



Department of Justice
Canada

Ministère de la Justice
Canada

Legal Aid in Canada, 2017-18

Research and Statistics Division

and

Legal Aid Directorate

Department of Justice Canada

2019

Canada 

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Legal Aid in Canada, 2017-18

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 the provinces through contribution agreements for criminal legal aid, and to the territories, through consolidated access to justice services agreements. The Legal Aid Program also contributes annual funding to six provinces (Alberta, British Columbia, Manitoba, Newfoundland and Labrador, Ontario, and Quebec) for immigration and refugee (I&R) legal aid. I&R legal aid covers the provision of legal advice, assistance and representation for immigration and refugee matters.

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 second annual edition of this report.

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.

Each province and territory is responsible for the delivery of legal aid services based on their own policies and procedures.

Provinces and territories contributed more than three quarters of legal aid revenues in 2017-18

Legal aid plans in Canada reported receiving total funding of more than \$969 million in 2017-18. Government sources contributed the vast majority of this amount—92% 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 2017-18, provincial and territorial governments contributed more than \$743 million to legal aid plans across Canada, which amounts to 77% of total legal aid revenues.

In 2017-18, JUS contributed more than \$146 million to the provinces and territories for the delivery of criminal legal aid, civil legal aid, 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 50% and 18% of all legal aid plan revenues respectively, or 68% for the two plans combined (Table 1).

Table 1 - Legal aid plan revenues¹, by type of revenue, annual, 2017-18

	Type of Revenue						
	Total legal aid plan revenues Dollars (%)	Federal contributions from 2017-2018 agreements ²		P/T contributions to legal aid plans ⁴ Dollars (%)	Client contributions and cost recoveries to legal aid plans ⁵ Dollars (%)	Contributions of the legal profession to legal aid plans ⁶ Dollars (%)	Other legal aid plan revenues ⁷ Dollars (%)
		Criminal (+civil in Territories) Dollars (%)	I&R ³ Dollars (%)				
NL	17,519,774 (100)	2,221,505 (13)	6,423 (0)	14,859,572 (85)	210,835 (1)	190,085 (1)	31,354 (.2)
PEI	2,100,830 (100)	452,207 (22)	-	517,866 (25)	-	-	1,130,757 (54)
NS	26,615,629 (100)	3,866,779 (15)	-	22,589,960 (85)	53,512 (.2)	-	105,378 (.4)
NB	9,314,912 (100)	2,556,298 (27)	-	6,028,941 (65)	111,840 (1)	175,000 (2)	442,833 (5)
QC	178,580,849 (100)	24,897,709 (14)	3,240,343 (2)	145,674,848 (82)	3,933,478 (2)	-	834,471 (.5)
ON	487,655,006 (100)	46,651,356 (10)	15,898,107 (3)	365,466,436 (75)	11,823,217 (2)	-	47,815,890 (10)
MB	37,956,444 (100)	5,864,729 (15)	563,675 (2)	27,554,698 (73)	2,301,195 (6)	1,273,701 (3)	398,446 (1)
SK	25,697,877 (100)	5,340,462 (21)	-	20,128,538 (78)	10,157 (0)	-	218,720 (1)
AB	96,644,707 (100)	12,530,554 (13)	784,231 (1)	76,114,448 (79)	3,831,924 (4)	2,905,137 (3)	478,413 (1)
BC	84,579,964 (100)	15,345,908 (18)	2,076,101 (3)	63,248,795 (75)	-	3,219,005 (4)	690,155 (1)
YK	2,573,822 (100)	964,654 (37)	-	1,599,658 (62)	9,435 (.4)	-	75 (0)
NT	-	1,880,125	-	-	-	-	-
NU	-	1,813,177	-	-	-	-	-
Canada	969,239,814 (100)	124,385,463 (13)	22,568,880 (2)	743,783,760 (77)	22,285,593 (2)	7,762,928 (1)	52,146,492 (5)

- 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 refers to all monies received from the law profession (e.g., provincial/territorial law foundation funding, levies) other than trust account interest.
7. Other revenues refer to revenues that have not already been accounted for in the above categories. The other category may include interest from lawyers' trust accounts, revenues from investments, research sales, general interest earnings and any other revenue.

Notes:

- For NB, "P/T Contributions to Legal Aid Plans" includes \$252K received from New Brunswick's Ministry of Justice & Public Safety for the administration of Family Advice Lawyer services by the legal aid plan. Family Advice Lawyer services are not defined as a legal aid service.
- 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 and YK "Other Legal Aid Plan Revenues" includes interest.

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

Table 2a shows 2017-18 legal aid plan expenditures, broken down by type of expenditure. Overall, 50% of legal aid expenditures were related to criminal matters, 6% were related to I&R matters, and 44% were related to all other civil matters. Ontario and Quebec had the highest legal aid expenditures in the country, with 51% of all expenditures as a proportion of the national total from Ontario and 19% from Quebec.

Looking at legal aid expenditures by jurisdiction, the jurisdictions with the highest proportion of total legal aid expenditures on criminal matters (of all legal aid expenditures for that jurisdiction) were Saskatchewan (76%), and Manitoba (72%). Quebec (42%), and Ontario (45%), had the lowest proportions of expenditures dedicated to criminal matters.

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 2017-18. These expenses are also reflected under 'legal aid plan expenditures' in table 2a, and they amounted to over \$157 million dollars.

Table 2a - Legal aid plan expenditures¹, by type of expenditure, 2017-18				
	Total Dollars (%)	Legal aid plan expenditures ² (including direct administrative and other costs)		
		Criminal matters Dollars (%)	Civil matters	
			I&R ³ Dollars (%)	All other civil Dollars (%)
NL	17,317,907 (100)	10,621,747 (61)	21,364 (.1)	6,674,796 (39)
PEI	1,950,403 (100)	969,722 (50)		980,681 (50)
NS	26,671,008 (100)	15,721,111 (59)		10,949,897 (41)
NB	8,164,995 (100)	4,487,712 (55)		3,677,283 (45)
QC	176,185,634 (100)	74,488,740 (42)	5,065,253 (3)	96,631,641 (55)
ON	476,208,041 (100)	214,528,515 (45)	42,622,936 (9)	219,056,590 (46)
MB	36,750,641 (100)	26,290,899 (72)	625,405 (2)	9,834,337 (27)
SK	25,477,369 (100)	19,425,545 (76)		6,051,824 (24)
AB	95,568,696 (100)	61,400,986 (64)	1,032,236 (1)	33,135,474 (35)
BC	77,938,423 (100)	47,156,769 (61)	3,402,538 (4)	27,379,116 (35)
YK	2,635,382 (100)	-		-
NT	-	-		-
NU	3,747,662 (100)	2,583,766 (69)		1,163,896 (31)
Canada	948,616,161 (100)	477,675,512 (50)	52,769,732 (6)	415,535,535 (44)

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

1. Expenditures are the actual gross dollars expended by the legal aid plan in a given fiscal year.
2. 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).
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.

Notes

For NU, total expenditures are not audited.

Table 2b- Total legal aid plan administrative costs, 2017-18 (Dollars)	
NL	2,893,351
PEI	141,545
NS	2,058,998
NB	2,191,097
QC	21,927,193
ON	93,340,367
MB	6,740,793
SK	1,485,139
AB	12,797,669
BC	13,373,592
YK	790,779
NT	-
NU	-
Canada	157,740,523

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

Looking at the breakdown of legal service delivery by type of lawyer, in 2017-18, 88% of the over 10,000 lawyers providing legal aid services in Canada were private bar lawyers (Table 3). Staff lawyers made up the remaining 12% of lawyers providing direct legal aid services to clients.¹

Among private bar lawyers, 55% provided both criminal and civil law services. There were slightly more lawyers providing only criminal law services than those providing only civil law services (21% versus 18%). The highest proportion of staff lawyers provided both criminal and civil law services (62%), while 33% provided only criminal services and 5% provided only civil law services.

Overall, 36% of all lawyers providing legal aid services in Canada were in Ontario, and 27% were in Quebec. When looking at the breakdown between private and staff lawyers within each province/territory, British Columbia and Alberta had the highest proportions of private bar lawyers (99% and 94%), while Nunavut and Prince Edward Island had the highest proportions of staff lawyers (100% and 89%) (Table 3).

¹ Please note that in legal aid plans (such as Nova Scotia Legal Aid) where legal services are mostly provided by staff lawyers, the latter are working on more files and are providing more than 12% of legal services to their clients.

Table 3 – Legal aid service delivery by private bar, staff, and other lawyers, 2017-18

	Total lawyers providing legal aid services N (%)	Type of lawyer providing legal aid services														
		Private bar lawyers ¹					Staff lawyers ²					Other lawyers (e.g. Executive Director) ³				
		Criminal	I&R ⁴	Civil	Criminal & Civil	TOTAL N (%)	Criminal	I&R	Civil	Criminal & Civil	TOTAL N (%)	Criminal	I&R	Civil	Criminal & Civil	TOTAL N (%)
NL	104 (100)	29	-	4	-	33 (32)	-	-	-	68	68 (65)	-	-	-	3	3 (3)
PEI	9 (100)	-	-	-	-	-	3	-	5	-	8 (89)	-	-	-	1	1 (11)
NS	355 (100)	-	-	-	-	256 (72)	-	-	-	95	95 (96)	-	-	-	4	4 (4)
NB	140 (100)	24	-	46	37	107 (76)	21	-	10	-	31 (22)	-	-	1	1	2 (1)
QC	2,761 (100)	-	-	-	2,361	2,361 (86)	-	-	-	336	336 (12)	-	-	-	64	64 (2)
ON	3,702 (100)	1,377	231	1,222	571	3,401 (92)	286	10	5	-	301 (8)	-	-	-	-	-
MB	343 (100)	-	-	-	282	282 (82)	26	-	16	14	56 (16)	-	-	-	5	5 (2)
SK	210 (100)	-	-	-	127	127 (61)	-	-	-	83	83 (40)	-	-	-	-	-
AB	1,568 (100)	9	-	-	1,471	1,480 (94)	-	-	-	88	88 (6)	-	-	-	-	-
BC	1,062 (100)	422	87	325	221	1,055 (100)	-	-	-	-	-	-	-	-	11	11 (1)
YK	12 (100)	2	-	-	-	2 (17)	5.5	-	3.5	-	9 (75)	-	-	-	1	1 (8)
NT	43 (100)	25	-	3	-	28 (65)	8	-	7	-	15 (35)	-	-	-	-	-
NU	17 (100)	-	-	-	-	-	12	-	5	-	17 (100)	-	-	-	-	-
CA	10,326 (100)	1,917	280	1,639	5,040	9,132 (88)	364	10.5	53.5	686	1,114 (11)	-	-	1	90	91 (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 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 16% 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 84% of legal aid plan personnel, non-lawyers made up the other 16% (Table 4).

Of the 1,921 non-lawyers working for legal aid plans, the most common were support staff (50%), while intake workers (26%), legal assistants (11%), and ‘other’ (i.e. managers) (8%) were the next most common types of non-lawyer personnel. Articling students (3%) and paralegals (1%) made up the remaining personnel (Table 4).

Table 4 - Legal aid plan personnel as of March 31, 2017-18

	Total legal aid plan personnel	Lawyers providing legal aid				Non-lawyers						
		Total lawyers	Private bar lawyers ¹	Staff lawyers ²	Other ³	Total non-lawyers	Intake workers ⁴	Support Staff ⁵	Para-legals ⁶	Legal assistants ⁷	Articling students ⁸	Other (managers) ⁹
NL	172 (100)	104 (60)	33	68	3	68 (40)	4	15	3	35	7	4
PEI	15 (100)	8 (53)	-	8	-	7 (47)	-	6	-	-	-	1
NS	432 (100)	355 (82)	256	95	4	77(18)	-	8	-	65	2	2
NB	176 (100)	140 (80)	107	31	2	36 (21)	11	5	-	6	-	14
QC	3,316 (100)	2,761 (83)	2,361	336	64	555 (17)	73	436	0	30	16	0
ON	4,384 (100)	3,702 (84)	3,401	301	-	682 (16)	275	252	10	2	20	123
MB	447 (100)	343 (77)	282	56	5	104 (23)	31	21	5	34	12	1
SK	281 (100)	210 (75)	127	83	-	71 (25)	-	50	-	15	2	4
AB	1,722 (100)	1,559 (91)	1,480	88	-	154 (9)	76	54	-	24	-	-
BC	1,218 (100)	1,073 (100)	1,055	7	11	145 (12)	32.2	103.8	3	6	-	-
YK	19 (100)	12 (63)	2	9	1	7 (37)	-	5	-	-	-	2
NT	48 (100)	43 (90)	28	15	-	5 (10)	-	3	1	-	1	-
NU	31 (100)	17 (55)	-	17	-	14 (4)	-	8	-	-	-	6
CA	12,261 (100)	10,336	9,132	1,114	90	1,925 (16)	502.2	966.8	22	217	60	157

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

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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, 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.

In NS, while the number of private bar lawyers are greater than staff lawyers, the latter does handle 70% of the files because Nova Scotia Legal Aid is a staff lawyer plan.

Over 598,000 legal aid applications were received in 2017-18

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. Of the 598,848 applications for summary or full service assistance received in 2017-18, over half (54%) were for criminal matters, while 44% were for civil matters (including I&R). The highest proportion of civil matter applications were for 'other' family (44%), followed by child protection (22%), 'other' civil non-family matters (22%), and 12% for I&R. Of the 325,966 applications for criminal legal aid, 92% were from adults and 8% were from youth (Table 5).

Quebec received the most applications at 271,203, which accounted for 45% of all applications received nationally in 2017-18. Ontario and Alberta were the next two provinces that received the most applications (20% and 9% respectively). Looking at the breakdown between criminal and civil applications within each province/territory, Yukon (80%), Saskatchewan (73%), and Manitoba (69%) had the highest proportion of

criminal applications compared to civil (including I&R). Nunavut (38%) and Quebec (45%) had the lowest proportion of criminal applications compared to civil.

Ten jurisdictions (Newfoundland and Labrador, Nova Scotia, New Brunswick, Ontario, Manitoba, Saskatchewan, Alberta, British Columbia, Northwest Territories, and Nunavut) reported on the number of applications received (for all types of matters) from individuals who self-identified as Indigenous. Northwest Territories and Nunavut received the highest proportions of legal aid applications (as a proportion of applications within the jurisdiction) from self-identified Indigenous applicants (87% and 85% respectively). Nova Scotia had the lowest proportion of self-identified indigenous applicants of all those received in the province (4%), followed by Newfoundland and Labrador (10%).

Table 5 - Legal aid applications received¹, by type of matter, 2017-18

	Total legal aid applications N (%)	Criminal legal aid applications			P/T offences N (%) ³	Civil legal aid applications					Self-identified as Indigenous ⁸ - All matters
		Total criminal applications N (%)	Adult	Youth ²		Total civil applications (incl I&R) N (%)	Child Protection n ⁴	Other Family ⁵	Other Civil Non-family ⁶	I&R ⁷	
NL	8,212 (100)	4,741 (60)	4,310	431	-	3,471 (42)	420	2,895	123	33	844
PE	1,444 (100)	1004 (70)	927	77	-	440 (31)	-	-	-	-	-
NS	48,470 (100)	33,324 (69)	31,125	2,199	1,045 (2)	14,101 (29)	1,428	10,555	2,118	-	1,778
NB	4,516 (100)	2,111 (47)	1,938	173	4 (0.1)	2,401 (53)	200	2,201	-	-	388
QC	271,203 (100)	120,820 (45)	110,385	10,435	5,768 (2)	144,615 (53)	40,083	44,753	46,233	13,546	-
ON	117,392 (100)	63,804 (54)	59,481	4,323	-	53,588 (46)	7,079	25,847	5,870	14,792	17,219
MB	34,324 (100)	23,734 (69)	20,865	2,869	83 (0.2)	10,507 (31)	2,560	6,339	638	970	19,649
SK	19,451 (100)	14,158 (73)	12,046	2,112	-	5,293 (27)	835	4,458	-	-	11,929
AB	52,975 (100)	35,758 (68)	33,886	1,872	179 (0.3)	17,038 (32)	1,836	12,069	2,285	848	15366
BC	36,434 (100)	23,475 (64)	22,356	1,119	866 (2)	12,093 (33)	3,095	7,261	-	1,737	9,770
YK	2,304 (100)	1,851 (80)	1,668	183	7 (.3)	446 (19)	29	216	201	-	-
NT	1,282 (100)	867 (68)	832	35	-	415 (32)	69	337	9	-	1121
NU	841 (100)	319 (38)	303	16	-	522 (62)	69	303	150	-	715
CA	598,848 (100)	325,966 (54)	300,122	25,844	7,952 (1)	264,930 (44)	57,703	117,234	57,627	31,926	78,779

– 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 service assistance 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 services 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. 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. Other family matters refers to proceedings related to divorce, separation, maintenance, and all other matters of a family law nature, excluding child protection.
6. Other civil 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. Indigenous refers to an individual who self-identifies as North American Indian/First Nation, Métis or Inuit whether they live on or off-reserve and whether they are status or non-status.

Notes:

For NB, the number of self-identified as Indigenous includes data from April 15, 2017 to March 31, 2018 only.

More than three quarters of legal aid applications received were approved for full service

An application for legal aid may be approved for either summary or full legal aid services. 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 services represent more extensive legal assistance. Applications not approved for full legal aid services may receive summary services instead. Out of the 598,848 applications received in 2017-18 (table 5), 474,002 applications (table 6), or 79%, were approved for full service.

Table 6 shows the number of approved legal aid applications for full service. In 2017-18, there were 474,002 applications approved for full service; 56% of these were for criminal legal aid, and 43% were for civil legal aid (including I&R). Of the criminal applications, the majority (91%) were for adult matters, and 9% were for youth matters. For civil matters, more than a third (37%) were for family matters, 26% were for child protection matters, and 20% were for other civil matters. I&R matters made up the remaining 14% of civil applications.

When looking at the proportion of approved applications by province/territory and type of matter, Yukon (80%) and Alberta (79%) had the highest proportion of approved applications that were criminal as opposed to civil. New Brunswick had an almost even split between criminal and civil legal aid applications approved for full service at 49% approved applications that were criminal.

Table 6 - Approved legal aid applications for full service¹, by staff and private lawyers, annual, 2017-18										
	Total approved legal aid applications N (%)	Criminal applications ²			P/T offences ⁵ N (%)	Civil applications ³				
		Total approved criminal applications N (%)	Adult	Youth ⁴		Total approved civil legal aid applications N (%)	I&R ⁶	Child Protection ⁷	Family ⁸	Other Civil Non-family ⁹
NL	4,437 (100)	3,088 (70)	2,711	377	-	1,349 (30)	12	294	1,040	3
PE	327 (100)	53 (16)	52	1	-	274 (84)	-	-	-	-
NS	19,783 (100)	13,070 (66)	11,866	1,204	54 (0)	6,659 (34)	-	1,102	1,594	929
NB	3,450 (100)	1,693 (49)	1,534	159	2 (0)	1,755 (51)	-	-	-	-
QC	223,562 (100)	100,229 (45)	90,206	10,023	4,348 (2)	118,985 (64)	12,599	37,962	34,449	33,975
ON	105,237 (100)	59,136 (56)	54,575	4,561	-	46,101 (44)	13,687	6,277	20,774	5,363
MB	36,049 (100)	27,601 (77)	24,421	3,180	171 (0)	8,277 (23)	939	2,176	4,733	429
SK	16,633 (100)	12,431 (75)	10,346	2,085	-	4,202 (25)	-	753	3,449	-
AB	34,745 (100)	27,481 (79)	25,671	1,810	122 (0)	7,142 (21)	474	1,402	5,246	20
BC	25,841 (100)	18,738 (80)	17,640	1,098	465 (2)	6,638 (26)	1,107	2,255	3,276	220
YK	2,250 (100)	1,793 (80)	1,610	183	12 (0)	445 (20)	-	29	215	201
NT	1,147 (100)	732 (64)	698	34	-	415 (36)	-	66	349	-
NU	541 (100)	218 (40)	205	13	-	323 (60)	-	67	188	68
CA	474,002 (100)	266,263 (56)	241,535	24,728	5,174 (0)	202,565 (43)	28,818	52,383	75,313	41,208

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

- In this table, approved legal aid application counts refer to full service 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 service (may also be called "Certificate") refers to the provision of full legal aid services by a private bar lawyer, approved by the legal aid plan or by a staff lawyer. An approved application for full service 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 service 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.
- For criminal matters, there can be multiple charges per application and these can be handled separately by different lawyers.
- For civil matters there is one matter per application. In some jurisdictions one application may be associated with multiple matters.
- 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*.
- Provincial/Territorial (P/T) offences refer to those offences under provincial or territorial statutory responsibility. Also included are infractions under municipal by-laws.
- 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.
- 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.
- Family matters refers to proceedings related to divorce, separation, maintenance, and all other matters of a family law nature, excluding child protection.

9. Other civil 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.).
Notes:

- 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 service.
- 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.
- For BC, the split between 'other civil non-family' and I&R has been estimated.

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 service that subsequently receive summary services. Overall, of the 98,021 applications (both criminal and civil) where a reason for refusal was reported, 46% were refused for financial ineligibility. 'Coverage restrictions' and 'other reasons for refusal' were the next most common reasons for refusal (17%, and 12% respectively) (Table 7).

When looking at the breakdown of reasons for refusal by province/territory, Prince Edward Island had the highest proportion of applications refused for financial ineligibility (87%). New Brunswick (52%) and Newfoundland (51%) had the highest proportions of applications refused for coverage restrictions.

	Total reasons for refusal ² N (%)	Reasons for refusal				
		Financial ineligibility ³ N (%)	Coverage restrictions ⁴ N (%)	Lack of merit ⁵ N (%)	Non-compliance or abuse ⁶ N (%)	Other reasons for refusal ⁷ N (%)
NL	3,010 (100)	532 (18)	1,529 (51)	530 (18)	-	419 (14)
PEI	101 (100)	88 (87)	5 (5)	6 (6)	2 (2)	-
NS	1396 (100)	643 (46)	289 (21)	150 (11)	78 (6)	236 (17)
NB	421 (100)	98 (23)	221 (52)	1 (0)	1 (0)	100 (24)
QC	44,608 (100)	34,225 (77)	5,793 (13)	1,354 (3)	65 (0)	3,171 (7)
ON	9,130 (100)	4,601 (50)	3,288 (36)	844 (9)	-	397 (4)
MB	8,204 (100)	2,228 (27)	2,177 (27)	845 (10)	1,586 (19)	1,368 (17)
SK	2,127 (100)	1,114 (52)	768 (36)	182 (9)	63 (3)	-
AB	18,093 (100)	-	-	-	-	-
BC	10,373 (100)	1,911 (18)	2,846 (27)	-	-	5,616 (54)
YK	81 (100)	-	-	-	-	-
NT	473 (100)	-	-	-	-	-
NU	4 (100)	-	-	-	-	-
Canada	98,021 (100)	45,440 (46)	16,916 (17)	3,912 (4)	1,795 (2)	11,307 (12)

- 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.

Highest proportion of criminal legal aid applications were refused for financial ineligibility

When looking specifically at criminal legal aid applications, financial ineligibility remained the most common reason for refusal (47%), followed by coverage restrictions at 17% (Table 8). By province/territory, Quebec had the highest proportion of financial ineligibility refusals (86%), Newfoundland and Labrador had the highest proportion of coverage restriction refusals (60%), Nova Scotia and Ontario had the highest proportions of lack of merit refusals (10% and 8% respectively), and Manitoba had the highest rate of refusal of all jurisdictions for non-compliance or abuse, at 21%.

	Total reasons for refusal ² N (%)	Reasons for refusal				
		Financial ineligibility ³ N (%)	Coverage restrictions ⁴ N (%)	Lack of merit ⁵ N (%)	Non-compliance or abuse ⁶ N (%)	Other reasons for refusal ⁷ N (%)
NL	1,268 (100)	281 (13)	755 (60)	108 (9)	0 (0)	124 (10)
PEI	72 (100)	72 (100)	-	-	-	-
NS	292 (100)	126 (43)	38 (13)	29 (10)	24 (8)	75 (26)
NB	271 (100)	29 (11)	159 (59)	1 (0)	1 (0)	81 (30)
QC	18,496 (100)	15,938 (86)	1,727 (9)	42 (0)	1 (0)	788 (4)
ON	4,614 (100)	2,010 (44)	2,071 (45)	347 (8)	-	186 (4)
MB	4,867 (100)	1185 (24)	1,502 (31)	103 (2)	1,038 (21)	1039 (21)
SK	1,499 (100)	661 (44)	754 (50)	46 (3)	38 (3)	-
AB	8,877 (100)	-	-	-	-	-
BC	4,737 (100)	832 (18)	882 (19)	-	-	3,023 (64)
YK	30 (100)	-	-	-	-	-
NT	173 (100)	-	-	-	-	-
NU	4 (100)	-	-	-	-	-
Canada	45,200 (100)	21,134 (47)	7,888 (17)	676 (1)	1,102 (2)	5,316 (12)

- 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 service 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.

When looking at table 9 which breaks down reasons for refusal by 'other civil' and I&R applications, the proportions remained consistent, with 47% of applications nationwide being refused for financial ineligibility, and 16% falling under coverage restrictions. Saskatchewan and Quebec had the highest proportions of 'other civil' applications refused for financial ineligibility (72% and 71%). Newfoundland and Labrador had the highest proportion of 'other civil' applications refused for coverage restrictions (45%), and Newfoundland and Labrador and Manitoba had the highest proportion of 'other civil' applications refused for lack of merit (24%). For I&R applications, Quebec had the highest proportion refused for financial ineligibility (77%), Manitoba had the

highest proportion refused for coverage restrictions (32%), and Newfoundland and Labrador had the highest proportion refused for lack of merit (30%) (Table 9).

Table 9 – Refused legal aid applications¹, by reason for refusal, civil matters, 2017-18							
		Total refused ² N (%)	Financial ineligibility ³ N (%)	Coverage restrictions ⁴ N (%)	Lack of merit ⁵ N (%)	Non- compliance or abuse ⁶ N (%)	Other reasons for refusal ⁷ N (%)
NL	Other Civil	1,722 (100)	250 (15)	770 (45)	416 (24)	-	286 (17)
	I&R	20 (100)	1 (5)	4 (20)	6 (30)	-	9 (45)
	Total	1,742 (100)	251 (14)	774 (44)	422 (24)	-	295 (17)
PEI	Other Civil	29 (100)	16 (55)	5 (17)	6 (21)	2 (7)	-
	I&R	-	-	-	-	-	-
	Total	29 (100)	16 (55)	5 (17)	6 (21)	2 (7)	-
NS	Other Civil	1,104 (100)	517 (47)	251 (23)	121 (11)	54 (5)	161 (15)
	I&R	-	-	-	-	-	-
	Total	1,104 (100)	517 (47)	251 (23)	121 (11)	54 (5)	161 (15)
NB	Other Civil	149 (100)	69 (46)	61 (41)	-	-	19 (13)
	I&R	-	-	-	-	-	-
	Total	149 (100)	69 (46)	61 (41)	-	-	19 (13)
QC	Other Civil	23,921 (100)	17,012 (71)	3,424 (14)	1,208 (5)	61 (0)	2,216 (9)
	I&R	771 (100)	597 (77)	41 (5)	97 (13)	2 (0)	34 (4)
	Total	24,692 (100)	17,609 (71)	3,465 (14)	1,305 (5)	63 (0)	2,250 (9)
ON	Other Civil	3,749 (100)	2,257 (60)	1,037 (28)	305 (8)	-	150 (4)
	I&R	767 (100)	334 (44)	180 (23)	192 (25)	-	61 (8)
	Total	4,516 (100)	2,591 (57)	1,217 (27)	497 (11)	-	211 (5)
MB	Other Civil	2,981 (100)	1,014 (34)	472 (16)	703 (24)	524 (18)	268 (9)
	I&R	77 (100)	9 (12)	25 (32)	20 (26)	4 (5)	19 (25)
	Total	3,058 (100)	1,023 (33)	497 (16)	723 (24)	528 (17)	287 (9)
SK	Other Civil	628 (100)	453 (72)	14 (2)	136 (22)	25 (4)	-
	I&R	-	-	-	-	-	-
	Total	628 (100)	453 (72)	14 (2)	136 (22)	25 (4)	-
AB	Other Civil	8,909 (100)	-	-	-	-	-
	I&R	250 (100)	-	-	-	-	-
	Total	9,159 (100)	-	-	-	-	-
BC	Other Civil	4,825 (100)	814 (17)	1,735 (36)	-	-	2,276 (47)
	I&R	410 (100)	188 (46)	80 (20)	-	-	142 (142)
	Total	5,235 (100)	1,002 (19)	1,815 (35)	-	-	2,418 (46)
YK	Other Civil	51 (100)	-	-	-	-	-
	I&R	-	-	-	-	-	-
	Total	51 (100)	-	-	-	-	-
NT	Other Civil	127 (100)	-	-	-	-	-
	I&R	-	-	-	-	-	-
	Total	127 (100)	-	-	-	-	-
NU	Other Civil	72 (100)	-	-	-	-	-
	I&R	-	-	-	-	-	-
	Total	72 (100)	-	-	-	-	-
CANADA	Other Civil	48,267 (100)	22,402 (46)	7,769 (16)	2,895 (6)	666 (1)	5,376 (11)
	I&R	2,295 (100)	1,129 (49)	330 (14)	315 (14)	6 (0)	265 (12)
	Canada	50,562 (100)	23,531 (47)	8,099 (16)	3,210 (6)	672 (1)	5,641 (11)

- 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:

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

Over 1.2 million duty counsel assists were provided in 2017-18

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.

Eleven jurisdictions provided data on duty counsel services in 2017-18 (Table 10). There were 1,214,222 duty counsel assists provided to legal aid clients in these jurisdictions. A total of 82% of these assists were for criminal matters, and 18% were for civil matters (including I&R).

For jurisdictions that provided data on both criminal and civil duty counsel services, Yukon, Northwest Territories and Saskatchewan had the highest proportions of criminal duty counsel assists provided, with 100%, and 99% of duty counsel assists for criminal matters, respectively. British Columbia had the lowest proportion of criminal matter assists, with 71% criminal assists and 29% civil.

	Total duty counsel services N (%)	Criminal duty counsel services ¹			Provincial Statute Offences N (%)	Civil duty counsel services ²			
		Total criminal duty counsel services N (%)	Adult matters	Youth ³ matters		Total civil duty counsel services N (%)	I&R ⁴	Family matters ⁵	Civil non-family matters ⁶
NL ^P	14,558 (100)	13,841 (95)	10,872	2969	-	717 (5)	-	717	-
PEI	-	-	-	-	-	-	-	-	-
NS ^A	21,898 (100)	18,767(86)	17,805	962	894 (4)	2,237 (10)	-	2,236	1
NB ^A	22,681 (100)	21,382 (94)	21,135	247	89 (0)	1,210 (5)	-	1,210	-
QC	-	-	-	-	-	-	-	-	-
ON ^A	950,124 (100)	774,719 (82)	736,093	38,626	-	175,405 (18)	4	164,216	11,185
MB ^A	49,289 (100)	45,258(92)	39,411	5,847	-	4,031 (8)	-	151	3,880
SK ^A	24,981 (100)	24,705(99)	21,796	2,909	276 (1)	-	-	-	-
AB	-	-	-	-	-	-	-	-	-
BC ^A	122,006 (100)	86,872 (71)	84,854	2,018	-	35,134 (29)	1,113	34,021	-
YK ^P	1,793 (100)	1,784 (99)	1,666	118	-	9 (1)	-	8	1
NT ^A	4,470 (100)	4,470 (100)	3,982	488	-	-	-	-	-
NU ^P	1,770 (100)	1,521 (86)	1,356	165	-	249 (14)	-	196	53
Canada	1,214,222 (100)	993,971 (82)	939,622	54,349	1,259 (0)	218,992 (18)	1,117	202,755	15,120

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

^P - Count is by number of persons assisted.

^A - 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*.

- 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.
- Family matters refers to proceedings related to divorce, separation, maintenance, and all other matters of a family law nature, excluding child protection.
- Civil 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.). For MB, civil non-family matters includes child protection matters.

Notes:

- 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.
- PEI does not have a duty counsel program. This type of assistance is provided by staff lawyers as part of their regular duties.
- QC does not have a duty counsel service system but a telephone line that the accused may call in order to get legal assistance.
- 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.
- 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 81 million dollars of expenditures on duty counsel services in 2017-18

The highest proportion of duty counsel expenditures were for criminal duty counsel services, at \$56,028,573, or 70% of total expenditures in 2017-18. Civil duty counsel services made up 29% of expenditures. Within criminal duty counsel services, 93% of expenditures went towards adult matters. And within civil duty counsel services, the highest proportion of expenditures was towards family matters (67%) followed by ‘other civil matters’ (32%) (table 11).

	Total duty counsel services \$ (%)	Criminal duty counsel services ²			Provincial Statute Offences \$ (%)	Civil duty counsel services ³			
		Total criminal duty counsel services \$ (%)	Adult matters	Youth ⁴ matters		Total civil duty counsel services \$ (%)	I&R ⁵	Family matters ⁶	Other civil matters ⁷
NL	209,514 (100)	209,514 (100)	205,625 (98)	3,889 (2)	0 (0)	-	-	-	-
PEI	-	-	-	-	-	-	-	-	-
NS	2,464,847 (100)	2,098,525 (85)	2,009,198 (82)	89,327 (4)	-	366,322 (15)	-	366,322 (15)	-
NB	1,123,006 (100)	1,023,975 (91)	1,017,039 (91)	6,936 (1)	2,499 (0)	96,532 (9)	-	96,532 (9)	0 (0)
QC	1,043,387 (100)	1,043,387 (100)	-	-	-	-	-	-	-
ON	56,081,690 (100)	37,561,316 (67)	35,991,830 (64)	1,569,486 (3)	0 (0)	18,520,374 (33)	776 (0)	11,380,323 (20)	7,139,275 (13)
MB	2,388,771 (100)	2,177,124 (91)	1,897,321 (79)	279,803 (12)	0 (0)	211,647 (9)	0 (0)	7,628 (0)	204,019 (9)
SK	215,819 (100)	211,680 (98)	186,024 (86)	25,656 (12)	4,139 (2)	0 (0)	-	-	-
AB	6,731,456 (100)	5,882,266 (87)	5,505,255 (82)	377,011 (6)	0 (0)	849,190 (13)	0 (0)	633,955 (9)	215,235 (3)
BC	9,418,051 (100)	5,756,205 (61)	5,426,114 (58)	330,091 (4)	343,170 (4)	3,318,676 (35)	132,692 (1)	3,185,984 (34)	0 (0)
YK	-	-	-	-	-	-	-	-	-
NT	-	-	-	-	-	-	-	-	-
NU	-	-	-	-	-	-	-	-	-
CA	79,741,122 (100)	56,028,573 (70)	52,302,987 (93)	2,682,199 (5)	349,808 (0)	23,362,741 (29)	133,468 (1)	15,670,744 (67)	7,558,529 (32)

– 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. Family matters refers to proceedings related to divorce, separation, maintenance, and all other matters of a family law nature, excluding child protection.

7. Civil 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.). For MB, civil family matters includes child protection matters.

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

Out of the 6,528 applications for legal aid services for an appeal case, almost three quarters were approved for legal aid services (73%). For criminal matters, 64% were approved, and for civil matters more than three quarters (80%) were approved (Table 12).

Aside from Saskatchewan, where all appeal applications were approved in 2017-18, Ontario and Nova Scotia had the highest proportion of appeal cases approved for legal aid services (89% and 87%), while Newfoundland and Labrador had the lowest proportion of cases approved (33%). For criminal cases, Nova Scotia had the highest proportion of cases approved (95%) and Yukon and British Columbia had the lowest (25% and 26%). For civil cases, Ontario had the highest proportion of cases approved (95%), and Newfoundland and Labrador had the lowest (34%) (Table 12).

	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	290 (100)	96 (33)	194 (67)	155 (100)	50 (32)	105 (68)	135 (100)	46 (34)	89 (66)
PEI	1 (100)	-	1 (100)	1 (100)	-	1 (100)	-	-	-
NS	76 (100)	66 (87)	10 (13)	56 (100)	53 (95)	3 (5)	20 (100)	13 (65)	7 (35)
NB	27 (100)	13 (48)	14 (52)	21 (100)	9 (43)	12 (57)	6 (100)	4 (67)	2 (33)
QC	890 (100)	473 (53)	417 (47)	408 (100)	245 (60)	163 (40)	482 (100)	228 (47)	254 (53)
ON	3,864 (100)	3,439 (89)	425 (11)	1,493 (100)	1,189 (80)	304 (20)	2,371 (100)	2,250 (95)	121 (5)
MB	340 (100)	231 (68)	109 (32)	157 (100)	85 (54)	72 (46)	183 (100)	146 (80)	37 (20)
SK	45 (100)	45 (100)	-	41 (100)	41 (100)	-	4 (100)	4 (100)	-
AB	-	-	-	-	-	-	-	-	-
BC	960 (100)	381 (40)	579 (60)	469 (100)	120 (26)	349 (74)	491 (100)	261 (53)	230 (47)
YK	15 (100)	9 (60)	6 (40)	4 (100)	1 (25)	3 (75)	11 (100)	8 (73)	3 (27)
NT	20 (100)	16 (80)	6 (20)	20 (100)	14 (70)	6 (30)	-	-	-
NU	-	-	-	-	-	-	-	-	-
CA	6,528 (100)	4,769 (73)	1,761 (27)	2,825 (100)	1,807 (64)	1,018 (36)	3,703 (100)	2,960 (80)	743 (20)

– 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.

Roughly 800 civil cases were managed under the interprovincial reciprocity agreement in 2017-18

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 agreement, applicants must request legal aid in their province/territory of residence, rather than in the province/territory where the legal recourse is sought. An approved application is then forwarded from the legal aid plan of the client’s province or territory of residence, to the legal aid plan which provides the legal aid service.

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 2017-18 indicate that there were a total a total of 757 incoming cases and 836 outgoing cases (Table 13). Ontario had the highest number of cases incoming from another province, with 299 cases approved in another province/territory, and forwarded to Ontario where the service was provided. Ontario also had the highest number of outgoing cases, with 223 cases which were approved in Ontario, but the service was provided by legal aid lawyers in another province or territory.

Table 13 - Incoming and outgoing civil legal aid cases processed under the interprovincial reciprocity agreement, 2017-18		
	Total by jurisdiction	
	Incoming	Outgoing
Newfoundland and Labrador	16	28
Prince Edward Island	6	4
Nova Scotia	37	72
New Brunswick	20	41
Quebec	149	180
Ontario	299	223
Manitoba	69	79
Saskatchewan	106	86
Alberta	-	-
British Columbia	48	110
Yukon	4	3
Northwest Territories	3	10
Nunavut	-	-
Outside Canada	-	-
Total	757	836

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

As shown in Table 14, overall, 61% of legal aid clients were male, while 39% were female. For criminal matters, the proportion of males was even higher (79%). For I&R matters, 63% of clients were male and 37% were female, however it is important to note that where an I&R matter relates to a principal applicant with family, only the principal applicant is counted as a client. For civil matters, a majority of clients were female (63%).

Overall, the most common age category was 18-34 (45%). 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. For male criminal legal aid clients, the most common age group was 18-34 (51%), followed by 35-49 (28%). 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 (47% and 41%). The same was true for female clients, with 45% in the 18-34 age group, and 40% in the 35-49 age group. For civil legal aid, male clients were most often in the 35-49 and 18-34 age groups (32% and 25%); female clients were most often in the 18-34 and 35-49 age groups (41% and 33%) (Table 14).

Table 14 - Legal aid clients, by age, gender¹, and type of matter, Canada, 2017-18				
	Type of matter			Total
	Criminal	I&R	Civil	
male 17 and under	14,753 (8)	183 (1)	13,276 (20)	28,212 (10)
male 18-34	98,513 (51)	8,701 (47)	16,740 (25)	123,954 (45)
male 35-49	54,434 (28)	7,625 (41)	21,502 (32)	83,561 (30)
male 50+	24,540 (13)	1,917 (10)	14,995 (23)	41,452 (15)
Total males	192,240 (100)	18,426 (100)	66,513 (100)	277,179 (100)
female 17 and under	3,428 (7)	126 (1)	13,039 (11)	16,593 (9)
female 18-34	26,935 (53)	4,882 (45)	46,533 (41)	78,350 (45)
female 35-49	14,935 (29)	4,293 (40)	36,923 (33)	56,151 (32)
female 50+	5,652 (11)	1,429 (13)	17,054 (15)	24,135 (14)
Total females	50,950 (100)	10,730 (100)	113,549 (100)	175,229 (100)
other 17 and under	6 (4)	*	45 (19)	52 (12)
other 18-34	85 (56)	*	89 (37)	174 (41)
other 35-49	30 (20)	*	62 (26)	92 (22)
other 50+	32 (21)	28 (97)	47 (19)	107 (25)
Total other	153 (100)	29 (100)	243 (100)	425 (100)
Total 17 and under	18,187 (7)	310 (1)	26,360 (15)	44,857 (10)
Total 18-34	125,533 (52)	13,583 (47)	63,362 (35)	202,478 (45)
Total 35-49	69,399 (29)	11,918 (41)	58,487 (32)	139,804 (31)
Total 50+	30,224 (12)	3,374 (12)	32,096 (18)	65,694 (15)
Canada	243,343 (100)	29,185 (100)	180,305 (100)	452,833 (100)

– 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 Not all jurisdictions collected data on 'other' gender in 2017-18.

Notes:

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

PEI limited reporting on age of clients. The only breakdown reported by PEI on age and gender of their legal aid clients is for male under 17 and female 17; and under the category of 'Criminal Only'. No data is provided under 'Other'.

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

Legal aid plans from Nova Scotia, Ontario, Manitoba, Saskatchewan, Alberta, British Columbia, Northwest Territories and Nunavut provided data on self-identified Indigenous legal aid clients. Out of a total of 60,419 Indigenous clients that self-identified in these provinces and territories in 2017-18, 70% accessed criminal legal aid (adult and youth), while 22% accessed civil legal aid. The highest proportion of clients were male adults, accessing criminal legal aid services (52%) (Table 15).

A majority of Indigenous adult and youth criminal legal aid clients were male (84%). In civil cases, there were about twice as many female Indigenous clients as male (67% versus 33%).

Table 15 – Indigenous¹ legal aid clients by gender and type of matter, 2017-18

	Total criminal and civil ² N (%)	Criminal							Civil ⁴				
		Total Criminal adult N (%)	adult			youth ³			Total criminal youth N (%)	male	female	other	Total civil N (%)
			male	female	other	male	female	other					
NS	955 (2)	620 (2)	382	238	-	66	20	-	86 (2)	65	184	-	249 (2)
ON	15,671 (31)	11,521 (31)	8,859	2,660	*	465	222	*	688 (18)	1,206	2,255	*	3,462 (34)
MB	11,154 (22)	7,838 (21)	5,866	1,972	-	600	308	-	908 (24)	876	1,532	-	2,408 (24)
SK	14,781 (24)	9,657 (23)	7,341	2,182	134	1,501	510	30	2,041 (40)	859	2,168	56	3,083 (23)
AB	9,952 (19)	7,056 (19)	5,059	1,993	*	693	309	*	1,003 (26)	625	1,265	*	1,893 (19)
BC	6,308 (12)	4,475 (12)	3,385	1,088	*	208	93	-	301 (8)	458	1,074	-	1,532 (15)
NT	1,128 (2)	747 (2)	606	141	-	32	*	-	33 (1)	133	215	-	348 (3)
NU	470 (1)	195 (1)	168	27	-	11	*	-	13 (0)	112	150	-	262 (3)
CA	60,419 (100)	42,109 (100)	31,666	10,301	142	3,576	1,465	32	5,073 (100)	4,334	8,843	60	13,237 (100)

– 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 North American Indian/First Nation, Métis or Inuit whether they live on or off-reserve or if they are status or non-status or if they live in a rural or an urban area.
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.

Notes:

For NB, Indigenous legal aid clients by age and gender and type of matter is not captured. Report configuration is required.

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 16 provides a breakdown of criminal legal aid cases that were approved for service, and incurred expenditures in 2017-18 in addition to cases that were ongoing from previous years and incurred expenditures in 2017-18. 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 26% of cases, and 28% of in-year expenditures in 2017-18. Among more specific offence categories, assault (19% of case volume and 16% of in-year expenditures) and ‘theft, break and enter, possession of stolen property’ (18% of case volume and 12% of in-year expenditures) were the most frequent type of legal aid cases.

There were a few categories of offences that made up a very small proportion of case volume, but in comparison, a higher proportion of in-year expenditures. These included homicide, which accounted for 0.7% of cases, but 7% 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).

Table 16 – Criminal legal aid cases¹ by type of offence² and in year expenditures, adult, Canada, 2017-18		
List of Offences	Total volume of cases N (%)	Total in-year expenditures (fees and disbursements) Dollars (%)
Homicide	2,032 (.7)	18,636,828 (7)
Sexual Assault	7,960 (3)	17,535,762 (7)
Robbery	6,786 (2)	13,541,854 (5)
Kidnapping	726 (.3)	1,587,144 (.6)
Arson	511 (.2)	574,438 (.2)
Narcotics	29,340 (11)	29,318,893 (11)
Theft, Break & Enter, Possession of Stolen Property	49,783 (18)	33,212,582 (12)
Impaired Driving	7,501 (3)	5,511,378 (2)
Other driving offences	2,536 (1)	2,698,451 (1)
Assault	52,180 (19)	44,044,168 (16)
Breach of Probation	30,489 (11)	10,285,368 (4)
Administration of Justice	13,615 (5)	17,301,805 (6)
Proceedings under Part XX.1 Criminal Code (Mental Disorder)	1,819 (.7)	343,458 (.1)
Proceedings under the Extradition Act	8 (0)	31,254 (0)
Other Offences ³	72,278 (26)	75,485,258 (28)
Subtotal	277,564 (99)	270,108,641 (99)
Appeals:		
a. Crown	1324 (.5)	359,989 (.1)
b. Eligible Person Requested	380 (.1)	1,284,283 (.5)
c. Proceedings under Part XX.1 Criminal Code (Mental Disorder)	140 (.1)	0 (0)
d. Proceedings under the Extradition Act	9 (0)	26,926 (0)
Subtotal - Appeals	1853 (7)	1,671,198 (.6)
Total - Criminal Legal Aid – ADULT	279,417 (100)	271,801,641 (100)

1. Includes cases approved in 2017-18, as well as cases carried over from previous years that were completed or ongoing in 2017-18 but incurred expenditures to the legal aid plan in 2017-18.
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:

QC, 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.

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 17 provides a breakdown of current youth legal aid cases and incurred expenditures in 2017-18 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.

Assault cases made up the highest proportion of case volume (24%) and the second highest proportion of in-year expenditures (19%), while 'other offences' made up 21% of cases, and 24% of in-year expenditures in 2017-18. 'Theft, break and enter, possession of stolen property' was the next most common offence category with 18% 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 in comparison, a higher proportion of in-year expenditures. These included homicide, which accounted for 0.7% of cases, but 10% of in-year expenditures. Arson offences made up 0.6% of the case volumes, but 4% of expenditures (Table 17).

Table 17 – Criminal legal aid cases¹ by type of offence² and in year expenditures, youth³, Canada, 2017-18		
List of Offences	Total volume of cases N (%)	Total in-year expenditures (fees and disbursements) Dollars (%)
Homicide	130 (.7)	2,131,288 (10)
Sexual Assault	1,106 (6)	1,649,845 (8)
Assault	4,725 (24)	3,943,778 (19)
Robbery	1,623 (8)	1,467,830 (7)
Kidnapping	11 (.1)	33,541 (.2)
Arson	117 (.6)	89,981 (4)
Narcotics	1,096 (6)	1,418,318 (7)
Theft, Break & Enter, Possession of Stolen Property	3,476 (18)	2,431,828 (12)
Impaired Driving	128 (.6)	180,534 (1)
Other Driving Offences	52 (.3)	156,221 (.7)
Breach of Probation	1,517 (8)	771,954 (4)
Administration of Justice	1,557 (8)	1,663,113 (8)
Proceedings under Part XX.1 Criminal Code (Mental Disorder)	2 (0)	2,948 (0)
Proceedings under the Extradition Act	0 (0)	0 (0)
Other Offences ⁴	4,143 (21)	4,925,043 (24)
Subtotal	19,683 (99)	20,866,222 (99)
Appeals:		
a. Crown	34 (.2)	2,557 (0)
b. Eligible Person Requested	6 (0)	17,175 (.1)
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)	19,732 (.1)
Total - Criminal Legal Aid – YOUTH	19,723 (100)	20,885,954 (100)

1. Includes cases approved in 2017-18, as well as cases carried over from previous years that were completed or ongoing in 2017-18 but incurred expenditures to the legal aid plan in 2017-18.
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:

QC, 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.

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 28,000 immigration and refugee legal aid certificates were issued in 2017-18

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 (IRB) of Canada, the Federal Court (FC), or Immigration, Refugees and Citizenship Canada (IRCC) officials on post-determination actions.

Table 18 shows the volume of I&R legal aid certificates as well as expenditures for I&R legal aid for 2017-18, including certificates carried over from previous fiscal years for cases that are ongoing. The table also shows the volume and costs associated with I&R duty counsel services in jurisdictions where data (and duty counsel services) were available. In 2017-18, there were 38,936 legal aid certificates issued, with 2,876 certificates carried over from previous fiscal years, for a total of 41,812 certificates that year. A majority of (current and previous fiscal year) certificates were handled by private bar lawyers (70%), while 25% were handled in specialized clinics, and 5% were handled by staff lawyers. The majority of expenditures related to I&R legal aid (61%) were associated with private bar certificates.

Alberta was the only province where the percentage of staff lawyer certificates was almost as high as that of private bar certificates (57% versus 43%), while Ontario had the highest proportion of cases handled through specialized clinics (37%) (Table 18).

Table 18 - Immigration and refugee legal aid certificates and expenditures, by province/territory and type of lawyer, 2017-18

	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)	Duty Counsel		Administration and Other Costs (dollars) (%)	Total number of certificates (previous and current fiscal year) N (%)	Total expenditures (dollars) (%)
					#	Dollars (%)			
Alberta									
Private Bar	421 (37)	324,723	262 (58)	108,748				683 (43)	433,471 (42)
Staff Lawyer	729 (63)	301,339	191 (42)	159,582				920 (57)	460,921 (45)
Specialized Clinics	-	-	-	-				-	-
AB totals	1150 (100)	626,062	453 (100)	268,330	-	-	137,844 (13)	1603 (100)	1,032,236 (100)
British Columbia									
Private Bar	1,107 (100)	1,250,866	587 (100)	955,780				1,694 (100)	2,206,646 (65)
Staff Lawyer	-	-	-	-				-	-
Specialized Clinics	-	-	-	519,296				-	519,296 (15)
BC totals	1,107 (100)	1,250,866	587 (100)	1,475,076	1,113	132,692 (4)	543,904 (16)	1,694 (100)	3,402,538 (100)
Manitoba									
Private Bar	890 (95)	396,322	111 (99)	117,906				1,001 (95)	514,228 (82)
Staff Lawyer	48 (5)	308	1 (1)	320				49 (5)	628 (0)
Specialized Clinics	-	-	-	-				-	-
MB totals	938 (100)	396,630	112 (100)	118,226	-	-	110,549 (18)	1,050 (100)	625,405 (100)
Newfoundland and Labrador									
Private Bar	-	-	-	-				-	-
Staff Lawyer	15 (100)	17,603	6 (100)	-				21 (100)	17,603 (82)
Specialized Clinics	-	-	-	-				-	-
NL totals	15 (100)	17,603	6	-	-	-	3,761 (18)	21 (100)	21,364 (100)
Ontario									
Private Bar	13,687 (59)	11,672,828	-	13,545,802				13,687 (59)	25,218,630 (59)
Staff Lawyer	868 (4)	4,409,162	-	-				868 (4)	4,409,162 (10)
Specialized Clinics	8,572 (37)	4,244,857	-	-				8,572 (37)	4,244,857 (10)
ON totals	23,127 (100)	20,326,847	-	13,545,802	-	776 (0)	8,749,511 (21)	23,127 (100)	42,622,936 (100)
Quebec									
Private Bar	10,631	1,748,828	1,718	1,578,431				12,349 (86)	3,327,374 (76)
Staff Lawyer	26	18,159	-	-				26 (0)	18,159 (0)
Specialized Clinics	1,942	1,020,242	-	-				1,942 (13)	1,020,242 (23)
QC totals	12,599 (100)	2,787,343	1,718	1,578,431	-	-	-	14,317 (100)	5,065,253 (100)
Canada									
Private Bar	26,736 (69)	15,393,682	2,678 (93)	16,306,667				29,414 (70)	31,700,349 (61)
Staff Lawyer	1,686 (4)	4,746,571	198 (7)	159,902				1,884 (5)	4,906,473 (9)
Specialized Clinics	10,514 (27)	5,265,099	0 (0)	519,296				10,514 (25)	5,784,395 (11)
Canada totals	38,936 (100)	25,405,352	2,876 (100)	16,985,865	1,113	133,468 (0)	9,545,569 (18)	41,812 (0)	52,070,254 (100)

- 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 a particular type of crime or offender to reduce reoffending.² The following section provides information on the specialized courts operating in Canada.

² 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, Québec, 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 Nova Scotia, Québec, 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, Ontario, 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, Ontario, Manitoba, Alberta, Saskatchewan and Northwest Territories.

Table 19 – Legal aid program innovations

Legal aid plans provided information on innovative practices or programs that were implemented for criminal legal aid in 2017-18. 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
NOVA SCOTIA					
Computer Upgrades	Replaced computers with tables designed to allow better remote service.	Throughout 2017-18	Improved Courthouse-based service. More efficient use of technology.	Less downtime for lawyers and court support workers. More efficient services.	Staff lawyers, Court Support Workers & clients.
Cultural Competency Training	To improve cultural competency of staff.	Throughout 2017-18	Improve culturally competent services		Clients from marginalized communities
Funding of cultural impact assessments in criminal and youth matters	To provide culturally competent representation to African Nova Scotians charges with serious criminal offences.	Throughout 2017-18	Culturally competent services. Reduces inmates from ANS community. Address root causes	Reduction of African Nova Scotians serving prison sentences.	Criminal clients from marginalized communities
Improved tracking of African Nova Scotians clients	To track number of client who self-identify as African Nova Scotian to insure appropriate services are available.	Throughout 2017-18	Improved culturally competent services and support for necessary funding.		Clients from marginalized communities
Improved tracking of gender by adding 'Other' category	To track the appropriate gender of applicants.	Throughout 2017-18	Improved tracking of gender	Ability to report number of applicants in the other gender category.	Governments for reporting services. Clients who want to report the proper gender.
Dedicated lawyers and time of Indigenous Social Worker to ground breaking First Nation Court	Working with other Justice partners to improve services for First Nations people.	Throughout 2017-18			Clients from marginalized communities

Name of Innovation/ Program	Objective(s)	Timeline	Expected/ Actual Outcome(s)	Performance Measure(s)	Beneficiaries
NEW BRUNSWICK					
Financial eligibility criteria for certificate services updated to implement income grids defining income brackets per household size rather than disposable income.	To enable potential applicants to self-screen financial eligibility and contribution amount; minimize the documentation required from applicants and expedite the application process.	Implemented April 15, 2017.	Average application interview time with applicants reduced from 30 minutes to 20 min.	Interview time.	Clients; New Brunswick Legal Aid Services Commission (NBLASC) Intake Officers;
			Applications refused for "financial eligibility" reduced by 31% over prior year.	Reason for refusal.	Clients; NBLASC Intake Officers;
			Average # of days to determine eligibility reduced from 10 days to 5 days.	Difference between date of application and decision date.	Clients; NBLASC Intake Officers; Judiciary;
			Number of eligibility appeals consistent with prior year.	# of appeals received.	Clients; NBLASC Intake Officers & Directors;
			Impact on client contribution vs lien revenue to be assessed as the end of fiscal 18-19 with full year of data with the new criteria.	Revenue received.	NBLASC;
			# of liens required reduced from approx 190 annually (criminal and family applications) to 1 in the first year.	#of liens registered.	Clients, NBLASC Intake Officers & Corporate Services;
QUEBEC					
<i>Programme d'accompagnement justice en santé mentale</i> [justice and mental health support program]. PAJ-SM	<p>Avoid imprisoning people who have mental health problems by providing support and follow-up in the community.</p> <p>Ensure continuous follow-up of these people so as to reduce the risk of recidivism.</p> <p>Improve the judicial process at the City of Montreal's municipal court for this type of offender.</p> <p>Enable a more equal and consistent processing of court files.</p> <p>Reduce the time spent in detention for forensic evidence and preventive detention purposes.</p>	<p>Launched in 2008</p> <p>A full-time lawyer at the Centre communautaire juridique de Montréal.</p>	<p>Break the revolving door cycle: mental illness, offence, imprisonment, health care, release.</p> <p>Ensure public protection with adapted case management for people with mental illness for the purpose of helping them control their illness.</p> <p>Ensure efficient and rapid responses to the treatment needs of people with mental illness.</p>	<p>University studies on the implementation of the program.</p> <p>Number of cases handled under this program.</p>	<p>Accused before the City of Montreal municipal court with mental health issues.</p> <p>For summary conviction offences.</p>

Name of Innovation/ Program	Objective(s)	Timeline	Expected/ Actual Outcome(s)	Performance Measure(s)	Beneficiaries
Substance Abuse Program	Prevent and reduce the number of crimes committed because of drug or alcohol addiction, by offering offenders with substance abuse issues a structured program with legal supervision before sentencing.	Launched on December 10, 2012 All criminal and penal lawyers at the Legal Aid Office may represent their clients.	Break the cycle of addiction and related criminality. Achieve sustainable social and community reintegration and rehabilitation. Ensure greater community safety.	Number of cases handled under this program. Implementation study. Impact study to come.	Accused before the Court of Quebec in the district of Montreal with substance or alcohol abuse problems. All offences are eligible for the program subject to the consent of the Director of Criminal and Penal Prosecutions and provided that the expected sentence is within the range of sentences that are eligible for a stay or other non-custodial measures.
Protocole d'intervention lavallois en santé mentale [Laval mental health interventional protocol]. PIL-SM	Reduce the time spent in detention for forensic evidence and preventive detention purposes. Reduce the risk of deteriorating mental health of the individuals. Avoid the flow of legal services. Cost savings. Protect public safety.	Launched in September 2017 All criminal law lawyers at the Laval Legal Aid office may represent their clients.	Change the usual intervention protocols of the various stakeholders to encourage a quick response for people with mental health issues. Reduce mental health stigma related to contact with the justice system.	Number of cases handled under this protocol. Impact research project being negotiated.	Accused in the District of Laval with mental health issues, deficiencies or on the autism spectrum.
Programme d'accompagnement justice itinérance à la Cour [justice and homelessness court support program]. PAJIC	Help people who have been or are currently homeless that are in an integration process to regularize their legal situation.	Pilot project February 2009 Launched in July 2011 All criminal and penal lawyers from legal aid practising at the City of Montreal municipal court may represent their clients.	Voluntarily, a defendant may integrate their summary offences and criminal records by presenting their reintegration plan.	Number of cases handled under this program.	Homeless people. For violations of municipal regulations or Quebec provincial legislation subject to the provisions of the <i>Quebec Code of Penal Procedure</i> , or certain criminal offences.
Programme d'accompagnement en justice – Maltraitance aux aînés [justice and elder abuse support program]. PAJMA	Eligibility is automatic: a facilitator meets with the victim at the very first appearance in Court. The Centre d'aide aux victimes d'actes criminels (CAVAC) can offer the victim support through the legal process (explanations, listening, information, help preparing testimony and accompaniment in court).	All criminal and penal lawyers from legal aid practising at the City of Montreal municipal court may represent their clients.	The main goal is to stop wrongdoing.	Number of cases handled under this program.	For all people called upon to testify in a case at the City of Montreal municipal court.

Name of Innovation/ Program	Objective(s)	Timeline	Expected/ Actual Outcome(s)	Performance Measure(s)	Beneficiaries
	The facilitators take the victims' requests into consideration.				
EVE Program	For female offenders. Find an alternative to conviction and imprisonment.	Since the 1980s All criminal and penal lawyers from legal aid practising at the City of Montreal municipal court may represent their clients.	On a voluntary basis. Participation in group sessions and follow-ups to better understand the reasons they committed the acts.	Number of cases handled under this program.	For economic offences, shoplifting, workplace theft, fraud, cheque forgery.
Discoveries	Reduce number of cases where a hearing before a judge is required.	Launched in 2017	Reduce wait times for hearing trials. Identify the legal issues of discovery. Allow examinations that target these issues.	Number of cases handled under this program.	The accused.
Processing legal aid request by videoconference	Reduce processing time for legal aid requests for beneficiaries.	Launch planned for May 2017	Contributes to reducing wait times for trial hearings. Render decisions on legal aid eligibility as soon as possible.	Number of cases handled by videoconference. Deadline for issuing legal aid warrants in private practice.	Inmates in the Bordeaux and Rivière-des-Prairies detention centres.
IMPAC Project (Intervention multisectorielle programmes d'accompagnement à la cour municipale) [Multisectoral response - municipal court support program]	Increase the feeling of security in the area and encourage a more attractive living environment. Reduce the risk of recidivism. Encourage settlement of debt without imprisonment and facilitate a return to action. Implement sustainable solutions better adapted to the situation of the target clients. Encourage access to justice. Improve processing for this type of case at the City of Quebec municipal court. Adapt the legal process and encourage ongoing supervision and follow-up in the community as a means of reinsertion.	Since 2013-2014 Criminal and penal lawyers from legal aid practising at the City of Quebec municipal court may represent their clients.	Implement other methods for processing cases at various stages in the legal process to achieve community justice. Focus on intrinsic causes of the offence to bring lasting solutions. Make the community a partner in the problem-solving process. Include participation by all stakeholders in the legal system to work together to bring lasting solutions rather than relying solely on traditional sentences.	Number of cases handled under this program.	Accused before the City of Quebec municipal court with mental health issues, intellectual deficiencies, substance abuse issues and the homeless.

Name of Innovation/ Program	Objective(s)	Timeline	Expected/ Actual Outcome(s)	Performance Measure(s)	Beneficiaries
Alternative Measures Program	<p>Increase the involvement of victims and, where possible, ensure that it is easier for them to obtain fair compensation for damages suffered.</p> <p>Allow prosecutors and all judicial officials to act together at all stages in the alternative measures process.</p> <p>Deal with alleged offences in a fair, independent, impartial, open and transparent manner, in a way that is respectful of the rights of victims and alleged offenders.</p> <p>Encourage individuals who recognize that they are responsible for the act or omission at the root of the offence with which they are charged to accept responsibility for their conduct, play an active role in repairing the harm caused and address the problems that may have contributed to their becoming involved with the justice system.</p> <p>Promote the social engagement of these individuals by mobilizing the resources and assistance available in their region.</p> <p>Ensure that the terms and conditions of the alternative measures constitute a fair, proportionate and relevant response to the alleged offences.</p>	September 1, 2017, to March 31, 2018	Accused takes responsibility sooner through a true awareness of the consequences of his or her acts or omissions and through a sincere desire to become an active member of society.	Number of cases handled under this program.	Accused before the Court of Quebec of Sherbrooke, Saguenay and Joliette and for certain offences.
Alternative Measures Program for adults in Indigenous communities	<p>Promote greater participation by Indigenous communities in the administration of justice in their community</p> <p>Allow communities to re-establish the traditional intervention practices required for their members.</p>	Since 2001 and revised in 2015	Achieve sustainable social and community reintegration and rehabilitation.	Number of files handled.	Applies exclusively to members of the Indigenous population charged with certain offences.

Name of Innovation/ Program	Objective(s)	Timeline	Expected/ Actual Outcome(s)	Performance Measure(s)	Beneficiaries
	<p>Give communities greater responsibility for the conduct of their members who are in conflict with the law.</p> <p>Give victims an opportunity to present their point of view and to take part, if they want to do so, in a process of reparation and reconciliation.</p> <p>Offer solutions that encourage members of the community to:</p> <ul style="list-style-type: none"> • Accept responsibility for their own conduct • Play an active role in repairing the harm they have done • Deal with the problems that may have led to their conflict with the law. 				

Name of Innovation/ Program	Objective(s)	Timeline	Expected/ Actual Outcome(s)	Performance Measure(s)	Beneficiaries
ONTARIO					
Legal Aid Ontario (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 (BC's) 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 (IDC's) 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.	Four months of data (March-June 2018) from eight of ten Bail Coordinator sites show an increasing trend; 4,480 clients were served over this period. Bulk of services are related to preparing client bail plans and negotiating with Crown Bail Vettors. Three months of data (April-June 2018) from four of six Institutional Duty Counsel sites show an increasing trend; 1,243 services provided, with average of 3 IDC services provided per client. 392 client worksheets were initiated by IDC during this period. Summary legal advice and bail preparation made up the bulk of services.	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.
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	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.	Improved bail practice and processes, and adherence to proper bail principles as set out in the <i>Criminal Code</i> and in R. v. Antic, through high quality bail advocacy and access to fast bail reviews. R. v. Tunney, 2018 ONSC 961, was argued by LAO duty counsel working at Toronto's Bail Strategy court pilot site. In Tunney, Justice DiLuca established that a time-saving "bifurcated" approach which does not require an in-court surety approval process should be the norm, rather than a rare occurrence, at bail hearings: "Using out of court surety approval processes ... makes bail hearings simpler, shorter and more focussed." (para. 40)	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.

Name of Innovation/ Program	Objective(s)	Timeline	Expected/ Actual Outcome(s)	Performance Measure(s)	Beneficiaries
		<p>authorizations (effective fall 2018).</p>			
<p>School-to-Prison Pipeline Education Grant</p>	<p>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.</p>	<p>In July 2017, two \$100,000 grants were awarded to TAIBU Community Health Centre in Scarborough and Somali Centre for Family Services (SCFS) in Ottawa. Implementation began shortly thereafter. The program is ongoing, with the funding agreement scheduled to conclude on July 31, 2019.</p>	<p>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.</p>	<p>The services provided by TAIBU resulted in withdrawn suspensions in 33 instances, shortened suspensions in 8 instances, students not being expelled in 28 instances, and students being expelled from the school only (as opposed to all schools in the school board) in 12 instances. The services provided by SCFS resulted in withdrawn suspensions in 14 instances, shortened suspensions in 25 instances, and students not being expelled in 2 instances.</p>	<p>Clients, justice and community partners: • initiative helps address systemic issue of overrepresentation of Black youth in suspension and expulsion proceedings • studies have shown that suspension and expulsion from school are significant predictors of future engagement with the criminal justice system • by basing legal services in community-based organizations, clients are able to receive wraparound services • strengthened relationship between LAO and members of Ontario's Black communities</p>

Name of Innovation/ Program	Objective(s)	Timeline	Expected/ Actual Outcome(s)	Performance Measure(s)	Beneficiaries
<p>Discretionary Expanded Legal Eligibility Certificates for Vulnerable Clients Not Facing Incarceration</p>	<p>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.</p>	<p>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.</p>	<p>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.</p>	<p>Between December 2016 and June 2018, a total of 62 discretionary criminal ELE certificates were issued, with the majority (32 of the 62) being for cases that merit a trial and involving mental health. The second largest number of certificates (14 of the 62) were for cases meriting a trial and involving domestic violence.</p>	<p>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.</p>

Name of Innovation/ Program	Objective(s)	Timeline	Expected/ Actual Outcome(s)	Performance Measure(s)	Beneficiaries
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.	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.	Same-day in-custody application process, where counsel is ready to proceed in a meaningful way, to be rolled out to courthouses across the province in 2018-2019. The client digital service channel is under development and will be implemented in phases to ensure appropriate safeguards. The creation of KPI's will ensure proper reporting and support all channels within the service model.	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.
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.	Have system available at all court sites. Target is to have all duty counsel services recorded through the system.	Clients: improved services and record-keeping. Justice system partners: more accurate records; reduced appearances; more accurate reports resulting in better allocation of scarce resources.
Embedded Counsel Programs: Justice In Time and C – Court Project Hamilton Legal Outreach	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	Justice In Time was introduced in 2016 as a two year project and is ongoing Hamilton Legal Outreach commenced in 2015 and is ongoing	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. Provide clients and community service partners with legal information relevant to persons with mental health needs as well as information about legal aid services.	Both programs regularly survey clients and community service partners as well as track key performance metrics and produce regular reports outlining the program performance. Performance measures from clients and community service partners from both programs indicate that embedded counsel programs have been a success	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.

Name of Innovation/ Program	Objective(s)	Timeline	Expected/ Actual Outcome(s)	Performance Measure(s)	Beneficiaries
	<p>education and works for justice reform in areas of law that impact their client</p> <p>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.</p>				
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 December 2017). Developed and delivered training to LAO Staff (January to April 2018). Data collection began April 1, 2018 as planned.	Data collection began April 1, 2018.	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 race") to be gathered for 110,000 people per year.	Clients and justice system will benefit, as project enables LAO to: <ul style="list-style-type: none"> • verify, monitor, measure and address gaps, trends, progress and perceptions • proactively identify opportunities for improvement and growth • improve the quality of decision-making, service delivery, and programming • enhance perceptions of being progressive leaders in their sector or industry • achieve organizational goals and strategic objectives.

Name of Innovation/ Program	Objective(s)	Timeline	Expected/ Actual Outcome(s)	Performance Measure(s)	Beneficiaries
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.	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.
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. In 2018-2019 LAO plans to review its provision of Gladue services as part of a ten-year review of the Aboriginal Justice Strategy.	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.

Name of Innovation/ Program	Objective(s)	Timeline	Expected/ Actual Outcome(s)	Performance Measure(s)	Beneficiaries
MANITOBA					
Weekend Duty Counsel Pilot 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.	Trial period: May to December, 2018 with a view to permanent implementation	Avoiding delays where counsel are not available. Faster resolution of matters resulting from the presence of decision makers (client, counsel, and Crown on weekends and dedicated judges on Monday and Tuesdays.	Reduction of time to release / time to disposition.	Clients, courts, remand centre, Legal Aid Manitoba (LAM) and private bar
Access to Justice Report published in partnership with Canadian Centre for Policy Alternatives	Report on the inventory of service providers delivering access to justice and reporting on efficiency and effectiveness of those organizations in bringing those services to Manitobans.	Published in October, 2017	Complete inventory as of Fall, 2017 of access to justice services offered in Manitoba	Distribution of publication to general public; increase awareness of services; and identifiable gaps in service	general public, agencies, justice stakeholders
Updated Strategic Plan	Focusing on four strategic goals to improve access to justice for Manitobans.	Development: Fall, 2017; implementation: 2018/19 to 2023/24	https://www.legalaid.mb.ca/wp-content/WordPress/PDF/LAM_Strategic_Plan.pdf		All stakeholders including clients
E-application – Agencies and General Public	Implement an electronic application for use by agencies and the general public.	I&R version rolled out in May, 2017; full version in Sept., 2017	Observed decreased time to process applications, decreased error rates due to transcription; increase data collection.	Applications received from agencies and the public (this was not an option before).	Clients, LAM and private bar
Indigenous, Inuit, and Metis cultural-competency training	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.	Various sessions over 2017-18	Staff gain a better understanding of Indigenous, Inuit, and Metis issues and are better able to assist applicants and clients.	Clients receive better representation resulting in fewer changes of counsel, higher quality of service, better client/counsel relationships.	Clients, staff
Engagement with Indigenous Nations and Peoples	Engage with Indigenous Nations and peoples to organize educational retreats and events respecting issues of reconciliation, Indigenous legal systems, and MMIWG.	Various sessions over 2017-18 and on-going	Better relationships with Indigenous leaders and communities; improved services.	Increase the number of opportunities available to participate in Indigenous-led justice innovations. More opportunities for addressing systemic discrimination.	Clients, staff, justice stakeholders

Name of Innovation/ Program	Objective(s)	Timeline	Expected/ Actual Outcome(s)	Performance Measure(s)	Beneficiaries
Cross-cultural competency training	Provide staff who interact with immigrants and refugees with tools to better service this group of clients	March, 2018; on-going	Staff gain a better understanding of immigrants and refugees and are better able to assist them regardless of the type of service they are seeking	Applications contain more and better information regarding services needed. Approved clients receive better representation	Clients, staff
On-demand representation for asylum seekers	Provide on-demand representation services to individuals detained by the CBSA on short notice.	Implementation: summer, 2017	LAM is able to match applicants attending an IRB hearing with counsel within one hour of LAM receiving notification of the hearing date/time.	Applicants have legal representation for initial and subsequent IRB detention review hearings.	Asylum seekers, IRB officers
Mental Health Review Board (MHRB) duty counsel pilot project	Provide on-demand representation services to individuals involuntarily detained under the <i>Mental Health Act</i> .	Implementation: summer, 2017	LAM is able to match applicants with counsel within 20 minutes of LAM receiving notification of the hearing date/time.	Applicants have legal representation for initial and subsequent MHRB review hearings.	Clients, LAM, MHRB and private bar
Collaborative law training for staff lawyers	To provide additional out-of-court resolution training to staff in advance to changes to federal and provincial procedures and legislation.	Winter, 2018	Staff lawyers will have appropriate training to offer out-of-court family dispute resolution services to clients.	Increase in the number of matters resolved using an out-of-court family dispute resolution process.	Clients, justice system stakeholders, staff

SASKATCHEWAN					
Application Centre	This centre takes phone and online applications from across the province and country.	Soft launch Sept 28, 2018	Increased hours for applications; more consistent application process	Number of applications; length of wait time; length of application	Clients
Sunday remand work - Crown and Defense counsel met on Sundays to resolve cases for Monday	Reduces the amount of time spent on remand	Began January 2017; expanded in 2018	Reduction in remand	Number of remand days	Clients
Rapid Remand Resolution - Crown and defense meet each day to resolve files that day	Reduces the amount of time spent on remand	Began October 1, 2018	Reduction in remand	Number of remand days	Clients
Time keeping - staff lawyers will time keep on their files	Increased accountability; demonstration of where time is spent.	Staggered rollout started May 1, 2018			

ALBERTA					
Roster representation committee	Establish a means for Roster input to changes	Finished in 2018/2019	Committee in place		Legal Aid Alberta (LAA) system/ clients/ staff & roster
Metis youth advocacy co-ordinator	Establish a role with responsibility for assisting Metis clients	Feb 2018	Role is developed and person is in place		Metis communities in Alberta/ Metis clients

Name of Innovation/ Program	Objective(s)	Timeline	Expected/ Actual Outcome(s)	Performance Measure(s)	Beneficiaries
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BRITISH COLUMBIA					
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	Pilot timeline April 1, 2014 to March 31, 2017. Ongoing program funding to continue at one or more locations; plan to open a second location in 2018/19.	Independent evaluation 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.

YUKON					
New Database (CRM plus incorporation/migration of existing data)	Customize new system so it can help improve processes and meet statistical reporting requirements.	January 1, 2018 - September 30, 2020	Updated database/statistical tracking system that can meet our current operational and reporting needs.		YLSS, YTG Gov, Federal Gov, Clients who will receive expedited services through upgraded system and improved processes.
Website upgrade and rebranding with logo image	Update the 10+ year old website and rebrand YLSS with a logo, stationary and business cards. All clinic offices to be standardized.		Make it more user friendly and include better information for users / Yukoners and others seeking information.		Clients, anyone interested in learning more about legal aid.
Mobile phone and laptop program. Other technological advances and improvements to IT infrastructure	Introduce mobile reimbursement plan and laptop computer use policies, upgrade and improve IT infrastructure to reduce server and email disruptions		Need to modernize processes. Staff happy about reimbursements and laptops but constantly frustrated with IT failures and consistent disruptions to systems we rely on such as client database, emails, etc.		YLSS staff, clients
Introduction of new programs and services: consultations	Staff to provide consultations in the areas of child protection, mental health and poverty law.	Started January 2018 - ongoing	These new services have been working well for the first few months. Clients are very grateful and we seem to be "filling a gap in justice."		Clients
Community info sessions	Community visits to offer info sessions on our services and Crim/Family law matters 101.	Started in 2018. Two sessions were offered in FY18.	Community contacts show a great interest in this. Visits conducted to date have been very successful. The only issue is finding time to make them happen.		Clients