



LAW COMMISSION OF ONTARIO  
COMMISSION DU DROIT DE L'ONTARIO

## INCREASING ACCESS TO FAMILY JUSTICE THROUGH COMPREHENSIVE ENTRY POINTS AND INCLUSIVITY FINAL REPORT SUMMARY

Despite reforms to the family law system over the past few years, many people still find it difficult to use the system to reach resolution of their family problems. The Law Commission of Ontario (LCO) has made recommendations to improve the “entry points” to the system, when people start to think about how to handle their family disputes. In writing our Final Report, *Increasing Access to Family Justice through Comprehensive Entry Points and Inclusivity*, the LCO has had the benefit of consultations with people who have used the system and people who work in the system, the contributions of our project advisory group, the feedback to our various consultation papers and the interim report and the many other reports by other organizations and academics that have discussed the family law system and made suggestions for reform. We identified the following concerns with the system in particular:

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- **The overwhelming amount of information and difficulty in understanding it;**
- **The lack of affordable legal services;**
- **The need to take Ontario’s diverse population into account; and**
- **The connection between family legal problems and other family problems.**

*We assessed the current system and our proposals against benchmarks which we believe an effective entry point to the family law system needs to meet:*

- **the provision of accessible information available to people in their everyday lives;**
- **existence of a single hub for on-line information;**
- **the provision of print information that is available to people who cannot access the internet;**
- **assistance to people who for one reason or another might have difficulty accessing, reading understanding or applying information;**
- **help for people to decide the best way to handle their family problems, including whether their problems really *are* legal problems;**
- **planning the system to link smoothly from one part to another, without duplicating services and the need for people to tell their story over and over again;**
- **takes into account the needs of different communities and characteristics;**
- **consultation with affected communities in planning entry points;**
- **provision of affordable services without diminishing the quality of services;**
- **treating family legal problems and other related problems in a holistic way; and**
- **creating a model that is sustainable in the long-term.**

Although there are several helpful sources of information for specific groups, such as cultural communities or women who have experienced domestic violence, overall the amount of information about the family law system is overwhelming and increasingly available mainly online. There is some information in print and in person. The internet can be a helpful place to find information but, it is not helpful for people without access to computers or who lack computer skills, live in remote areas or whose first language is not English or French, and for people with low literacy skills or cognitive difficulties. Similar difficulties occur with telephone-based information services. We suggest that information be provided through a central hub and that consideration be given to the difficulties certain groups of people might have with accessing information through the internet with the objective of deciding when in-person help is needed to understand information about the family law system.

Information is also provided in person at Family Law Information Centres (FLICs) and through the Mandatory Information Program. The FLICs are usually located at courthouses and the MIP is offered through the court system. We are concerned that people need information before they even think about going to court and that some people will not want to access information at courthouses. We therefore conclude that information should be available at sites other than the courts and that help in understanding it can be provided through “trusted intermediaries” (such as workers at community centres) who have been appropriately trained and have access to help when needed.

Many studies have noted that private legal representation is affordable only for people with a high income and that legal aid is available only for people with very low income. Therefore, there are many people needing legal help who cannot afford it. It is important that full legal representation be provided for people who are unable to represent themselves, even with assistance from time to time. We suggest that a full consideration of whether paralegals can provide some kinds of family services be undertaken, that more opportunity for law students to provide help be created and that trusted intermediaries be trained to provide certain kinds of assistance.

Our major recommendations relate to the development of multi-disciplinary, multi-function or comprehensive centres or networks, in many cases simply by linking existing resources. Often family law problems develop, become worse or are particularly hard to resolve because of the existence of other kinds of problems, such as high debt loads or mental health challenges, for example. We propose centres that provide legal and other services to anyone facing family legal problems, or the development of networks that link family legal assistance with assistance of other kinds, and that can direct families to the most effective legal and other resources for resolving their problems.

*We recommend that:*

- **major family stakeholders develop a plan for creating these comprehensive centres and networks, taking into account criteria we identify in our report;**
- **the plan recognizes that these may have to be developed over time but that objectives for their achievement be identified;**
- **the plan includes a method of evaluation of the centres and networks; and**
- **the Ontario government facilitate the creation of two pilot projects for two areas of the province, using the benchmarks we have identified for effective entry points to the system.**

The LCO's Final Report (in English and French) and summaries in English, French, Arabic, Mandarin, Punjabi, Somali, Spanish, Tamil and Urdu, can be found at [www.lco-cdo.org](http://www.lco-cdo.org). The LCO's website allows translation of the full Final Report into a multiplicity of languages through Google Translate.

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