

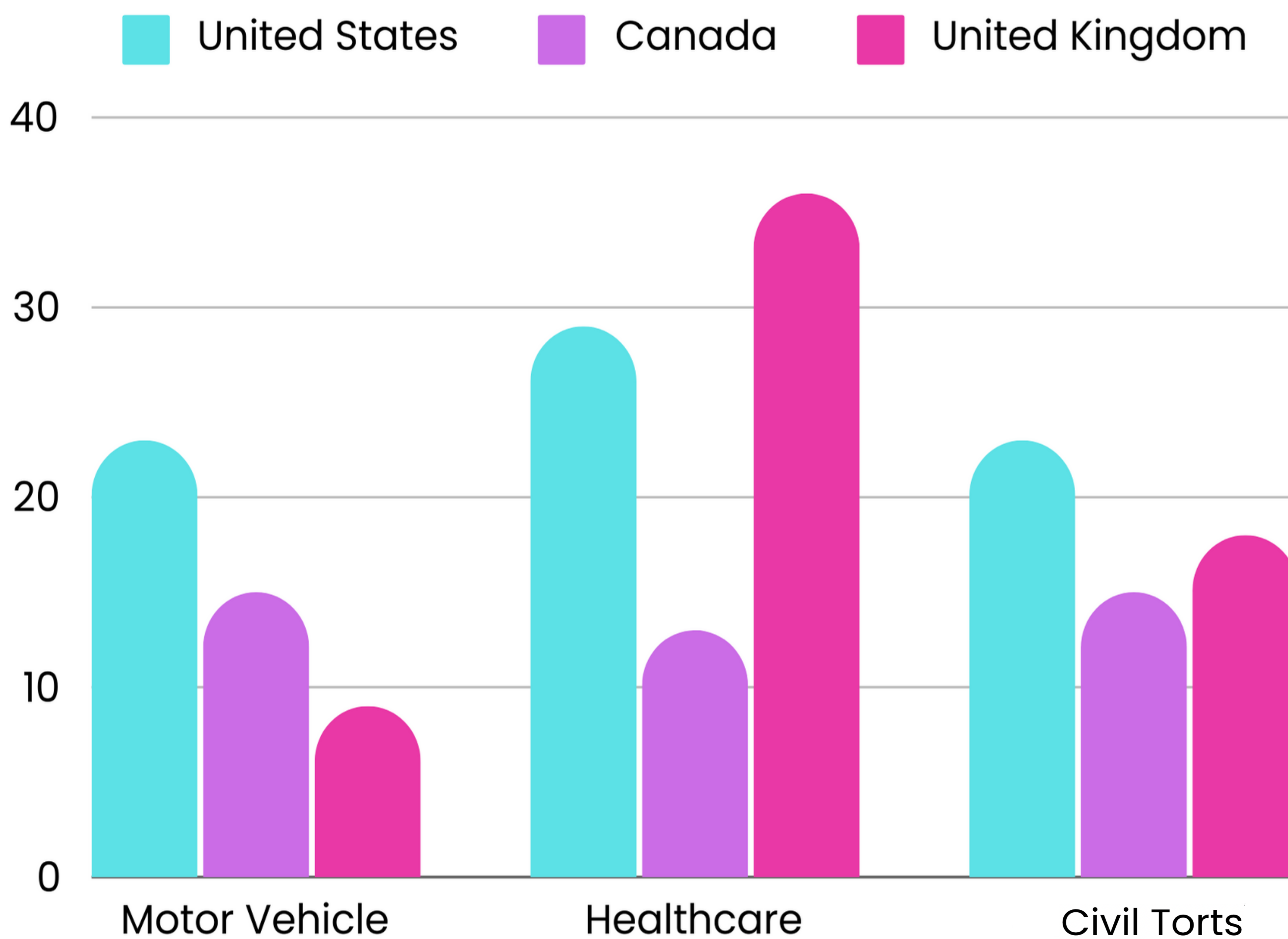
Justice Delayed: Access to Justice in Tort Litigation – A Comparative Analysis of Processing Times and Availability of Data of Tort Claims in the United Kingdom, the United States, and Canada

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AVERAGE PROCESSING TIME OF TORT TRIALS (MONTHS)

Canada is the most efficient in handling tort cases while the UK shows mixed results, with fast motor vehicle tort processing but delays in healthcare cases. The U.S. has consistently long processing times.



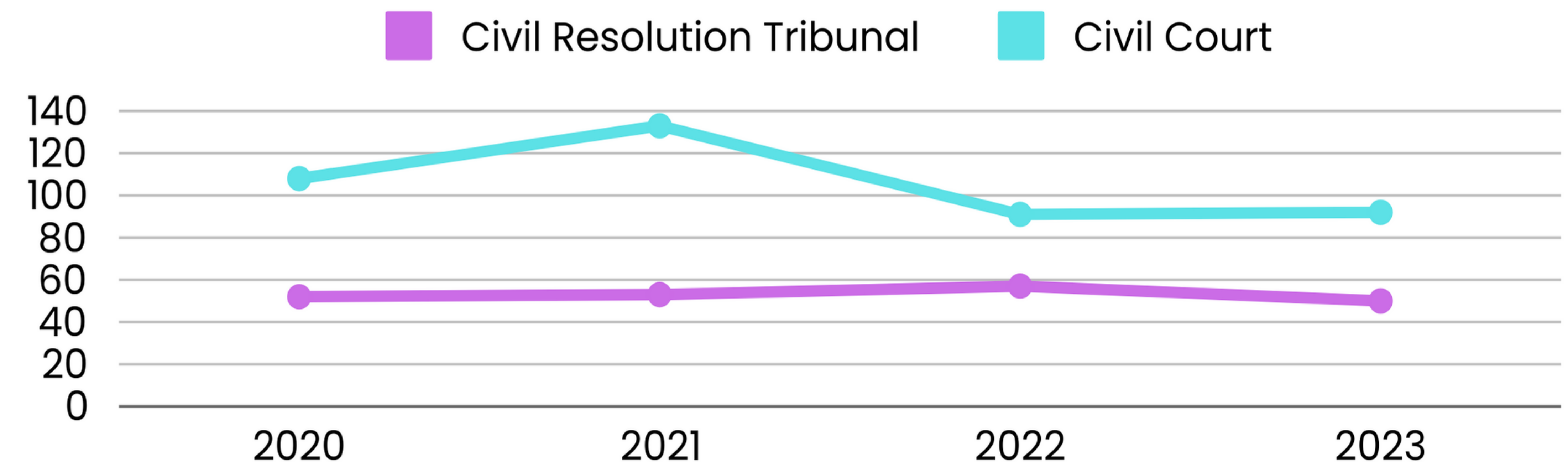
Recommendations: The USA and UK can explore furthering access to justice through adopting a similar online small claims system to Canada's civil resolution tribunal. In addition, centralising tort data statistics through one public authority would increase transparency of the process, incentivizing potential plaintiffs to bring claims to court.

WHAT BODIES MAKE TORT DATA ACCESSIBLE?

In the United States, the Bureau of Justice will publish data, but the data is often collected from independent studies done by universities. In Canada, tort data statistics are centralized and studies are conducted by Statistics Canada. In the United Kingdom, statistics are not made available by any public body and is instead provided by insurance companies.



TIME OF SMALL CLAIMS IN CANADA (DAYS)



The introduction of the Civil Resolution Tribunal (CRT), the first online administrative tribunal, in 2016 offered a solution to the time, expense, and complexity of resolving minor disputes in Canada. The CRT in 2021 took 80 less days than civil courts to reach a conclusion, indicating that small, specialised courts can resolve issues much quicker. The shortened amount of time allows the justice system to be more accessible for situations where financial difficulties can be a deterrent from pursuing a claim.