

Justice Sector Constellation

Synopsis Update

November 15, 2018



Background

The Justice Sector Constellation (the “**Constellation**”) seeks to intervene at the intersection of poverty and the legal system so that everyone facing a legal issue can access the justice sector resources and services he or she needs. The Constellation has been working to this end since April 2013, after issuing its report *Intervening at the Intersection of Poverty and the Legal System* (see at http://enoughforall.ca/wp-content/uploads/2016/05/JSC_FinalReport_2013.pdf).

Update

Since the last Synopsis Update, the Constellation has advanced its work on a number of fronts. This update focuses on the Justice Sector Services Coordination Project.

The need for coordination of justice sector services has been recommended in many reports, including the Constellation’s initial report cited above. In light of this, the Constellation initiated research to identify barriers and develop recommendations for increasing the coordination and integration of justice sector services in order to increase access to justice for marginalized individuals.

The research was conducted by the Canadian Poverty Institute, a member of the Constellation, with funding provided by The Law Foundation of Ontario Access to Justice Fund. The research results are summarized in the report *Justice Sector Services Coordination for the Socio-Legally Disadvantaged: Strategic Directions for Enhanced Access to Justice*.

The researchers drew on input from people with lived experience of poverty and legal issues, as well as service providers within and outside of the justice sector, to develop a high-level schematic of justice sector services, identify barriers to coordinated service provision, and make recommendations to enhance service coordination and integration within the justice sector.

Issues identified through literature and key document reviews as well as stakeholder interviews and focus group discussions identified several recurring themes, including:

- a lack of affordable legal services combined with limited eligibility for Legal Aid that leave many with unmet legal needs;
- the complexity of the legal system and its “impenetrable language” are a daunting challenge for those seeking to address their own legal issues;
- a lack of coordination of resources and services, despite an abundance and even duplication of services, leaving clients disappointed with referrals among justice sector service agencies; and
- a lack of consultation in policy development and set approaches to funding that result in adequate services for clients.

Based on this input and the systems mapping exercise, the report recommends:

- improving communication among the policy-making, implementation and support services groups within the justice sector, including by:
 - training case management workers on the range of services available to enhance their effectiveness as intra- and inter-agency client advocates, and educating them and the public regarding when case management workers may appear in court in support of their clients;
 - judges obtaining input from justice sector and other professionals to ensure that court orders are understandable to the relevant parties and do not impose impracticable conditions or, in the criminal law context, a date for release from custody or other conditions that pose a barrier to successful reintegration; and
 - policy makers prioritizing frontline stakeholder engagement in the policy-making process, and ensuring that policy changes are communicated timely to all relevant workers, with appropriate briefing and training sessions;
- increasing efficiency in referring clients, including by:
 - developing common terminology among social service and justice sector agencies; and
 - standardizing the level of service provided to those who self-refer and those referred by another service provider;
- overcoming territoriality, including by:
 - developing a new funding and referrals model based on the outcome of services provided rather than the number of clients served; and
 - establishing an inter-agency referrals database to facilitate supporting clients; and
- strengthening relationship building among service providers and capacity building by service providers, including by:
 - providing funding for such activities; and
 - identifying beneficial organizational contacts, and training and designating staff to act as inter-agency connectors with those contacts.

The research team has presented the report and its recommendations to the Constellation. The Constellation is considering how to advance the recommendations of the report, in the context of its other existing projects.