

Research Snapshot

2021-2022 Saskatchewan Legal Needs Survey Findings: Criminal Law

What is this about?

The goal of the 2021-2022 Saskatchewan Legal Needs Survey was to provide a voice to lawyers and legal and non-legal service providers regarding their perceptions of the legal needs of individuals and communities throughout the province of Saskatchewan. Both representatives from community-based organizations and lawyers identified criminal law as an area in which their clients experience a high legal need. Additionally, both groups were asked to expand on barriers to and facilitators of accessibility of legal services in criminal law across Saskatchewan.

What did the researchers do?

The researchers surveyed both lawyers and representatives of community-based organizations that provide legal and/or non-legal supports and services to assess their perceptions of access to justice issues and priority legal needs of individuals and communities in Saskatchewan. Two online surveys were distributed to participants. One survey was tailored to community-based organizations, and the other was tailored to lawyers. The Community Agency Survey was completed by 67 representatives from community agencies, and the Lawyer Survey was completed by 272 lawyers.

What did the researchers find?

Representatives from community-based organizations (64%) listed criminal law as the most common justice-related problem experienced by their clients. Lawyers also identified criminal law as one of the top three areas of law wherein community members are most in need of legal services in Saskatchewan (13%). When asked to expand on the inadequacy of services in criminal law, three main responses were recorded. The first is that free or government-subsidized services are not available in this area of law (62%); second, there is a low profit for legal service providers in this area of law (56%); and third, legal service providers lack the capacity to meet the demand for services in this area of law (50%).

Lawyers were also asked what they thought hindered the accessibility of legal services in criminal law. The top four barriers identified were (1) a mistrust of the justice system (79%), (2) limited financial resources for legal

What do you need to know?

Lawyers and representatives of community-based organizations both listed criminal law as one of the top three areas of law in which community members are most in need of legal services in Saskatchewan. Specifically, the cost of legal services within this area was identified as the main barrier to accessing criminal legal services, including the costs for clients, as well as the profitability for lawyers who take on such cases. This study provides further insight into the multi-faceted issues of access to justice in the area of criminal law.

representation and other expenses associated with accessing legal support (77%), and (4) limited personal resources (e.g., childcare, transportation) which support attendance at legal appointments (65%).

The biggest facilitator to accessing criminal law legal services identified from lawyers was greater access to low-cost or free full-scope (70%) and limited-scope (61%) legal representation, as well as greater utilization of alternative dispute resolution models (57%). Further insight into the respondent's rationale, including direct quotes, are available in the [2021-2022 Saskatchewan Legal Needs Survey](#).

About the researchers:

This work is the result of a joint research project between CREATE Justice, College of Law and the Centre for Forensic Behavioural Science and Justice Studies (CFBSJS) at the University of Saskatchewan. CREATE Justice is a centre for research, evaluation, and action on the topic of access to justice in the areas of access to legal services, dispute resolution, and systemic justice. CREATE Justice was established at the College of Law at the University of Saskatchewan in 2016. Researchers at the CFBSJS work to bridge the gaps between academics and criminal justice professionals in the public, private, and non-profit sectors. CFBSJS conducts research to help with program development, evaluation, and analysis across various parts of the criminal justice system, including policing, courts, and corrections.

Citation:

Stoliker, Bryce, Jewell, Lisa, Heavin, Heather & Lowenberger, Brea, "A Legal Needs Survey in the Province of Saskatchewan: Perspectives of Lawyers and Legal and Non-Legal Service Providers" (2023) at xii, 70-71, and 72; vi-vii and 42 (for community perspectives). [Link to the report.](#)

Summary prepared Stephanie Varsanyi, CREATE Justice student research assistant and report authors.

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How can you use this?

Results from the 2021-2022 Saskatchewan Legal Needs Survey can be used to inform governmental, organizational, and institutional policy within the criminal justice sector. In doing so, stakeholders can present and advocate for evidence-based changes that reflect the perceptions of those who directly work with clients. Throughout the report, several strategies are proposed to increase access to criminal law. For example, both groups broadly recommended loosening eligibility requirements to access legal and non-legal services. In doing so, organizations can increase the use of these services by groups that are currently under-served. The survey also contains suggestions for greater collaboration between legal and non-legal stakeholders. One suggestion from the lawyers' survey is to build and increase legal advocacy and support networks across various stakeholders. This is especially important in criminal law because of the various legal and non-legal stakeholders involved in the criminal justice system, including policing, courts, corrections, lawyers, and community-based organizations. Coordinating advocacy and support can further increase accessibility to criminal law across Saskatchewan.