

# Results at a glance

## Evaluation of the Legal Aid Program (December 2016)

The Legal Aid Program (the Program) is a cost-shared program that provides contribution funding to the provinces and territories for the delivery of legal aid services for economically disadvantaged persons facing the likelihood of incarceration, and for youth pursuant to the *Youth Criminal Justice Act*.

The Program manages the federal contribution to legal aid in Canada through its five components, which include funding to provinces, territories and legal aid plans for: adult and youth criminal legal aid; civil legal aid (territories only); immigration and refugee legal aid; public safety and anti-terrorism legal aid; and the management of Court-Ordered Counsel in Federal Prosecutions. In addition, the Program acts as the secretariat for the Federal-Provincial-Territorial Permanent Working Group on Legal Aid (PWG).

### WHAT WAS FOUND

- There remains a need for the Program and the federal government's role in providing legal aid funding based on Canada's constitutional, statutory and international obligations.
- Legal aid is considered central to maintaining the integrity of the justice system, ensuring its fairness, and providing access to justice for economically disadvantaged Canadians, including vulnerable populations. Without legal aid, the justice system could be brought into disrepute.
- The federal contribution is considered important to maintaining the current levels of legal aid services. Without federal funding, access to justice would be adversely affected, and services could be cut.
- Legal aid plans have undertaken a variety of innovative approaches that have resulted in increased efficiencies to the justice system and improved effectiveness of service for clients.
- The Program is operating efficiently, resources used to achieve the Program's outcomes are reasonable, and legal aid contributes to efficiencies for the justice system as a whole.

Legal aid systems are also cost efficient from the perspective of legal fees.

- In the absence of legal aid, clients who proceed without counsel may result in more guilty pleas, harsher sentences, and require more justice system resources, as their cases may result in more appearances, more adjournments, and more time to resolve the matter.

### RECOMMENDATIONS

- Collaborate with the PWG to identify relevant outcomes, performance measures and data sources to support an assessment of the impact, efficiency and economy of the Program. This will help to ensure that the required data is available to support future Program evaluations.
- Consider how best to align the PWG's activities with its mandate and facilitate coordination, collaboration and sharing of information on operational and policy issues that affect legal aid.

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### WHY IT WAS DONE

*The Department of Justice Canada's grants and contributions programs are evaluated every five years to meet the accountability requirements of the Treasury Board's Policy on Results and the Federal Accountability Act.*

### WHAT WAS DONE

*The evaluation examined departmental activities between 2012 and 2016 using information collected through five lines of inquiry to assess the relevance and performance of the Program.*

*For the full report, please visit the Evaluation Division website:*

<http://www.justice.gc.ca/eng/rp-pr/cp-pm/eval/2016.html>

