



CANADIAN
BAR ASSOCIATION
Alberta

2024 public opinion research on the justice system

Albertans understand the need for and support investment in a well running justice system

What do Albertans think?

The justice system is “inefficient” and “unjust”

What, specifically, has Albertan’s attention?

Access to Justice and the need to minimize delays

Thoughtful investment in the justice system can help address both these challenges

About the research project

Conducted by Nanos Research

- August -September 2024
- A reprise of similar CBA Alberta research conducted in March-April 2020
- Allows for comparators on the level of intensity of sentiment of Albertans towards the justice system

Quantitative public opinion research

- August 9-16, 2024
- Online Survey
- 1011 Alberta residents, 18+ years old
- Weighted to population profile

Qualitative public opinion research

- September 4 and 5, 2024
- Four focus group discussions
 - Calgary
 - Edmonton
 - Rural/smaller cities
 - Rural/smaller cities

Respondents agree: The system needs improvement

- System is “stretched” and “inefficient”
- Backlogs create problems for fair outcomes
- A “*revolving door*” also overwhelms the system

Investment matters

- Shouldn’t be indiscriminate spending; we need to ensure that investment improves results
- Also need to find better ways to address problems in the system
- More staff and training for police and education of judges and lawyers can make a difference

There is support for investing in the justice system

Speedy justice and access to a lawyer are basic rights

- Fair outcomes are tied to access to a lawyer
 - In 2020, 68% said that it was important to have access to a lawyer to ensure fair outcomes; in 2024 that increased to 77%
- Investing in the system to minimize delays is also important
 - In 2020, 46% said it was important to invest in system to minimize delays; in 2024 that increased to 62% and overall 9 out of 10 respondents (92%) said it was important or somewhat important
- These views held true regardless of the respondent’s personal profile or where they lived in the province

Where are Albertans willing to invest?

- Ensure steeper punishments for offenders
- Invest in the prevention of crime and rehabilitation
- Invest in court resources to improve speed and efficiency
- Invest in pre-court resources to reduce the load on the legal system
- Address underlying social issues: supports for homelessness, mental health and drug addiction
- Legal aid as an essential pillar of the justice system

Legal aid is essential for access to justice

Funding for Legal Aid should be increased

- A majority felt more investment was warranted to make Legal Aid assistance accessible
- 92% said support provided to Albertans by Legal Aid is important or somewhat important – consistent across regions, age groups and gender

- Albertans understood that self-representation slows down the system and may lead to unfair outcomes
- Legal Aid is especially important for vulnerable populations
- Legal Aid needs to be independent

The current thresholds for legal aid are too low

- The value of Legal Aid overall is undermined when eligibility is severely limited
- Most felt that the current eligibility cut-offs were too low and supported increased funding for Legal Aid
- Some felt eligibility should consider not only income but be based on the matter at hand (case-by-case basis)
- There's concern about the gap that exists for the middle class who fall through the cracks

Resources for the justice system

A balanced approach to the justice system makes the most sense to Albertans

- Invest in the court system to clear the current backlogs
- Invest outside the courts to get at the root causes that lead to more crime or court cases
 - Support for mental health and drug addiction issues
 - Invest in prevention and rehabilitation
- Need to keep up with the increases in Alberta's population

Importance of adequate justice system infrastructure supported

- More than 8 out of 10 respondents support or somewhat support investment in both physical and digital court infrastructure
- Courthouse and physical infrastructure were viewed as more important in the quantitative survey; digital infrastructure was a greater focus in the qualitative survey
- Digital infrastructure is seen as the biggest gap
 - Still need to be aware of the risks to access to justice with digital infrastructure for those who are most vulnerable
- Maintaining adequate physical infrastructure should not be overlooked

Modernizing the justice system is a priority

- Some interest in the elimination of inefficiencies and/or re-thinking the whole system
- Investment in digital infrastructure can:
 - streamline the system
 - resolve smaller cases
 - improve efficiency through virtual court
 - provide time and cost savings for all, including those who appear in court

CBA Alberta's 2021 [economic analysis](#)* on the return on investment in the justice system continues to hold true

- A modest (\$4 to \$6 million) to moderate (up to \$22 million) investment in legal aid will at least pay for itself, and conservative data suggests will in fact return a net cash benefit to the treasury
- These cash savings are direct; indirect benefits also accrue to counsel, represented litigants, and non-represented litigants due to fewer bookings and delays, and quicker overall resolutions

**Study conducted by G.K. (Kent) Fellows School of Public Policy – University of Calgary 2020-21*

Confidence in the rule of law and the independence of the justice system need to be protected

Albertans are at least 2x more likely to be confident than not in the rule of law being applied and the independence of the judicial branch

- Some rural scepticism
- Follow-up questioning in focus groups did raise some concerns about fair and equal treatment in the delivery of justice
- There is some worry about backlogs and wait times in the courts
- There's a perception that money impacts the type of legal representation and potentially outcomes
- Triage system should allow domestic abuse/violence cases to go first
- Need more staff to help system move faster

Confidence in the justice system can be improved

- More consistency in policing and punishment
- Communication and transparency about decisions and the judicial appointment process

Conclusions

- **We can ease the load by increasing investment in the justice system**
- **Efficiency is connected to proper investment in the system**
- **Legal aid is a critical pillar that deserves sustainable support**
- **A balanced approach (investing in both physical and digital infrastructure) makes the most sense**
- **We need to protect the rule of law and confidence in our justice system**