

LEGALLY BOUND

Addressing the Civil Legal
Needs of Justice-Involved
Ontarians

OVERVIEW OF DATA FINDINGS



The John Howard Society of Ontario¹ conducted an in-depth research [study](#) of the civil legal issues² facing justice-involved individuals in our province, and the barriers preventing them from getting these legal needs addressed. We conducted this needs mapping research to help us understand how best to design a program that will start breaking down these barriers to accessing justice.

Throughout the project, data was collected and analyzed via exploratory and descriptive designs utilizing a mixed-methods approach including surveys, one-on-one interviews, groups interviews and focus groups. Participants were recruited from the clients and staff of the John Howard Society Ontario local offices and from Community Legal Aid Clinics across the province. Given that JHS specializes in delivering programs for justice-involved and at-risk individuals, JHS clients represent an ideal sample group for primary research that aims to scope the civil legal needs of the justice-involved population. In addition, JHS frontline workers build rapport and trust with their justice-involved clients, and often become, in effect, “trusted intermediaries” – people and organizations that can act as a bridge to accessing legal information, services and resources. Accordingly, JHSO surveyed JHS frontline workers to gather their perspectives on the civil legal issues facing justice-involved individuals, and in addition, to identify how their position as trusted intermediaries could be best leveraged to ensure clients get meaningful access to civil legal resources and referrals.

¹ This research was made possible by a grant received through the Law Foundation of Ontario's Catalyst Fund. The John Howard Society of Ontario is solely responsible for all content.

² Civil legal issues are issues that have a judiciable remedy – such as matters surrounding housing, tenancy and eviction, employment, income assistance and family law. We define civil legal needs as the requirement for timely, accessible and responsive legal services, advice, and resources to address civil legal issues collaterally related to justice-involvement.



44 justice-involved individuals participated in **one-on-one** interviews



29 trusted intermediaries engaged across **4** focus groups



3 groups of stakeholders interviewed from community legal aid clinics



199 justice-involved individuals completed the **Civil Legal Needs: Client Survey**



133 trusted intermediaries completed the **Civil Legal Needs: Frontline Survey**

The key findings and themes of the research are presented below.

JUSTICE-INVOLVED INDIVIDUALS: DEMOGRAPHIC SNAPSHOT

The justice-involved population surveyed had a diverse demographic profile. The majority of the individuals surveyed were between the ages of 18 to 44 (68%) and identified as male (82%). In terms of income, approximately half made under \$22,000. Income levels are an important factor to consider given the financial eligibility requirements for receiving assistance from legal aid resources generally and Community Legal Aid Clinics specifically. Possible income sources would include benefits, such as Ontario Works or Ontario Disability Support Program, as well as wages from employment.

Approximately one-quarter of the individuals had previously experienced a period of incarceration. Most respondents indicated that they have not been incarcerated despite their involvement in the criminal justice system.

AGE

18 – 29:	33%
30 – 44:	35%
45 – 54:	12%
55+	20%

GENDER

MALE:	84%
FEMALE:	15%
NON-BINARY:	0.5%
NOT SPECIFIED:	0.5%

INCOME

\$22,000 & UNDER:	52%
\$22,000+:	29%
NOT SPECIFIED:	19%

INCARCERATION

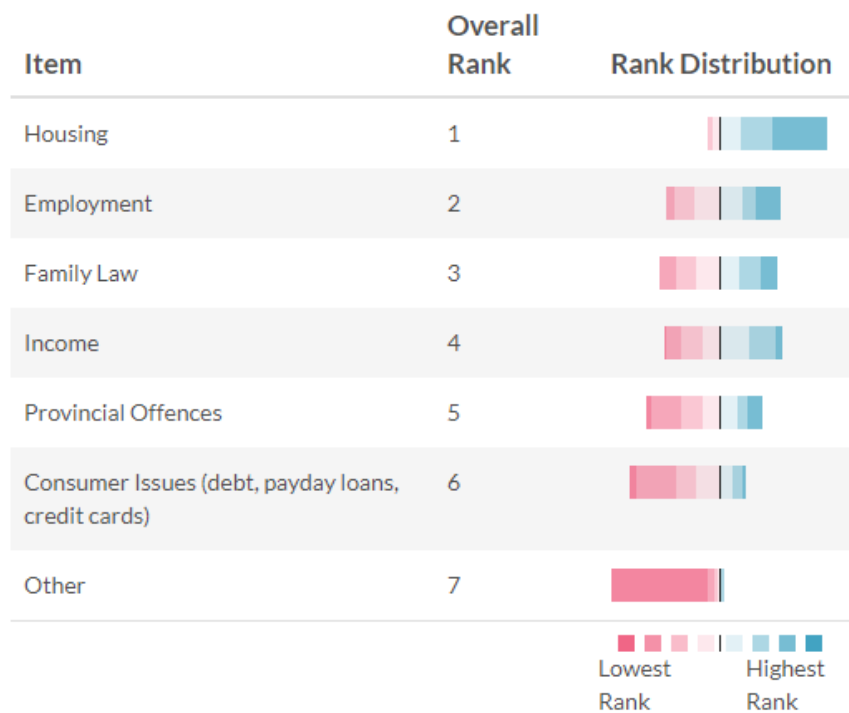
3+ MONTHS:	19%
PAST MONTH:	4%
THIS WEEK:	1%
NEVER:	69%

THE CIVIL LEGAL ISSUES OF JUSTICE-INVOLVED INDIVIDUALS

During one-on-one interviews, justice-involved individuals were asked whether they had experienced any of four common civil legal issues related to housing, income maintenance, family law, and employment. Housing issues (75%) were by far the most common issue that justice-involved individuals faced, followed by income maintenance (55%), then employment (50%), with fewer experiencing issues related to family law (34%).

Frontline worker survey respondents were asked to rank various civil legal issues based on how frequently they occur among the justice-involved population. Those related to housing were by far the most commonly identified by frontline workers, followed by employment, family law, and income maintenance. Frontline worker focus group participants also identified housing related issues as the most common civil legal issues experienced by justice-involved individuals. Unlike the survey responses, income maintenance issues were identified more frequently than employment issues and family law.

FIGURE 1: PREVELANCE OF LEGAL ISSUES AMONG JUSTICE-INVOLVED

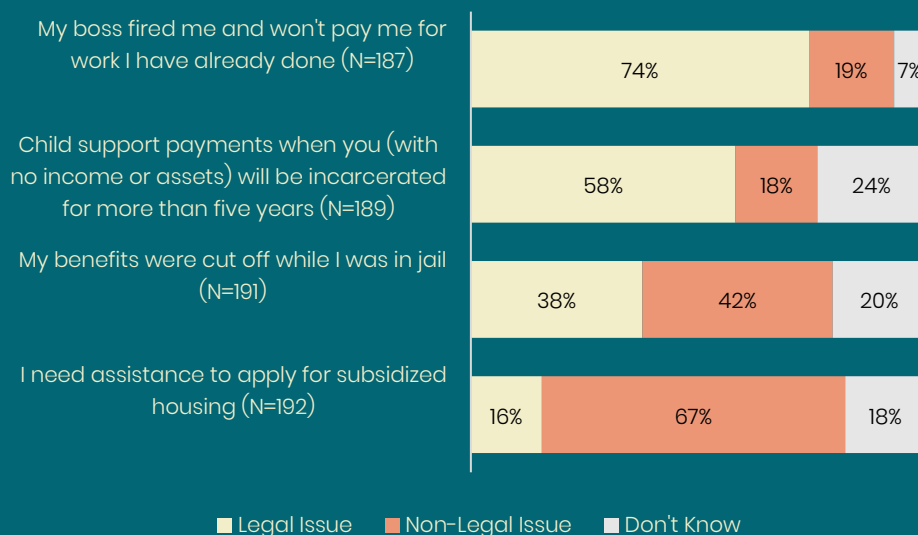


AWARENESS OF CIVIL LEGAL ISSUES

To gauge the ability to correctly distinguish a civil legal issue from a non-legal issue, four scenarios describing separate issues relating to housing, family, income maintenance, and employment were presented to justice-involved individuals and frontline staff. Both groups were asked to identify which, if any, describe a civil legal issue. The first three scenarios in Figure 1 fall into the category of a civil legal issue. The fourth scenario, “I need assistance to apply for subsidized housing”, does not describe a civil legal issue.

As illustrated in Figure 1 below, with the exception of the first scenario, a notable percentage of justice-involved individuals either incorrectly identified the scenario or indicated that they “did not know” whether the scenario described a civil legal issue. While some responses show encouraging signs regarding the ability to correctly identify civil legal issues among the justice-involved population, the significant percentage of those who misidentified or could not answer the question reinforces the need to increase awareness among the justice-involved population of whether the particular issues they are experiencing are, in fact, civil **legal issues**.

FIGURE 2: IDENTIFYING CIVIL LEGAL ISSUES



Overall, frontline workers were better able to distinguish between legal and non-legal issues compared to justice-involved individuals. The majority of workers correctly identified scenarios related to employment/work and child support as civil legal issues. Most were also able to successfully identify applying to subsidized housing as a non-legal issue. While most frontline workers indicated that they know when clients have civil legal issues, it is important to note that a sizable proportion of the respondents (40%) indicated otherwise. Encouragingly, the vast majority of frontline workers profess knowledge of where to find local legal services.

The potential benefit of focused training and information on how to identify civil legal issues remains clear from our findings; due to the overlapping nature of civil legal issues, being able to correctly identify a variety of civil legal issues will ensure that each of these issues are meaningfully addressed.

ACCESSING PROFESSIONAL LEGAL SERVICES TO ADDRESS CIVIL LEGAL ISSUES

As shown in Figure 3 below, the belief among justice-involved individuals that they do not require assistance with their civil legal issues is the most commonly cited reason for not seeking assistance from professional legal services such as Community Legal Aid Clinics. A lack of general awareness of both how to contact Community Legal Aid Clinics and the services they provide may help explain why justice-involved individuals do not seek or receive assistance from professional legal services. Finally, individuals may not seek assistance from a Community Legal Aid Clinic due to a belief that they would not meet the financial eligibility guidelines. It is clear from Figure 3 that further work is needed to better inform the justice-involved population about how to access Community Legal Aid Clinics and what services are provided and financial eligibility requirements.

Results from the one-on-one interviews with justice-involved individuals offered insight into why justice-involved individuals do not seek assistance from professional legal services such as Community Legal Aid Clinics. Individuals avoid approaching Community Legal Aid Clinics for help as the process for seeking out and receiving assistance was often time-consuming. Many also described being shuffled back-and-forth between

organizations/resources and being forced to wait long periods before receiving help (a major impediment in a moment of crisis). It is clear from the interviews that ease of access to timely assistance from Community Legal Aid Clinics is a key component to meeting the civil legal needs of the justice-involved population.

Our research confirmed that little to no resources exist within correctional institutions to meet the prevalent civil legal needs of incarcerated individuals.

FIGURE 3: REASONS WHY CLIENTS HAVE NOT RECEIVED HELP FROM COMMUNITY LEGAL CLINICS (N=95)



The Role of Frontline Workers as Trusted Intermediaries

Frontline workers across the province identified three common barriers that prevent them from effectively connecting justice-involved individuals to legal services and resources, and that prevent justice-involved individuals from accessing these services and resources:

1. Issues around comprehension of legal information;
2. Difficulty with navigating the civil legal system; and,
3. The urgency for a program to provide direct and immediate assistance.

Frontline workers indicated that while they feel relatively confident at identifying when their clients are facing a civil legal issue, that they would benefit from receiving training on spotting and addressing civil legal issues, if given the appropriate resources and time. When providing legal information about civil legal issues, frontline workers obtain this information from a variety of outlets; however, frontline workers emphasize that justice-involved people would respond most positively to direct referrals to professional legal services.

Conclusion

Overall, our research confirms a high demand among trusted intermediaries and the justice-involved population for timely and accessible legal services and resources to meet the civil legal needs of justice-involved individuals. In addition, our research confirms that creating and delivering formal training and legal information that is tailored to the specific issues facing justice-involved individuals, along with providing assistance with efficient systems navigation, would effectively empower frontline staff in their capacity as trusted intermediaries to recognize and address the civil legal needs of justice-involved individuals.



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Just.
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