



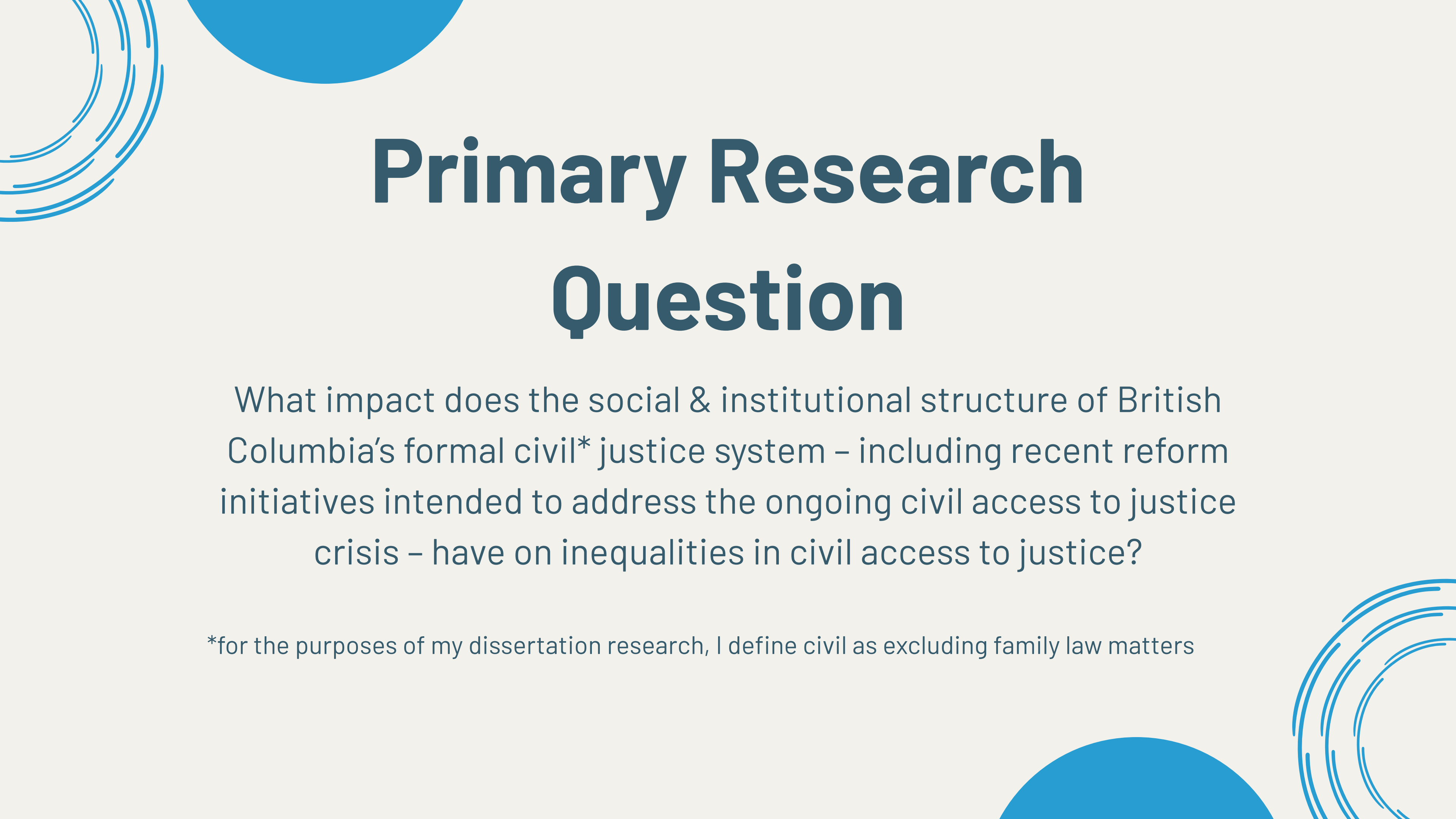
Access to Civil Justice and Relational Inequalities

Kaitlyn Blaser (she/her), PhD Candidate, LLM, JD

University of British Columbia Allard School of Law

Access to Justice Centre for Excellence

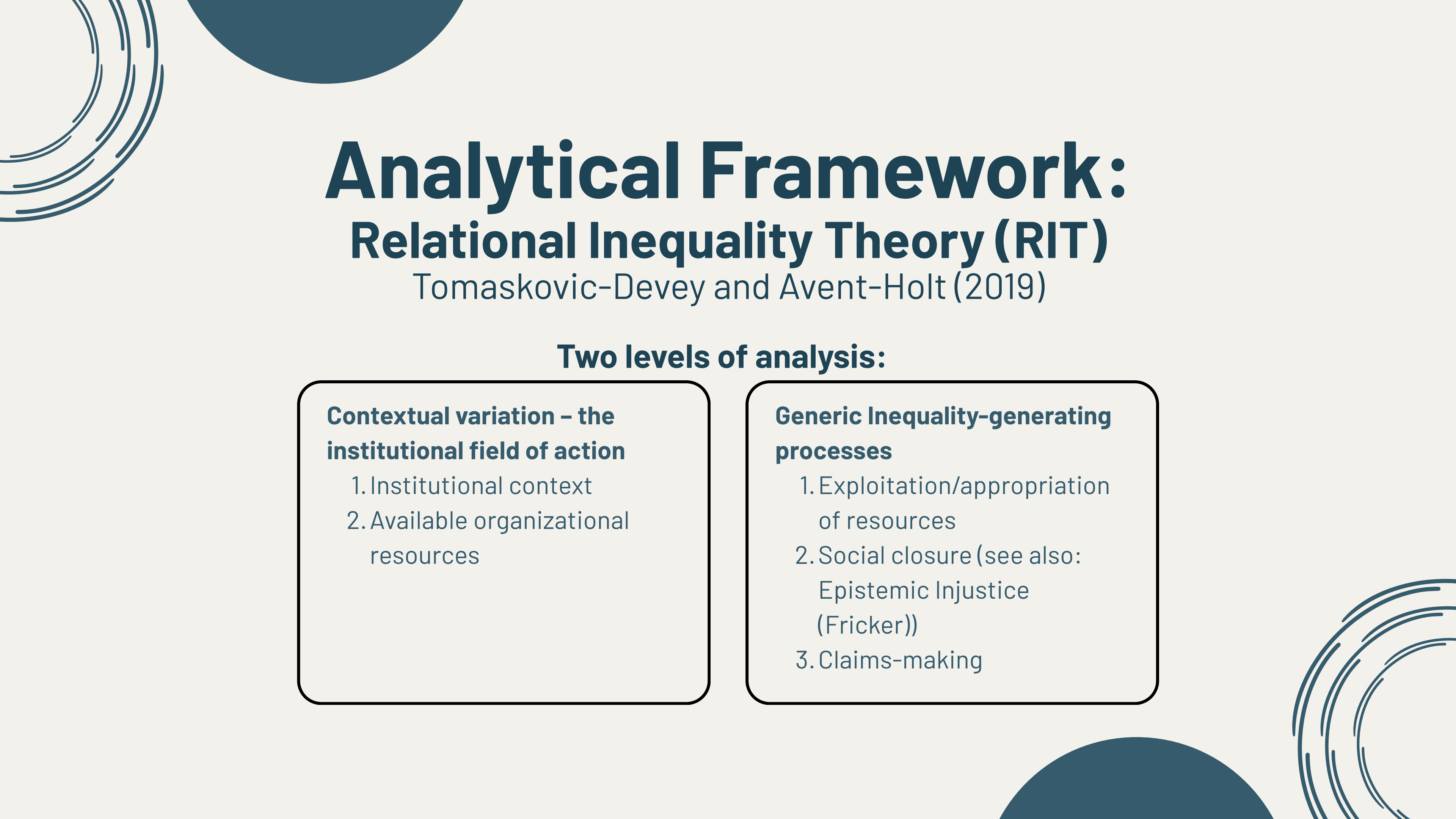




Primary Research Question

What impact does the social & institutional structure of British Columbia's formal civil* justice system – including recent reform initiatives intended to address the ongoing civil access to justice crisis – have on inequalities in civil access to justice?

*for the purposes of my dissertation research, I define civil as excluding family law matters



Analytical Framework: Relational Inequality Theory (RIT)

Tomaskovic-Devey and Avent-Holt (2019)

Two levels of analysis:

Contextual variation – the institutional field of action

1. Institutional context
2. Available organizational
resources

Generic Inequality-generating processes

1. Exploitation/appropriation
of resources
2. Social closure (see also:
Epistemic Injustice
(Fricker))
3. Claims-making

Research Design: Multi-Sited Ethnography

Two Superior Civil Court Field Sites:

- Vancouver Registry [high volume, urban] &
- Northwest Region (Prince Rupert, Terrace & Smithers Registries) [low volume, rural/remote]

Data Sources:

- Chambers Court Observations (n=80)
- Legal Service Provider Interviews (n=16)
- SRL Anonymous Online Surveys
- Court Files
- Field Notes



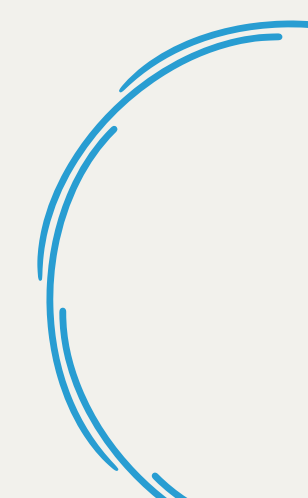


Highlighted Findings

Overall Justice System Spending/Investment in BC (Inequality Landscape/Contextual Variation):

- In the 2023/2024 FY, provincial legal aid funding & law foundation funding for legal services represented 4.2% relative to the (conservatively) estimated size of the private legal services market
 - 184.5 million vs. 4.3 billion
- Size of private legal services market 2-3x larger than direct public spending on legal aid, law foundation funding on legal services, courts (judicial salaries + court services and administration), tribunals/administrative bodies, justice services, and ministry of AG spending

Inequality-Generating Mechanisms in BC Superior Civil Trial Courts

- Current access to civil justice reform efforts do not meaningfully disrupt dominant social & institutional forces driving longer-term legal development
 - Social closure & epistemic divides - mediated through financial access to legal experts - blocks transformative change
 - Superior courts heavily rely on the legal profession to manage & conserve judicial resources
 - Social networks & relationships highly salient access to justice factors in rural/remote areas
- 



Thank you!
Questions?