar lawyers reported is irrespective to the number of files handled throughout the year as private bar lawyers with only one appointment are included in the count.

## Over 593,000 legal aid applications were received in 2018-19

When looking at applications for legal aid, the number of applications reflects the number of individual requests for assistance, rather than the total number of persons seeking assistance – this means that a single individual could file multiple applications. Of the 593,676 applications for summary or full legal representation received in 2018-19, over half (54%) were for criminal matters, while 45% were for civil matters (including I&R). The highest proportion of civil matter applications was for family matters (44%), followed by child protection (22%), non-family matters (21%), and 12% for I&R. Of the 318,039 applications for criminal legal aid, 92% were from adults and 7% were from youth (remaining 1% is from uncategorized data from NU) (Table 5).

Quebec received the most applications at 264,498, which accounted for 45% of all applications received nationally in 2018-19. Ontario and Alberta were the next two provinces that received the most applications (21% and 9% respectively). Looking at the breakdown between criminal and civil applications within each province/territory, Nunavut (80%) and Yukon (73%), had the highest proportion of criminal applications compared to civil. Quebec (54%) and New Brunswick (50%) had the lowest proportion of criminal applications compared to civil.

<b>Table 5 - Legal aid applications received<sup>1</sup>, by type of matter, 2018-19</b>										
	Total legal aid applications N (%)	Criminal legal aid applications				Civil legal aid applications				
		Total criminal applications N (%)	Adult	Youth <sup>2</sup>	P/T offences N (%) <sup>3</sup>	Total civil applications (incl I&R) N (%)	Child Protection <sup>4</sup>	Family <sup>5</sup>	Non-family <sup>6</sup>	I&R <sup>7</sup>
NL	7,915 (100)	4,618 (58)	4,160	458	-	3,297 (42)	329	2,488	455	25
PE	1,534 (100)	1,072 (70)	1,005	67	-	462 (30)	-	-	-	-
NS <sup>8</sup>	39,971 (100)	26,187 (66)	24,812	1,375	850 (2)	12,934 (32)	1,248	9,903	1,783	-
NB	4,505 (100)	2,253 (50)	2,049	204	12 (0.3)	2,240 (50)	197	2,042	1	-
QC	264,498 (100)	115,231 (44)	104,826	10,405	6,495 (3)	142,772 (54)	41,693	43,682	46,043	11,354
ON	127,331 (100)	67,856 (53)	63,865	3,991	-	59,475 (47)	6,922	28,802	6,060	17,691
MB	33,129 (100)	22,692 (69)	20,323	2,369	74 (0.2)	10,363 (31)	2,554	6,478	608	723
SK	18,029 (100)	12,743 (71)	11,107	1,636	-	5,286 (29)	829	4,457	-	-
AB	52,820 (100)	37,157 (62)	35,327	1,830	183 (0.3)	15,480 (29)	1,983	11,919	858	720
BC	37,018 (100)	22,982 (62)	22,019	963	1,038 (3)	12,998 (35)	3,018	7,951	-	2,029
YK	2,547 (100)	1,867 (73)	1,748	119	47 (2)	653 (26)	-	426	207	-
NT	1,264 (100)	899 (71)	865	34	-	365 (29)	-	365	-	-
NU <sup>9</sup>	3,115 (100)	2,482 (80)	-	-	-	633 (20)	-	316	234	-
<b>CA</b>	<b>593,676 (100)</b>	<b>318,039 (54)</b>	<b>292,106</b>	<b>23,451</b>	<b>8,699 (2)</b>	<b>266,958 (45)</b>	<b>58,856</b>	<b>118,403</b>	<b>56,249</b>	<b>32,542</b>

– Refers to data that were not available or that were not provided by the jurisdiction as reported in the Statement of Final Claim.

1. An application for legal aid refers to a request for legal aid assistance that results in the provision of summary or full legal representation on behalf of the legal aid plan, or the denial of legal aid service. Summary services include the provision of legal advice, information, or any other type of minimal legal service granted to an individual. Full legal representation constitutes more extensive legal assistance. The total number of applications reported for the fiscal year includes all applications filed during that time, irrespective of when the application was approved or rejected.
2. For criminal matters, "youth" refers to persons who are at least 12 years of age, but under 18 years of age and charged under the *Youth Criminal Justice Act*.
3. Provincial/Territorial (P/T) offences refer to those offences under provincial or territorial statutory responsibility. Also included are infractions under municipal by-laws.
4. Child protection matters are those that involve children who come into the care of child protection agencies for reasons such as: allegations of abuse, neglect, or abandonment.
5. Family matters refers to proceedings related to divorce, separation, maintenance, and all other matters of a family law nature, excluding child protection.
6. Non-family matters refer to all other civil proceedings that are not of a family nature (e.g., landlord and tenant disputes, poverty law, etc.).
7. Immigration and Refugee (I&R) matters refer to proceedings of persons (individuals, or principal applicants and family) involved in the immigration and refugee determination system under the provisions of the Immigration and Refugee Protection Act (IRPA). I&R legal aid covers the provision of legal advice, assistance and representation for immigration or refugee proceedings before the Immigration and Refugee Board (IRB) of Canada, the Federal Court (FC), or Immigration, Refugees and Citizenship Canada (IRCC) officials on post-determination actions. I&R legal aid is available in 6 provinces: NL, QC, ON, MB, AB, and BC.
8. The actual number of applications received by NS Legal Aid in 2018-2019 may be greater than the number of applications reported here because of differences in the way applications are counted (specifically related to gender)
9. For NU total applications received includes representation made during circuit weeks for matters for which a written application has not been made and eligibility is presumed.

**Notes:**

In YK, child protection cases are included under the "family" category.

The number of P/T offences reported in YK is an undercount due to unreliable data collection

## More than eight in ten legal aid applications received were approved for full legal representation

An application for legal aid may be approved for either summary or full legal representation. Summary services include the provision of legal advice, information, or any other type of minimal legal service granted to an individual during a formal interview. Full legal representation represents more extensive legal assistance. Applications not approved for full legal representation may receive summary services instead. Out of the

593,676 applications received in 2018-19 (table 5), 482,279 applications, or 81%, were approved for full service (table 6).

Table 6 shows the number of approved applications for full legal representation. In 2018-19, there were 482,279 applications approved for full legal representation; 56% of these were for criminal legal aid, 43% were for civil legal aid (including I&R), and the remainder for provincial/territorial offences. Of the criminal applications, the majority (90%) were for adult matters, and 9% were for youth matters (the remaining 1% is uncategorized data from Yukon). For civil matters, more than a third (39%) were for family matters, 26% were for child protection matters, and 20% were for other civil matters. I&R matters made up 15% of civil applications in the provinces that provide I&R legal aid services.

When looking at the proportion of approved applications by province/territory and type of matter, Nunavut (81%), Prince Edward Island (78%) and Manitoba (78%) had the highest proportion of approved applications that were criminal as opposed to civil. New Brunswick had a similar proportion of criminal and civil legal aid applications approved for full legal representation at 54% approved applications that were criminal.

In Ontario there were 2,611 adult and 150 youth applications managed by law clinics, which made up 4% of Ontario's total approved criminal applications.

**Table 6 - Approved legal aid applications for full legal representation<sup>1</sup>, by staff and private lawyers, annual, 2018-19**

	Total approved legal aid applications N (%)	Criminal applications <sup>2</sup>			P/T offences <sup>5</sup> N (%)	Civil applications <sup>3</sup>				
		Total approved criminal applications N (%)	Adult	Youth <sup>4</sup>		Total approved civil legal aid applications N (%)	Child Protection <sup>6</sup>	Family <sup>7</sup>	Non-Family <sup>8</sup>	I&R <sup>9</sup>
NL	4,142 (100)	2,915 (70)	2,508	407	-	1,227 (30)	222	914	82	9
PE	1,271 (100)	991 (78)	924	67	-	280 (22)	-	-	-	-
NS	19,399 (100)	13,806 (71)	12,840	966	51 (0)	5,542 (29)	1,017	3,707	818	-
NB	3,445 (100)	1,851 (54)	1,655	196	6 (0)	1,588 (46)	-	-	-	-
QC	216,076 (100)	95,014 (44)	85,061	9,953	5,031 (2)	116,031 (54)	39,183	33,150	33,387	10,311
ON	115,084 (100)	63,904 (56)	59,014	4,141	0	51,180 (44)	6,212	23,191	5,598	16,179
MB	36,047 (100)	28,046 (78)	25,210	2,836	66 (0)	7,935 (22)	2,214	4,667	399	655
SK	15,563 (100)	11,301 (73)	9,695	1,606	-	4,262 (27)	765	3,497	-	-
AB	38,401 (100)	29,434 (77)	27,609	1,825	143 (0)	8,824 (23)	1,567	6,463	100	694
BC	27,283 (100)	18,706 (69)	17,765	941	530 (2)	8,047 (29)	2,286	4,158	-	1603
YK	1,460 (100)	1,058 (72)	992	66	47 (3)	402 (28)	-	426	207	-
NT	1,030 (100)	767 (74)	734	33	-	263 (26)	44	219	-	-
NU	3,078 (100)	2,481 (81)	-	-	-	597 (19)	80	300	217	-
CA	<b>482,279 (100)</b>	<b>270,274 (56)</b>	<b>244,007</b>	<b>23,037</b>	<b>5,874</b>	<b>206,178 (43)</b>	<b>53,590</b>	<b>80,692</b>	<b>40,808</b>	<b>29,451</b>

- Refers to data that were not available or that were not provided by the jurisdiction as reported in the Statement of Final Claim.

1. In this table, approved legal aid application counts refer to full legal representation applications only. When aggregated, the total number of applications reflects the number of individual requests for assistance, rather than the total number of persons seeking assistance. Full legal representation (may also be called "Certificate") refers to the provision of full legal aid representation by a private bar lawyer, approved by the legal aid plan or by a staff lawyer. An approved application for full legal representation refers to an application for legal assistance which is granted as described in a certificate, referral, or any other authorization denoting that the applicant is entitled to legal aid services. Once an application is approved for full legal representation by the legal aid plan, the certificate may then be brought to a private bar lawyer who bills the legal aid plan once the service is completed, or the service may be provided by a legal aid staff lawyer.
2. For criminal matters, there can be multiple charges per application and these can be handled separately by different lawyers.
3. For civil matters there is one matter per application. In some jurisdictions one application may be associated with multiple matters.
4. For criminal matters, "Youth" refers to persons who are at least 12 years of age, but under 18 years of age and charged under the *Youth Criminal Justice Act*.
5. Provincial/Territorial (P/T) offences refer to those offences under provincial or territorial statutory responsibility. Also included are infractions under municipal by-laws.
6. Child protection - Refers to any matters where measures of child protection are sought and proceedings when a client is involved with a child protection agency.
7. Family matters refers to proceedings related to divorce, separation, maintenance, and all other matters of a family law nature, excluding child protection.

8. Non-family matters refer to all other civil proceedings that are not of a family nature (e.g., landlord and tenant disputes, poverty law, etc.).
9. Immigration and Refugee (I&R) matters refer to proceedings of persons (individuals, or principal applicants and family) involved in the immigration and refugee determination system under the provisions of the *Immigration and Refugee Protection Act* (IRPA). I&R legal aid covers the provision of legal advice, assistance and representation for immigration or refugee proceedings before the Immigration and Refugee Board (IRB) of Canada, the Federal Court (FC), or Immigration, Refugees and Citizenship Canada (IRCC) officials on post-determination actions. I&R legal aid is available in 6 provinces: NL, QC, ON, MB, AB, and BC.

**Notes:**

- Totals may include applications that were withdrawn, or were received in a previous fiscal but approved or refused this fiscal.
- For NB, only includes approved applications where the attorney was assigned before March 31st.
- For ON, total approved criminal applications includes 749 applications where the service was provided by staff lawyers and 2,761 applications where the service was provided by law clinics.
- For NB, report configuration required to report separately by family matter and other civil matter. Therefore, only provided with total approved civil legal aid applications for full legal representation.
- In MB an application may result in more than one legal matter. It is more likely that a criminal adult or youth application will result in multiple legal matters (e.g., often breaches added to the original charge) than a civil application.
- For ON, criminal legal aid matters includes data for adult and youth law clinics. ON total criminal applications also includes 749 staff lawyer applications which are not categorized by adult/youth.
- For BC, the split between 'other civil non-family' and I&R has been estimated.
- In YK, child protection cases are included under the "family" category.
- The number of P/T offences reported in YK is an undercount due to unreliable data collection.

## Financial ineligibility was the most common reason for application refusal

Refused applications refer to all requests for legal aid that have been denied legal services. This includes applications for which no services have been approved, as well as those applications denied for full legal representation that subsequently receive summary services. Overall, of the 97,023 applications (both criminal and civil) where a reason for refusal was reported, 55% were refused for financial ineligibility. 'Coverage restrictions' and 'other reasons for refusal' were the next most common reasons for refusal (20%, and 20% respectively) (Table 7).

When looking at the breakdown of reasons for refusal by province/territory, Prince Edward Island and Quebec had the highest proportions of applications refused for financial ineligibility (90% and 78%). Newfoundland and Labrador (50%) and New Brunswick (45%) had the highest proportions of applications refused for coverage restrictions.

	Total reasons for refusal <sup>2</sup> N (%)	Reasons for refusal				
		Financial ineligibility <sup>3</sup> N (%)	Coverage restrictions <sup>4</sup> N (%)	Lack of merit <sup>5</sup> N (%)	Non-compliance or abuse <sup>6</sup> N (%)	Other reasons for refusal <sup>7</sup> N (%)
NL	2,941 (100)	560 (19)	1,474 (50)	510 (17)	-	397 (13)
PEI	100 (100)	90 (90)	3 (3)	6 (6)	-	1 (1)
NS	2,175 (100)	1,184 (54)	308 (14)	163 (7)	158 (7)	362 (17)
NB	416 (100)	120 (29)	187 (45)	11 (3)	3 (1)	95 (23)
QC	45,818 (100)	35,872 (78)	5,287 (12)	1,302 (3)	71 (0)	3,286 (7)
ON	9,810 (100)	5,266 (54)	3,177 (32)	933 (10)	-	434 (4)
MB	8,373 (100)	3,564 (43)	2,454 (29)	1036 (12)	256 (3)	1,063 (13)
SK	2,009 (100)	1,036 (52)	668 (33)	215 (11)	27 (1)	63 (3)
AB	15,159 (100)	4,377 (29)	3228 (21)	-	-	7,554 (50)
BC	9,735 (100)	1,589 (16)	2,200 (23)	-	-	5,946 (61)
YK	52 (100)	30 (58)	0 (0)	17 (33)	1 (2)	4 (8)
NT	401 (100)	-	-	-	-	-
NU	34 (100)	18 (53)	13 (38)	-	1 (3)	2 (6)
<b>CA</b>	<b>97,023 (100)</b>	<b>53,706 (55)</b>	<b>18,999 (20)</b>	<b>4,193 (4)</b>	<b>517 (1)</b>	<b>19,207 (20)</b>

– Refers to data that is not available or that was not provided by the jurisdiction as reported in the Statement of Final Claim.

1. If an application is refused, appealed, and still refused, only the initial refusal is counted.
2. If an application involves more than one reason for refusal, only the most important reason as determined by the hierarchy of the table (reasons are ordered from highest to lowest importance, from left to right) is counted.

3. Financial ineligibility refers to a refusal for legal aid based on financial information disclosed by the applicant (i.e., income level, assets, liabilities etc.) which indicates that the applicant does not meet the financial eligibility requirements set by the legal aid plan and therefore does not qualify for legal aid. Financial eligibility criteria is set out by each legal aid plan and therefore the criteria differ across the provinces and territories.
4. Coverage restrictions refer to an application refused on the grounds that the legal matter is not covered by the legal aid plan. For example, some plans don't cover wills and estates or workplace injury claims.
5. Lack of merit refers to applications refused because the nature of the case or the seriousness of the matter does not warrant legal assistance. This eligibility criteria does not depend on finances, it includes a criteria such as the type of legal problem and the merit of the case.
6. Non-compliance/abuse refers to a refusal for legal aid based on either an applicant's prior or current experience with the legal aid plan. These refusals include applications where similar services were already rendered, services applied for are abusive of the legal process, or the client fails to co-operate with the legal aid lawyer.
7. Other refers to all other reasons for refusing an application that have not already been accounted for in the above categories.

Notes:

- BC's current system does not support effective tracking of refusals, so many applications refused for coverage or eligibility may be incorrectly identified as "Other".
- YK data on reasons for refusal should be interpreted with caution due to inconsistent data collection.
- NT data is not broken down by reason for refusal, therefore Canada totals should be interpreted with this in mind

### Just over half of refused criminal legal aid applications were refused for financial ineligibility

When looking specifically at refused criminal legal aid applications, financial ineligibility remained the most common reason for refusal (55%), followed by coverage restrictions at 19% (Table 8). By province/territory, Nunavut and Quebec had the highest proportion of financial ineligibility refusals (100% and 88%), Newfoundland and Labrador had the highest proportion of coverage restriction refusals (63%), Yukon had the highest proportion of lack of merit refusals (36%), and Nova Scotia had the highest rate of refusal of all jurisdictions for non-compliance or abuse, at 18%.

<b>Table 8 - Refused legal aid applications<sup>1</sup>, by reason for refusal, criminal matters, 2018-19</b>						
	Total reasons for refusal <sup>2</sup> N (%)	Reasons for refusal				
		Financial ineligibility <sup>3</sup> N (%)	Coverage restrictions <sup>4</sup> N (%)	Lack of merit <sup>5</sup> N (%)	Non-compliance or abuse <sup>6</sup> N (%)	Other reasons for refusal <sup>7</sup> N (%)
NL	1,201 (100)	255 (21)	759 (63)	83 (7)	-	104 (9)
PEI	64 (100)	64 (100)	0 (0)	0 (0)	-	0 (0)
NS	450 (100)	224 (50)	31 (7)	20 (4)	82 (18)	93 (21)
NB	255 (100)	37 (15)	134 (53)	4 (2)	1 (0)	79 (31)
QC	18,477 (100)	16,306 (88)	1,260 (7)	49 (0)	2 (0)	860 (5)
ON	4,682 (100)	2,189 (47)	1,987 (42)	316 (7)	-	190 (4)
MB	5,124 (100)	2,118 (41)	1,774 (35)	155 (3)	193 (4)	884 (17)
SK	1,301 (100)	551 (42)	648 (50)	68 (5)	21 (2)	13 (1)
AB	8,107 (100)	1,880 (23)	1,142 (14)	-	-	5,085 (63)
BC	4,276 (100)	651 (15)	737 (17)	-	-	2,888 (68)
YK	22 (100)	12 (55)	0 (0)	8 (36)	1 (5)	1 (5)
NT	218 (100)	-	-	-	-	-
NU	1 (100)	1 (100)	0 (0)	0(0)	0(0)	0 (0)
<b>CA</b>	<b>44,178 (100)</b>	<b>24,288 (55)</b>	<b>8,472 (19)</b>	<b>703 (2)</b>	<b>300 (1)</b>	<b>10,197 (23)</b>

– Refers to data that is not available or that was not provided by the jurisdiction as reported in the Statement of Final Claim.

1. Refused applications refer to all requests for legal aid that have been denied legal services. This total includes applications for which no services have been approved, as well as those applications denied for full legal representation that subsequently receive summary service. If an application is refused, appealed and still refused, only the initial refusal is counted.
2. If an application involves more than one reason for refusal, only the most important reason as determined by the hierarchy of the table (reasons are ordered from highest to lowest importance, from left to right) is counted.
3. Financial ineligibility refers to a refusal for legal aid based on financial information disclosed by the applicant (i.e., income level, assets, liabilities etc.) which indicates that the applicant does not meet the financial eligibility requirements set by the legal aid plan and therefore does not qualify for legal aid. Financial eligibility criteria is set out by each legal aid plan and therefore the criteria differ across the provinces and territories.
4. Coverage restrictions refer to an application refused on the grounds that the legal matter is not covered by the legal aid plan. For example, some plans don't cover wills and estates or workplace injury claims.

5. Lack of merit refers to applications refused because the nature of the case or the seriousness of the matter does not warrant legal assistance. This eligibility criteria does not depend on finances, it includes a criteria such as the type of legal problem and the merit of the case.
6. Non-compliance/abuse refers to a refusal for legal aid based on either an applicant's prior or current experience with the legal aid plan. These refusals include applications where similar services were already rendered, services applied for are abusive of the legal process, or the client fails to co-operate with the legal aid lawyer.
7. Other refers to all other reasons for refusing an application that have not already been accounted for in the above categories.

Notes:

- BC current system does not support effective tracking of refusals, so many applications refused for coverage or eligibility may be incorrectly identified as "Other"
- YK data on reasons for refusal should be interpreted with caution due to inconsistent data collection.
- NT data is not broken down by reason for refusal, therefore Canada totals should be interpreted with this in mind

Table 9 shows refused civil and I&R applications by reasons for refusal. The proportions remained consistent with criminal applications, with 56% of applications nationwide refused for financial ineligibility, and 19% falling under coverage restrictions. Prince Edward Island and Quebec had the highest proportions of 'other civil' applications refused for financial ineligibility (72% and 72%). Newfoundland and Labrador had the highest proportion of 'other civil' applications refused for coverage restrictions (41%), and Yukon and Manitoba had the highest proportion of 'other civil' applications refused for lack of merit (30% and 28%). For I&R applications, Quebec had the highest proportion refused for financial ineligibility (82%), Alberta had the highest proportion refused for coverage restrictions (31%), and Newfoundland and Labrador had the highest proportion refused for lack of merit (56%) (Table 9).

Table 9 – Refused legal aid applications <sup>1</sup> , by reason for refusal, civil matters, 2018-19							
		Total refused <sup>2</sup> N (%)	Financial ineligibility <sup>3</sup> N (%)	Coverage restrictions <sup>4</sup> N (%)	Lack of merit <sup>5</sup> N (%)	Non- compliance or abuse <sup>6</sup> N (%)	Other reasons for refusal <sup>7</sup> N (%)
NL	Other Civil	1,724 (100)	304 (18)	712 (41)	418 (24)	-	290 (17)
	I&R	16 (100)	1 (6)	3 (19)	9 (56)	-	3 (19)
	<b>Total</b>	<b>1,740 (100)</b>	<b>305 (18)</b>	<b>715 (41)</b>	<b>427 (25)</b>	<b>-</b>	<b>293 (17)</b>
PEI	Other Civil	36 (100)	26 (72)	3 (8)	6 (17)	0	1 (3)
	I&R						
	<b>Total</b>	<b>36 (100)</b>	<b>26 (72)</b>	<b>3 (8)</b>	<b>6 (17)</b>	<b>0</b>	<b>1 (3)</b>
NS	Other Civil	1711 (100)	959 (56)	269 (16)	140 (8)	76 (4)	267 (16)
	I&R						
	<b>Total</b>	<b>1711 (100)</b>	<b>959 (56)</b>	<b>269 (16)</b>	<b>140 (8)</b>	<b>76 (4)</b>	<b>267 (16)</b>
NB	Other Civil	157 (100)	83 (53)	49 (31)	7 (4)	2 (1)	16 (10)
	I&R						
	<b>Total</b>	<b>157 (100)</b>	<b>83 (53)</b>	<b>49 (31)</b>	<b>7 (4)</b>	<b>2 (1)</b>	<b>16 (10)</b>
QC	Other Civil	24,906 (100)	18,033 (72)	3,390 (14)	1,179 (5)	69 (0)	2,235 (9)
	I&R	1,019 (100)	835 (82)	33 (3)	68 (7)	0	83 (8)
	<b>Total</b>	<b>25,925 (100)</b>	<b>18,868 (73)</b>	<b>3,423 (13)</b>	<b>1,247 (5)</b>	<b>69 (0)</b>	<b>2,318 (9)</b>
ON	Other Civil	4,064 (100)	2,629 (65)	929 (23)	331 (8)	-	175 (4)
	I&R	1,064 (100)	448 (42)	261 (25)	286 (27)	-	69 (6)
	<b>Total</b>	<b>5,128 (100)</b>	<b>3,077 (60)</b>	<b>1,190 (23)</b>	<b>617 (12)</b>	<b>-</b>	<b>244 (5)</b>
MB	Other Civil	3,106 (100)	1,391 (45)	643 (21)	857 (28)	59 (2)	156 (5)
	I&R	108 (100)	45 (42)	15 (14)	22 (20)	4 (4)	22 (20)
	<b>Total</b>	<b>3,214 (100)</b>	<b>1,436 (45)</b>	<b>658 (20)</b>	<b>879 (27)</b>	<b>63 (2)</b>	<b>178 (6)</b>
SK	Other Civil	708 (100)	485 (69)	20 (3)	147 (21)	6 (1)	50 (7)
	I&R						
	<b>Total</b>	<b>708 (100)</b>	<b>485 (69)</b>	<b>20 (3)</b>	<b>147 (21)</b>	<b>6 (1)</b>	<b>50 (7)</b>
AB	Other Civil	6,797 (100)	2446 (36)	2004 (29)	-	-	2,347 (35)
	I&R	213 (100)	46 (22)	65 (31)	-	-	102 (48)
	<b>Total</b>	<b>7,010 (100)</b>	<b>2492 (36)</b>	<b>2069 (30)</b>	<b>-</b>	<b>-</b>	<b>2,449 (35)</b>
BC	Other Civil	4,525 (100)	734 (16)	1216 (27)	-	-	2,575 (57)
	I&R	426 (100)	136 (32)	126 (30)	-	-	164 (38)
	<b>Total</b>	<b>4,951 (100)</b>	<b>870 (18)</b>	<b>1,342 (27)</b>	<b>-</b>	<b>-</b>	<b>2,739 (55)</b>
YK	Other Civil	30 (100)	18 (60)	0 (0)	9 (30)	0 (0)	3 (10)
	I&R						
	<b>Total</b>	<b>30 (100)</b>	<b>18 (60)</b>	<b>0 (0)</b>	<b>9 (30)</b>	<b>0 (0)</b>	<b>3 (10)</b>
NT	Other Civil	183 (100)	-	-	-	-	-
	I&R						
	<b>Total</b>	<b>183 (100)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
NU	Other Civil	33 (100)	17 (52)	13 (39)	0 (0)	1 (3)	2 (6)
	I&R						
	<b>Total</b>	<b>33 (100)</b>	<b>17 (52)</b>	<b>13 (39)</b>	<b>0 (0)</b>	<b>1 (3)</b>	<b>2 (6)</b>
CA	Other Civil	47,980 (100)	27,125 (57)	9,248 (19)	3,094 (6)	213 (0)	8,117 (17)
	I&R	2,846 (100)	1,511 (53)	503 (18)	385 (14)	4 (0)	443 (16)
	<b>Canada</b>	<b>50,826 (100)</b>	<b>28,636 (56)</b>	<b>9,751 (19)</b>	<b>3,479 (7)</b>	<b>217 (0)</b>	<b>8,560 (17)</b>

- Refers to data that were not available or that were not provided by the jurisdiction as reported in the Statement of Final Claim.

1. Refused applications refer to all requests for legal aid that have been denied legal services. This total includes applications for which no services have been approved, as well as those applications denied for full service that subsequently receive summary service. An application can be refused, appealed and still refused, only the initial refusal is counted.
2. If an application involves more than one reason for refusal, only the most important reason as determined by the hierarchy of the table (reasons are ordered from highest to lowest importance, from left to right) is counted.
3. Financial ineligibility refers to a refusal for legal aid based on financial information disclosed by the applicant (i.e., income level, assets, liabilities etc.) which indicates that the applicant does not meet the financial eligibility requirements set by the legal aid plan and therefore does not qualify for legal aid. Financial eligibility criteria is set out by each legal aid plan and therefore the criteria differ across the provinces and territories.
4. Coverage restrictions refer to an application refused on the grounds that the legal matter is not covered by the legal aid plan. For example, some plans don't cover wills and estates or workplace injury claims.
5. Lack of merit refers to applications refused because the nature of the case or the seriousness of the matter does not warrant legal assistance. This eligibility criteria does not depend on finances, it includes a criteria such as the type of legal problem and the merit of the case.



6. Non-compliance/abuse refers to a refusal for legal aid based on either an applicant's prior or current experience with the legal aid plan. These refusals include applications where similar services were already rendered, services applied for are abusive of the legal process, or the client fails to co-operate with the legal aid lawyer.
7. Other refers to all other reasons for refusing an application that have not already been accounted for in the above categories.

**Notes:**

BC current system does not support effective tracking of refusals, so many applications refused for coverage or eligibility may be incorrectly identified as "Other".

NT data is not broken down by reason for refusal, therefore Canada totals should be interpreted with this in mind.

YK data on reasons for refusal should be interpreted with caution due to inconsistent data collection.

## More than 8 in 10 applications for full legal representation from self-identified Indigenous clients were approved

Table 10 shows applications for full legal representation from individuals who self-identified as Indigenous in the provinces and territories that collect this data. Of the 62,706 applications received for all matters, 82% were approved. This proportion was similar among both criminal and civil applications, with 83% of criminal and 78% of civil applications approved. By jurisdiction, Nova Scotia and Prince Edward Island had the highest proportions of criminal applications approved (99% and 97%), while Newfoundland and Labrador and Manitoba had the lowest (63% and 64%). For civil applications, Nova Scotia and Ontario had the highest proportions of applications approved (90% and 88%), while Prince Edward Island and British Columbia had the lowest (62% and 65%).

**Table 10 - Applications<sup>1</sup> for full legal representation, approved<sup>2</sup> and refused<sup>3</sup>, by self-identified Indigenous<sup>4</sup> status, type of matter, and province/territory, 2018-19**

	All applications				Criminal legal aid applications				Civil legal aid <sup>6</sup> applications			
	Total received	Total approved	Total refused	Other <sup>5</sup>	Total received	Total approved	Total refused	Other	Total received	Total approved	Total refused	Other
NL	635 (100)	399(63)	236 (37)	-	635 (100)	399 (63)	236 (37)	-	-	-	-	-
PE	98 (100)	88 (90)	6 (6)	4(4)	77 (100)	75 (97)	2 (3)	0	21 (100)	13 (62)	4 (19)	4 (19)
NS	2,291 (100)	2,221 (97)	70 (3)	-	1,851 (100)	1,826 (99)	25 (1)	0	440 (100)	395 (90)	45 (10)	0
NB	340 (100)	278 (82)	29 (9)	33 (10)	224 (100)	190 (85)	22 (10)	12 (5)	116 (100)	88 (76)	7 (6)	21 (18)
QC	-	-	-	-	-	-	-	-	-	-	-	-
ON	19,269 (100)	17,628 (91)	1,067 (6)	574 (3)	14,735 (100)	13,653 (93)	728 (5)	354 (2)	4,534 (100)	3,975 (88)	339 (7)	220 (5)
MB	17,332 (100)	11,404 (66)	3,518 (20)	2,410 (14)	13,704 (100)	8,789 (64)	2,509 (18)	2,406 (18)	3,628 (100)	2,615 (72)	1,009 (28)	4 (0)
SK	12,059 (100)	10,634 (88)	1,010 (8)	415 (3)	9,129 (100)	8,275 (91)	738 (8)	116 (1)	2,930 (100)	2,359 (81)	272 (9)	299 (10)
AB	-	-	-	-	-	-	-	-	-	-	-	-
BC	9,517 (100)	7,578 (80)	1,939 (20)	-	6,819 (100)	5,833 (86)	986 (14)	-	2,698 (100)	1,745 (65)	953 (35)	-
YK	-	-	-	-	-	-	-	-	-	-	-	-
NT	1,165 (100)	976 (84)	350 (30)	161 (-14)	857 (100)	750 (88)	205 (24)	-98 (-11)	308 (120)	226 (73)	145 (47)	-63 (-20)
NU <sup>7</sup>	-	-	-	-	-	-	-	-	-	-	-	-
CA	62,706 (100)	51,206 (82)	8,225 (13)	3,275 (5)	48,031 (100)	39,790 (83)	5,451 (11)	2,790 (6)	14,675 (100)	11,416 (78)	2,774 (19)	485 (3)

– Refers to data that were not available or that were not provided by the jurisdiction as reported in the Statement of Final Claim.

1. An application for legal aid refers to a request for legal aid assistance that results in the provision of summary service or full legal representation on behalf of the legal aid plan, or the denial of legal aid service. Summary services include the provision of legal advice, information, or any other type of minimal legal service granted to an individual. Full legal representation constitute more extensive legal assistance. The total number of applications reported for the fiscal year includes all applications filed during that time, irrespective of when the application was approved or rejected.
2. In this table, approved legal aid application counts refer to full legal representation applications only. When aggregated, the total number of applications reflects the number of individual requests for assistance, rather than the total number of persons seeking assistance. Full legal representation (may also be called "Certificate") refers to the provision of full legal aid representation by a private bar lawyer, approved by the legal aid plan or by a staff lawyer. An approved application for full legal representation refers to an application for legal assistance which is granted as described in a certificate, referral, or any other authorization denoting that the applicant is entitled to legal aid services. Once an application is approved for full legal representation by the legal aid plan, the certificate may then be brought to a private bar lawyer who bills the legal aid plan once the service is completed, or the service may be provided by a legal aid staff lawyer.
3. Refused applications refer to all requests for legal aid that have been denied legal services. This total includes applications for which no services have been approved, as well as those applications denied for full legal representation that subsequently receive summary service. An application can be refused, appealed and still refused, only the initial refusal is counted.



4. Indigenous refers to an individual who self-identifies as First Nations (North American Indian), Métis or Inuk (Inuit), whether they live on or off-reserve and whether or not they have Registered or Treaty Indian status.
5. "Other" refers to applications received in a previous fiscal year that are counted as "approved" or "refused" but not "received"; or "withdrawn" applications, which were received in the current fiscal but were withdrawn before being approved or refused.
6. Civil legal aid includes: child protection matters; proceedings related to divorce, separation, maintenance, and all other matters of a family law nature; as well as all civil matters that are not of a family nature (e.g., landlord and tenant disputes, poverty law, etc.). This category also includes immigration and Refugee (I&R) matters. Note that I&R legal aid is available in 6 provinces: NL, QC, ON, MB, AB, and BC.
7. NU does not track indigenous status but estimates that over 95% of applicants are Inuit.

## Over 1.2 million duty counsel assists were provided in 2018-19

Duty counsel is legal assistance rendered without charge to unrepresented individuals who, in many cases, are about to make an appearance in court. Duty counsel services refer to services provided by a lawyer at a location other than a legal aid office, generally at court or a place of detention. Most often, the services provided are brief, and pertain to provision of summary services, docket court appearances, or representation at a first appearance or plea court.

As a result of the Supreme Court of Canada decision in *R. v. Brydges*, all provinces and territories offer temporary access to duty counsel through telephone in the immediate period after an accused has been arrested or detained. These services are provided to accused persons without application, and they are free of charge.

For criminal matters, duty counsel services (either Brydges telephone services or in person court services) are available in all provinces and territories. Civil duty counsel services are available in six provinces: Newfoundland and Labrador, Nova Scotia (NS offers family duty counsel, which is referred to as summary advice counsel), New Brunswick, Ontario, Manitoba (for child protection matters), and British Columbia; while I&R duty counsel services are available in Newfoundland and Labrador, Ontario, and British Columbia.

A majority of provinces and territories do not apply eligibility criteria for duty counsel services. Of those that do, New Brunswick applies a scope of service eligibility criteria, but not a financial eligibility criteria,<sup>2</sup> while Ontario applies eligibility criteria which are outlined on their website.<sup>3</sup> British Columbia applies eligibility criteria only to family duty counsel services.<sup>4</sup>

Eleven jurisdictions provided data on the number of duty counsel services provided to clients in 2018-19 (Table 11). There were 1,229,291 duty counsel assists provided to legal aid clients in these jurisdictions. A total of 83% of these assists were for criminal matters, and 17% were for civil matters (including I&R).

<sup>2</sup> New Brunswick Legal Aid Services Commission (NBLASC) is responsible to assign duty counsel to criminal and youth courts to advise and assist anyone who has to appear before a Provincial Court judge on eligible charges and is without counsel. NBLASC also provides duty counsel to specialized courts. Duty Counsel services are not available for: Default Hearings; Variation of Undertakings; Firearms applications; Rowbotham Hearings; Bail Reviews in Queen's Bench; and providing advice to those who have plead not guilty and have obtained a trial date. Family Law: Scope of service for family law can be found at the following link under the heading "Family Duty Counsel". [http://www.legalaid.nb.ca/en/family\\_law\\_services](http://www.legalaid.nb.ca/en/family_law_services)

<sup>3</sup> <https://www.legalaid.on.ca/will-legal-aid-pay-for-my-lawyer/>

<sup>4</sup> There are no financial or merit eligibility criteria for criminal or immigration duty counsel services, but financial eligibility criteria are applied for family duty counsel, at a higher level than for family representation contracts. Additional coverage criteria are applied for expanded criminal and family duty counsel services.

For jurisdictions that provided data on both criminal and civil duty counsel services, Quebec and Prince Edward Island had the highest proportions of criminal duty counsel assists provided, both with 100% of duty counsel assists for criminal matters. British Columbia had the lowest proportion of criminal matter assists, with 76% criminal assists and 24% civil.

<b>Table 11 - Duty counsel services, by type of matter, 2018-19</b>								
	Total duty counsel services N (%)	Criminal duty counsel services <sup>1</sup>			Provincial Statute Offences N (%)	Civil duty counsel services <sup>2</sup>		
		Total criminal duty counsel services N (%)	Adult matters	Youth <sup>3</sup> matters		Total civil duty counsel services N (%)	I&R <sup>4</sup>	Other civil matters <sup>5</sup>
NL <sup>P</sup>	12,896 (100)	12,363 (96)	11,848	515	-	536 (4)	3	533
PEI	777 (100)	777 (100)	777	0	0 (0)	0 (0)		0 (0)
NS <sup>A</sup>	21,328 (100)	18,359 (86)	17,529	743	765 (4)	2,204 (10)		2,204
NB <sup>A</sup>	23,663 (100)	22,341 (94)	21,298	1043	145 (145)	1,177 (5)		1,177
QC	24,883 (100)	24,883 (100)	24,883	-	0 (0)	0 (0)	-	0 (0)
ON <sup>A</sup>	939,099 (100)	768,504 (82)	741,556	26,948	0 (0)	170,595 (18)	2	170,593
MB <sup>A</sup>	47,587 (100)	43,762 (92)	38,763	4,999	0 (0)	3,825 (8)	-	3,825
SK <sup>A</sup>	35,508 (100)	35,228 (99)	32,044	3,184	280 (1)			
AB	-	-	-	-	-	-	-	-
BC <sup>A</sup>	117,494 (100)	89,153 (76)	87,110	2,043	0 (0)	28,341 (24)	1,036	27,305
YK <sup>P</sup>	1,737 (100)	1,711 (99)	1,545	166	0 (0)	26 (1)		0 (0)
NT <sup>A</sup>	4,316 (100)	3,637 (84)	3,358	279	679 (16)			
NU <sup>6</sup>	-	-	-	-	-	-		-
<b>CA</b>	<b>1,229,291 (100)</b>	<b>1,020,718 (83)</b>	<b>980,711</b>	<b>39,920</b>	<b>1,869 (0)</b>	<b>206,704 (17)</b>	<b>1,041</b>	<b>205,637</b>

– Refers to data that were not available or that were not provided by the jurisdiction as reported in the Statement of Final Claim.

<sup>P</sup> – Count is by number of persons assisted.

<sup>A</sup> – Count is by number of assists – this refers to the number of times duty counsel was provided for each category of service provided for adult and youth criminal legal aid, provincial statute offences, I & R and civil legal aid.

1. Criminal duty counsel refers to legal services in criminal matters that are generally provided at a court or place of detention.
2. Civil duty counsel refers to legal services in civil matters that may additionally be provided at locations other than a court or place of detention (e.g. psychiatric hospital, senior citizens' home).
3. For criminal matters, "Youth" refers to persons who are at least 12 years of age, but under 18 years of age and charged under the *Youth Criminal Justice Act*.
4. Immigration and Refugee (I&R) matters refer to proceedings of persons (individuals, or principal applicants and family) involved in the immigration and refugee determination system under the provisions of the *Immigration and Refugee Protection Act* (IRPA). I&R legal aid covers the provision of legal advice, assistance and representation for immigration or refugee proceedings before the Immigration and Refugee Board (IRB) of Canada, the Federal Court (FC), or Immigration, Refugees and Citizenship Canada (IRCC) officials on post-determination actions.
5. Other civil matters refer to all other civil proceedings including family matters.
6. NU does not provide duty counsel services per se but presumes eligibility on criminal matters on circuit.

**Notes:**

For NB:

- Number of Assists: Except for Brydges Program, "Adult" and "Youth" assists include "Provincial" as report configuration is required to differentiate adult/youth/provincial offences.
- Unable to report adult/youth/provincial offences expenditures separately as this level of detail is not recorded in our accounting system or case management system;
- Brydges Program pro-rated based on number of calls received.
- Cases coming before a circuit court are typically provided duty counsel services. Consequently, circuit court cases are included in the duty counsel service count rather than in the approved application count. Only circuit court matters granted a delay are included in the approved application count.
- For MB:
  - Brydges total assists - Legal Aid Manitoba does not track by matter type. Service handles police custody calls throughout the province.
  - Provincial Statute Offences - Legal Aid Manitoba does not track duty counsel assists by individual offences. Services rendered for provincial statute offences (if any) would be included in total criminal and youth matters.
  - Legal Aid Manitoba does not track the number of persons assisted by duty counsel.
  - For MB, Civil includes all child protection and civil duty counsel matters.
- In SK, Duty Counsel Services are provided to individuals on remand at all court points including circuit points. If the matter cannot be resolved immediately, then a full-service application is taken. SK does not provide civil legal aid duty counsel services.

## Over 89 million dollars of expenditures on duty counsel services in 2018-19

Nationally, there were total expenditures of \$89,204,640 for duty counsel services in 2018-19. The highest proportion of duty counsel expenditures were for criminal duty counsel services, at \$63,755,204, or 71% of total expenditures in 2018-19. Civil duty counsel services made up 29% of expenditures. Within criminal duty counsel services, 96% of expenditures went towards adult matters (Table 12).

	Total duty counsel services \$ (%)	Criminal duty counsel services <sup>2</sup>			Provincial Statute Offences \$ (%)	Civil duty counsel services <sup>3</sup>		
		Total criminal duty counsel services \$ (%)	Adult matters	Youth <sup>4</sup> matters		Total civil duty counsel services \$ (%)	I&R <sup>5</sup>	Other civil matters <sup>6</sup>
NL	210,755 (100)	210,755 (100)	210,755 (100)	-	-	-	-	-
PEI	65,555 (100)	65,555 (100)	65,555 (100)	0	0	0	-	0
NS	2,587,863 (100)	2,214,680 (86)	2,126,610 (82)	88,070 (3)	-	373,183 (14)	-	373,183 (14)
NB	1,154,273 (100)	1,052,544 (91)	1,045,373 (91)	7,171 (1)	4,093 (0)	97,636 (8)	-	97,636 (8)
QC	998,115 (100)	998,115 (100)	998,115 (100)	-	0	0	0	0
ON	60,770,071 (100)	40,692,698 (67)	39,043,607 (64)	1,649,091 (3)	0	20,077,373 (33)	355 (0)	20,077,018 (33)
MB	2,685,282 (100)	2,439,745 (91)	2,160,132 (80)	279,613 (10)	0	245,537 (9)	0	245,537 (9)
SK	626,159 (100)	623,057 (100)	608,291 (97)	14,766 (2)	3102 (0)	-	-	-
AB	10,103,485 (100)	9,030,120 (89)	8,658,977 (86)	371,143 (4)	0	1,073,365 (11)	0	1,073,365 (11)
BC	10,003,082 (100)	6,427,935 (64)	6,128,668 (61)	299,267 (3)	0	3,575,147 (36)	140,581 (10)	3,434,566 (34)
YK	-	-	-	-	-	-	-	-
NT	-	-	-	-	-	-	-	-
NU <sup>7</sup>	-	-	-	-	-	-	-	-
<b>CA</b>	<b>89,204,640 (100)</b>	<b>63,755,204 (71)</b>	<b>61,046,083 (96)</b>	<b>2,709,121 (4)</b>	<b>7,195 (0)</b>	<b>25,442,241 (29)</b>	<b>140,936 (1)</b>	<b>25,301,305 (99)</b>

– Refers to data that were not available or that were not provided by the jurisdiction as reported in the Statement of Final Claim.

1. Duty counsel service expenditures are the actual gross dollars expended by the legal aid plan in a given fiscal year for duty counsel services.

2. Criminal duty counsel refers to legal services in criminal matters that are generally provided at a court or place of detention.

3. Civil duty counsel refers to legal services in civil matters that may additionally be provided at locations other than a court or place of detention (e.g. psychiatric hospital, senior citizens' home).

4. For criminal matters, "Youth" refers to persons who are at least 12 years of age, but under 18 years of age and charged under the *Youth Criminal Justice Act*.

5. Immigration and Refugee (I&R) matters refer to proceedings of persons (individuals, or principal applicants and family) involved in the immigration and refugee determination system under the provisions of the *Immigration and Refugee Protection Act* (IRPA). I&R legal aid covers the provision of legal advice, assistance and representation for immigration or refugee proceedings before the Immigration and Refugee Board (IRB) of Canada, the Federal Court (FC), or Immigration, Refugees and Citizenship Canada (IRCC) officials on post-determination actions.

6. Other civil matters refer to all other civil proceedings including family matters.

7. NU does not provide duty counsel services per se but presumes eligibility on criminal matters on circuit.

Notes:

For SK, the above expenditures reflect the payments made to Private Bar and not staff lawyers. The costs of providing duty counsel services for staff are included with the costs for direct services.

For MB:

- Provincial Statutes Offences – Legal Aid Manitoba (LAM) does not track duty counsel assists by individual offences. Services rendered for provincial statute offences (if any) would be included in total criminal and youth matters.
- For MB, Brydges - LAM does not track by individual offences. Service handles police custody calls throughout the province.
- For MB, Civil includes all child protection and civil duty counsel matters.

For NB:

- Number of Assists: Except for Brydges Program, "Adult" and "Youth" assists include "Provincial" as report configuration is required to differentiate adult/youth/provincial offences.
- For NB, Expenditures: Unable to report adult/youth/provincial offences expenditures separately as this level of detail is not recorded in our accounting system or case management system.
- For NB, Expenditures: Brydges Program pro-rated based on number of calls received.

## Almost three quarters of applications for legal aid services to deal with an appeal were approved

Out of the 6,626 applications for legal aid services for an appeal case, almost three quarters were approved for legal aid services (71%). For criminal matters, 63% were approved, and for civil matters more than three quarters (77%) were approved (Table 13).

Aside from Saskatchewan and Northwest Territories, where all appeal applications were approved in 2018-19, Ontario and Nova Scotia had the highest proportion of appeal cases approved for legal aid services (86% and 85%), while Newfoundland and Labrador had the lowest proportion of cases approved (42%). For criminal cases, Saskatchewan and Nova Scotia had the highest proportion of appeal cases approved (100% and 98%) and British Columbia had the lowest (26%). For civil cases, Ontario had the highest proportion of cases approved (91%), and New Brunswick had the lowest (25%) (Table 13).

<b>Table 13 – Appeal<sup>1</sup> applications, approved and refused for legal aid services, by criminal and civil matters, 2018-19</b>									
	Total criminal and civil matters			Criminal matters (adult and youth)			Civil matters		
	Total Approved and refused appeals N (%)	Total Approved appeals N (%)	Total Refused appeals N (%)	Approved and refused appeals N (%)	Approved appeals N (%)	Refused appeals N (%)	Approved and refused appeals N (%)	Approved appeals N (%)	Refused appeals N (%)
NL	451 (100)	189 (42)	262 (58)	224 (100)	97 (43)	127 (57)	227 (100)	92 (41)	135 (59)
PEI	5 (100)	4 (80)	1 920)	5 (100)	4 (80)	1 (20)	0	0	0
NS	60 (100)	51 (85)	9 (15)	40 (100)	39 (98)	1 (2)	20 (100)	12 (60)	8 (40)
NB	27 (100)	15 (56)	12 (44)	19 (100)	13 (68)	6 (32)	8 (100)	2 (25)	6 (75)
QC	1,016 (100)	524 (52)	492 (48)	445 (100)	251 (56)	194 (44)	571 (100)	273 (48)	298 (52)
ON	3,756 (100)	3,217 (86)	539 (14)	1,559 (100)	1,212 (78)	347 (82)	2,197 (100)	2,005 (91)	192 (9)
MB	262 (100)	167 (64)	95 (36)	160 (100)	85 (53)	75 (47)	102 (100)	82 (80)	20 (20)
SK	28 (100)	28 (100)	0 (0)	28 (100)	28 (100)	0 (0)	0	0	0
AB	-	-	-	-	-	-	-	-	-
BC	1,010 (100)	486 (48)	524 (52)	418 (100)	107 (26)	311 (74)	592 (100)	379 (64)	213 (36)
YK	-	-	-	-	-	-	-	-	-
NT	11 (100)	11 (100)	0 (0)	11 (100)	11 (100)	0 (0)	0	0	0
NU	-	-	-	-	-	-	-	-	-
<b>CA</b>	<b>6,626 (100)</b>	<b>4,692 (71)</b>	<b>1,934 (29)</b>	<b>2,909 (100)</b>	<b>1,847 (63)</b>	<b>1,062 (37)</b>	<b>3,717 (100)</b>	<b>2,845 (77)</b>	<b>872 (23)</b>

– Refers to data that were not available or that were not provided by the jurisdiction as reported in the Statement of Final Claim.

1. Appeals refer to an appeal of a lower court or administrative tribunal decision, not an appeal of a refused application. Each case is counted despite the fact that the matter may have been dealt with by the legal aid plan in the past.

Notes:

For PEI data provided under adult matters also includes youth.

### Approximately 600 civil cases were managed under the interprovincial reciprocity agreement in 2018-19

The interprovincial reciprocity agreement refers to an agreement among legal aid plans in Canada to handle non-resident civil cases. Under the terms of the new 2018 agreement, it is no longer a requirement for an applicant to apply in their home province, applications may be made directly to the province where service is required.

Outgoing cases refer to the number of applications for civil legal aid approved by the legal aid plan of a province or territory that are forwarded to other P/T legal aid plans for service. Incoming cases refer to the number of applications approved for civil legal aid by other provincial/territorial legal aid plans which are forwarded to the legal aid plan for service and for which service has been provided.

Data from 2018-19 indicate that provinces/territories handled a total a total of 594 incoming cases and 666 outgoing cases (Table 14). Ontario had the highest number of cases incoming from another province, with 235 cases. Ontario also had the highest number of outgoing cases, with 265 cases where the service was provided by legal aid lawyers in another province or territory.

**Table 14 - Incoming and outgoing civil legal aid cases processed under the interprovincial reciprocity agreement, 2018-19**

	Total by jurisdiction	
	Incoming	Outgoing
Newfoundland and Labrador	5	7
Prince Edward Island	10	6
Nova Scotia	25	33
New Brunswick	12	41
Quebec	165	165
Ontario	235	265
Manitoba	85	73
Saskatchewan	-	-
Alberta	24	0
British Columbia	30	74
Yukon	3	2
Northwest Territories	0	0
Nunavut	0	0
<b>Total</b>	<b>594</b>	<b>666</b>

### **The highest proportion of legal aid clients were male, and accessed criminal legal aid services**

As shown in Table 15, overall, 61% of legal aid clients were male, while 39% were female. For criminal matters, the proportion of males was even higher (78%). For I&R matters, 62% of clients were male and 38% were female. However where an I&R matter relates to a principal legal aid applicant with family, only the principal applicant is counted as a client which may result in an undercount of females with I&R matters. For civil matters, a majority of clients were female (64%).

Overall, the most common age category was 18-34 (44%). This trend appears to be the same for males, females and others in all types of matters (criminal, I&R, and civil), with the exception of males in civil matters. For this group, the most common age category was 35-49 (32%). For male criminal legal aid clients, the most common age group was 18-34 (50%), followed by 35-49 (30%). The same pattern was true for female criminal legal aid clients, with the most common age group being 18-34 (53%) followed by 35-49 (29%).

For I&R legal aid, most male clients were in the 18-34 and 35-49 age groups (44% and 43%). The same was true for female clients, with 42% in the 18-34 age group, and 41% in the 35-49 age group. For civil legal aid, male clients were most often in the 35-49 and 18-34 age groups (31% and 25%); female clients were most often in the 18-34 and 35-49 age groups (40% and 33%) (Table 15).

<b>Table 15 - Legal aid clients, by age, gender<sup>1</sup>, and type of matter, Canada, 2018-19</b>				
	Type of matter			Total
	Criminal	I&R <sup>2</sup>	Civil	
male 17 and under	13,407 (7)	179 (1)	13,868 (22)	27,454 (10)
male 18-34	94,239 (50)	8,018 (44)	15,426 (25)	117,683 (44)
male 35-49	55,959 (30)	7,765 (43)	19,605 (31)	83,329 (31)
male 50+	24,221 (13)	2,214 (12)	13,540 (22)	39,975 (15)
<b>Total males</b>	<b>187,826 (100)</b>	<b>18,176 (100)</b>	<b>62,439 (100)</b>	<b>268,441 (100)</b>
female 17 and under	4,145 (8)	148 (1)	14,122 (13)	18,415 (11)
female 18-34	26,835 (53)	4,711 (42)	44,319 (40)	75,865 (44)
female 35-49	14,780 (29)	4,558 (41)	36,943 (33)	56,281 (32)
female 50+	5,337 (10)	1,688 (15)	16,409 (15)	23,434 (13)
<b>Total females</b>	<b>51,097 (100)</b>	<b>11,105 (100)</b>	<b>111,793 (100)</b>	<b>173,995 (100)</b>
other 17 and under	78 (10)	0	11 (3)	89 (8)
other 18-34	387 (48)	*	171 (49)	563 (48)
other 35-49	222 (28)	*	85 (24)	311 (27)
other 50+	119 (15)	*	81 (23)	202 (17)
<b>Total other</b>	<b>806 (100)</b>	<b>11 (100)</b>	<b>348 (100)</b>	<b>1,165 (100)</b>
<b>Total 17 and under</b>	<b>17,630 (7)</b>	<b>327 (1)</b>	<b>28,001 (16)</b>	<b>45,958 (10)</b>
<b>Total 18-34</b>	<b>121,461 (51)</b>	<b>12,734 (43)</b>	<b>59,916 (34)</b>	<b>194,111 (44)</b>
<b>Total 35-49</b>	<b>70,961 (30)</b>	<b>12,327 (42)</b>	<b>56,633 (32)</b>	<b>139,921 (32)</b>
<b>Total 50+</b>	<b>29,677 (12)</b>	<b>3,904 (13)</b>	<b>30,030 (17)</b>	<b>63,611 (14)</b>
<b>Canada</b>	<b>239,729 (100)</b>	<b>29,292 (100)</b>	<b>174,580 (100)</b>	<b>443,601 (100)</b>

– Refers to data that were not available or that were not provided by the jurisdiction as reported in the Statement of Final Claim.

\*cell count under 5 suppressed.

<sup>1</sup>Not all jurisdictions collected data on 'other' gender in 2018-19.

<sup>2</sup>I&R legal services are only available in six provinces: Newfoundland and Labrador, Quebec, Ontario, Manitoba, Alberta, and British Columbia.

Notes:

NT, YK, NB, and PEI data are not included due to missing data.

## More than half of Indigenous legal aid clients were males accessing criminal legal aid services

Legal aid plans from Nova Scotia, Ontario, Manitoba, Saskatchewan, British Columbia, and Northwest Territories provided data on self-identified Indigenous legal aid clients. Out of a total of 47,559 Indigenous clients that self-identified in these provinces and territories in 2018-19, 71% accessed criminal legal aid (adult and youth), while 23% accessed civil legal aid. The highest proportion of clients were male adults, accessing criminal legal aid services (52%) (Table 16).

A majority of Indigenous adult and youth criminal legal aid clients were male (80%). In civil cases, there were about twice as many female Indigenous clients as male (66% versus 32%).

**Table 16 – Indigenous<sup>1</sup> legal aid clients receiving full legal representation and summary services by gender and type of matter, 2018-19**

	Total criminal and civil <sup>2</sup> N (%)	Criminal								Civil <sup>4</sup>			
		Total Criminal adult N (%)	adult			youth <sup>3</sup>			Total criminal youth N (%)	male	female	other	Total civil N (%)
			male	female	other	male	female	other					
NS	1,175 (2)	895 (3)	548	347	0	72	12	0	84 (3)	64	132	0	196 (2)
ON	17,595 (37)	12,972 (39)	9,898	3,068	6	447	208	0	655(24)	1,428	2,537	*	3,968 (36)
MB	11,428 (24)	7,909 (24)	5,835	2,043	31	594	310	0	904 (33)	929	1,673	13	2,615 (23)
SK	9,602 (20)	6,343 (19)	4,449	1,517	377	559	243	40	842 (30)	580	1,709	128	2,417 (22)
BC	6,593 (14)	4,695 (14)	3,526	1,165	*	181	68	-	249 (9)	501	1,148	-	1,649 (15)
NT	1,166 (2)	828 (2)	681	147	0	20	10	-	30 (1)	103	205	0	308 (3)
<b>CA</b>	<b>47,559 (100)</b>	<b>33,642 (100)</b>	<b>24,937</b>	<b>8,287</b>	<b>418</b>	<b>1,873</b>	<b>851</b>	<b>40</b>	<b>2,764 (100)</b>	<b>3,605</b>	<b>7,404</b>	<b>144</b>	<b>11,153 (100)</b>

– Refers to data that were not available or that were not provided by the jurisdiction as reported in the Statement of Final Claim.

\*cell count under 5 suppressed.

1. Indigenous refers to an individual who self-identifies as First Nations (North American Indian), Métis or Inuk (Inuit), whether they live on or off-reserve and whether or not they have Registered or Treaty Indian status.
2. Indicates the number of recipients of summary and full services, and excludes duty counsel. Recipients may be counted more than once if they are entitled to receive more than one type of legal aid service.
3. Youth refers to persons who are 12 years of age or older, but under 18 years of age.
4. Civil legal aid includes all types of civil legal aid excluding immigration and refugee legal aid.

### Legal aid cases for assault were the most frequent offence category, with the highest proportion of in-year expenditures for adult criminal legal aid

Table 17 provides a breakdown of criminal legal aid cases that were approved for full legal representation, and incurred expenditures in 2018-19 in addition to cases that were ongoing from previous years and incurred expenditures in 2018-19. These are broken down by general offence categories, as well as the proportion of in-year expenditures dedicated to each offence category. Note that the offence categories do not refer to specific offences under the *Criminal Code*, rather, they represent groupings of similar offence types.

The category ‘other offences’ made up the highest proportion of both case volume and in-year expenditures, at 27% of cases, and 22% of in-year expenditures in 2018-19. Among more specific offence categories, assault (18% of case volume and 17% of in-year expenditures) and ‘theft, break and enter, possession of stolen property’ (17% of case volume and 13% of in-year expenditures) were the most frequent types of legal aid cases.

There were a few categories of offences that made up a very small proportion of case volumes, but a comparatively a higher proportion of in-year expenditures. These included homicide, which accounted for 0.6% of cases, but 12% of in-year expenditures; sexual assault which made up 3% of case volume and 7% of expenditures, and robbery cases which each made up 2% of the case volume, but 5% of expenditures (Table 16).

<b>Table 17 – Criminal legal aid cases<sup>1</sup> by type of offence<sup>2</sup> and in year expenditures, adult, Canada, 2018-19</b>		
List of Offences and Appeals	Total volume of cases N (%)	Total in-year expenditures (fees and disbursements) Dollars (%)
Homicide	1,470 (.6)	33,217,228 (12)
Sexual Assault	6,291 (3)	17,441,898 (7)
Robbery	5,490 (2)	13,182,243 (5)
Kidnapping	663 (.3)	2,039,489 (.8)
Arson	376 (.2)	633,126 (.2)
Narcotics	20,211 (9)	28,235,719 (11)
Theft, Break & Enter, Possession of Stolen Property	41,041 (17)	33,506,032 (13)
Impaired Driving	5,959 (3)	4,825,142 (2)
Other driving offences	2,700 (1)	2,711,375 (1)
Assault	43,310 (18)	44,574,089 (17)
Breach of Probation	29,435 (13)	10,447,455 (4)
Administration of Justice	11,772 (5)	16,386,676 (6)
Proceedings under Part XX.1 Criminal Code (Mental Disorder)	1,929 (1)	358,797 (.1)
Proceedings under the Extradition Act	13 (0)	49,987 (0)
Other Offences <sup>3</sup>	63,972 (27)	58,267,694 (22)
<b>Subtotal - Offences</b>	<b>234,632 (99)</b>	<b>265,876,950 (99)</b>
Appeals:		
a. Crown	1,311 (.6)	291,108 (.1)
b. Eligible Person Requested	190 (.1)	1,883,812 (.7)
c. Proceedings under Part XX.1 Criminal Code (Mental Disorder)	148 (.1)	0
d. Proceedings under the Extradition Act	11 (1)	21,314 (0)
<b>Subtotal - Appeals</b>	<b>1,660 (.7)</b>	<b>2,193,418 (.8)</b>
<b>Total - Criminal Legal Aid – ADULT</b>	<b>236,292 (100)</b>	<b>268,073,184 (100)</b>

1. Includes cases approved in 2018-19, as well as cases carried over from previous years that were completed or ongoing in 2018-19 but incurred expenditures to the legal aid plan in 2018-19.
2. The list of offences for which criminal legal aid was provided for are similar to those contained in the Canadian Centre for Justice Statistics classification system for reporting offences. The offences are those that generally carry a risk of incarceration upon conviction. The categories do not refer to specific offences under the *Criminal Code*, rather, they represent groupings of similar offence types.
3. 'Other offences' includes all other data not captured in the broad offence categories.

**Notes:**

NB, YK, NT, NU not included due to incomplete data

For SK, Legal Aid Saskatchewan (LAS) does not separate the costs related to the administrative and breach categories and record this information as other criminal code.

For SK, The costs of providing Duty counsel services for staff are included with the costs for direct services above.

For SK, The allocation of Duty counsel service applications are not reflected in the above counts but are recorded on Schedule F.

For SK, data represents case volumes for private bar and staff lawyers by type of offence. In-year expenditures for private bar were provided by type of offence, while staff lawyers expenditure were only available in aggregate.

For ON, Total volume of approved formal applications include 2611 for legal clinics and the total in year expenditures include \$1,323,325 for legal clinics.

For PEI, the total in year expenditures includes \$573,099 for Payments to staff lawyers.

BC YCJA Ministry costs are excluded.

Given the legal complexities of each case, not all costs are included in the 'total in-year expenditures' column; therefore the above data should not be used to calculate cost per case.

### **Legal aid cases for assault were the most frequent offence category, with the highest proportion of in-year expenditures for youth criminal legal aid**

Table 18 provides a breakdown of current youth legal aid cases and incurred expenditures in 2018-19 in addition to cases that were ongoing and incurring expenditures but might have been approved the previous fiscal year or earlier. These are broken down by general offence categories, as well as the proportion of in-year expenditures dedicated to each offence category. Note that the offence categories do not refer to specific offences under the *Criminal Code*, rather, they represent groupings of similar offence types.



‘Other offences’ made up the highest proportion of case volume (39%) and the highest proportion of in-year expenditures (26%), while assault made up 18% of cases, and 19% of in-year expenditures in 2018-19. ‘Theft, break and enter, possession of stolen property’ was the next most common offence category with 14% of case volume and 12% of in-year expenditures.

There were a few categories of offences that made up a very small proportion of case volume, but a comparatively higher proportion of in-year expenditures. These included homicide, which accounted for 0.4% of cases, but 9% of in-year expenditures and sexual assault, which accounted for 5% of cases but 8% of in-year expenditures. (Table 18).

<b>Table 18 – Criminal legal aid cases<sup>1</sup> by type of offence<sup>2</sup> and in year expenditures, youth<sup>3</sup>, Canada, 2018-19</b>		
List of Offences and Appeals	Total volume of cases N (%)	Total in-year expenditures (fees and disbursements) Dollars (%)
Homicide	107 (.4)	1,939,892 (9)
Sexual Assault	1,184 (5)	1,723,787 (8)
Assault	4,550 (18)	4,233,686 (19)
Robbery	1,532 (6)	1,584,935 (7)
Kidnapping	27 (.1)	59,592 (.3)
Arson	133 (.5)	105,578 (.5)
Narcotics	1,283 (5)	1,636,461 (7)
Theft, Break & Enter, Possession of Stolen Property	3,521 (14)	2,770,906 (12)
Impaired Driving	112 (.4)	162,973 (.7)
Other Driving Offences	81 (.3)	155,416 (.7)
Breach of Probation	1,524 (6)	572,659 (3)
Administration of Justice	1,180 (5)	1,715,241 (8)
Proceedings under Part XX.1 Criminal Code (Mental Disorder)	1 (0)	959 (0)
Proceedings under the Extradition Act	13 (.1)	7,313 (0)
Other Offences <sup>4</sup>	9,729 (39)	5,731,970 (26)
Subtotal - Offences	24,977 (99)	22,401,368 (99)
Appeals:		
a. Crown	38 (.2)	16,656 (.1)
b. Eligible Person Requested	2 (0)	7,326 (0)
c. Proceedings under Part XX.1 Criminal Code (Mental Disorder)	0 (0)	0 (0)
d. Proceedings under the Extradition Act	0 (0)	0 (0)
Subtotal	40 (.2)	23,982 (.1)
<b>Total - Criminal Legal Aid – YOUTH</b>	<b>25,017 (100)</b>	<b>22,425,350 (100)</b>

1. Includes cases approved in 2018-19, as well as cases carried over from previous years that were completed or ongoing in 2018-19 but incurred expenditures to the legal aid plan in 2018-19.
2. The list of offences for which criminal legal aid was provided for are similar to those contained in the Canadian Centre for Justice Statistics classification system for reporting offences. The offences are those that generally carry a risk of incarceration upon conviction. The categories do not refer to specific offences under the *Criminal Code*, rather, they represent groupings of similar offence types.
3. Youth refers to persons who are at least 12 years of age, but under 18 years of age.
4. ‘Other offences’ includes all other data not captured in the broad offence categories.

**Notes:**

NB, YK, NT, NU not included due to incomplete data.

SK data only represents private bar, breakdown by offence type not available for staff lawyers.

For SK, LAS does not separate the costs related to the administrative and breach categories and record this information as other criminal code.

For SK, The costs of providing Duty counsel services for staff are included with the costs for direct services above.

For SK, The allocation of Duty counsel service applications are not reflected in the above counts but are recorded on Schedule F.

Given the legal complexities of each case, not all costs are included in the ‘total in-year expenditures’ column; therefore the above data should not be used to calculate cost per case.

## Over 41,000 immigration and refugee legal aid certificates were issued in 2018-19

Refugee claimants have the right, under the *Immigration and Refugee Protection Act* (IRPA), to be represented at immigration and refugee proceedings. Through the Legal Aid Program, the federal government contributes annual funding to the six provinces that provide I&R legal aid services (Alberta, British Columbia, Manitoba, Newfoundland and Labrador, Ontario, and Quebec). I&R matters refer to proceedings of persons (individuals, or principal applicants and family) involved in the immigration and refugee determination system under the provisions of IRPA. I&R legal aid covers the provision of legal advice, assistance and representation for immigration or refugee proceedings before the Immigration and Refugee Board of Canada, the Federal Court, or Immigration, Refugees and Citizenship Canada officials on post-determination actions.

Table 19 shows the volume of I&R legal aid certificates as well as expenditures for I&R legal aid for 2018-19, including certificates carried over from previous fiscal years for cases that are ongoing. In 2018-19, there were 41,109 legal aid certificates issued, with 5,465<sup>5</sup> certificates carried over from previous fiscal years, in the provinces that reported this data, for a total of 46,574 certificates. A majority of (current and previous fiscal year) certificates were handled by private bar lawyers (70%), while 26% were handled in specialized clinics, and 3% were handled by staff lawyers. The majority of expenditures related to I&R legal aid (75%) were associated with private bar certificates.

Newfoundland and Labrador and Alberta had the highest proportion of staff lawyers working on I&R matters (100% and 57%), while British Columbia has a model with 100% private bar lawyers handling I&R legal aid. Ontario had the highest proportion of cases handled through specialized clinics (34%) (Table 19).

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<sup>5</sup> Ontario did not report on certificates carried over from previous fiscal, so the number of these applications does not reflect the true count.

<b>Table 19 - Immigration and refugee legal aid certificates and expenditures, by province/territory and type of lawyer, 2018-19</b>						
	Certificates issued in the fiscal year N (%)	Expenditures for certificates issued in the fiscal year (dollars)	Certificates carried over from previous fiscal year N (%)	Expenditures for certificates issued in a previous fiscal year (dollars)	Total number of certificates (previous and current fiscal year) N (%)	Total expenditures (dollars) (%)
<b>Alberta</b>						
Private Bar	221 (38)	200,763	150 (53)	248,885	371 (43)	449,648 (51)
Staff Lawyer	365 (62)	132,500	133 (47)	305,205	498 (57)	437,705 (49)
Specialized Clinics	-	-	-	-	-	-
<b>AB totals</b>	<b>586 (100)</b>	<b>333,263</b>	<b>283 (100)</b>	<b>554,090</b>	<b>869 (100)</b>	<b>887,353 (100)</b>
<b>British Columbia</b>						
Private Bar	1,351 (100)	1,190,117	885 (100)	1,342,445	2,236 (100)	2,532,562 (100)
Staff Lawyer	-	-	-	-	-	-
Specialized Clinics	-	-	-	-	-	-
<b>BC totals</b>	<b>1,351 (100)</b>	<b>1,190,117</b>	<b>885 (100)</b>	<b>1,342,445</b>	<b>2,236 (100)</b>	<b>2,532,562 (100)</b>
<b>Manitoba</b>						
Private Bar	602 (92)	163,061	175 (90)	195,394	777 (92)	358,455 (93)
Staff Lawyer	53 (8)	15,398	19 (10)	11,624	72 (8)	27,022 (7)
Specialized Clinics	-	-	-	-	-	-
<b>MB totals</b>	<b>655 (100)</b>	<b>178,459</b>	<b>194 (100)</b>	<b>207,018</b>	<b>849 (100)</b>	<b>385,477 (100)</b>
<b>Newfoundland and Labrador</b>						
Private Bar	-	-	-	-	-	-
Staff Lawyer	8 (100)	14,822	6 (100)	-	17 (100)	14,822 (82)
Specialized Clinics	-	-	-	-	-	-
<b>NL totals</b>	<b>8 (100)</b>	<b>14,822</b>	<b>6 (100)</b>	<b>-</b>	<b>17 (100)</b>	<b>14,822 (100)</b>
<b>Ontario</b>						
Private Bar	17,498 (62)	9,231,110	-	16,092,871	17,498 (62)	25,323,981 (74)
Staff Lawyer	976 (3)	4,099,369	-	-	976 (3)	4,099,369 (12)
Specialized Clinics	9,724 (34)	4,928,384	-	-	9,724 (34)	4,928,384 (14)
<b>ON totals</b>	<b>28,198 (100)</b>	<b>18,258,863</b>	<b>-</b>	<b>16,092,871</b>	<b>28,198 (100)</b>	<b>34,351,734 (100)</b>
<b>Quebec</b>						
Private Bar	7,799 (76)	1,213,202	4,094 (100)	3,076,751	11,893 (83)	4,289,953 (78)
Staff Lawyer	32 (0)	19,667	-	-	32 (0)	19,667 (0)
Specialized Clinics	2,480 (24)	1,208,057	-	-	2,480 (17)	1,208,057 (22)
<b>QC totals</b>	<b>10,311 (100)</b>	<b>2,440,926</b>	<b>4,094 (100)</b>	<b>3,076,751</b>	<b>14,405 (100)</b>	<b>5,517,677 (100)</b>
<b>Canada</b>						
<b>Private Bar</b>	<b>27,471 (67)</b>	<b>11,998,253</b>	<b>5,304 (97)</b>	<b>20,956,346</b>	<b>32,775 (70)</b>	<b>32,954,599 (75)</b>
<b>Staff Lawyer</b>	<b>1,434 (3)</b>	<b>4,281,756</b>	<b>161 (3)</b>	<b>316,829</b>	<b>1,595 (3)</b>	<b>4,598,585 (11)</b>
<b>Specialized Clinics</b>	<b>12,204 (30)</b>	<b>6,136,441</b>	<b>0 (0)</b>	<b>0</b>	<b>12,204 (26)</b>	<b>6,136,441 (14)</b>
<b>Canada totals</b>	<b>41,109 (100)</b>	<b>22,416,450</b>	<b>5,465 (100)</b>	<b>21,273,175</b>	<b>46,574 (0)</b>	<b>43,689,625 (100)</b>

– Refers to data that were not available or that were not provided by the jurisdiction as reported in the Statement of Final Claim.

1. Certificate refers to the number of principal claimants receiving legal aid services for each stage of the process.
2. In British Columbia, only private bar volumes and expenditures were provided.
3. Quebec did not provide a breakdown of volumes and expenditures by certificate and by private bar or staff lawyer. Total volumes and total expenditures were included in the Quebec totals.

## 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.<sup>6</sup> The following section provides information on the specialized courts operating in Canada. Table 20 provides an overview of the service delivery models available at specialized courts across Canada.

<sup>6</sup> Problem-solving in Canada's Courtrooms: A Guide to Therapeutic Justice. <https://www.nji-inm.ca/index.cfm/publications/?langSwitch=en>

### ***Mental Health/Wellness/Community Courts***

Mental health courts are designed to 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.

There are 11 jurisdictions that operate mental health/wellness/community courts. This includes Newfoundland and Labrador, Nova Scotia, New Brunswick, Quebec, Ontario, Manitoba, Saskatchewan, Alberta, British Columbia, Northwest Territories and Yukon.

### ***Drug Treatment Courts***

Drug treatment courts aim to reduce crime committed as a result of drug dependency 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.

### ***First Nations/Gladue Courts***

First Nations/Gladue 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.

### ***Youth Courts***

Youth between the ages of 12 to 17 who are accused of a crime have their matters heard in youth court, which is a separate court division. Youth courts currently operate in every province and territory in Canada.

### ***Family/Domestic Violence Courts***

Family/domestic violence 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.

Table 20 – Specialized courts by province/territory and type of legal aid service delivery, 2018-19														
		NL	PEI	NS	NB	QC	ON	MB	SK	AB	BC	YK	NT	NU <sup>1</sup>
Mental Health/Wellness Community Court														
	Full Legal Representation	Y	N	Y	Y	Y	Y	Y	Y	Y	N		Y	
	Duty Counsel Services	Y	N	N	Y	N	Y	Y		Y	Y		Y	
	Expanded Duty Counsel	N	N		Y	N	Y	Y		N	Y		Y	
Drug Treatment Court														
	Full Legal Representation	Y	N	Y	N	Y	Y	Y	Y	Y	N		N	
	Duty Counsel Services	Y	N	N	N	N	Y	Y		Y	Y		N	
	Expanded Duty Counsel	N	N		N	N	Y	Y		N	N		N	
First Nations/Gladue Court														
	Full Legal Representation	N	N	Y	Y	Y	Y	Y	Y	Y	N		N	
	Duty Counsel Services	N	N	N	Y	N	Y	Y		Y	Y		N	
	Expanded Duty Counsel	N	N	Y	Y	N	Y	Y		N	N		N	
Youth Court														
	Full Legal Representation	N	N	Y	Y	Y	Y	Y	Y	Y	N		Y	
	Duty Counsel Services	N	N	Y	Y	N	Y	Y		Y	Y		Y	
	Expanded Duty Counsel	N	N	Y	Y	N	Y	Y		N	N		Y	
Domestic Violence Court														
	Full Legal Representation	N	N	Y	Y	Y	Y	Y	Y	Y	N		Y	
	Duty Counsel Services	N	N	Y	Y	N	Y	Y		Y	Y		Y	
	Expanded Duty Counsel	N	N		Y	N	Y	Y		N	N		Y	
Unified Family Court														
	Full Legal Representation	N	N	Y	N	Y	Y	Y	Y	Y	N		N	
	Duty Counsel Services	Y	N	Y	N	N	Y	Y		Y	N		N	
	Expanded Duty Counsel	N	N		N	N	Y	Y		N	N		N	

<sup>1</sup> There are no specialized courts operating in Nunavut.

**Table 21 – Legal aid program innovations**

Legal aid plans provided information on innovative practices or programs that were implemented for criminal legal aid in 2018-19. An “innovation” refers to a new or improved way of delivering criminal legal aid that targets vulnerable populations, modernizes processes using technology, enhances business practices, and/or supports improved data collection and performance measurement.

Name of Innovation/Program	Objective(s)	Timeline	Expected/Actual Outcome(s)	Performance Measure(s)	Beneficiaries
<b>Prince Edward Island</b>					
1. Legal Aid Record Management Application (LARMA)	Development of an application to replace PEILA's manual processes for program administration and records management.	Primary software development has been completed. Work is continuing on operational issues. The goal of replacing the manual data collection system has not been fully reached, but is getting closer.	More efficient file tracking and case management. Program is intended to capture the aggregate data required for this Claim and other statistical reporting requirements.	To be developed.	Program management. Government and public information users.
2. Records Information Management (RIM)	RIM is a major cross government initiative to structure and improve records management and retention in the Province.	Primary restructuring and development phase: 2017-2020.	Improved framework for organization of administrative records and approved schedules for retention.	As determined by the Province.	PEILA program management. More cost effective off-site storage of records will better facilitate retrieval, preservation, and destruction.
<b>Nova Scotia</b>					
1. Updated Brydges Manual including Quick Reference Guide and Modular Training	Providing a user friendly manual and quick reference guide to assist duty counsel lawyers providing Brydges services.	Completed in 2018/19	Improved duty counsel service.		Staff lawyers and private lawyers providing duty counsel services.
2. Development of videos for public legal information on criminal law issues.	To provide public legal information on criminal law issues for the public.	Completed in 2018/19	Citizens will be more informed on specific criminal law issues.	Tracking of number of views of the specific videos.	Citizens and criminal clients.
3. Tracking of court support workers time in the Domestic Violence Court	To track the work of non-lawyers involved in the criminal court system.	Throughout 2018/19	We can measure the value of the time spent by non-lawyers involved in assisting clients.	Hours of case time provided by court support workers.	Legal Aid plan and Province. Shows the value of work done by non-lawyers.
4. New server/storage drive	To increase storage to enable move to e-disclosure.	Equipment purchased in 2018/19	Increased storage is now available which enables us to move forward with e-disclosure.	Services delivered in a more efficient way. Less paper required/cost savings.	Staff lawyers, court support workers and clients.
5. Expanded into new wellness and mental health courts.	To provide responsive and appropriate service to clients. Improve justice system.	Throughout 2018/19	Clients have better outcomes in wellness and mental health courts.	Number of clients assisted in wellness and mental health courts.	Clients and other justice partners. The criminal justice system.
6. Cultural competency training	To improve cultural competency of staff.	Throughout 2018/19	Improved culturally competent services.		Clients from marginalized communities.

Name of Innovation/ Program	Objective(s)	Timeline	Expected/ Actual Outcome(s)	Performance Measure(s)	Beneficiaries
<b>New Brunswick</b>					
1. Strategic Plan	Focus on 3 strategic pillars: Client Focus, Service Excellence, and Organizational Sustainability.	2018-19 to 2020-21	<a href="http://www.legalaidsb.ca/en/uploads/file/Strategic%20Plan%20NBLASC_2018-2021_FINAL%20June%2019-18.pdf">http://www.legalaidsb.ca/en/uploads/file/Strategic%20Plan%20NBLASC_2018-2021_FINAL%20June%2019-18.pdf</a>		All stakeholders
2. Publish taxation guidelines for private bar lawyers.	Clarify billing requirements, rates for various disbursements, supporting documentation required, etc.	Development: 2018-19; to be implemented in 2019-20.	Reduce private bar invoices submitted with errors.	N/A	Private Bar
3. Electronic Funds Transfer - Direct Deposit	Direct deposit payment processing for staff, private bar and recurring supplier invoices.	Development: 2018-19; phased implementation May-June 2019.	More efficient payment of expenses, eliminate the costly production and mailing of cheques, and reduce the time between submission of invoices and payment.	N/A	Staff, private bar, and recurring suppliers (ie. office supplies, rent).
4. Criminal Duty Counsel Statistics project	Improve availability of criminal duty counsel service statistics provided by staff lawyers to management for strategic and budgetary decisions.	Development: 2018-19; implemented in 2019-20.	Average cycle time from date service provided to data entry in CMS reduced from 65 days to 25 days.	Cycle time.	Staff lawyers, management
			Average data entry time per appearance reduced from 3.1 minutes to 47 seconds.	Data entry time.	Administrative staff
5. Review/update website content and organization of information	Reconfigure website on a newer platform with more functionality to meet bilingual requirements; and update content.	Development started in 2018-19; target implementation date is 2019-20.	Newer platform will have more functionality to make content updates easier.	N/A	Staff responsible for updates.
			Updated content and organization of information.	N/A	All visitors to website.
6. Laptops for lawyers	Replace desktop computers with laptops that lawyers can take to court.	Implemented 2018-19.	Facilitate trial services and scheduling.	N/A	Staff lawyers, clients.
7. Sharing of research and documents	Update and maintain existing folders on the shared drive.	Discussions started in 2018-19; revised process to be implemented in 2019-20.	Central location for research and precedents.	N/A	Staff lawyers

Name of Innovation/ Program	Objective(s)	Timeline	Expected/ Actual Outcome(s)	Performance Measure(s)	Beneficiaries
<b>Quebec</b>					
1. Mental Health Justice Accompaniment Program. PAJ-SM	<ul style="list-style-type: none"> <li>• Avoid the use of imprisonment for people with mental health problems by promoting supervision and follow-up in the community.</li> <li>• Ensure continuous monitoring of these individuals to reduce the risk of recidivism.</li> <li>• To improve the judicial treatment of this type of offender in the municipal court of the City of Montréal.</li> <li>• Allow for more uniform and consistent treatment of court cases.</li> <li>• Reduce the time spent in custody for forensic purposes, for the purpose of pre-trial detention.</li> </ul>	<ul style="list-style-type: none"> <li>• Launched in 2008</li> </ul>	<ul style="list-style-type: none"> <li>• Breaking the cycle of revolving doors: mental illness, crime, imprisonment, health care, release.</li> <li>• To ensure the protection of the public by providing appropriate care for persons suffering from mental disorders with the aim of their recovery and control of their illness.</li> <li>• To ensure an effective and rapid response to the treatment needs of people with mental disorders.</li> </ul>	<ul style="list-style-type: none"> <li>• Study by academics on the implementation of the program.</li> <li>• Number of files processed under this program.</li> </ul>	<ul style="list-style-type: none"> <li>• Accused persons with mental health problems.</li> <li>• For offences punishable on summary conviction or, exceptionally, by indictment.</li> </ul>
2. Court of Quebec Drug Treatment Program	<ul style="list-style-type: none"> <li>• To prevent and reduce crime due to alcohol and drug dependency by providing structured, judicially supervised, pre- sentencing treatment for offenders with substance abuse problems.</li> </ul>	<ul style="list-style-type: none"> <li>• Launched on December 10, 2012.</li> <li>• All lawyers in the Criminal Legal Aid office can represent clients.</li> </ul>	<ul style="list-style-type: none"> <li>• Breaking the cycle of addiction and associated crime.</li> <li>• Provides sustainable social and community reintegration and rehabilitation.</li> <li>• Ensures better community safety.</li> </ul>	<ul style="list-style-type: none"> <li>• Number of files processed under this program.</li> <li>• Implementation study.</li> <li>• Impact study to come.</li> </ul>	<ul style="list-style-type: none"> <li>• Accused persons before the Court of Quebec with alcohol or drug problems.</li> <li>• All offences are eligible for the program as long as the Director of Criminal and Penal Prosecutions consents and the sentence contemplated is within the range of sentences that allow for conditional sentences or other non-custodial measures.</li> </ul>
3. Laval Mental Health Intervention Protocol. PIL-SM	<ul style="list-style-type: none"> <li>• Reduce the period spent in custody for forensic and pre-trial detention.</li> <li>• Reduce the risk of deterioration in people's mental state.</li> <li>• Avoid courtroom workflows.</li> <li>• Save costs.</li> <li>• Protecting public safety.</li> </ul>	<ul style="list-style-type: none"> <li>• Launched in September 2017.</li> <li>• All lawyers in the Laval Legal Aid Office who practice criminal law can represent clients.</li> </ul>	<ul style="list-style-type: none"> <li>• Changing the usual intervention protocols of the various stakeholders in order to promote the rapid and effective management of people with mental health problems.</li> <li>• Reduce the stigma of mental health associated with entering the justice system.</li> </ul>	<ul style="list-style-type: none"> <li>• Number of files processed under this protocol.</li> <li>• Impact research project under negotiation.</li> </ul>	<ul style="list-style-type: none"> <li>• Accused persons in the district of Laval with mental health problems, disabilities or autism spectrum disorders.</li> </ul>
4. Homeless justice accompaniment program at the Court. PAJIC	<ul style="list-style-type: none"> <li>• To help people who have already experienced or are experiencing homelessness and who are in the process of reintegrating into society to manage their legal situation.</li> </ul>	<ul style="list-style-type: none"> <li>• Pilot project February 2009.</li> <li>• Launched in July 2011.</li> <li>• All lawyers of the Bureau d'aide juridique criminel et pénal practicing at the Municipal Court of the City of Montreal can represent clients.</li> </ul>	<ul style="list-style-type: none"> <li>• On a voluntary basis, an accused can integrate their statements of offence and criminal records by highlighting steps towards social reintegration.</li> </ul>	<ul style="list-style-type: none"> <li>• Number of files processed under this program.</li> </ul>	<ul style="list-style-type: none"> <li>• Homeless people.</li> <li>• For violations of municipal by-laws or Quebec laws drawn up in accordance with the provisions of the Code of Penal Procedure of Quebec and certain criminal offences.</li> </ul>



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5. Court Accompaniment Program - Elder Abuse. PAJMA	<ul style="list-style-type: none"> <li>• Eligibility is automatic: program staff meets with the victim the first time he or she appears in Court.</li> <li>• The Centre d'aide aux victimes d'actes criminels (CAVAC) can offer support to victims during the judicial process (explanations, listening, information, help in preparing testimony and accompaniment in court).</li> <li>• Program staff take into account the victim's requests.</li> </ul>	<ul style="list-style-type: none"> <li>• All lawyers of the Bureau d'aide juridique criminel et pénal practicing at the Municipal Court of the City of Montreal can represent clients.</li> </ul>	<ul style="list-style-type: none"> <li>• The main goal is to stop wrongdoing.</li> </ul>	<ul style="list-style-type: none"> <li>• Number of files processed under this program.</li> </ul>	<ul style="list-style-type: none"> <li>• For all persons called to testify in a case at the Municipal Court of the City of Montreal.</li> </ul>
6. EVE Programme	<ul style="list-style-type: none"> <li>• For female offenders.</li> <li>• Find an alternative to conviction and imprisonment.</li> </ul>	<ul style="list-style-type: none"> <li>• Since the 1980s.</li> <li>• All lawyers of the Bureau d'aide juridique criminel et pénal practicing at the Municipal Court of the City of Montreal can represent clients.</li> </ul>	<ul style="list-style-type: none"> <li>• On a voluntary basis.</li> <li>• Participation in group sessions and follow-ups to better understand the reasons for the act.</li> </ul>	<ul style="list-style-type: none"> <li>• Number of files processed under this program.</li> </ul>	<ul style="list-style-type: none"> <li>• For economic offences, shoplifting, employer theft, fraud, cheque forgery.</li> </ul>
7. Examinations for discovery	<ul style="list-style-type: none"> <li>• Reduce the number of cases where the assistance of a hearing judge is required.</li> </ul>	<ul style="list-style-type: none"> <li>• Launched in March 2017</li> </ul>	<ul style="list-style-type: none"> <li>• Reduce delays in hearing trials.</li> <li>• Narrow the legal issues of the preliminary inquiry.</li> <li>• Allow targeted questioning on its issues.</li> </ul>	<ul style="list-style-type: none"> <li>• Number of files processed under this program.</li> </ul>	<ul style="list-style-type: none"> <li>• Accused persons.</li> </ul>
8. Processing the application for legal aid by videoconference	<ul style="list-style-type: none"> <li>• Reduce the processing of legal aid applications for beneficiaries.</li> </ul>	<ul style="list-style-type: none"> <li>• Launch planned for May 2017</li> </ul>	<ul style="list-style-type: none"> <li>• To help reduce the length of time it takes to hear trials.</li> <li>• Make decisions on eligibility for legal aid as soon as possible.</li> </ul>	<ul style="list-style-type: none"> <li>• Number of requests handled by videoconference.</li> <li>• Deadline for issuing private practice legal aid mandates.</li> </ul>	<ul style="list-style-type: none"> <li>• Inmates in the Bordeaux and Rivière-des- Prairies detention facilities.</li> </ul>
9. IMPAC Project (Multisectoral Intervention Municipal Court Accompaniment Programs)	<ul style="list-style-type: none"> <li>• Increase the feeling of security and promote an attractive living environment.</li> <li>• Reduce recidivism.</li> <li>• To promote the settlement of debts without recourse to imprisonment while facilitating the return to action.</li> <li>• Implement solutions that are better adapted and sustainable to the situation of the targeted clientele.</li> <li>• Promoting access to justice.</li> <li>• Improve the handling of this type of case at the Quebec City Municipal Court.</li> <li>• Adapt judicial treatment and promote supervision and continuous monitoring in the community as a means of reintegration.</li> </ul>	<ul style="list-style-type: none"> <li>• Since 2013-2014</li> <li>• Lawyers from the Bureau d'aide juridique criminel et pénal practicing in the Quebec City Municipal Court can represent.</li> </ul>	<ul style="list-style-type: none"> <li>• Implementing alternative methods of processing cases at different stages of the judicial trajectory in order to achieve community- based justice.</li> <li>• Addressing the intrinsic causes of crime in order to provide sustainable solutions.</li> <li>• Make the community a partner in solving the problem.</li> <li>• Involve all stakeholders in the justice system so that together they can provide sustainable solutions rather than just traditional sentencing.</li> </ul>	<ul style="list-style-type: none"> <li>• Number of files processed under this program.</li> </ul>	<ul style="list-style-type: none"> <li>• Accused persons before the Quebec City municipal court with mental health problems, intellectual disabilities, drug addiction and homeless persons.</li> </ul>

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10. Alternative Measures Project	<ul style="list-style-type: none"> <li>Increasing the involvement of victims and, where possible, making it easier for them to obtain fair compensation for the damage suffered.</li> <li>Enable the prosecutor and all judicial actors to act together at all stages of the use of alternative measures.</li> <li>Deal with alleged offences in a fair, independent, impartial, open and transparent manner, respecting the rights of both the victims and accused.</li> <li>To encourage those who accept responsibility to take an active role in repairing the harm done and to address problems that may have contributed to their coming into conflict with the law</li> <li>.To encourage the social commitment of these people by mobilizing the resources and aid available in their region.</li> <li>To ensure that the terms and conditions of alternative measures are fair, proportionate and appropriate to the alleged offences.</li> </ul>	<ul style="list-style-type: none"> <li>September 1, 2017 to March 31, 2019 in Sherbrooke, Saguenay and Joliette.</li> <li>As of September 1, 2019 in 18 of the 36 judicial districts in Quebec. All districts by December 2021.</li> </ul>	<ul style="list-style-type: none"> <li>Faster accountability of the accused through a genuine awareness of the consequences of their actions and a sincere desire to become an asset to society.</li> </ul>	<ul style="list-style-type: none"> <li>Number of files processed under this program.</li> </ul>	<ul style="list-style-type: none"> <li>Accused persons before the Court of Quebec and for certain offences.</li> </ul>

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11. Alternative Measures Program for Adults in Aboriginal Communities	<ul style="list-style-type: none"> <li>• Foster greater involvement of Aboriginal communities in the administration of justice in their communities.</li> <li>• Enable communities to re-establish the traditional practices of intervention required for their members.</li> <li>• Give communities greater responsibility for the conduct of their members in conflict with the law.</li> <li>• Provide victims with the opportunity to present their views and to participate, if they so wish, in a reparation and reconciliation process.</li> <li>• Provide solutions that will encourage community members to : <ul style="list-style-type: none"> <li>- Accept responsibility for their conduct; - Take an active role in repairing the wrongs they have caused;</li> </ul> </li> <li>• - Address problems that may have contributed to their coming into conflict with the law.</li> </ul>	<ul style="list-style-type: none"> <li>• Since 2001 revised in 2015</li> </ul>	<ul style="list-style-type: none"> <li>• Provides sustainable social and community reintegration and rehabilitation.</li> </ul>	<ul style="list-style-type: none"> <li>• Number of files processed.</li> </ul>	<ul style="list-style-type: none"> <li>• Exclusively for the Aboriginal population charged with certain offences.</li> </ul>

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<b>Ontario</b>					
1. LAO Bail Strategy: LAO Bail Project	A multi-stakeholder initiative to improve bail court efficiency and outcomes, and address issues for clients in remand custody. Ten new Duty Counsel Bail Coordinators (BCs) work alongside 10 Bail Vettor Crowns in high-volume bail courts to streamline bail by facilitating discussions of pre-trial release and early resolutions. Six new Institutional Duty Counsel (IDCs) work in six provincial correctional institutions to address client issues and liaise with court duty counsel and external stakeholders, with the goal of filling service gaps and making each court appearance meaningful.	Duty Counsel Bail Coordinators and Institutional Duty Counsel in place as of spring 2017. The positions were made permanent in 2018. Data collection and reporting are in place.		Anticipated benefits are: improved client service; improved stakeholder relations; reductions in delay and workflow improvements. All Bail Strategy sites (ten courts and six jails) use the electronic interview worksheet to capture client data, streamline client service, and capture outcomes. The strategy has improved relations with the private bar, and improved communications and relations with Crowns and institutions. In some locations, all scheduled bail hearings are being dealt with on the same day, as opposed to being routinely adjourned. When clients refuse to go to court, IDC are able to get instructions for them so their next court appearance is not wasted. IDC also facilitate efficient certificate issuance and build relationships of trust with vulnerable mental health clients. Many courts have noticed fewer delays and more efficient use of court time, addressing R. v. Jordan concerns.	Clients, including vulnerable mental health clients and Indigenous and racialized clients who are over-represented in corrections including in the remand population. Courts and institutions, through reductions in delay and adjournments, and reduced pressure related to high numbers of persons in remand custody.

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2. LAO Bail Strategy: Bail Advocacy and Bail Review Initiatives	The Bail Strategy supports reduction of the remand population by reducing bail system delay as well as by encouraging more appropriate bail releases in cases where public safety is not at risk, through correct application of the “ladder principle” of bail law, which states that a more onerous form of release should not be ordered unless the Crown shows why a less onerous form is inappropriate. The strategy addresses bail and remand issues by supporting high quality bail advocacy and facilitating access to quick bail reviews, to tackle over-reliance on sureties and overly-restrictive bail conditions.	1) Ongoing: development of supports and resources for counsel conducting bail hearings, after R. v. Antic (lunch and learn sessions, standard bail court submissions, bail book with leading cases); 2) Beginning spring 2017, a two year pilot project: 1000 Finch (Toronto) Duty Counsel Best Practices Bail Court, including a focus on quick bail reviews by duty counsel; 3) Effective summer 2015, expanded certificate authorizations for second bail hearings, bail variations, and bail reviews by private bar counsel; 4) improved access to bail review authorizations (effective fall 2018).	Positive results at the 1000 Finch pilot site, including successful duty counsel bail reviews, have led LAO to commit to developing a framework for duty counsel across the province to conduct bail reviews for appropriate cases.		Clients, through fairer bail outcomes. Justice system, through an anticipated reduction in administration of justice charges related to unrealistic bail conditions, and a reduction in justice system delay. Correctional system, through an anticipated reduction in remand custody.
3. School-to-Prison Pipeline Education Grant	Provide funding to Black-led and Black-focussed community-based organizations to deliver legal aid services to Black students who are facing suspension or expulsion.	<ul style="list-style-type: none"> <li>• In 2017, two \$100,000 grants were awarded to TAIBU Community Health Centre in Scarborough and Somali Centre for Family Services (SCFS) in Ottawa.</li> <li>• Implementation began shortly thereafter.</li> <li>• In January 2019 LAO renewed funding for TAIBU due to high success of the program but did not renew funding for SCFS.</li> <li>• The program at TAIBU ongoing, with the funding agreement scheduled to conclude on March 2020.</li> </ul>	Reduce the number of Black students who are suspended and expelled from school. Help ensure that these students do not enter the criminal justice system.	<ul style="list-style-type: none"> <li>• TAIBU (in partnership with Rexdale CHC) has provided 169 services with \$75,132 of the \$100,000 provided.</li> <li>• This resulted in withdrawn suspensions, shortened suspensions, students not being expelled, and students being expelled from the school only (as opposed to all schools in the school board) in 81 instances. The cost per service is thus approximately \$444.56.</li> <li>• SCFS, on the other hand, provided 73 services with \$98,204.68 of the \$100,000 provided. This resulted in withdrawn suspensions, shortened suspensions, and students not being expelled in 48 instances. The cost per service is thus approximately \$1,345.26.</li> <li>• SCFS attributes their failure to deliver legal aid services to 100 students to the fact it took several months to establish and promote the program and to build relationships with the local school boards.</li> </ul>	<p>Clients, justice and community partners:</p> <ul style="list-style-type: none"> <li>• initiative helps address systemic issue of overrepresentation of Black youth in suspension and expulsion proceedings;</li> <li>• studies have shown that suspension and expulsion from school are significant predictors of future engagement with the criminal justice system;</li> <li>• by basing legal services in community-based organizations, clients are able to receive wraparound services;</li> <li>• strengthened relationship between LAO and members of Ontario's Black communities.</li> </ul>

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4. Discretionary Expanded Legal Eligibility Certificates for Vulnerable Clients Not Facing Incarceration	Discretionary access to an expanded legal eligibility certificate for full representation for the following types of cases regardless of the fact that the accused is not likely facing incarceration: 1) the case merits a trial and the accused is a member of a vulnerable client group (someone who self-identifies as First Nation, Métis or Inuit; someone experiencing domestic abuse; someone with mental health issues; or someone who self-identifies as a member of a racialized community) ; 2) the accused is a domestic violence survivor without a criminal record and has been charged with assault against their abusive partner while defending themselves and where the accused (a) self-identifies as First Nation, Métis or Inuit or (b) also has a continuing family matter with LAO or (c) has an ongoing refugee status claim.	Introduced December 2016. Under-utilization of these certificates to date has prompted internal messaging to increase awareness of when it is appropriate to issue them.	Address over-representation of Indigenous and racialized persons in the criminal justice system. Support vulnerable clients including those with mental health issues and those experiencing domestic violence. Assist vulnerable clients with meritorious cases to avoid a criminal record.	Between August 20, 2018 to March 31, 2019 LAO issued 130 certificates in this category.	Clients and justice system: vulnerable clients who meet the criteria may be able to avoid a criminal record; early intervention to avoid a criminal record may help clients to avoid future interaction with the justice system; legal assistance for meritorious cases can reduce self-representation, thus avoiding justice system delay.

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5.Application Review and Access Improvements: In-Custody and Out-of-Custody	In-custody application initiatives: Objective is to avoid instances where an accused making an appearance is returned to jail for the sole purpose of completing their legal aid application, where a bail or sentencing hearing is otherwise ready to proceed. The process does not guarantee a certificate, only an assessment of eligibility. LAO is also conducting a full province-wide assessment of all certificate application processes and is in the process of developing a client digital service channel to enable self-access and seamless service delivery online. Adding digital service channels to the overall service model will significantly expand access, improve client experience and gain efficiencies.	Individual initiatives related to in-custody applications in progress beginning in 2017-2018 (Toronto South Detention Centre, where counsel may make certificate applications for in-custody clients by submitting an application form) and continuing in 2018-2019. Same-day in-custody assessments, piloted in Ottawa since August 2018, will be rolled out province wide in 2018-2019.  LAO introduced an additional method to expedite the application process for in custody clients by allow lawyers to make same-day legal aid applications for clients who are in custody and in court from October 2018 to March 2019.	Goals for in-custody application review and improvements are to: expedite service; simplify processes and reduce steps where possible; coordinate in-custody applications across service channels (by phone using the dedicated inmate phone line; by video; in person at court); assist vulnerable clients.	Shorter application times, fewer times for clients to contact LAO and faster decision on certificate assessments for clients and counsel	In-custody assessments: Clients; courts, and justice system. Clients, and particularly those from vulnerable groups facing additional barriers, receive access to legal assistance earlier; fewer adjournments as a result. Ensures that no accused person will have to be remanded in to custody for the sole reason of making a legal aid application.
6. Service Integration - Duty Counsel Worksheet	Deploy and continue to improve online worksheet to capture bring-forward and service information about clients to improve client service, improve record-keeping and better understand (through enhanced reporting) services delivered. Obtain better data and understanding of issues related to bail and delay in criminal courts.	Deployment was completed in January 2018. System stabilization and optimization throughout June 2018. Worksheet has been updated to include fields to identify reasons for adjournments, and tracking of bail conditions.	As of March 2017, the system had approximately 100 users in 20 locations. As of December 2017, the system was in place at 121 criminal court locations.	<ul style="list-style-type: none"> <li>Have system available at all court sites. Target is to have all duty counsel services recorded through the system.</li> </ul>	Clients: improved services and record-keeping. Justice system partners: more accurate records; reduced appearances; more accurate reports resulting in better allocation of scarce resources.

Name of Innovation/ Program	Objective(s)	Timeline	Expected/ Actual Outcome(s)	Performance Measure(s)	Beneficiaries
<p>7. Embedded Counsel Programs:</p> <p>Justice In Time and C – Court Project</p> <p>Hamilton Legal Outreach</p>	<ul style="list-style-type: none"> <li>Provision of legal services to clients with complex mental health and addiction needs, and intersecting legal challenges including in criminal and quasi-criminal law, through a community partnership "embedded counsel" model. In Toronto the Justice In Time project places a legal aid staff lawyer in a mental health multiservice agency who provides summary legal advice and connects clients to legal aid services and makes referrals. The lawyer also provides representation for clients with POA matters. The program provides public legal education and works for justice reform in areas of law that impact their client.</li> <li>The Hamilton Legal Outreach program is a partnership between the Hamilton Community Legal Clinic and LAO where clinic and LAO staff lawyers attend community service sites to provide summary legal advice and referral services for clients with mental health and poverty needs. Sites include a doctor's office affiliated with McMaster University's medical school, a psychiatric crisis centre, aboriginal health centre, youth shelter and a food bank. A social worker from the legal clinic provides warm referrals and further assistance to clients with acute mental health needs.</li> </ul>	<ul style="list-style-type: none"> <li>Justice In Time was introduced in 2016 as a two year project and is ongoing.</li> <li>Hamilton Legal Outreach commenced in 2015 and is ongoing.</li> </ul>	<ul style="list-style-type: none"> <li>Improving legal outcomes for persons with mental health issues and assist those persons and their support workers with navigating the justice system and accessing legal aid services.</li> <li>Provide clients and community service partners with legal information relevant to persons with mental health needs as well as information about legal aid services.</li> </ul>	<ul style="list-style-type: none"> <li>Both programs regularly survey clients and community service partners as well as track key performance metrics and produce regular reports outlining the program performance.</li> <li>Performance measures from clients and community service partners from both programs indicate that embedded counsel programs have been a success.</li> </ul>	<p>Clients with mental health issues (able to receive community-based support for their intersecting needs earlier in the process); justice system partners (support provided to high-needs clients supports avoidance of entanglement or re-entanglement with the criminal justice system); health care and community services providers.</p>
8. Project Rosemary	Project Rosemary is the name given to LAO's program to collect and analyze information about the race of applicants and clients of legal aid to support evidence-based service planning.	Developed Race-Based Question and implementation of technical aspects of Project Rosemary (September and	<p>Data collection began April 1, 2018.</p> <p>Despite having launched Project Rosemary for only one year, LAO staff have managed to achieve an</p>	Race-Based Question (RBQ) to be asked and answer to be recorded (including "chose not to answer") 95% of the time. Answers (including "prefer not to self-identify my	<p>Clients and justice system will benefit, as project enables LAO to:</p> <ul style="list-style-type: none"> <li>verify, monitor, measure and address gaps, trends, progress and perceptions;</li> </ul>



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		<p>December 2017). Developed and delivered training to LAO Staff (January to April 2018). Data collection began April 1, 2018 as planned.</p> <p>This is an ongoing initiative.</p>	<p>overall compliance rate of 87% for certificate applications. This is an increase from the Q3 compliance rate of 82%. The overall compliance rate has increased in each quarter. The CLSC has managed to achieve 93% compliance. This is an increase from the Q3 compliance rate of 90%.</p> <p>In instances where an SI form was created:</p> <ul style="list-style-type: none"> <li>• Non-CLSC (i.e. district) staff achieved 74% compliance. This is an increase from the Q3 compliance rate of 67%. LAO will need to follow up with the districts to see what supports if any are required to further increase compliance.</li> <li>• Criminal duty counsel recorded a response to the RBQ for 84% of clients. This is an increase from the Q3 compliance. Criminal duty counsel provided an explanation for why the question was not asked the other 16% of the time. This is an improvement of 6%.</li> </ul> <p>As a result of the RBQ LAO has obtained a better picture of our clients:</p> <ul style="list-style-type: none"> <li>• Approximately 32 % of all LAO certificates are issued to clients who self-identify as racialized (this does not include those who self-identify as Indigenous.)</li> <li>• Although only 4.7 % of the population of Ontario identify as Black, approximately 17% of all LAO certificate clients identify as Black. This appears to be consistent with the percentage of Blacks who fall into Ontario's low income population (18%).</li> <li>• Approximately 14% of LAO criminal certificates clients identify</li> </ul>	<p>race") to be gathered for 110,000 people per year.</p>	<ul style="list-style-type: none"> <li>• proactively identify opportunities for improvement and growth;</li> <li>• improve the quality of decision-making, service delivery, and programming;</li> <li>• enhance perceptions of being progressive leaders in their sector or industry;</li> <li>• achieve organizational goals and strategic objectives .</li> </ul>

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			as Black, while 9.5% of Family law certificate clients identify as Black.		
9. Aboriginal Self Identification Question (ASIQ)	Strengthen and expand LAO's ability to collect data on services to Indigenous clients, including by expanding data collection beyond certificate services to include duty counsel services.	LAO rolled out Indigenous Self Identification Training over June 2017 to all staff to assist them in asking clients whether they self-identify as First Nation, Métis or Inuit and to gain a better understanding of the complexities of Identity. The Service Integration Duty Counsel Worksheet is being used by duty counsel to track data. The ASIQ was reconfigured in December 2017 to improve the way in which information is collected and recorded. This is an ongoing initiative.	Training completed by all staff. Service Integration worksheet is being used by duty counsel.	Have data collected by duty counsel using the Service Integration worksheet; improved compliance by duty counsel using the Aboriginal Self Identification question	Clients, justice system partners. LAO better able to develop and customize services and programs to serve Indigenous clients and better able to meet the goals of its Aboriginal Justice Strategy.
10. Expanded Access to Gladue Services and Improved Local Access for Indigenous Clients	Continue to support the goals of LAO's Aboriginal Justice Strategy and meet the needs of Indigenous Clients.	Continue to sustain expanded Gladue services province wide and introduce new place-based services that meet the needs of communities.	LAO continues to provide funding to Aboriginal Legal Services, Grand Council Treaty #3 and Nishnawbe-Aski Legal Services Corporation to provide Gladue Report writing services; LAO has established duty counsel services at both the Ottawa and Cayuga newly launched Indigenous Peoples Court; supported community ownership by transferring criminal and family legal advice services to Six Nations of the Grand River's Justice Program to oversee and manage; piloted an exemption at Six Nations to the requirement of prior approval for lawyers providing advice services to acknowledge certificates.	Availability of Gladue report writing services province-wide. Strengthening of local and place-based services that respect the needs of communities.	Clients; justice system partners; stronger relationships between LAO and Indigenous communities.

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<b>Manitoba</b>					
1. Weekend Bail Project	In conjunction with Manitoba Justice, this project seeks to reduce and avoid unnecessary delay of matters appearing on bail docket. The new process should be more efficient than the old process.	Effective May 2018	Results demonstrate that a large volume of matters are now assisted by weekend duty counsel—reducing delay and resulting in lower volumes of bails in Winnipeg during the week.	Reduction of time to release / time to disposition.	Clients, courts, correctional centres, LAM and private bar
2. Pre-Approval of Out-of-Custody Matters	To reduce delay and the number of unrepresented accused. To reduce instances of accused persons failing to appear for court and/or failing to comply with court orders.	Effective June, 2018	Clients have their eligibility assessed well in advance of their first appearance date; staff counsel can provide applicants with advice and assistance well in advance of their first appearance date.	better representation resulting in fewer changes of counsel and better client/counsel relationships; faster disposition of cases.	Clients, LAM, Stakeholders
3. Staff Criminal Youth Defence Office Reorganization (Winnipeg)	To provide enhanced representation to young people through a team of skilled lawyers with specific knowledge of the YCJA by combining duty counsel services with a full service criminal defence office.	Effective September 2018	Enhancing quality of service, cost-effectiveness and productivity.	Better representation resulting in fewer changes of counsel and better client/counsel relationships.	Clients, LAM, Stakeholders
4. Expanded Criminal Duty Counsel	To increase access to expanded duty counsel in un-serviced locations.	As resources permit	Provide accused with advice about diversion, restorative justice and early disposition options that may be available.	Wider availability of expanded duty counsel services in rural and remote Manitoba.	Clients, courts
5. Expanded Duty Counsel for Child Protection Matters	To increase access to advice regarding child protection issues.	As resources permit	Provide parents and families with advice regarding child protection issues.	Wider availability of expanded duty counsel services in rural and remote Manitoba.	Clients, courts
6. Domestic Violence Project	To manage the costs associated with increasing volumes.	Effective June, 2018	Matters are diverted at first instance to available staff lawyers; utilize spare capacity of staff lawyers.	Reduction of private bar expenditures; increase in 'billable' hours for staff.	Clients, courts, LAM
7. Journey to Reconciliation – education and active participation	Provide all staff with tools to better service this group of clients through cultural competency training including legacy of residential schools and 60's scoop in accordance with TRC recommendations 27 & 28.	On-going	Continued offering of educational training workshops for all staff members; active participation in conferences, events, inquiries relevant to Indigenous peoples.	Clients receive better representation resulting in fewer changes of counsel, higher quality of service, better client/counsel relationships; increase the number of opportunities available to participate in Indigenous-led justice innovations. More opportunities for addressing systemic discrimination.	Clients, staff, justice stakeholders

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<b>Saskatchewan</b>					
1. Telephone Application Center expansion to other areas of the province	Increase access to telephone applications for clients.	Launched October 1, 2018	~1000 calls per month to the Application Center.	Calls answered within 2.5 minutes.	Applicants; support staff in Legal Aid who used to do this work.
2. Conducting written annual performance evaluations of staff lawyers	To provide feedback on quality and timeliness of legal aid services of staff lawyers.	To begin sometime during the 2019/20 fiscal period	A program fostering best practices and efficiency in the performance of staff lawyers.	Conduct reviews of staff lawyers against identified practice standards.	Applicants and staff by promoting a supportive culture of professional engagement.
3. Expansion of Sunday remand work and weekday Rapid Remand Resolution to other urban centres	Reduce the amount of time spend on remand.	The programs began in prior fiscal periods and is being evaluated. It is hoped to expand the program to other urban centres in 2019/20.	Reduction in remand.	Number of remand days.	Clients
<b>Alberta</b>					
1. Roster and staff training initiatives	<ul style="list-style-type: none"> <li>Continuing education</li> <li>Enhanced relationships</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>	<ul style="list-style-type: none"> <li>Improved roster and staff engagement.</li> </ul>		<ul style="list-style-type: none"> <li>roster and staff</li> <li>clients</li> </ul>
2 Justice of the Peace bail services	<ul style="list-style-type: none"> <li>custodial representation at bail hearings</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>	<ul style="list-style-type: none"> <li>Timely representation for bail.</li> </ul>		<ul style="list-style-type: none"> <li>clients</li> </ul>
<b>British Columbia</b>					
1. Expanded Criminal Duty Counsel	Increase early resolution of cases; Increase the scope of recipients of criminal legal aid services; reduce the number of court appearances, increase continuity of service for clients.	Began in 2015 as a three-year pilot and became permanent at one location in 2018/19. LSS continues to work with Court Services to find court space for additional locations.	Independent evaluations found evidence of early resolution of cases, reduced court appearances, and expansion of legal aid service for clients not otherwise eligible for legal representation, and increased continuity for clients	time to resolution, # of appearances, volume of clients (total); volume of eligible clients not eligible for full representation services; proportion of resolutions achieved	All clients facing a criminal matter in the program court location, but in particular those clients with matters that can be resolved without trial and those not eligible for full representation services but eligible for this service; judges, crown, court services in the program locations, due to increased efficiencies; complementary justice system initiatives with similar aims.

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2. Criminal Early Resolution Contract (CERC)	In 2018/19 LSS developed a limited criminal representation contract to help clients with cases appropriate for resolution within 90 days and before trial dates are set, following the same expanded coverage and financial eligibility criteria as for expanded criminal duty counsel (\$1000 per month above the standard financial eligibility threshold and not facing a risk of jail). Objectives for this service are also similar to expanded criminal duty counsel: Increase early resolution of cases; Increase the scope of recipients of criminal legal aid services; reduce the number of court appearances, increase continuity of service for clients who would only have been eligible for duty counsel previously.	Launched in April 2019 and is intended to be ongoing.	LSS expects the following outcomes: Fewer court appearances for CERC cases than baseline, earlier resolution for CERC cases so clients can get out of the justice system; elimination of unnecessary court attendance for witnesses and victims of crime; expansion of legal aid to clients otherwise not eligible legal representation; increased continuity of service for CERC clients.	LSS anticipates it will use similar performance measures as used for Expanded Criminal Duty Counsel: time to resolution, # of court appearances, volume of clients; proportion of resolutions achieved. Other measures may be developed as service monitored and early results are observed.	Criminal clients across BC with matters that can be resolved without trial who are not eligible for full representation services but eligible for this service; judges, crown, court services across BC due to increased efficiencies; complementary justice system initiatives with similar aims.
<b>Yukon</b>					
1. New Database "customized" CRM platform plus migration of existing data	Purchase and customize new system to improve efficiency, implement new processes and meet statistical reporting requirements.	Should be done by Dec 31, 2020. There has been a delay due to lack of contractors available (and skilled enough) to provide this service in the north as Yukon faces unique challenge. The time required to source this expertise has been approx. 80-100 hours to date. New vendor has been sourced and seems promising. The new build is finally underway.	Updated database/statistical tracking system that can meet our current operational and reporting needs. We have discovered that this project is FAR more time consuming and difficult than anticipated!	Confident submission of the final claim and an annual report, statistics and KPI's able to be set for management use in areas such as human resources, increased efficiency in areas such as client experience (e.g. client satisfaction surveys).	YLSS management, YLSS staff, YTG Gov, Federal Gov, Clients who will receive expedited services through upgraded system and improved processes.
2. Website	Update the 10+ year old website and rebrand YLSS with a logo, stationary and business cards. All clinic offices standardized.	To date we lack the capacity and resources to complete.	Make it more user friendly and include more useful information for viewers.		Clients, Public, Territorial and Federal Governments, Researchers, Students, etc.
<b>Northwest Territories</b>					
1 LAIN 2.0	Development of new database.	2019 to 2021	Replacement of aged database.	Compliance and meaningful reporting.	Funders, policy makers and ultimately clients

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2. Manager Program Support	Streamline deployment of criminal legal aid.	2018/2019 and ongoing	Shorten time to complete applications, creation of standard administrative processes.	Creation of administrative staff procedures manual.	Staff and clients
3. Revised Eligibility Tables	Update eligibility criteria that are explainable and transferable.	2018/2019 and ongoing	New tables	New tables	Clients, staff, public
4. Innovations from previous years continue					