# Community legal education and information at Legal Aid NSW: activities, costs and future planning

July 2015

LAW AND JUSTICE FOUNDATION OF NEW SOUTH WALES

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Suzie Forell and Hugh M. McDonald

Law and Justice Foundation of New South Wales

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# Shortened forms

| | |
|---|---|
| ABC | Activity based costing |
| ABS | Australian Bureau of Statistics |
| ACT | Australian Capital Territory |
| ADR | alternative dispute resolution |
| ALS NSW/ACT | Aboriginal Legal Services NSW/ACT |
| AVO | Apprehended Violence Order |
| AMEP | Adult Migrant English Program |
| Auslan | Australian Sign Language |
| CALD | culturally and linguistically diverse |
| CASES | Legal Aid NSW's administrative data system |
| CLE | community legal education |
| CLEI | community legal education and information |
| CLEMS | Legal Aid NSW's Community Legal Education Management database |
| CLI | community legal information |
| LAW Survey | Legal Australia-Wide Survey |
| LIAC | Legal Information Access Centre |
| MRC | migrant resource centre |
| NPALAS | National Partnership Agreement on Legal Assistance Services |
| NSW | New South Wales |
| SALMAT | Name of report on stock in the warehouse |
| SDRO | State Debt Recovery Office |
| WDO | Work and Development Order |
| WDVCAS | Women's Domestic Violence Court Advocacy Service |
| VET | Vocational Education and Training |

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# Executive summary

This report profiles Legal Aid NSW's community legal education and information (CLEI) activities over a 12-month period to 30 September 2014, and discusses issues in costing CLEI. This is the first of three stages in a review of the CLEI program being undertaken by the Law and Justice Foundation of New South Wales, for Legal Aid NSW.

In this review, 'CLEI' includes community legal education (CLE) events and community legal information (CLI), both hardcopy and online. Phone-based information services, webinars, Legal Aid NSW's social media presence and the new Legal Aid NSW app are not included in this part of the review. The information is drawn from administrative data sources only. Key results follow.

## 1. CLE events

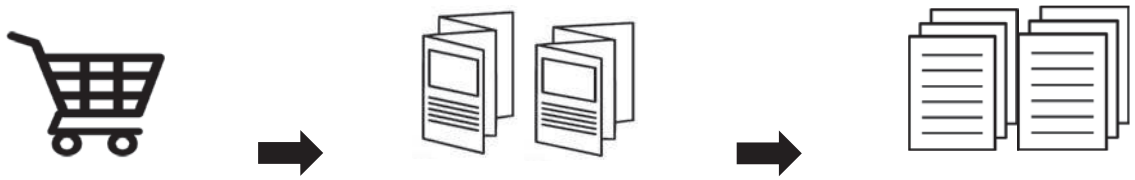
- A total of 1776 individual CLE events were held during the 12-month period from 1 October 2013–30 September 2014. More than half (51.5%) of all events in the review period were directed at community workers and other professionals only, 24 per cent of events were to community members only and 25 per cent were to both community members and workers.
- The most common topic area for Legal Aid NSW CLE related to 'families, relationships and children' (26.6%), followed by 'money, debts and fines' (22.5%), and 'courts, police and crime' (21.9%).
- CLE to community members only was most commonly delivered on the topics of 'family, relationships and children' (42.6%) followed by 'legal system' (e.g. *Law for new arrivals*, 20.7%). CLE to community workers and other professionals focused on 'money, debt and fines' (37.0%) and 'general civil law issues' (12.8%). Nearly three-quarters (72.5%) of CLE to both groups together focused on 'courts, police and crime'.
- Nearly 40 per cent (38.3%) of CLE events were conducted in regional or rural areas, particularly the Mid North Coast (6.9%), Illawarra (6.5%), Hunter and the Central West (5.6% each).

## 2. Hardcopy CLI resources

### CLI resources available

- As at 1 October 2014, there were 180 different titles listed on the Publications Online database, totalling 400 separate resources (accounting for different languages and different formats of the same title). More than three-quarters (76.9%) of all community legal information (CLI) resources were pamphlets, brochures, factsheets or booklets, while 10 per cent were DVD or videos.
- Nearly four out of five (78.3%) of the titles were available in English only, while 23 per cent were in at least one other language.

### CLI resources ordered



**2377 orders**

**Separate resources ordered**
**N = 16 940**

**Copies of resources ordered**
**N = 738 792**

The vast majority (95.5%) of hardcopy CLI resources are ordered by organisations rather than individuals. The highest number of separate resources (titles) ordered was from health and community services, while the highest number of *copies* (copies of each and all titles ordered) was ordered by Legal Aid NSW units and offices, for onward distribution.

| | *Separate resources ordered N = 16 904* | *Copies of resources ordered N = 738 792* |
|---|---|---|
| ***Ordered by*** | | |
| **Legal Aid NSW** | 20.3% | 43.7% |
| **Health and community services** | 36.8% | 20.9% |
| **Other public legal assistance services** | 8.4% | 11.6% |
| **Libraries** | 7.5% | 4.8% |
| **Individuals** | 4.5% | 0.2% |
| **Others^** | <6% each | <6% each |
| ***Top 5 topics ordered*** | | |
| **Courts, police and crime** | 25.5% | 26.9% |
| **Families, relationships and children** | 26.0% | 24.1% |
| **Domestic violence** | 17.5% | 14.8% |
| **Money, debt and fines** | 15.0% | 15.7% |
| **Government and rights** | 11.8% | 11.2% |

^ 'Others' includes government, justice sector, private legal services, courts and tribunals, Women's Domestic Violence Court Advocacy Service (WDVCAS), alternative dispute resolution (ADR) and mediation services, education. See Tables 15 and 16 in report.

## 3. Online presence

- In the 12 months to 30 September 2014, Legal Aid NSW had 1 085 142 visits to its main website (www.legalaid.nsw.gov.au), resulting in 2 247 973 page views.
- In the top 10 most commonly viewed pages on the Legal Aid NSW website:
  - six appear to be searches for legal assistance (contact us, how to get legal advice, applying for legal aid, find a service, legal helpline)
  - two specifically relate to legal information ('factsheets and resources', and the resource *What happens when your relationship ends*)
  - the final two are the homepage itself, and information for lawyers about grants.
- An analysis of the 250 most popular pages on the Legal Aid NSW website indicates that:
  - nearly 40 per cent (39.5%) of page views related to how to get legal help and how to contact Legal Aid NSW
  - nearly one-third (30.8%) of page views related to CLEI (factsheets, resources, CLE workshops).
- These data may indicate that a substantial proportion of visitors to the Legal Aid NSW site may come looking for help rather than information.
- Analytics data indicates that visitors search for legal information in Google and are directed to the specific online brochure in the 'factsheet and resources' pages of the website. They then return to Google to continue their search. For example, a direct entry to a publication on family breakdown may result from a Google search for 'my relationship has ended' or similar. For this reason, visitors do not need to be aware of Legal Aid NSW as a source of information, nor even aware of the issue as a 'legal' issue.
- Visitors to the 'get help/contact us/what we do' pages are more likely to navigate from the website homepage.

### 'Most popular' titles

- The top 10 resources viewed on the Legal Aid NSW website are listed below, together with their rank in the number of hard copies ordered (see Table 28 in report for more details).

| CLI resource name | Rank by page views | Rank by hard copies ordered |
|---|---|---|
| *What happens when your relationship ends?* | 1 | 6 |
| *My ex-partner has taken our children without my permission. What can I do?* | 2 | 36 |
| *Get street smart: under 18s: know your legal rights* | 3 | 27 |
| *Police powers* | 4 | 13 |
| *Are you a grandparent? Your legal questions answered* | 5 | 30 |
| *Mortgage handbook—sample letters and forms* | 6 | 65 |
| *Going to court: guide to the Local Court for defendants* | 7 | 23 |
| *Speaking for myself: planning for later life decision making^* | 8 | 10 |
| *Have you crashed your car?* | 9 | Not listed |
| *Your home and the aged pension* | 10 | 51 |

- The list of resources viewed on the website tells a more direct story about legal information needs, as this is more likely to be the result of searches by an individual (e.g. client, family member, or non-legal worker) looking for information when it is required. In contrast, hardcopy orders, which tend to be from organisations, reflect anticipated need.
- Among the CLI resources most commonly viewed online are resources which, in their title, asked a specific question (e.g. *What happens when your relationship ends*?, *Have you crashed your car*?). In contrast, *Do you have a legal problem?* ranked 98th. This finding reflects research indicating that people do not necessarily recognise their problems as 'legal' problems' and accordingly, has implications for the naming of resources.

## Costing CLEI

Information was sought on the costs involved in the development, delivery and distribution of CLEI. Issues to be considered in costing CLE and CLI activities were examined in this review through four case studies. Broadly, these issues include identifying:

- what Legal Aid NSW would seek to cost and for what purpose
- the full range of activities and resources involved in the development and implementation of CLEI strategies, to be accounted for in a costing exercise
- the availability of data and information to enable these activities and resources to be costed
- a meaningful unit of measure against which to calibrate cost (e.g. cost per resource or per user).

## The various purposes of CLEI

The review demonstrates the various ways that CLEI is used by Legal Aid NSW to help people understand and protect their rights. It also demonstrates how these services are tailored for different audiences and target groups. Understanding the different ways that CLEI can be used—for whom, when and to what end—is critical to the effective planning and evaluation of CLEI.

The following table (Table 44 of the report) aims to clarify the various purposes of CLEI, and is explained in detail in Chapter 4 of the report. This model has been produced to support the next stage of this review: the development of a strategic framework for CLEI. The model should equally apply to the use of technology for CLEI.

**Identifying the purpose of CLEI: to whom, when and to what end**

| ***Who*** | | ***Broader community*** | ***Core clients*** | ***Workers*** |
|---|---|---|---|---|
| | | ***Higher capability*** | ***Lower capability*** | ***Problem noticers*** |
| ***To do*** | | ***Self-help*** | ***Get help*** | ***Give help*** |
| ***When*** | ***Just in time*** | Procedural—to outline steps to take with current problem and provide tools to do so<br><br>e.g. Divorce classes, Law Assist NSW ***Is someone chasing you for money?***<br><br>* *More scope for technology* | To identify problems as legal, and introduce legal service for immediate help<br><br>e.g. CLE provided by solicitors in outreach locations<br><br>**CLI to reinforce advice**<br><br>* *Less scope for technology due to importance of relationship building* | To educate problem noticers to recognise clients' existing legal issues and know where to refer client to legal help (including outreach)<br><br>e.g. ***Law Check-Up tool***, linked to outreach advice service<br><br>* *Mix of technology and face-to-face CLE* |
| | ***Just in case*** | To encourage steps to prevent problems arising and encourage action when they occur<br><br>e.g. Planning for later life decision-making, CLE on ***Cyber bullying*** for young people<br><br>* *More scope for technology* | To identify problems as legal—to prevent problems and to encourage help seeking when problem arises<br><br>e.g. ***Let's talk*** CLE package, delivered in migrant resource centres<br><br>* *Less scope for technology due to importance of relationship building* | To build capacity to recognise issues and refer, across a range of issues, to assist current and future clients<br><br>e.g. ***Law for non-lawyers***, the webinar series<br><br>* *More scope for technology* |
| ***Intent*** | | Provide *alternative* to legal assistance services | To *connect* isolated clients to legal assistance services | Provide a *pathway* to legal assistance services for clients |
| ***Types of outcomes*** | | Users able to progress or resolve issues | Users seek assistance | Problem noticers provide appropriate referrals |

# Recommendations

## CLE events

1. In Legal Aid NSW annual reports, CLE is reported by the number of 'CLE sessions'. For the purpose of ongoing monitoring, evaluation and costing CLE, Legal Aid NSW should consider counting CLE by event rather than session.
2. A strategic framework developed for CLEI should specifically acknowledge the diverse purposes of CLEI, including CLEI to 'problem noticers' who support the pathways to legal assistance for disadvantaged clients.
3. Noting that the audience types reached is important to well-targeted CLE, Legal Aid NSW should consider monitoring and reporting on the composition of audiences (e.g. workers or community members, target groups) as well as 'audience numbers' (also for consideration in the context of costing CLE).

## The classification of CLEI topics and target groups on relevant databases

4. To facilitate monitoring and evaluation of CLEI activities and resources, Legal Aid NSW should consider creating:
   - a single set of CLEI topic categories for use on the Community Legal Education Management System (CLEMS) and on the publications database, Publications Online. The topic list should provide a smaller number of broader categories than that currently provided on CLEMS.
   - a single and separate set of CLEI target group categories for use on CLEMS and on Publications Online.

## Hardcopy resources

5. To enhance monitoring and evaluation capability, all Legal Aid NSW CLI resources should be included on the publications database, Publications Online.
6. The product type categories used on Publications Online should be reviewed, to remove overlap between categories and to align hardcopy and digital resources.
7. Legal Aid NSW should consider adding a field to Publications Online, to record the intended use of the resources distributed (e.g. front office display; to hand to clients with these issues; to provide to local organisations; other).
8. Legal Aid NSW should develop guidelines to ensure material produced is targeted, and appropriate to its target audience and particular purpose (e.g. self-help material for individuals compared to referral information for workers).
9. Legal Aid NSW should investigate the utility of providing slow moving resources, such as material in community languages, as online resources (html and PDF) only, for download as required.
10. The SALMAT stock on hand report should not include resources that are unavailable for distribution during the selected time period.

## Legal Aid NSW's online presence

11. Legal Aid NSW should periodically gather feedback from its website users, for example, through short pop-up surveys on the website, to ascertain who the users are and what information they are seeking in coming to the website. Provision should be made to identify Legal Aid staff users.
12. Legal Aid NSW should review who it intends to reach with its website and to what end, and how to increase user access to the help and information sought.
13. Legal Aid NSW should review the design of online information resources to ensure they are optimised for the users and uses of the material (e.g. can PDFs be easily printed off and given to clients?).
14. Legal Aid NSW should integrate a digital communication strategy into the strategic framework for CLEI.
15. Legal Aid NSW should review the findings of this report, regarding visits to the website from mobile phones and tablets, to identify implications for the design and content of the Legal Aid NSW app.
16. All online resources should be clearly identified as relevant to NSW only, due to the high proportion of direct entrances to factsheets and resources on the website and noting the proportion of visitors to the website likely to originate from outside NSW.
17. Legal Aid NSW should regularly review the page views on its website to monitor the types of information users access on the website.
18. Legal Aid should review how its publications are named, to ensure optimal identification by search engines.
19. Legal Aid NSW should also investigate other ways to optimise the visibility of CLI resources from search engines such as Google, particularly for issues, such as 'bad loans' where the competing search results (e.g. from inappropriate lenders) may lead users to further legal problems.
20. Consideration should be given to undertaking research into improving the uptake of and outcomes achieved using online CLEI 'self-help' resources, for instance through links to online chat services when users are otherwise unable to progress.

## CLEI data collection

21. Responsibility for all data relevant to the provision of CLEI should be centralised or more formally coordinated.
22. The definition and collection of data relevant to CLEI should be reviewed for consistency across databases and to improve the accuracy of data entry and reporting.
23. Legal Aid NSW should develop templates for presenting CLEI data aligned to decision making and reporting requirements.

## Costing CLEI

24. Further consideration should be given to the cost-effective production of resources:
    - required in hardcopy (e.g. resources that solicitors may provide to reinforce advice)
    - resources on topics that require regular updating due to changes in the law (e.g. bail laws).
25. Legal Aid NSW should review whether and for what purpose it would seek to cost CLEI strategies. Questions to consider include:
    - Can both CLE and CLI be costed and, if so, should they be counted together as one program?
    - If they are to be costed separately, where is the boundary drawn between the two (e.g. are materials prepared for CLE, part of CLE or CLI)?
    - In what circumstances should particular CLEI strategies be costed individually?
    - What, if any, is a meaningful unit of measure for different types of CLEI?
    - What is the cost of different costing options, both financially and in terms of staff time?

## The effective management of CLEI practice at Legal Aid NSW

26. Legal Aid NSW should develop a strategic framework for CLEI which:
    - articulates how CLEI strategies link and support Legal Aid NSW corporate priorities and other service strategies
    - covers hardcopy and online CLEI provision
    - informs decision making about how to select and prioritise different CLEI topics and strategies (e.g. self-help, get help or give help strategies; proactive or reactive strategies; narrow or broad legal issues; general population or specific target client groups)
    - supports best practice in the development, delivery and distribution of CLEI
    - frames and guides the planning, monitoring and evaluation of CLEI.
27. Legal Aid NSW should ensure that decisions to develop CLEI resources and programs are informed by the strategic framework developed for CLEI, with consideration paid to the purpose of the CLEI, the intended audience, the appropriateness of the material for the audience and the timing/distribution strategy.
28. In developing the strategic framework, Legal Aid NSW should review:
    - the process and criteria for deciding whether to develop or renew specific CLEI resources
    - the current structure for the development and delivery of CLEI, in order to address inefficiencies and current difficulties in that structure.
29. Legal Aid NSW should take into account the work, role, resources and priorities of other agencies in the sector, when prioritising its own CLEI work.

# 1. Introduction

## 1.1 The review of CLEI at Legal Aid NSW

This report profiles Legal Aid NSW's community legal education and information (CLEI) activities over a 12-month period to 30 September 2014, and discusses issues in costing CLEI. This is the first of three stages in a review being undertaken by the Law and Justice Foundation of New South Wales for Legal Aid NSW of its CLEI program:

- Stage 1: profiling Legal Aid NSW CLEI
- Stage 2: developing a strategic framework for CLEI
- Stage 3: evaluating CLE and CLI.

In this review, 'CLEI' includes community legal education (CLE) events and community legal information (CLI), both hardcopy and online. Phone-based information services, webinars, Legal Aid NSW's social media presence and the new Legal Aid NSW app are not included in this part of the review.

### Stage 1: profiling Legal Aid NSW CLEI

The aim of this first stage of the review was to quantify and profile CLEI provided by Legal Aid NSW. The cost of CLEI has also been examined.

### This report

Chapter 2 of this report describes Legal Aid NSW CLEI *activities*. Focusing on a 12-month review period (1 October 2013–30 September 2014) it details:

- CLE events held throughout NSW, their geographic distribution, their topics and the types of audiences reached
- CLI resources produced by Legal Aid NSW and their distribution in hardcopy and online
- information on who orders hardcopy Legal Aid NSW CLI resources on different topics
- analytics information on how Legal Aid NSW websites are used and the information needs they appear to meet
- Legal Aid NSW's YouTube presence.

Chapter 3 considers the *costs* of CLEI. Using four case studies, it discusses the challenges to costing these activities and the data requirements to do so.

Chapter 4 discusses the issues arising in the two results chapters and lays the groundwork for the development of a strategic framework for CLEI. It raises questions for consideration and proposes a framework for understanding the varying purposes of different CLEI strategies.

This first report has been drafted to inform Stage 2 of the review, which will involve working with Legal Aid NSW to develop a strategic framework for CLEI. Recommendations for action arising from the data are listed through the results and discussion chapters, and presented in full after the Executive Summary.

## 1.2 Background and context

### CLEI at Legal Aid NSW

The provision of CLEI is an intrinsic part of public legal assistance in Australia and the work of Legal Aid NSW.

One of the functions of Legal Aid NSW envisioned by the *Legal Aid Commission Act 1979* (NSW) was to provide educational programs designed to promote an understanding by the public of their rights, powers, privileges and duties under the laws of NSW.[1] The *Legal Aid Plan* 2014–15, states:

> Legal Aid NSW helps people to understand and protect their legal rights by giving advice, advocacy, representation and education, focussing on disadvantaged people and communities (Legal Aid NSW 2014a).

More broadly, the National Partnership Agreement on Legal Assistance Services (NPALAS) provided for an increased focus on preventative legal services such as community legal education and legal information (Council of Australian Governments 2010).

CLEI covers a wide range of activities aimed at increasing legal capability.[2] It can be delivered as a workshop in a school or community centre, a web-based resource or a step-by-step guide or brochure. CLEI can be delivered to groups or to individuals, but always provides generic information rather than legal advice based on a client's individual circumstances. CLEI is provided to people at risk of legal problems, those experiencing legal need, and friends, family and professionals who support or are in contact with these people.

In 2013–14, Legal Aid NSW delivered 3160 CLE sessions and distributed 712 395 publications (Legal Aid NSW 2014b, p. 16). As indicated in Table 1, the number of CLE sessions delivered each year has increased steadily over the past five years, with an overall increase of 122 per cent from 2009–10. The number of publications distributed increased 15 per cent from 634,496 in 2009–10 to a peak of 731 526 in 2012–13.

**Table 1: Hardcopy publications distributed and CLE sessions, 2009–10 to 2013–14**

| | *2009–10* | *2010–2011* | *2011–12* | *2012–13* | *2013–14* |
|---|---|---|---|---|---|
| **CLE sessions** | 1425 | 2148 | 2211 | 2515 | 3160 |
| **Publications distributed** | 634 496 | 647 800 | 678 103 | 731 526 | 712 395 |

Sources: Legal Aid NSW annual reports, (Legal Aid NSW 2011a; 2012; 2013; 2014b)
Notes: The figures here count CLE 'sessions' while this report counts CLE 'events'. See Section 1.4 (methodology) for details. In 2013–14 there were also 341 783 PDF downloads and 604 793 views of html pages. Thus 2012–13 may have had peak hardcopy distribution with the move to online distribution (PDF and html).

CLE events and CLI resources are developed and delivered by solicitors and non-legal staff across all Legal Aid NSW divisions. The CLE Unit, which is part of the Strategic Policy, Planning and Community Partnerships Division, develops and implements CLE initiatives, both face-to-face and more recently by webinar. The CLE Unit is the central point at Legal Aid NSW to receive requests from the public for CLE events (though requests can also be received by Legal Aid offices). The CLE Unit also develops multi-media information resources, including videos, photo stories and podcasts; manages the *Best for kids* and *Burn-movie* websites and the YouTube channels; and undertakes some publication work. The Unit maintains data on CLE events planned and held, and gathers information to monitor and evaluate CLE events.

In addition to the CLE Unit, there are dedicated CLE practitioners within each of three main Legal Aid NSW practice areas, reporting to their respective executive directors. The Publications Unit is based in the Executive Unit, and is responsible for developing, managing and distributing hardcopy and online information resources.

A previous CLE strategic plan ended in 2013–14, with the functions absorbed into the broader corporate plan, and the supporting divisional plans.

Legal Aid NSW has described the role of CLE as being to:

> Equip people with the awareness, knowledge and skills needed to successfully resolve the law-related problems encountered in everyday life. (Legal Aid NSW 2013, p. 27)

1 See section 10(2)(m).

2 'Legal capability' refers to the knowledge, skills, psychological and resource aspects that affect what people are able to do themselves to resolve legal problems (see Pleasence, Coumarelos, Forell and McDonald 2014, p. 130).

Further describing the rationale for this work, it was noted that:

> CLE helps people anticipate and avoid legal problems, act more quickly when problems do occur and deal with legal issues more effectively through knowing when and where to get expert help. (Legal Aid NSW 2013, p. 27)

Within these broad aims, there appear to be two quite differing purposes or roles for CLEI at Legal Aid NSW. First, CLEI is provided to 'help clients help themselves': to give clients the tools they need to address their legal problems independently and with no or limited further call on Legal Aid NSW for assistance. The anticipated impact of self-help CLEI is that while the number of those using CLEI services will increase, the number of clients seeking more intensive assistance of Legal Aid (advice, minor assistance, and representation) may be reduced.

The second aim of CLEI is to broaden the awareness of legal problems and of Legal Aid NSW as a source of assistance in resolving those problems. This type of CLEI tends to be directed towards more disadvantaged client groups as well as those who support or work with them. The intention of CLEI to caseworkers, for instance, is to encourage referrals of hard-to-reach clients to Legal Aid NSW. The anticipated impact of effective CLE in these terms is that the numbers of clients seeking more intensive assistance from Legal Aid NSW (advice, minor assistance, representation) may increase. In this way, CLEI is used to ensure the appropriate targeting and uptake of other legal assistance strategies such as outreach advice services. The overall anticipated impact of these two approaches is to maximise the number of clients that Legal Aid NSW is able to assist.

To better appreciate these differing roles for CLEI, it is important to understand both who Legal Aid NSW seeks to serve and how. The funding and policy environment, together with relevant research are outlined below.

## The policy and funding environment

Public legal assistance services attract only 0.14 per cent of total government spending in Australia, with the four main providers in Australia (Legal Aid Commissions, Community Legal Centres, Aboriginal Legal Services and Family Violence Prevention Legal Services) receiving around $730 million in government funding in 2012–13, for both criminal and civil matters (Productivity Commission 2014, p. 29). Budget estimates for 2014–15 and beyond signal further reductions in funding for public legal assistance services (Murphy 2015). Given limited available resources, public legal assistance is prioritised to disadvantaged clients and communities (e.g. Council of Australian Governments 2010; Legal Aid NSW 2013, 2014; Productivity Commission 2014).

This means that the more intensive (and costly) forms of legal assistance, and particularly representation or casework services, are only available to a tightly defined group of clients (subject to means and merit testing) for a defined set of legal issues. Any legal assistance made available to the wider general community tends to be in the form of 'prevention' services (information and education), and in some cases, 'early intervention' services (advice, minor assistance and duty services) or dispute resolution services.

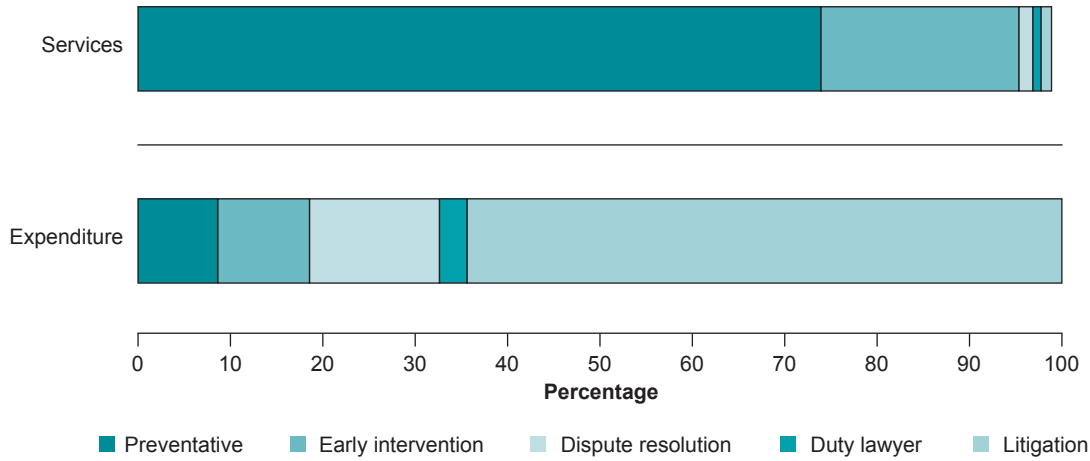
The relative expenditure and volume of each service type is depicted in Figure 1. It shows the relatively broad provision of information and education strategies (prevention services) for less than 10 per cent of Legal Aid Commission expenditure Australia-wide.

These figures indicate the very low unit cost for prevention services. While, on the face of it, this may indicate that prevention services are very cost efficient, consideration must be given to who a service actually reaches and assists, and what impact the service has. As noted by Pleasence, Coumarelos, Forell and McDonald (2014), resources risk being wasted if the levels of support provided are insufficient to bring about effective outcomes.

Recent reviews of access to justice and legal assistance services have considered the place and function of CLEI as part of the broader legal assistance framework (Productivity Commission 2014, p. 4, see also pp. 149–64; Allen Consulting Group 2014). Noting that 'Many Australians are, or feel, unable to understand or navigate the civil justice system' (p. 149), the Productivity Commission (the Commission) (2014, p. 159) took the view that:

> Legal information, CLE, minor assistance and advice help people develop their legal knowledge and capacity, which in turn enables them to resolve their disputes efficiently.

**Figure 1: Legal Aid Commission services and expenditure by service category 2011–12**




Source: Allen Consulting Group (2013, p.165). Note that 'preventative' services exclude website page views and publications. 'Preventative' and 'early intervention' services relation to state/territory and Commonwealth matters. The other services categories relate to Commonwealth matters only.

The Commission noted that different strategies are used to assist the general population and those experiencing disadvantage.

The Productivity Commission (2014) also observed that many organisations, including government agencies, ombudsmen, and public legal assistance services, provide legal information and education to improve the legal capability of the community. Concerned about the duplication of effort this may involve, the Productivity Commission (2014, p. 149) recommended:

> Better coordination and greater quality control in the development and delivery of these services would improve their value and reach.

The Commission further noted that, for-profit providers have little or no incentive to provide community legal education services in many locations, and for particular legal issues and groups. This suggests that, as the situation currently stands, responsibility for this work remains within the public legal assistance sector.[3]

The implications of these observations for Legal Aid NSW are that, while it has a key role in the provision of CLEI, it is one of a number of agencies that share this responsibility. Any CLEI strategies should to be developed with regard to this broader context.

## The research evidence

### *CLEI as a legal assistance strategy*

CLEI is widely accepted as a key strategy used to meet legal needs across the community. However, research indicates the importance of a considered approach to both to the selection of CLEI as a legal assistance strategy (rather than advice or minor assistance for instance), and to the design and application of any particular CLEI strategy.

Evidence suggests that the utility of CLEI strategies depends on both the legal capability of the individual users (such as their personal characteristics and willingness to engage in self-help) and the nature and complexity of the legal tasks (Hunter, Banks & Giddings 2007, 2009; Lawler, Giddings & Robertson 2009, 2012; Pleasence et al. 2014; Robertson & Giddings 2014). As an example of the latter, non-routine legal tasks involving the exercise of substantial discretions may be ill-suited to self-help strategies (see Lawler et al. 2009, 2012; Pleasence et al. 2014; Robertson & Giddings 2014).

3 Of note, Smith and Paterson (2013, p. 40) report that an increasing number of private providers in the United Kingdom are providing legal information, some free legal advice and low, fixed-cost unbundled services through their websites.

Indeed, extensive literature has cautioned that one-size-fits-all education strategies are less effective than strategies tailored to address specific issues faced by particular groups of people at particular times (see Coumarelos et al. 2012; Pleasence et al. 2014).

Others further note that, because some people have limited legal capability, due to literacy, language or communication problems, legal information and education will often only be preliminary steps towards legal resolution (Balmer, Buck, Patel et al. 2010; Buck, Pleasence & Balmer 2007; Coumarelos et al. 2012; Pleasence et al. 2014). For this group of users, it is suggested that CLEI strategies should not be seen as stand-alone services providing complete solutions, but rather as being complementary to or a link to other legal services, particularly at points of pressing or urgent action (see Coumarelos et al. 2012; Lawler et al. 2009, 2012; Pleasence et al. 2014; McDonald, Forell, Wei & Williams 2014). Researchers have further cautioned against seeing legal information and education services as cheap alternatives or replacements for legal advice and assistance (see Coumarelos et al. 2012; Giddings & Robertson 2003; Pleasence et al. 2014).

Self-help strategies are observed to be a more viable option for those people with higher legal capability, who are able to benefit from CLEI initiatives that enhance their ability to solve their problems themselves (Barendrecht 2011; Coumarelos et al. 2012; Pleasence et al. 2014).

Lawler et al. (2012) also point to a crucial distinction in the effectiveness of more general CLEI resources designed to raise broad awareness and understanding of legal rights and responsibilities, and specific self-help resources designed to assist people with particular legal problems in times of legal exigency ('just in case' compared to 'just in time' resources).

### *What CLEI aims to achieve*

Research has also focused on *how* CLEI assists users to resolve their legal issues.

A key rationale for the provision of CLEI is to improve knowledge, with lack of knowledge identified as a key barrier to people taking action (Buck, Pleasence & Balmer 2008). While knowledge is critical to action, *lack* of knowledge is only one of a number of barriers to people effectively addressing their legal problems. For instance, the LAW Survey found common reasons for respondents' inaction included that it would make no difference (56.2% of those who took no action); they didn't need information or advice (39.2%); they had bigger problems (31%); and they didn't know what to do (21.4%) (Coumarelos et al. 2012, pp. 98–9).

Further analyses of the LAW Survey by McDonald, Forell and People (2014) indicate that not knowing what to do about a legal problem is rarely the *only* reason for inaction, and was more commonly reported in combination with several other reasons for inaction. Consistent with earlier research, they concluded that:

> … whether well-founded or not, issues of stress, time, cost, damaging relationships and having bigger problems to deal with are bound up together and form complex and inter-locked barriers to action. (McDonald, Forell & People 2014, p. 5)

Good practice guidelines for CLEI already engage with this reality and support strategies that build the knowledge, skills and confidence required to resolve legal problems (Federation of Community Legal Centres Victoria 2010; Kirby 2011; Pleasence et al. 2014; Public Legal Education and Support (PLEAS) Task Force 2007; Wilczynski, Karras & Forell 2014; see also www.lawforlife.org.uk).

While good practice guidelines provide valuable insight into the features of CLEI practice and products, a recent systematic review indicates that, to date there has been little empirical research into the *impact* of CLE strategies (Wilczynski et al. 2014). One critical research gap is the rigorous comparison of the impact of different types of CLE strategies on audiences with different legal capabilities. Lack of evidence does not necessarily mean that CLE is ineffective. Rather, it points more to the considerable challenges in undertaking the type of research and evaluation that reliably demonstrate impact and link it to the CLE over and above other possible influences. These challenges include the diversity of activities falling within the scope of 'CLE' and the range of desired outcomes, as well as methodological challenges in identifying, defining and measuring outcomes for both CLE and for a control or comparison group. The cost of rigorous evaluation of CLE may also be disproportionate to expenditure on particular resources.

An equal challenge is developing a clear understanding of what different types of CLEI aim to achieve. Thus, while self-help materials are developed to provide the knowledge, skills and motivation to enable a (high capability) client to resolve a legal problem, other CLEI may simply aim to link potential clients with the appropriate legal assistance they require.

Finally, consideration needs to be given to what different types of CLEI strategies and resources can *realistically* be expected to achieve for different groups of users, given they are generally short and relatively generic interventions (McDonald, Forell & People 2014). Articulating realistic and measurable objectives for different types of CLE is critical.

One area commonly suggested to have tremendous potential to help to better reach people with CLEI, and more effectively match it to their particular needs and capabilities, is through information technology.

*CLEI and technology*

In recent years there has been an increasing interest in the use of technology as a more cost-effective way to provide CLEI, and a profusion of innovation in this space (Smith 2014). Research suggests, however, the importance of evaluating the effectiveness of these strategies for different client groups and different purposes (Smith & Paterson 2013).

While internet use in Australia is very high, particularly for those aged under 55 years[4], evidence suggests some caution in assuming the reach and impact of these strategies, particularly for vulnerable populations (Pleasence et al. 2014, p. 35). In particular, disadvantaged people with poor legal capability may have difficulty accessing, comprehending and acting on legal information and legal advice, including online information (see Pleasence et al. 2014; Smith & Paterson 2013). For instance, research indicates that while young people are very keen users of technology, some young people lack the skills and interest necessary to identify and use appropriate sources of online legal information (Denvir, Balmer & Pleasence 2011; 2014; see also Smith & Paterson 2013 for broader discussion). Denvir et al. (2014) also point to older people facing this two-tiered digital divide (that is, a lack of access to technology as well as lack of capability or interest in using the technology to address legal issues).

These finding are important to decisions about the use of technology in the delivery of CLEI, noting also that technological opportunities and the uptake of technology is constantly changing. Further, recognising the various audiences and purposes for CLEI, technology may offer more effective modes of communication for some stakeholders compared to others.

## 1.3 Implications for Legal Aid NSW

The policy and funding environment, together with the research evidence, suggest a number of issues to be addressed in developing a strategic framework for CLEI.

1. Given the overall objectives of Legal Aid NSW, what is the purpose of CLEI, and how does it integrate with other legal assistance strategies?
2. Who do different CLEI strategies assist, with what issues, when and to what end?
3. How does Legal Aid NSW define, identify and monitor high quality and cost-effective CLEI?
4. How does Legal Aid NSW support informed, high quality and cost-effective CLEI practice across the organisation?
5. What is the place of Legal Aid NSW in the provision of different types of CLEI services in NSW?

These questions provide a lens through which to consider the CLEI activities and costs outlined in the following results chapters, and are reviewed in Chapter 4.

4 In 2012–13, 83 per cent of respondents to the Australian Bureau of Statistics (ABS) Multipurpose Household Survey indicated they had used the internet in the previous year. This figure was 96 per cent or higher for those aged under 35, 94 per cent for those aged 35–44, 89 per cent for 45–55 year olds, 78 per cent for those 55–64 and 46 per cent for those aged 65 years or older. Note, as a household survey, those living in non-private dwellings, including institutions or retirement homes, are excluded from the sample (Australian Bureau of Statistics 2014).

## 1.4 Stage 1: Methodology

### Audit of CLEI activity

This first stage of the review has involved an audit of all Legal Aid NSW CLEI activities in the 12 months from 1 October 2013–30 September 2014, based on available administrative data and information. Phone-based information services, webinars, Legal Aid NSW's social media presence and the new Legal Aid NSW app were not included in this stage of the review.

The CLEI activities included in the audit and their corresponding data sources are listed below.

| Activities/resources | Data sources |
|---|---|
| CLE events held | CLE events recorded on Legal Aid NSW Community Legal Education Management System (CLEMS) database as 'held' 1 Oct. 2013–30 Sept. 2014 |
| List of CLI resources | On the Publications Online database as of 1 Oct. 2014 |
| Hardcopy CLI resources distributed | Publications Online database, 1 Oct. 2013–30 Sept. 2014<br>SALMAT stock on hand (SOH) report, 30 Sept. 2014 |
| Factsheets and resources downloaded from Legal Aid NSW website | Publications Online database, 1 Oct. 2013–30 Sept. 2014 |
| *Best for kids* website and the *Burn-movie* website interactions | Google analytics, 1 Oct. 2013–30 Sept. 2014 |
| YouTube views on Legal Aid NSW channels | YouTube analytics, 1 Oct. 2013–30 Sept. 2014 |

For each CLEI event or resource, information was collected about:

- topics covered (if recorded)
- audience type (if recorded)
- the type of product (pamphlet, DVD, website, training program, face-to-face session)
- when resources were ordered or CLE delivered
- geographic distribution of CLE and publications
- 'reach' (e.g. audience numbers for CLE, distribution for publications, website hits)
- who ordered the resources.

The following information was not readily available from the above sources:

- the purpose of each CLEI event or resource
- whether any user testing, evaluation or follow up was undertaken/outcomes achieved
- the cost of developing and delivering the strategy or resource.

The number of hours for each CLE event (as an indicator of scale) was not available for this review. However, the length of a session can be calculated from the start time and end time of each CLE event, as recorded in the CLEMS database.

A 'CLE session' is the standard counting measure used by Legal Aid NSW to report CLE services. Each CLE event involves between one and six CLE sessions, depending on the law types (crime, civil, family) and jurisdictions (state or Commonwealth) involved. Counting sessions enables Legal Aid NSW to report specifically on CLE relevant to each law type and each jurisdiction, but when reported together, means that each event can be reported multiple times. In this report, however, we count each event only once, irrespective of how many areas of law in each or either jurisdiction are covered in that CLE event.

### Limitations of the data

CLEMS and Publications Online are administrative databases. Information is entered onto these databases by a wide range of people. Solicitors providing CLE enter data onto CLEMS. People ordering resources enter information onto Publications Online. Inevitably there are variations in the way different people understand the categories and in the levels of attention to the accuracy of information entered.

Importantly, *any results reported here can only be as accurate as the data entered into the various data systems.*

Some obvious anomalies have been addressed in processing the data (e.g. resources double counted, test entries on the databases and so on), but there are other anomalies that may remain in the data reported. One benefit of reporting data as we find it is to demonstrate where there is room to improve data definitions and recording.

Some of the data reported in the following results section are based on data categories that have been re-categorised and reclassified by the research team (e.g. topic area, audience type).

Changes to 'topic' categories were made to:

- improve the consistency and comparability between the definition of topic areas in the different data sources
- make the analysis of resources by topic more feasible, by reducing the number of topics that could be allocated to a single event or resource.

There is room to refine these categories further to improve their utility.

Changes were also made to 'audience type' to facilitate efficient analysis of the data.

## Cost of CLEI

To explore the issue of cost, a case study approach was adopted. Each case study examined the range of costs involved in the production of different types of CLEI resources and events, and some of the challenges involved in costing these activities. With limitations in available information, however, the case studies *do not* constitute a full cost analysis.

The following four cases studies are reported:

1. The brochure *A guide to bail*, selected as example of a criminal law resource with a wide distribution
2. The series of four brochures on the role of the *Independent children's lawyer*, developed by the Family Law Division
3. The *Work and Development Order Program* (CLE and CLI), developed and run by the Civil Law Division
4. The *Let's talk* CLE series, coordinated by the CLE Unit.

The four examples vary in scale, topic, mode of delivery and Legal Aid NSW Division or Unit responsible for the resource or program developed. The examples were purposefully selected to illustrate the range of strategies that are included as CLE and information, and the range of factors that influence the progress (and therefore costs) of each of these products. For this reason, they are *not* necessarily generalizable to other similar products, nor are they indicative of other projects by the same division or unit.

To gather information, discussions were held with Legal Aid NSW staff involved in each of the four case studies. A questionnaire was also completed by solicitors/project managers, which detailed:

- the background and purpose of the resource(s) or program
- a list of all CLEI resources or events created as part of program
- the target audiences for each resource/event type involved and the purpose of that resource/event
- a breakdown of the time spent by the Legal Aid NSW staff involved in the development, production, distribution or delivery of the CLEI resource or event (e.g. content writing, review, consultation, user testing, supervision, design, editing, publication. distribution, delivering CLE, travel), together with the position grading of those staff
- a list of any resource costs involved in the production or distribution of the resource or program (e.g. travel, venue hire, design, printing, warehousing, distribution costs).

Information was then sought about pay scales and on-costs and that was matched to the hours per staff member (by position grade).

# 2. Results: CLEI activity

This section provides data drawn from Legal Aid NSW information systems about community legal education events run, and information and education resources distributed by Legal Aid NSW, during the review year, 1 October 2013–30 September 2014. The results are organised into the following sections:

2.1 Community legal education events

2.2 Hardcopy community legal information

2.3 Legal Aid NSW online.

## 2.1 Community legal education events

CLE includes a range of activities aimed at educating the community about the law, legal services and legal rights and responsibilities. Generally speaking, a 'CLE event' is a face-to-face interaction (e.g. workshop, presentation and so forth) with a group of people about legal issues, legal processes or legal assistance services. A CLE event may focus on a single legal issue or a number of issues. The event may be a stand-alone event or combined with other services (e.g. advice session or outreach services, or interagency meetings and professional forums). CLE events are usually presented by lawyers, but they may also be presented by non-legal staff such as CLE staff, paralegals, legal support officers and Aboriginal field officers.

Some CLE events and programs are initiated by Legal Aid NSW (e.g. *Burn-movie*, *Let's talk*, the Work and Development Order [WDO] Program), often as part of broader programs or in support of other strategies, such as outreach. However, a CLE event may also be requested, for instance, by a community group or organisation. Requests include 'ad hoc' requests (e.g. for a talk specific to that group) as well as requests for Legal Aid NSW initiated programs (such as *Burn-movie*). In the review year, 45.6 per cent of CLE events were initiated by Legal Aid NSW and 54.4 per cent were requested by others.[5]

More recently, Legal Aid NSW has also begun providing *webinars* for community workers on a range of topics, such as 'care and protection', 'unfair dismissal' and 'domestic violence and visas'.[6] These webinars commenced after the review period and are not counted here.

### Number of CLE events

Information about upcoming and completed CLE events[7] is recorded on the 'CLEMS' database. CLEMS recorded a total of 1776 individual CLE events held during the 12-month period 1 October 2013–30 September 2014.[8]

Figure 2 shows variation in the number of CLE events that occurred during in the review period. On average, there were 148 CLE events per month, with a high of 241 events in March 2014 and a low of 61 events in January 2014.

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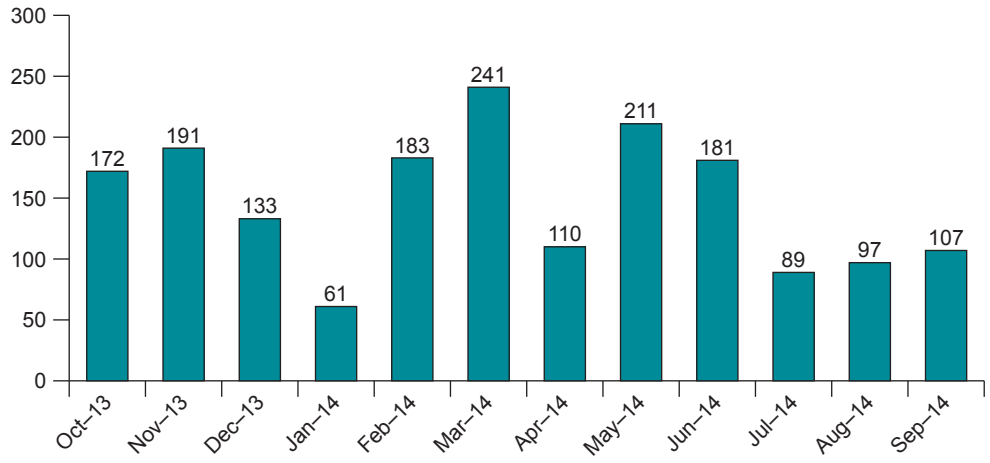
5 The CLE manager estimates that 'ad hoc' requests make up approximately 35 per cent of all CLE events.

6 http://www.legalaid.nsw.gov.au/what-we-do/workshops/law-webinars-for-community-workers.

7 As explained in the methodology, each CLE event involves from one to six CLE sessions, depending on the law types and jurisdictions involved. CLE sessions are the standard counting measure used by Legal Aid NSW to report CLE services.

8 There were 1805 CLE events in total recorded on CLEMS for the review period. However, 28 events which were 'not held' were excluded from the following analyses. Note that CLE programs that run over multiple days are counted as separate events in CLEMS. Not also that within a single day, a CLE event may run for a short time (for example, 20 minutes) or all day (for example, 9 am–5 pm). As explained in the methodology, 'events' differ from 'sessions' as counted in Legal Aid NSW annual reports.

**Figure 2: Monthly number of Legal Aid NSW CLE events, Oct. 2013–Sept. 2014**




Source: Legal Aid NSW, CLEMS database, 1 Oct. 2013–30 Sept. 2014.

**Recommendation 1**

In Legal Aid NSW annual reports, CLE is reported by the number of 'CLE sessions'. For the purpose of ongoing monitoring, evaluation and costing CLE, Legal Aid NSW should consider counting CLE by event rather than session.

## CLE event types

A range of different event types are recorded on CLEMS. As indicated in Table 2, the vast majority of events in the review year were recorded as either 'presentations' (45.9%) or 'workshops' (39.6%). Presentations and workshops included sessions for non-legal workers at in-service days and conferences, and sessions for community groups, committees, interagency forums and schools, among others.

**Table 2: Legal Aid NSW CLE events, by type of event, Oct. 2013–Sept. 2014**

| *Type of event* | *No. events* | *% events* |
|---|---|---|
| **Presentation^** | 815 | 45.9% |
| **Workshop** | 704 | 39.6% |
| **Forum/panel** | 112 | 6.3% |
| **Stall/stand/tour** | 80 | 4.5% |
| **Interview** | 39 | 2.2% |
| **Content writing** | 19 | 1.1% |
| **Simulation/theatre** | 5 | 0.3% |
| **Interagency meeting** | 2 | 0.1% |
| **Total** | **1776** | **100%** |

Source: Legal Aid NSW, CLEMS database, 1 Oct. 2013–30 Sept. 2014.

Stalls, stands and tours (4.5% of events) included participation at community information days, community events (e.g. Ageing Well Expo, NAIDOC Day, Refugee Week) and topic specific 'roadshows' such as 'Money Counts bills and fines day' and the 'Koori Services Roadshow'. The category of 'interview' included a number of 'bring your bills' days and may have referred to radio interviews about these events.

While definitions are provided for each of the different event types, there appeared to be some inconsistency in their application in the CLEMS data, for instance, with similar events described in some cases as 'workshops' and in other cases as 'presentations' or 'forums'.

Of note, 'content writing' is included in CLEMS to help assess the time involved in preparing for CLE. Again, it is not clear how consistently solicitors use CLEMS to record this activity, meaning the figure above may under-report this activity. With this category added into CLEMS, care needs to be taken to exclude these entries when counting CLE events 'held'.

Because CLE often has an important role in supporting and complementing other legal assistance service initiatives, such as outreach, there is value in having a very clear and shared understanding across Legal Aid NSW of the full range of activities which count as CLE events, and how they should be recorded.

## Audiences

For each event, a range of different audience types may be recorded on CLEMS (e.g. students–school, Adult Migrant English Program(AMEP), Vocational Education and Training (VET) or university; community workers; health professionals; teachers, tutors, lecturers; general public). Multiple audience types were commonly recorded for each CLE event, reflecting the broad range of people and groups that Legal Aid NSW communicates with through its CLE programs and sessions. To aid the analysis for this audit, the many audience types above were collapsed into a new 'audience type' variable, indicating whether at each event, the audience included:

- community members
- community workers/other professionals
- both community members and community workers/other professionals.

As indicated in Table 3, more than half (51.5%) of all events (excluding content writing) were for community workers/other professionals, while another quarter (24.9%) per cent involved both community workers/other professionals and community members. The final quarter (23.6%) of CLE events were for community members only.

**Table 3: Legal Aid NSW CLE events, by audience type, Oct. 2013–Sept. 2014**

| *Audience type* | *No. events* | *% events* |
|---|---|---|
| **Community workers/other professionals** | 873 | 51.5% |
| **Community members** | 401 | 23.6% |
| **Both (community workers/other professionals, and community members)** | 422 | 24.9% |
| **Total** | **1696** | **100%** |

Source: Legal Aid NSW, CLEMS database, 1 Oct. 2013–30 Sept. 2014.
Note: Audience type was not specified for 80 (4.5%) events. 'Content writing' events were excluded.
'Community members' includes the CLEMS audience type categories 'general public' and 'students (school, AMEP, VET, university)'.
'Community workers/other professionals' includes the CLEMS audience type categories 'community workers', 'teachers, tutors, lecturers', 'legal practitioners', 'other government employees', 'police', 'other professionals'.

Noting that 25 per cent of events in the review period included *both* community members and community workers/other professionals in the audience:

- three-quarters (75.4%) of all CLE events included community workers/other professionals in the audiences
- just under half (48.5%) of all CLE events included community members in the audiences.

Of note, however, of the 873 CLE events which were directed at community workers/other professionals, 22 per cent (195 events) were part of the Work and Development Order (WDO) CLE program. The WDO program aims to encourage community organisations and health services to sponsor WDO clients (see case study in Chapter 3).

The high proportion of CLE events involving community workers/other professionals also reflects evidence indicating the important role of 'problem noticers' as a pathway for very disadvantaged clients to legal assistance, particularly with respect to civil law issues (see Coumarelos et al. 2012; Pleasence et al. 2014; McDonald, Forell, et al. 2014).

These figures reflect CLE as provided by Legal Aid NSW as a whole. As the following analyses will indicate, the make-up of audiences varies by topics and target groups, also reflecting differences in the use of CLE by the different practice areas (crime, family and civil).

**Recommendation 2**

A strategic framework developed for CLEI should specifically acknowledge the diverse purposes of CLEI, including CLEI to 'problem noticers' who support the pathways to legal assistance for disadvantaged clients.

### *Audiences at different event types*

As might be expected, CLE event type varied by type of audience (see Table 4).

- Nearly half (47.6%) of all events with community members only were 'presentations' with a further 41.1 per cent of events described as 'workshops'.
- More than 60 per cent (60.9%) of events for workers were 'presentations', nearly one-quarter (24.1%) were workshops and a further 10.3 per cent were forums or panels.
- Nearly three quarters of events involving both community members and community workers/ other professionals were workshops (73.2%).

**Table 4: Legal Aid NSW CLE events, by event type and audience type, Oct. 2013–Sept. 2014**

| *Audience type* | *Community members* | | *Community workers/ professionals* | | *Both* | |
|---|---|---|---|---|---|---|
| *Event type* | *No. events* | *% events* | *No. events* | *% events* | *No. events* | *% events* |
| **Presentation^** | 191 | 47.6% | 532^ | 60.9% | 51 | 12.1% |
| **Workshop** | 165 | 41.1% | 210 | 24.1% | 309 | 73.2% |
| **Forum/panel** | 7 | 1.7% | 90 | 10.3% | 10 | 2.4% |
| **Stall/stand/tour** | 26 | 6.5% | 11 | 1.3% | 36 | 8.5% |
| **Interview** | 4 | 1.0% | 16 | 1.8% | 15 | 3.6% |
| **Simulation/theatre** | 0 | 0.0% | 4 | 0.5% | 1 | 0.2% |
| **Total** | **401** | **100.0%** | **873** | **100.0%** | **422** | **100.0%** |

Source: Legal Aid NSW, CLEMS database, 1 Oct. 2013–30 Sept. 2014.
Note: 80 (4.5%) missing audience type and 19 (2.5%) 'content writing' events removed.
^Presentations to community workers includes two events described as 'interagency meeting'.

### *Audience sizes*

Overall, 54 487 people were recorded as attending CLE events during the 12 months to 30 September 2014.

Table 5 indicates that audience sizes at CLE events varied considerably, from a small number of events with no attendees recorded, to events with hundreds of attendees. Well over one-third (37.6%) of events had an audience of up to 10 people, and just under one-third (30.1%) had an audience of between 11 and 20 people.

**Table 5: Legal Aid NSW CLE events, by audience size, Oct. 2013–Sept. 2014**

| Audience size | No. events | % events |
|---|---|---|
| **0** | 12 | 0.7% |
| **1–10** | 661 | 37.6% |
| **11–20** | 529 | 30.1% |
| **21–30** | 242 | 13.8% |
| **31–50** | 142 | 8.1% |
| **51–100** | 101 | 5.8% |
| **101+** | 69 | 3.9% |
| **Total events** | **1756** | **100.0%** |

Source: Legal Aid NSW, CLEMS database, 1 Oct. 2013–30 Sept. 2014.
Note: 19 'content writing' events and one event where audience size was missing were excluded.

Many of the other larger audiences were at schools (with audiences in the hundreds) or conferences and forums. One event in the review period was recorded as having an audience of 4000 (at a university).

An analysis was undertaken of audience size by audience type. As might be expected, events involving only community workers and professionals tended to be smaller than events only involving community members, and events involving both groups (Table 6). These smaller audiences might indicate more targeted and tailored interactions. Although less frequent, larger CLE events tended to involve both workers and community members (e.g. students and teachers).

**Table 6: Legal Aid NSW CLE events, audience size by audience type, Oct. 2013–Sept. 2014**

| Audience type | Community members | Community workers/ professionals | Both audiences |
|---|---|---|---|
| **Audience size** | **N = 388** | **N = 858** | **N = 419** |
| **0** | 1.0% | 0.6% | 0.7% |
| **1–10** | 37.4% | 48.6% | 16.2% |
| **11–20** | 26.0% | 29.7% | 35.6% |
| **21–30** | 16.2% | 12.9% | 15.0% |
| **31–50** | 11.9% | 4.4% | 11.9% |
| **51–100** | 5.9% | 2.6% | 12.2% |
| **101+** | 2.6% | 1.7% | 9.1% |

Source: Legal Aid NSW, CLEMS database, 1 Oct. 2013–30 Sept. 2014.
Note: 80 (4.5%) events missing audience type and 19 (1.1%) content writing events removed.

**Recommendation 3**

Noting that the audience types reached is important to well-targeted CLE, Legal Aid NSW should consider monitoring and reporting on the composition of audiences (e.g. workers or community members, target groups) as well as 'audience numbers' (also for consideration in the context of costing CLE).

## Target groups

CLEMS includes information about the 'target group' for each CLE event held. One CLE event may be relevant to one or more target groups. As indicated in Table 7, more than 70 per cent of CLE events were recorded as being relevant to 'any group'. However, in only 30 per cent of events was 'any group' the only group listed. More than one-quarter (26.9%) of all events were directed to young people, 16 per cent was to Aboriginal people and nearly 16 per cent (15.7%) was to people from culturally and linguistically diverse (CALD) backgrounds.

**Table 7: Legal Aid NSW CLE events, by target groups, Oct. 2013–Sept. 2014**

| *Target groups* | *% events N = 1776* |
|---|---|
| **Any group** | 71.2% |
| **Young people (10–17 years)** | 26.9% |
| **Aboriginal people** | 16.0% |
| **CALD people** | 15.7% |
| **Newly arrived migrants (first 5 years)** | 12.7% |
| **Separating families** | 9.2% |
| **Women** | 8.6% |
| **People with disabilities (physical/intellectual/mental illness)** | 6.7% |
| **Young adults (18–25 years)** | 6.1% |
| **Older people** | 5.4% |
| **People in domestic violence situations** | 5.3% |
| **Homeless people** | 4.1% |
| **Prisoners** | 1.9% |
| **Children (under 10 years)** | 0.5% |

Source: Legal Aid NSW, CLEMS database, 1 Oct. 2013–30 Sept. 2014.
Note: Each event commonly had more than one target group listed, resulting in a total of 3380 target groups listed for the 1776 events. For this reason the percentages listed add up to more than 100%. Where *every* group was listed for a CLE event, these were recoded to be 'any group'.

## *Target group and audience type*

Table 8 indicates that, overall, more than three-quarters of CLE events targeting people with disabilities (79.5%) and homeless people (76.1%) were to audiences of community workers/other professionals. Seventy per cent (69.6%) of CLE relevant to Aboriginal people was also to worker/other professional audiences (including staff of Aboriginal organisations).

**Table 8: Legal Aid NSW CLE events, target groups by audience type, Oct. 2013–Sept. 2014**

| *Audience type Target groups* | *No. target groups* | *Both* | *Community members* | *Community workers* |
|---|---|---|---|---|
| **Any group** | 1218 | 19.5% | 21.8% | 58.8% |
| **Young people (10–17 years)** | 470 | 66.8% | 9.8% | 23.4% |
| **Aboriginal people** | 273 | 15.8% | 14.7% | 69.6% |
| **CALD people** | 271 | 9.2% | 41.3% | 49.4% |
| **Newly arrived migrants** | 219 | 10.0% | 47.9% | 42.0% |
| **Separating families** | 161 | 14.3% | 31.1% | 54.7% |
| **Women** | 147 | 15.0% | 25.9% | 59.2% |
| **People with disabilities** | 117 | 6.8% | 13.7% | 79.5% |
| **Young adults (18– 25 years)** | 106 | 20.8% | 24.5% | 54.7% |
| **Older people** | 93 | 9.7% | 33.3% | 57.0% |
| **People in domestic violence** | 90 | 17.8% | 33.3% | 48.9% |
| **Prisoners** | 28 | 5 | 16 | 7 |
| **Homeless people** | 67 | 13.4% | 10.4% | 76.1% |
| **Children (under 10)** | 8 | 2 | 1 | 5 |
| **Total target groups listed** | **3307** | **22.9%** | **23.8%** | **53.3%** |

Source: Legal Aid NSW, CLEMS database, 1 Oct. 2013–30 Sept. 2014.
Notes: Each event may have more than one target group listed. Where *every* group was listed for a CLE event, these were recoded to be 'any group'.
'Missing' includes 80 events with no audience type specified and an additional 39 events with no target audience specified. Due to the small number of events, numbers rather than percentages are provided for prisoners and children under 10 years of age.

In contrast, nearly 50 per cent (47.9%) of CLE to newly arrived migrants was to audiences of community members and 41 per cent of CLE events targeting people from CALD backgrounds were also to community members.

Two thirds (66.8%) of CLE for young people was directed at audiences of community members and workers—primarily students and their teachers.

## Main topics

CLE events may concern very specific topics (e.g. divorce, sexting and cyber bullying, fines) or very general topics (what's the law, law for everyday life, the Australian legal system).

The topic list provided on CLEMS is very detailed, reflecting the level of detail seen in the CASES database at matter group level. This allows for very specific information to be recorded about the topics covered in a CLE event (e.g. 'Family—Children's Representation—Commonwealth'; 'Civil—LAC [Legal Aid Commission] Policies and Services—State'). As a result, when the CLE is very general, a very long list of topics will appear next to that event. This is of limited use in the type of analysis presented here.

To facilitate analysis, event topics were reclassified to indicate the *main* topics areas (see Table 9). Up to two topic areas were recorded per event, but in 92% of cases, only one topic was recorded. These are reported as 'topics areas' below.

The most common topic area for the CLE events in the review period related to families, relationships and children (26.6%), followed by money, debts and fines (22.5%) and courts, police and crime (21.9%).

**Table 9: Legal Aid NSW CLE events by main topic areas, Oct. 2013–Sept. 2014**

| *Main topic areas* | *No. events* | *% events N = 1776* |
|---|---|---|
| **Families, relationships and children** | 473 | 26.6% |
| **Money, debt and fines** | 399 | 22.5% |
| **Courts, police and crime** | 389 | 21.9% |
| **Civil** | 176 | 9.9% |
| **Legal system** | 129 | 7.3% |
| **Getting legal help and legal aid** | 99 | 5.6% |
| **Government and rights** | 90 | 5.1% |
| **Domestic violence** | 54 | 3.0% |
| **Visas and immigration** | 41 | 2.3% |
| **Planning for the future** | 36 | 2.0% |
| **Housing** | 23 | 1.3% |
| **Traffic and driving** | 23 | 1.3% |

Source: Legal Aid NSW, CLEMS database, 1 Oct. 2013–30 Sept. 2014.
Note: Numbers and percentages add up to more than the total, as two topics were recorded for 8.8% of events. Many CLE events will include information about where to get legal help and legal aid services. Only those events which indicated a focus on Legal Aid NSW services in the title of the session were recorded under this topic heading.

The topic areas presented to audiences varied considerably by audience type.

Table 10 indicates that more than 40 per cent (42.6%) of the CLE events to community members only concerned issues of families, relationships and children. Among these events were: divorce classes (to help clients self-help through divorce); and 'get to know the Early Intervention Unit and family law' sessions delivered as part of outreach services to migrant resource centres (to inform clients that certain issues they are facing may be legal problems and about the Family Law Early Intervention Unit as a source of assistance).

A further 21 per cent of events to community members only focused on 'the legal system' ('Australian Law for New Arrivals'). Other topics in CLE events to community members only were less frequent and more evenly distributed (3.5–7.0%).

By way of contrast, more than one-third (37.0%) of CLE events for community workers/other professionals primarily focused on money, debt and fines (including CLE about Work and Development Orders, and 'Money Counts'); 29 per cent concerned families, relationship and children; and 13 per cent were about 'civil law' issues more generally. Civil and some family law issues are among those which problem noticers can assist their clients to identify as issues or problems that might have a legal solution. As noted above, these data will in part reflect the operation of particular CLE strategies, such as the WDO CLE program during the review year.

Nearly three-quarters of all events which included community workers *and* members of the community focused on courts, police and crime. These events included CLE to school groups around group offending (the *Burn-movie*) and cyber safety and sexting.

**Table 10: Legal Aid NSW CLE events by main topic areas and audience types, Oct. 2013–Sept. 2014**

| *Main topic areas* | *Community members N = 401* | *Community workers/ professionals N = 873* | *Both N = 422* | *Total N = 1696* |
|---|---|---|---|---|
| **Families, relationships and children** | 42.6% | 28.5% | 7.3% | 24.1% |
| **Courts, police and crime** | 6.0% | 6.2% | 72.5% | 22.5% |
| **Money, debt and fines** | 4.7% | 37.0% | 8.3% | 22.2% |
| **Civil** | 7.0% | 12.8% | 4.7% | 9.3% |
| **Legal system** | 20.7% | 2.5% | 3.1% | 6.7% |
| **Government and rights** | 3.0% | 8.5% | 0.9% | 4.6% |
| **Domestic violence** | 5.7% | 2.7% | 0.9% | 2.6% |
| **Visas and immigration** | 2.7% | 3.1% | 0.5% | 2.4% |
| **Planning for the future** | 6.0% | 0.8% | 1.2% | 2.0% |
| **Traffic and driving** | 5.2% | 0.0% | 0.5% | 1.4% |
| **Housing** | 3.5% | 0.7% | 0.2% | 1.2% |
| **Getting legal help and legal aid** | 5.5% | 6.5% | 3.1% | 1.1% |
| **Total** | **100%** | **100%** | **100%** | **100%** |

Source: Legal Aid NSW, CLEMS database, 1 Oct. 2013–30 Sept. 2014.
Note: 80 events (4.5%) with no audience type are missing. Two topics were recorded for 8.8% of events. Many CLE events will include information about where to get legal help and legal aid services. Only those events that indicated a focus on Legal Aid NSW services in the title of the session were recorded under this topic heading.

Examining audiences by CLE topic areas:

- 55 per cent of CLE events on family relationships and children were to community worker audiences, 38 per cent to community members and 7 per cent to an audience of both
- 86 per cent of CLE events on money, debt and fines were to community worker audiences, 5 per cent to community members and 9 per cent to an audience of both
- 14 per cent of CLE events on court, police and crime were to community worker audiences, 6 per cent to community members and 80 per cent to an audience of both (this reflects a number of workshops for schools on sexting and cyberbullying)
- 47 per cent of CLE events on domestic violence were to community worker audiences, 45 per cent to community members and 8 per cent to an audience of both.

**Recommendation 4**

To facilitate monitoring and evaluation of CLEI activities and resources, Legal Aid NSW should consider creating:

- a single set of CLEI topic categories for use on CLEMS and on the publications database, Publications Online. The topic list should provide a smaller number of broader categories than that currently provided on CLEMS
- a single and separate set of CLEI target group categories for use on CLEMS and on Publications Online.

## Location of CLE events

Table 11 indicates that around 60 per cent (61.5%) of CLE events (excluding content writing) were conducted in Greater Sydney, particularly: Inner City (including Legal Aid NSW head office) (12.5%); Central Western Sydney (including Parramatta Justice Precinct) (7.9%); Fairfield/ Liverpool (6.7%); and Outer South Western Sydney (5.9%)

**Table 11: Legal Aid NSW CLE events^ by region, Oct. 2013–Sept. 2014**

| Region | No. events | % events |
|---|---|---|
| Sydney—Inner City | 220 | 12.5% |
| Sydney—Central Western | 139 | 7.9% |
| Mid North Coast (Coffs Harbour/Taree area) | 121 | 6.9% |
| Sydney—Fairfield–Liverpool | 117 | 6.7% |
| Illawarra (Wollongong area) | 114 | 6.5% |
| Sydney—Outer South Western | 104 | 5.9% |
| Hunter (Newcastle area) | 99 | 5.6% |
| Central West (Bathurst/Orange area) | 98 | 5.6% |
| Sydney—Outer Western | 81 | 4.6% |
| Sydney—Canterbury–Bankstown | 75 | 4.3% |
| Sydney—Inner Western | 72 | 4.1% |
| Sydney—Blacktown | 59 | 3.4% |
| Sydney—All areas | 55 | 3.1% |
| Richmond—Tweed (Lismore area) | 50 | 2.8% |
| North Western (Dubbo/Walgett/Bourke area) | 48 | 2.7% |
| Sydney—Gosford—Wyong | 45 | 2.6% |
| Sydney—Eastern Suburbs | 38 | 2.2% |
| Far West (Broken Hill area) | 37 | 2.1% |
| South Eastern (Queanbeyan/Bega area) | 34 | 1.9% |
| Murrumbidgee (Wagga Wagga area) | 32 | 1.8% |
| Northern (Tamworth/Armidale Area) | 31 | 1.8% |
| Sydney—St George–Sutherland | 25 | 1.4% |
| Sydney—Northern Beaches | 21 | 1.2% |
| Sydney—Central Northern | 17 | 1.0% |
| Sydney—Lower Northern | 14 | 0.8% |
| Murray (Albury area) | 9 | 0.5% |
| **Total** | **1755** | **100** |

Source: Legal Aid NSW, CLEMS database, 1 Oct. 2013–30 Sept. 2014.
^19 content writing events removed, two missing region.

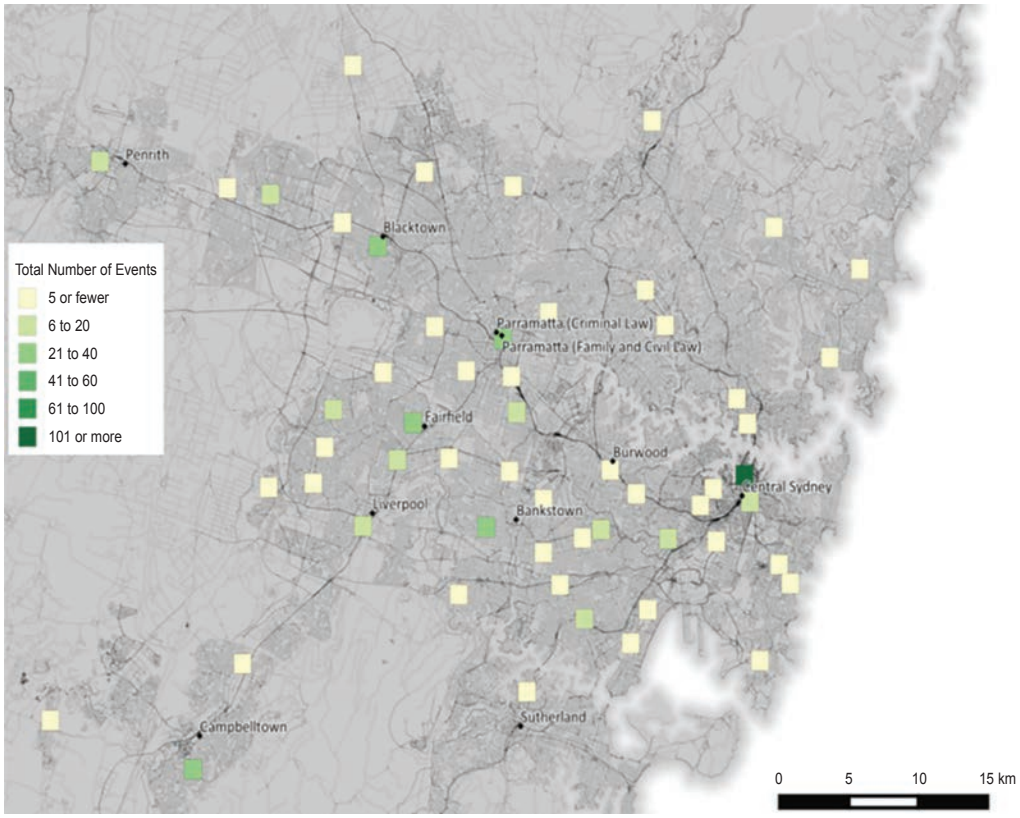
Nearly 40 per cent (38.3%) of CLE events were conducted in regional or rural areas, particularly the Mid North Coast (6.9%), Illawarra (6.5%), Hunter and the Central West (5.6% each). The regions with the lowest number of CLE events Central Northern were Sydney (17 or 1% of events; Lower Northern Sydney (14 or 0.8% of events) and the Murray (9 or 0.5% of events).

The locations of Legal Aid NSW Offices are indicated on Map 1 and Map 2 below. The regions with the lowest number of CLE events are regions without Legal Aid NSW offices.

The other factor relevant to the number and size of CLE events is the population size of the region. However, the regions as defined here are no longer used the Australian Bureau of Statistics, meaning population data for these regions is no longer easily accessible.

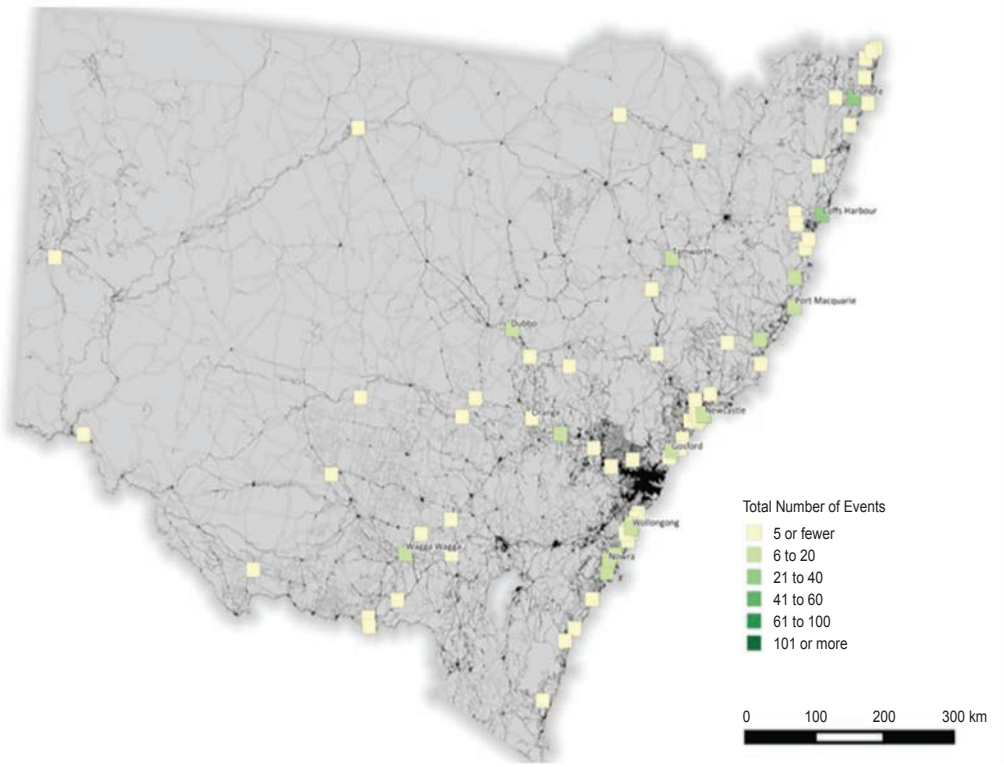
Map 1 indicates the distribution of CLE events in greater Sydney. Darker coloured squares indicate a higher number of events for that location. Map 2 provides the same information across the rest of NSW.

**Map 1: Location of Legal Aid NSW CLE events in Greater Sydney, 1 Oct. 2013–30 Sept. 2014**




Source: Legal Aid NSW publications database, 1 Oct. 2013–30 Sept. 2014, ABS (2011) and OpenStreetMap (2015).

**Map 2: Location of Legal Aid NSW CLE events in NSW (excluding Sydney), 1 Oct. 2013–30 Sept. 2014**

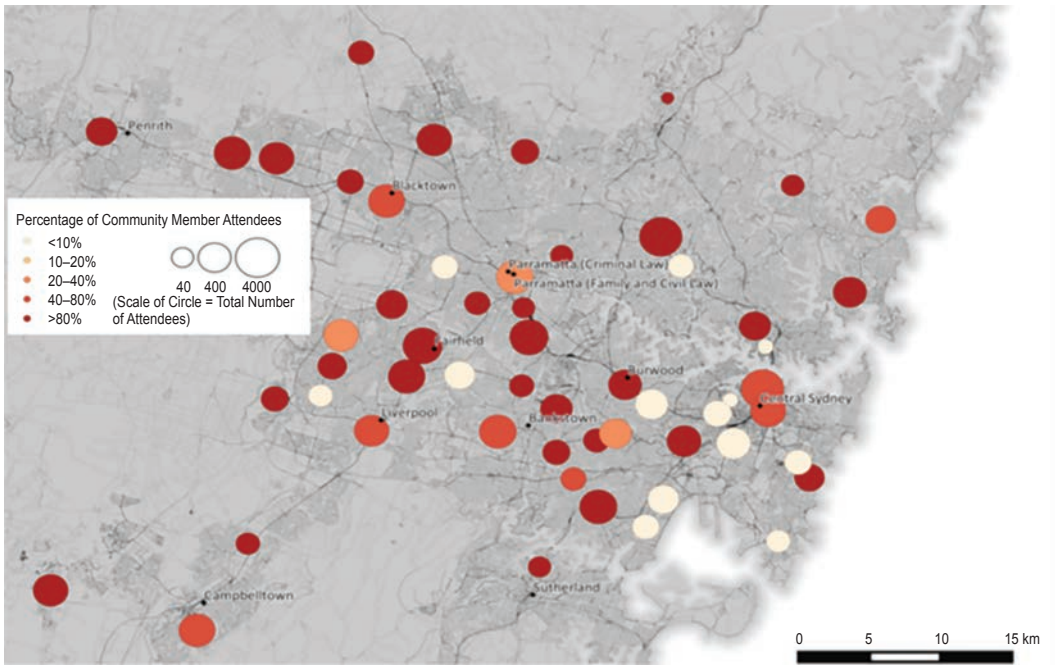



Source: Legal Aid NSW publications database, 1 Oct. 2013–30 Sept. 2014, ABS (2011) and OpenStreetMap (2015).

### *Audiences in different locations*

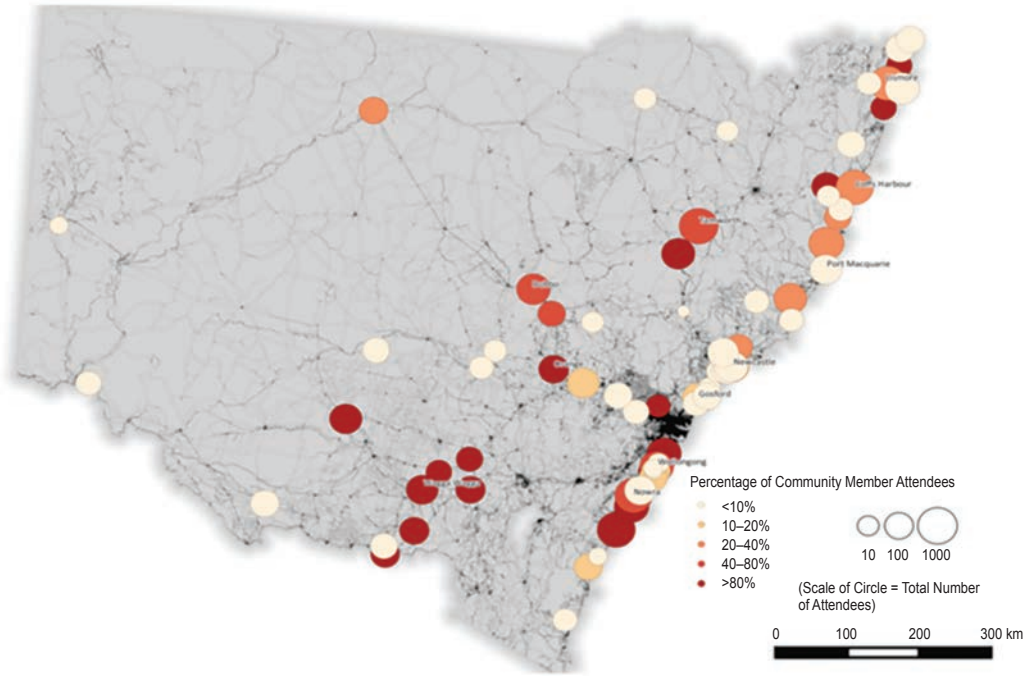
Maps 3 and 4 indicate the numbers of people attending CLE events in each location in greater Sydney (Map 3) and the rest of NSW (Map 4). The size of the dots broadly indicates the number of people attending CLE events in these locations. The dots on the map may be bigger or smaller than those on the scale, to reflect the actual number of people who attended CLE.

**Map 3: Location of Legal Aid NSW CLE events in Greater Sydney, by number of people attending, 1 Oct. 2013–30 Sept. 2014**




Source: Legal Aid NSW publications database, 1 Oct. 2013–30 Sept. 2014, ABS (2011) and OpenStreetMap (2015).

**Map 4: Location of Legal Aid NSW CLE events in NSW (excluding Sydney), by number of people attending 1 Oct. 2013–30 Sept. 2014**




Source: Legal Aid NSW publications database, 1 Oct. 2013–30 Sept. 2014, ABS (2011) and OpenStreetMap (2015).

Note that in Maps 3 and 4 the number of audience members in a location will reflect both the total number of events in that location (see Maps 1 and 2) and the number of people attending each event. The largest dot on Map 3 (in Northern Sydney) was a single large event held at Macquarie University.

The *colour* of the dots reflects the *proportion* of those audiences that are community members (rather than community workers or other professionals). Darker dots indicate a higher proportion of community members attending the CLE events in that location.

## 2.2 Hardcopy community legal information

### Publications Online

Publications Online is Legal Aid NSW's database of publicly available CLI resources. Publication orders made through the website are recorded on this database. The database includes brochures, booklets, training materials, DVDs, CDs, posters and wallet cards. If CLI resources are not recorded on Publications Online (for instance, if they were created and distributed entirely outside of the Publications Unit), they will not be included in this count.

As at 1 October 2014, there were 180 different titles listed on the database, totalling 400 separate resources (including different formats and languages of the same title).[9] Titles are most commonly produced in one format, but some are produced in multiple formats (e.g. brochure, poster, wallet card). More than three-quarters (76.8%) of all resources were pamphlets, brochures, factsheets or booklets), while 10.3 per cent were DVDs or videos (see Table 12).

**Table 12: Legal Aid NSW CLI resources included on Publications Online, by format, 1 October 2014**

| *Resource type* | *No. resources* | *% resources* |
|---|---|---|
| **Pamphlet/brochure** | 239 | 59.8% |
| **Factsheet** | 55 | 13.8% |
| **Video/DVD** | 41 | 10.3% |
| **Poster** | 22 | 5.5% |
| **Booklet** | 13 | 3.3% |
| **Flyer** | 8 | 2.0% |
| **Form (applications for different legal aid services)** | 5 | 1.3% |
| **Wallet card** | 4 | 1.0% |
| **Bookmark** | 3 | 0.8% |
| **Kit** | 2 | 0.5% |
| **Postcard** | 2 | 0.5% |
| **Web page/website** | 2 | 0.5% |
| **Audio, catalogue (of resources), certificate, workshop** | 1 of each | 0.3% each |
| **Total resources** | **400** | **100.0%** |

Source: Legal Aid NSW publications database, 1 Oct. 2014.

9 A total of 480 resources were listed on the spreadsheet of the publications database that was provided. This figure includes 80 duplicates, which were removed from the analysed dataset. Within the 180 are, in some cases, different formats of the same resource. Examples include a version for adults and a version for children, and large and small posters.

**Recommendation 5**

To enhance monitoring and evaluation capability, all Legal Aid NSW CLI resources should be included on the publications database, Publications Online.

**Recommendation 6**

The product type categories used on Publications Online should be reviewed, to remove overlap between categories and to align hardcopy and digital resources.

*CLI resources in languages other than English*

Nearly four out of five (78.3%) of the titles were available in English only, while 23 per cent were in at least one other language. However, titles in other languages are available in up to 23 different languages. Consequently, more than half of all resources (i.e. including all languages and formats) are in a language other than written English (55.5%).

The most common languages that resources are available in are English (44.5%), Arabic (9.3%), Vietnamese (8.3%) and Chinese (trad) (5.8%) (see Table 13). The resources published in the highest number of languages are listed in the Appendix (Table A1).

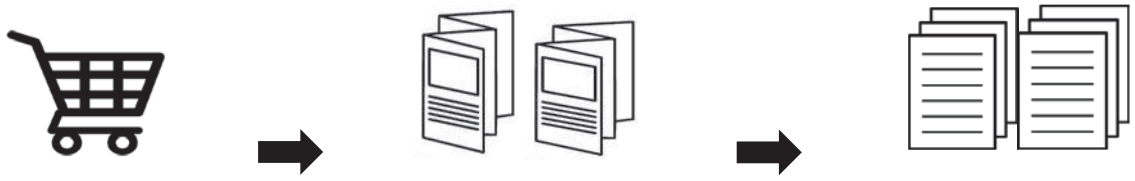
**Table 13: Languages in which Legal Aid NSW CLI resources are available, 1 October 2014**

| *Language* | *No. resources* | *% resources* |
|---|---|---|
| **English** | 178 | 44.5% |
| **Arabic** | 37 | 9.3% |
| **Vietnamese** | 33 | 8.3% |
| **Chinese (trad.)** | 23 | 5.8% |
| **Dari/Farsi** | 15 | 3.8% |
| **Chinese (sim)** | 14 | 3.5% |
| **Korean, Spanish, Turkish** | 12 in each | 3.0% in each |
| **Greek, Italian, Macedonian** | 7 in each | 1.8% in each |
| **Auslan, English—captions** | 4 in each | 1.0% in each |
| **Burmese, Indonesian, Thai** | 3 in each | 0.8% in each |
| **Bengali, Hindi, Khmer, Tagalog** | 2 in each | 0.5% in each |
| **Aboriginal, Amharic, Assyrian, Chin Hakka, Croatian, Dinka, Juba Arabic, Karen, Lao, Mandarin, Pushto, Rohingya, Russian, Serbian, Somali, Swahili, Tamil, Tigrinya** | 1 in each | 0.3% in each |
| **Total resources** | **400** | |

Source: Legal Aid NSW publications database, 1 Oct. 2014.

## Hardcopy CLI resources ordered

Publications Online indicates that in the 12-month period to 30 September 2014 the following numbers applied.



**2377 orders** → **16 940 different resources (titles) ordered** → **738 792 copies**

Of the 400 different CLI resources listed on Publications Online (including different languages and different formats of each title), more than four out of five (81.8%) resources were ordered at least once during the 12-month review period.

The average (mean) number of copies of each resource ordered was 44 (the median number of copies per order was 20).

*Most commonly ordered titles*

Table 14 lists the 25 most commonly ordered CLI resources during the review period, and the 10 publications with the highest number of *copies* ordered. CLI resources with high numbers of copies ordered are indicated in ***bold italics***. Table 14 includes all available language versions of each title in the count for that title.

**Table 14: The 25 most commonly ordered Legal Aid NSW resources and numbers of copies ordered, Oct. 2013–Sept. 2014**

| | *Publication name* | *No. titles ordered* | *No. copies ordered* |
|---|---|---|---|
| 1 | ***Advice about your visa if you've been hurt or harmed by your partner*** | *453* | ***16 074*** |
| 2 | ***Apprehended Violence Orders. Information for applicants and persons in need of protection*** | *423* | ***16 185*** |
| 3 | ***Do you have a legal problem?*** | *405* | ***25 062*** |
| 4 | ***What happens when your relationship ends*** | *361* | ***17 692*** |
| 5 | ***So you want the violence to stop—advice about domestic violence and help at court.*** | *360* | ***18 223*** |
| 6 | ***Are you experiencing domestic violence?*** | *316* | ***13 174*** |
| 7 | Are you experiencing violence or abuse? You can make it stop. | 271 | 9506 |
| 8 | Police powers | 268 | 11 199 |
| 9 | ***Family dispute resolution (FDR): working out what's best for my children*** | *265* | ***14 368*** |
| 10 | ***Speaking for myself: planning for later life decision making*** | *264* | ***13 534*** |
| 11 | Kids in care: things have changed and I want my kids back: What can I do? 3 | 259 | 10 007 |
| 12 | Kids in care: The Children's Court made a decision I am unhappy about: What can I do? 4 | 257 | 9786 |
| 13 | Kids in care: Aboriginal and Torres Strait Islander children and care 6 | 251 | 10 593 |
| 14 | Kids in care: going to the Children's Court 2 | 250 | 9796 |
| 15 | Kids in care: Community Services want to talk about my kids: What will happen? 1 | 250 | 9754 |
| 16 | Kids in care: What happens when my kids are in care? 5 | 249 | 9611 |
| 17 | Child Support Service—a service for people with child support problems | 247 | 8243 |
| 18 | My ex-partner has taken our children without my permission. What can I do? | 243 | 7717 |
| 19 | Going to court: guide to the Local Court for defendants | 239 | 9567 |
| 20 | ***Mental Health Advocacy Service—advice about mental health matters*** | *237* | ***18 566*** |
| 21 | Welcome to Legal Aid NSW. We can help you with your legal problem | 228 | 2545 |
| 22 | Drink, driving charges and you | 227 | 9047 |
| 23 | Drugs, driving and you | 220 | 8967 |
| 24 | Is someone asking the court to make an AVO against you? Information for defendants | 218 | 7897 |
| 25 | Domestic violence offences: information for defendants | 218 | 7288 |
| … | | | |
| 28 | ***A guide to bail*** | *207* | ***35 279*** |
| … | | | |
| 39 | ***Work and Development Orders: Help for people who can't pay their fines*** | *174* | ***20 749*** |

Source: Legal Aid NSW publications database, 1 Oct. 2013–30 Sept. 2014.

Notes: The 10 publications with the highest number of copies ordered are indicated in bold italics. The 28th and 39th most commonly ordered resources are included as they had the highest and third highest number of copies distributed.

The count of orders and the count of copies indicate different issues. The count of orders reflects the number of different organisations or individuals requesting one or more copies of that resource. It more closely reflects the breadth of interest in that resource. The count of copies reflects the volume of potential further distribution from the requesting organisation or individual.

Table 14 does not necessarily indicate that these are the 'most popular' resources. Some resources may not have been available for the full 12-month period and therefore have a smaller distribution over this period. Equally, some new resources may have been subject to a large and mail out, such as *A guide to bail*, which was proactively distributed following changes to the *Bail Act 2013 (NSW)* during the reporting period.

### *Types of organisations ordering resources*

Publications Online records both the number of orders made for resources and the number of copies of each resource ordered (see Table 15). More than one-third (36.8%) of orders for resources were from health and community service organisations (government and non-government). The high proportion of orders from health and community services is consistent with these services acting as key sources of referral to Legal Aid NSW. With an average of 25 copies of each resource per order, orders from health and community services only comprised 21 per cent of all copies ordered.

One in five (20.3%) orders for resources were placed by Legal Aid NSW offices or staff. However, these orders accounted for 44 per cent of all *copies* of resources ordered. This is consistent with large numbers of each resources being sent to Legal Aid NSW for display in offices and/or for onward distribution to individuals or organisations in their areas. Any further distribution by Legal Aid NSW offices or staff is not included in the figures below.

Eight per cent of orders and 12 per cent of all copies ordered were from other public legal assistance services.

**Table 15: Legal Aid NSW CLI resources ordered, by type of ordering organisation, Oct. 2013–Sept. 2014**

| Organisation type | No. different resources ordered | % orders | No. copies ordered | % copies | Av. no. copies per order | Median | Maximum copies ordered |
|---|---|---|---|---|---|---|---|
| **Health and community (gov./non-gov.)** | 6220 | 36.8% | 154 273 | 20.9% | 24.8 | 10 | 1000 |
| **Legal Aid NSW** | 3424 | 20.3% | 322 852 | 43.7% | 94.3 | 50 | 8713 |
| **Other public legal assistance services** | 1421 | 8.4% | 85 565 | 11.6% | 60.2 | 50 | 600 |
| **Libraries** | 1269 | 7.5% | 35 334 | 4.8% | 27.8 | 20 | 300 |
| **Government, justice sector^** | 884 | 5.2% | 39 053 | 5.3% | 44.2 | 20 | 500 |
| **Private legal services** | 858 | 5.1% | 28 408 | 3.8% | 33.1 | 10 | 500 |
| **Individual** | 757 | 4.5% | 1659 | 0.2% | 2.2 | 1 | 100 |
| **Education (school/ college)** | 673 | 4.0% | 15 201 | 2.1% | 22.6 | 20 | 150 |
| **Courts/tribunals** | 635 | 3.8% | 24 722 | 3.3% | 38.9 | 30 | 1000 |
| **WDVCAS** | 343 | 2.0% | 18 981 | 2.6% | 55.3 | 40 | 500 |
| **ADR/mediation services (non Legal Aid)** | 420 | 2.5% | 12 744 | 1.7% | 30.3 | 10 | 300 |
| **Total** | **16 904** | **100%** | **738 792** | **100%** | **43.7** | **20** | **–** |

Source: Legal Aid NSW publications database, 1 Oct. 2013–30 Sept. 2014.

^ Justice sector includes Police, Corrective Services, Juvenile Justice and Attorney-General's Department.

Less than five per cent (4.5%) of all orders were from individuals (who did not identify themselves as associated with any organisation), and comprised only 0.2 per cent of the total number of copies. However, individuals would also be receiving hardcopy brochures though the

*organisations* listed, for instance, in the reception areas of Legal Aid NSW offices, from Legal Aid NSW lawyers in advice sessions (Scott 2010) from non-legal workers or agencies and from other public and private sector lawyers.

While this is yet to be assessed, it may be that a proportion of the resources produced are expressly directed to workers who support community members, rather than community members themselves.

**Recommendation 7**

Legal Aid NSW should consider adding a field to Publications Online, to record the intended use of the resources distributed (e.g. front office display; to hand to clients with these issues; to provide to local organisations; other).

**Recommendation 8**

Legal Aid NSW should develop guidelines to ensure material produced is targeted, and appropriate to its target audience and particular purpose (e.g. self-help material for individuals compared referral information for workers).

### *Topics most commonly ordered*

Publications Online records the topic(s) covered by of each CLI resource. Table 16 indicates the CLI resource topics (reclassified for this analysis[10]) ordered in the 12-month review period.

**Table 16: NSW Legal Aid CLI resources ordered, by topic Oct. 2013–Sept. 2014**

| *Topics* | *No. titles ordered* | *% resources ordered* | *No. copies ordered* | *% copies/ units* | *Mean copies per order* |
|---|---|---|---|---|---|
| **Families, relationships and children** | 4389 | 26.0% | 178 136 | 24.1% | 40.6 |
| **Courts, police and crime** | 4304 | 25.5% | 198 837 | 26.9% | 46.2 |
| **Domestic violence** | 2960 | 17.5% | 109 670 | 14.8% | 37.1 |
| **Money, debt and fines** | 2541 | 15.0% | 115 684 | 15.7% | 45.5 |
| **Government and rights** | 1989 | 11.8% | 82 678 | 11.2% | 41.6 |
| **Getting legal help and legal aid** | 1884 | 11.1% | 96 493 | 13.1% | 51.2 |
| **Planning for the future** | 796 | 4.7% | 38 874 | 5.3% | 48.8 |
| **Traffic and driving** | 602 | 3.6% | 23 854 | 3.2% | 39.6 |
| **Visas and Immigration** | 513 | 3.0% | 19 134 | 2.6% | 37.3 |
| **Jobs and employment** | 269 | 1.6% | 8999 | 1.2% | 33.5 |
| **Legal system** | 193 | 1.1% | 2219 | 0.3% | 11.5 |
| **Grand total** | **16 904** | | **738 792** | | **43.7** |

Source: Legal Aid NSW publications database, 1 Oct. 2013–30 Sept. 2014.
Notes: These topics have been revised for this analysis to reflect subject areas rather than those to whom the resources are directed. Figures add up to more than 100% as one resource may cover more than one topic (for example, 'Courts, police and crime' and 'Domestic violence') and may be listed against up to two topics above.

We note that the topic categories would benefit from further refinement. In particular, topic categories would ideally be the same across all data sources relevant to CLE and publications.

**See Recommendation 4**

10 The topic list on Publications Online includes both legal issues (e.g. domestic violence) and interest groups (e.g. Aboriginal people). See table notes for amendments made for this analysis. Only two topics per resource are recorded.

The highest number of orders was for resources concerning families, relationships and children (26.0% of orders, 24.1% of copies), followed closely by orders for resources about courts, police and crime (25.5% of orders, 26.9% of copies). Domestic violence resources were the third most commonly ordered (17.5% of orders, 14.8% of copies).[11] Note there are a higher number of different types of resources available about some topics (e.g. families and domestic violence, than others (e.g. employment).

*Topics ordered by different types of organisations*

The topics ordered by different organisational types were fairly consistent, and tend to reflect the topics that are most frequently ordered overall. Noting that one resource may have more than one topic:

**Legal Aid NSW offices and units** most commonly ordered resources concerning:

- Families, relationships and children (30.6% of orders from Legal Aid NSW)
- Courts, police and crime (24.9% of orders)
- Domestic violence (14.4% of orders)
- Money, debts and fines (14.2% of orders).

**Health and community organisations** (government and non-government) most commonly ordered resources concerning:

- Families, relationships and children (23.6% of orders from these organisations)
- Courts, police and crime (20.9% of orders)
- Money, debts and fines (19.8% of orders)
- Domestic violence (19.4% of orders).

**Individuals** most commonly ordered resources concerning:

- Families, relationships and children (31.6% of orders from individuals)
- Courts, police and crime (28.3% of orders)
- Domestic violence (12.0% of orders)
- Money, debts and fines (11.2% of orders).

**Libraries** most commonly ordered resources concerning:

- Courts, police and crime (27.2% of orders)
- Families, relationships and children (21.3% of orders from individuals)
- Government and rights (12.9% of orders)
- Domestic violence (12.8% of orders) 1 Oct. 2013–30 Sept. 2014.

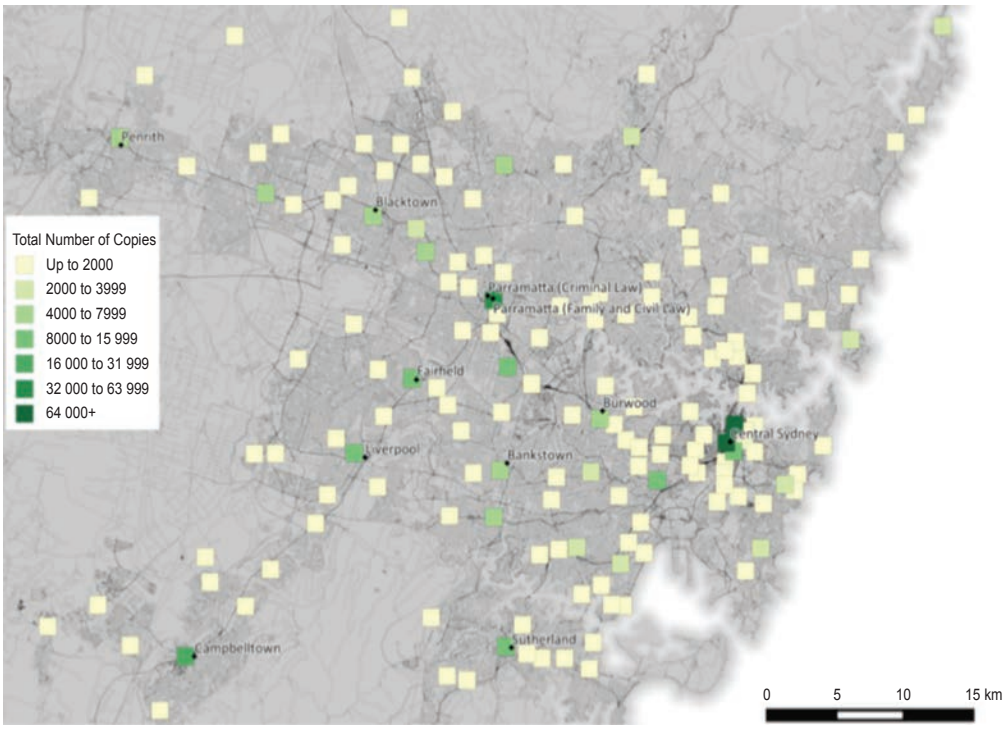
Maps 5 and 6 indicate the geographic distribution of hardcopy resources (count of copies, not orders) to these first 'ports of call' across NSW, in the year 1 Oct. 2013–30 Sept. 2014. Map 5 illustrates distribution across the Greater Sydney area. Map 6 illustrates the distribution across the rest of NSW. The squares on the maps indicate the postcodes to where resources were posted, with darker squares indicating a higher concentration of resources sent to those locations.

From each of these 'first ports of call' we would expect to see further distribution. However, at this point, there is no information available that systematically captures onward distribution of resources from the organisations that receive them.

The darker squares on the maps tend to coincide with the location of Legal Aid NSW offices, in particular Legal Aid NSW's head office in Sydney and the Parramatta office. This is consistent with the figures in Table 15, illustrating that Legal Aid NSW offices and staff order high numbers of brochures.

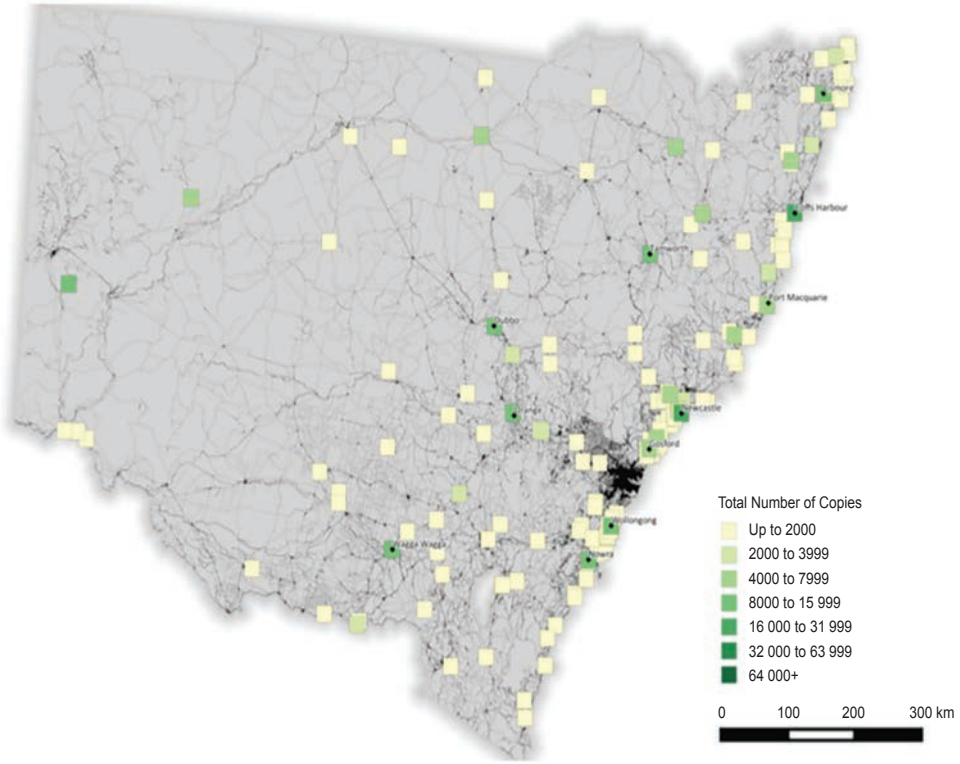
11 Up to two topics could be recorded per resource. The most common topics that co-occurred were: 'Courts, police and crime' and 'Domestic violence' (6.7% of all orders); 'Families, relationships and children' and 'Courts, police and crime' (3.0% of orders); and 'Families, relationships and children' and 'Government and rights' (3.0% orders).

**Map 5: Distribution of hardcopy Legal Aid NSW CLI resources to organisations^ in Greater Sydney, 1 Oct. 2013–30 Sept. 2014**




Source: Legal Aid NSW publications database, 1 Oct. 2013–30 Sept. 2014, ABS (2011) and OpenStreetMap (2015).
^Only 0.2% of copies are sent directly to individuals requesting a resource through the website, from the warehouse.

**Map 6: Distribution of hardcopy Legal Aid NSW CLI resources to organisations^ in NSW, 1 Oct. 2013–30 Sept. 2014**




Source: Legal Aid NSW publications database, 1 Oct. 2013–30 Sept. 2014, ABS (2011) and OpenStreetMap (2015).
^Only 0.2% of copies are sent directly by the warehouse to individuals requesting a resource.

*Live, slow-moving and non-moving resources*

In addition to information from Publications Online, Legal Aid NSW receives a monthly report on the distribution of hardcopy CLI resources (publications, posters, wallet cards, application forms for legal aid services and so forth) from the contractor managing the warehouse and distribution (the SALMAT stock on hand report).[12]

The SALMAT stock on hand report categorises resources as 'live' (more than 250 distributed in previous 3 months), 'slow moving' (1–250 distributed in previous 3 months) or 'non-moving' (none distributed in previous 3 months).

The SALMAT report for September 2014 indicates that 63 per cent of resources were 'slow moving' and 36% were 'live' (Table 17). Among the slower moving resources is a higher representation of publications in emerging community languages, which, understandably, tend be distributed less frequently and in smaller volumes.

While a proportion of resources were listed on the SALMAT stock on hand report as 'non-moving', most were not yet on Publications Online or were out of print. Only three resources were available but not requested.

**Table 17: Legal Aid NSW CLI resources, by distribution status, September 2014**

| Status | No. resources | % resources |
|---|---|---|
| **Live (>250 copies distributed per month, previous 3 months)** | 106 | 36.1% |
| **Slow-moving (1–250 copies distributed per month, previous 3 months)** | 185 | 62.9% |
| **Non-moving (none distributed, previous 3 months)** | 3 | 1.0% |
| **Total** | **294^** | **100%** |

Source: SALMAT stock on hand report to Legal Aid NSW, to September 2014.
Note: 110 resources which were 'non-moving' (27.2%) are listed here as 'missing' as they were not available for distribution during the period or were out of print.
^There were 114 unique resources listed on the SALMAT report (i.e. including all languages for each publication), which had at least one copy distributed during the reporting period.

Given the natural peaks and troughs in the creation, ordering and distribution of resources throughout the year (e.g. regular yearly mail-outs, less activity in January), the distribution of resources over a 12-month period (October 2013–September 2014) was also examined. Table 18 indicates that 15 per cent of resources had, on average, a distribution of between one and 20 copies per month. Nearly 30 per cent (29.7%) of all publications had a comparatively high average distribution rate of more than 250 copies per month.

**Table 18: Average number of resources distributed from central storage per month, Oct. 2013–Sept. 2014**

| Average number of copies/units distributed per month | No. resources | % resources |
|---|---|---|
| **Zero** | 4 | 1.3% |
| **1–20** | 48 | 15.1% |
| **21–100** | 119 | 37.5% |
| **101–250** | 52 | 16.4% |
| **251–500** | 47 | 14.8% |
| **501–1000** | 34 | 10.7% |
| **1000+** | 13 | 4.1% |
| **Total** | **317** | **100.0%** |

Source: 'SALMAT' stock on hand report to Legal Aid NSW, to September 2014.
Note: 87 resources (21.5%) are listed here as 'missing' as they were not available for distribution during the period.

12 Figures differ slightly from the Publications Online ordering data above as resources are recorded in a slightly different way on SALMAT. SALMAT counts each language version of each title as a separate resource and includes resources that *have not been* distributed in the previous 12 months.

**Recommendation 9**

Legal Aid NSW should investigate the utility of providing slow moving resources, such as material in community languages, as online resources (html and PDF) only, for download as required.

**Recommendation 10**

The SALMAT stock on hand report should not include resources that are unavailable for distribution during the selected time period.

## 2.3 Legal Aid NSW online

Legal Aid NSW websites

Legal Aid NSW supports three websites that contain CLI:

- the Legal Aid NSW website
- *Best for kids* which provides information adults and children on family law issues
- *Burn-movie*, a crime prevention/CLE program for young people about group offending.

### Legal Aid NSW website: www.legalaid.nsw.gov.au

The Legal Aid NSW Web Governance Policy (Legal Aid NSW 2011b) indicates that the primary aims of the Legal Aid NSW website are to:

- provide information about our services and resources to our clients
- support organisations working with our clients and stakeholders
- support the work of private lawyers doing legal aid work.

The policy describes the main audiences for the Legal Aid NSW website as:

- people with a legal issue and their families
- organisations working with these people
- lawyers doing legal aid work
- users of corporate information—funders, partners, students.

It is important to bear this broad usage in mind when reading the overall website statistics below.

*Website visits over the year*

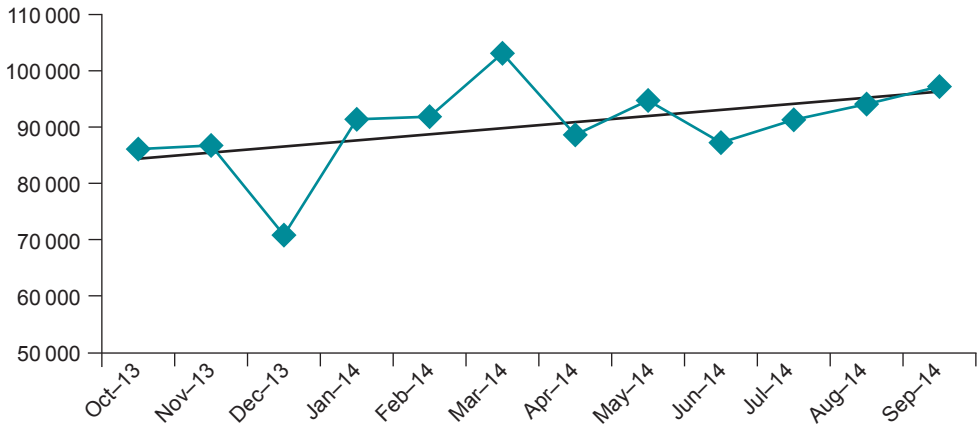
In the 12 months until 30 September 2014, Legal Aid NSW had 1 085 142 sessions (also called 'visits') on its website, resulting in 2 247 973 page views.[13]

On average visitors to the Legal Aid NSW website viewed 2.1 pages per visit.

Figure 3 indicates some peaks and troughs in www.legalaid.nsw.gov.au usage over the year, with a low of 70 887 sessions in December 2013 and a peak of 103 289 in March 2014. The overall trend suggests a modest increase in the number of sessions per month over the period.

13 A 'session' (also called a 'visit') is a single visit to any part of a website by an individual visitor. A visitor may view several pages in one visit. A page view is a single view of any page by any visitor to the site.

**Figure 3: Legal Aid NSW website, sessions accessed per month, Oct. 2013–Sept. 2014**




Source: Google analytics for Legal Aid NSW website, 1 Oct. 2013–30 Sept. 2014.

### *Information viewed on the website*

The Legal Aid NSW website homepage is designed to direct visitors to various types of legal help (see Box 1). Google analytics enables us to explore what visitors do when they get there.

Table 19 indicates the 25 most commonly viewed pages on the Legal Aid NSW website during the year to 30 September 2014.

The Legal Aid NSW homepage is the most commonly viewed page, with 277 586 views. As indicated in Box 1 above, the homepage clearly signposts a pathway for those seeking either information or advice and further assistance. Given the direction provided on the homepage, it is of interest that in the top 10 most viewed pages on the Legal Aid NSW website:

- six pages concern how to get legal assistance (contact us, how to get legal advice, applying for legal aid, find a service, legal helpline)
- two pages specifically relate to legal information ('factsheets and resources', and the resource 'what happens when your relationship ends')
- the final two pages were the homepage itself, and information for lawyers about grants.

These observations may suggest that a substantial proportion of visitors come to the Legal Aid NSW website looking for *help* rather than *community legal information*. This observation resonates with research examining the use of internet by older people to address legal problems (Denvir, Balmer & Pleasence 2014). Denvir et al (2014, pp. 687, 690) note that those who do

**Box 1: Screen shot from section of the Legal Aid NSW website homepage, March 2015**

**Table 19: Legal Aid NSW website, 25 most popular pages, Oct. 2013–Sept. 2014**

| | *Page* | *No. page views* | *Av. time on page (seconds)* | *% page views which are entrances#* | *Bounce rate^* |
|---|---|---|---|---|---|
| 1 | **homepage** | 277 586 | 74.10 | 76.1% | 39.3% |
| 2 | **/contact-us/legal-aid-nsw-offices** | 100 971 | 144.34 | 48.1% | 73.9% |
| 3 | **/get-legal-help/advice** | 72 187 | 117.74 | 46.2% | 54.1% |
| 4 | **/contact-us** | 70 073 | 68.14 | 54.5% | 41.1% |
| 5 | **/get-legal-help/applying-for-legal-aid** | 50 072 | 92.60 | 28.9% | 37.5% |
| 6 | **/publications/factsheets-and-resources** | 48 081 | 103.89 | 15.8% | 52.5% |
| 7 | **/get-legal-help/find-a-service** | 46 779 | 130.01 | 15.2% | 69.0% |
| 8 | **/get-legal-help/legal-helpline** | 44 518 | 119.41 | 45.6% | 67.7% |
| 9 | **/for-lawyers/grants** | 42 466 | 196.17 | 31.6% | 80.3% |
| 10 | **/publications/factsheets-and-resources/what-happens-when-your-relationship-ends** | 38 815 | 334.42 | 85.9% | 87.3% |
| 11 | **/publications/factsheets-and-resources/my-ex-partner-has-taken-our-children-without-my-permission2.-what-can-i-do** | 38 427 | 321.47 | 89.8% | 89.7% |
| 12 | **/publications/factsheets-and-resources/get-street-smart-under-18s-know-your-legal-rights** | 36 979 | 274.71 | 89.7% | 89.8% |
| 13 | **/publications/factsheets-and-resources/police-powers** | 35 131 | 308.08 | 87.4% | 85.8% |
| 14 | **/meanstestindicator/fap.aspx** | 31 374 | 24.65 | 44.1% | 7.6% |
| 15 | **/publications/factsheets-and-resources/are-you-a-grandparent-your-legal-questions-answered** | 31 145 | 309.89 | 87.6% | 87.7% |
| 16 | **/home** | 26 008 | 131.22 | 85.4% | 60.8% |
| 17 | **/what-we-do/family-law** | 25 086 | 69.28 | 20.4% | 40.0% |
| 18 | **/publications/factsheets-and-resources/mortgage-stress-handbook/13.-sample-letters-and-forms** | 22 214 | 204.64 | 88.4% | 87.2% |
| 19 | **/get-legal-help/applying-for-legal-aid/means-test-indicator** | 21 861 | 178.99 | 12.5% | 66.6% |
| 20 | **/meanstestindicator/simplified.aspx** | 20 384 | 16.33 | 0.6% | 48.8% |
| 21 | **/get-legal-help/applying-for-legal-aid/legal-aid-application-form** | 19 270 | 138.33 | 19.0% | 62.6% |
| 22 | **/publications/factsheets-and-resources/going-to-court-guide-to-the-local-court-for-defendants** | 19 096 | 296.50 | 85.1% | 84.6% |
| 23 | **/meanstestindicator/assets.aspx** | 18 696 | 41.31 | 0.9% | 57.1% |
| 24 | **/meanstestindicator/income.aspx** | 17 984 | 66.69 | 0.9% | 64.5% |
| 25 | **/get-legal-help/help-at-court** | 17 839 | 115.30 | 11.6% | 64.7% |

Source: Google analytics for Legal Aid NSW website, 1 Oct. 2013–30 Sept. 2014.

# The percentage of all page views indicates the first page visited on the site in that session.

^ The percentage of visitors to a website who navigate away from the site after viewing only one page.

use the internet to help resolve legal problems both look for 'information' *and* look for advisors (details, phone numbers etc), though older people are more inclined than younger people to use the internet as a 'signposting tool' (to an advisor) than an information resource.

To further explore what people look for on the Legal Aid NSW website, the 250 most commonly viewed pages were examined in further detail. The top 250 pages account for 89.6% of all website page views, meaning that only 10 per cent of all Legal Aid NSW website page views are not included in this table. Table 20 shows that, in addition to the homepage, the most commonly viewed pages fell into one of four categories, broadly mirroring the tabs along the top of the homepage.

**Table 20: Most commonly viewed areas of the Legal Aid NSW website, Oct. 2013–Sept. 2014**

| *Website areas* | *% page views N = 2 014 532* | *Av. time on pages (seconds)* | *% Av. entrances* | *Median bounce rate* |
|---|---|---|---|---|
| **Homepage** | 13.8% | 74.10 | 76.1% | 39.3% |
| **Get help/contact us/what we do#** | 39.5% | 112.60 | 33.2% | 63.7% |
| **Publications/CLE workshops^** | 30.8% | 204.46 | 72.5% | 81.8% |
| **For lawyers*** | 11.0% | 115.05 | 24.5% | 52.9% |
| **About us~** | 5.0% | 106.68 | 39.5% | 61.1% |
| **Total (top 250)** | **100%** | **104.92** | **48.3%** | **66.4%** |

Source: Google analytics for Legal Aid NSW website, 1 Oct. 2013–30 Sept. 2014.
Note: Based on the 250 most commonly viewed pages.
# All pages with a 'get legal help', 'what we do' (workshops removed), 'contact us' (excluding complaints and feedback) or a 'means test indicator' pathway.
^All pages with a 'publications' (reviews and submissions excluded) and 'what we do/workshops' pathway.
* All pages with a 'for lawyers' pathway.
~ All pages with an 'about us', 'contact us/complaints and feedback', 'publications/reviews and submissions', 'languages' and 'return to homepage' pathway.

Table 20 indicates that the largest proportion of page views of the top 250 pages (39.5% of views) were about getting legal help and how to contact Legal Aid NSW. These pages included those within the 'getting legal help' pathway, pages about services provided by Legal Aid NSW (e.g. Mortgage Hardship Service, Prisoners Legal Service); and pages about means tests and the means test calculator.

Only around one-third (33.2%) of visitors entered the Legal Aid NSW website directly on the 'get help/contact us/what we do' web pages, suggesting that a majority of visitors were directed to these pages from elsewhere on the Legal Aid NSW website, likely starting with the homepage.

Fourteen per cent of all page views were of the homepage itself. The home page has a relatively low bounce rate of 39 per cent. The bounce rate refers to the percentage of visitors to a website who navigate away from the site after viewing only one page. A bounce is generally taken to indicate that visitors have not engaged with the site (e.g. realise it does not contain relevant or interesting material and leave again). However, it may also indicate that some may have found the information they were looking for on that page (e.g. the LawAccess phone number on the homepage), and immediately left the website. The low bounce rate for the homepage also indicates that 61 per cent of visitors subsequently viewed other Legal Aid NSW website pages.

Almost one-third (30.8%) of page views concerned published materials (factsheets and resources) and CLE workshops. Notably, the way visitors enter and exit the Legal Aid NSW website when viewing publication and CLE workshop pages appears to differ considerably from the way visitors view the 'about us' and 'get help/contact us/what we do' pages. *More than 70 per cent (72.5%) of page views in the publication and CLE workshop areas were direct entrances*[14] *to the Legal Aid NSW website–rather than the user navigating to the page through the website from the homepage*. Of interest, the entrance rate for a number of individual publications was somewhat higher (85% or higher).

High entrance rates suggest visitors have directly accessed pages on the Legal Aid NSW website from a referring site or external search facility (e.g. Google. See also, *Referring sites*, below.) To illustrate, this may be the result of a Google search for 'my relationship has ended' or similar resulting in a visitor viewing the corresponding Legal Aid NSW webpage.

Also evident is the relatively high bounce rate for publication and CLE workshop pages generally (and higher still for a number of particular factsheets and resources), compared to other pages. This may indicate that:

14 An 'entrance' indicates that a page was the first page on the Legal Aid NSW website that was viewed by a visitor in a session. The entrance rate is calculated here as a percentage of all page views for that page which are the first page visited on the site in that session.

- people may have found the information they were searching for on that page
- people made a quick decision that this was not the information they were after and return *to the search engine* (rather than staying in the Legal Aid website) to follow up on other search engine results.

Further evidence concerning information search behaviour is discussed in the *'Factsheet and resources'* section below.

To better understand the implications of these findings, it would be beneficial to know more about the visitors to the Legal Aid NSW website. For instance, are they potential and current clients? Are they workers in community support services? Are they Legal Aid NSW staff, private lawyers or other legal service providers? Are visitors searching for themselves or for others?

**Recommendation 11**

Legal Aid NSW should periodically gather feedback from its website users, for example through short pop-up surveys on the website, to ascertain who the users are and what information they are seeking in coming to the website. Provision should be made to identify Legal Aid staff users.

**Recommendation 12**

Legal Aid NSW should review who it intends to reach with its website and to what end, and how to increase user access to the help and information sought.

**Recommendation 13**

Legal Aid NSW should review the design of online information resources to ensure they are optimised for the users and uses of the material (e.g. PDFs can be easily printed off and given to clients?).

**Recommendation 14**

Legal Aid NSW should integrate a digital communication strategy into the strategic framework for CLEI.

In August 2013 Google changed its algorithms to preference and provide, *within Google*, answers to simple questions of fact—such as telephone numbers and addresses. It could be, therefore, that searches for this type of simple information will not even reach the Legal Aid NSW website (see Figure 4).

In commentary on this change, Masters (2013) observes that the logic of this search engine is to 'think about why people are looking for something rather than what they are looking for' (Masters, 2013). Masters (2013) suggests that, for this reason 'A content strategy should be designed to answer their needs, not just provide them with facts.'

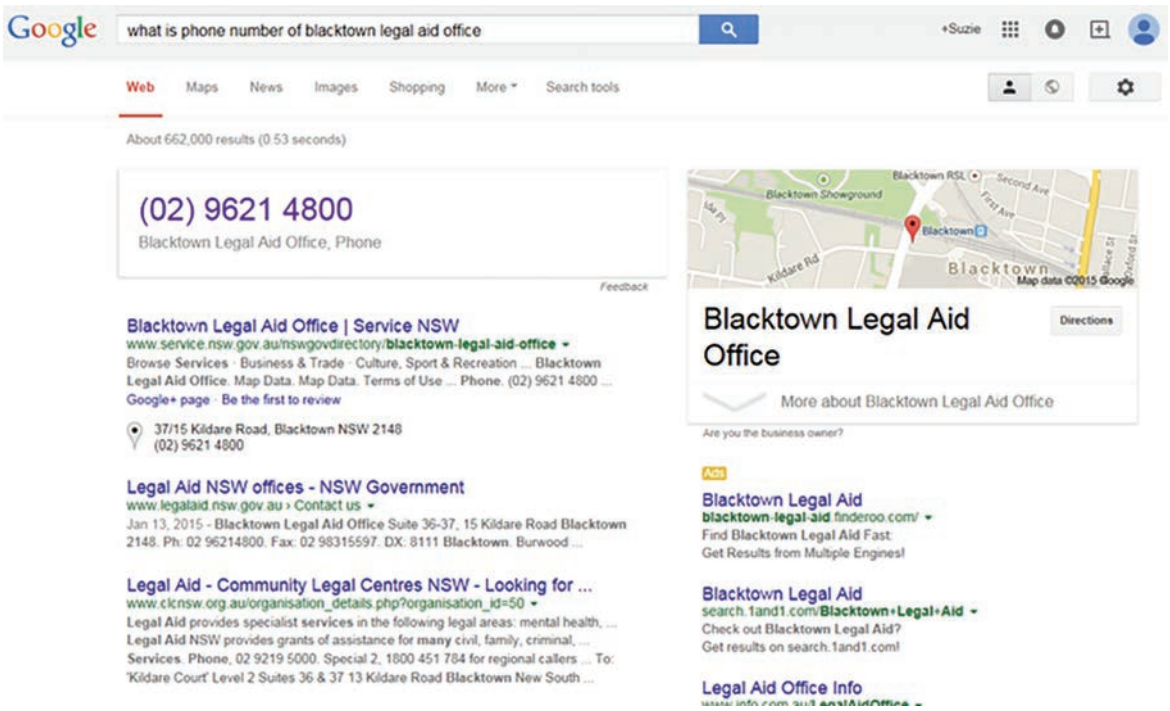
*Referring sites*

Goggle analytics also provide information on sites from which visitors are referred (Table 21). Twenty-eight per cent of visitors to the Legal Aid NSW website arrived through google.com.au. Some users also arrived at Legal Aid NSW from overseas search engines (e.g. google.com, google.co.uk, google.ca and google.co.in).

Interestingly, a small proportion (2.3%) of visits (sessions) originated from the Legal Aid NSW intranet, indicating the use of the website by staff. This figure would not include staff who enter the website from Google or via a saved link to the website on their computers, for instance to print off resources for clients.

**See Recommendation 12**

**Figure 4: Screen shot of Google search for Legal Aid NSW contact information, and information returned, May 27 2015**




Staff users, together with other users referred from within the website, had comparatively low bounce rates, higher numbers of page views per session, and longer session durations.

While only a very small proportion of visitors came from the LawAccess website (0.4%) and 'find legal answers' (Legal Information Access Centre or LIAC) website (0.2%), these few visitors tended to look at comparatively more pages per session (2.25 from LawAccess, and 2.49 from 'find legal answers') and for longer periods of time (both over 3 minutes).

**Table 21: Top 10 referring sites from which users came to the Legal Aid NSW website, Oct. 2013–Sept. 2014**

| *Source* | *No. sessions* | *% sessions N = 1 085 142* | *New users* | *Bounce rate* | *Pages per session* | *Av. time per session (seconds)* |
|---|---|---|---|---|---|---|
| **1) google.com.au** | 303 891 | 28.0% | 204 294 | 68.4% | 1.88 | 104.89 |
| **2) google.com** | 44 312 | 4.1% | 39 311 | 86.8% | 1.31 | 45.28 |
| **3) intranet** | 24 970 | 2.3% | 2252 | 25.1% | 4.30 | 248.32 |
| **4) google.co.uk** | 22 004 | 2.0% | 19 892 | 90.5% | 1.18 | 30.43 |
| **5) legalaid.nsw.gov.au** | 14 729 | 1.4% | 11 354 | 12.8% | 6.39 | 206.04 |
| **6) news.legalaid.nsw.gov.au** | 8152 | 0.8% | 1055 | 57.3% | 2.44 | 150.17 |
| **7) lawaccess.nsw.gov.au** | 4757 | 0.4% | 471 | 52.0% | 2.25 | 188.17 |
| **8) google.ca** | 4516 | 0.4% | 4183 | 91.7% | 1.15 | 26.72 |
| **9) google.co.in** | 4153 | 0.4% | 3928 | 86.8% | 1.29 | 39.76 |
| **10) legalanswers.sl.nsw.gov.au** | 2568 | 0.2% | 1603 | 56.6% | 2.49 | 196.52 |

Source: Google analytics for Legal Aid NSW website, 1 Oct. 2013–30 Sept. 2014.

### *Visitors*

Nearly two-thirds (64.9%) of visitors during the review period were new visitors to the website and viewed an average of 1.97 pages per session. The remaining 35 per cent were returning visitors, who viewed an average of 2.27 pages per session (see Table 22). Returning visitors are likely to include Legal Aid NSW staff.

Interestingly, a higher proportion of new visitors, compared to returning visitors, only viewed one page.

**Table 22: New and returning visitors to the Legal Aid NSW website, Oct. 2013–Sept. 2014**

| *User type* | *No, sessions* | *% sessions N = 1 085 142* | *Bounce rate* | *Pages per session* |
|---|---|---|---|---|
| **New visitor** | 704 008 | 64.9% | 68.7% | 1.97 |
| **Returning visitor** | 381 134 | 35.1% | 60.3% | 2.27 |
| **Total** | **1 085 142** | **100%** | **65.8%** | **2.07** |

Source: Google analytics for Legal Aid NSW website, 1 Oct. 2013–30 Sept. 2014. Information on average session durations not provided.

### *Technology used*

Table 23 indicates that for nearly two-thirds (64.0%) of sessions, visitors accessed the Legal Aid NSW website from a desktop computer, while more than one-quarter (27.6%) of visitors accessed the site from a mobile phone.

Of relevance, average session times were considerably shorter on mobile devices (78.69 seconds) than tablets (112.87 seconds) or desktop computers (126.95 seconds).

**Table 23: Devices used to access Legal Aid NSW website, Oct. 2013–Sept. 2014**

| *Device category* | *No. sessions* | *% sessions* | *Bounce rate* | *Pages per session* | *Av. session duration (seconds)* |
|---|---|---|---|---|---|
| **Desktop** | 693 997 | 64.0% | 61.0% | 2.28 | 126.95 |
| **Mobile** | 299 787 | 27.6% | 75.6% | 1.62 | 78.69 |
| **Tablet** | 91 358 | 8.4% | 69.3% | 2.02 | 112.87 |
| **Total sessions** | **1 085 142** | **100%** | **65.8%** | **2.07** | **112.43** |

Source: Google analytics for Legal Aid NSW website, 1 Oct. 2013–30 Sept. 2014.

**Recommendation 15**

Legal Aid NSW should review the findings of this report, regarding visits to the website from mobile phones and tablets, to identify implications for the design and content of the Legal Aid NSW app.

### *Location of website visitors*

Analytics data on the location of website visitors only indicate the country in which the user is located, and shows that 18 per cent of visits were from users outside Australia (see Table 24). Visitors from outside Australia tended to be from the United States (6.8%) or the United Kingdom (4.1%). The comparatively higher bounce rates and lower numbers of page views per session from outside Australia is consistent with visitors realising the site contains Australian information.

**Table 24: Location of visitors, Legal Aid NSW website, 1 Oct. 2013–30 Sept. 2014**

| Country / territory | Session location N = 1 085 142 | Av. session duration (seconds) | Bounce rate | Pages per session |
|---|---|---|---|---|
| **Australia** | 83.3% | 125.7 | 61.7% | 2.22 |
| **United States** | 6.8% | 40.7 | 87.2% | 1.28 |
| **United Kingdom** | 4.1% | 35.0 | 88.7% | 1.23 |
| **India** | 0.9% | 49.1 | 83.6% | 1.39 |
| **Canada** | 0.9% | 39.5 | 88.4% | 1.28 |
| **South Africa** | 0.3% | 66.0 | 80.0% | 1.51 |
| **Philippines** | 0.3% | 52.0 | 85.4% | 1.34 |
| **New Zealand** | 0.2% | 81.1 | 77.0% | 1.69 |
| **(not available)** | 0.2% | 56.5 | 77.4% | 1.48 |
| **Malaysia** | 0.2% | 57.5 | 85.0% | 1.39 |
| **Total** | **100.0%** | **112.4** | **65.8%** | **2.07** |

Source: Google analytics for Legal Aid NSW website, 1 Oct. 2013–30 Sept. 2014.

The 'Australian sessions' not only include visitors from NSW, but also visitors from other Australian jurisdictions, for whom the information on the Legal Aid NSW website may not be relevant. Visitors from other Australian jurisdictions cannot be separately identified using Google analytics.

**Recommendation 16**

All online resources should be clearly identified as relevant to NSW only, due to the high proportion of direct entrances to factsheets and resources on the website and noting the proportion of visitors to the website likely to originate from outside NSW.

*'Factsheet and resources' section of the website*

Legal Aid NSW makes its CLI resources available on the website, to view online in html format and to download as a PDF.

The 'factsheet and resources' section of the website attracted 643 479 page views during the review period. As discussed earlier, the factsheet and resources pages are notable for their high entrances and bounce rates, suggesting that visitors tend to come directly to this section of the website from search engines. Table 25 lists the top 25 'factsheet and resources' viewed during the year 1 October 2013–30 September 2014. Of the top 25 factsheets and resources viewed in html on the website:

- 9 concerned civil law issues
- 7 concerned crime (including two different versions of a brochure on bail)
- 4 concerned family law issues
- 3 concerned domestic violence
- 2 were different pathways to the 'factsheet and resources' page.

**Table 25: Top 25 page views within factsheet and resources section of Legal Aid NSW website, 1 Oct. 2013–30 Sept. 2014**

| | Page | No. Page views | Av. time on page (seconds) | % Entrances | Bounce rate |
|---|---|---|---|---|---|
| 1 | /publications/factsheets-and-resources | 48 081 | 103.89 | 15.8% | 52.5% |
| 2 | /what-happens-when-your-relationship-ends | 38 815 | 334.42 | 85.9% | 87.3% |
| 3 | /my-ex-partner-has-taken-our-children-without-my-permission2.-what-can-i-do | 38 427 | 321.47 | 89.8% | 89.7% |
| 4 | /get-street-smart-under-18s-know-your-legal-rights | 36 979 | 274.71 | 89.7% | 89.8% |
| 5 | /police-powers | 35 131 | 308.08 | 87.4% | 85.8% |
| 6 | /are-you-a-grandparent-your-legal-questions-answered | 31 145 | 309.89 | 87.6% | 87.7% |
| 7 | /mortgage-stress-handbook/13.-sample-letters-and-forms | 22 214 | 204.64 | 88.4% | 87.2% |
| 8 | /going-to-court-guide-to-the-local-court-for-defendants | 19 096 | 296.50 | 85.1% | 84.6% |
| 9 | /have-you-crashed-your-car | 17 751 | 342.01 | 87.3% | 90.9% |
| 10 | /your-home-and-the-age-pension | 17 187 | 341.17 | 87.3% | 83.9% |
| 11 | /apprehended-violence-orders-applicants | 16 485 | 284.79 | 81.5% | 82.9% |
| 12 | /get-legal-help/factsheets-and-resources | 15 292 | 93.51 | 5.9% | 59.0% |
| 13 | /is-someone-making-an-avo-against-you | 15 051 | 316.63 | 78.2% | 84.2% |
| 14 | /defacto-relationships-and-family-law-factsheet | 13 603 | 297.49 | 85.1% | 88.2% |
| 15 | /private-car-park-finespayment-notices | 12 435 | 364.29 | 91.6% | 92.0% |
| 16 | /drink-driving-charges-and-you-pamphlet | 12 222 | 289.54 | 81.5% | 84.4% |
| 17 | /domestic-violence-offences-information-for-defendants-pamphlet | 12 076 | 287.88 | 86.6% | 85.4% |
| 18 | /speaking-for-myself/making-a-power-of-attorney | 10 861 | 237.54 | 88.6% | 87.1% |
| 19 | /discrimination-toolkit/courts-and-tribunals/sample-affidavit | 9610 | 246.16 | 85.0% | 84.3% |
| 20 | /guide-to-bail | 8105 | 263.38 | 85.6% | 86.0% |
| 21 | /why-make-a-will | 7618 | 252.58 | 86.4% | 86.2% |
| 22 | /adult-children-living-at-home | 7610 | 291.96 | 86.7% | 88.9% |
| 23 | /understanding-bail | 6861 | 300.53 | 87.4% | 87.5% |
| 24 | /appealing-to-the-district-court | 6706 | 291.62 | 81.6% | 84.9% |
| 25 | /are-you-being-squeezed-for-a-debt | 6413 | 305.84 | 84.0% | 88.6% |

Source: Google analytics for Legal Aid NSW website, 1 Oct. 2013–30 Sept. 2014.
Note: These are top 25 that are listed in a report on pages viewed. Sometimes the same brochure is reached on different paths, meaning there may be additional views of some of these brochures. If all possible pathways are included, the figures will differ.

### *CLI in PDF format*

CLI resources available in html format on the website, are also available in PDF format. However, because the PDFs are located on the Publications Online database, which is separate to the website, they can only be accessed through the website, rather than directly from a search engine. Thus, any search in Google or similar will find the html version (see above), not the PDF.

For this reason, data on the PDF publications viewed on the website must be considered as *a subset of page views*–because to download a publication there must have also been a page view of the relevant webpage.

Over the review period, 416 different publication PDFs were 'hit' (downloaded) at least once from the Legal Aid NSW website. Table 26 lists the 10 PDF resources most commonly downloaded from the factsheet and resources section of the Legal Aid NSW website.

**Table 26: Ten most commonly downloaded PDFs, in the factsheet and resources section of Legal Aid NSW website, 1 Oct. 2013–30 Sept. 2014**

| | Title | No. hits | No. visitors |
|---|---|---|---|
| 1 | *What happens when your relationship ends* | 5467 | 4621 |
| 2 | *Drink driving charges and you* | 4546 | 4533 |
| 3 | *Visa cancellation kit* | 5258 | 4265 |
| 4 | *My ex-partner isn't following the court orders about our children… What can I do?* | 4549 | 4054 |
| 5 | *Fined out: A practical guide for people having problems with fines* | 4205 | 3647 |
| 6 | *Apply for a stay order: Child support factsheet 4* | 3267 | 3376 |
| 7 | *Police powers: Your rights and responsibilities (Turkish)* | 3505 | 2576 |
| 8 | *Seeking urgent recovery orders in the Family Court. A resource kit for lawyers* | 2657 | 2566 |
| 9 | *Police powers: Your rights and responsibilities.* | 2402 | 2220 |
| 10 | *Working out what's best for my children: Good outcomes, better solutions, best for children* | 2161 | 2010 |

Source: Information provided by Legal Aid NSW web content manager, for period 1 Oct. 2013–30 Sept. 2014.
Note. The brochure recorded with the highest number of hits was the Greek version of *Why make a will?* with 62 431 hits and 4621 visitors. This has been removed as an anomaly, possibly due to spider hits.[15]

**See Recommendation 14**

### *PDF downloads by topic*

The total number of PDF downloads during the review year were organised into topic areas. Up to two topic areas were recorded for any one resource. Table 27 indicates the proportion of downloads for the period 1 Oct. 2013–30 Sept. 2014, by broad topic area.

**Table 27: PDF downloads from factsheet and resources section of Legal Aid NSW website, by topic area, 1 Oct. 2013–30 Sept. 2014**

| Topic areas | No. hits | % hits |
|---|---|---|
| **Families, relationships and children** | 60 096 | 24.6% |
| **Courts, police and crime** | 49 355 | 20.2% |
| **Getting legal help and legal aid** | 37 624 | 15.4% |
| **Domestic violence** | 36 272 | 14.8% |
| **Money, debt and fines** | 28 087 | 11.5% |
| **Planning for the future** | 21 811 | 8.9% |
| **Government and rights** | 14 149 | 5.8% |
| **Visas and immigration** | 13 339 | 5.5% |
| **Traffic and driving** | 10 529 | 4.3% |
| **Legal system** | 4759 | 1.9% |
| **Staff resource#** | 4499 | 1.8% |
| **Jobs and employment** | 1772 | 0.7% |
| **Not specified^** | 868 | 0.4% |
| **TOTAL** | **244 702** | |

Source: Google analytics, Legal Aid NSW website, publication pages, 1 Oct. 2013–30 Sept. 2014.
Notes: The percentages add up to more than 100 per cent as two topics were recorded for 20.2% of resources. Resources were only counted as 'getting legal help or legal aid' if that was a primary focus of the brochure.
^Brochure removed from website before analysis.
# refers to a series of brochures providing information to support staff and other workers assisting different newly arrived and emerging communities.

15 A 'spider' is a program that visits websites and reads their pages and other information in order to create entries for a search engine index. A 'spider hit' refers to a page view by a non-human.

Nearly one-quarter of all downloads were for resources about families, relationships and children (24.6%), while one in five downloads (20.2%) were about courts, police and crime. A further 15 per cent of downloads were of resources about how to get legal help or legal aid services (15.4%) or about domestic violence (14.8%).

There would be some overlap in these figures, for instance where a brochure concerned getting legal help for a family law problem.

**Recommendation 17**

Legal Aid NSW should regularly review the page views on its website to monitor the types of information users access on the website.

## 'Most popular' CLI resources: hardcopy versus online

A comparison of hardcopy orders, with website views of resources (in html) indicates some interesting differences in the resources most commonly requested in hardcopy and those most commonly view online. Table 28 (opposite) lists:

- the 10 resources in the 'factsheet and publications' section of the Legal Aid NSW websites, with the highest number of page views during the review year, and
- the 10 resources with highest number of hardcopies distributed.

Table 28 is ranked first by number of page views on the website. This is because website page views are more likely to be the result of searches by an individual (client, potential client, family member, solicitor or non-legal worker seeking information for another) looking for information *at the point that it is required*. For this reason, these page views may reflect direct and current need.[16] In contrast, orders through Publications Online tend to reflect *anticipated need*. They are orders from organisations (including Legal Aid NSW itself) for onward distribution to meet an identified or anticipated need for information.

Table 28 indicates that only two resources appear in the top 10 ranking for both online viewing and hardcopy distribution:

- *What happens when your relationship ends*? (ranked first in page views and sixth in copies distributed)
- The *Speaking for myself* series (ranked eighth in page views—noting this includes views of multiple pages which make up the speaking for myself booklet—and tenth in copies distributed).

Interestingly, among the CLI resources which are the most commonly viewed online were resources which, in their title, *asked* about a specific problem. Examples include *What happens when your relationship ends?, Have you crashed your car?,* and *Are you a grandparent? Your legal questions answered*.

Also of interest, because users are searching for information in Google and are directed to the specific online brochure, they do not necessarily need to be aware of Legal Aid NSW as a source of information, nor aware of the issue as potentially being a 'legal issue', when locating these resources. The earlier discussion on the algorithms used by Google to retrieve information suggests that framing material in terms of question or issues may help increase their access through such search engines. In exploring this issue we attempted to search in Google for resources relating to bad loans. Of concern, some of the search results returned may in fact lead people to further legal problems.

Of those resources with high hardcopy distribution, several have relatively low numbers of page views, in particular *Advice about your visa if you have been hurt of harmed by your partner*, *So you want the violence to stop* and *Do you have a legal problem?* The comparatively low numbers of page views raise questions concerning:

16 Page views provide no indication of information sought that Legal Aid NSW does *not* offer (as there will be no pages to view on these topics).

**Table 28: The 10 Legal Aid NSW CLI resources with the highest number of page views and the 10 CLI resources with highest number of hard copies distributed, Oct. 2013–Sept. 2014**

| CLI resource name | Rank by page views | No. page views# | Rank by hard copies distributed | No. hard copies distributed |
|---|---|---|---|---|
| *What happens when your relationship ends?* | 1 | 43 158 | 6 | 17 692 |
| *My ex-partner has taken our children without my permission. What can I do?* | 2 | 38 451 | 36 | 7717 |
| *Get street smart: Under 18s: know your legal rights* | 3 | 37 024 | 27 | 9043 |
| *Police powers* | 4 | 35 191 | 13 | 11 199 |
| *Are you a grandparent? Your legal questions answered* | 5 | 31 160 | 30 | 8674 |
| *Mortgage handbook—sample letters and forms* | 6 | 22 300 | 65* | 4401 |
| *Going to court: guide to the Local Court for defendants* | 7 | 19 122 | 23 | 9567 |
| *Speaking for myself: planning for later life decision making^* | 8 | 18 591 | 10 | 13 534 |
| *Have you crashed your car?* | 9 | 17 776 | Not listed | – |
| *Your home and the aged pension* | 10 | 17 195 | 51 | 6118 |
| *Apprehended Violence Orders: information for applicants and persons in need of protection* | 11 | 16 516 | 7 | 16 185 |
| *A guide to bail* | 18 | 8660 | 1 | 35 279 + |
| *Family dispute resolution (FDR): working out what's best for my children* | 65 | 1408 | 9 | 14 368 |
| *Mental Health Advocacy Service—advice about mental health matters* | 95 | 1141 | 4 | 18 566 |
| *So you want the violence to stop—advice about domestic violence and help at court.* | 96 | 865 | 5 | 18 223 |
| *Do you have a legal problem?* | 98 | 849 | 2 | 25 062 |
| *Work and Development Orders: help for people who can't pay their fines (WDO)* | 113 | 571 | 3 | 20 749 |
| *Advice about your visa if you've been hurt or harmed by your partner* | 229 | 75 | 8 | 16 074 |

Source: Analytics data and Publications Online database, 1 October 2013–30 September 2014.

# The number of page views counts all mentions of the brochure, noting different pathways to reach it. Table 25 only show the most common pathways to the brochure.

^The *Speaking for myself* series appear as separate page views, one per topic. The figure here is a count of all page views for any *Speaking for myself* topic. They are combined here to be comparable with the content of the hardcopy distributed. The highest-ranking number of page views for a single 'Speaking for myself' topic is *Making a power of attorney* (ranked 18, with 10 861 views).

* Part of the *Mortgage handbook*. The brochure *Are you having problems with your mortgage* ranked 33.

+ *A guide to bail* was subject to a proactive mail out when the bail laws changed.

- which target groups tend to accesses information online—and which do not (e.g. recently arrived people with low levels of English skill or literacy)
- how much other online information is available on the same topic (e.g. on domestic violence)
- how different groups conceptualise the problems they are experiencing (e.g. do they see the problem as 'legal', which may be a prerequisite for searching for 'legal' information?)

While the brochure *Do you have a legal problem?* was the third most common hardcopy order and the brochure with the second highest number of copies ordered, it ranked 98th in terms of brochures viewed on the website. These observations are consistent with research indicating that people do not necessarily recognise the problem they are experiencing as having a legal dimension (Coumarelos et al. 2012; Genn 1999; Pleasence et al. 2006).

Table A2 (in Appendix) ranks: the 50 CLI resources with the highest number of page views; the 50 CLI resources most commonly downloaded in PDF; the 50 hardcopy CLI resources most commonly ordered; and the 50 hardcopy CLI resources with the highest number of *copies* ordered.

**Recommendation 18**

Legal Aid should review how its publications are named to ensure optimal identification by search engines.

**Recommendation 19**

Legal Aid NSW should also investigate other ways to optimise the visibility of CLI resources from search engines such as Google, particularly for issues, such as 'bad loans' where the competing search results (e.g. from inappropriate lenders) may lead users to further legal problems.

**Recommendation 20**

Consideration should be given to undertaking research into improving the uptake of and outcomes achieved using online CLEI 'self-help' resources, for instance through links to online chat services when users are otherwise unable to progress.

## Website usage: www.bestforkids.org.au www.burn-movie.com.au

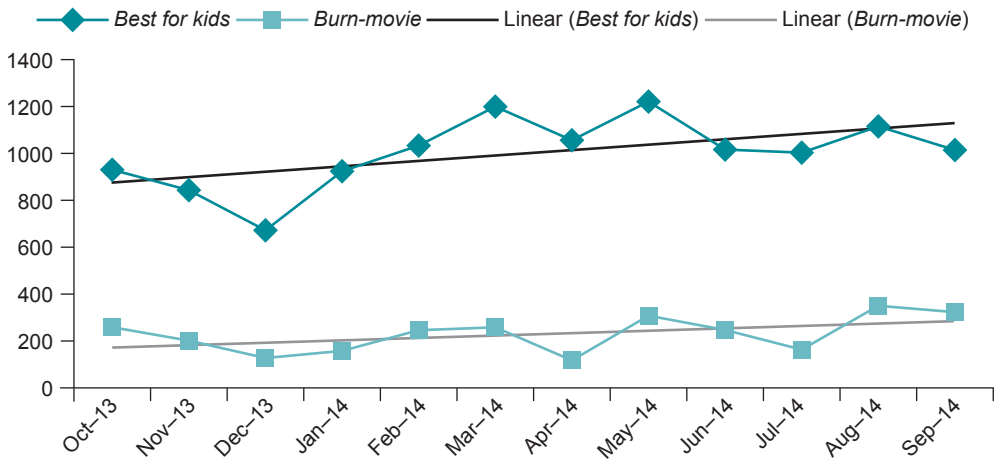
*Best for kids* and *Burn-movie* together attract around one per cent of the total visitors to the main *Legal Aid NSW* website. Specifically:

- www.bestforkids.org.au had 28 777 page views in 12 085 visits
- www.burn-movie.com.au had 6857 page views in 2785 visits.

Figure 5 indicates that *Burn-movie* had a lower, but relatively steady, pattern of use over the review period. By contrast *Best for kids* had higher usage but with a notable dip in visits during December 2013, and peaks in March and May 2014.

The vast majority of sessions for both sites originated in Australia (86% for *Burn-movie* and 84% for *Best for kids*).

**Figure 5: *Best for kids* and *Burn-movie* websites, Sessions per month, 1 Oct. 2013–30 Sept. 2014**




Source: Google analytics for *Best for kids* and *Burn-movie* websites, 1 Oct. 2013–30 Sept. 2014.

### *www.bestforkids.org.au—sources and devices*

Table 29 indicates that around 70 per cent (70.4%) of sessions on the *Best for kids* websites originated in Legal Aid NSW sites (legalaid.nsw.gov.au; lacextra.legalaid.nsw.gov.au), while nearly four per cent (3.8%) originated from LIAC's 'find legal answers'.

Nearly one per cent (0.9%) of visits originated in Facebook (on the web and mobile). As part of Legal Aid NSW's social media presence, messages are regularly posted on the Legal Aid

NSW Facebook page, announcing activities, resources, CLE and other information (Personal Communication, Legal Aid NSW, 25 November 2014).

Of particular note, users referred from the Facebook mobile site spent a far shorter amount of time (9.7 seconds) on the *Best for kids* website compared to users who came from the desktop Facebook site (245.4 seconds).

**Table 29: Top 10 referring sites from which users came to the *Best for kids* website, 1 Oct. 2013–30 Sept. 2014**

| | Source | Sessions | Session sources | Bounce Rate | Pages per session | Av. session duration (seconds) |
|---|---|---|---|---|---|---|
| 1 | legalaid.nsw.gov.au | 1442 | 42.4% | 27.1% | 3.22 | 264.33 |
| 2 | lacextra.legalaid.nsw.gov.au | 953 | 28.0% | 31.6% | 2.94 | 247.47 |
| 3 | legalanswers.sl.nsw.gov.au | 128 | 3.8% | 35.2% | 2.87 | 194.89 |
| 4 | legalaid.wa.gov.au | 99 | 2.9% | 43.4% | 2.98 | 224.08 |
| 5 | raisingchildren.net.au | 79 | 2.3% | 19.0% | 3.29 | 273.06 |
| 6 | hpcc.org.au | 71 | 2.1% | 57.7% | 2.34 | 36.68 |
| 7 | raisinggrandchildren.com.au | 63 | 1.9% | 77.8% | 1.46 | 86.17 |
| 8 | news.legalaid.nsw.gov.au | 39 | 1.1% | 61.5% | 2.23 | 155.31 |
| 9 | lawstuff.org.au | 34 | 1.0% | 41.2% | 2.32 | 78.65 |
| 10 | All Facebook | 32 | 0.9% | | | |
| | *m.facebook.com* | 16 | 0.5% | 68.75% | 1.50 | 9.63 |
| | *facebook.com* | 13 | 0.4% | 23.08% | 3.00 | 245.38 |
| | *l.facebook.com* | 3 | 0.1% | 66.67% | 1.33 | 2.00 |
| | Total referring sites (spiders^ removed) | 3401 | | | | |

Source: Google analytics for *Best for kids* website, 1 Oct. 2013–30 Sept. 2014.
Note: ^See definition of 'spider' at footnote 15.

Table 30 indicates that nearly 60 per cent (58.2%) of visits to *Best for kids* were from desktop computers, 30 per cent from mobile phones and nearly 12 per cent (11.8%) from tablets. The average session time from a mobile (121 seconds) was less than either desktop (176 seconds) or tablet (167 seconds).

**Table 30: Devices used to access *Best for kids* website, 1 Oct. 2013–30 Sept. 2014**

| Device category | No. sessions | % sessions on device | Bounce rate | Pages per session | Av. session duration (seconds) |
|---|---|---|---|---|---|
| Desktop | 7035 | 58.2% | 48.27% | 2.60 | 176.00 |
| Mobile | 3626 | 30.0% | 64.15% | 1.96 | 120.96 |
| Tablet | 1424 | 11.8% | 54.07% | 2.39 | 167.68 |
| | 12 085 | | 53.72% | 2.38 | 158.50 |

Source: Google analytics for *Best for kids* website, 1 Oct. 2013–30 Sept. 2014.

### *Burn-movie.com.au—sources and devices*

Table 31 indicates that almost 60 per cent (59.8%) of sessions on the *Burn-movie* website originated from the main Legal Aid NSW website.[17] Of interest, 122 sessions (13.8%) originated from the University of Canberra student and staff portal, possibly indicating the inclusion of this resource on curriculum at this university.

17 The list of the top 250 page views on the Legal Aid NSW website indicates that the 'Police interviews' component of the *Burn-movie* website was viewed 1391 times during the review period.

**Table 31: Top 10 referring sites from which users came to the *Burn-movie* website, 1 Oct. 2013–30 Sept. 2014**

| | Source | No. sessions | % sessions | Bounce rate | Pages per session | Av. session duration (seconds) |
|---|---|---|---|---|---|---|
| 1 | legalaid.nsw.gov.au | 529 | 59.8% | 1.32% | 2.48 | 92.25 |
| 2 | learnonline.canberra.edu.au | 122 | 13.8% | 2.46% | 2.75 | 170.73 |
| 3 | All Facebook | 63 | 7.1% | | | |
| | *facebook.com* | *16* | *1.6%* | *0.00%* | *2.00* | *0.56* |
| | *m.facebook.com* | *40* | *4.0%* | *52.50%* | *1.60* | *46.98* |
| | *l.facebook.com* | *7* | *0.7%* | *0.00%* | *2.29* | *1.29* |
| 4 | intranet | 27 | 3.1% | 0.00% | 2.22 | 21.81 |
| 5 | interact.csu.edu.au | 23 | 2.6% | 0.00% | 2.52 | 123.43 |
| 6 | communityprophets.com | 14 | 1.6% | 0.00% | 2.29 | 51.71 |
| 7 | web1.fortstreet-h.schools.nsw.edu.au | 14 | 1.6% | 0.00% | 2.00 | 0.57 |
| 8 | blog.sl.nsw.gov.au | 12 | 1.4% | 16.67% | 3.17 | 316.25 |
| 9 | alsnswact.org.au | 10 | 1.1% | 20.00% | 2.00 | 5.10 |
| 10 | katalyst.com.au | 10 | 1.1% | 0.00% | 2.00 | 0.70 |
| | **Total referring sites (web crawlers removed)** | **884** | **100%** | | | |

Source: Google analytics for *Burn-movie* website, 1 Oct. 2013–30 Sept. 2014.

To place these figures in context, *Burn-movie* is a crime prevention program often run in schools (using a hardcopy DVD). In the review year, there were 123 CLE events specifically described as 'Burn', with more than 4000 audience members in total (average of 35 people per event). A further 63 events 'young people and the criminal law' may also have involved the screening of *Burn-movie*.

**Table 32: Devices used to access *Burn-movie* website, 1 Oct. 2013–30 Sept. 2014**

| Device category | No. sessions | % sessions | Bounce rate | Pages per session | Av. session duration (seconds) |
|---|---|---|---|---|---|
| **Desktop** | 2418 | 86.8% | 1.3% | 2.5 | 102.51 |
| **Mobile** | 233 | 8.4% | 27.5% | 2.1 | 46.43 |
| **Tablet** | 134 | 4.8% | 14.9% | 2.3 | 70.49 |
| | 2785 | 100.0% | 4.1% | 2.5 | 96.28 |

Source: Google analytics for *Burn-movie* website, 1 Oct. 2013–30 Sept. 2014.

Noting the relatively small number of visits to this site, and the fact that the primary audience for this resource is young people, more than seven per cent (7.1%) of sessions were sourced from Facebook.

Most visitors to the *Burn-movie* website were using a desktop computer, and had longer viewing times than tablets, and, particularly mobile devices (see Table 32).

## YouTube presence

Legal Aid NSW has a number of videos on four YouTube channels: *Legal Aid NSW*; *Welcome to Legal Aid*; *Best for kids*; and *What's the law*? The videos are located on YouTube to support access from Legal Aid NSW website and the Legal Aid NSW app for mobile devices. The videos can also be accessed directly on YouTube. In the year 1 October 2013–30 September 2014, the Legal Aid NSW channel was viewed 2062 times for an estimated total of 6180 minutes (i.e. on average 3.0 minutes per view, though viewing times per view would vary considerably).

**Table 33: YouTube views on Legal Aid NSW channels, by video, Oct. 2013–Sept. 2014**

| Video | No. views | Estimated time watched (mins) | Av. mins/secs per video |
|---|---|---|---|
| ***Legal Aid NSW Channel (Top 8)^*** | | | |
| *Work and Development Orders. Breaking the cycle of fine debt.* | 491 | 1855 | 3.48 |
| *Fines* (Auslan) | 341 | 1144 | 3.24 |
| *How Legal Aid NSW can help you* (Auslan) | 275 | 347 | 1.18 |
| *Work and Development Orders—a deadly way to clear your fine debt* | 221 | 732 | 3.18 |
| *WDVCAS the dynamics of domestic violence* | 198 | 545 | 2.48 |
| *Loans and credit* (Auslan) | 112 | 339 | 3.00 |
| *Home loan stress* (Auslan) | 95 | 336 | 3.30 |
| *Law for everyday life* | 33 | 87 | 2.36 |
| ***What's the law—law for new arrivals (Top 10)*** | | | |
| *Driving* | 27 | 32 | 1.12 |
| *Centrelink* | 18 | 28 | 1.36 |
| *Family violence* | 16 | 25 | 1.36 |
| *Family law* | 15 | 30 | 2.00 |
| *Australia's legal system* | 13 | 13 | 1.00 |
| *Car accidents* | 11 | 20 | 1.48 |
| *Police* | 10 | 23 | 2.18 |
| *Buying a car* | 10 | 25 | 2.30 |
| *Renting* | 7 | 22 | 3.06 |
| *Child protection* | 5 | 10 | 2.00 |
| **Best for kids** | | | |
| *The 50:50 myth* | 20 | 48 | 2.24 |
| *Using mediation* | 10 | 38 | 3.48 |
| *For parents—the independent children's lawyer* | 4 | 11 | 2.48 |
| *For kids—independent children's lawyer* | 4 | 11 | 2.48 |
| **Welcome to Legal Aid NSW—*info in many languages*** | | | |
| *Welcome to Legal Aid—English* | 17 | 46 | 2.42 |
| *Welcome to Legal Aid—Amharic* | 6 | 1 | 0.42 |
| *Welcome to Legal Aid—Arabic* | 1 | 0 | 0.00 |
| *Welcome to Legal Aid—Dari* | 1 | 2 | 2.00 |
| *Welcome to Legal Aid—Chinese* | 1 | 0 | 0.00 |
| *Welcome to Legal Aid—Dinka* | 1 | 0 | 0.00 |
| *Welcome to Legal Aid—each of Burmese, Jabu Arabic, Karen, Pashto, Rohingya, Somali, Swahili, Tigrinya* | 0 | | |

Source: YouTube analytics, 1 Oct. 2013–30 Sept. 2014.
Note: ^ The analytics provide the 'top 10' videos per channel. Two of the top 10 (205 views between them) appeared in code and are excluded here, as they had been removed from the site when the analytics were undertaken.

The most popular videos are listed on Table 33, with the generic WDO video for sponsoring organisations receiving nearly 500 views (491) and the video produced with the support of the Aboriginal Legal Service specifically for sponsoring Aboriginal organisations receiving 221 views. Bear in mind that these are distributed as hardcopy DVDs to sponsoring organisations.

Table 33 also illustrates uptake of videos that present legal information in Australian Sign Language (Auslan). The Auslan video with the most views concerned 'fines' (341 views), followed by 'how Legal Aid NSW can help you' (275 views).

YouTube channels also have 'playlists' that were created to make the videos available on the Legal Aid NSW App. The playlists were viewed 493 times, for a total of 1047 minutes (Table 34).

**Table 34: YouTube playlist views on Legal Aid NSW Channels, Oct. 2013–Sept. 2014**

| Playlists | No. videos in playlist | No. views | Estimated total minutes watched | Av. time in playlist (mins) |
|---|---|---|---|---|
| *Auslan—information about the law* | 6 | 145 | 280 | 3.02 |
| *What's the Law? Law for new arrivals* | 10 | 132 | 227 | 4.59 |
| *LawAssist—Representing yourself at Court* | 14 | 112 | 289 | 5.48 |
| *Best for kids—Family law information for children and parents* | 4 | 38 | 108 | 4.06 |
| *Fines and Work and Development Orders (WDOs)* | 2 | 37 | 92 | 2.58 |
| *Welcome to Legal Aid NSW—info in many languages* | 13 | 27 | 49 | 1.34 |
| *Women's Domestic Violence Court Advocacy Program* | 1 | 2 | 1 | 0.39 |
| **Total** | **51** | **493** | **1047** | **3.41** |

Source: YouTube analytics, 1 Oct. 2013–30 Sept. 2014.

## 2.4 A final note

The three sections above, 'CLE events', 'hardcopy CLI' and 'Legal Aid NSW Online' reflect the breadth of activity that falls under the banner of CLEI. They also indicate the potential reach of these activities, covering diverse issues for a wide range of audience types.

Analyses of each also suggest different insights are available from the different sources of information. The data sources included in this review included the CLEMS database, the Publications Online database, the SALMAT report, Google analytics and YouTube analytics. There are necessarily some key differences between all these data sources, and these are managed by different sections of Legal Aid NSW. While there are good reasons for this, it does lead to some gaps in coordination and consistency across the data sources, and a degree of siloing of each. This adds to the challenge of getting an accurate overall picture of the range of activities that constitute CLEI.

**Recommendation 21**

Responsibility for all data relevant to the provision of CLEI should be centralised or more formally coordinated.

**Recommendation 22**

The definition and collection of data relevant to CLEI should be reviewed for consistency across databases and to improve the accuracy of data entry and reporting.

**Recommendation 23**

Legal Aid NSW should develop templates for presenting CLEI data aligned to decision making and reporting requirements.

# 3. Results: Costing CLEI

## 3.1 Issues to be addressed in costing CLEI

As part of the audit, information was sought on the opportunities for and challenges to costing the development, delivery and distribution of CLEI.

The numerous issues that need to be considered in costing CLE and CLI activities are examined here through four case studies. Broadly, these issues include identifying:

- precisely what Legal Aid NSW would seek to cost and for what purpose
- the full range of activities and resources involved in the development and implementation of CLEI strategies, to be accounted for in a costing exercise
- the availability of data and information to enable these activities and resources to be costed
- a meaningful unit of measure against which to calibrate cost (e.g. cost per resource, cost per user).

Each of these issues arise though the case studies. They are discussed in more detail below.

## 3.2 Case studies

Four case studies were selected. The first two are CLI resources:

- *A guide to bail* brochure**,** selected as example of a criminal law resource with a wide distribution.
- a series of four brochures on the role of the *Independent children's lawyer*, developed by the Family Law Division.

The second two case studies centre on CLE:

- the *Work and Development Order Program* (resources and CLE), developed and run by the Civil Law Division.
- the *Let's talk* CLE and information strategy, coordinated by the CLE Unit.

The four case studies vary in scope, scale, topic and administration. Each also has features which informants said make them 'atypical'.

Nevertheless, the case studies were selected to illustrate the range of strategies that are counted as CLEI, and the range of factors that influence the progress (and therefore costs) of each of these products, rather than to be representative or indicative of a broader range of products.

Some estimates of the costs associated with each of these resources or strategies are detailed. Note, however, these should only be considered as *broad estimates only*. As will be described in the discussion following the case studies, all the information required to inform this type of costing is not routinely or consistently collected across the organisation (in particular, staff time spent on particular activities). Staff were asked to provide information about time spent up to 18 months ago on these projects, and had to draw on memory or otherwise base figures on current practices to reach these estimates.

### A guide to bail

*Background and rationale*

*A guide to bail* is a brochure to help people understand and apply for bail. The brochure was designed to provide up-to-date, plain language information on bail law and to explain to those in custody or on bail (and their families) what bail is, how it works and what bail conditions mean. The brochure is available in English, Chinese (traditional), Vietnamese and Arabic.

*A guide to bail* is available in hardcopy and on the Legal Aid NSW website, in html and as a PDF (http://www.legalaid.nsw.gov.au/publications/factsheets-and-resources/guide-to-bail). The brochure can also be handed to clients by solicitors, to reinforce advice provided:

> It will be available to them in police custody and give them something to absorb while they are waiting for their matter to be heard. It will also help them to understand what happens in court and give them another channel to take in information or a second chance to do so, when they may be in a foreign and stressful situation and find it hard to absorb information. Likewise they can keep it after their bail application has been heard and refer to it about what happens next/what to do next. **(Solicitor)**

This resource was updated as part of a Justice Sector Bail Reform Project, in response to change to the *Bail Act 2013* (NSW) that commenced in May 2014. Legal Aid NSW led this part of the broader bail reform project. The updated brochure was published in May 2014. *A guide to bail* replaced an earlier brochure *Understanding bail*.

*Distribution*

*A guide to bail* was the Legal Aid brochure that has the highest number of hardcopies distributed from the warehouse during the review period for this study. Contributing to this was a proactive mail-out to all local courts and prisons in NSW to coincide with the May 2014 changes to the *Bail Act 2013* (NSW).

Of note, subsequent to this distribution, the *Bail Act* was changed again in September 2014, to take effect on 16 January 2015. The brochure was amended accordingly.[18]

In the 12 months to 30 September 2014:

- 35 279 copies were distributed in 207 orders from the warehouse
  - 69 per cent in English
  - 11 per cent in Chinese
  - 10 per cent in each of Vietnamese and Arabic.
- *A guide to bail* was viewed 8105 times on the Legal Aid NSW website for an average of 4 minutes and 23 seconds. It was subsequently downloaded 1149 times.
- *A guide to bail* was in the top 20 most commonly viewed factsheets and resources on the Legal Aid website (noting that it was only made available from May 2014, 9 months into the reporting period).
- For 86 per cent of those who viewed the brochure online, this was the page they entered the Legal Aid NSW website on (most commonly from a search engine). Further, 83 per cent of visitors left the Legal Aid NSW website from this page.

*Costs*

Staff involved in the development of this resource described it as 'atypical', due to the level of consultation involved in the genesis and production of this brochure. The project was led by a solicitor in the Criminal Law Division, who spent, in total, an estimated 15 hours drafting and redrafting the document.

Over an extended period (including further change to the bail law) an estimated 85 hours were spent consulting and negotiating, with internal and external stakeholders (NSW Police, LIAC, LawAccess, NSW Department of Justice) and in distributing the resource. With the support of the CLE Unit, the resource was also user tested with a small group of prison inmates. Ongoing changes to the *Bail Act 2013* (NSW), and the need to update material accordingly, contributed to the time and cost.

Usually editing and distribution is organised by the Publications Unit, but in this case the solicitor was involved in distributing the resource to all Legal Aid NSW offices. Distribution was also arranged to all jails, courts and juvenile justice centres.

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18 This is an area of law which has be the subject of considerable change, adding to the cost of maintaining current legal information resources on the topic. To illustrate, between 1970 and 2007 the then *Bail Act 1978* (NSW) was amended 78 times, at an average of 2.7 times a year or every 4.5 months (Nheu and McDonald 2010, p. 82).

The Publications Unit indicated that, without the level of consultation required for this particular publication and the ongoing changes to the law, they would have likely spent at most 35 hours on a brochure of this size. Table 35 provides a breakdown of the estimated costs of developing, publishing and distributing *A guide to bail*.

**Table 35: Estimated costs associated with the development and distribution of *A guide to bail*,**

| *Cost types* | *Estimated costs* |
|---|---|
| **Staff costs including on-costs** (drafting, negotiating/working with external stakeholders as part of interagency process, checking, user testing, distribution, proofing, coordinating publication, amending due to updates) | $7750 |
| **Design** (contracted out) | $850 |
| **Publication/printing** (contracted out) | $1800 |
| **Warehousing and distribution from warehouse** (contracted out) | $1900 |
| **Translation into 3 languages** ($600 each) | $1800 |
| **Web content costs** | Not costed |
| **Total** | **$14 100** |

To estimate a unit cost, the total expenditure needs to be divided by a unit of measure, such as the number of brochures printed, the number distributed and website downloads, or ideally, the number reaching their final intended audience (people in custody and their families).

The distribution figures above only reflect the *partial cost of distribution*, as most brochures were sent to intermediary organisations (Legal Aid NSW offices, courts, jails) for onward distribution, but were yet to reach their final users.

Using the data we do have, the estimated cost per *hardcopy brochure distributed* during the review year is around 40 cents a brochure. If the cost was also divided by the number of page views or downloads online, this figure would further reduce.

**Recommendation 24**

Further consideration should be given to the cost-effective production of resources:

- required in hardcopy (e.g. resources that solicitors may provide to reinforce advice)
- on topics that require regular updating due to changes in the law (e.g. bail laws).

## *Independent children's lawyer* brochure series

### *Background and rationale*

The *Independent children's lawyer* (ICL) brochure series consists of four brochures developed by the Family Law Division to provide 'clearer and more engaging' information to parents and children about the role of the ICL. The brochures are available in English only.

The need for the brochures was identified through the Family Law Division's work with children and parents and supported by a report on ICLs by the Australian Institute of Family Studies (Kaspiew, Carson, Moore et al. 2013). Solicitors reported common misunderstanding among parents about the role of the ICL, particularly when they are not legally represented themselves.

External input was provided by Legal Aid Commissions from all other Australian jurisdictions, via National Legal Aid, after a decision was made during the project to make the brochures available nationally.

### *Brochure titles, audiences and purpose*

As detailed on Table 36, the four brochures are targeted to different audiences, and each has a separate purpose.

**Table 36: ICL brochures: target audiences and purpose**

| CLI resources | Target audience | Purpose |
|---|---|---|
| *What is an independent children's lawyer?* | Parents | To inform parents about the role of the ICL, including the ICL's obligations and limitations. Often the parent will be self-represented and will make incorrect assumptions about what the ICL can and cannot do. |
| *What happens when your parents go to Court?*<br>1. Kids version<br>2. Teen version | *Kids version*: clients under 10 years<br>*Teen version*: clients aged 10–18 years | To give children practical information about what the ICL does and their relationship with the ICL. Its purpose is to reinforce what would have been explained to the child during his/her meeting with the ICL. This resource is tailored to two separate age groups. |
| *Deciding whether you should help with supervision* | Third parties ordered to supervise a parent's time with a child | As a contact supervisor's role is often different, this publication aims to explain their responsibilities in a clear and consistent manner. Usually the contact supervisor will not be involved in the court proceedings and this brochure may be the only formal explanation they receive about their obligations. |

### *Projected distribution*

At the time of writing, the brochures were yet to be distributed, but are intended to be made available nationally. Within NSW, the brochures are to be distributed electronically by email to all ICLs, including private solicitors who do ICL work, to print on location. Brochures are to be provided to clients receiving ICL assistance, to complement an advice session, and provided to the child's parents before or after an advice session. The brochure for supervising third parties can also be provided by the ICL.

To provide an indication of projected use within NSW, there were 1500 new grants for ICL appointments in 2014, which, is equivalent to 29 new appointments each week. Any one appointment may result in brochures being provided to one or more parents, the child (depending upon their age) and potentially, a supervising adult.

The brochures will also be made available through the Legal Aid NSW website (and extranet for panel lawyers) and ultimately via the National ICL website. In addition, an initial print run of the brochures is being arranged for distribution by Legal Aid NSW ICLs.

### *Costs*

The design and production of the brochures was organised by the project coordinator within the Family Law Division. The Publications Unit was not involved.

**Table 37: Estimated costs associated with the development and distribution of the ICL brochure series**

| Cost types (for the four ICL brochures) | Estimated costs |
|---|---|
| **Staff costs including on-costs** (hours drafting, negotiating/working with external stakeholders, checking, coordination, supervision of content) | $3700 |
| **Design and publication** (contracted out) | $25 000 |
| **Warehousing and distribution** (projected cost) | $1300* |
| **Web content costs** | Not costed |
| **Total** | **$30 000** |

* This figure is less than the quote provided, due to the likely electronic distribution of this brochure, and the concentrated and very defined audiences for this resource.

Due to the very specific audiences involved, some estimates can be made about the numbers of brochures that will be distributed. Focusing first on NSW, with 1500 new ICL grants a year in NSW, and each likely to involve at least one parent, a child (some of whom will be at reading age, some not) and possibly a supervisor (of time between a parent and child), we estimate three brochures being distributed per new client. Based on this, we estimate the distribution directly to those who need the information as 4500 brochures (considering all four brochures together) per year.

We do not have figures on the numbers of new ICL grants nationally, but as a conservative estimate for the purpose of this exercise we would double the number of brochures required for NSW to 9000 brochures nationally. Based on this figure, over one year, the cost per brochure would be $3.33. However, assuming the brochures have a longer life (no significant change to the role of an ICL or the supervising adult) then over three years, the cost per brochure distributed would be $1.11.

Any external funding for this project will, of course, affect the cost to Legal Aid NSW.

## WDO education program

*Background and rationale*

The Work and Development Order (WDO) education program was developed in response to the recommendations of an evaluation of the WDO pilot scheme. This report recommended that promotional and educational materials about the WDO scheme be developed for organisations, health practitioners and eligible individuals interested in participating, including (but not limited to) a 'DVD, which would be available not only in hardcopy but also able to be viewed electronically from various websites, brochures and a PowerPoint presentation' (NSW Department of Attorney General & Justice 2011, p. 74). The evaluation report also noted that:

> … these communication materials must be complemented by staff on the ground who are able to promote the scheme in person. The need for people on the ground to carry out awareness-raising and education on the WDO scheme is particularly acute in rural and remote areas of NSW (Department of Attorney General & Justice 2011, p. 74).

The role of Legal Aid NSW's WDO Service[19] is to expand the number of sponsors participating in the scheme; to provide training, advice and support to approved sponsors; and to link eligible clients with WDO opportunities available within their local community via clinics, Fines Days and a telephone placement service. Face-to-face CLE, as well as webinars and print resources (including a quarterly newsletter), are integral to the operations of the WDO Service, and a range of CLE resources and other supporting promotional materials have been developed for a cross-section of audiences.

*CLE events, resources, target audiences and purpose*

The WDO program is complex, and recruiting sponsors and WDO participants require effective communication with a wide range of stakeholders. Table 38 describes the target audience and purpose of each type of WDO program CLEI event and resource. The resources are available in English only.

*CLE events held in the 12 months to September 30 2014*

A total of 224 WDO program CLE events were conducted in the 12 months to September 30 2014, reaching a total of 2653 audience members.

Where the audience type was specified (for 207 events), 94 per cent of WDO events were for community workers only, four per cent were for both community workers and community members and one per cent were CLE events for community members only. This is consistent with the aim of the WDO program to first establish a network of sponsors before then raising awareness and encouraging clients to participate in the program. In accord with the recommendations of the WDO pilot scheme, only 37 per cent of these CLE events (and 48% of the total participants) were located in Sydney, with the remaining 63 per cent of events (and 52% of participants) held in regional, rural and remote NSW.

*CLI resources distributed in the 12 months to September 30 2014*

Information collected in the audit indicated the following distribution of WDO resources (Table 39). Note, however, that orders tend to reflect a number of large orders by certain organisations, including health and community organisations and agencies, and Legal Aid NSW offices and units, for onward distribution.

19 The Legal Aid NSW WDO Service commenced in early 2012, and employs four specialist WDO/fines solicitors and four part-time paralegal support staff. Two WDO field officers are funded and located at the Aboriginal Legal Service NSW/ACT.

**Table 38: WDO education program CLEI events and resources**

| *CLE events* | *Target audience* | *Purpose* |
|---|---|---|
| WDO CLE sessions (agencies) | Potential sponsors<br>Current sponsors | To expand the number of WDO providers across NSW.<br>To support approved sponsors to implement the scheme and remain active (i.e. CLE to train sponsors on eligibility, admin processes, record keeping, reporting, compliance obligations). |
| WDO CLE sessions (clients) | Eligible clients—homeless, acute financial hardship, people with mental illness, intellectual disability, cognitive impairment, serious addiction | General promotion, to encourage clients to reduce fine debt by participating in the WDO program. |
| ***CLI resources*** | ***Target audience*** | ***Purpose*** |
| 3 posters (generic, young people, Aboriginal people) | Eligible clients<br>WDO sponsors | Promotional tool for sponsors to use with their clients. Intended for waiting rooms, reception areas, public access areas. Also used in Legal Aid NSW and ALS NSW/ACT offices. |
| Brochures (generic, young people, Aboriginal people) | Factsheet for potential sponsors | To encourage organisations and health practitioners to become approved sponsors. |
| *Help for people who can't pay their fines (pamphlet)* | Eligible clients | To assist clients to determine if they are eligible for a WDO, explain how the scheme works step by step and to help them find a sponsor. Includes case studies and examples of WDO activities. |
| DVD *Breaking the cycle of fine debt*<br>DVD *A deadly way to clear you fine debt* | Potential sponsors (separate DVD tailored to mainstream and Aboriginal organisations) | To promote benefits of the WDO scheme to increase number of providers—assists vulnerable clients and promotes engagement, volunteering, treatment. |

**Table 39: WDO program, CLI resources distributed, October 1 2013–September 30 2014**

| *CLI resources* | *Distribution (recorded in audit)* |
|---|---|
| *Work and Development Orders: help for people who can't pay their fines* | 174 orders for 20 749 copies |
| *Work and Development Orders* (generic flyer) | 173 orders for 8912 copies<br>507 hits/downloads of PDF from website |
| *Work and Development Orders* (young people flyer) | 162 orders for 8534 copies |
| *Work and Development Orders* (Indigenous flyer) | 152 orders for 12 258 copies |
| *Work and Development Orders* (Indigenous poster) | 117 orders for 1454 copies |
| *Work and Development Orders* (young people poster) | 112 orders for 1264 copies,<br>533 hits/downloads of PDF from website |
| *Work and Development Orders* (generic poster) | 114 orders for 1103 copies,<br>601 hits/downloads of PDF from website |
| *Work and Development Orders. Breaking the cycle of fine debt.* (DVD) | 83 orders for 1244 copies.<br>Viewed 491 times on YouTube for a total of 1855 minutes (average 3 mins 47 secs per view). |
| Work and Development Orders DVD (Indigenous) *A deadly way to clear your fine debt.* | Viewed 221 times for a total of 732 minutes (average 3 mins, 20 secs per view) |
| *Unpaid Fines and Work and Development Orders* (brochure) | 145 PDF downloads from website |
| *WDO News*. 3 issues so far | Sent to an email list of recipients (WDO Unit) |
| *Work and Development Orders* (wallet card) | Distributed from WDO Unit |

A high proportion of WDO resources are ordered directly by community organisations. Specifically, 56 per cent of all orders for WDO resources recorded on Publications Online were from health and community organisations and agencies, with 19 per cent from Legal Aid NSW (offices, units, CLE), and 8 per cent from other legal services.

*Costs*

Table 40 lists the estimated costs associated with the CLE and information aspects of the WDO project, including strategies to communicate with potential sponsors and potential clients. These costs do *not* include:

- one-on-one training provided by the WDO team to existing sponsors (i.e. to teach them how to record hours and so on)
- broader interagency work such as liaison with the SDRO and other partners
- time spent by field officers, who are funded by the Aboriginal Legal Service.

**Table 40: Estimated costs associated with the development and distribution of WDO CLEI**

| *Cost types* | *Estimated costs to Legal Aid NSW* |
|---|---|
| **Resource development: staff costs including on-costs** (drafting, negotiating/working with external stakeholders, checking, coordination, supervision of content) | $8870 |
| **DVD production^** (produced in 2012) | $25 000 |
| **Design of resources** (contracted out) | $6050 |
| **Printing** | Not costed |
| **Publications Unit costs** (print and production management, coordinating warehousing) | $586 |
| **Warehousing and distribution from warehouse** | $4744 |
| **Web content costs** | Not costed |
| ***Total CLE resource costs (from 2012–14)*** | **$45 250** |
| **CLE delivery—staff time, including preparation time and travel time** (average $545 per event, or $46 per attendee)# | $122 080* |
| *(ALS NSW/ACT funded field officers, $296 per event—cost not included in total)* | |
| **CLE delivery costs (travel—car/plane, accommodation)** (estimated average $40 per session, noting differences in travel to and from different city and country locations) | $9000 (broad estimate) |
| No venue costs | |
| ***Total CLE event cost for 224 events Oct. 2013–Sept. 2014*** | **$131 080** |
| **Total** | |

^Two DVDs were produced for $50 000. Half of this cost was paid by the ALS NSW/ACT. So the cost of only one DVD is noted here.
# Based on estimated weekly staff time spent on CLE activities, ($4 521), divided by the average number of CLE events per week (4.3 a week).
*The estimated event cost multiplied by 224 events.

It is also important to note that the resources costed here, and used during the review year, were in fact developed *outside the review period*.

For instance the DVD was produced in 2012 and many of the brochures have been developed and/or updated since that time. If a unit cost were to be calculated (e.g. cost per resource), then three years of distribution would need to be included in the calculation.

Also of note, some resources, such as DVD production, incur a high initial cost, which reduces per 'view' each time it is used. By contrast, CLE events incur new expenses each time they are held.

The CLE events cost Legal Aid NSW an estimated average of $545 per event ($46 per attendee), though any single event may be more or less expensive depending upon where it is located and the time spent preparing and delivering the CLE. The cost of resources is in addition to this. These are not included as it is difficult to identify the proportion of these costs to allocate, given the resources were developed before the review year and have been and will continue to be used over an extended period.

The WDO program provides an example of the challenge of separating the costs of CLE from the cost of CLI in a meaningful and useful way. The WDO program is an integrated strategy, where the CLI resources are an integral component and support the CLE.

## *Let's talk* CLE package

### *Background and rationale*

*Let's talk* arose out of consultation between CLE staff across Legal Aid NSW (including the crime, civil and family law divisions), in response to the information needs of people newly arrived to Australia. There was also an increasing demand for this type of CLE to support Legal Aid NSW legal outreach services, including the outreach partnership between Legal Aid NSW and Settlement Services International, to deliver family and civil law (including immigration) advice and community legal education in Migrant Resource Centres.

The *Let's talk* project produced standardised material and provided information and resources to help solicitors to pitch and present the material at the right level (Table 41). The material is designed to be accessible for participants with limited English and to be visual, activity focused and easy to pick up and deliver. The material also aimed to provide information across different areas of law. In the past, this could have involved up to three lawyers attending sessions to cover family, criminal and civil law issues. Of note, a number of these resources directly support the CLE, rather than being CLI resources for wider distribution. All resources are available in English. Some are available in Arabic, Farsi and Simple Chinese.

The *Let's talk* CLE aims to link very isolated disadvantaged groups within the community to legal assistance services.

**Table 41: *Let's talk*, CLE events, resources, target audiences and purpose**

| *CLE events* | *Target audience* | *Purpose* |
|---|---|---|
| **CLE for community members**<br>These sessions aim to deliver a predominantly oral and visual presentation using activities to generate discussion. | Community members—recent arrivals to Australia from 6 months to 5 years | To build awareness of and trust in Legal Aid NSW.<br>To build capacity for recent arrivals to engage with services and skills to engage with services.<br>To tell people where to get help<br>Motivate and encourage people to get help early.<br>To provide knowledge about the law. |
| ***CLEI resources*** | ***Target audience*** | ***Purpose*** |
| ***Let's talk*** bookmark, with referral details (English, Arabic, Farsi, Simple Chinese) | Community members—recent arrivals to Australia from 6 months to 5 years | To build awareness of and trust in Legal Aid NSW.<br>To provide knowledge about the law in community languages.<br>To inform people about processes.<br>To motivate people to do something about legal problems. |
| A range of translated brochures | | |
| Electronic promotional flyer for requesting organisations (Farsi, Arabic) | | |
| **For workshops**<br>Activity flash cards (images) | | |
| ***Let's talk*** mix and match PowerPoint slides for presentation | | |
| Facilitator's speaker notes and session plans (hardcopy and online) | | |

### *CLE events held in the 12 months to 30 September 2014*

A total of 21 CLE events were conducted in the 12 months to 30 September 2014, reaching a total of 513 audience members.

A total of 20 of the 21 events listed on CLEMS were for community members, one was directed at community workers or other professionals. Workshops for community members had an average of 25 people in attendance, though the numbers ranged from two to 80 people in the audience. Some workshops are for students in English classes run under the AMEP program while other

workshops are directed to recent arrivals in groups run by migrant resource centres (MRCs). Nearly all workshops were run in MRCs in Sydney and the Illawarra.

*CLEI resources distributed in the 12 months to 30 September 2014*

The resources named above are not distributed through Publications Online, although many of the translated brochures are distributed this way.

**Table 42: Estimated costs associated with developing and distributing the *Let's talk* CLE package**

| *Cost types* | *Estimated costs to Legal Aid NSW* |
|---|---|
| **Resource development: staff costs including on-costs** (drafting, negotiating/working with external stakeholders, checking, coordination, supervision of content) | $7750 |
| **Design and desktop publishing** (in house) | $3793 |
| **Translation, printing/publication** (contracted out) | $12 894 |
| **Support for publication process** (in house) | $1560 |
| **Storage and distribution** (in house) | $678 |
| **Web content costs** | Not costed |
| ***Total resource development costs*** | **$26 675** |
| **CLE delivery costs (staff time preparing and delivering, travel)** ($335 per session) | $7035 |
| **CLE costs—travel** ($10 per session)/accommodation ($134 per session if required^). No venue costs | $344 |
| **CLE costs—translation** ($235 per session) | $4935 |
| ***Total CLE event costs, for 21 events ($586)*** | **$12 314#** |
| **Total** | **$38 989** |

# Based on 21 CLE events.

^As most workshops were run in Sydney and the Illawarra, accommodation costs are only included for one session.

***Additional information***

During April and June 2014 *Let's talk* was run as a pilot project, and the CLE unit was able to use additional Commonwealth funds to cover expenses such as translations, travel, printing resources, providing interpreters catering and childcare. During this time, two lawyers attended each workshop to learn and critique each other. An estimated $16 935 of Commonwealth funds was spent on this pilot project.

The presentation is delivered by one lawyer, unless a new presenter is being introduced to the program.

***Estimated costs***

Based on the costs of delivering the CLE session, excluding resources, the cost per CLE session delivered during the pilot period was $586 per event (an average of $24 per audience member).

If a percentage of the resource development costs are factored in, this figure rises. It may be appropriate to include a proportionate cost figure given that some resources are also be used outside of CLE sessions, and all will continue to be used into the future.

## 3.3 Broad issues arising

The range of issues raised in the case studies are summarised below.

### What does Legal Aid NSW want to cost?

A foundational question is to clarify exactly what should be costed and for what purpose. Specifically:

- Should both CLE and CLI be costed and, if so, should they be counted together as one program?
- If they are to be costed separately, where is the boundary drawn between the two (e.g. are materials prepared for CLE, part of CLE or CLI?)
- Are there CLEI strategies that should be costed individually?

Answers to these questions affect the activities counted, data collected and the units to cost (e.g. brochures, programs, users, audience members and contacts).

## Identifying activity relevant to CLEI

To fully appreciate the costs of both CLE and CLI, Legal Aid NSW needs to account for *all resources* (including staff time) spent developing, testing, producing, distributing and delivering these resources and strategies. Discussions with Legal Aid NSW staff, and the case study data gathered, indicate the wide range of costs that may be involved in producing particular resources. These include the following.

**CLI** costs include:

**Staff time**

- identifying the need for the resource, consulting, seeking approval etc.
- drafting and redrafting the content of the resource
- other staff time reviewing comments, checking, supervising resource development
- liaising with other agencies about the content/format of the resource etc.
- user testing the resource
- developing content (e.g. appearing in DVDs etc.)
- design and production (direct or working with contractors)
- arranging distribution, including both hardcopy and electronic
- travelling, for the purpose of consultation or distribution.

**Indirect costs**, such as a proportion of overheads for each staff member involved in the project, for the hours spent doing the above tasks.

**Additional resources, materials and the costs of subcontractors, such as:**

- design and production
- web development
- printing (sometimes multiple times, if the law changes)
- warehousing and distribution
- translation
- marketing and communication (including social media).

**CLE** costs, *over and above the development of CLI resources* may include:

**Staff time**

- identifying the need for the CLE, consulting, seeking approval, supervision etc
- developing and testing content for CLE sessions
- travelling and delivering CLE
- communication and marketing

**Indirect costs**, such as a proportion of overheads for each staff member involved in the project, for the hours spent doing the above tasks.

**Additional resources, materials, contractors, outsourcing, such as:**

- design, production or printing of CLE teaching tools/aides
- travel, accommodation and expenses associated with delivering CLE
- translation costs
- venue hire, catering and equipment.

Additional costs include managing and coordinating CLE events and CLI resources to ensure the development of events and resources that are needed (not duplicated), relevant, appropriate, up-to-date and are successfully reaching those that they are intended and designed for.

## The availability of data to cost CLEI

While there are pockets of quite detailed information, at present Legal Aid NSW does not (across the organisation) define, identify, collect and organise the information needed to efficiently cost the development and provision cost of CLEI activities.

**Table 43: Current and potential sources of information required to cost CLEI**

| *Expenditure/ resource* | *Current information sources* | *Potential information sources (to be finalised)* |
|---|---|---|
| **Staff time** | **Practice areas:**<br>Time spent on CLE (generally or specifically) is *not currently recorded across each division.*<br>Hours spent *delivering* CLE can be calculated through CLEMS, but time spent developing CLE is not routinely included on this database.<br>The figures provided in the case studies are estimates provided by individual staff, based on memory, personal records or approximated from current practice. | In future, CLE undertaken by solicitors (but not other staff) will be recorded as part of the ABC Project. This will give an overall estimate of time spent by *solicitors* on CLE activities (but will not separately identify which products time was spent on). It is not clear whether CLI will be included in this project.<br>To cost particular products, solicitors (and other staff) need to record time spent on each product.<br>There is capacity in CLEMS to record hours spent developing and delivering CLE, but it relies on staff consistently entering this information.<br>It may be more efficient to first undertake more detailed costing of CLEI in snap shot periods, or choosing snap shot projects to cost, noting however, that different CLE/Information strategies may vary substantially.<br>Need clear definition of what activities are recorded or not as CLEI. |
| | **Publications Unit:**<br>The Publications Unit has a separate cost centre code, which enables the costs associated with this unit to be identified.<br>However, it is also responsible for non CLI tasks, such as preparing the annual report and these activities need to manually identified and removed.<br>Time spent on individual resources is not routinely recorded.<br>The figures provided in the case studies are estimates provided by individual staff. | Activities of non-legal staff would need to be included in the ABC project, to get a full staff costing of CLEI activity.<br>If CLI is to be costed separately to CLE, it may be most efficient to have it included in the ABC pilot.<br>In light of the ABC pilot, consider if and how CLEMS may be best used for costing, noting it does not include CLI. |
| | **CLE Unit:**<br>The CLE Unit has a separate cost centre code, which enables the costs associated with this unit to be identified.<br>The CLE Unit runs CLEMS and are able to allocate hours to CLE delivered.<br>The figures provided in the case studies are estimates provided by individual staff. | Activities of non-legal staff would need to be included in the ABC pilot, to get a full staff costing of CLEI activity.<br>If CLI is to be costed separately to CLE, it may be most efficient to have it included in the ABC pilot.<br>In light of the ABC pilot, consider if and how CLEMS may be best used for costing, noting it does not include CLI. |
| **Overheads** | In this review, a percentage was added to the salaries allocated to the staff hours provided. | Create a CLEI cost code or individual CLEI event/ product cost code. Add a percentage to the hours of CLEI counted. |
| **Resources (travel, accommodation)** | The figures provided in the case studies are estimates provided by individual staff, based on data from finance. | Allocate to a CLEI cost code or individual CLEI event/product cost code. |
| **Contractors (design, production printing)** | The figures provided in the case studies were provided by individual staff, based on data from Unit records/finance.<br>Costs generally itemised and identifiable. | Allocate to a CLEI cost code or individual CLEI event/product cost code. |
| **Warehousing, distribution** | Estimates were provided by the contractors managing the warehousing and distribution.<br>Onward distribution not accounted for. | If seeking to cost individual products, would need to apportion costs accordingly. Need to consider whether to cost distribution from Legal Aid offices and staff, including the Publication Unit |
| **Website development and maintenance** | Not costed in this review. | To be discussed. |

That noted, the inclusion of 'CLE' as a broad category in Legal Aid NSW's Activity Based Costing (ABC) project commencing July 2015 will assist. However, the ABC Project only counts solicitor time and therefore will not include any CLE services or inputs provided by non-legal staff (including, for example, Aboriginal field officers, non-lawyer community legal education staff, paralegals and counter staff). The Legal Aid NSW CLE manager estimates that, while most CLE is conducted by solicitors, approximately 10–20 per cent of CLE is undertaken by legal support staff.

Table 43 summarises our best assessment of the current status of data sources (including gaps in data sources) available to cost CLEI, together with initial thoughts about what may be required to fully cost the CLEI program or individual CLEI activities. This table will benefit from further input from Legal Aid NSW.

## Identifying the 'unit' to measure and cost

As discussed earlier, one approach to costing is simply to attribute a single cost to all CLEI activity (or CLE and CLI activity separately) and note this as a proportion of all Legal Aid NSW assistance services. This approached was used in reporting against the NPALAS.

Were all CLE events and/or CLI resources able to be reduced to a common metric (e.g. cost per 'contact'—such as cost per audience member of CLE, cost per brochure distributed and cost per page view) then an estimate of the average cost of each CLE event or resource could be calculated. However, important questions then arise about the meaningfulness and utility of such a measure. For example, as illustrated in the discussion about audience types and numbers in the audit, are Legal Aid NSW aiming to reach a lot of people or the 'right' people?

Counting only the numbers of audience members (or brochures distributed) for instance, risks developing perverse incentives to aim for larger and easier to reach audiences rather than more targeted, and potentially more relevant audiences in the greatest need.

Another approach to costing CLEI is to cost each individual CLE and CLI resource or strategy separately, for example by allocating a separate product code (e.g. CLE XXX) to the development and delivery of each. Those separate product costs could then be totalled to calculate the overall figure spent on individual CLE and CLI resources. This would be very resource intensive to do for every CLEI, and may not warrant the efforts involved.

Another option for costing is to fully cost only a sample of CLEI strategies and resources, to develop indicative costs of the costs of different types of strategies and resources. A further challenge to this approach is, however, as the case studies illustrate, that CLEI involves a diverse range of activities and wider influencing circumstances, and it can be difficult to generalise from a sample.

Informing all these decision is the question of what Legal Aid NSW would seek to cost and for what purpose. Factored into this decision must be the cost (both in terms of financial resources and staff time) of costing CLEI to different degrees.

**Recommendation 25**

Legal Aid NSW should review whether and for what purpose it would seek to cost CLEI strategies. Questions to consider include:

- Can both CLE and CLI be costed and, if so, should they be counted together as one program?
- If they are to be costed separately, where is the boundary drawn between the two (for example, are materials prepared for CLE, part of CLE or CLI?)
- In what circumstances should particular CLEI strategies be costed individually?
- What, if any, is a meaningful unit of measure for different types of CLEI?
- What is the cost of different costing options, both financially and in terms of staff time?

# 4. Discussion

## The audit and issues arising

In this report we used available administrative data to quantify and profile CLEI provided by Legal Aid NSW during the year October 1 2013 to September 30 2014. Issues concerning the costing of CLEI have also been examined.

The results provide insight into the nature and breadth of CLEI work undertaken, including the range of audiences reached and the wide geographic distribution of face to face events and hardcopy resources. The Legal Aid website and other online resources are also critical to the CLEI provided.

The results also suggest some important questions, about how:

- Legal Aid NSW prioritises resources spent on CLEI
- decisions are made to develop, deliver or distribute different CLEI products
- best to ensure these decisions align with corporate priorities and support other strategies
- user testing for CLEI programs and products can be consistently applied to ensure CLEI is well targeted and appropriate to its purpose and audience
- the data collected about CLEI activity could be modified to better support decision making about CLEI, and
- the divisions within Legal Aid NSW can work together to make the best use of the specific expertise, resources and technology available to develop, deliver and distribute effective CLEI.

A strategic framework for CLEI may help address these issues.

The data (by its nature) tell us less about what high quality and cost-effective CLEI does or should look like, and how to achieve it. This is an issue for consideration in the next stage of the review.

**Recommendation 26**

Legal Aid NSW should develop a strategic framework for CLEI which:

- articulates how CLEI strategies link and support Legal Aid NSW corporate priorities and other service strategies
- covers hardcopy and online CLEI provision
- informs decision making about how to select and prioritise different CLEI topics and strategies (e.g. self-help, get help or give help strategies; proactive or reactive strategies; narrow or broad legal issues; general population or specific target client groups)
- supports best practice in the development, delivery and distribution of CLEI
- frames and guides the planning, monitoring and evaluation of CLEI.

**Recommendation 27**

Legal Aid NSW should ensure that decisions to develop CLEI resources and programs are informed by the strategic framework developed for CLEI, with consideration paid to the purpose of the CLEI, the intended audience, the appropriateness of the material for the audience and the timing/distribution strategy.

**Recommendation 28**

In developing the strategic framework, Legal Aid NSW should review:

- the processes and criteria for deciding whether to develop or renew specific CLEI resources
- the current structure for the development and delivery of CLEI, in order to address inefficiencies and current difficulties in that structure.

To guide future discussion on the development of a strategic framework for CLEI, we return to the five broader questions raised in the introduction to this report:

1. Given the overall objectives of Legal Aid NSW, what is the purpose of CLEI and how does it integrate with other legal assistance strategies?
2. Who do different CLEI strategies aim to assist, with what issues, when and to what end?
3. How does Legal Aid NSW define, identify and monitor high quality and cost-effective CLEI?
4. How does Legal Aid NSW govern and support informed, high quality and cost-effective CLEI practice across the organisation?
5. What is the place of Legal Aid NSW in the provision of different types of CLEI services in the broader NSW legal assistance sector?

## 4.1 The purpose of CLEI

Focussing on the needs of disadvantaged people and communities, Legal Aid NSW helps people to understand and protect their legal rights. To do so, Legal Aid NSW provides a wide range of legal assistance services, ranging from means-tested representation services, through to advice services, to self-help kits and information resources. Some services, such as representation, are provided subject to means and merits tests. Other services are available more broadly.

Recognising the place of CLEI *among a broad spectrum of legal assistance services* offered by Legal Aid NSW, who do different CLE strategies aim to assist and how? Specifically:

- What types of CLEI assist the most disadvantaged with their legal issues and how?
- What types of CLEI support those with less complex need and higher capability to help themselves?

While CLEI strategies to support each of these audience types have value, they contrast in their purposes and potential impact. *A first step is to consider how each of these support the overall objectives of Legal Aid NSW and what priority should be given to each.*

Drawing on the literature we know that, in the face of complex barriers to effective action, CLEI alone will not be an appropriate strategy to assist some people to resolve their legal problems. However, CLEI may still have a crucial role to play in facilitating access to other forms of legal assistance which can appropriately address legal need (McDonald, Forell & People 2014; McDonald, Forell et al. 2014). For instance, CLEI may:

- raise awareness among individuals and those who support them, that the problems individuals face may have a legal solution
- build awareness of and trust in Legal Aid NSW services and staff, as a source of assistance
- equip workers to appropriately refer disadvantaged clients to Legal Aid NSW services.

Thus, depending upon the legal needs and capability of the target audience, successful CLEI may intend to achieve quite different outcomes: in some cases, equipping individuals to address their own legal issues; and other cases, facilitating access to legal assistance for clients who would otherwise not be able to resolve their legal issues. CLEI may therefore both *reduce* demand for other legal assistance services, or *increase* demand.

Further, research points to the utility of different legal assistance strategies that 'dovetail' to better meet clients' needs in a timely fashion (see Pleasence et al. 2014). For instance, the impact of CLEI and outreach legal advice services may be greater than the sum of their individual parts. CLEI is

identified as a vital strategy to support legal outreach, particularly when targeted to partners, host agencies and other human services to help to build legal problem identification and referral pathways, raise awareness of how outreach services can benefit recipients and foster effective partnering and collaboration between legal and other human services (see Forell, McDonald et al. 2013; McDonald, Forell, et al. 2014; Pleasence et al. 2014).

Clarity around the purpose of different CLEI strategies is central to their design, implementation, impact and evaluation. A strategic framework for CLE should articulate the various roles for CLEI and how they fit into the broader agenda of Legal Aid NSW.

## 4.2 CLEI for whom, for what, when and to what end?

The audit reported here has indicated the breadth of CLE and CLI activity undertaken by Legal Aid NSW. On the basis of this, current practice indicates that CLEI is used both to support the most disadvantaged and to enable others to self-help. Further (as was pointed out by a Legal Aid Manager during the consultations for this review) some CLE is provided *just in time* (to help users resolve a current issue), while other CLE has a more preventative focus *just in case* an issue should arise in the future. This diversity of practice is a strength, but again, clear articulation of different CLEI strategies may assist to better target efforts, link to other services as appropriate and to identify impact. Taking account of purpose, audience and timing, the following distinctions have been drawn between different types of CLEI (see also Forell 2015). Further distinctions may be drawn as the strategic framework is developed in the second stage of this review.

The appropriate use of technology for these differing types of CLEI should also be considered.

### CLEI to self-help

Examples of *just in time* CLEI strategies and resources to support **self-help** include divorce classes, and a guide to the local court for defendants. *Just in time* self-help focused CLEI tends to focus on the procedural—helping users from one step to the next, towards the resolution of the issue.

As illustrated on Table 44 below, these strategies may be most appropriately directed to people with higher legal capability, who are able to use these tools to address their legal issues with no or limited further assistance.

Of note, technology appears to provide some innovative opportunities for self-help, particularly technology which is able to progress from simple information to more personalised assistance and even advice as required (e.g., interactive websites, or templates which enable access to in-time telephone or chat support. See Smith & Paterson 2013; Smith 2014).

The success of self-help CLEI strategies should ultimately be the progress or resolution of the issue. For resolution to be a realistic aim, consideration must be given to who such services may be better suited to (i.e. those with sufficient capability) and how these strategies might link into more intensive support when users reach roadblocks.

In contrast to *just in time* self-help strategies, preventative or *just in case* CLEI strategies aim to provide basic knowledge about the law and legal processes, such that users may better understand laws that affect them, avoid legal issues arising and successfully identify options for resolution when they do. Examples include information about police powers to young people, CLE on cyberbullying and sexting and information about legal issues experienced by older people, such as 'planning for the future' (the *Speaking for myself* series).

### CLE to 'get help'

Broadly speaking, CLEI to support the most disadvantaged people in the community appears to take two main forms. The first is CLEI provided directly to target disadvantaged communities, often with the intent of identifying problems as being 'legal' and *connecting* these clients to available assistance services appropriate to their needs and capabilities. These strategies may be most appropriately directed to assist people who have lower legal capability (that is, the skills, knowledge, motivation and resources to act alone) to **get help**. An example is CLE on family law in Australia to newly or recently arrived migrants. As noted above, this type of CLE may be as much

about building trust and connection between clients and the legal service provider as providing legal information. Further, this type of CLE may be most effective when linked directly to other, more intensive legal assistance strategies, such as outreach advice and assistance clinics.

The importance of relationship-building points to face-to-face rather than technology-based CLEI as potentially being more effective.

CLE to get help can be provided *just in time*, to raise people's awareness of legal problems they may currently face, and immediately available assistance services (e.g., through outreach). Alternatively it may be provided *just in case*, to increase knowledge to prevent problems occurring or to build bridges to services should be they be required in future.

### CLE to 'give help'

Another form of CLEI provides information, support and training to non-legal workers and other professionals, who may act as problem noticers for their disadvantaged clients (see Coumarelos et al. 2012; Pleasence et al. 2014). This type of CLEI equips workers to **give help** and provides a pathway to legal services for their clients, especially those otherwise isolated from legal services and unable to act alone to resolve their legal issues. As demonstrated in this report, this is a key area of CLEI practice for Legal Aid NSW. A meaningful measure of the success of this type of CLE is an increase in appropriate referrals of target clients to Legal Aid NSW by the trained problem noticers.

Again, this type of CLE may be provided *just in time,* for instance, to non-legal workers in centres (e.g., health or welfare services) where Legal Aid NSW provides legal outreach, or *just in case,* for instance, to raise the legal capability of non-legal workers more broadly.

Legal Aid NSW already uses technology in the provision of CLE to community workers, with the roll out of webinars for workers on a range of legal issues (e.g., 'parenting plans and parenting orders', 'payday loans' and 'mortgage masterclass for financial counsellors'). CLEI to workers in the context of outreach, however, may best remain face to face given the importance of building trusted relationships between lawyers and non-legal workers, to improve the effectiveness of referrals to outreach clinics and other legal services (see Forell, McDonald et al. 2013; McDonald, Forell et al. 2014).

To summarise the above, three broad types of CLEI may be identified: CLEI to **self-help**; CLEI to **get help**; and CLEI to **give help**. This assistance can be provided *just in time* or *just in case*. The purpose of each of these different types of CLEI may also vary, together with appropriate measures of their success.

Table 44 illustrates each of these types of CLEI indicating to whom they are directed and to what end. A fourth way CLEI is used by Legal Aid staff is to reinforce advice provided by solicitors, for instance by providing a brochure during an advice session.

The use of technology is also included in this framework, noting that while there are particularly possibilities for the use of technology in assisting clients to self-help and in building the legal capability of workers Technology based options may be less appropriate for CLE which aims to build a relationship of trust between hard-to-reach clients and solicitors working in outreach settings.

Table 44 is presented to summarise these ideas, and is open to development or revision. For instance, thinking of the CLI resources which solicitors use to reinforce advice provided (e.g. *A guide to bail*, ICL brochures) there may be yet another category of information provided.

**Table 44: Identifying the purpose of CLEI: to whom, when and to what end**

| | Who | Broader community | Core clients | Workers |
|---|---|---|---|---|
| | | Higher capability | Lower capability | Problem noticers |
| | To do | Self-help | Get help | Give help |
| When | Just in time | Procedural—to outline steps to take with current problem and provide tools to do so<br>e.g. Divorce classes, Law Assist NSW ***Is someone chasing you for money?***<br>* *More scope for technology* | To identify problems as legal, and introduce legal service for immediate help<br>e.g. CLE provided by solicitors in outreach locations<br>**CLI to reinforce advice**<br>* *Less scope for technology due to importance of relationship building* | To educate problem noticers to recognise clients' existing legal issues and know where to refer client to legal help (including outreach)<br>e.g. ***Law Check-Up tool***, linked to outreach advice service<br>* *Mix of technology and face-to-face CLE* |
| | Just in case | To encourage steps to prevent problems arising and encourage action when they occur<br>e.g. Planning for later life decision-making, CLE on ***Cyber bullying*** for young people<br>* *More scope for technology* | To identify problems as legal—to prevent problems and to encourage help seeking when problem arises<br>e.g. ***Let's talk*** CLE package, delivered in migrant resource centres<br>* *Less scope for technology due to importance of relationship building* | To build capacity to recognise issues and refer, across a range of issues, to assist current and future clients<br>e.g. ***Law for non-lawyers***, the webinar series<br>* *More scope for technology* |
| | Intent | Provide *alternative* to legal assistance services | To *connect* isolated clients to legal assistance services | Provide a *pathway* to legal assistance services for clients |
| | Types of outcomes | Users able to progress or resolve issues | Users seek assistance | Problem noticers provide appropriate referrals |

## 4.3 Defining, identifying and monitoring effective and cost-effective CLEI

If CLEI strategies have different purposes, they may also have different indicators of effectiveness. Thus, a successful self-help kit should help an individual to resolve their legal problem, and be evaluated in these terms. In contrast, CLEI for caseworkers, to help them appropriately refer clients to legal assistance, may be best evaluated in terms of increased referrals. Therefore the various intentions for different types of CLE have implications for the data to be collected about those strategies.

The capacity to monitor, evaluate and cost different CLEI strategies will be improved by a combination of more effective administrative data capture, as well as periodic evaluations of specific strategies. This review has suggested some changes to the data currently recorded, to make this information more useful for monitoring purposes. However, further discussion is required about the data sources that may support such monitoring and evaluation.

Within the current structure at Legal Aid NSW, the data sources are managed independently of each other, adding to the challenge of obtaining a full picture of the range of CLE activities and resources provided.

Questions arising include:

- Given the purpose of (different) CLE strategies to be decided by Legal Aid NSW, what are the indicators of effective CLEI practice, across the different domains identified above?
- What information does Legal Aid NSW need to know/collect to better plan, monitor and manage its CLEI strategies?
- How could existing data sources be organised to better monitor and evaluate CLEI? What other data may be required?

- What are the strategies to assure the quality of CLEI activities and resources?
- What does Legal Aid NSW want to know about the costs of CLE and/or CLI? What methodology is therefore appropriate (in terms of both input and output)?

**See Recommendations 21–23, 25**

## 4.4 Governance and support for informed and cost-effective CLEI practice

Under the current structure, responsibility for various CLEI related activities falls across different Legal Aid NSW divisions and units. Importantly, each part of Legal Aid NSW brings particular expertise and strengths to the content, design, development and appropriate implementation of CLEI activities and resources.

Broadly speaking, the CLE Unit has responsibility for coordinating, preparing and delivering CLE activities and resources, and the Publications Unit has responsibility for producing and distributing CLI resources. However, each practice area also develops and run its own CLEI projects and programs, both with and without the involvement of the CLE Unit and/or the Publications Unit.

In addition, some CLE projects receive separate funding and are therefore subject to different administrative and reporting arrangements. While this is yet to be explored in detail, it may be that some of the project-based CLE may involve more liaison and consultation with external agencies and partners than consultation within Legal Aid NSW.

CLE practice also offers some strengths to the current organisation, including flexibility and the integration of CLEI with other legal assistance strategies within practice areas. What can be lost in such an arrangement is the consistent and cost-effective utilisation of the range of expertise and resources available within the organisation.

Questions arising include:

- What is best practice in the development and implementation of different types of CLE and information?
- What structure would support the communication and implementation of best practice in CLEI?
- How is CLEI best linked to other legal assistance strategies as required, and how is this best supported?
- How are the range of different expertise and contacts (including contractors) available in Legal Aid NSW best shared across the organisation?

**See Recommendation 28**

## 4.5 The role of Legal Aid NSW in the provision of CLEI

This review has indicated the breadth of Legal Aid NSW's CLE and CLI work, in terms of topics covered, audiences reached and in the intent and use of different CLEI strategies. Some CLEI strategies support clients to self-help while other CLEI strategies link very disadvantaged clients with further advice and representation services offered by Legal Aid NSW. Some CLI resources are provided to explain Legal Aid NSW services or to support advice provided.

As the Productivity Commission (2014, p. 149) observed in its review of access to justice arrangements, many organisations, including government agencies, ombudsmen, and public legal assistance services, provide legal information and education to improve the legal capability of the community. The Commission raised a concern about possible duplication of effort among these agencies.

Noting this concern:

- What should be the role of Legal Aid NSW, relative to others in the NSW legal assistance sector with regard to the provision of CLE and information resources for different audiences and for different purposes across NSW?
- How does Legal Aid NSW take account of the work of others in the development of its own CLEI strategies and resources?

**Recommendation 29**

Legal Aid NSW should take into account the work, role, resources and priorities of other agencies in the sector, when prioritising its own CLEI work.

## 4.6 Next steps

This first stage of the review has profiled the range of CLEI strategies undertaken by Legal Aid NSW during the 12-month period to 30 September 2014. Recommendations have been made to more fully acknowledge, support, monitor and evaluate the full range of CLEI strategies undertaken by Legal Aid NSW, and to ensure that CLEI appropriately supports and integrates with other Legal Aid strategies to address legal need in the NSW community. The recommendations advocate for a strategic framework for CLEI practice at Legal Aid NSW, which also recognises Legal Aid NSW as a major, but not the only provider of CLEI in NSW.

# Appendix: Additional data

**Table A1: Legal Aid NSW resources published in five or more languages, 1 Oct. 2014**

| *Resource title* | *No. languages in which resource is available* |
|---|---|
| *Do you have a legal problem?* | 23 |
| *Advice about your visa if you've been hurt or harmed by your partner* | 14 |
| *Welcome to Legal Aid NSW. We can help you with your legal problem* | 14 |
| *So you want the violence to stop—advice about domestic violence and help at court* | 13 |
| *Child Support Service—a service for people with child support problems* | 9 |
| *Family Law Early Intervention Unit* | 9 |
| *Are you having problems with fines?* | 8 |
| *Are you having problems with your home mortgage?* | 8 |
| *Family dispute resolution (FDR): working out what's best for my children* | 8 |
| *Is someone asking the court to make an AVO against you? Information for defendants* | 8 |
| *Mental Health Advocacy Service—advice about mental health matters* | 8 |
| *Police powers* | 8 |
| *What happens when your relationship ends* | 8 |
| *Helping your family financially? Understand the risks* | 7 |
| *Who will decide for you if you can't decide for yourself? Think about planning ahead.* | 7 |
| *Why make a will?* | 7 |
| *Are you experiencing violence or abuse? You can make it stop* | 6 |
| *Disability Support Pension* | 6 |
| *Moving in with the family? Make sure you protect your interests* | 6 |
| *Questions you should ask your lawyer* | 6 |
| *Best for kids: the 50:50 myth* | 5 |
| *Best for kids: using mediation* | 5 |
| *The independent children's lawyer: for kids* | 5 |
| *The independent children's lawyer: for parents* | 5 |

Source: Legal Aid NSW publications database, 1 Oct. 2014.

**Table A2: 'Popularity' of CLI resources, ranked by website page views, downloads, numbers of hardcopy orders and numbers of copies ordered, 1 Oct. 2013–30 Sept. 2014**

| *CLI resource title (including top 50 from each source)* | *Rank page views* | *Rank download^* | *Rank orders* | *Rank copies* |
|---|---|---|---|---|
| *What happens when your relationship ends?* | 1 | 2<br>15 Spanish<br>23 Farsi<br>28 Chinese<br>35 Vietnamese<br>46 Turkish | 4 | 6 |
| *My ex-partner has taken our children without my permission. What can I do?* | 2 | 18 | 18 | 36 |
| *Get street smart: Under 18s: know your legal rights* | 3 | 22 | 35 | 27 |
| *Police powers* | 4 | 8 Turkish<br>11<br>38 Farsi | 8 | 13 |
| *Are you a grandparent? Your legal questions answered* | 5 | 33 | 26 | 30 |
| *Is someone asking the court to make an AVO against you?* | 6 | 59 | 24 | 37 |
| *Mortgage handbook—sample letters* | 7 | - | 53# | 65# |
| *Going to court: guide to the Local Court for defendants* | 8 | 13<br>36 Arabic | 19 | 23 |
| *Have you crashed your car?* | 9 | 16 | - | - |
| *Your home and age pension* | 10 | 25 | 56 | 51 |
| *AVOs. Information for applicants and persons in need of protection* | 11 | 31<br>47 Chinese | 2 | 7 |
| *Defacto relationships and family law factsheet* | 12 | 14 | 74 | 83 |
| *Private car park fines payment notices* | 13 | 357 | - | - |
| *Drink driving charges and you* | 14 | 3 | 22 | 26 |
| *Domestic violence offences—Information for defendants* | 15 | 53 | 25 | 40 |
| *Speaking for myself: Making a power of attorney* | 16 | - | - | - |
| *Discrimination-toolkit … sample-affidavit* | 17 | - | 91# | 92# |
| *A guide to bail* (May 2014) | 18 | 32 | 27 | 1 |
| *Why make a will?* | 19 | 1 Greek*<br>30 | 25 | 22 |
| *Adult children living at home* | 20 | 12 | 62 | 66 |
| *Understanding bail* | 21 | – | see 27 | see 1 |
| *Appealing to the district court* | 22 | 89 | 70 | 77 |
| *Are you being squeezed for a debt?* | 23 | 29 | 32 | 14 |
| *Character references: How they can help if you are going to court* | 24 | 24 | 42 | 34 |
| *Disability support pension pamphlet* | 25 | 88 | 58 | 71 |
| *Online social networking—defamation* | 26 | 91 | - | - |
| *What happens when your relationship ends? Aboriginal People* | 27 | 125 | 50 | 48 |
| *Online social networking cyber bullying* | 28 | 107 | - | - |
| *Online social networking—identity theft* | 29 | 209 | - | - |
| *Online social networking—sexting* | 30 | 115 | - | - |
| *My ex-partner isn't following the court orders about our children. What can I do?* | 31 | 5 | 33 | 45 |
| *Visa-cancellation-kit. My visa has been cancelled what can I do?* | 32 | 4 | 106+ | 101+ |

| CLI resource title (including top 50 from each source) | Rank page views | Rank download^ | Rank orders | Rank copies |
|---|---|---|---|---|
| *Employment-problems* | 33 | 129 | 76 | 88 |
| *Mortgage handbook* | 34 | 19 | 52 | 65 |
| *Drugs, driving and you* | 35 | 49 | 23 | 28 |
| *Seeking urgent recovery orders in the family court* | 36 | 9 | - | - |
| *Mortgage-stress-handbook. Can the lender take my house? What is the process* | 37 | See 19 | 53^ | 65^ |
| *Taking action to question paternity. Child support fact sheet 2* | 38 | 43 | 127 | 110 |
| *Kids in care* (kit. Specific sheets below) | 39 | - | see kids in care series | |
| *Get court smart* | 40 | 63 | 37 | 40 |
| *Are you facing a committal?* | 41 | 109 | 86 | 42 |
| *My ex-partner isn't following the court orders about our children. What can I do? Your affidavit* | 42 | - | 34 | 46 |
| *Moving in with the family? Make sure you protect your interests* | 43 | 85 | 51 | 53 |
| *Speaking for myself: planning for later life decision making* | 44 | 21 | 10 | 10 |
| *Have you breached your parole?* | 45 | 66 | 90 | 93 |
| *Discrimination-toolkit … sample affidavit* | 46 | - | 91@ | 92@ |
| *Applying for Supreme Court bail* | 47 | 42 | 72 | 72 |
| *Helping your family financially? Understand the risks* | 48 | 79 Greek<br>96 | 47 | 44 |
| *Reviewing local court decisions: Application for annulment* | 49 | 37 | 75 | 76 |
| *What's the law? Australian law for new arrivals* | 50 | 87 | 55 | 100 |
| *Discrimination tool kit: Your guide to making a discrimination complaint* | 51 | 20 | 91 | 92 |
| *Ripped off: your rights about unpaid wages and entitlements at work.* | 62 | 27 | 36 | 38 |
| *Family dispute resolution: working out what's best for my children* | 63 | 11 | 9 | 9 |
| *Advice about your visa if you've been hurt or harmed by your partner* | 69 | 50 | 1 | 8 |
| *Are you having problems with fines?* | 70 | 40 | 38 | 41 |
| *Are you experiencing domestic violence?* | 75 | 26 | 6 | 11 |
| *Need help with a Centrelink problem?* | 78 | 214 | 43 | 47 |
| *Who will decide for you if you can't decide for yourself? Think about planning ahead.* | 80 | 55 Greek<br>75 | 30 | 16 |
| *Are you experiencing violence or abuse? You can make it stop.* | 84 | 94 | 7 | 25 |
| *Child Support Service—a service for people with child support problems* | 86 | 48 | 17 | 33 |
| *Questions you should ask your lawyer* | 90 | 54 Greek<br>102 | 31 | 43 |
| *Kids in care: going to the Children's Court* (28 Oct 2013) | 91 | 190 | 14 | 18 |
| *Mental Health Advocacy Service: advice about mental health matters* | 95 | - | 20 | 4 |
| *So you want the violence to stop? Advice about domestic violence and help at court* | 96 | 41 S. Chinese | 5 | 5 |
| *Kids in care: things have changed and I want my kids back: What can I do?* (28 Oct 2013) | 97 | 174 | 11 | 17 |
| *Do you have a legal problem?* | 98 | 34 Greek<br>61 | 3 | 2 |

*continues*

**Table A2: 'Popularity' of CLI resources, ranked by website page views, downloads, numbers of hardcopy orders and numbers of copies ordered, 1 Oct. 2013–30 Sept. 2014 *continued***

| *CLI resource title (including top 50 from each source)* | *Rank page views* | *Rank download^* | *Rank orders* | *Rank copies* |
|---|---|---|---|---|
| *Welcome to Legal Aid NSW. We can help you with your legal problem* | 106 | 292 | 21 | 50 |
| *There's a better way than payday loans* | 110 | 160 | 46 | 49 |
| ***Kids in care: Community Services want to talk about my kids: What will happen?*** (28 Oct 2013) | 111 | 131 | 15 | 20 |
| ***Work and Development Orders: Help for people who can't pay their fines*** | 112 | 230 | 39 | 3 |
| ***Kids in care: the Children's Court made a decision I am unhappy about: what can I do*** (28 Oct 2013) | 117 | 178 | 12 | 19 |
| ***Early Intervention Unit. We can help you work out your family problems.*** (Aboriginal) | 124 | 148 | 41 | 37 |
| ***Kids in care: What happens when my kids are in care?*** (28 Oct 2013) | 143 | 208 | 16 | 21 |
| *Caring for kids in Aboriginal families* | 145 | 146 | 49 | 39 |
| ***Are you having problems with your home mortgage?*** | 164 | 123 | 29 | 31 |
| ***Work and Development Orders*** (WDO Indigenous flyer) | - | 235 | 48 | 12 |
| *Kids in Care: Aboriginal and Torres Strait Islander children and care* (28 Oct 2013) | - | 150 | 13 | 15 |
| *Break the silence, stop the violence* (brochure A) | - | 45 | 28 | 24 |
| *Work and Development Orders* (WDO generic flyer) | - | 104 | 40 | 29 |
| *Work and Development Orders* (WDO young people flyer) | - | 152 | 45 | 32 |
| *Break your silence, stop the violence poster* (A) | - | 294 | 44 | 52 |
| *Fined Out: A practical guide for people having problems with fines* | | 6 | | |
| *Apply for a stay order: Child support fact sheet 4* | | 7 | | |
| *Appealing to the Social Security Appeals Tribunal, self-help guide* | | 17 | | |
| *Taking action to get child support: Child support fact sheet 1* | | 39 | | |
| *Application for legal aid* | | 44 | | |

Source: Google analytics, Publications Online for period 1 Oct. 2013–30 Sept. 2014.

Note: Not all resources were available for the full 12-month period. All brochures released during the review period have a release date included.

^ Resources with multiple language versions only include those ranked within the 'top 50', or the highest-ranking language, or in the case where Greek resources are more common than English (see note above), the ranking of the English version. Any number without a language indicated is in English.

^ Part of *Mortgage hardship* handbook.

* The analytics data indicates that the high number of downloaded resources indicated in Greek is likely to reflect a high proportion of 'spider hits' on the website rather than human users (see footnote 15 for explanation).

+ Part of *Visa cancellation* kit.

@ Part of *Discrimination* tool kit.

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