



Windsor Law
University of Windsor

Access to Administrative Justice & Navigational Tools

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Re-imagining Access to Justice for Self-Represented Parties

SOAR's 33rd Annual Conference

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Access to Justice

Concepts and practical realities.

Access to Justice Framework: 4 Dimensions

- **Procedural**
- **Substantive**
- **Symbolic**
- **(Co-)Institutional**

(Macdonald, Jacobs)

(Co-)Institutional A2J

Mathews & Wiseman “Community Helpers” at 11

—

- “Access to justice exists when people can pursue their goals and address their law-related problems in ways that are consistent with fair legal standards and processes; **and can obtain, understand, and act on information and services related to the law, where necessary, to achieve just outcomes.**”



Navigational Tools in Administrative Tribunals

Two Empirical Studies

SST Navigator Service:

A highwater mark in tribunal navigational tools

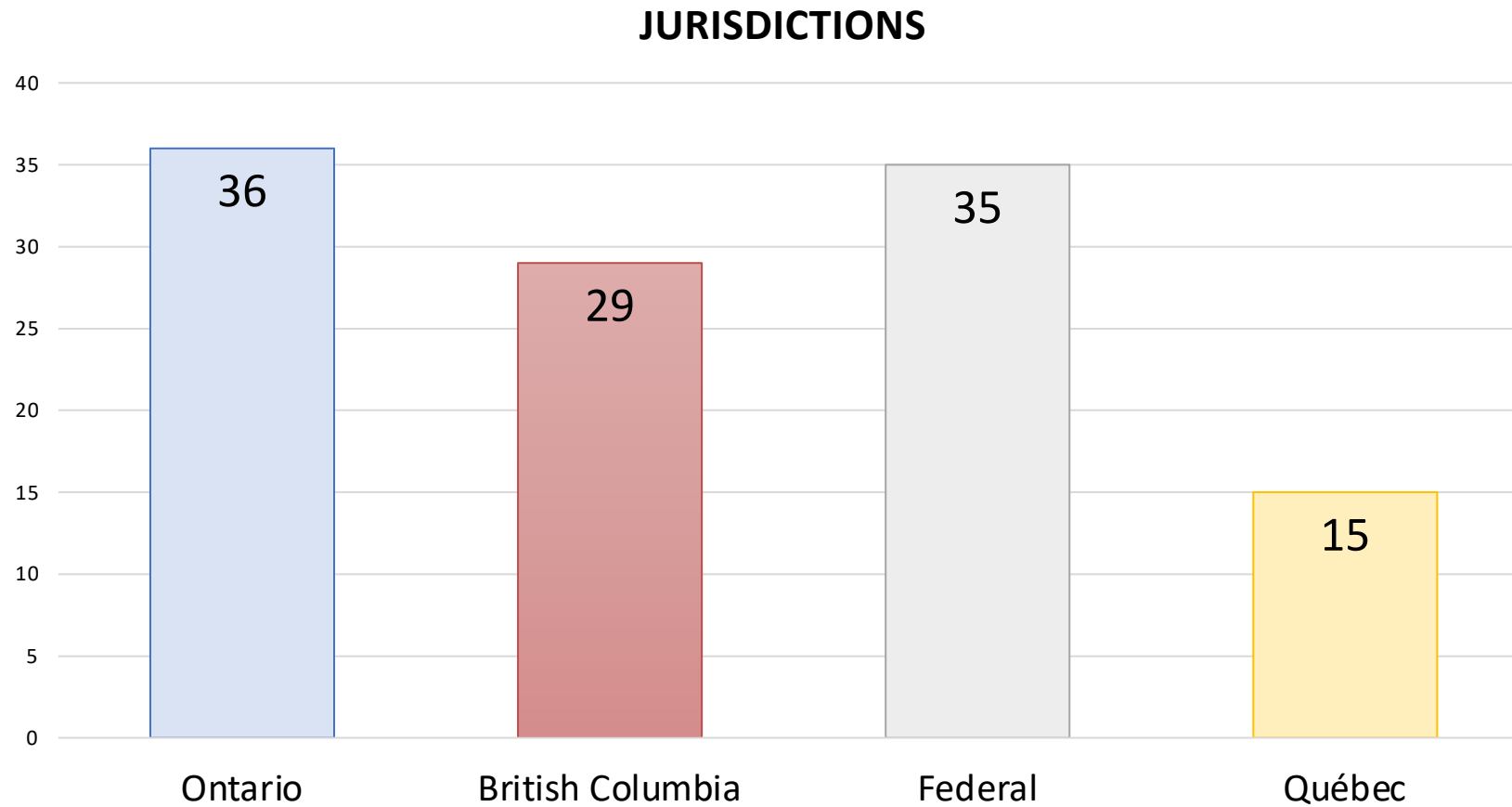
The Social Security Tribunal (SST) Navigator Service:

- <https://www.sst-tss.gc.ca/en/your-appeal/navigators>

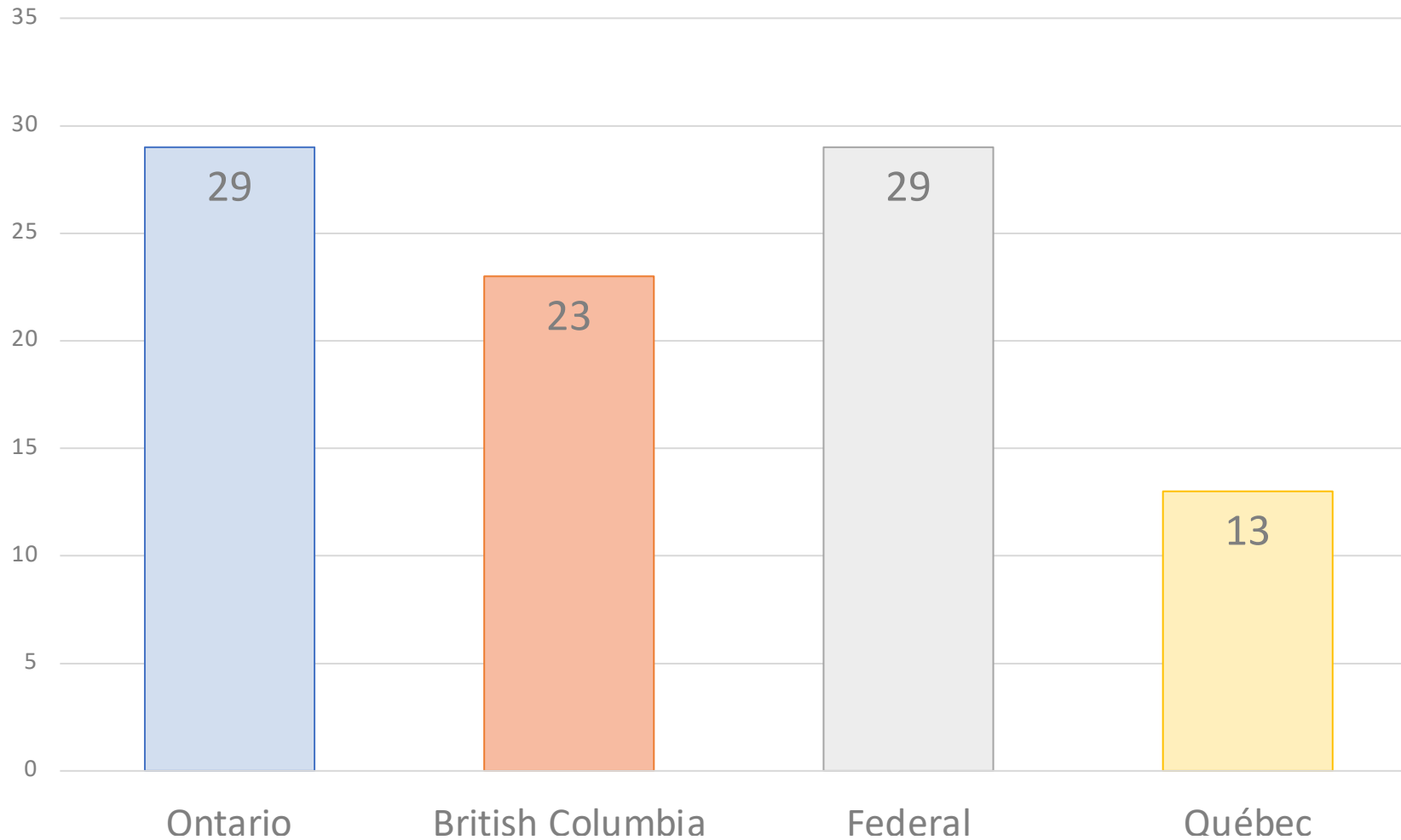
Navigators:

- guide appellants through the appeal process from start to finish
- explain the role of everyone involved in the appeal, answer questions
- help appellants prepare for their hearing and explain what happens at the hearing

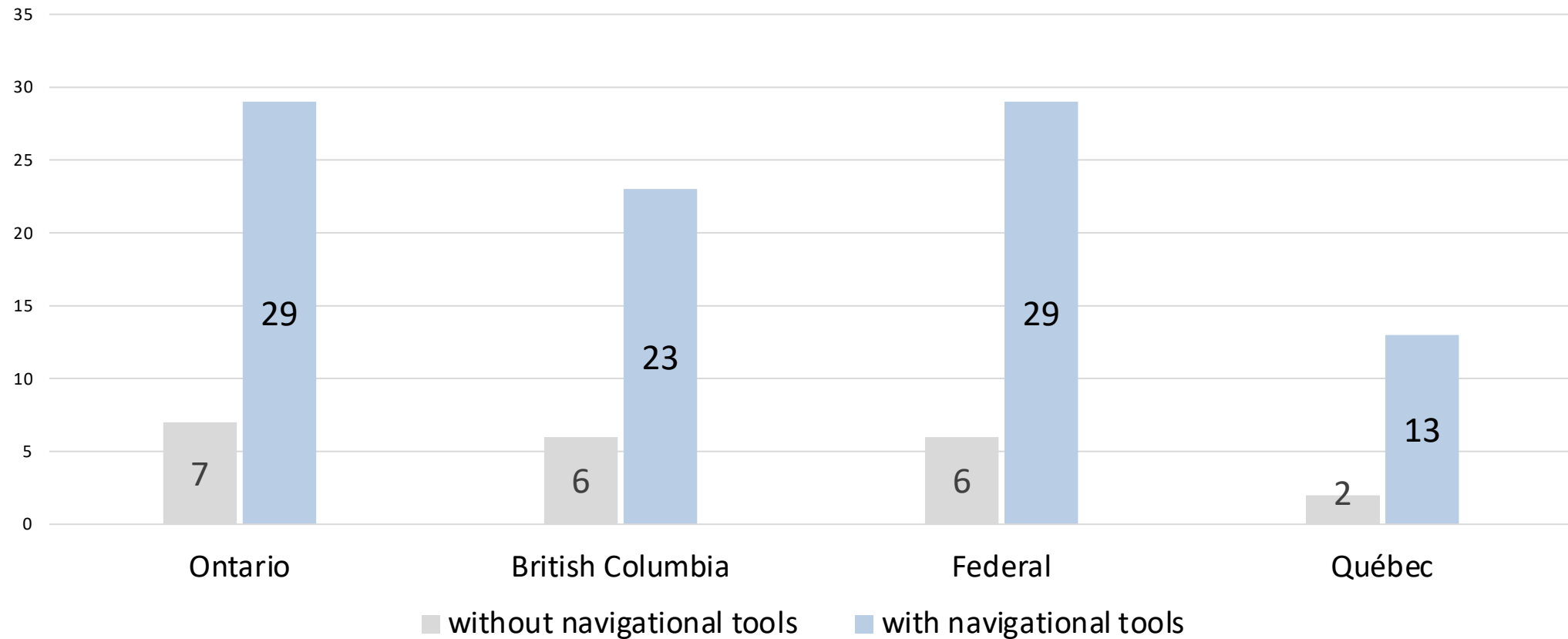
An Environmental Scan.



Adjudicative Tribunals in Canada – How Many with Navigational Tools?

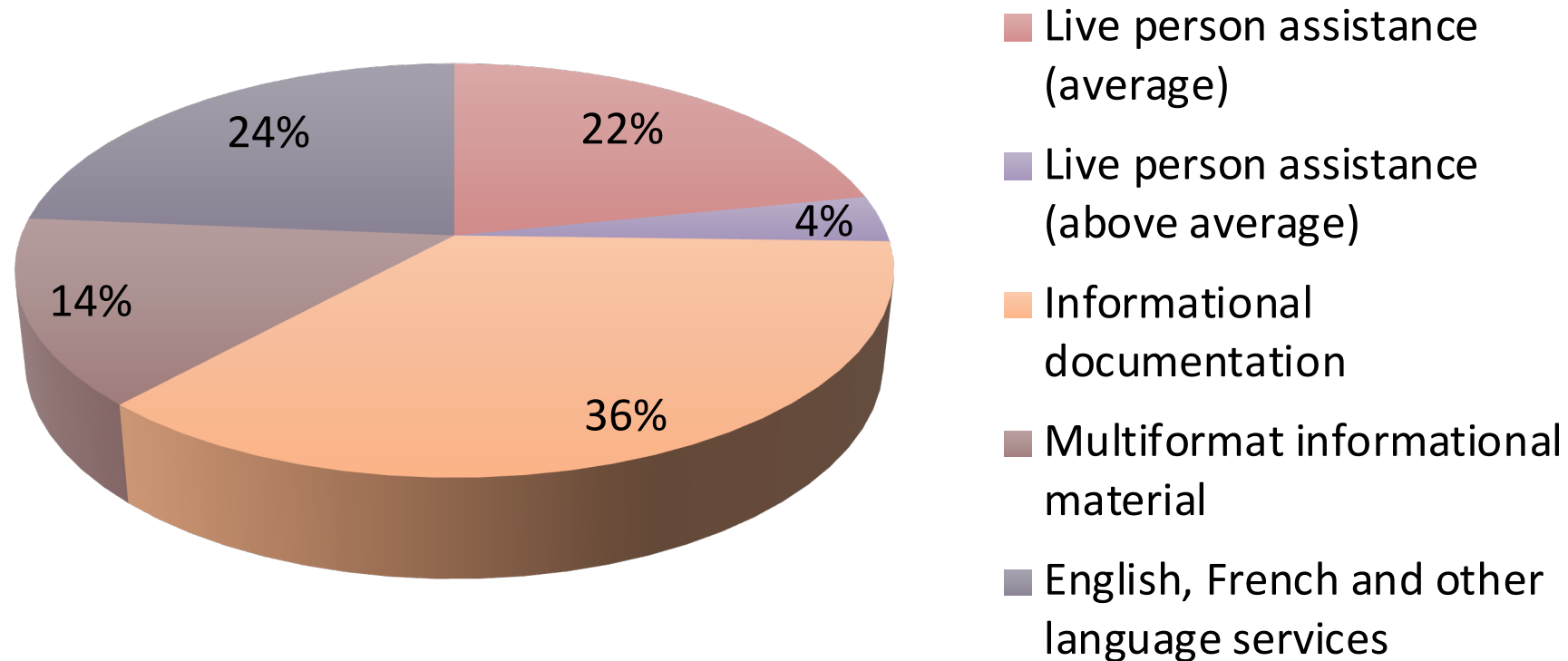


COMPARISON - TRIBUNALS WITH & WITHOUT NAVIGATIONAL TOOLS



Ontario

TRIBUNALS WITH NAVIGATIONAL TOOLS (ONTARIO)



Tribunals with navigational tools (Ontario)

Live person assistance (average)	12
Live person assistance (above average)	2
Informational documentation	20
Multiformat informational material	8
English, French and other language services	13

Access to Administrative Justice & Listening to Marginalized Communities

➤ Laverne Jacobs PhD, and Sule Tomkinson PhD, ***Examining the Social Security Tribunal's Navigator Service: Access to Justice for Marginalized Communities***

➤ Research Study, forthcoming at end of 2021 –available at:
<https://lawdisabilitysocialchange.com/sst-report/>

❑ Qualitative research study that seeks to understand better the barriers faced by individuals from marginalized communities such as people with disabilities, people of colour, and people of lower income;

❑ Considers ways of improving access to administrative justice for individuals from marginalized communities and intersecting identities

Thank you.

Laverne Jacobs, PhD

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