

THE JUSTICE SECTOR CONSTELLATION STRUCTURE AND PROCESSES

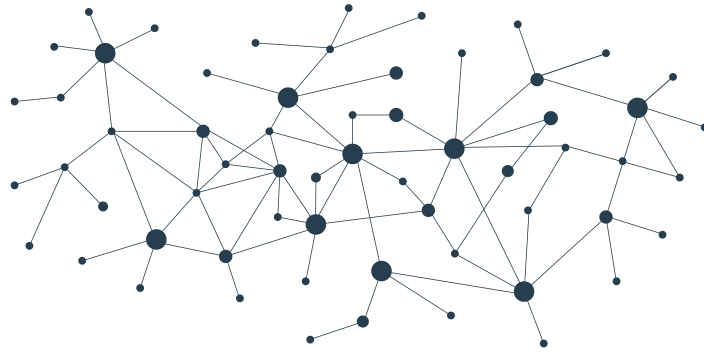
Written by Janice Pasay, BCom, LLB, former Justice Sector Constellation co-chair

OVERVIEW

Social science research has found that progress could be made to alleviate serious, complex social problems if stakeholders came together around a common agenda to create what has been called Collective Impact. This involves bringing together a group of like-minded people to identify a common agenda, develop shared measurement systems and mutually reinforcing activities, and maintain continuous communication, all supported by a backbone.

The Justice Sector Constellation was a Collective Impact initiative whose mission was to intervene at the intersection of poverty and the legal system. With its longevity and accomplishments, the Constellation's history offers important lessons regarding each of the key elements of Collective Impact.

This is one of two case study reports on the Constellation. This report analyzes the Constellation's structure and processes through the lens of Collective Impact. [The Justice Sector Constellation: Collective Impact at the Intersection of Poverty and the Law: Accomplishments](#) describes key Constellation projects and lessons learned from them.



THE INTERSECTION OF POVERTY AND THE LAW

Both poverty and the legal system are examples of complexity. Moreover, they are interrelated: poverty can contribute to legal issues, and legal issues can contribute to poverty.

Poverty ...

Poverty is a multi-dimensional issue that is more complex than simply inadequate income. According to the [Canadian Poverty Institute \(CPI\)](#), vulnerability to poverty is the result of various intersecting factors including individual attributes, life stage, social connection and systemic factors. For people living in poverty who are also dealing with legal matters, any or all of these factors may be at play.

... and the Law

The legal system is multi-faceted and, like poverty, its issues are multi-dimensional. Research commissioned by the Constellation identified the following challenges within the justice sector that impact the ability of people with everyday legal problems to resolve those problems: complexity of the system; lack of internal coordination; lack of communication among the justice sector's policymaking, implementation and support subsectors; territoriality of justice sector players; funding issues; and public indifference and competing political considerations.¹

¹ Other research, including that cited here, has identified many of the same issues.



The Intersection of Poverty and the Law: A Wicked Problem

Research has found that almost half (48 percent) of adult Canadians reported experiencing at least one everyday legal problem over any given three-year period, and 30 percent experienced two or more legal problems.² Such everyday legal problems included consumer, debt, discrimination, employment, family, and housing matters: issues that most people will face at some time in their lives.

Legal issues can also “cluster”, in that having one legal issue may result in or contribute to another legal issue.³ Further, legal issues can create or exacerbate other problems, such as physical and mental health issues, financial pressures and relationship breakdown.⁴

Specifically:

- People living in poverty are more susceptible to legal issues⁵
- People with mental health issues, cognitive issues, or addictions are over-represented in criminal justice matters^{6,7}
- Indigenous peoples are overrepresented in the Canadian correctional system and disproportionately involved in child protection actions^{8,9}

² Currie, A., Moore, L., & the Canadian Forum on Civil Justice. (2018). *Social and Economic Adversity Experienced by Canadians and Everyday Legal Problems*. Toronto, Canada: Canadian Forum on Civil Justice; see at <http://cfcj-fcjc.org/wp-content/uploads/Social-and-Economic-Adversity-Experienced-by-Canadians-and-Everyday-Legal-Problems-Ab-Currie-Lisa-Moore.pdf>.

³ Buckley, M. (2010). *Moving Forward on Legal Aid: Research on Needs and Innovative Approaches*. Ottawa, Canada: Canadian Bar Association; see at http://www.cba.org/CBAMediaLibrary/cba_na/images/Equal%20Justice%20-%20Microsite/PDFs/Moving-Forward-on-Legal-Aid.pdf.

⁴ Stratton, M. (2011). *Alberta Legal Services Mapping Project: An Overview of Findings from the Eleven Judicial Districts*. Toronto, Canada: Canadian Forum on Civil Justice; see at <http://www.cfcj-fcjc.org/sites/default/files/docs/2011/mapping-final-en.pdf>.

Lieb, G., Abel, S., Stratton, M. and Lowe, D. (2009). *The Alberta Legal Services Mapping Project, Final Report for the Calgary Judicial District*. Edmonton, Alberta: Canadian Forum on Civil Justice; see at <https://cfcj-fcjc.org/sites/default/files/docs/2009/mapping-calgary-en.pdf>.

Buckley, M. (2010). *Ontario Civil Legal Needs Project (2010). Listening to Ontarians: Report of the Ontario Civil Legal Needs Project*. Toronto, Ontario: Ontario Civil Legal Needs Project Steering Committee; see at <https://www.yumpu.com/en/document/read/30299244/listening-to-ontarians-report-of-the-ontario-civil-legal-needs-project>.

⁵ Stratton (2011).

⁶ Stratton (2011).

⁷ Stratton, M. (2010). “Access to Justice? The View from the Street”, *LawNow* (November/December 2010); see at <http://www.cfcj-fcjc.org/sites/default/files/docs/2010/stratton-viewfromthestreets-en.pdf>.

⁸ Malakieh, J. (2020). *Adult and youth correctional statistics in Canada, 2018/2019*. Statistics Canada; see at <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00016-eng.htm>.

Malone, G. (2016). *Why Indigenous Women Are Canada’s Fastest Growing Prison Population*; see at <https://www.vice.com/en/article/5gj8vb/why-indigenous-women-are-canadas-fastest-growing-prison-population>.

⁹ Lieb (2009)



Unfortunately, as one study concluded:

Canada has one of the best legal systems in the world: independent judges, well-trained lawyers, predictable laws, and an open court process. Unfortunately, most Canadian cannot afford to use it. ... [S]ome Canadians, particularly those with fewer resources and those who see themselves more on the margins of society, do not view the justice system as fair, accessible or reflective of them or their needs.¹⁰

ENTER THE JUSTICE SECTOR CONSTELLATION

The Constellation began with a serendipitous phone conversation between the author and the Executive Director of the newly minted Calgary Poverty Reduction Initiative (CPRI).

The mandate of the CPRI was to develop a strategy to significantly reduce poverty in the city of Calgary. The strategy was developed by having groups called constellations identify the issues behind poverty and how to address those issues, supported by a secretariat.¹¹

Twelve Constellation Groups were organized around demographic groups, societal issues (e.g., food security), or sectors (e.g., housing, education), each of which identified the issues behind poverty and how to address those issues according to its organizational perspective.

The Justice Sector Constellation was the first justice-sector partner in a poverty-reduction initiative in Canada, making the CPRI the first poverty-reduction initiative in Canada with a justice sector component.

¹⁰ Farrow, T.C.W., Currie, A., Aylwin, N., Jacobs, D & Moore, L. (2016). Everyday Legal Problems and the Cost of Justice in Canada: Overview Report. Toronto, Canada: Canadian Forum on Civil Justice; see at <http://www.cfcj-fcjc.org/sites/default/files/Everyday%20Legal%20Problems%20and%20the%20Cost%20of%20Justice%20in%20Canada%20-%20Overview%20Report.pdf>.

¹¹ Surman, M. and Surman, T. (2008). “Listening to the Stars: The Constellation Model of Collaborative Social Change.” Social Space, 2008: 24-29; see at <https://socialinnovation.org/wp-content/uploads/2016/10/Constellation-Paper-Surman-Jun-2008-SI-Journal.pdf>.



THE JUSTICE SECTOR CONSTELLATION'S COLLECTIVE IMPACT JOURNEY

The effectiveness of the Justice Sector Constellation may be assessed against the five conditions of the Collective Impact model: common agenda, shared measurement systems and mutually-reinforcing activities, continuous communication, and backbone support.¹²

BUT FIRST, MEMBERSHIP

Collective Impact cannot begin until people – more specifically, the right people – are assembled around the table.



Constellation Experience

The composition of the Constellation was intentionally diverse, and included all orders of government, justice sector legal service providers, justice sector support service providers, and community members with justice sector training and experience. Members were recruited from known contacts and the Constellation was an assembly of peers with two co-chairs.



Lessons Learned

Trust is essential, and takes time. Trust built in developing recommendations was foundational to the Constellation agreeing to continue to work together to implement its own recommendations.

Seniority matters. Over time, some Constellation members sent more junior staff to attend meetings instead, which diminished the effectiveness of Constellation meetings.

¹² Kania (2011).



COMMON AGENDA

Collective Impact requires all participants to have a shared vision for change, one that includes a common understanding of the problem and a joint approach to solving it through agreed upon actions".¹³



Constellation Experience

The original mandate of the Constellation was to make recommendations for a poverty-reduction strategy in the context of the legal system, using a process facilitated by the CPRI Secretariat. This culminated in [Intervening at the Intersection of Poverty and the Legal System: Report by the Justice Sector Constellation to the Calgary Poverty Reduction Initiative Secretariat.](#)

Over 90 percent of the 52 recommendations developed by the Constellation had previously been made in other reports. This underscored the enduring nature of the issues identified by the Constellation and the importance of action beyond making recommendations. So, the Constellation members agreed to continue to work together on implementing the Constellation's recommendations. The question was: where to begin?

After prioritizing the recommendations, the Service Provider Capacity Building Project was developed, to increase awareness by service providers and intermediaries of potential legal issues as part of client needs, and to increase awareness of – and referral to – appropriate justice sector services and resources. A Constellation member undertook the project, funding was obtained for a pilot which was well-received, and the Constellation had its first success.

The same approach to project development and implementation was used over the following ten years. A series of visioning sessions also informed the Constellation's planning process, and a strategic plan was developed to better coordinate the work.

The mere fact of Constellation members working together also contributed to the development of a common understanding of the problem and a shared vision for change.

¹³ Kania (2011).





Lessons Learned

Affiliation matters. The Constellation's association with the CPRI (now known as [Enough for All](#) (E4A)) grounded its original recommendations. In addition, the association with E4A informed the Constellation's implementation work over the years. Being part of a larger initiative also helped provide gravitas to the Constellation and its work, as well as in-kind and funding supports.

Implementing is harder than recommending. This may go without saying, but the challenge is even greater for a Collective Impact collaborative without a budget or the ability to control relevant systems.

Take time to go back to basics. As part of a visioning exercise, a question arose regarding the Constellation's mission of intervening at the intersection of poverty and the law, specifically: how is the justice sector connected to poverty reduction. Constellation members responded to that question with words or phrases using an AnswerGarden.¹⁴ Words or phrases that were input more frequently appeared in larger font; these included enabling self-help, creating synergies, seeking client-centred solutions, facilitating just processes and prevention. Revisiting first principles in this way helped confirm the validity of the Constellation's purpose and mission, and provide direction for action.

SHARED MEASUREMENT SYSTEMS AND MUTUALLY-REINFORCING ACTIVITIES



Constellation Experience

An evaluation framework and measurement tools to assess progress towards the Constellation's goals were developed over time, with in-kind support from Constellation members and, later on, the services of a Developmental Evaluation coach.

¹⁴ See at <https://answergarden.ch/>



Mutually-reinforcing activities were encouraged throughout the Constellation's history, although not specifically advanced as part of the Constellation's work. However, unlike collective impact initiatives that bring together stakeholders with widely differing perspectives, the mission of each Constellation member aligned with the mission of the Constellation to some extent. For example, at least one Constellation project was adopted under the mandate of the Constellation member that led the project.

Internally, the Constellation developed terms of reference for its operations as well as a logo and website, which helped build cohesion within the Constellation.



Lessons Learned

Data collection is challenging within Collective Impact initiatives, even from members of the collaborative. These challenges were addressed by ensuring that the Constellation members involved were agreeable to the data collection approach, including the time and effort required in aggregating the data and reporting back to the Constellation. However, coming to agreement sometimes required significant time and a meaningful reduction in the data sought.

Shared measurement is even more challenging. An exercise as simple as adding a question to surveys of Constellation member clients proved difficult due to differing mandates and programs of Constellation members, as well as differing performance measures imposed by funders of Constellation members.

Value external collaboration opportunities. Participation in various E4A events led to connections being made with other groups within E4A, which provided opportunities to advance Constellation projects.



CONTINUOUS COMMUNICATION



Constellation Experience

From inception, the Constellation met monthly with few exceptions, such as the summer months and the year-end holiday period. Continuous communication was also supported by email updates on Constellation activities in conjunction with the monthly meeting notices; more formal, generally bi-annual, updates for stakeholders that were also circulated to Constellation members; and the development of a file-sharing site.



Lessons Learned

Ask for input. Few Constellation members used meetings as opportunities to share information. In hindsight, asking members to identify the source of their reticence at meetings may have been helpful.

Facilitate to encourage discussion. Consider a facilitated conversation or interview with a group member at a meeting, to explore intersections between their work and that of both the group and other group members.

BACKBONE SUPPORT



Constellation Experience

Originally, the CPRI Secretariat provided backbone support for the Constellation. When stewardship of the CPRI was transferred to Vibrant Communities Calgary (VCC) under the Enough for All (E4A) banner, VCC provided backbone support. VCC also sourced catalyst funding to initiate or advance new projects of groups participating in the E4A initiative.

Late in the Constellation's implementation phase, the Constellation obtained funding for part-time staff, to assist the co-chairs in the leadership of the Constellation.





Lessons Learned

Participation in a broader initiative has benefits. The Constellation's participation in the CPRI/E4A larger Collective Impact initiative provided enhanced credibility for the work of the Constellation, as well as the backbone supports.

Member buy-in is critical for Collective Impact funding. Initial concerns by Constellation members were alleviated when the Constellation agreed that funding would not be sought for Constellation projects without member approval.

JUSTICE SECTOR CONSTELLATION ACCOMPLISHMENTS

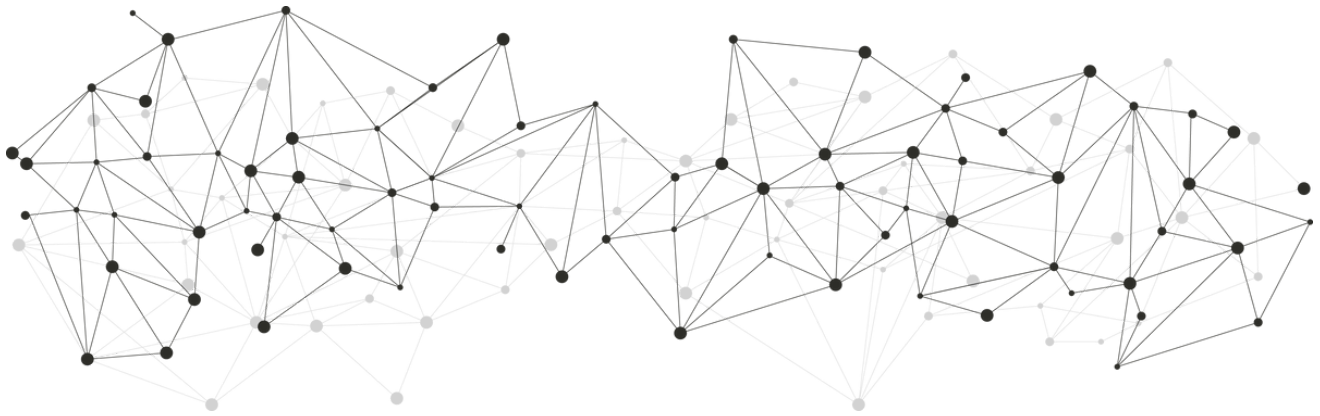
Over its history, the Constellation undertook many projects and had some notable successes. Lessons learned from these projects are highlighted in [The Justice Sector Constellation: Collective Impact at the Intersection of Poverty and the Law: Accomplishments.](#)

CONCLUSION

The history of the Constellation illustrates both challenges that may arise and successes that may be realized through a Collective Impact initiative. In the end, this is largely driven by the people around the table and their level of engagement with the issues the initiative is seeking to address. In that regard, it is fitting to close with a quote from Margaret Mead that was used as a tagline for the Constellation:

Never doubt that a small group of committed people can change the world. Indeed, it is the only thing that ever has.





ACKNOWLEDGEMENTS

The author would like to acknowledge each member of the Justice Sector Constellation and their member representatives: a small group of committed people seeking to change our small corner of the world. It was an honour and a privilege to have worked with you over the years.

Each funder of the Justice Sector Constellation is to be commended for believing in the Constellation and supporting it in a concrete way. We could not have accomplished what we did without you.

The views expressed in this case study and any errors, omissions or misstatements are the author's alone.

