ACCESS TO JUSTICE AND LEGAL NEEDS

Legal Australia-Wide Survey

Legal Need in New South Wales

LAW AND JUSTICE FOUNDATION OF NEW SOUTH WALES

ACCESS TO JUSTICE AND LEGAL NEEDS
Volume 8

Legal Australia-Wide Survey

Legal Need in New South Wales

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Foreword

Access to Justice and Legal Needs (A2JLN)

The objects of the Law and Justice Foundation of New South Wales are to contribute to the development of a fair and equitable justice system and to improve access to justice by the community, particularly by economically and socially disadvantaged people.

In 2002, the Foundation commenced the A2JLN research program to provide a rigorous and sustained assessment of the legal and access to justice needs of disadvantaged people and the broader community. This work aims to assist government, community and other organisations to develop policy and plan service delivery. It is a challenging program, involving an interconnected set of research projects and employing a range of qualitative and quantitative methodologies.

The A2JLN program has a number of important features that distinguish it from many other studies undertaken to date in Australia and internationally. To begin with, it adopts broader definitions of 'legal need' and 'access to justice', going beyond the common, narrower approach of 'access to a lawyer' or 'access to a lawyer in a court'. It examines the ability of disadvantaged people to:

- obtain legal assistance
- participate effectively in the legal system
- obtain assistance from non-legal advocacy and support
- participate effectively in law reform processes.

Secondly, the program is the first to incorporate data collected from legal service providers, original legal needs surveys and targeted qualitative studies in three separate but interrelated methodological streams. Thirdly, the program includes a specific examination of the ability of disadvantaged people and other members of the community to participate in law reform processes as an essential element of the access to justice matrix.

The legal needs survey methodology is a vital component of the A2JLN program. This methodology provides the means for largely overcoming the methodological challenges of legal needs research (such as non-representative sampling, reliance on people knowing what a 'legal' need is, under-reporting of certain legal problems, etc). In addition, it yields data that can provide a deeper understanding of the complexities of legal need and the interaction of the law with the community. Importantly also, legal needs surveys can often provide a basis for comparing findings across jurisdictions, as well as a basis for monitoring change over time in the same jurisdiction.

Legal Australia-Wide Survey (LAW Survey)

The present report is one in a series of nine reports that provides the initial findings of a national survey of legal needs — the LAW Survey. The series consists of a report on Australia as a whole and a report on each state/territory.

The LAW Survey deals with key questions that go to the heart of understanding the legal and access to justice needs of the community, and how to address these needs. It assesses the prevalence of legal

problems across the community, and the vulnerability of different demographic groups to different types of legal problems. It examines the various adverse consequences that can accompany legal problems, as well as the responses people take when faced with legal problems and the outcomes they achieve.

Significantly, incorporating 20 716 interviews across Australia, the LAW Survey is the largest legal needs survey to date conducted anywhere in the world. It provides an unrivalled dataset for the ongoing investigation of the types of legal problems that are often captured by smaller surveys in insufficient numbers for meaningful analysis, such as rare legal problems and the legal problems experienced by minority demographic groups.

The report series brings together the results of the detailed analysis of the data from the LAW Survey with the most up-to-date review of the leading legal needs research internationally and in Australia. Not surprisingly, there are many consistencies — and some differences — across time and across jurisdictions.

There are, for example, many consistent findings with the Foundation's 2006 NSW Legal Needs Survey conducted in six disadvantaged regions and reported in *Justice made to measure*. People with a disability are still identified as a group highly vulnerable to a wide range of legal problems. In addition, however, other vulnerable groups, such as single parents, are now identified through the more sophisticated approach of the LAW Survey.

It is not, of course, to be expected that a survey as sweeping as this will yield a simple list of recommendations that will solve all legal problems in all jurisdictions. Such a list is never possible. However, the report provides important results. For example, it identifies key themes, such as the importance of individual capacity in resolving legal problems. Indeed, reading the report, one can't help feeling that something of a 'two-speed' system of legal service delivery may be appropriate: a heavily targeted and even case-managed approach to meeting the complex needs of the small minority of the community that experience the large majority of legal problems, and a much 'lighter' model for the rest.

Perhaps more importantly, the concluding chapter of each of the nine reports describes a 'holistic' system of legal and related services that would seem to be a most appropriate approach to address the diverse range of legal needs in the community. This holistic system will hopefully become a key input into the strategic planning for legal assistance policy and service delivery in all jurisdictions. Such jurisdictional planning might 'hold up' the current provision of legal services to the proposed system to identify areas of coincidence and areas of divergence. Inevitably there will be gaps — gaps that may only be filled with more resources.

However, it may not always be a question of resources, but rather one of changing approaches, changing modes of service delivery, even changing the targets of some of these services.

The LAW Survey has been an enormous undertaking for the Foundation, and I congratulate the research team for their skill and persistence in the face of the technical challenges they confronted. I also particularly thank the Legal Aid commissions of all states and territories for their ongoing support and commitment to improving the evidence base upon which service delivery decisions can be made. Not only were they joint funders of the project, they provided the impetus to extend what was going to be a NSW-wide survey into a national project.

There is much to glean from this report, and this will no doubt come from careful consideration at both the strategic and operational levels. While this report clearly 'stands on its own', it should

nevertheless still be read in the context of the other eight reports from this survey, and from the other main reports produced in the A2JLN program, including:

- *Stage 1: Public consultations* (2003)
- *Stage 2: Quantitative Legal Needs Survey, Bega Valley (Pilot)* (2003)
- *Data digest* (2004)
- *The legal needs of older people in NSW* (2004)
- *No home, no justice? The legal needs of homeless people* (2005)
- *Justice made to measure: NSW Legal Needs Survey in disadvantaged areas* (2006)
- *On the edge of justice: the legal needs of people with a mental illness* (2006)
- *Taking justice into custody: the legal needs of prisoners* (2008)
- *By the people, for the people? Community participation in law reform* (2010).

Geoff Mulherin
Director
Law and Justice Foundation of New South Wales
August 2012

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Shortened forms

Proper names

AAJC	Alabama Access to Justice Commission
AAPOR	American Association for Public Opinion Research
ABA	American Bar Association
ABA SCDLS	American Bar Association Standing Committee on the Delivery of Legal Services
ABS	Australian Bureau of Statistics
ACT	Australian Capital Territory
AFLSE	Arizona Foundation for Legal Services & Education
AIHW	Australian Institute of Health and Welfare
ALAF	Australian Legal Assistance Forum
ALRC	Australian Law Reform Commission
ALS	Aboriginal and Torres Strait Islander Legal Services
ARIA	Accessibility and Remoteness Index of Australia
CALD	Cultural and linguistic diversity
CASRO	Council of American Survey Research Organizations
CEALS	Committee on Equal Access to Legal Services
CLACs	Community Legal Advice Centres
CLANs	Community Legal Advice Networks
CLC	community legal centre
CLSD	Cooperative Legal Service Delivery
COAG	Council of Australian Governments
CSRA	Center for Survey and Research Analysis
Consortium	Consortium on Legal Services and the Public
CSJS	Civil and Social Justice Survey
FaHCSIA	Department of Families Housing Community Services and Indigenous Affairs
GKA	Gene Kroupa & Associates
HKDOJ	Hong Kong Department of Justice
JCPAA	Joint Committee of Public Accounts and Audit
LAF	Legal Assistance Forum
LASNSC	Legal Aid Safety Net Steering Committee
LAW Survey	Legal Australia-Wide Survey
LGA	local government area
LJF	Law and Justice Foundation of NSW

LSC	Legal Services Corporation
LSNJ	Legal Services of New Jersey
NLAF	New South Wales Legal Assistance Forum
NSW	New South Wales
NSW BOCSAR	NSW Bureau of Crime Statistics and Research
NSWLNS	NSW Legal Needs Survey
PILCHs	public interest law clearing houses
PLEAS Task Force	Public Legal Education and Support Task Force
Plenet	Public Legal Education Network
QLAF	Queensland Legal Assistance Forum
RDD	random digit dialling
RLAFs	Regional Legal Assistance Forums
RMR	Roy Morgan Research
Rush	Rush Social Research Agency
Schulman	Schulman Ronca Bucuvalas Inc.
SCRGSP	Steering Committee for the Review of Government Service Provision
SDAC	Survey of Disability, Ageing and Carers
SEIFA	Socio-Economic Index for Areas
SLA	Statistical Local Area
SLCRC	Senate Legal and Constitutional References Committee
TALS	Tennessee Alliance for Legal Services
Task Force	Task Force on Civil Equal Justice Funding
TTY	phones enabled with Teletype
UK	United Kingdom
US	United States
VLAF	Victorian Legal Assistance Forum

Statistical and technical terms

β	beta coefficient
CI	confidence interval
df	degrees of freedom
F	F test statistic
IBM SPSS	IBM SPSS data analysis software
MLwiN	multilevel data analysis software
N	number
p	probability value
SE	standard error
STATA	StataCorp data analysis software
χ^2	chi-square test statistic

Executive summary

Aim

The appropriate provision of legal services in any jurisdiction requires a thorough understanding of the legal problems that people experience, their responses to these problems and the outcomes they achieve. The present survey, the Legal Australia-Wide Survey (LAW Survey), provides the first comprehensive quantitative assessment across Australia of an extensive range of legal needs on a representative sample of the population. It examines the nature of legal problems, the pathways to their resolution and the demographic groups that struggle with the weight of their legal problems. The main aim of the LAW Survey was to provide valuable evidence-based data to inform debate and policy directions concerning legal service provision and access to justice across Australia. With over 2000 respondents in each of the eight Australian states/territories, the survey allows for in-depth analysis within each state/territory as well as at the national level. The current report on New South Wales (NSW) is one in a series of nine reports. The series includes a report for each state/territory and a report for Australia as a whole. These reports detail the first major findings of the LAW Survey, presenting a broad high-level overview of legal need and legal resolution in each jurisdiction. Subsequent publications will provide more fine-grained analysis of legal need.

Method

The LAW Survey involved 20 716 telephone interviews with household residents aged 15 years or over across Australia. Households were contacted using random digit dialling, and one respondent per household was interviewed. Within each state/territory, quota controls were used to achieve a demographic profile in the sample that reflected the population profile. The survey was administered between January and November 2008 and achieved an estimated response rate of 60 per cent.

Respondents were asked about their experience of a total of 129 specific types of 'legal' problems — that is, problems that have the potential for legal resolution. These types of legal problems were categorised into 12 broad problem groups: accidents, consumer, credit/debt, crime, employment, family, government, health, housing, money, personal injury and rights. The survey assessed:

1. the prevalence of legal problems
2. the nature of legal problems
3. the strategies used in response to legal problems
4. the advice received for legal problems
5. the finalisation of legal problems
6. the outcome of legal problems.

In addition, the survey examined factors that may influence each of the above, including:

- demographic characteristics (e.g. gender, age, Indigenous status, disability status, education, employment status, family status, housing type, main income, main language and remoteness of residential area)
- characteristics of legal problems (e.g. type, recency and severity of problems).

Identical statistical analyses were conducted for each of the nine jurisdictions. These analyses included descriptive statistical analyses and also inferential statistical analyses involving significance testing.

Major findings

Although the present report focuses on the findings for NSW, it also provides comparisons across jurisdictions. The main findings were similar across jurisdictions and were also consistent with past legal needs surveys. For example, the LAW Survey confirms that:

- legal problems are widespread and often have adverse impacts on many life circumstances
- some people, most notably disadvantaged people, are particularly vulnerable to legal problems, including substantial and multiple legal problems
- a sizeable proportion of people take no action to resolve their legal problems and consequently achieve poor outcomes
- most people who seek advice do not consult legal advisers and resolve their legal problems outside the formal justice system.

The findings across jurisdictions are further outlined below, with special reference to the findings for NSW.

Prevalence of legal problems

Legal problems were widespread. In Australia as a whole, 50 per cent of respondents experienced one or more legal problems in the 12 months prior to interview. Although there were only modest differences in the prevalence rates across states/territories (47–55%), these differences were nonetheless statistically significant. In NSW, the prevalence rate was 50 per cent and was not significantly different from average. This rate translates to an estimated 2 825 000 people aged 15 years or over in the NSW population experiencing a legal problem within a one-year period.

In most jurisdictions, the four most prevalent legal problem groups were the consumer, crime, housing and government problem groups. These were the most prevalent problem groups in NSW, with 21 per cent of respondents experiencing consumer problems, 14 per cent experiencing crime problems, 13 per cent experiencing housing problems and 11 per cent experiencing government problems.

In all jurisdictions, the experience of multiple legal problems was common. In NSW, 23 per cent of respondents experienced three or more legal problems within the 12-month reference period. In addition, some individuals were particularly likely to experience multiple legal problems. In fact, the majority of legal problems were concentrated among a minority of respondents. In NSW, nine per cent of respondents accounted for 66 per cent of the legal problems reported.

The types of legal problems that respondents experienced concurrently or in quick succession were not random. There was considerable consistency in the legal problems that co-occurred across jurisdictions. In most jurisdictions, legal problem groups tended to cluster in three combinations:

1. a combination comprising the consumer, crime, government and housing problem groups — that is, the problem groups that were particularly prevalent across jurisdictions
2. a combination dominated by ‘economic and family’ issues, comprising the credit/debt, family and money problem groups

3. a combination dominated by 'rights and injury/health' issues, comprising the employment, health, personal injury and rights problem groups.

Although problem groups tended to co-occur in these three combinations, elements of these combinations were missing in some jurisdictions. In NSW, the first and third combinations were evident, and some elements of the second combination were also evident.

The co-occurrence or clustering of certain legal problem groups suggests that these types of legal problems may be meaningfully connected. First, one legal problem may trigger another legal problem. Second, a number of different legal problems may arise from similar circumstances. Third, some people may be vulnerable to experiencing a number of different types of legal problems. However, legal problems may also coincide by 'chance', without meaningful connections between them. Legal problems that occur frequently have greater opportunity to coincide by chance. Thus, because the first combination comprised very prevalent problem groups, it is difficult to rule out the possibility that these types of legal problems sometimes co-occurred by chance. The second and third combinations, which comprised less frequent legal problems, are more likely to reflect meaningful connections. Regardless of how co-occurring legal problems arise, the findings demonstrate that people are often confronted with multiple legal problems which need to be addressed.

Some demographic groups had increased vulnerability to legal problems while others were more resilient. In fact, vulnerability to legal problems varied according to most of the demographic characteristics examined in all jurisdictions. Age often had the strongest relationships with prevalence across jurisdictions. The oldest group aged 65 years or over had significantly lower prevalence according to a range of measures. In addition, different ages or life stages were associated with different types of legal problems. In most jurisdictions, accidents, crime, personal injury and rights problems peaked between 15 and 24 years of age, and credit/debt and family problems peaked between 25 and 44 years of age. All these results were significant in NSW.

Many disadvantaged or socially excluded groups were particularly vulnerable to legal problems. They were not only more likely to experience legal problems overall, but also had increased vulnerability to substantial legal problems and multiple legal problems. In all jurisdictions, people with a disability stood out as the disadvantaged group that had higher prevalence according to the greatest number of measures. In addition, the associations between disability and increased prevalence were often among the strongest. However, Indigenous respondents, the unemployed, single parents, people living in disadvantaged housing and people whose main income was government payments also had increased prevalence in a number of jurisdictions. In NSW, people with a disability had significantly higher prevalence of legal problems overall, substantial legal problems, multiple legal problems and problems from most of the 12 problem groups. The unemployed, single parents and people living in disadvantaged housing also had significantly higher prevalence according to several measures.

Low education levels and non-English main language showed a distinct relationship with the prevalence of legal problems. Unlike the other indicators of disadvantage, these two indicators, when significant, were typically related to *low rather than high* prevalence. In fact, people with low levels of education had lower prevalence according to a variety of measures in all jurisdictions. In addition, people with a non-English main language had lower prevalence according to at least one prevalence measure in about half of the jurisdictions. In NSW, people with a non-English main language had significantly lower prevalence according to a number of measures. The lower prevalence of legal problems reported by people with low education levels in all jurisdictions and by people with a non-English main language in some jurisdictions may reflect a failure to recognise legal problems.

Adverse consequences of legal problems

In all jurisdictions, the LAW Survey showed that legal problems often have considerable adverse impacts on a broad range of life circumstances, including health, financial and social circumstances. Just over half of the respondents with legal problems (56%) in NSW had a 'substantial' legal problem that had a 'severe' or 'moderate' impact on everyday life. The most common adverse consequences resulting from the legal problems experienced by NSW LAW Survey respondents were income loss or financial strain (29%), followed by stress-related illness (21%) and physical ill health (20%). Relationship breakdown (10%) and moving home (6%) were also evident.

Some types of legal problems were much more severe than others. Family problems stood out as severe problems with a broad range of negative consequences on health, financial and social circumstances. In NSW, family problems comprised the highest proportion of substantial problems (78%) and had the highest mean number of adverse consequences. Most legal problems related to health or employment also tended to be substantial, with considerable adverse impacts. In contrast, most consumer and crime problems tended to be minor problems. However, the high volume of consumer and crime problems meant that substantial problems of these types were experienced relatively frequently.

Awareness of legal services

There were sizeable gaps in the awareness of not-for-profit legal services. Legal Aid was the only not-for-profit legal service that had very high recognition rates in all jurisdictions. Legal services for Aboriginal and Torres Strait Islander people (ALSs) usually had more moderate recognition rates. In addition, other not-for-profit legal services, such as community legal centres (CLCs) and services provided by court registrars and staff, had even lower recognition rates. In NSW, the recognition rates were 87 per cent for Legal Aid, 59 per cent for ALSs, 37 per cent for CLCs, 42 per cent for court services and 14 per cent for LawAccess NSW.

Response to legal problems

Seeking legal advice or assistance was only one of a broad range of actions taken in response to legal problems. Furthermore, respondents often used multiple actions. In NSW, these actions included seeking advice from legal or non-legal professionals (for 50% of problems), communicating with the other side (38%), consulting relatives or friends (27%), using websites or self-help guides (20%), court or tribunal proceedings (10%) and formal dispute resolution (9%).

Based on which of the above types of actions were used, the LAW Survey defined three broad strategies in response to legal problems. 'Seeking advice' involved consulting a legal or non-legal professional, regardless of whether any other type of action was also taken. 'Handling problems without advice' involved taking at least one action but not consulting a professional. 'Taking no action' involved using none of the above types of actions. Across jurisdictions, approximately half (49–53%) of the legal problems resulted in respondents seeking advice, about three-tenths (27–32%) were handled without advice and close to one-fifth (16–21%) resulted in no action. There were modest, but significant, differences between states/territories in the strategies used in response to legal problems. In NSW, respondents sought advice for 50 per cent of legal problems, handled 30 per cent of legal problems without advice and took no action for 19 per cent of legal problems. These percentages were not significantly different from average.

The results suggested that ignoring legal problems often resulted in unmet legal need. Respondents often reported multiple reasons for ignoring legal problems. In many cases, failure to take action was due to poor legal knowledge, other personal constraints or possible systemic constraints. For example, in NSW, reasons for inaction included that it would take too long to resolve the problem (34%), it would be too stressful (30%), the respondent had bigger problems (28%), it would cost too much (28%), the respondent did not know what to do (21%) or it would damage the respondent's relationship with the other side (15%). In other cases, inaction may have been sensible. Some respondents who ignored their legal problem judged that the problem was trivial or unimportant or that taking action would make no difference. However, the validity of such judgements depends on respondents having sufficient legal knowledge to make an accurate assessment.

Across jurisdictions, the strategies used in response to legal problems depended on the nature of the problems, such as their severity. Respondents were significantly more likely to take action for substantial legal problems. In addition, the strategy adopted was significantly and strongly related to the type of legal problem. For example, consumer problems were the most likely to be handled without advice, whereas accidents, crime, family and personal injury problems were often more likely to result in respondents seeking advice when they took action. In NSW, all these findings were significant. The recency of the legal problem was also significantly, albeit more weakly, related to strategy.

There were also differences between demographic groups in the strategies they used in response to legal problems. In all jurisdictions, several demographic characteristics were significantly related to strategy, with some demographic groups having high levels of inaction and some having low levels of seeking expert advice when they took action. Age had a strong influence on strategy in all jurisdictions. In most jurisdictions, the younger groups (aged 15–24 years) and the oldest group (aged 65 years or over) tended to have the lowest percentages for taking action, while the middle age groups (aged 25–64 years) tended to have the highest. The tendency for the middle age groups to have higher levels of taking action reached significance in several jurisdictions. In NSW, this finding for taking action was not significant. In addition, in most jurisdictions, when respondents did take action, the type of action they took depended on their age — younger respondents were significantly less likely to seek advice and most likely to handle problems without advice. In NSW, although significant, the finding for seeking advice did not follow the trend in most jurisdictions. The younger groups had average rather than significantly lower levels of seeking advice, and some of the middle age groups had significantly higher levels of seeking advice.

In several jurisdictions, gender was related to strategy, although these relationships were usually not very strong. Females were more likely than males to take action in most jurisdictions and more likely to seek advice when they took action in a few jurisdictions. In NSW, females were significantly more likely to take action, but the finding for seeking advice was not significant.

Notably, some disadvantaged groups had higher levels of inaction or lower levels of seeking advice when they took action. In particular, people with low education levels and people with a non-English main language had higher levels of inaction in most jurisdictions. These two disadvantaged groups also had lower levels of seeking advice when they took action in a few jurisdictions. Furthermore, the significant associations between non-English main language and inaction were often among the strongest. Finally, although unemployed people had higher levels of inaction only in Australia as a whole, they had lower levels of seeking advice when they took action in most jurisdictions. In NSW, the disadvantaged groups with significantly higher levels of inaction were people with low levels of education and people with a non-English main language.

Advice for legal problems

The survey results confirmed that people who seek advice for their legal problems by no means limit themselves to lawyers or traditional legal services. A wide variety of non-legal workers are routinely the only points of contact with a professional for many people with legal problems. Across jurisdictions, a legal adviser was consulted for no more than one-third (23–33%) of the cases where respondents sought advice from a professional. There were significant, but modest, differences between states/territories in the use of legal advisers. In NSW, legal advisers were consulted for 33 per cent of the legal problems for which respondents sought advice. This percentage was significantly higher than average. Given that respondents did not seek advice in approximately half of all cases, this percentage translates to respondents seeking advice for only 16 per cent of all legal problems.

The survey measured the types of legal and non-legal help received from the main adviser consulted for each legal problem. The help received was not always 'legal' in that it did not necessarily aim to address the legal aspects of problems. Across jurisdictions, legal help from the main adviser was received in approximately two-thirds of cases (60–71%). As might be expected, main advisers who were legal professionals had the highest rates of providing legal help (86–95%) in each jurisdiction. However, legal help was by no means the exclusive domain of legal advisers. Legal help was provided in substantial proportions of cases by non-legal main advisers, including trade unions or professional associations (78–91%), dispute/complaint-handling advisers (66–91%), government advisers (55–69%), financial advisers (44–65%), and health or welfare advisers (36–53%).

The LAW Survey examined how respondents sourced their main adviser when this adviser was a legal, dispute/complaint-handling or government adviser. Across jurisdictions, these advisers were most commonly sourced through respondents' own personal resources or networks (74–81%). For example, respondents relied on their own knowledge, obtained referrals from relatives, friends or acquaintances, chose an adviser who was a relative or friend or whom they had used before, and used the telephone book or the internet. In contrast, sourcing the main adviser via referrals from legal or non-legal professionals occurred in only a minority of cases. In NSW, the main adviser was sourced via referrals from legal professionals in six per cent of cases and via referrals from non-legal professionals in five per cent of cases.

The survey assessed the barriers to obtaining advice from main advisers who were legal, dispute/complaint-handling or government advisers. At least one barrier was reported across jurisdictions for about two-fifths of these cases. In particular, barriers to the accessibility of these advisers were frequently endorsed by respondents. In NSW, these barriers included difficulty getting through on the telephone (16%), the adviser taking too long to respond (15%), inconvenient opening hours (7%) and difficulty getting an appointment (7%).

Across jurisdictions, the distance to these advisers was sometimes also a barrier to accessibility. Respondents reported that 4–11 per cent of these advisers were too far away or too far to get to. Respondents often travelled substantial distances to consult their main advisers in person, especially in less urban areas or remote areas. NSW respondents living in remote or regional areas travelled more than 80 kilometres in eight per cent of cases.

In all jurisdictions, cost was an important barrier to obtaining help when the main adviser was a legal adviser (20–27%). In contrast, cost was very rarely reported as a barrier in relation to the other types of main advisers examined (0–5%). In fact, in NSW, cost was the most common barrier to obtaining help from legal advisers (23%). Thus, the results suggest that cost is unlikely to be a key impediment for the majority of legal problems that people prefer to handle outside legal services, such as via

self-help strategies or consultation with non-legal professionals. However, cost is likely to be a major barrier for many of the legal problems for which people wish to obtain expert legal advice.

Finalisation of legal problems

Roughly two-thirds of legal problems in all jurisdictions were reported to be 'now over' or finalised at the time of interview. The LAW Survey asked respondents about the means by which legal problems had been finalised. Across jurisdictions, the results demonstrated that there was no 'rush to law'. In NSW, three per cent of legal problems were finalised via formal legal proceedings in a court or tribunal, and a further three per cent were finalised via formal dispute resolution or complaint-handling processes. More commonly, legal problems were finalised via agreement with the other side (31%), the respondent not pursuing the matter further (29%) or the decisions or actions of other agencies, such as government bodies, insurance companies or the police (15%).

In all jurisdictions, the characteristics of legal problems were significantly related to whether these problems had been finalised by the time of interview. Substantial legal problems had significantly lower levels of finalisation. The finalisation status of legal problems was also strongly associated with the types of legal problems experienced. For example, family problems had significantly lower levels of finalisation across jurisdictions. In addition, the strategies used by respondents in response to legal problems were also strongly related to whether they had achieved finalisation in all jurisdictions. Both seeking advice and handling the problem without advice resulted in significantly lower levels of finalisation than taking no action. These results may partly reflect the fact that respondents were more likely to take action and seek advice for more serious problems.

In contrast, with the exceptions of age and disability status, respondents' demographic characteristics were not consistently related to whether they had achieved finalisation. In most jurisdictions, age had a strong relationship to finalisation status, with younger people having significantly higher levels of finalisation. This relationship was significant in NSW. Although people with a disability had significantly lower levels of finalisation in most jurisdictions, the other disadvantaged groups only occasionally had significantly lower levels of finalisation. In NSW, the following disadvantaged groups had significantly lower levels of finalisation: people with a disability, people whose main source of income was government payments and people with a non-English main language.

Outcome of legal problems

In all jurisdictions, LAW Survey respondents reported that approximately two-thirds (64–70%) of finalised legal problems had 'favourable' outcomes — that is, outcomes that were 'mostly' or 'somewhat' in the respondent's favour. There was no significant difference in these rates between states/territories.

Invariably across jurisdictions, the characteristics of legal problems were related to whether favourable outcomes were achieved. First, the severity of legal problems was related to outcomes. Substantial legal problems were significantly less likely to have favourable outcomes. Second, the outcome achieved also depended on the type of legal problem experienced. In most jurisdictions, the outcomes of accidents and personal injury problems were more likely to be favourable, while the outcomes of crime and government problems were less likely to be favourable. All these findings were significant in NSW.

The strategy used in response to legal problems was also significantly related to whether favourable outcomes were achieved. People who took no action in response to their legal problems achieved

the poorest outcomes across jurisdictions. In NSW, the percentage of legal problems resulting in favourable outcomes was 67 when advice was sought, 72 when the problem was handled without advice, but only 59 when no action was taken.

In contrast, the outcomes achieved for legal problems were not consistently related to respondents' demographic characteristics or disadvantaged status. There were very few significant relationships between demographic characteristics and outcomes across jurisdictions. Thus, the characteristics of legal problems and the strategies used in response to those problems were the main determinants of whether favourable outcomes were achieved. Demographic characteristics had comparatively little influence.

A holistic approach to justice

Given the largely consistent findings across jurisdictions, the LAW Survey has similar high-level policy implications for the provision of legal services and remedies in each Australian state/territory. The findings highlight the value of a more holistic approach to justice that provides integrated and multifaceted service delivery across both legal and non-legal services in all jurisdictions.

The LAW Survey confirms that access to justice in Australia is fundamental to community well-being. People from all walks of life experience legal problems that can be severe and can have dramatic adverse impacts on a broad range of life circumstances. However, there is considerable diversity in the experience, handling and outcome of legal problems. Some people are resilient, while others experience multiple, severe legal problems. Some people achieve good outcomes by capably using self-help strategies, while others rely on expert advice. In some cases, people appear to have poor legal knowledge and poor legal capability, with some people leaving their legal problems unresolved. This diversity means that no single strategy will successfully achieve justice for all people. Rather, the approach to justice must be multifaceted and must integrate a raft of strategies to cater for different needs.

Importantly, the LAW Survey demonstrates that access to justice for disadvantaged people must remain a priority. Disadvantaged groups not only have non-legal needs by virtue of their socioeconomic status, but also are particularly vulnerable to a wide range of severe legal problems and are more likely to struggle with the problems they face. People with a disability are especially vulnerable to legal problems, although other disadvantaged sections of the community also have heightened vulnerability, including single parents, the unemployed, people living in disadvantaged housing and Indigenous people.

In addition, the LAW Survey indicates that integrated service delivery across legal and broader human services is critical, given that legal needs are often interconnected with non-legal needs. Non-legal professionals are routinely consulted by people with legal needs. Legal problems can cause a broad range of non-legal problems. Many people, most notably disadvantaged people, experience multiple interrelated legal and non-legal problems.

Thus, the LAW Survey stresses the value of a holistic approach to justice that is both multifaceted and integrated. It must be multifaceted in that it comprises multiple strategies to cater for the diverse needs of the whole community. It must also be integrated in that it provides more tailored, intensive assistance across both legal and other human services for disadvantaged people who have intertwined legal and non-legal needs. Specifically, the survey suggests that such an approach should include all of the following strategies:

- legal information and education
- self-help strategies
- accessible legal services
- non-legal advisers as gateways to legal services
- integrated legal services
- integrated response to legal and non-legal needs
- tailoring of services for specific problems
- tailoring of services for specific demographic groups.

Limited funding is a key challenge to developing a more holistic approach to justice that includes multiple strategies to address the diverse legal needs experienced by the general public. Setting legal service priorities to optimise the mix of strategies necessary to facilitate legal resolution throughout the community is therefore crucial.

One important consideration in setting priorities is that the system of legal services must be able to deal effectively with all types of legal problems. The LAW Survey demonstrates that legal problems vary dramatically in their frequency, severity, adverse impacts, intractability and likely outcomes. Thus, legal services must be able to handle severe, complex legal problems that require considerable resources, time and expertise to resolve, such as various family problems. They must also be able to process high-volume legal problems, such as consumer and crime problems. Consequently, legal service delivery tailored to specific types of legal problems is likely to be a vital component of a holistic approach to justice.

In setting priorities for legal service provision, the LAW Survey also underscores the importance of balancing strategies that are likely to benefit the general public or large sections of the community with strategies that are more specifically tailored to the particular needs of the most vulnerable groups.

The LAW Survey highlights the role of information and education initiatives to raise the general level of legal knowledge and capability, not only among those who are most likely to experience legal problems, but also among the broader community who are often asked for informal advice in relation to legal problems. Respondents' awareness of some public legal services was low. Thus, the LAW Survey suggests the value of generic legal information and education, including information about useful first ports of call, such as generalist legal advice services and legal triage hotlines, and about the many pathways for accessing justice. It also suggests the value of more tailored legal information and education initiatives focused on the particular needs of different demographic groups. For example, such initiatives could be tailored for different age groups to address the legal problems typically faced at various life stages. They could also be tailored for the demographic groups that tend to ignore their legal problems. These demographic groups could be empowered to take action through information and education initiatives that help them to recognise their legal problems and direct them to appropriate advice and assistance. In Australia as a whole, the demographic groups that were less likely to take action included males, younger people, older people, people with low education levels, unemployed people and people with a non-English main language. In NSW, these demographic groups included males, people with low education levels and people with a non-English main language.

The LAW Survey suggests that legal information and education initiatives promoting self-help strategies are potentially useful if they are targeted at the demographic groups that have high levels

of legal knowledge and capability. Many people successfully handled their legal problems without expert advice. Past findings have suggested that well-educated and articulate people often have high levels of legal knowledge and are most likely to achieve successful resolution when they handle problems alone. Thus, promotion of self-help strategies may strengthen the capability of these groups to successfully handle problems without recourse to expert advice.

However, self-help strategies are unlikely to be quality substitutes for legal advice and assistance when people have poor legal capability. According to past research, disadvantaged groups often lack knowledge of legal rights and remedies, and achieve poor outcomes when they handle problems alone. Thus, for disadvantaged groups, information and education campaigns that help them to identify their legal problems and signpost them to appropriate legal services are likely to be more relevant. The present findings in Australia as a whole suggest that older people, people with low education levels and people with a non-English main language may benefit from such initiatives, because their low levels of reporting legal problems and taking action may reflect a failure to recognise their legal needs and a lack of knowledge about the available pathways to legal resolution. Similarly, in NSW, all of these demographic groups had low levels of reporting legal problems, while people with low education levels and people with a non-English main language also had low levels of taking action.

The LAW Survey emphasises that legal services could be made more accessible in order to meet the current demand. People often experienced difficulties in contacting advisers via telephone, making suitable appointments and receiving timely responses. In addition, people sometimes needed to travel large distances for face-to-face consultations, particularly in non-urban areas. Thus, extension of operating hours, telephone, internet and video conferencing services, local services in readily accessible locations, outreach services in rural and remote areas, and services in appropriate languages may all be useful.

The LAW Survey highlights the need for more holistic, integrated service delivery across legal and non-legal services, including more tailored and intensive support for the most vulnerable groups. First, the widespread use of non-legal advisers in response to legal problems confirms the potential benefits of using non-legal professionals as gateways to legal services. Non-legal professionals could be more formally trained and equipped to identify legal problems and to more systematically provide timely referral to legal information and advice services. In particular, non-legal professionals could provide people with a single, well-resourced contact point for legal referral, such as a generalist legal advice service or legal triage service. This simple strategy has the potential to provide timely legal referral without being overly onerous on non-legal workers, who have their own professional priorities.

Second, the findings that legal problems often clustered together and that disadvantaged groups frequently faced multiple concurrent legal problems also highlight the value of integrated legal service delivery. At present in Australia, legal service provision is often siloed by the type of legal problem and the legal jurisdiction, with different legal services providing specialised assistance for particular legal problems. The fragmented nature of legal service delivery is not ideal for providing comprehensive justice for disadvantaged people, who are vulnerable to a broad range of multiple, interrelated, serious legal problems. Rather, such people would be more likely to benefit from more holistic legal service provision, including not only more systematic legal triage and referral services, but also more intensive, tailored, client-centred or case management approaches, as required.

Third, the LAW Survey underlines the importance of more integrated responses across both legal and non-legal services for people who face interrelated legal and non-legal problems. The findings

demonstrate that legal problems can have dramatic impacts on a broad range of life circumstances and can cause a variety of non-legal problems. In addition, the disadvantaged groups that are especially vulnerable to multiple legal problems also tend to have multiple non-legal needs, by virtue of their socioeconomic status. Thus, in addition to benefiting from a more intensive integrated response from legal services, these disadvantaged groups may sometimes require more holistic, client-centred or case management services involving a team of legal and non-legal service providers to achieve complete resolution. In each jurisdiction, at least a few disadvantaged groups experienced a broad range of legal problems, demonstrating increased prevalence of multiple legal problems or increased prevalence of problems from at least six of the 12 legal problem groups, or both. In Australia as a whole, these disadvantaged groups included Indigenous people, people with a disability, unemployed people, single parents and people living in disadvantaged housing. In NSW, these disadvantaged groups included people with a disability, single parents and people living in disadvantaged housing. People with a disability stood out as the only disadvantaged group in all jurisdictions that had increased prevalence according to the measure of multiple legal problems or increased prevalence of problems from at least six problem groups, or both.

Finally, the LAW Survey findings on the finalisation of legal problems further reinforce the conclusion that disadvantaged groups may sometimes have reduced capacity for solving their legal problems and may benefit from more intensive assistance and support in order to achieve successful legal resolution. In most jurisdictions, middle-aged and older people had lower finalisation levels, as did one or a few disadvantaged groups. People with a disability constituted the only disadvantaged group that had lower finalisation levels in most jurisdictions. However, in Australia as a whole, all of the disadvantaged groups except the unemployed and people living in remote areas had lower finalisation levels. That is, Indigenous people, people with a disability, people with low education levels, single parents, people living in disadvantaged housing, people whose main income was government payments and people with a non-English main language, as well as middle-aged and older people, had lower finalisation levels. In NSW, these groups included middle-aged and older people, people with a disability, people whose main income was government payments and people with a non-English main language.

The multiple legal and non-legal problems faced by disadvantaged groups, their often poor legal capability, their sometimes reduced capacity for legal resolution and their often low economic status together indicate the necessity of effective low-cost services to meet their needs. Given that a large portion of the legal problems experienced by the community are concentrated within disadvantaged groups, quality public legal services constitute a critical component of a holistic justice system, providing the backbone infrastructure necessary to support integrated and multifaceted access to justice strategies.

Although a more holistic, integrated approach to service delivery across legal and broader human services has recently been placed on the national agenda, such service integration in Australia is in its infancy. The LAW Survey indicates that a more integrated approach to service delivery is likely to be beneficial in meeting the diverse legal needs of the community.

In conclusion, the LAW Survey highlights the value of a holistic approach to justice that includes multiple integrated strategies to address the diverse legal needs of the whole community. It underscores the importance of a holistic approach that integrates legal and non-legal service delivery for disadvantaged people who are especially vulnerable to multiple legal and non-legal problems. A holistic approach to justice requires overcoming the fragmentation across legal and non-legal services, across government sectors and across state/territory and federal governments. Thus,

whole-of-government commitment, with effective coordination and leadership from the federal government, is essential. Although a more holistic approach to justice will involve considerable resourcing and reshaping of existing service delivery, it has the potential to produce long-term cost savings by enhancing prevention and early intervention through more streamlined, efficient and effective legal resolution.

1. Review of legal needs surveys

Background to present survey

It is now widely accepted that legal needs are ubiquitous in contemporary society, cutting across many aspects of everyday life and having broad implications for physical, emotional and social well-being (Coumarelos, Wei & Zhou 2006; Currie 2007b; Genn 1999; Pleasence 2006; Pleasence, Buck, Balmer, O'Grady, Genn & Smith 2004c). The pervasive nature of legal needs arises to a large extent because the law permeates so many aspects of public, civil and private life. Many of the problems people commonly experience are nested in legal rights and obligations. These problems span basic areas of modern-day life, such as education, employment, money, debt, injury, health, housing and family relationships.

The interplay between the law and everyday life underlines the fundamental role of access to justice in community well-being. Considerable research effort in recent years has examined the extent to which people are able to access justice to resolve their legal needs. In particular, many large-scale legal needs surveys of the population have been conducted. Such surveys have examined the prevalence of different types of legal problems, the actions people take to resolve these problems and the outcomes they achieve. By building a picture of the nature of legal problems and the pathways to their resolution, these surveys have aimed to inform, and ultimately enhance, the provision of legal services and access to justice.

Although empirical research on legal needs dates back to the 1930s in the United States (US), it gained considerable momentum in the 1990s, when ground-breaking legal needs surveys were conducted in the US by the American Bar Association (ABA 1994; Consortium on Legal Services and the Public (Consortium) 1994) and in the United Kingdom (UK) by Genn (Genn 1999; Genn & Paterson 2001). Following these studies, a number of large-scale surveys measuring a broad range of civil legal problems have been conducted around the world. These surveys have amassed a considerable body of evidence that paints a broadly consistent picture — namely:

- Legal problems are widespread, with some people experiencing multiple, severe legal problems.
- The health, social and economic consequences of legal problems can be substantial.
- Many people make no attempt to resolve their legal problems.
- Most people resolve their legal problems outside the formal justice system.
- Many people experience barriers in trying to resolve their legal problems (e.g. Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Genn 1999; Genn & Paterson 2001; Gramatikov 2008; Ignite Research 2006; Murayama 2007; Pleasence 2006; Pleasence, Balmer, Patel & Denvir 2010; van Velthoven & ter Voert 2004).

These surveys have also provided compelling evidence that socioeconomically disadvantaged groups are particularly vulnerable to legal problems and less able to resolve the problems they face. Such disadvantaged groups include people with a disability, single parents, people who are unemployed, people who have low incomes or receive welfare benefits, and people living in public housing (e.g. Buck, Balmer & Pleasence 2005; Buck, Pleasence, Balmer, O'Grady & Genn 2004;

Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Genn 1999; Genn & Paterson 2001; Gramatikov 2008; O'Grady, Pleasence, Balmer, Buck & Genn 2004; Pleasence 2006; Pleasence & Balmer 2007, 2009; Pleasence, Balmer, Buck, O'Grady & Genn 2004a; Pleasence et al. 2010; van Velthoven & ter Voert 2004).

Legal needs surveys in Australia date back to 1975 (Cass & Sackville 1975; Fishwick 1992; Rush Social Research Agency (Rush) 1999; Rush Social Research & John Walker Consulting Services 1996). However, the first large-scale Australian survey of a wide range of legal problems was conducted in New South Wales (NSW) and published in 2006 by Coumarelos et al. of the Law and Justice Foundation of NSW (LJF). This survey was reported in *Justice made to measure: NSW Legal Needs Survey in disadvantaged areas*. Consistent with overseas research, it found a high incidence of legal problems, a substantial rate of inaction in response to legal problems and a low use of legal advisers. In addition, socioeconomic disadvantage appeared to largely underlie the experience and handling of legal problems. Most notably, people with a disability had increased rates of a wide range of legal problems and decreased resolution rates.

The *Justice made to measure* report on the NSW Legal Needs Survey (NSWLNS) was enthusiastically received by the legal sector. Subsequently, the Legal Aid[1] commissions across Australia requested that the LJF undertake a comparable national survey. The Legal Australia-Wide Survey (LAW Survey) was thus conducted. The LAW Survey provides the first comprehensive quantitative assessment across Australia of a broad range of legal needs on a representative sample of the general population. Like its predecessors, it examines the nature of legal problems, the pathways to their resolution and the demographic groups that struggle with the weight of their legal problems. It aims to provide valuable empirical evidence for informing legal service provision and access to justice across Australia.

The LAW Survey had the largest sample of the comprehensive legal needs surveys undertaken anywhere in the world. It involved 20 716 respondents across Australia, with over 2000 respondents in each state/territory.[2] Thus, it allows for reliable analysis and policy implications at both the state/territory and the national levels. The present report series includes a report on each of the eight states/territories and a further report on Australia as a whole. This series details the first major findings of the LAW Survey, presenting a broad, high-level overview of legal need and legal resolution within each jurisdiction. While the nine reports complement one another and include jurisdictional comparisons, each report can nonetheless stand alone. For ease of use, each report contains the literature review and study method.

Beyond the current report series, the unprecedented size of the LAW Survey's national data set provides the potential for additional, pioneering analyses in the area of legal need. In particular, the national sample will enable more fine-grained, in-depth analysis than tends to be possible with smaller surveys. For example, subsequent analyses should be able to drill down to some minority demographic groups and rare legal problems that are often captured by surveys in insufficient numbers for meaningful investigation.

The following sections highlight the main findings from the recent legal needs surveys conducted worldwide. First, however, a brief discussion is provided of two concepts that underpin these

[1] For convenience, the capitalised term 'Legal Aid' is used throughout this report to refer to the Legal Aid commissions across Australia — namely, Legal Aid NSW, Victoria Legal Aid, Legal Aid Queensland, Legal Services Commission of South Australia, Legal Aid Western Australia, Legal Aid Commission of Tasmania, Northern Territory Legal Aid Commission and Legal Aid ACT. When uncapitalised, 'legal aid' refers to legal aid services generically, including legal aid services in other countries.

[2] The states/territories of Australia are NSW, Victoria, Queensland, South Australia, Western Australia, Tasmania, the Northern Territory and the Australian Capital Territory (ACT).

surveys — legal need and socioeconomic disadvantage. Some of the methodological differences between legal needs surveys are also outlined, because such differences impact on the comparability of these studies.

Concept of legal need

Research on legal problems has often proceeded without explicit, detailed definitions of the concepts of legal need and access to justice (Coumarelos et al. 2006; Schetzer, Mullins & Buonamano 2002). These concepts have increasingly expanded from initially narrow definitions as successive reforms have been made to the justice system. This relationship has been a dynamic one. As views about legal need and access to justice have evolved, the justice system has been reshaped by legislative and institutional transformations specifically intended to provide greater access to justice and to better meet legal need. Justice system reforms have also influenced the concept of access to justice and the nature of legal needs research.

Macdonald (2005) identified several waves of thinking about the concepts of legal need and access to justice which have mirrored progressive justice system reforms in Canada. Traditionally, access to justice was defined rather narrowly as access to lawyers and redress through the courts. Accordingly, early justice system reforms focused on ensuring equal access to lawyers and the courts through the provision of legal aid and community legal centres (CLCs). Subsequent reforms included correcting inadequacies within the court and legal aid systems, demystifying the law through the plain language movement and public legal information and education, enhancing preventative law through alternative dispute resolution processes, and increasing public participation in law reform. In line with such reforms, the concept of access to justice has been extended to include access to legal information, legal education, non-court-based dispute resolution mechanisms and law reform.

Similar justice system reforms have occurred in Australia, dating from the 1970s. They include the development of state-funded Legal Aid and CLCs, and significant changes to the law, such as the *Family Law Act 1975*, as well as increased focus on alternative dispute resolution and public legal information and education. Concurrently, the concept of access to justice in Australia has also expanded beyond access to the formal justice system.[3]

Reflecting the initial narrow view of access to justice, early legal needs research focused heavily on assessing access to lawyers and the courts (Currie 2007b; Genn 1999; Griffiths 1977; Pleasence et al. 2004c; Royal Commission on Legal Services 1979). This narrow approach to legal needs research has been criticised for ignoring legal issues that are resolved outside the formal justice system or remain unresolved (Currie 2007b; Genn 1999). The narrow approach mistakenly implies that failing to seek traditional legal resolution suggests the absence of legal need. This failing may also indicate a lack of awareness that the problem has potential legal remedies,[4] failings in the legal system which impair legal resolution and the use of non-legal means of resolution (Schetzer et al. 2002).

The movement away from the narrow approach to legal needs research was pioneered by the ABA (1994, p. ix), which did 'not assume that … "legal need" required the involvement of the legal/judicial system for resolution' but also examined resolution via other mechanisms. Genn's seminal *Paths to justice* study in the UK (Genn 1999; Genn & Paterson 2001) further broadened legal needs

[3] For example, the concept of access to justice adopted by the LJF includes the ability to obtain legal information, advice and assistance; access courts, tribunals and alternative dispute resolution mechanisms; obtain non-legal advocacy and support; and participate effectively in law reform processes (Schetzer et al. 2002).

[4] Throughout this report, the term 'legal remedies' is used to encompass remedies obtainable in accordance with rules of law, including determinations and orders under common law, equity and legislation made by courts, tribunals or authorised administrative officers, and negotiations backed by the possibility of legal proceedings (see Walker 1980).

research by more comprehensively examining a variety of non-legal advisers. Genn (1999, p. 12) used the concept of 'justiciable' problems to broadly identify circumstances where there is the potential for legal resolution. She defined a justiciable problem as a:

> *matter experienced by a respondent which raised legal issues, whether or not it was recognised by the respondent as being 'legal' and whether or not any action taken … to deal with the event involved the use of any part of the civil justice system.*

Genn's justiciable problem approach involves designing the survey questions to describe specific problematic circumstances that potentially have legal consequences and remedies without explicitly labelling them as 'legal' problems. Respondents are asked whether they have experienced these problems but are not required to judge if these problems have any legal implications. Thus, this approach allows for the inclusion of a broad array of legal problems, including those that:

- are not recognised as legal problems by the respondent
- potentially have legal resolution that is unknown to the respondent
- are resolved outside the formal justice system or by non-legal means
- are ignored or remain unresolved.

Genn's (1999) justiciable problem approach is similar to that of the ABA (1994), which also detailed relevant situations without labelling them as legal needs. Genn's approach has a number of advantages over the more traditional narrow approach. First, by broadening the scope of legal problems beyond those resolved within the formal justice system, it allows more accurate estimates of the incidence of legal problems (Coumarelos et al. 2006). Second, it potentially provides a more comprehensive assessment of all the different pathways used for the resolution of legal problems, including both legal and non-legal pathways.

In addition, Genn's (1999) broader approach provides a firmer basis for understanding both 'expressed' and 'unmet' legal need. Expressed legal need refers to the 'supply' or 'demand' side of legal need. It is widely accepted that by seeking legal information, advice or assistance a person is expressing a legal need. The narrow approach is restricted to legal need that is expressed via the use of traditional legal processes. Genn's approach expands the concept of expressed legal need to include the use of non-traditional legal resolution strategies (e.g. alternative dispute resolution) and non-legal resolution strategies (e.g. solving a dispute with neighbours by moving home).

Although expressed legal need can be estimated using survey methodology, it can also be measured through the collection of data on the use of legal services. Such data can build an invaluable picture of the demographic groups that access particular legal services, the nature of their expressed legal needs, the pathways they follow and the outcomes they achieve (e.g. Scott, Eyland, Gray, Zhou & Coumarelos 2004). However, such data cannot estimate legal need that is expressed outside the legal system or the level of unmet legal need in the community. Unmet legal need can be measured only via survey methodology.

Dignan (2004) proposed that the best practical working definition of unmet legal need is that it constitutes a gap between experiencing a legal problem and satisfactorily solving that problem. Unmet legal need includes legal problems that are not resolved because individuals are unaware of their legal rights or are somehow constrained from asserting those rights. Dignan contended that constraints to resolution can arise from individual, social or economic circumstances that affect a person's capability to resolve a legal problem, as well as from failings of the legal system which act as barriers to effective resolution. He also asserted that doing nothing to resolve legal problems

or resolving legal problems outside traditional legal services constitutes unmet legal need only if satisfactory resolution is not reached.

Constructing a definitive measure that quantifies unmet legal need is difficult, and, to date, there is no agreed-upon measure, despite a few proposed measures (e.g. Dignan 2006; Ignite Research 2006; Legal Services Agency 2006). The difficulty in quantifying unmet legal need largely reflects the complexity in defining all situations which constitute legal problems, and the subjectivity in determining the precise outcomes that would constitute satisfactory resolution of each specific problem. Nonetheless, a broader approach to legal needs research provides a better starting point for quantifying unmet legal need. At best, the traditional narrow approach can estimate the level of unmet legal need resulting from only legal problems that remain unresolved despite access to a lawyer or the justice system. Using a broader approach, unmet legal need can be better estimated as legal problems that remain unresolved or are resolved unsatisfactorily, regardless of whether any action is taken and regardless of whether there is any involvement of lawyers or the justice system.

Concept of socioeconomic disadvantage

As already noted, legal needs surveys demonstrate that socioeconomic disadvantage is pivotal to the experience of legal problems. Despite this relationship, research into legal needs frequently proceeds without explicit definition of the concept of socioeconomic disadvantage. In the wider empirical literature, there is a shared understanding of this concept in broad terms. It is usually broadly defined as some sort of deprivation, hardship or inequality concerning a person's standard of living, well-being, capabilities or other life opportunities resulting from the person's socioeconomic status (Ainley, Graetz, Long & Batten 1995; Australian Bureau of Statistics (ABS) 2004c, 2011c; Harding, Lloyd & Greenwell 2001; Marks, McMillan, Jones & Ainley 2000). It is considered to be broader than poverty, reflecting multiple types of social inequality (Arthurson & Jacobs 2003; Saunders 2003). Accordingly, the advantages of multidimensional measures of disadvantage over unidimensional measures based on income or poverty are increasingly being propounded (Harding et al. 2001; Headey 2006; Saunders 2003; Saunders, Naidoo & Griffiths 2007). However, consensus is lacking about the precise circumstances that constitute disadvantage, the definitive set of socioeconomic indicators that should be used to measure it and the levels of each indicator that mark disadvantage (ABS 2011c; Ainley et al. 1995; Marks et al. 2000). Low income, low educational attainment, unemployment and low occupational status are often seen as key indicators of disadvantage. However, a wide range of other indicators have also been used erratically, varying across time and populations (ABS 2011c). These include poor health, single parenthood, family breakdown, poor housing, poor literacy, membership in ethnic minorities, disadvantageous geographical location, residential mobility, crime victimisation, transport difficulties and no internet access (see ABS 2003, 2004c, 2008b, 2011c; Ainley et al. 1995; Headey 2006; Marks et al. 2000; Saunders et al. 2007; Vinson 1999, 2004, 2007).

There has been growing interest in the concept of social exclusion as a framework for understanding socioeconomic disadvantage (ABS 2004c; Arthurson & Jacobs 2003; Hayes, Gray & Edwards 2008; Headey 2006; Saunders 2003; Saunders et al. 2007). Increasingly, social exclusion is defined as the adverse consequences that can result from socioeconomic disadvantage, manifested as an inability to participate in key societal activities or to access generally available standards of living, rights or opportunities (ABS 2011c; Arthurson & Jacobs 2003; Burchardt, Le Grand & Piachaud 2002).

Social exclusion is commonly described as a multidimensional concept, thereby highlighting that it can have multiple causes and multiple manifestations. In terms of causes, social exclusion is

seen as being driven by an interplay of demographic, economic, social and behavioural factors that are linked and mutually reinforcing (Bradshaw, Kemp, Baldwin & Rowe 2004; Saunders 2003; Vinson 2009). For example, the commonly cited definition of the UK's Social Exclusion Unit (1997) propounds that social exclusion can result from a series of linked problems, such as unemployment, discrimination, poor skills, low income, poor housing, high crime, ill health and family breakdown. In terms of manifestations, it is argued that social exclusion can have cumulative, intergenerational, concentrated and spiralling adverse effects in multiple life areas, such as civil, social, economic, political and cultural areas, undermining resilience and interfering with the ability to participate in society or act on rights or opportunities (Arthurson & Jacobs 2003; Bradshaw et al. 2004; Headey 2006; Miliband 2006; Saunders 2003; Vinson 2009).

Social exclusion is also argued to highlight the dynamic nature of disadvantage, suggesting that disadvantage is not static, permanent or necessarily pervasive. People can move between inclusion and exclusion at different times and with respect to different aspects of their lives (Arthurson & Jacobs 2003; Headey 2006; Saunders 2003). Headey (2006) cautioned that the causes and effects of social exclusion can be difficult to distinguish, and that 'dynamic chains' or 'vicious circles' sometimes operate where an outcome becomes a cause that further reinforces exclusion. For example, mental health can contribute to marital breakdown, which might then impact on social networks as a lone parent and create difficulties in further life domains.

Some demographic groups and some geographical areas appear to be at higher risk of social exclusion (Hayes et al. 2008; Miliband 2006; Saunders et al. 2007). For example, in Australia, demographic groups identified as having a high risk of social exclusion have included sole parents, the unemployed, low-income earners, people with a disability, Indigenous Australians, public renters and the homeless (Australian Government 2009b; Saunders et al. 2007).

Reducing social exclusion has become a goal with appeal across the political spectrum. Social inclusion policies have been adopted in a number of countries, including, recently, in Australia (Australian Government 2009a; Vinson 2009). Typically, such policies focus on demographic groups that experience multiple disadvantage. To address the multiple causes and effects of social exclusion in many life areas, they propound an integrated, coordinated or 'joined-up' approach to service provision across numerous human services and across both government and non-government organisations (Hayes et al. 2008). The Australian Government's (2009a) social inclusion agenda outlines priority areas focused on jobless families, children at risk of long-term disadvantage, the homeless, people with a disability or mental illness, Indigenous Australians and disadvantaged neighbourhoods. It includes a joined-up approach to improving access to justice through coordinated funding for legal assistance services and seamless access to information and services.

As will be detailed later, legal needs surveys suggest that social exclusion can be both a cause and a consequence of legal problems (Buck et al. 2005). These surveys have used a variety of socioeconomic indicators to identify disadvantaged subgroups within their samples. Like the broader literature, legal needs surveys have differed in the socioeconomic indicators they have used, the precise measurement of each indicator and the level of each indicator deemed to constitute disadvantage (Coumarelos et al. 2006; Currie 2007b; Pleasence 2006; Pleasence et al. 2004c). This lack of standardisation may sometimes compromise comparability between surveys.

Methodology of legal needs surveys

Genn's (1999) justiciable problem approach in the *Paths to justice* study in the UK has been applied to the more recent, ongoing English and Welsh Civil and Social Justice Survey (CSJS;

Pleasence 2006; Pleasence et al. 2004c, 2010). This approach has also been adopted around the world, including in:

- Australia (Coumarelos et al. 2006)
- Bulgaria (Gramatikov 2008)
- Canada (Currie 2005, 2007b)
- China (Michelson 2007a, 2007b)
- Germany (Hommerich & Kilian 2007)[5]
- Hong Kong (Hong Kong Department of Justice (HKDOJ) 2008)
- Japan (Murayama 2007, 2008)
- the Netherlands (van Velthoven & Klein Haarhuis 2010; van Velthoven & ter Voert 2004)
- New Zealand (Ignite Research 2006; Maxwell, Smith, Shepherd & Morris 1999)
- Northern Ireland (Dignan 2006)
- Slovakia (cited in Hadfield 2010).[6]

In the US, state surveys broadly based on the national survey by the ABA (1994) have been conducted in 16 of the 50 states. The US surveys have tended to retain a heavier focus on access to lawyers and courts than have the surveys following Genn's (1999) approach. Nonetheless, the US surveys conducted in the following states still canvassed some actions apart from using lawyers:

- Arizona (Arizona Foundation for Legal Services & Education (AFLSE) 2007)
- Massachusetts (Schulman Ronca Bucuvalas Inc. (Schulman) 2003)
- Nevada (Gene Kroupa & Associates (GKA) 2008)
- New Jersey (Legal Services of New Jersey (LSNJ) 2009; Miller & Srivastava 2002)
- Tennessee (Tennessee Alliance for Legal Services (TALS) 2004)
- Vermont (Committee on Equal Access to Legal Services (CEALS) 2001)
- Virginia (Schulman 2007)
- Washington (Task Force on Civil Equal Justice Funding (Task Force) 2003)
- Wisconsin (GKA 2006).

The remaining US surveys focused virtually exclusively on the use of legal advisers:

- Alabama (Alabama Access to Justice Commission (AAJC) 2009)
- Connecticut (Center for Survey and Research Analysis (CSRA) 2003)
- Georgia (Dale 2009)
- Illinois (Legal Aid Safety Net Steering Committee (LASNSC) 2005)
- Montana (Dale 2005)
- Oregon (Dale 2000)
- Utah (Dale 2007).

In addition to varying in their conceptualisations of legal need and socioeconomic disadvantage, legal needs surveys have differed in their methodology. This lack of methodological harmonsiation extends beyond the differences associated with the US- and Genn-based traditions and limits the

[5] This is a German-language report, and, as a result, the findings of this study have not been reviewed.

[6] The surveys in China, Germany and Slovakia were more loosely based on Genn's (1999) approach.

comparability of surveys (Coumarelos et al. 2006). Some of the main methodological differences and their impact on interpreting findings are discussed below.

Jurisdiction

Legal needs surveys have been conducted in different jurisdictions, resulting in the assessment of legal needs within different systems of law, networks of legal services and infrastructures for legal remedy. Such jurisdictional variation is likely to affect the nature of legal need and resolution (Coumarelos et al. 2006). For example, the adequacy of the law in terms of legal rights may influence the legal problems experienced, the resolution strategies adopted and the outcomes achieved. The available network of legal services, including the adequacy of public legal services, may be critical in facilitating resolution and preventing the escalation of problems. The institutions of legal remedy, such as courts, tribunals and dispute resolution bodies, are also likely to affect the experience and handling of legal problems. For instance, differences between the US and the UK in legal infrastructure and practices have been argued to produce different problem-solving strategies in the two countries (Hadfield 2010; Sandefur 2009). In addition, it has been argued that the legal infrastructure can differentially affect various subgroups within a jurisdiction and can thus produce inequality in access to justice (Sandefur 2009).

There are also jurisdictional differences in the non-legal mechanisms available for resolving legal problems and in the broader social services available for dealing with any issues that may compound or exacerbate legal problems (Coumarelos et al. 2006; Forell, McCarron & Schetzer 2005). For example, it has been argued that major legal, social, economic and political transformations within countries can impact on the experience and resolution of legal problems and can complicate cross-jurisdictional comparisons (Gramatikov 2008; Hadfield 2010).

The likely impact of jurisdictional differences on the experience, handling and outcome of legal problems highlights the importance of measuring legal need within each jurisdiction of interest (Coumarelos et al. 2006).

Population

Inherent differences between the populations studied, such as demographic, social, cultural, attitudinal and geographical differences, may reduce the comparability of surveys (Coumarelos et al. 2006). Such factors may influence life circumstances and may affect vulnerability to particular types of legal problems and the resolution strategies adopted.

One major difference between legal needs surveys is whether the sample is drawn from the general population or from a disadvantaged section of the population (Coumarelos et al. 2006). The US surveys all used disadvantaged samples comprising low-income households eligible for legal aid, whereas most of the surveys based on Genn's (1999) approach assessed legal needs throughout the general population. Exceptions include the NSWLNS by Coumarelos et al. (2006) and the earlier of the two Canadian surveys (Currie 2005), which were based on Genn's approach but used disadvantaged samples. The studies involving disadvantaged samples also used different criteria to select their samples, including single measures of low income (e.g. ABA 1994; Dale 2000; Rush 1999; Schulman 2003; Spangenberg Group 1989; Task Force 2003), multiple or composite measures of disadvantage within certain geographical areas (e.g. Cass & Sackville 1975; Coumarelos et al. 2006) and the investigation of specific disadvantaged groups, such as those with poor housing (e.g. Dale 2000; Pleasence et al. 2004c).

Given the relationship between socioeconomic disadvantage and legal need that has been observed within individual studies, it would be expected, other things being equal, that the incidence of

legal problems would tend to be higher in the studies involving more disadvantaged samples (see Coumarelos et al. 2006; Currie 2007b; Genn 1999; Genn & Paterson 2001; Pleasence et al. 2004c).

Social, cultural and attitudinal dissimilarities between populations may also impact on the direct comparability of surveys conducted in different countries. For example, Genn and Paterson (2001) argued that attitudinal differences may have been responsible for their finding of a lower incidence of legal problems in Scotland than in England and Wales, despite the use of identical methodology. They suggested that the Scots were less likely to construe situations as problematic and, hence, were more likely to underreport problems due to their more fatalistic, community-oriented and self-assured attitudes. However, Pleasence (2006) contended that the lower incidence in Scotland may in part reflect real differences in life experience as a result of various other dissimilarities between the populations, such as geographical, demographic and jurisdictional dissimilarities.

In China, Michelson (2007a, 2007b) found that political connections and regional area affected the experience of legal problems and the lodging of official complaints. He suggested that historical, economic and social contexts affect disputing behaviour. Similarly, Murayama (2007) noted that cultural and institutional factors have been proposed to explain the lower litigation rate in Japan compared to Western countries.

Coverage of legal problems

The legal needs surveys adopting Genn's (1999) approach have used survey instruments that differ in a number of ways. Similarly, the US surveys have used non-identical instruments. The use of non-identical instruments can impact on the legal problems captured and the responses and outcomes that predominate in the results. Some major sources of variation between survey instruments are described below.

Number and types of legal problems

The types of problems canvassed by legal needs surveys have varied considerably, ranging from fewer than 30 to more than 100 (see Coumarelos et al. 2006, pp. 14–15). Rush (1999) suggested that civil, criminal and family law issues should all be measured, as they tend to be related to different demographic profiles. However, some surveys have focused solely on civil issues, and others have examined only a restricted set of civil issues. For example, in New Zealand, Ignite Research (2006) focused only on civil issues for which grants of legal aid were available.

Furthermore, the definition and wording of each type of legal problem and the grouping of legal problems for reporting purposes have varied. Legal issues with the same name across surveys are not necessarily identical, and problem categories with the same name do not necessarily comprise the same set of specific problems. The results of different surveys are likely to be considerably affected by the number, type, range and definition of legal problems examined (Coumarelos et al. 2006). In particular, incidence rates are likely to increase with broader coverage of legal problems and with wider capture of commonly occurring problem types. The differential coverage of legal problems across studies is also likely to impact on the strategies, resolution rates and outcomes reported. For example, surveys have shown that the type of problem is a strong predictor of the response adopted, the duration of the problem and the nature of the outcome (e.g. Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Pleasence 2006; van Velthoven & ter Voert 2004).

Triviality threshold

Legal needs surveys have typically attempted to canvass problems that involve a certain minimum level of legal need. The US studies sought to identify problems that can be remedied through

the justice system and used threshold language to 'rule out situations unlikely to produce legal need' (Consortium 1994, p. 5). Many of the surveys following Genn's (1999) approach purposely filtered out 'trivial' problems (e.g. Currie 2007b; Dignan 2006; Genn 1999; Genn & Paterson 2001; Gramatikov 2008; HKDOJ 2008; Ignite Research 2006; Pleasence 2006; Pleasence et al. 2010). Genn's (1999) 'triviality threshold' involved focusing on problems that were 'difficult to solve' and deemed important enough to 'warrant action'. This type of threshold may underestimate the incidence of legal problems. It focuses too heavily on whether respondents can accurately judge the severity of problems, the likely consequences of taking action and the likely barriers to resolution. Thus, this type of threshold may sometimes fail to capture serious problems because these problems were incorrectly judged to be either trivial or unsolvable, or because they were handled easily.

A few studies have included less serious problems in order to provide a more accurate estimate of legal problem prevalence (e.g. Coumarelos et al. 2006; Murayama 2007). The inclusion of less serious legal problems does not preclude the measurement of the level of severity of each problem. Thus, comparisons between severe and trivial problems can be undertaken. In addition to including less serious problems, Coumarelos et al. (2006) included a few events that were not 'problematic' but had legal implications (e.g. buying or selling a house; making a will). The inclusion of 'non-problematic' legal events is likely to overestimate the prevalence of legal problems, since these events may not constitute legal need.

The different thresholds for inclusion of legal problems are likely to influence the proportion of serious problems captured across studies. Given that problem severity affects the response adopted and the outcome achieved (Pleasence 2006; Pleasence et al. 2004c), surveys that cover more intractable problems are thus also likely to find lower rates of successful resolution.

Reference period and memory effects

Legal needs surveys have assessed legal problems over variable periods of time, typically ranging between one and five years (Coumarelos et al. 2006). The recent Australian, New Zealand and US surveys employed one-year reference periods, while the UK, other European, Canadian, Chinese and Japanese surveys employed reference periods of between two and five years.[7] Variable reference periods can complicate cross-study comparisons by affecting the capture, observed impact and observed resolution of legal problems. Longer reference periods provide more opportunity for capturing infrequent legal problems, examining the long-term impacts of problems and reaching resolution (cf. Pleasence et al. 2004c). However, as detailed below, longer reference periods are more likely to involve inaccurate recall.

Memory effects are not specific to legal needs surveys but are a potential limitation of all social surveys. Both 'memory decay' and 'forward telescoping' can influence recall accuracy (see Biemer, Groves, Lyberg, Mathiowetz & Sudman 1991; Gottfredson & Hindelang 1977; Huttenlocher, Hedges & Prohaska 1988; Lynn, Buck, Burton, Jäckle & Laurie 2005; Neter & Waksberg 1964; Rubin 1982; Rubin & Baddeley 1989; Sudman & Bradburn 1973; Thompson, Skowronski & Lee 1988; Tourangeau, Rips & Rasinski 2000). Memory decay involves completely forgetting past events or forgetting details about those events, such as when they occurred. It is well established that memory decay is worse for longer time periods and for less significant events (Lynn et al. 2005; Sudman & Bradburn 1973; Tourangeau et al. 2000). Pleasence, Balmer and Tam (2009) specifically examined the recall of legal problems with the CSJS. Consistent with the broader literature, they found substantial memory decay, estimating that at least three-quarters of legal problems went unreported.

[7] The recent Hong Kong survey (HKDOJ 2008) used multiple reference periods.

They also found better recall for serious than for minor problems. In addition, although the largest drop in recall occurred within the first year, recall continued to decline over time, with the worst recall for the least recent problems.

Forward telescoping involves inaccurate recall of the recency of events, with events that occurred before the reference period being incorrectly reported as having occurred during it (Lynn et al. 2005; Neter & Waksberg 1964; Rubin & Baddeley 1989; Sudman & Bradburn 1973; Tourangeau et al. 2000). There is some evidence that telescoping is more likely with more salient events and with longer reference periods (see Lynn et al. 2005; Neter & Waksberg 1964; Tourangeau et al. 2000).

Thus, longer reference periods are likely to capture a higher proportion of serious legal problems when compared to shorter periods. This expectation is due to the greater tendency both to forget minor problems over longer periods and to telescope serious problems into longer reference periods. The optimal reference period for legal needs surveys has not been examined. However, a reference period of 12 months has been proposed to be acceptable for optimising recall of crime victimisation events, given memory effects (United Nations Office on Drugs and Crime 2010).

Unit of measurement

Legal needs surveys have differed in terms of whether they measured the legal problems experienced by individuals or households (Coumarelos et al. 2006). While the US surveys have typically measured prevalence within households, the surveys conducted elsewhere have tended to use the individual as the unit of measurement. Assessing the problems faced by all household members rather than only one household member is likely to yield higher incidence rates.

Measurement of other key variables

Legal needs surveys have also varied in their definition and measurement of a number of other key variables. Such variables include the demographic factors underlying the experience of legal problems, the types of advisers and resolution strategies used, the adverse impacts of legal problems, the finalisation of legal problems, and the satisfactory outcome of legal problems. To give but one example, 'disability' has been defined and measured inconsistently. Generally, disability has been defined expansively to include a broad range of both physical and mental illnesses or conditions that are long-term and impair functioning or participation in society (see Coumarelos et al. 2006; Currie 2007b; Pleasence 2006; Pleasence et al. 2004c). However, the conditions subsumed within 'disability' are not always clearly delineated and do not always include mental illness (see Balmer, Buck, Patel, Denvir & Pleasence 2010).[8] Again, such differences in the measurement of key variables need to be considered in cross-study comparisons.

Generalisability of findings

The usefulness of social surveys depends on the extent to which their findings provide an accurate, unbiased or representative picture of the broader population. The 'generalisability' of the sample results to the population hinges on the adequacy of a number of methodological factors, as outlined below.

[8] Throughout this report, for convenience, 'disability' is used to refer to a variety of terms used by other authors to broadly cover both physical and mental illnesses or conditions, such as 'chronic illness or disability' (Coumarelos et al. 2006) and 'long-standing ill-health and disability' (Pleasence 2006). Where authors report on mental illness separately from other disabilities, this is noted. The specific definition of disability used by the LAW Survey, which includes both physical and mental conditions, is detailed in Appendix A2, 'Comparison of sample and population profile: Disability status' section.

Sampling strategy

Large-scale random probability sampling is the blue ribbon approach for selecting an unbiased sample that is representative of the population. Random sampling means that all members of a population have equal chance of selection, and, thus, that the sample profile is likely to accurately mirror that of the population. Small sample sizes can limit generalisability, even with random sampling, because they make it more difficult to capture a broad cross-section of the population. Most legal needs surveys have used random sampling. However, non-random sampling has been used occasionally, such as selecting low-income earners by approaching places they frequent (e.g. Dale 2007), selecting survey sites to maximise regional and economic variation (e.g. Michelson 2007a) and using non-random opt-in internet panels (e.g. van Velthoven & ter Voert 2004). The results of such studies may not accurately reflect legal need and resolution in the broader population.

Response rate

Poor response rates can reduce the generalisability of survey results, particularly if there are systematic differences between the people who participate and the people who refuse (American Association for Public Opinion Research (AAPOR) 2009; Groves, Cialdini & Couper 1992). In the case of legal needs surveys, obtained incidence rates could be inaccurate if the demographic groups that are especially vulnerable to experiencing legal problems are either substantially overrepresented or underrepresented in the sample due to systematic non-response.

There are several methods for calculating response rate, and response rate estimates can vary dramatically depending on the particular method used (Biemer & Lyberg 2003; Groves 1989). So that survey quality is open to scrutiny, it is critical that legal needs surveys detail the response rate and its calculation. It is also crucial that the demographic profile of the sample is comparable to that of the population. Some legal needs studies have provided very limited information on response rate or sample profile (e.g. Cass & Sackville 1975; Curran 1977; Dale 2000; Rush 1999; Spangenberg Group 1989; Winfield 1995).

Response bias and mode of data collection

Legal needs surveys share the limitations associated with all social surveys. As already noted, recall errors are inherent features of retrospective surveys (Sudman & Bradburn 1973). In addition, social surveys are subject to certain types of response biases that may produce inaccurate answers (Beatty, Herrmann, Puskar & Kerwin 1998). Respondents sometimes lie because of concerns about confidentiality or being viewed in a socially undesirable light. Interviewer–interviewee rapport, anonymity and topic sensitivity can also affect the accuracy of answers (Oppenheim 1992; Presser, Rothgeb, Couper, Lessler, Martin, Martin & Singer 2004; Weisberg 2005).

The mode of data collection is one factor that can influence response bias. Face-to-face interviews may be more conducive to establishing rapport, particularly in relation to personal or sensitive issues, and may provide greater opportunity for in-depth probing (see Biemer et al. 1991).[9] Telephone interviews, however, provide greater anonymity than face-to-face interviews, which may increase respondents' trust in confidentiality and improve the accuracy of reporting on sensitive topics (see Biemer et al. 1991; Oppenheim 1992; Weisberg 2005).[10]

[9] Murayama (2007), for example, used face-to-face interviews because of a perceived reluctance among the Japanese to discuss personal matters over the phone. In contrast, van Velthoven and ter Voert (2004) used an internet questionnaire because of a low response rate in the Netherlands for face-to-face interviews.

[10] In addition, telephone interviews have the practical advantage of being less labour intensive and less expensive (see Biemer et al. 1991) and may therefore be more conducive to larger sample sizes, particularly over extensive geographical areas.

Face-to-face interviewing was typically used in the UK, other European and Asian surveys (Genn 1999; Genn & Paterson 2001; Gramatikov 2008; HKDOJ 2008; Michelson 2007a; Murayama 2007; Pleasence 2006; Pleasence et al. 2004c, 2010). Telephone interviewing was used in most of the US surveys and in the recent Australian, Canadian and New Zealand surveys (Coumarelos et al. 2006; Currie 2007b; Ignite Research 2006; Legal Services Corporation (LSC) 2007, 2009). A few studies used both telephone and face-to-face interviewing (ABA 1994; CEALS 2001; Dale 2009; Schulman 2003; TALS 2004). The Dutch studies used internet surveys (van Velthoven & ter Voert 2004) or a combination of internet and face-to-face interviews (van Velthoven & Klein Haarhuis 2010).

Summary of legal needs survey methodology

Recent legal needs surveys have generally followed the Genn (1999) or ABA (1994) traditions. They have produced broadly consistent key findings, despite methodological differences. Their main common findings are reviewed below.

Prevalence of legal problems

Legal needs surveys have repeatedly found that legal problems are common. At least one-quarter and sometimes more than three-quarters of respondents are typically estimated to experience legal problems over the reference period. Although legal problems are common and widespread, they are not distributed uniformly within populations. As detailed below, prevalence varies both by problem type and by demographic characteristics.

Prevalence of different types of legal problems

Legal needs surveys have invariably shown that legal problems of different types do not occur with equal frequency. Despite variation in the measurement of legal problems, there is some agreement across studies about the specific types of problems that are experienced frequently and the types that are experienced only rarely. Surveys have typically found that consumer problems are very common, and that neighbours, employment and money/debt problems are also fairly common (e.g. ABA 1994; AFLSE 2007; Coumarelos et al. 2006; Currie 2007b; Dale 2000, 2005, 2007, 2009; Dignan 2006; GKA 2006, 2008; Gramatikov 2008; Ignite Research 2006; LSNJ 2009; Murayama 2007; Pleasence 2006; Pleasence et al. 2010; Schulman 2003, 2007; van Velthoven & Klein Haarhuis 2010). When included in surveys, legal problems related to mental health and immigration have often been found to be among the rarest problem types (e.g. ABA 1994; AFLSE 2007; Coumarelos et al. 2006; Currie 2007b; Dale 2005, 2009; Dignan 2006; GKA 2006, 2008; Ignite Research 2006; Pleasence 2006; Pleasence et al. 2010; Schulman 2003, 2007).

Pleasence et al. (2004c) proposed that the incidence of different types of legal problems largely reflects the frequency of the 'defining circumstances' necessary for each type of problem to arise. For example, consumer transactions are prerequisites for consumer problems. Given that consumer transactions are routine activities for most people, the opportunity for consumer problems to occur is high. In contrast, infrequent legal problems, such as those related to immigration and mental health, arise from circumstances that the overwhelming majority of people in the population either do not experience or experience rarely.

Prevalence of multiple legal problems

Legal needs surveys have consistently found that some respondents do not experience any legal problems, while others experience multiple, severe legal problems. Typically, a minority of respondents appear to be particularly vulnerable. For example, the NSWLNS (Coumarelos et al.

2006) found that about one-third of respondents accounted for four-fifths of all the legal problems reported. Studies have also readily demonstrated an 'additive effect' of legal problems. That is, experiencing a legal problem increases the likelihood of experiencing an additional legal problem, with vulnerability continuing to increase as more problems are experienced (Currie 2007b; Gramatikov 2008; Pleasence 2006; Pleasence et al. 2004c). For example, Pleasence et al. (2004c) found that 46 per cent of the respondents who had experienced one legal problem reported a further problem, whereas 88 per cent of those who had experienced eight legal problems reported a further problem.

The types of legal problems that people experience in combination or in succession are not random. A number of recent studies have used hierarchical cluster analysis and factor analysis to explore the types of problems that tend to be experienced in combinations or 'clusters' (Coumarelos et al. 2006; Currie 2007b; Gramatikov 2008; Pleasence 2006; Pleasence et al. 2004c, 2010). The problem clusters obtained have not been identical across studies, as might be expected given differences in the populations studied and in the coverage, definition and grouping of different problems. Nonetheless, clusters of 'family' issues and clusters of 'economic' issues have usually emerged (Coumarelos et al. 2006; Currie 2007b; Pleasence 2006; Pleasence et al. 2004c, 2010). For example, analysis of the CSJS in the UK consistently resulted in family, economic and homelessness clusters (Pleasence 2006; Pleasence et al. 2010). The family cluster comprised divorce, domestic violence and relationship breakdown problems, while the economic cluster included consumer, employment, money/debt, neighbour, owned housing, personal injury and rented housing problems. Coumarelos et al. (2006) reported a family cluster, an economic cluster and a broad cluster. The family cluster comprised domestic violence, education, family law and human rights issues; the economic cluster comprised business and credit/debt issues; and the broad cluster comprised accident/injury, consumer, employment, general crime, government, housing and wills/estates issues.[11]

Pleasence et al. (2004c) proposed three different means by which co-occurring legal problems might be connected or related. First, the experience of one legal problem may directly cause or trigger other legal problems. Second, the defining circumstances required for various legal problems to arise may be identical or similar. For example, money transactions provide the opportunity for both consumer and credit/debt problems. Third, certain individuals may have characteristics that make them vulnerable to experiencing particular groups of legal problems, and, as has been noted, evidence indicates that disadvantage increases vulnerability.[12] Pleasence et al. also argued that coinciding legal problems may be connected in more than one of these three ways. However, it is worth noting that the co-occurrence of legal problems does not necessarily imply some sort of meaningful connection between problems. Legal problems may sometimes coincide by 'chance' — that is, without a connection due to trigger effects, defining circumstances or vulnerabilities. In particular, problem types that occur relatively frequently in the population (e.g. consumer, crime or housing problems) have more opportunity to coincide by chance.

The types of legal problems that tend to cause or trigger further legal problems have been examined in a few studies (Currie 2007b; Genn 1999; Pleasence 2006). Although the results across studies are not identical, relationship, injury and employment problems have tended to emerge as likely trigger problems. First, both Pleasence (2006) and Currie (2007b) suggested that family relationship problems can act as triggers. Pleasence (2006) conducted analyses to determine which types of legal problems tended to occur earlier in sequences of problems. Problems concerning divorce, domestic violence and relationship breakdown were significantly more likely to predate other

[11] Although Dignan (2006) did not conduct cluster analyses, he found that family-related issues were the problem types that were most frequently reported to be linked to some other problem.

[12] See the 'Vulnerability to legal problems: Vulnerability and disadvantage' section later in this chapter.

problems, such as children's education, consumer, money/debt and rented housing problems. Currie (2007b) asked respondents who reported multiple legal problems whether one problem had caused or contributed to the others. Relationship breakdown was one of several problem types that acted as a trigger and appeared to trigger debt, legal action and other family problems. Pleasence (2006) argued that it is not surprising that divorce, domestic violence and separation can trigger further problems, given that they can lead to substantial life changes. For example, they may lead to financial hardship, less suitable accommodation, difficulties in maintaining employment as a single parent and dependence on maintenance, child support and welfare benefits.

Second, the results of Genn (1999), Pleasence (2006) and Currie (2007b) indicated that injury and employment problems often trigger financial problems, and that the trigger effect of injury problems may partly result from their impact on employment. Genn (1999) documented how personal injury and work-related ill health can lead to employment problems, which in turn can lead to problems related to welfare benefits and debt. Pleasence (2006) found that personal injury was significantly more likely to occur first rather than last in a sequence of legal problems. Currie's (2007b) respondents reported that employment problems triggered consumer and debt problems, while personal injury problems triggered debt and employment problems. Pleasence (2006) suggested that such findings reflect the financial hardship that can result from unemployment. He noted that other problem types that can cause unemployment, such as clinical negligence, immigration and mental health, might also be expected to trigger problems related to debt and welfare benefits.[13]

Prevalence and policy

The ubiquity of legal problems across studies has led researchers to stress the importance of access to justice and the utility of adequate legal service infrastructure to facilitate the effective resolution of legal problems (e.g. Coumarelos et al. 2006; Currie 2007b; Genn 1999; Pleasence 2006; Sandefur 2008, 2009).

The key finding that legal problems often cluster together highlights the critical role that could be played by early intervention. An unresolved legal problem can trigger further legal problems, resulting in the experience of multiple simultaneous or sequential problems. Thus, early intervention strategies could be used to resolve legal problems before they reach crisis point, by minimising escalation, preventing flow-on effects and reducing the need for expensive court resolution (Coumarelos et al. 2006; Currie 2007b; Genn 1999; Macdonald 2005; Pleasence 2006).

The clustering of legal problems also suggests that it will sometimes be inadequate to deal with each legal problem in seclusion, without addressing interconnected legal issues in a more holistic fashion. This suggestion is somewhat at odds with the existing legal service practice in a number of jurisdictions. Currently, legal service delivery is often 'siloed' by the type of legal matter, largely because the complexity of the law has inevitably resulted in a degree of specialisation among legal practitioners (American Bar Association Standing Committee on the Delivery of Legal Services (ABA SCDLS) 2002; Coumarelos et al. 2006; Forell et al. 2005; Noone 2009; Queensland Public Interest Law Clearing House 2009; Trebilcock 2008). The value of a more holistic approach to legal services is therefore indicated to better handle interrelated legal problems. Such an approach might involve improved referral systems or more coordinated, client-focused or case management approaches across legal services (Coumarelos et al. 2006; Forell et al. 2005).

[13] He observed a non-significant tendency for clinical negligence, immigration and mental health problems to precede other legal problems, and he suggested that the failure to reach significance may have been due to small numbers.

Vulnerability to legal problems

Legal needs surveys have repeatedly shown that some individuals are far more vulnerable to experiencing legal problems than others (Coumarelos et al. 2006; Currie 2007b; Pleasence 2006; Pleasence et al. 2008). Vulnerability to legal problems has consistently been linked to various demographic characteristics of respondents, including characteristics related to socioeconomic disadvantage.

Pleasence (2006) argued that demographic factors drive vulnerability to legal problems in a number of ways. First, age drives a 'stages of life' effect, whereby different types of problems tend to be experienced at different ages or life stages. Second, various demographic attributes are directly related to the defining circumstances necessary to experience certain problems. For example, parents have far greater opportunity than others to be affected by problems related to children. Third, some people have demographic characteristics that serve to increase their vulnerability to a wide range of legal problems above and beyond the necessary defining circumstances. In particular, people who experience multiple types of socioeconomic disadvantage, such as lone parents and people with a disability, appear to be especially vulnerable (Dignan 2006; Pleasence 2006).[14]

Despite the heightened vulnerability of disadvantaged groups, the evidence indicates that legal problems are not the exclusive domain of the disadvantaged. More affluent groups can also sometimes experience multiple, severe legal problems.

Below is a summary of the demographic variation in the experience of legal problems, including variation according to disadvantage. There can be considerable overlap between different indicators of disadvantage, with some people being considered disadvantaged according to multiple indicators. As a result, it can be difficult to separate out the effects of different indicators of disadvantage on vulnerability.[15] Regression analyses have the advantage that they can isolate the effects of individual demographic factors. They can determine which demographic factors are significant independent predictors of legal problem prevalence once the relationships between these demographic factors have been considered.[16] Regression analyses have been conducted in Australia (Coumarelos et al. 2006), Canada (Currie 2007b), China (Michelson 2007a), the Netherlands (van Velthoven & Klein Haarhuis 2010; van Velthoven & ter Voert 2004), New Jersey in the US (LSNJ 2009; Miller & Srivastava 2002), Northern Ireland (Dignan 2006) and the UK (Genn 1999; Genn & Paterson 2001; Pleasence 2006). Given their greater utility, findings based on regression analyses are noted in the summary below.

Vulnerability and age

Invariably, regressions and other analyses have revealed that age is significantly related to the overall prevalence of legal problems and to the prevalence of particular types of legal problems. It has been argued that people's life circumstances tend to change as they age and progress through different life stages, and that, as a result, their exposure to the defining circumstances necessary to experience particular types of problems also changes (e.g. Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Pleasence 2006; van Velthoven & ter Voert 2004). Economic, family and social circumstances all tend to change with age. Typically, younger or middle-aged people have the highest overall

[14] As argued by Pleasence (2006), in addition to being driven by sociodemographic characteristics, patterns of vulnerability may be driven by people's physical make-up, experience, resources and disposition.

[15] An observed relationship between vulnerability and one indicator of disadvantage may be driven by a second indicator. Take the hypothetical case where unemployment increases vulnerability but low income does not. A relationship between low income and vulnerability may be observed simply because many people in the low-income group are also unemployed.

[16] Regressions can be conducted as multivariate analyses that examine the relationship of an outcome variable to multiple predictor variables. Bivariate analyses examine the direct relationship between two variables (see Chapter 2, 'Data analysis' section).

prevalence rates, and older people have the lowest (Buck et al. 2005; Coumarelos et al. 2006; CSRA 2003; Currie 2007b; Dignan 2006; GKA 2006, 2008; LASNSC 2005; LSNJ 2009; Maxwell et al. 1999; Miller & Srivastava 2002; Pleasence 2006; Pleasence et al. 2010; TALS 2004; van Velthoven & Klein Haarhuis 2010; van Velthoven & ter Voert 2004).

The different coverage of legal problems across studies means that it is difficult to make precise comparisons about the types of legal problems that peak at different ages. Nonetheless, some commonalities across studies can be discerned. First, frequent problems in the younger age groups spanning teens to early 20s include problems related to criminal activity, such as general crime, unfair treatment by police and police action; and housing problems, such as problems associated with rented housing (Coumarelos et al. 2006; Currie 2007b; Maxwell et al. 1999; Pleasence 2006). These findings have been argued to reflect younger people's lower levels of economic independence, lower standards of housing (e.g. higher rates of rented housing) and higher criminal offence and victimisation rates (Coumarelos et al. 2006; Pleasence 2006). A few studies have also found that accidents and personal injury problems are common in the younger age groups and may reflect high rates of risk-taking behaviour (Coumarelos et al. 2006; Currie 2007b; Dignan 2006).

Second, in the late 20s and early 30s, high rates of legal problems related to credit/debt and money have usually been reported. These findings have been argued to echo increasing personal expenditure and use of debt as people become more economically independent and commence acquiring major assets, such as motor vehicles and houses (Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Pleasence 2006).

Third, family-related problems, such as divorce, relationship breakdown, problems ancillary to relationship breakdown and child-related problems, tend to be frequent in the late 30s to early 40s (Coumarelos et al. 2006; Dignan 2006; Pleasence 2006). Again, this finding appears to reflect changing life circumstances whereby, by this age, many people have chosen long-term partners and have dependent children.

Finally, most types of legal problems tend to decline after middle age (Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Pleasence 2006). However, a few studies have found that wills, estates and power of attorney issues tend to be common in the older age groups (Coumarelos et al. 2006; Currie 2007b; Maxwell et al. 1999).

Vulnerability and gender

Regression analyses have not typically revealed a link between gender and overall prevalence of legal problems (Coumarelos et al. 2006; Dignan 2006; LSNJ 2009; Miller & Srivastava 2002; Pleasence 2006; van Velthoven & Klein Haarhuis 2010; van Velthoven & ter Voert 2004). Occasionally, however, regression analyses have produced gender differences on some types of legal problems. For example, the NSWLNS found higher rates of accident/injury problems for males (Coumarelos et al. 2006). The CSJS showed higher rates of domestic violence and neighbour problems for females, and higher rates of employment problems, money/debt problems and unfair treatment by police for males (Pleasence 2006). Currie (2007b) found higher rates of family and relationship problems for females, and higher rates of problems related to debt, police action and threat of legal action for males.

Vulnerability and disadvantage

Recent legal needs surveys have amassed a substantial body of evidence indicating that socioeconomically disadvantaged groups have enhanced vulnerability to a large range of legal

problems. Both trends across studies and the results of regression analyses within individual studies support this notion.

An emerging trend across legal needs surveys is that prevalence rates tend to be higher in disadvantaged rather than in general population samples (Coumarelos et al. 2006). Prevalence rates in general population samples have ranged between approximately 20 and 50 per cent, with the majority being below 40 per cent (Dignan 2006; Genn 1999; Genn & Paterson 2001; Gramatikov 2008; HKDOJ 2008; Ignite Research 2006; Maxwell et al. 1999; Murayama 2007; Pleasence 2006). In contrast, prevalence rates considerably above 40 per cent have been more common in disadvantaged samples. In the US, 13 surveys focusing on low-income samples had prevalence rates between 33 and 87 per cent, with 11 of these rates being above 40 per cent, and six being above 60 per cent (AAJC 2009; ABA 1994; CSRA 2003; Dale 2009; GKA 2006, 2008; LASNSC 2005; LSNJ 2009; Miller & Srivastava 2002; Schulman 2003, 2007; TALS 2004; Task Force 2003). Two Australian surveys in disadvantaged areas also reported high prevalence rates of 67–69 per cent (Cass & Sackville 1975; Coumarelos et al. 2006).

This trend across studies provides suggestive but not conclusive proof that disadvantage increases vulnerability to legal problems. Other methodological differences between disadvantaged and general population surveys may also have contributed to this trend. For example, the higher prevalence of legal problems in the US surveys may be due to their capture of household problems, whereas most of the general population surveys captured problems experienced by individuals. Note, however, that the two Australian disadvantaged sample surveys assessed legal problems faced by individuals. Furthermore, the higher prevalence in disadvantaged samples cannot be attributed to the use of longer reference periods. Typically, the disadvantaged population surveys have used one-year periods, whereas the general population surveys have used periods of 3–5 years.[17]

One way to isolate the effects of disadvantaged versus general population samples is to employ otherwise identical methodology. Virtually identical methodology has been used in a few instances. First, in Canada, a slightly higher prevalence of legal problems was obtained when a low- to moderate-income sample was surveyed (48%) than when a general population sample was surveyed (45%; Currie 2005, 2007b). Using the CSJS in the UK, a dramatically higher prevalence rate (84%) was obtained for temporary accommodation residents than for the general population (33–36%; Pleasence 2006). In addition, although examining only disadvantaged samples, some of the US studies subdivided their samples based on income and found that the group on the lowest incomes had higher prevalence rates or a greater number of legal problems (CEALS 2001; Dale 2005, 2009; LSNJ 2009; Schulman 2003, 2007; Task Force 2003).[18]

The most compelling evidence of a link between socioeconomic disadvantage and vulnerability to legal problems comes from studies using regression analyses. As detailed below, these studies have typically found increased vulnerability for people with a disability, single parents, people living in impoverished housing, people on low incomes or welfare benefits, and unemployed people.

Disability status

Legal needs surveys have repeatedly found that people with a disability are not only more likely to experience legal problems but are, in fact, more vulnerable to a wide range of legal problems. For example, in Australia, regression analyses by Coumarelos et al. (2006) on the NSWLNS revealed

[17] The likely effects of other methodological differences (e.g. differences in coverage of legal problems, modes of data collection, jurisdictional factors and populational factors) are more difficult to predict.

[18] Note, however, that a few of the US studies reported similar prevalence rates for their low- and middle-income subgroups (GKA 2006, 2008; Miller & Srivastava 2002; TALS 2004).

that disability stood out as the indicator of disadvantage most consistently linked with increased vulnerability. Disability was linked to high overall prevalence rates and high rates of most problem types — namely, accident/injury, consumer, credit/debt, education, employment, family, general crime, government and housing problems.

Regression results on the CSJS in the UK have also shown that disability is related to increased rates of most legal problem types — namely, clinical negligence, consumer, discrimination, domestic violence, employment, mental health, money/debt, neighbour, owned housing, personal injury, relationship breakdown, rented housing, unfair treatment by police and welfare benefits (Buck et al. 2005; Pleasence 2006). Regression analyses in Canada have also found disability to be linked to increased rates of most problem types (Currie 2007a).

In Northern Ireland, other analyses have similarly revealed a link between disability and most types of legal problems (Dignan 2006). Descriptive results from some US surveys also showed higher prevalence for low-income respondents with a disability than for other low-income respondents (AAJC 2009; Dale 2000, 2005, 2007; LASNSC 2005; Task Force 2003).

The strong propensity for people with a disability to experience legal problems is consistent with the contention that these people constitute the most socially excluded of all disadvantaged groups and have restricted life opportunities in multiple life areas (Coumarelos & Wei 2009; Howard 1999; Pleasence 2006). For example, people with a disability are more likely to have low incomes, have low levels of educational attainment, be unemployed or experience disadvantage in the labour market, have poorer housing and be victims of crime (ABS 2004c; O'Grady et al. 2004; Pleasence 2006). They are also less likely to participate in various societal activities (ABS 2011e). In addition, a number of authors have argued that the link between disability and legal problems is likely to be bidirectional. Not only are people in this demographic group more likely to experience legal problems, but the wide range of legal problems they face may impact negatively on their lives and further entrench their social exclusion (Coumarelos et al. 2006; O'Grady et al. 2004; Pleasence 2006). The combined health and legal needs of people with a disability have led authors to propose that better coordination between legal and health services is likely to improve both health and justice outcomes for this demographic group (Balmer, Pleasence, Buck & Walker 2006; Coumarelos & Wei 2009; Pleasence et al. 2004c).

Family type

Regression analyses have found significant links between family type and the prevalence of a broad range of legal problems. Single-parent families appear to be particularly vulnerable to legal problems (e.g. Buck et al. 2004). However, the measure of family type has varied across studies, and only a few studies have examined single-parent families. Prevalence rates have variously been explored by marital status or the presence of dependent children.

Family types were categorised according to both marital/cohabiting status and the presence of children in the regression and other analyses conducted on CSJS data in the UK. Lone-parent families had the highest prevalence of legal problems, while childless families had the lowest. In addition, cohabitees had higher prevalence rates than married people, and the presence of children generally increased prevalence (Buck et al. 2004; Pleasence 2006; Pleasence et al. 2010). Furthermore, lone parents had increased rates of many problem types, including both problems typically affecting single people and problems typically affecting parents. They had high rates of problems regarding children, divorce and relationship breakdown, domestic violence, mental health, money/debt, neighbours and rented housing.

Similarly, regressions in Northern Ireland found that lone parents and divorced individuals had among the highest overall prevalence of legal problems. Additional analyses indicated that lone parents had elevated rates of a wide range of legal problems (Dignan 2006). In Canada, Currie's (2007b) regression results showed that lone parents had increased prevalence in most problem categories, including consumer, debt, discrimination, employment, family law, housing, police action and threat of legal action. The most problem-free respondents based on marital and family status were those without children.

In the Netherlands, regression analyses on legal problem prevalence examined marital status but not the presence of children. Those who were divorced or cohabiting had more problems than those who were widowed (van Velthoven & ter Voert 2004).

In New Jersey, marital status was not examined, but regression analysis revealed higher prevalence of legal problems for households with children (Miller & Srivastava 2002). Using descriptive data, some other US studies found higher prevalence for single-parent households or households with children (AAJC 2009; CSRA 2003; GKA 2006, 2008; LSNJ 2009; Schulman 2003; TALS 2004).

Lone parents often experience multiple types of disadvantage, such as poverty, poor housing and disability (Buck et al. 2004). Pleasence (2006) argued that the changes in personal circumstances that result from family breakdown, such as changes in family, economic and housing circumstances, can leave lone parents particularly vulnerable to a range of further problems which constitute elements of social exclusion. Meeting the legal needs of lone parents has been identified as a priority, given their heightened vulnerability to multiple disadvantage and multiple legal problems (Buck et al. 2004; Moorhead, Sefton & Douglas 2004).

Income and welfare benefits

The relationship between economic circumstances and the experience of legal problems has proven to be complex and, at first glance, far from clear-cut. High overall prevalence rates have been linked to both low and high income. Variation across studies in the measurement of economic circumstances (e.g. personal income, household income and receipt of welfare benefits) and the capture of legal problems further obfuscates the issue. Nonetheless, an emerging trend is that poorer people experience different types of legal problems from wealthier people. Wealthier people tend to experience problems reflecting greater opportunity for economic activity, due to higher levels of disposable income and assets, whereas poorer people tend to experience problems consistent with socioeconomic disadvantage (Buck et al. 2005; Coumarelos et al. 2006; Dignan 2006; Pleasence 2006).

In the Netherlands, using regression analysis, van Velthoven and Klein Haarhuis (2010) reported that both people on low incomes and people on high incomes experienced more legal problems than those on average incomes. Similarly, regression and other analyses on the CSJS in the UK found high overall prevalence rates for both the group with the highest incomes and the group with the lowest incomes, and also for those on welfare benefits (Pleasence 2006; Pleasence et al. 2010). High-income earners were more likely to report legal problems with clinical negligence, consumer issues, investment services and owned housing. Pleasence (2006) argued that these findings reflect a greater opportunity for investments, substantial assets and purchases of consumer goods and services. In contrast, low-income earners and welfare recipients tended to report legal problems with children's education, debt, homelessness, money management, unsatisfactory or rented housing, and welfare benefits. These types of legal problems are similar to those experienced by other disadvantaged groups, such as people with a disability and lone parents, and have been argued to reflect poorer

housing options and less economic independence (Buck et al. 2005; Pleasence 2006).[19] As noted further below, certain clusters of legal problems appear to be associated with social exclusion.

In Australia, regressions revealed that the high-income group had high prevalence of legal events overall and of accident/injury, consumer, general crime, housing and wills/estates events (Coumarelos et al. 2006). These findings were again argued to reflect high-income earners' greater levels of disposable income, assets and possessions. For example, the high rate of housing events largely reflected high rates of buying or selling a home. Similarly, the high rate of general crime events was consistent with owning valuables, because it was driven by being a victim of stolen or vandalised property.

In Canada and Northern Ireland, respondents on low incomes and welfare benefits were found to have high rates of a large number of legal problem types, and, again, many of these problem types appeared to reflect elements of socioeconomic disadvantage. In Canada, using regression analyses, Currie (2007b) found that low-income earners and welfare recipients had high prevalence of problems related to debt, discrimination, family issues, hospital treatment and release, housing, social services, and welfare and disability benefits. In Northern Ireland, using other analyses, Dignan (2006) reported that welfare recipients had high rates of problems related to discrimination, domestic violence, family and relationship matters, homelessness, mental health, neighbours, rented housing, treatment by police and welfare benefits. Welfare recipients also tended to have other 'markers' of disadvantage, such as lone parenthood or disability, and Dignan suggested that multiple sources of disadvantage can interact to increase vulnerability to legal problems.

A number of the US surveys of disadvantaged samples also noted differences in the types of legal problems experienced according to income, although these findings were not based on regressions. In particular, respondents on lower incomes more commonly reported problems related to employment, housing and welfare benefits (e.g. Dale 2009; GKA 2006, 2008; LSNJ 2009; Schulman 2003; TALS 2004).

Employment status

Employment status has usually been found to predict the prevalence of legal problems. However, similarly to income level, the direction of the relationship has varied, with higher overall rates of legal problems being linked sometimes to unemployment and sometimes to employment. Differences in the measurement of employment status across studies (e.g. long-term versus current unemployment) may, along with other methodological differences, contribute to the apparently inconsistent relationship with overall prevalence. Again, however, it appears that employed and unemployed individuals are likely to experience different types of problems.

Using regression, Dignan (2006) found that Northern Irish respondents who had never worked or had experienced long-standing unemployment reported lower overall rates of legal problems. Descriptive and regression results from a few US studies similarly indicated higher prevalence among employed people than among unemployed or retired people (GKA 2006; LSNJ 2009; Miller & Srivastava 2002; TALS 2004).

Conversely, Currie's (2005, 2007b) regression results showed that Canadians who were unemployed at the time of interview had higher rates of several types of legal problems, such as consumer, debt, disability, employment, housing, relationship breakdown and other family problems, and threatened

[19] Although, like high-income earners, welfare recipients had high rates of consumer problems, the latter group were more likely to experience consumer problems reflecting low-value purchases of basic items, such as food and small appliances (see Pleasence 2006).

legal action. Pleasence's (2006) regression analysis in the UK similarly indicated that unemployment increased the likelihood of experiencing some types of legal problems, such as problems related to crime victimisation, domestic violence, employment, money/debt, neighbours and rented housing. He noted that the problem types experienced by the unemployed are consistent with other research that has identified unemployment as an important driver of many aspects of social exclusion.

Housing

People's housing circumstances often reflect their economic circumstances and, hence, their levels of economic disadvantage (Pleasence 2006). The few legal needs surveys that have examined housing have generally found that poorer housing is linked to greater vulnerability to legal problems. Furthermore, as housing becomes more impoverished, respondents are more likely to report problems that are indicative of social exclusion (e.g. problems related to debt and welfare benefits) and less likely to report problems that are indicative of economic activity (e.g. consumer problems). For example, as noted earlier, the CSJS demonstrated much higher overall rates of legal problems for temporary accommodation residents than for the general UK population (Buck et al. 2005; Pleasence 2006). The temporary accommodation respondents were also found to have higher rates of many problem types, including problems related to discrimination, employment, immigration, rented housing and welfare benefits. However, they had lower levels of consumer problems, reflecting their substantially lower incomes and consumer activity.

Regression and other analyses on the general CSJS sample have consistently shown that both dwelling type and tenure type have a strong relationship with the experience of legal problems (Pleasence 2006). In terms of dwelling type, people living in high-density housing, such as flats, were more likely to report legal problems. Regarding tenure type, people living in rented housing had the highest overall prevalence rates, followed by people paying off a mortgage, with home owners having the lowest rates (Pleasence et al. 2010). In addition, different problem types were associated with different housing circumstances. For example, mortgagees and home owners had high rates of consumer problems, residents of high-density or rented housing had high rates of problems concerning debt, neighbours and welfare benefits, and public renters also had high rates of homelessness during the reference period. Again, it appeared that wealthier respondents experienced problems related to greater economic activity, whereas poorer respondents experienced problems reflecting social exclusion.

Similarly, in Northern Ireland, Dignan's (2006) regression results revealed that public and private renters had increased incidence of legal problems. In addition, both these demographic groups reported problems related to rented housing. However, while public renters also had high rates of neighbour problems, private renters had high rates of consumer and employment problems.

In New Jersey, using regression analyses, Miller and Srivastava (2002) found higher overall prevalence of legal problems for renters. Furthermore, descriptive data from some US surveys showed that people who are homeless or live in low-standard housing are more vulnerable to legal problems overall or to certain types of legal problems (CSRA 2003; Dale 2000, 2005, 2007; GKA 2006, 2008; LSNJ 2009).

Education

Legal needs surveys have typically found that people with high levels of education report high rates of legal problems overall or high rates of a number of legal problem types when compared to those with low levels of education. This finding has emerged from both regression analyses (Coumarelos et al. 2006; Currie 2007b; Pleasence 2006; van Velthoven & Klein Haarhuis 2010; van

Velthoven & ter Voert 2004) and other analyses (GKA 2006, 2008; LSNJ 2009; Maxwell et al. 1999). Interestingly, this finding is not in the expected direction, given that low education is an indicator of disadvantage, but other indicators of disadvantage are usually related to increased vulnerability to legal problems.

The simplest explanation is that the lower reporting rates by people with low education levels accurately reflect a lower actual incidence of legal problems. However, it has been proposed that the lower reporting rates may instead reflect underreporting of real incidence levels, which may be driven, for example, by a failure to recognise or admit to legal problems (Coumarelos et al. 2006; Currie 2007b). This second explanation is more consistent with the broader findings that disadvantaged groups tend to have increased prevalence rates. It is also in keeping with the contention that individuals must have basic legal knowledge or legal 'capability' to be able to recognise and resolve legal problems (e.g. Genn & Paterson 2001). Recent CSJS analyses have shown that less educated people are less knowledgeable about legal rights and processes, and are more likely to ignore their problems (Balmer et al. 2010; Buck, Pleasence & Balmer 2008). Thus, it is possible that a lack of legal knowledge among these people may hinder their ability to identify legal problems and lead them to underreport the legal problems they experience. The concept of legal capability is discussed in more depth later.

Ethnicity

Given that ethnic minorities are often disadvantaged, many legal needs surveys have examined the link between ethnicity and legal problems. However, a clear pattern across studies has not emerged, with some studies finding higher prevalence rates for ethnic minorities and some finding lower rates. The inconsistent relationship should not be too surprising, given the methodological differences between studies. First, and perhaps most obviously, studies in different countries have necessarily examined different ethnic groups, often characterised by distinct demographics, cultural backgrounds, attitudes, life experiences, life opportunities and levels of disadvantage. Second, ethnic groups have been identified by a variety of disparate measures, including country of birth, Indigenous status, main language and self-identification. Third, in some samples, the number of respondents in various ethnic groups may have been too small to produce reliable results. Fourth, the lower reporting rates by ethnic minorities in some studies may reflect a failure to recognise legal problems, due to a lack of legal knowledge, and may not accurately reflect prevalence.

According to regression analysis, although ethnicity was not related to the overall prevalence of legal problems in the UK, discrimination and immigration problems were more prevalent for Black and minority ethnic respondents than for White respondents (Pleasence 2006).

In Canada, Currie's (2007b) regression results showed that prevalence was related to a number of measures of ethnicity. Self-identified Aboriginal respondents had higher rates than non-Aboriginal respondents for nine legal problem types. Foreign-born respondents had higher rates of immigration and discrimination problems than Canadian-born respondents. Self-identified members of 'visible minority' groups had higher rates of 10 problem types. When compared to respondents whose main language was French, those whose main language was English had higher rates of 11 problem types. In addition, Black Canadians had higher rates of six problem types.

Based on regression and other analyses, several US surveys found higher overall prevalence of legal problems for various non-White groups, including African Americans, Native Americans, Latinos/Hispanics and non-English speakers (CSRA 2003; Dale 2000, 2005, 2007; GKA 2006; LASNSC 2005; LSNJ 2009; Miller & Srivastava 2002; Schulman 2003, 2007; TALS 2004).

In New Zealand, Maxwell et al. (1999) found that legal problem prevalence was related to country of birth and Indigenous status. Respondents born in New Zealand reported higher rates of most problem types compared to those born elsewhere. Maoris had higher rates of most problem types compared to other ethnic groups.

In Australia, regressions by Coumarelos et al. (2006) indicated that Indigenous respondents had similar overall rates of legal problems to non-Indigenous respondents but had higher rates of credit/debt, employment and family legal events.[20] In addition, respondents born in a non-English-speaking country had lower overall prevalence rates than those born in an English-speaking country. Coumarelos et al. suggested that the results for people born in a non-English-speaking country, like those for people with low education levels, may reflect a failure to recognise legal problems. They noted that qualitative studies have reported that ignorance about legal rights and resolution among migrant and non-English-speaking groups exacerbates the legal problems they experience (e.g. Australian Law Reform Commission (ALRC) 1992; Cass & Sackville 1975).

Crime victimisation status

Crime victimisation is another factor that has been linked to high overall rates of legal problems (Kemp, Pleasence & Balmer 2007; Pleasence 2006). Kemp et al. (2007) noted that a strong link between crime victimisation and social exclusion is well established and mirrors the link between civil legal problems and social exclusion. Socially excluded groups are not only at high risk of crime victimisation and civil legal problems, but also at high risk of experiencing multiple instances of both. Using regression analysis on CSJS data, Kemp et al. estimated that multiple crime victimisation increases the risk of civil legal problems by 192 per cent, while indicators of social exclusion, such as disability, lone parenthood, receipt of welfare benefits and very low income, increase the risk of civil legal problems by 60, 136, 39 and 30 per cent, respectively. They concluded that the overlap between crime victimisation, civil legal problems and social exclusion indicates that strategies aimed at preventing, resolving or mitigating any of these three issues are likely to have a broad impact on the other two issues as well. Hence, an integrated service approach in response to these issues was argued to be more beneficial than focusing on any of these issues in isolation.

Urban, rural and remote areas

Some studies have examined the association between legal problem prevalence and urbanisation or geographical location. A few studies using regression or other analyses have found higher prevalence rates in more urban areas (Dignan 2006; GKA 2006; Gramatikov 2008; Miller & Srivastava 2002). In contrast, one study reported higher rates for rural respondents than for regional respondents (LASNSC 2005). In China, Michelson (2007a) found regional differences in legal problem prevalence. He also found that the number and type of problems in each region reflected the region's economic and employment conditions. Maxwell et al. (1999) found that overall prevalence rates were not significantly different in rural and urban areas but found differences between rural and urban areas in the prevalence of particular problem types.

Vulnerability to multiple legal problems and disadvantage

The previous sections detailed the demographic factors that underlie whether or not legal problems are experienced. Additionally, a few studies have examined the demographic factors related to experiencing multiple or a greater number of legal problems. The evidence suggests that, as well as

[20] Indigenous respondents also had lower rates of wills/estates events. It was noted that the wills/estates events tended to indicate taking positive legal action to put one's affairs in order rather than constituting problems. Thus, it was argued that the lower rate of wills/estates events for Indigenous respondents was consistent with a higher level of unmet legal need.

being more likely to experience legal problems, disadvantaged demographic groups are especially prone to experiencing multiple legal problems. However, more affluent demographic groups can sometimes also experience multiple legal problems.

First, regression analyses have shown links between disadvantage and multiple legal problems. Pleasence (2006) found that the following indicators of disadvantage predicted multiple legal problems: disability, welfare benefits, lone parenthood, high-density housing, rented housing and low income. Being male and having a high income also predicted multiple problems in some cases. Pleasence et al. (2010) supplemented the regressions with descriptive data showing that disadvantaged groups were increasingly overrepresented as the number of problems increased. For example, lone parents accounted for six per cent of the respondents reporting one problem, but for 22 per cent of those reporting at least six problems. Similarly striking patterns were evident for other disadvantaged groups. Of the respondents who had at least six problems, over 40 per cent had a disability, over 60 per cent had a mental illness and over 50 per cent received welfare benefits. Currie's (2007b) regression analysis also revealed that disability and welfare benefits predicted multiple legal problems, and that these disadvantaged groups were increasingly overrepresented as the number of problems increased.[21]

Second, Pleasence (2006) and Currie (2007b) both reported that the groups that experienced multiple legal problems tended to experience problem types that are usually associated with social exclusion. Currie (2007b) argued that problems related to debt, disability pensions, housing and social assistance often indicate elements of social exclusion, reflecting a transition from self-sufficiency within mainstream society to dependency. These 'problems of social exclusion' were increasingly reported as the number of problems increased. For example, debt was reported by 20 per cent of all respondents, but by 79 per cent of those with at least six problems. Pleasence (2006) similarly found that vulnerability to legal problems related to relationship breakdown, homelessness, unfair police treatment, domestic violence and rented housing particularly increased as the number of problems increased.

Third, the demographic groups vulnerable to experiencing specific clusters of legal problems have been examined (Pleasence 2006; Pleasence, Balmer, Buck, O'Grady & Genn 2004b). As noted earlier, cluster analyses of CSJS data produced family, economic and homelessness clusters.[22] Regression results showed that disadvantaged groups were prone to experiencing multiple problems within each cluster. Specifically, lone parents, people with a disability and renters were particularly vulnerable to 'family cluster' problems. Welfare recipients, residents of high-density housing, people with a disability and low-income earners were particularly vulnerable to 'economic cluster' problems. Economically inactive respondents, welfare recipients, low-income earners, renters and people with a disability were particularly vulnerable to 'homelessness cluster' problems. Note that disability was associated with all three clusters, while low income and renting were each associated with two clusters. However, multiple problems were not solely confined to socially excluded groups. The most affluent groups had increased vulnerability to multiple problems in the family and economic clusters, and the clusters peaked at different ages.

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[21] According to bivariate analyses, a number of other disadvantaged groups were also more likely to experience multiple problems — namely, single parents, visible minority ethnic groups, Aboriginals, Black Canadians, unemployed people, people without university education and low-income earners. Younger people and people living outside Quebec were also more likely to experience multiple problems according to these analyses (Currie 2007b).

[22] The family cluster included divorce, domestic violence and relationship breakdown problems. The economic cluster included consumer, employment, money/debt, neighbours, owned and rented housing, personal injury and welfare benefits problems. The homelessness cluster included action against the respondent, homelessness and unfair police treatment.

Vulnerability and policy

The empirical evidence that social exclusion drives much of the experience of legal problems, including the experience of multiple, compounding legal problems, has led researchers to emphasise the importance of ensuring that legal services meet the needs of disadvantaged groups. In particular, the potential benefits of targeting the disadvantaged groups that are prone to multiple disadvantage and multiple legal problems, such as people with a disability, lone parents and people on welfare benefits, have been propounded. Furthermore, given their vulnerability to multiple legal problems, it has been argued that holistic, client-focused approaches to legal service provision for such disadvantaged groups are likely to have considerable value (e.g. Buck et al. 2005; Coumarelos et al. 2006; Currie 2007b; Forell et al. 2005; Maxwell et al. 1999; Pleasence 2006; Sandefur 2007, 2008).

Given that such disadvantaged or socially excluded groups can experience a broad range of non-legal problems in addition to their legal problems, a complete solution to their problems may require both legal assistance and broader non-legal support through other human services. Accordingly, the value of a coordinated response to the legal and non-legal needs of socially excluded groups is increasingly being proposed (Buck & Curran 2009; Buck, Smith, Sidaway & Scanlan 2010b; Coumarelos et al. 2006; Curran 2007; Forell et al. 2005; Forell & Gray 2009; Moorhead, Robinson & Matrix Research and Consultancy 2006; Noone 2007, 2009; Pleasence 2006). For example, the coordination, integration or co-location of legal services with other services, such as health, housing, financial, social, welfare, family and crime victim services, has been advocated (Buck et al. 2010b; Kemp et al. 2007; Moorhead et al. 2006; Pleasence 2006; Pleasence, Balmer & Buck 2007a; Pleasence, Balmer, Buck, Smith & Patel 2007b; Pleasence, Buck, Balmer & Williams 2007c).

In the UK, several initiatives have improved coordination between legal and other human services. These include co-locating citizens advice bureau services within health settings and setting up Community Legal Advice Centres (CLACs) and Networks (CLANs) to deliver integrated social welfare law services (Balmer et al. 2006; Legal Services Commission 2006; Pleasence 2006).[23] However, several challenges in implementing these initiatives suggested that successfully joining up services is a complex process requiring considerable planning, resources and support (Buck et al. 2010b; Buck, Smith, Sidaway & Balmer 2010a; Fox, Moorhead, Sefton & Wong 2010; Smith & Patel 2010).

In Australia, there has been only limited discussion about what joined-up or integrated legal services would entail (Noone 2007, 2009). Recently, the Council of Australian Governments' (COAG 2010) National Partnership Agreement on Legal Assistance Services proposed reforms to increase collaboration among legal services, and also between legal services and other services.

Promoting access to justice is therefore seen as one important route to tackling social exclusion (Pleasence 2006). Additionally, however, it has been argued that policies concerning access to justice need to be set out in a broader context than that of social exclusion. Despite the tight nexus between social exclusion and legal problems, the evidence also shows that legal problems are frequently encountered by people from all walks of life, including people of all ages and people from more affluent backgrounds. Thus, it has been argued that policies concerning access to justice must be broadly directed to enable all citizens to make effective use of the available legal remedies (Currie 2007b; Genn 1999; Pleasence 2006). For example, the age-related experience of legal

[23] The ongoing operation of CLACs and CLANs is uncertain, given the likely cut to legal aid spending as part of the recently proposed 23 per cent reduction in the annual budget for the Ministry of Justice by 2014–2015 (Ministry of Justice 2010).

problems suggests that there may be benefits to tailoring legal information, education and advice strategies for different age groups, so that the problems typically faced at various life stages can be resolved efficiently (Balmer et al. 2010; Coumarelos et al. 2006; Dignan 2006; Macdonald 2005; Pleasence 2006).

Adverse consequences of legal problems

Several legal needs surveys have examined the adverse consequences that legal problems can have on a range of economic, health and social circumstances. Adverse impacts are common and can be severe and debilitating. First, a number of surveys have included a broad-brush measure of problem severity and have found that many legal problems have a substantial negative impact on day-to-day life. For example, CSJS respondents spent all or most of their time worrying about almost 40 per cent of legal problems (Pleasence 2006). In Canada, almost 60 per cent of legal problems made daily life somewhat to extremely difficult (Currie 2007b). In Northern Ireland, 40 per cent of legal problems had a severe impact (Dignan 2006).

Second, surveys have explored whether legal problems result in a variety of specific adverse impacts on economic, health and social circumstances. A high percentage of problems resulted in at least one adverse impact, with percentages ranging from 38 in Canada to 52 in the UK (Currie 2007b; Dignan 2006; Pleasence 2006; Pleasence et al. 2010). Furthermore, respondents with multiple legal problems were more likely to experience adverse impacts (Currie 2007b). Although the specific types of adverse impacts measured across studies have varied, stress-related ill health is typically the most frequent adverse consequence (22–39%). Sizeable proportions of legal problems have also been reported to cause loss of confidence (12–32%), loss of income (13–26%), physical ill health (10–24%), relationship breakdown (4–16%), loss of employment (4–14%), moving home (4–10%) and violence (4–6%; Currie 2007b; Dignan 2006; Ignite Research 2006; Pleasence 2006; Pleasence et al. 2010). An in-depth qualitative and quantitative study that examined clients presenting at solicitors' firms and advice agencies similarly observed that legal problems caused or were accompanied by considerable stress, anxiety, physical and mental health problems, leaving clients with little energy for solving their legal problems (Moorhead et al. 2006).

Not surprisingly, some types of legal problems tend to be more severe than others and have more adverse impacts on a variety of life circumstances. For example, in the UK, approximately two-thirds or more of legal problems related to clinical negligence, domestic violence, employment, homelessness, mental health, personal injury and relationship breakdown led to at least one adverse consequence (Pleasence et al. 2010). In addition, discrimination, divorce, domestic violence, employment, homelessness and relationship breakdown tended to result in multiple impacts (Pleasence 2006; Pleasence et al. 2007b). In contrast, much lower proportions of consumer problems were found to result in adverse consequences across studies (Currie 2007b; Dignan 2006; Ignite Research 2006; Pleasence et al. 2010).

Pleasence and colleagues also examined the types of legal problems that are especially likely to cause specific adverse impacts. Physical ill health often stemmed from legal problems concerning clinical negligence, domestic violence, mental health and negligent accidents. Stress-related ill health often resulted from legal problems involving domestic violence, employment, homelessness, mental health and relationship breakdown (Pleasence, Balmer & Buck 2008; Pleasence et al. 2007a). In addition, an in-depth study on debt problems which used CSJS and qualitative data found that debt problems can cause a range of adverse impacts, including ill health, relationship breakdown and unemployment (Pleasence et al. 2007c).

Adverse consequences and disadvantage

Disadvantage appears to play a role not only in vulnerability to legal problems, but also in the likelihood that the legal problems experienced will have various adverse consequences. For example, using regression analyses, Currie (2007b) found that disability, unemployment, being on social assistance, having at least three children and being 45–64 years of age were associated with increased likelihood of adverse consequences.

Similarly, a link between disadvantage and the adverse impacts of legal problems has been reported by a few studies using CSJS data. First, using regression analyses, Pleasence and Balmer (2009) found that people with a mental illness were especially likely to report stress-related ill health as a result of their legal problems. They concluded that legal problems not only are associated with mental illness, but also can cause and exacerbate mental illness. Second, Sandefur's (2008) regression results showed that CSJS respondents with low socioeconomic status were more likely to experience multiple negative consequences as a result of money/debt and housing problems. Third, Balmer et al. (2010) found that many disadvantaged groups were overrepresented among those who lacked legal knowledge and failed to obtain advice for their legal problems and then suffered adverse consequences. These groups included lone parents, people with a disability, people with a mental illness, public renters, people with no academic qualifications, welfare recipients and low-income earners.

Adverse consequences and policy

Legal needs surveys have demonstrated that legal problems can change life circumstances dramatically. The adverse impacts of legal problems on a broad range of economic, health and social outcomes indicates that the link between disadvantage and legal problems is dynamic and bidirectional. That is, not only does socioeconomic disadvantage or social exclusion increase the likelihood of experiencing legal problems, but experiencing legal problems can create, perpetuate or further entrench social exclusion (Buck et al. 2005; Currie 2007b).

The finding that socially excluded groups not only experience more legal problems, but also experience more adverse consequences as a result of these problems further indicates that promoting access to justice is likely to have flow-on effects in tackling social exclusion (Pleasence 2006). This finding stresses the benefit of quick, effective and inexpensive means of resolving legal problems before they multiply, escalate and resonate throughout numerous life areas. Furthermore, it adds weight to the proposal that disadvantaged people tend to experience both legal and non-legal problems and, hence, may benefit from the joining up, integration or co-location of legal services with broader human services, such as health, housing, financial counselling, social, welfare, family and crime victim services (Kemp et al. 2007; Moorhead et al. 2006; Pleasence 2006; Pleasence et al. 2007a, 2007b, 2007c).

The considerable negative impacts that legal problems can have on people's personal circumstances have also been argued to translate to an enormous cost to society at large. In the UK, using CSJS data, the economic impact on health and other public services of the adverse consequences of legal problems was estimated to be at least £13 billion over a 3.5-year period and prompted the Lord Chancellor to state that solving people's legal problems must remain a priority across government (see Pleasence 2006, p. i).

Legal knowledge and capability

As already discussed, legal problems are common, everyday occurrences faced by people from all walks of life. The following sections describe what people do about their legal problems and what determines whether they achieve effective resolution.

Felstiner, Abel and Sarat's (1981) influential model of disputing behaviour proposes a few prerequisites before an individual will take action to try to resolve a legal problem. The individual must first recognise the situation as problematic (naming), must then attribute fault or responsibility to someone else (blaming) and must also be aware of a potential legal remedy and be prepared to seek such a remedy despite any perceived risks or negative consequences in doing so (claiming). Thus, the model implies that some legal awareness or legal knowledge is a prerequisite before an individual will attempt to resolve a legal problem. The model additionally implies that while some legal knowledge is necessary, it is not sufficient for action to occur. A myriad of factors may constrain or prevent action. Constraining factors may include shortcomings within the legal system that hinder access to legal information, advice or redress. Furthermore, constraining factors may include various personal characteristics or circumstances, such as social, economic and psychological factors.

There has been increasing interest in the personal characteristics or competencies necessary for an individual to resolve legal problems effectively — that is, in 'legal capability'. It has been argued that some people lack the capability to solve legal problems alone and may require broader non-legal support in addition to legal assistance in order to achieve legal resolution (Coumarelos et al. 2006; Forell et al. 2005; Genn & Paterson 2001; Mulherin & Coumarelos 2007; Pleasence 2006). The interest in legal capability predates Felstiner et al.'s (1981) model. Galanter (1976) argued that a person's lack of capability poses the most fundamental barrier to accessing justice. Several authors have delineated the types of competencies that constitute legal capability. These competencies tend to fall into three areas: knowledge, skills and psychological readiness (cf. Jones 2010).[24]

First, basic legal knowledge is proposed to be an essential component of legal capability. Individuals require a basic awareness of the role of the law in everyday solutions. They must have the rudimentary legal knowledge to recognise that their rights or entitlements may have been violated or that they may have a grievance or claim. They must also have sufficient knowledge to realise that there are potential legal solutions, to know when further information or assistance may be necessary and to know where to begin to obtain such assistance (cf. Felstiner et al. 1981; Galanter 1976; Genn & Paterson 2001; Jones 2010; Kirby 2011).

Second, beyond legal knowledge, people must have the necessary skills to pursue legal resolution effectively. At the most elementary level, they must have adequate literacy, language, communication and information-processing skills (Genn & Paterson 2001; Jones 2010; Kirby 2011; Nheu & McDonald 2010). Literacy, in particular, is seen as a vital capacity, without which understanding and invoking one's legal rights can be very limited (see Maddox 2008; Nussbaum 2000; Sen 2003). In addition, people must have 'functional literacy' — that is, the information-processing skills required to locate, understand and act on information or advice in a problem-solving or goal-oriented way (see Nheu & McDonald 2010). More specific skills may also at times be needed, such as the ability to make decisions, keep track of calls and correspondence or manage claims competently (Galanter 1976; Jones 2010).

[24] The notion of 'legal capability' is consistent with Sen's landmark 'capabilities' approach, which applies more broadly to all areas of human development and welfare (Nussbaum 2000, 2011; Sen 1999, 2010).

Third, legal capability requires the psychological readiness to act and persevere until legal resolution is achieved. For example, individuals must have attitudes such as confidence and determination, as well as emotional or psychic fortitude, to see problems through to satisfactory conclusions (Galanter 1976; Genn & Paterson 2001; Jones 2010).

As a step towards understanding and measuring legal capability, legal needs surveys have attempted to quantify the level of legal knowledge in the community by assessing respondents' legal awareness. Typically, the findings have indicated large gaps in the legal knowledge of the general public or of certain demographic groups. The US surveys consistently showed low levels of awareness of various aspects of the justice system among their disadvantaged respondents. Roughly one-fifth to one-half of respondents were aware of free legal services, and approximately one-tenth to one-half were aware of lawyer referral services (ABA 1994; LSC 2007, 2009). A number of US surveys also reported that many respondents did not realise they were eligible for free legal aid (36–80%; ABA 1994; LSC 2007, 2009). In Australia, the earlier survey by Cass and Sackville (1975) found widespread ignorance and confusion about eligibility for public legal services in the disadvantaged areas surveyed.

Gaps in legal knowledge have also been revealed by general population surveys. Fishwick (1992) found significant gaps in the general public's understanding of the law and legal services in NSW. In New Zealand, there was high awareness of legal aid (85%), but less awareness of community law centres (48%; Ignite Research 2006). In Japan, only 53 per cent of respondents with a legal problem were aware that the problem had a legal component (Murayama 2007). In Hong Kong, while there was high awareness of legal aid (81–85%), there was less awareness of arbitration and mediation services (50–51%; HKDOJ 2008). In the UK, around two-thirds of respondents who experienced a legal problem were unaware of their legal rights in relation to the problem, and a similar proportion were unaware of the formal legal processes available to deal with their problem (Balmer et al. 2010).

Legal capability and disadvantage

Qualitative and quantitative studies focusing on the legal needs of specific disadvantaged groups have demonstrated low levels of legal capability within these groups, including homeless people, people with a mental illness, prisoners, people with debt problems, marginalised youth and vulnerable workers (Buck, Tam & Fisher 2007; Casebourne, Regan, Neathey & Tuohy 2006; Day, Collard & Hay 2008; Forell et al. 2005; Grunseit, Forell & McCarron 2008; Karras, McCarron, Gray & Ardasinski 2006; Parle 2009). These studies have typically found poor knowledge within these disadvantaged groups about legal rights, legal remedies and the justice system. They have also identified a lack of the skills and psychological readiness required to achieve legal resolution. They revealed poor literacy, language or communication skills; feelings of despair, hopelessness or being overwhelmed; feelings of being unworthy or undeserving of justice; feelings of being afraid, intimidated by or distrustful of the legal system; more pressing basic needs (e.g. accommodation, food or financial needs); and ignoring problems until they reach crisis point.

Using CSJS data, the recent study by Balmer et al. (2010) provided quantitative evidence that disadvantaged groups have lower levels of legal knowledge than other sections of the community. In particular, low income, low levels of education, disability, mental illness and living in rented housing were all linked with less knowledge about legal rights and processes.

Poor literacy within disadvantaged groups is well established in the broader literature. For example, the 2006 Adult Literacy and Life Skills Survey found low literacy levels for a general population

sample in Australia, with even lower levels for disadvantaged groups (ABS 2008a). Almost half of the sample scored below the minimum literacy and numeracy standards necessary to meet the demands of everyday life, and around 70 per cent lacked the skills needed to solve non-routine problems. In addition, literacy levels were lower than average for younger and older people, the unemployed, people whose first language was not English, low-income earners and people with low education levels. These findings are in keeping with a recent qualitative study on law reform processes. This study concluded that disadvantaged groups have poor functional literacy — that is, low ability for using information in a goal-oriented way to solve problems (see Nheu & McDonald 2010).

Response to legal problems

Just as legal needs surveys have demonstrated diversity in people's experience of legal problems, they have also demonstrated diversity in people's responses to legal problems. Not everyone who experiences a legal problem takes action to resolve it. Those who take action use a variety of resolution strategies. Notably, only a minority of people seek advice from lawyers or use the formal litigation system. Many seek advice only from non-legal advisers, while others are capable of resolving their legal problems successfully on their own without professional advice. The evidence suggests that the choice of strategy used in response to a legal problem depends on both the nature of the problem and the characteristics of the respondent. Once again, disadvantage appears to play a role in what people elect to do about their legal problems. As detailed below, certain disadvantaged groups are more likely to ignore their legal problems and are less likely to seek advice (Coumarelos et al. 2006; Currie 2007b; Pleasence 2006).

Inaction

Legal needs surveys have repeatedly shown that ignoring legal problems is common, with typically between about one-tenth and one-third of legal problems resulting in no attempt at resolution (ABA 1994; Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Gramatikov 2008; Maxwell et al. 1999; Pleasence 2006; Pleasence et al. 2004c, 2010).[25] This level of inaction is not intrinsically a matter of concern. As noted earlier, inaction does not always constitute unmet legal need. While inaction signals the possible risk of unmet legal need, it can sometimes be apposite (Dignan 2006; Pleasence 2006). As inferred by Felstiner et al.'s (1981) influential model, seeking a remedy may sometimes be unwarranted, because the legal problem may be too trivial or may be the individual's own fault.

Surveys have examined the reasons why people do nothing to resolve legal problems. These reasons confirm that inaction is appropriate in some cases but reflects unmet legal need in others. Similarly, Balmer et al. (2010) made a distinction between informed and constrained inaction. The former means that the individual correctly decides that taking action is unnecessary, while the latter means that the individual wants to act but is constrained from acting by factors such as a lack of legal knowledge or capability. Across surveys, many of the common reasons for inaction suggest unmet legal need. For example, these reasons have included:

- unawareness or confusion about the legal nature of the problem, legal rights, legal services or possible legal solutions
- intimidation or insufficient power regarding legal processes or remedies

[25] As already noted, methodological factors (e.g. coverage of legal problems, triviality threshold and level of disadvantage in the sample) may have influenced the levels of inaction obtained. Note also that some US surveys reported the proportion of problems where a lawyer was not used but not the proportion of problems where no action at all was taken.

- concern about escalating the problem, such as becoming involved in acrimony, fearing repercussions or damaging the relationship with the other side
- concern about the personal or financial costs of taking action, such as taking too much time, being too stressful, being too embarrassing, being unable to afford it or not knowing about free legal services (e.g. AFLSE 2007; Cass & Sackville 1975; Consortium 1994; Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Fishwick 1992; Genn 1999; HKDOJ 2008; Ignite Research 2006; Maxwell et al. 1999; Pleasence 2006; Pleasence et al. 2004c; Rush 1999; Sandefur 2007; Schulman 2003; van Velthoven & ter Voert 2004).

Thus, these reasons indicate that taking action can be undermined both by gaps in people's legal knowledge and by limitations in their legal capability, due to psychological factors such as anxiety, embarrassment, fear and stress.

Other commonly cited reasons for inaction, if taken at face value, suggest that inaction may have been sensible and may not necessarily indicate unmet legal need:

- The problem was trivial or unimportant.
- Nothing could be done, or taking action would make no difference.
- There was no dispute, or the respondent was at fault.
- It was too early to act, or the problem was likely to be resolved without the respondent needing to do anything (e.g. Coumarelos et al. 2006; Consortium 1994; Currie 2007b; Dignan 2006; HKDOJ 2008; Ignite Research 2006; Maxwell et al. 1999; Pleasence 2006; Pleasence et al. 2004c; Schulman 2003; van Velthoven & ter Voert 2004).

Where such beliefs correctly mirror reality, inaction may be appropriate. Reasons such as 'nothing could be done' or 'it would make no difference' may sometimes accurately reflect failings within the justice system and institutions of remedy (see Genn 1999; Pleasence 2006; Sandefur 2009). However, a few authors have argued that such beliefs are ultimately based on the respondent's legal knowledge. Given that there appear to be extensive gaps in the general public's legal knowledge, lay judgements about the seriousness of problems, the possible legal solutions and the likely outcomes of certain resolution strategies will sometimes be erroneous (Balmer et al. 2010; Buck et al. 2008; Genn 1999; Pleasence 2006). Thus, legal needs surveys suggest that, while inaction in response to legal problems is not always a matter for concern, it is likely to be a matter of concern in many cases.

Action types

There has been considerable variation across surveys in their measurement of the responses to legal problems. Many surveys following Genn's (1999) approach have examined a broad range of actions, including consulting lawyers, consulting non-legal professionals, negotiating with the other side, using self-help guides and the internet, and consulting family and friends (Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Genn 1999; Genn & Paterson 2001; HKDOJ 2008; Murayama 2007; Pleasence 2006; Pleasence et al. 2010; van Velthoven & Klein Haarhuis 2010; van Velthoven & ter Voert 2004). These types of actions (or their absence) have often been grouped into three main action strategies for reporting purposes:

- seeking advice from professionals (whether legal or non-legal)
- handling the problem alone or without professional advice
- inaction or doing nothing.

In contrast, many of the early surveys, and some of the recent US surveys, focused virtually exclusively on the use of lawyers and the formal justice system (e.g. AAJC 2009; Cass & Sackville 1975; CSRA 2003; Curran 1977; Dale 2000, 2005, 2007, 2009; Fishwick 1992; LASNSC 2005; Rush 1999). While a number of the recent US surveys captured information on non-legal advisers, when compared to Genn's (1999) surveys they still retained a heavier focus on the use of traditional legal remedies (e.g. ABA 1994; AFLSE 2007; CEALS 2001; GKA 2006, 2008; LSNJ 2009; Miller & Srivastava 2002; Schulman 2003, 2007; TALS 2004; Task Force 2003).

Surveys following Genn's (1999) approach have emphatically demonstrated that people use a wide variety of actions to handle legal problems. First, significant proportions of people (e.g. 10–40%) handle the matter alone, without seeking expert advice, via actions such as negotiating with the other side or obtaining information from self-help guides, the internet, family and friends (Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Genn 1999; Genn & Paterson 2001; Pleasence 2006; Pleasence et al. 2010; van Velthoven & ter Voert 2004).

Second, although seeking expert advice is a frequent response, typically reported for around two-fifths to two-thirds of all legal problems, people by no means restrict themselves to advice from traditional legal practitioners. Instead, a wide variety of non-legal advisers are used, including dispute resolution and government bodies, trade unions, and health, welfare and financial professionals. Furthermore, the use of non-legal advisers is common and can be more frequent than the use of legal advisers. Surveys using Genn's (1999) approach have typically reported the use of legal advisers for no more than two-fifths of all problems, which usually translates to no more than about half of the cases involving external advice (Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Genn 1999; Genn & Paterson 2001; HKDOJ 2008; Pleasence 2006; Pleasence et al. 2010; van Velthoven & ter Voert 2004).[26]

The earlier surveys and the US surveys have also invariably confirmed that lawyers are used fairly rarely. Earlier Australian surveys found that respondents obtained legal advice for less than half of their legal problems (Cass & Sackville 1975; Fishwick 1992; Rush 1999). Similarly, the US surveys have typically reported that less than one-fifth of all legal problems experienced by low-income households led to the use of a lawyer, and the pattern was similar when only more severe problems were examined (LSC 2007, 2009).

Just as inaction is not intrinsically problematic, failure to seek advice in general or legal advice in particular also does not necessarily imply unmet legal need (Dignan 2006). Indeed, as will be discussed later, some people are able to achieve satisfactory resolution without legal advice. Nonetheless, the evidence suggests that failure to consult a legal adviser can sometimes result in unmet legal need. For instance, in some of the US studies, the reasons provided by respondents for failing to seek legal help confirmed a lack of awareness that their problem had a legal dimension, had a potential legal solution or could be addressed by legal aid (LSC 2009).

Response and different types of legal problems

Legal needs surveys have consistently revealed that, fittingly, the nature of a legal problem influences the type of response. First, the severity of the problem influences the response. As might be expected, more important or severe problems are less likely to be ignored and more likely to result in the use

[26] For example, in Scotland, Genn and Paterson (2001) found that a little over one-quarter of problems resulted in consulting a solicitor and represented almost one-half of problems involving some type of advice. In England and Wales, Pleasence (2006) found that 30 per cent of respondents who obtained advice consulted a solicitor. Dignan (2006) found that lawyers were used for 29 per cent of problems involving advice in Northern Ireland, which represented 17 per cent of all problems. In Australia, legal advisers were used for 26 per cent of the problems where respondents sought help (Coumarelos et al. 2006).

of legal advice (Currie 2007b; Dignan 2006; Genn 1999; Pleasence 2006; Pleasence et al. 2004c, 2010).

Second, studies have invariably found, via both regression and other analyses, that the type of response depends on the type of legal problem. Despite the differing coverage of legal problems and actions across studies, some commonalities have emerged. Most notably, family breakdown problems usually result in high rates of taking action, seeking advice or seeking legal advice (ABA 1994; Cass & Sackville 1975; Currie 2007b; Dale 2005, 2007; Dignan 2006; Genn 1999; LASNSC 2005; Pleasence 2006; Pleasence et al. 2010; Rush 1999; Schulman 2003, 2007; Task Force 2003).[27] Problems regarding conveyancing, clinical negligence, personal injury, and wills, estates or advance directives usually also result in high rates of taking action or seeking advice of some sort (Cass & Sackville 1975; Coumarelos et al. 2006; Currie 2007b; Fishwick 1992; Genn 1999; Pleasence 2006; Pleasence et al. 2010; Schulman 2003, 2007).[28] In contrast, high rates of inaction usually result from problems related to discrimination, human rights and unfair police action (Coumarelos et al. 2006; Currie 2007b; Fishwick 1992; Pleasence 2006; Pleasence et al. 2010). In addition, consumer problems tend to have lower rates of seeking advice and tend to result either in higher rates of inaction or in higher rates of handling the problem alone (Cass & Sackville 1975; Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Pleasence 2006; Pleasence et al. 2010).

Not all of the results regarding the link between the type of legal problem and strategy can easily be explained in terms of the severity of the problem. Rather, both problem severity and problem type appear to have an influence (Dignan 2006; Pleasence 2006). Pleasence (2006) argued that some legal problems with high levels of inaction, such as problems concerning discrimination, domestic violence, mental health and unfair police action, may reflect concerns about the consequences of taking action rather than a lack of seriousness. He noted that, strikingly, such problems reflect substantial imbalances in knowledge, standing and institutional support, or else reflect substantial interpersonal conflict.

Response, demographics and disadvantage

Several studies have used regression analyses to examine the link between demographic characteristics and response to legal problems. Comparisons between these studies are sometimes difficult to interpret, however, because they have contrasted different types of responses. Some of these studies have compared seeking advice to a category grouping all other responses (e.g. Coumarelos et al. 2006; Genn 1999; Genn & Paterson 2001). In contrast, the CSJS and Dutch studies firstly compared inaction to a category grouping all types of action and then also compared the two actions of seeking advice and handling the matter alone (Pleasence 2006; van Velthoven & ter Voert 2004). In Canada, Currie (2007b) examined five strategies: inaction due to unimportance, inaction for a reason, handling alone, non-legal advice and legal advice. In New Jersey, seeking assistance from a lawyer was compared to a category that included all other responses — namely, inaction, seeking assistance from a non-lawyer and handling the matter alone. The comparison was then repeated with the exclusion of inaction (LSNJ 2009; Miller & Srivastava 2002). The findings are outlined below.

[27] Using bivariate analyses, Coumarelos et al. (2006) found higher rates of seeking help for family than for civil and criminal law problems. However, using regression analyses, family problems did not result in significantly higher rates of seeking help.

[28] Pleasence (2006) found that personal injury problems resulted in high rates of inaction but, when action was taken, they resulted in higher rates of seeking advice than handling problems alone.

Response, age and gender

Typically, regression analyses have found that age predicts the response to legal problems. Middle-aged or somewhat older respondents are often reported to have the highest rates of taking action or seeking advice. In contrast, the younger respondents, and sometimes also the oldest respondents, are reported to have low rates of taking action or seeking advice (Coumarelos et al. 2006; Currie 2007b; Genn 1999; Pleasence 2006; van Velthoven & ter Voert 2004). Other types of analyses have further supported this relationship (Fishwick 1992; Ignite Research 2006).

While some regression analyses have found a relationship between gender and type of response (e.g. Genn 1999; Pleasence 2006; Pleasence et al. 2004c), others have not (e.g. Coumarelos et al. 2006; Currie 2007b; Genn & Paterson 2001; Miller & Srivastava 2002; van Velthoven & ter Voert 2004). The studies finding a relationship have reported higher rates of inaction or lower rates of seeking advice for males (Genn 1999; Pleasence 2006; Pleasence et al. 2004c). Similarly, other analyses have indicated that males are less likely to take action to handle legal problems (Fishwick 1992; Ignite Research 2006; Maxwell et al. 1999).

Response and disadvantage

There is considerable evidence that certain disadvantaged groups are more likely to ignore their legal problems than other sections of the community. First, lower rates of taking action, seeking advice or seeking legal advice more specifically have tended to emerge from disadvantaged populations than from general populations. For example, Hadfield (2010) provided a comparative assessment of legal needs surveys conducted in the US, the UK, Japan, the Netherlands and Slovakia. She noted that the low-income samples in the US had higher rates of inaction than the general population samples in the other countries. She also noted greater use of legal advisers in the UK than in the US. Hadfield argued that differences in legal environments may have contributed to these results, given that, for example, non-lawyers can provide legal advice in the UK and the Netherlands but not in the US. However, as detailed earlier, a variety of other differences between studies may also have affected the response rates, such as differences in the coverage of legal problems and actions. Thus, such a comparative analysis of surveys provides suggestive but not conclusive evidence that disadvantage increases inaction and reduces the use of legal advice.

Second, stronger evidence that socioeconomic disadvantage may influence response to legal problems has come from the CSJS in the UK, which used identical methodology to survey both a disadvantaged and a general population sample. A much higher rate of inaction was found for the disadvantaged sample (28%) than for the general population sample (10–19%; Pleasence et al. 2004c).

Third, regression analyses have provided evidence of a link between disadvantage and either inaction or failure to seek advice. In particular, such analyses have revealed that less educated respondents and ethnic minorities have higher rates of inaction or lower rates of seeking advice (Coumarelos et al. 2006; Currie 2007b; Genn 1999; LSNJ 2009; Pleasence 2006; Pleasence et al. 2004c; van Velthoven & ter Voert 2004). With regard to ethnicity, different studies have necessarily focused on different ethnic groups. For example, Coumarelos et al. (2006) found lower rates of seeking advice for Indigenous Australians. Currie (2007b) reported that foreign-born Canadians and members of visible minorities had higher rates of inaction. Pleasence et al. (2004c) found that Black and minority ethnic groups in the UK were less likely to take action. Studies using other analyses have also indicated that people with low levels of education and/or ethnic minorities are more likely to do nothing in response to their legal problems (Cass & Sackville 1975; Task Force 2003).

A few studies using regression analysis have found a link between employment status and response to legal problems. Genn and Paterson (2001) found that managers were more likely than others to seek advice. Pleasence et al. (2004c) found that the employed and self-employed were less likely to take action, but, when they did act, full-time employees were less likely to seek advice and the self-employed were most likely to seek advice. Currie (2007b) found that the employed and self-employed had higher rates of non-legal assistance, and that the unemployed had higher rates of inaction.

While other indicators of disadvantage have sometimes been linked to inaction or failure to seek advice for legal problems, these links have been less consistent. For example, the link between taking action and income has been inconsistent. Based on regression analyses, while Genn and Paterson (2001) found low rates of seeking advice among high-income earners and Pleasence (2006) found high rates of taking action among welfare recipients, others have found high rates of taking action or seeking advice among high-income earners (Genn 1999; van Velthoven & ter Voert 2004).

Regression and other analyses on CSJS data have also provided evidence that, when action is taken in response to legal problems, disadvantage influences the type of action taken. Disadvantaged groups are less likely to handle their problems alone and more likely to seek advice. Temporary accommodation residents, people with no academic qualifications, lone parents, public renters, people with a disability, people with a mental illness and people on welfare benefits were all found to have lower rates of handling their problems alone and higher rates of obtaining advice (Balmer et al. 2010; Pleasence 2006). Currie's (2007b) regression results similarly indicated that people with a disability and welfare recipients were more likely than other respondents to seek legal advice.

Response, legal capability and disadvantage

Legal knowledge appears to be an important determinant of whether action is taken to resolve legal problems. For example, Pleasence (2006) found higher rates of taking action among people who were aware of local advisers. Balmer et al. (2010) found that people who sought advice for legal problems were more likely to successfully obtain relevant advice if they had some knowledge of their legal rights.

People also appear to be predisposed to take certain types of action, and legal capability seems to be linked to these predispositions. For example, Genn and Paterson (2001) argued that people's capacity to tackle legal problems on their own varies considerably. Some people have the knowledge and self-confidence required to take action and solve their problems, while others are so traumatised by their problems that they are 'paralysed'. They noted that the people who were unable to take action had 'low levels of capability in terms of education, income, confidence, verbal skill, literacy skill and emotional fortitude' (p. 260). They suggested that such people can require considerable assistance to solve their problems.

Disadvantaged groups, in particular, appear to lack legal knowledge and have difficulty solving their legal problems without assistance. Balmer et al. (2010) showed that disadvantaged people who took action tended to seek advice. They argued that this tendency was due to a lack of capacity to solve legal problems without assistance, and they demonstrated that disadvantaged groups were underrepresented among those who had knowledge of their legal rights and handled their problems alone. They noted, however, that the greater number of severe problems faced by disadvantaged people may also contribute to their difficulty in solving problems alone.

There is evidence that unsuccessful strategies in response to legal problems can become entrenched, and that this entrenchment may be linked to poor legal capability. CSJS respondents tended to

use the same strategies that they had used in the past — those who took no action for one legal problem had an increased probability of taking no action for subsequent legal problems, while those who handled a legal problem alone were more likely to do so again (Buck et al. 2008; Pleasence 2006). The persistent use of a specific strategy is not problematic if good outcomes are achieved. Entrenched inaction, however, is of particular concern, as people may flounder with each new legal problem they encounter.

A focus group study suggested that entrenched inaction in low-income participants often resulted from a lack of psychological readiness to resolve legal problems. These respondents tended to explain their inaction in terms of shame and embarrassment, insufficient power, fear, gratitude and frustrated resignation (Sandefur 2007). These psychological barriers are similar to those identified by other qualitative studies with disadvantaged groups (Forell et al. 2005; Grunseit et al. 2008; Karras et al. 2006; Nheu & McDonald 2010). Sandefur (2007) noted that such obstacles can undermine the ability to confront the other party or seek assistance from a third party. In addition, failure to solve legal problems because of these obstacles tended to create pervasive, entrenched inaction for subsequent problems. For example, some people had learnt that trying to resolve legal problems is frustrating and, thus, were resigned to tolerating rather than solving new problems.

Sandefur (2007) and Balmer et al. (2010) have propounded that the demographic groups that repeatedly adopt poor strategies in response to legal problems must be empowered to adopt better strategies in the future. Balmer et al. proposed that public legal education initiatives have the potential to break entrenched maladaptive responses. They noted, however, that such initiatives must address the wider legal capabilities necessary for people to resolve legal problems, including basic literacy skills and other vulnerabilities.

Barriers to obtaining advice

Not everyone who seeks advice for a legal problem is successful in obtaining the advice they need. In the UK, one in seven or eight people who sought advice were not successful in obtaining it (Pleasence 2006). Furthermore, those who manage to obtain advice sometimes experience difficulties in doing so. Legal needs surveys have identified various types of barriers to obtaining advice or assistance. The precise barriers experienced are likely to be influenced by jurisdictional and populational factors, such as the available systems for legal redress and the capabilities of specific populations. Nonetheless, common barriers have related to the accessibility of legal services, the adequacy of the information obtained and the cost of legal services.

In particular, barriers to the accessibility of legal services have been widely reported. These have included difficulties related to getting though on the telephone, obtaining a suitable appointment, inconvenient opening hours, advisers taking too long to respond, a lack of local services and language barriers (Coumarelos et al. 2006; Genn 1999; Genn & Paterson 2001; Ignite Research 2006; Pleasence 2006).

The mode of service delivery can also be an important determinant of the accessibility of legal services, particularly for socially excluded groups. It has been argued that groups with low legal capability, such as those with complex problems or with language or communication difficulties, may require face-to-face advice, because they may have greater difficulty understanding phone advice and using the internet (Buck, Day, Collard, Smith & Patel 2009; Buck et al. 2007, 2008; Forell et al. 2005; Forell & Gray 2009; Genn & Paterson 2001; Giddings & Robertson 2001; Grunseit et al. 2008; Hunter, Banks & Giddings 2007; Karras et al. 2006; Moorhead, Sefton & Douglas 2004; Pearson & Davis 2002; Pleasence 2006; Scott & Sage 2001).

In addition, failing to obtain useful information has been commonly reported, such as the adviser being unable to provide any help or the information being insufficient, irrelevant, unclear or difficult to understand (Coumarelos et al. 2006; Dignan 2006; Ignite Research 2006; Pleasence 2006). In some cases, this finding may reflect inadequacies within certain legal services. However, it may also reflect limitations in people's legal capability, such as in their ability to understand advice, due to literacy, language or communication problems, or in their ability to choose an appropriate adviser for the problem at hand (Pleasence 2006). Analyses by Pleasence (2006), for example, indicated some difficulty in choosing an appropriate first adviser.

The cost of services has also been cited as a barrier to obtaining advice, specifically from private lawyers rather than other advisers (ABA 1994; AFLSE 2007; Coumarelos et al. 2006; Dale 2000, 2005, 2007; Genn 1999; Genn & Paterson 2001; LASNSC 2005; LSNJ 2009; Miller & Srivastava 2001; Schulman 2007; Task Force 2003). In addition, there has been some indication that cost may especially be a barrier to obtaining legal assistance for people in the middle-income range — that is, people who are neither eligible for legal aid nor able to afford costly legal fees. For example, the availability of free or low-cost public legal services has been found to increase the use of lawyers among people who are eligible for these services (see Currie 2007b; Genn 1999; Genn & Paterson 2001). However, low-income earners who fall outside the eligibility criteria are significantly less likely to use lawyers for the types of problems covered by legal aid (Pleasence 2011).

Thus, the barriers to obtaining advice for legal problems appear to reflect not only limitations in people's capability to handle legal problems, but also various structural limitations within legal services that restrict effective resolution.

Response and policy

The low level of legal knowledge within the general community demonstrates the vital need for improved public information and education about legal rights and redress (Balmer et al. 2010; Buck et al. 2008; Coumarelos et al. 2006; Genn 1999; Genn & Paterson 2001; Pleasence 2006). Poor legal knowledge often seems to constrain people from acting to resolve their legal problems. Genn (1999, p. 70), for example, noted that the reasons for failure to take action conveyed, on the whole, 'a rather negative and powerless quality'. Information and education are therefore necessary to motivate and empower people to take effective action to resolve legal problems (Coumarelos et al. 2006; Macdonald 2005; Pleasence 2006). Given that psychological factors such as fear, anxiety, stress, embarrassment and lack of confidence can constrain action, some people may require broader, non-legal support in order to resolve their legal problems (Buck et al. 2005, 2008; Coumarelos et al. 2006; Currie 2007b; Pleasence 2006; Sandefur 2007).

The evidence that disadvantaged groups are especially likely to lack legal capability stresses the potential benefits of targeting information, education and advice strategies to meet their specific legal needs (Balmer et al. 2010; Coumarelos et al. 2006; Pleasence 2006). Disadvantaged groups tend to have less legal knowledge, be more likely to ignore their legal problems and be less able to handle their problems without expert advice. Thus, disadvantaged groups are likely to benefit from legal information and education strategies that are specifically designed to direct them to appropriate legal advice services (Balmer et al. 2010). In addition, disadvantaged individuals who have multiple, complex legal problems and lack legal capability may require broader non-legal support services in order to achieve legal resolution successfully (Buck et al. 2005; Coumarelos et al. 2006; Forell et al. 2005; Pleasence 2006).

The widespread use of advisers outside the traditional legal sphere by people with legal problems has a number of major policy implications. First, a comprehensive view of legal resolution must extend

beyond traditional legal remedies to include all advisers routinely consulted about legal problems. Thus, public legal information and education programs should stress the many avenues that can be used to obtain justice, and that the use of lawyers and formal legal proceedings is often only a rare and last resort (Coumarelos et al. 2006; Macdonald 2005; Pleasence 2006).

Second, the routine use of non-legal professionals for legal problems indicates that they are ideally placed to notice or 'signpost' legal problems and to act as 'gateways' to legal services (Pleasence et al. 2004c). Non-legal professionals would not be expected to take on the role of lawyers. However, they could be better equipped to identify people who have legal problems and also to refer them to legal professionals or to provide them with basic legal information packages.

Third, the frequent use of non-legal advisers further strengthens the case for better coordinating legal services with other human services. Non-legal professionals are often the first and only professionals consulted by people with legal problems. Thus, the value of quick and effective referrals between legal and non-legal services has been emphasised (Clarke & Forell 2007; Coumarelos et al. 2006; Pleasence 2006; Pleasence et al. 2004c). Inappropriate referrals can result in 'referral fatigue', where people become increasingly more likely to ignore new referrals and to abandon the matter (Pleasence 2006). In addition, the use of clear, simple gateways to quality legal advice has been advocated (Clarke & Forell 2007; Coumarelos et al. 2006; Pleasence 2006). For example, Coumarelos et al. (2006) advocated raising awareness about useful first ports of call for legal advice, such as legal 'triage' services that provide an initial legal 'diagnosis' and appropriate referrals to specialist legal services.

The widely reported barriers to the accessibility of legal services indicate that expanding legal services to 'mirror' the behaviour of those who wish to use them is a continuing need (Pleasence 2006). Extension of operating hours, telephone, internet and outreach services, and services in appropriate languages have all been suggested (Buck et al. 2007, 2008; Coumarelos et al. 2006; Pleasence 2006). In addition, the indication that some disadvantaged groups may benefit more from face-to-face advice than from telephone advice or internet information needs to be considered when expanding services. Expansion of face-to-face services, such as physically locating services within easy reach or providing outreach services, may be critical for some disadvantaged groups (Buck et al. 2007, 2008; Forell et al. 2005; Forell & Gray 2009; Genn & Paterson 2001; Pleasence 2006).

Outcome of legal problems

Manner of finalisation

Legal needs surveys have persuasively shown that there is no 'rush to law' (ABA 1994; Genn 1999). Typically, under one-tenth of legal problems are finalised via formal court or tribunal proceedings. A similar minority of problems are finalised via formal dispute resolution, complaint or mediation processes (Consortium 1994; Coumarelos et al. 2006; Dignan 2006; Genn 1999; Genn & Paterson 2001; HKDOJ 2008; Ignite Research 2006; Maxwell et al. 1999; Murayama 2007; Pleasence 2006; van Velthoven & ter Voert 2004). Generally, the most common manner of finalisation is via agreement with the other party (Dignan 2006; Genn 1999; Genn & Paterson 2001; Ignite Research 2006; Maxwell et al. 1999; Pleasence 2006; van Velthoven & ter Voert 2004). Problems are also finalised via third-party intervention, by the problem resolving itself and by the respondent failing or ceasing to pursue the matter (Currie 2007b; Dignan 2006; Ignite Research 2006; Pleasence 2006).

The manner of finalisation depends on both the type of legal problem and the strategy adopted in response to the legal problem. In particular, family problems are relatively more likely to conclude

via formal legal proceedings, while consumer problems are relatively more likely to conclude via agreement (Dignan 2006; Genn 1999; Genn & Paterson 2001; Ignite Research 2006; Maxwell et al. 1999; Pleasence 2006; van Velthoven & ter Voert 2004).[29] Furthermore, problems involving advice have the highest rates of finalisation via formal legal proceedings, whereas problems handled alone have the highest rates of finalisation via agreement (Pleasence 2006). These findings may partly reflect the use of legal proceedings for more serious problems (Pleasence 2006). For example, family problems tend to be serious and often involve seeking advice, whereas consumer problems tend be less serious and are often handled without advice.

Finalisation rate

The duration of legal problems varies considerably, with some problems being finalised quickly and others enduring for many years. Pleasence et al. (2006) estimated that about half of all legal problems last less than three months, about one-fifth last more than one year, and a few per cent last five years or longer. Thus, surveys using short reference periods of one year are likely to capture a sizeable proportion of legal problems that are still ongoing at the time of interview.

Studies have varied considerably in their measurement of legal problem finalisation. While some studies have measured the duration of finalised problems, others have assessed the proportion of problems that were finalised or resolved at the time of interview. The definition of 'finalised' or 'resolved' problems has also varied. Resolved or finalised problems sometimes include abandoned problems (e.g. Coumarelos et al. 2006) and at other times exclude abandoned problems, including only problems where an outcome has been reached via agreement, adjudication or decision (e.g. Currie 2007b; Genn 1999; van Velthoven & ter Voert 2004).

The duration of legal problems or their finalisation rate has been related to the nature of the problem, its severity, the strategy used in response to the problem and various demographic characteristics.

Finalisation rate and different types of legal problems

A legal problem's severity influences how quickly it is finalised. Pleasence (2006) showed that several different measures of problem severity were related to problem duration. Problem type is another major determinant of problem duration, according to both regression and other analysis. In particular, family problems have been consistently found to have longer durations or lower finalisation rates (Coumarelos et al. 2006; Currie 2007b; Genn 1999; Ignite Research 2006; Pleasence 2006). Again, the severity of family problems may partly explain their persistence. A few studies have also found that problems regarding neighbours or welfare benefits have longer durations or lower finalisation rates (Currie 2007b; Dignan 2006; Genn 1999; Genn & Paterson 2001; Pleasence 2006).

Finalisation rate and strategy

The strategy used in response to a legal problem is another factor that is related to problem duration or finalisation rate. Regressions from a few studies showed lower resolution rates for legal problems where no action was taken (Coumarelos et al. 2006; Genn 1999).[30] These regressions also revealed higher resolution rates when respondents handled the legal problem alone than when they sought advice. Pleasence (2006) similarly found shorter durations for legal problems that were handled alone, without seeking advice. In addition, he found that legal problems endured for even longer when multiple advisers were used. It has been argued that this link between problem duration and strategy may reflect problem severity. People may handle legal problems alone when they are less

[29] Another consistent finding is that personal injury problems tend to be finalised as a result of the respondent failing to pursue the matter or deciding not to pursue the matter further (Dignan 2006; Pleasence 2006; van Velthoven & ter Voert 2004).

[30] Van Velthoven and ter Voert (2004) similarly reported lower resolution rates when no action was taken.

serious, less complex or easier to resolve, but seek advice for more serious problems that are complex and difficult to resolve (Coumarelos et al. 2006; Pleasence 2006). Consistent with this reasoning, Pleasence (2006) showed that when problems concerned money, the likelihood of seeking advice increased as the monetary amount increased.

Finalisation rate, demographics and disadvantage

A few regression analyses have shown a relationship between age and the finalisation or resolution rate of legal problems. Coumarelos et al. (2006) reported that 55–64 year olds had the lowest resolution rate in absolute terms, and Genn (1999) similarly found that respondents aged 45–54 or over 65 years had lower resolution rates.

Some studies have found a relationship between disadvantage and the resolution rate of legal problems. However, this relationship has not been heavily researched, and the results have been somewhat inconsistent. Genn's (1999) regression analysis indicated that low resolution rates were linked to low education levels and low income. Using other analyses, a few studies have similarly reported a relationship between low resolution rates and low education levels, low income, unpaid work or welfare benefits (Maxwell et al. 1999; van Velthoven & ter Voert 2004). In contrast, disability was the only indicator of disadvantage linked to low resolution rates in the regression by Coumarelos et al. (2006) and demographic factors did not predict resolution rates in the regression by Genn and Paterson (2001).[31] Thus, the link between disadvantage and legal problem resolution is less well established than the associations of disadvantage with legal problem prevalence and the strategies used in response to legal problems.

Satisfactory outcome

Surveys have used various measures to examine the outcomes of legal problems. Most US surveys and the recent Australian and Northern Ireland surveys examined respondents' satisfaction with the outcomes of legal problems (Coumarelos et al. 2006; Dignan 2006; LSC 2009). The UK and Dutch surveys asked whether respondents had secured their objectives, such as objectives related to money, property, employment, enforcing rights, punishing the other party and obtaining an apology from the other party (Genn 1999; Genn & Paterson 2001; Pleasence 2006; Pleasence et al. 2004c; van Velthoven & ter Voert 2004). The UK surveys also asked whether the outcomes were fair, as did the Canadian surveys (Currie 2007b; Genn 1999; Genn & Paterson 2001; Pleasence 2006). Survey measures of satisfactory outcomes rely on respondents' perceptions and may not always be accurate. Their accuracy depends on whether respondents have realistic expectations about the probable outcomes, based on their legal knowledge and the extent to which they are fully informed about their legal rights and the available remedies.

Most usually, surveys have reported that the majority of respondents perceive the outcomes of legal problems as being satisfactory (Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Genn 1999). However, some US surveys have reported that less than half of their disadvantaged respondents were satisfied with the outcomes of their legal problems (Dale 2005, 2007; GKA 2008; Task Force 2003).

Satisfactory outcome and different types of legal problems

Typically, the nature of the legal problem has been reported to influence the outcomes achieved (Coumarelos et al. 2006; Currie 2007b; Genn 1999; Genn & Paterson 2001). However, the specific types of legal problems associated with particular outcomes have been inconsistent across studies.

[31] However, Genn and Paterson (2001) noted that this regression result may have been due to the small numbers, given that bivariate analysis revealed a link between low educational attainment and low resolution.

In the UK, Genn (1999) and Genn and Paterson (2001) conducted regressions on both achieving objectives and perceived fairness of outcomes, with somewhat different results. Genn (1999) found that problem type strongly predicted achievement of objectives, but not perceived fairness of outcome. Divorce, employment, landlord and neighbours problems had lower rates of achieving objectives, while accidental injury, consumer, tribunal matters and work-related ill health had higher rates. Only employment problems were linked to (lower) perceived fairness. In contrast, Genn and Paterson (2001) found that problem type predicted perceived fairness of outcome, but not achievement of objectives. Divorce, employment, landlord and owned property problems had lower rates of perceived fairness, while consumer and neighbour problems had higher rates.

In Australia, a regression analysis by Coumarelos et al. (2006) revealed lower odds of satisfaction with outcomes for business, consumer, general crime and government problems, and higher odds for accident/injury and wills/estates problems.

Other analyses have also shown outcome to vary by the type of legal problem. In Canada, Currie (2007b) found lower rates of perceived fairness for the outcomes of discrimination and police action problems, and higher rates for debt, disability pension, immigration, powers of attorney, relationship breakdown, threat of legal action and wills problems. In New Zealand, Maxwell et al. (1999) found higher rates of satisfaction with the outcomes of property, separation/divorce and wills matters, and lower rates for debt problems. Some US surveys found higher rates of satisfaction with the outcomes of consumer, family and wills and estates problems, and lower rates for benefits, employment and immigration problems (ABA 1994; Dale 2005, 2007; GKA 2006, 2008; LSNJ 2009; Schulman 2003, 2007).

The variation between studies in the types of legal problems with satisfactory outcomes may partly be due to differences in the measurement of satisfactory outcomes and the coverage of different types of legal problems. Legal problem groupings may also be too broad to reveal reliable relationships.

Satisfactory outcome and strategy

There is considerable evidence that the strategy used in response to a legal problem influences the outcome. Studies have reported poorer outcomes when people take no action or fail to seek advice (ABA 1994; Coumarelos et al. 2006; Currie 2007b; Dale 2009; Dignan 2006; Maxwell et al. 1999; Miller & Srivastava 2002). For example, using regression analysis, Coumarelos et al. (2006) found the lowest rates of satisfaction with the outcomes of legal problems when respondents took no action (69%). They also found higher satisfaction with the outcomes when respondents handled the problem alone (85%) than when they sought help (81%). Pleasence (2006) similarly showed that different strategies in response to legal problems can produce different outcomes. Respondents who obtained advice or handled problems alone had higher rates of securing objectives than those who had tried but failed to obtain advice. Legal aid recipients were also more likely than others who obtained advice to secure their objectives in the 2001 CSJS, although this finding was not significant in 2004.

Regression analysis by Genn and Paterson (2001) found that the strategies used in response to legal problems were not related to the outcomes achieved.[32] However, Genn's (1999) regression findings showed that people who sought advice from a lawyer were more likely to perceive the outcomes of their legal problems as fair but less likely to achieve their objectives. Although Genn did not provide an explanation for this result, it is possible that legal problems taken to lawyers tend to be more serious, making it harder to meet objectives. Lawyers may also provide people with more realistic expectations about the likely outcome, resulting in higher levels of perceived fairness.

[32] The authors noted that the small sample size for Scotland may have contributed to fewer significant results for Scotland than for England and Wales.

Using other analyses, many of the US surveys also examined the relationship between the strategies adopted by respondents in response to legal problems and the outcomes they reported. Typically, respondents were more likely to report that the outcome was fair or that they were satisfied with the outcome when they consulted a lawyer than when they took another action or did nothing (e.g. ABA 1994; AFLSE 2007; CEALS 2001; Dale 2000, 2007, 2009; LSNJ 2009; Miller & Srivastava 2002). Some US studies have also found much higher rates of dissatisfaction with the outcome — more than double — when legal help was sought but not obtained (81%) as opposed to when legal help was actually obtained (35–39%; Dale 2005; Task Force 2003).

Satisfactory outcome, demographics and disadvantage

The few regression analyses that have examined the relationship of demographic factors to the outcomes of legal problems have produced inconsistent findings (Coumarelos et al. 2006; Genn 1999; Genn & Paterson 2001). Coumarelos et al. (2006) found that none of the demographic characteristics examined were significant predictors of satisfaction with the outcomes of legal problems, whereas the nature of the problem and the action strategy were both significant.

In the UK, Genn's (1999) regression results indicated that employment status, gender and income were related both to achieving objectives and to perceived fairness of outcomes, whereas age, education and social class were related only to achieving objectives. Furthermore, the direction of the relationship for gender was inconsistent, with women being less likely to achieve objectives but more likely to perceive outcomes as fair. The direction of the relationship for employment status was also inconsistent. Similar regressions by Genn and Paterson (2001) resulted in none of the demographic variables being significant.[33]

Using other types of analyses, a few US studies have found lower rates of satisfaction with the outcomes of legal problems for respondents on lower incomes (ABA 1994; LSNJ 2009).

Thus, the evidence suggests that the nature of legal problems and the strategies used in response to legal problems, rather than demographic characteristics or disadvantage, are the main determinants of the outcomes achieved for legal problems. Any variation in the outcomes of legal problems between demographic groups may largely be explained in terms of the nature of the legal problems they face (e.g. the severity of their problems) and their responses to these problems.

Outcome and legal capability

The recent analyses of CSJS data by Balmer et al. (2010) suggested that respondents' legal knowledge can influence the outcomes they achieve for their legal problems. For respondents who obtained advice, knowledge of legal rights made little difference to securing objectives. In contrast, for respondents who handled problems alone, legal knowledge resulted in securing objectives more often. A similar picture was apparent when respondents were asked whether they regretted the strategy they had adopted in response to legal problems. Again, a lack of legal knowledge made little difference to regret among those who had obtained advice but was linked to higher levels of regret among those who had handled problems alone, did nothing or tried but failed to obtain advice. Balmer et al. concluded that obtaining help from an adviser with suitable expertise negates the importance of individuals having legal knowledge themselves. However, people's legal knowledge appears to be a critical factor in determining the outcomes of legal problems for all other strategies, with far superior outcomes being achieved by respondents with legal knowledge in these cases.

[33] As noted earlier, the authors suggested that small numbers may have militated against significant findings.

Outcome and policy

The finding that ignoring legal problems results in poorer outcomes underlines the importance of empowering people to act to resolve their legal problems. This finding adds further weight to the argument that legal information and education strategies could play a critical role in mobilising people to resolve their legal problems, by helping them to identify their legal rights and to locate relevant advice services.

The finding that many people who handle their legal problems themselves achieve satisfactory outcomes suggests that promoting self-help legal strategies may be effective for some sections of the community. In fact, there has been a trend towards 'unbundling' legal services into discrete components so that clients can choose self-help strategies for tasks they can easily handle alone but still obtain legal assistance for other, more difficult tasks (cf. Giddings & Robertson 2003b). However, the evidence suggests that self-help strategies are not suitable in all situations. Their utility depends on both the nature of the legal tasks and the legal capability of the individual (cf. ABA SCDLS 2002; Balmer et al. 2010; Barendrecht 2011; Giddings & Robertson 2001, 2002, 2003a, 2003b; Hunter, Banks & Giddings 2007, 2009; Lawler, Giddings & Robertson 2009; MacDermott 2003; Shirvington 2003). Non-routine legal tasks involving the exercise of substantial discretions are not well suited to self-help (Barendrecht 2011; Giddings & Robertson 2003b; Lawler et al. 2009). Furthermore, it has been argued that self-help strategies should not be seen as stand-alone services that can universally replace other legal services and can always provide complete solutions. Rather, self-help may sometimes be more effective as a component of a suite of legal services or as a supplement to other legal services (see Giddings & Robertson 2001, 2003a; Hunter et al. 2009; Lawler et al. 2009).

Self-help strategies also appear to be more viable options for people with high levels of legal capability, such as more educated, articulate people. Disadvantaged people often fall outside this group (Balmer et al. 2010; Giddings & Robertson 2003b; Hunter et al. 2007, 2009; Lawler et al. 2009). In particular, self-help strategies may be ill-suited for people with poor legal knowledge, people with limited literacy, language and communication skills, and people with multiple or complex legal problems (Genn & Paterson 2001; Lawler et al. 2009; Scott 2000).

Nonetheless, given that people who handle legal problems alone achieve superior outcomes if they have good legal knowledge, the use of targeted initiatives to increase this capability within relevant groups has been proposed (Balmer et al. 2010). People with high legal capability may benefit from 'state-of-the-art' legal information and education initiatives which further enhance their ability to solve their problems alone (Balmer et al. 2010; Barendrecht 2011). However, such initiatives may be of little value to people with low legal capability. Initiatives that signpost advice services may be far more relevant for these people, especially given that expert advice appears to negate the effect of poor legal knowledge and may be critical for some low-skilled people (Balmer et al. 2010; Barendrecht 2011). Improved coordination among legal and non-legal services is also likely to assist people with capacity issues to locate relevant advice efficiently and avoid referral fatigue (Pleasence 2006).

Summary of legal needs survey findings

Legal needs surveys reveal that legal problems are widespread throughout society and can have dramatic adverse impacts on many aspects of daily life. Access to justice must therefore aim to enable all citizens to make effective use of the law.

The evidence also highlights the merits of a multifaceted approach to justice that can accommodate the considerable diversity in the experience, handling and outcome of legal problems. Disadvantaged or socially excluded groups appear to fare worst. Not only are they more vulnerable to experiencing multiple legal problems, they are also less likely to take action to resolve these problems, less capable of handling their problems alone and more likely to suffer a variety of adverse consequences that may further entrench their social exclusion. Thus, tailoring legal service provision to meet the legal needs of socially excluded groups is an important priority, and access to justice is likely to play a critical role in combating social exclusion. In contrast, educated, affluent individuals more often have sufficient legal capability to handle their legal problems successfully without recourse to expert advice. The legal capability of such people could be further enhanced through legal information, education and self-help initiatives.

Furthermore, the empirical evidence indicates the potential benefits of effective coordination among legal services and between legal services and other human services. Notably, socially excluded groups can struggle with numerous, intertwined legal and non-legal problems and, thus, may benefit from a holistic approach to resolution that tackles all the problems they face. In addition, the widespread use of non-legal advisers in response to legal problems throughout the broader community further strengthens the case for better coordination between legal and non-legal services, in order to prevent the escalation and multiplication of legal and other related problems.

Structure of present report

Chapter 2 provides the methodology for the present study, including the procedure for conducting the LAW Survey and the data analyses performed.

Chapters 3–8 present the results for NSW. They detail the prevalence of legal problems (Chapter 3), the nature of legal problems (Chapter 4), the strategies used in response to legal problems (Chapter 5), the use of legal and non-legal advisers (Chapter 6), the finalisation of legal problems (Chapter 7) and the outcome of legal problems (Chapter 8).

The results for NSW that are presented in Chapters 3–8 are interpreted further in Chapters 9 and 10. Chapter 9 compares the NSW results to the LAW Survey results for other jurisdictions and to international findings. Finally, Chapter 10 provides the implications of the LAW Survey results for improving access to justice in NSW and across Australia as a whole.

2. The present study

Aims

The present study aimed to examine legal need across Australia by assessing a broad range of legal problems in each state and territory via a large-scale telephone survey using a representative sample of the general population. It examined the nature of legal problems, the pathways to their resolution and the demographic groups that are particularly vulnerable to experiencing legal problems. The more specific aims of the present study were to assess, in Australia as a whole and in each state/territory separately, the following:

1. the prevalence of legal problems
2. the nature of legal problems
3. the strategies used in response to legal problems
4. the advice received for legal problems
5. the finalisation of legal problems
6. the outcome of legal problems
7. the factors that may influence each of the above.

In relation to aim 7, the influence of the following factors was examined:

- demographic characteristics (e.g. gender, age, Indigenous status, disability status, education, employment status, family status, housing type, main income, main language and remoteness of residential area[1])
- characteristics of legal problems (e.g. type, recency and severity of problems).

By addressing the above aims, the main objective of the present study was to provide valuable evidence-based data to inform debate and policy directions concerning legal service provision and access to justice in Australia.

Definitions

Legal need and access to justice

Like the NSWLNS by Coumarelos et al. (2006), the LAW Survey adopted Genn's (1999) broad approach to legal needs research. First, the present study used Genn's justiciable problem approach of defining legal problems broadly to include all situations where there is the *potential* for legal resolution, regardless of whether the respondent recognises that the problem is 'legal' or whether legal resolution is actively sought. Thus, legal need was broadly defined as arising whenever a problem with a potential for legal resolution was experienced, and continuing until that problem was satisfactorily resolved. Second, the current study adopted a broad definition of access to justice that encompasses a wide range of legal and non-legal pathways to resolving legal problems — for example:

- information, advice, assistance or legal representation from a legal professional (e.g. private lawyer or Legal Aid, CLC or other lawyer)

[1] Given that the ACT almost exclusively comprises major city areas, remoteness of residential area was not examined in the ACT.

- information, advice, assistance, support or advocacy from a non-legal professional (e.g. government, complaint-handling, trade union, medical, health, welfare, financial or community worker)
- websites or self-help guides
- informal advice from relatives or friends
- communication with the other side
- court or tribunal proceedings
- formal dispute resolution.

Socioeconomic disadvantage

The LAW Survey adopted a broad definition of socioeconomic disadvantage, employing multiple indicators of disadvantage. The selected indicators have been used frequently in the broader literature and have typically been linked to the experience of legal problems in past legal needs surveys. The survey examined the following indicators of disadvantage: Indigenous background, disability, low education levels, unemployment, single parenthood, disadvantaged housing, government payments as the main source of income, non-English main language and living in remote areas. Further details of the indicators of disadvantage are provided in the 'Data analysis' section of this chapter.

Method

Survey design

A copy of the survey instrument and a glossary of the terms used are presented in Appendix A1. The LAW Survey instrument was based on a revised version of the NSWLNS (Coumarelos et al. 2006).

Justiciable problem approach

Consistent with Genn's (1999) justiciable problem approach, identification of the legal problems experienced by respondents did not require legal knowledge. The problems were presented in some detail, so that respondents could say if they had experienced these problems without being required to assess whether the problems had legal aspects or remedies. For example, rather than being asked whether they had experienced a family law problem, respondents were asked more specific questions, such as whether they had experienced any problems with residence or contact arrangements for their children. Thus, the present study minimised underreporting of legal problems by capturing problems that the respondent might not have realised were legal in nature.

For simplicity, the term 'legal problems' rather than 'justiciable problems' was adopted in the present report. The survey included as legal problems:

- events that are generally considered to be legal problems or disputes (e.g. child support and custody issues, criminal charges)
- problems or disputes that potentially have legal implications or remedies but may not always be recognised as such (e.g. inadequate medical treatment, disputes with neighbours).

Reference period

Surveys adopting Genn's (1999) approach have often used reference periods of 3–5 years. The present survey, like the NSWLNS (Coumarelos et al. 2006), adopted a shorter reference period of one year to maximise accurate recall of legal problems. The LAW Survey examined legal problems that

began in or continued into the 12-month period prior to interview. Thus, it measured the prevalence of legal problems rather than the incidence of new legal problems, allowing for the exploration of potentially serious, complex problems that were still ongoing after many years.

Triviality threshold

To provide a comprehensive picture of legal need, the survey did not adopt a triviality threshold based on problem severity. Departing from Genn's (1999) triviality threshold, problems of all levels of severity were captured, regardless of whether they were 'difficult to solve' or 'warranted action'. When respondents reported experiencing a specific type of legal problem, they were asked to rate the problem's severity, and these severity ratings were explored in various analyses.

Unlike the NSWLNS (Coumarelos et al. 2006), the LAW Survey captured only legal events that were considered to be 'problems or disputes' and excluded events that might have legal implications but were not 'problematic' (e.g. buying or selling a house without complications or making a will without any problems).[2] The inclusion of non-problematic legal events may overestimate legal need. Thus, the LAW Survey is likely to have provided a more accurate measure of legal need.

Classification of legal problems

To obtain a comprehensive picture of legal need, the present study examined a broad range of legal problems covered by civil, criminal and family law. Overall, respondents were asked about 129 specific types of legal problems (see Appendix Table A2.1 for full details). As summarised below, these 129 specific types of legal problems were categorised into 12 problem groups and 27 problem subgroups,[3] and included problems or disputes regarding:

1. **accidents**
2. **consumer**
   - *goods*
   - *services*
3. **credit/debt**
4. **crime**
   - *crime offender*
   - *crime victim*
5. **employment**
6. **family**
   - *children*
   - *relationships*
7. **government**
   - *fines*
   - *government payments*
   - *local government*
   - *state/federal government*

[2] The LAW Survey used standardised wording so that non-problematic events were unlikely to be captured. It systematically asked 'Have you had any problems or disputes [related to] …' For example, the LAW Survey asked 'Have you had any problems or disputes over a will or deceased estate?' whereas the NSWLNS asked 'Have you made or altered a will?'

[3] The problem groups are presented in bold, and the problem subgroups are presented in italics. The accidents, credit/debt, employment and personal injury problem groups do not have any problem subgroups. In analyses based on problem subgroups, each of these problem groups was treated as a separate subgroup.

8. **health**
    - *clinical negligence*
    - *health services*
    - *mental health*
9. **housing**
    - *neighbours*
    - *owned housing*
    - *rented housing*
    - *other housing*
10. **money**
    - *business/investment*
    - *wills/estates*
11. **personal injury**
12. **rights**
    - *discrimination (outside work)*
    - *education*
    - *unfair treatment by police*
    - *other civil.*

Survey instrument

The LAW Survey instrument was divided into five sections.[4] The first section, entitled 'Introduction and screening' (see Appendix A1, questions S1–S9), covered:

- the purpose of the survey
- the voluntary and confidential nature of the survey
- the demographic characteristics used as eligibility criteria for participation (i.e. gender, age, postcode of residence, Indigenous status and languages spoken).

The second section, 'Demographics' (see Appendix A1, questions D1–D18), captured demographic information on family structure, housing, business, disability, employment and government payments. This information was used to determine whether each respondent had the potential to experience certain legal problems, given their life circumstances during the reference period, so they could be filtered to the relevant legal problem questions. For example, only respondents who had been tenants were asked whether they had experienced legal problems with rented accommodation.

The third section, 'Problems or disputes' (see Appendix A1, questions P1–P40), captured each specific type of legal problem experienced by the respondent that had started during or continued into the previous 12 months.[5] For each specific type of legal problem, the following was also captured:

- the frequency of that type of problem in the previous 12 months
- the severity of that type of problem in terms of its impact on the respondent's everyday life.[6]

[4] Note that questions D13, D21–D23 and P39 do not appear in the final version of the survey instrument. These questions were removed during the early stages of fieldwork.

[5] Note that this section on problems or disputes also included one demographic question, D19, which asked about separation from a partner other than a spouse. This demographic question was asked immediately after the problem question, P29, which asked about the related issue of divorce or separation from a spouse (see Appendix A1).

[6] When respondents reported two or more instances of the same specific type of legal problem, they were asked to rate the severity of only the worst instance of these problems.

The fourth section of the questionnaire, 'Action and outcome' (see Appendix A1, questions A1–A37), involved the in-depth follow-up of a selected pool of legal problems. This pool comprised up to three of the 'most serious' legal problems experienced by each respondent and was determined as follows. Respondents who had experienced legal problems were asked to order the different specific types of legal problems they had experienced in terms of seriousness, and to identify the worst instance of each specific type. The worst instance of each of the three most serious specific types of legal problems was then followed up in depth. Respondents who had experienced fewer than three specific types of legal problems were asked about only the worst instance of each type and, thus, were asked about only one or two legal problems.[7]

For each of the legal problems selected for in-depth examination, the 'Action and outcome' section captured information on:

- the nature of the problem
- the adverse consequences caused by the problem
- the types of actions taken and the reasons for not taking action
- the advisers used
- the most useful adviser, such as adviser type, helpfulness, mode of communication and any barriers to obtaining advice
- the finalisation of the problem, including manner of finalisation and outcome.

Respondents' awareness of free legal services was also captured in this section (see Appendix A1, questions D24–D25).

The final section, 'Demographics 2' (see Appendix A1, questions D26–D31), captured further demographic information that was not examined in earlier sections because it was not required to determine eligibility or filtering. This section captured education, income and out-of-home care.

Differences between the LAW Survey and the NSWLNS

While the current survey built on the NSWLNS (Coumarelos et al. 2006), there were important differences between the survey instruments. First, the LAW Survey improved the capture of demographic information, by refining existing questions or including new questions on:

- languages spoken and the main language spoken at home
- family status
- income
- housing type, including public renting
- severity of any disability experienced
- out-of-home care
- awareness of free legal services.

Second, the LAW Survey improved the coverage of legal problems, by revising and updating the classification used in the NSWLNS (cf. Appendix Table A2.1 in the present report to Appendix Table B1, p. 279, in Coumarelos et al. 2006). The LAW Survey also improved the measurement of legal problems, because, unlike the earlier survey, it:

[7] Respondents were asked about 129 specific types of legal problems and could have experienced multiple instances of any of these specific types. See question D20 and the lead-in to question A1 in Appendix A1 for further details about the selection of legal problems for in-depth follow-up.

- avoided overestimating legal need, by using a more appropriate 'triviality' threshold that excluded non-problematic events (as noted above)
- measured the frequency and severity of each specific type of legal problem
- captured the 'other side' in the legal problem or dispute.

Third, the LAW Survey used a different pool of legal problems to follow up with in-depth questions. The NSWLNS followed up the most recent legal problems experienced by respondents. In contrast, in order to gain better understanding of the strategies used and the outcomes achieved for non-trivial legal problems, the LAW Survey followed up the most serious legal problems experienced.

Fourth, the LAW Survey introduced questions about the adverse economic, health and social consequences caused by legal problems.

Fifth, the current survey improved the measurement of actions and strategies used to handle legal problems. For example, by replacing single questions with a series of more targeted questions, the LAW Survey more systematically measured:

- self-help actions, court and tribunal proceedings, and formal mediation, conciliation and dispute resolution[8]
- respondents' reasons for not taking action
- the number and types of legal and non-legal advisers consulted
- the types of legal and non-legal help received from advisers.

Sixth, the LAW Survey captured extra information on the strategies used, such as:

- the order in which advisers were contacted
- the mode of communication used with the most useful adviser.

Seventh, the LAW Survey improved the categorisation of the strategies used in response to legal problems, by having a distinct category for advice received from professionals or formal advisers. That is, the survey's 'sought advice' category necessitated the use of a formal adviser. Problems that did not involve consultation with a professional but involved consultation with the other side, relatives or friends were categorised as 'handling the problem without advice'. In contrast, the NSWLNS's 'sought help' did not necessitate the use of formal advisers.[9]

Finally, the LAW Survey instrument improved the measurement of the finalisation and outcomes of legal problems, by:

- introducing a question on whether the outcome was in the respondent's favour
- more systematically measuring the manner of finalisation.

These methodological differences between the two survey instruments need to be taken into account when comparing the findings. For example, it would be expected that the LAW Survey's:

[8] The NSWLNS did not explicitly ask about the occurrence of court/tribunal proceedings or formal dispute resolution, although it did ask whether problems were finalised by court/tribunal proceedings.

[9] The NSWLNS's 'sought help' category included cases that did not involve a formal adviser but involved any of the following actions: consulting relatives or friends, communicating with the other side, oral or written information, and website information. The LAW Survey's 'handled without advice' category also differed from the NSWLNS's 'handled alone' category. This LAW Survey category meant that formal advisers had not been consulted, but at least one of the following five types of actions had taken place: consulting relatives or friends informally, communicating with the other side, using websites or self-help guides, court or tribunal proceedings, or formal dispute resolution sessions. In contrast, the NSWLNS's 'handled alone' category meant that respondents had endorsed handling the issue themselves without seeking information, advice or assistance from anyone else.

- exclusion of non-problematic events would work towards fewer respondents reporting legal problems, and a greater proportion of severe legal problems
- in-depth follow-up of the most serious rather than the most recent legal problems would focus on less trivial problems and work towards greater use of legal advisers, and lower rates of inaction, finalisation and favourable outcomes
- improved measurement of formal advisers, other actions and different types of help would be likely to boost recall and, thus, would work towards a greater number of advisers, other actions and help types being reported.

Sampling

The LAW Survey also differed from the NSWLNS (Coumarelos et al. 2006) in terms of the type of sample used. The LAW Survey used a general population sample, while the NSWLNS sampled from six disadvantaged areas. This difference would be expected to work towards lower prevalence of legal problems for the LAW Survey.

The LAW Survey involved 20 716 telephone interviews with household residents aged 15 years or over across Australia. At least 2000 interviews were conducted in each state and territory, to enable separate reporting for each jurisdiction (see Table 2.1). The average length of interviews was 26 minutes. Households were randomly selected using random digit dialling (RDD), and one respondent per household was interviewed.[10]

Table 2.1: Survey sample

State/territory	*Sample N*	*%*
NSW	4 113	19.9
Victoria	4 410	21.3
Queensland	2 020	9.8
South Australia	2 041	9.9
Western Australia	2 019	9.7
Tasmania	2 009	9.7
Northern Territory	2 069	10.0
ACT	2 035	9.8
Total	**20 716**	**100.0**

Quotas

Within each state and territory, quotas were set for age, gender, geographical area, Indigenous status and cultural and linguistic diversity (CALD) using the 2006 Census of Population and Housing (ABS 2007a). Age-within-gender quotas were set using the following age categories: 15–17, 18–24, 25–34, 35–44, 45–54, 55–64 and 65+ years. Geographical area quotas were set so that the number of interviews in each Statistical Local Area (SLA) reflected the SLA's share of the population. The quotas for Indigenous status were set by adjusting the census data to take into account phone availability using the National Aboriginal and Torres Strait Islander Social Survey, 2002 (ABS 2004d). This adjustment was made because landline use can be very low among Indigenous people in some areas, particularly in remote areas. It was considered unrealistic to attempt to achieve Indigenous numbers in proportion to the population in these areas.

[10] Further details about RDD are presented in Appendix A2, 'Sampling: Random digit dialling' section.

Most interviews were conducted in English. However, to ensure a reasonable representation of people with poor English, provision was made to conduct interviews in the six most commonly used non-English languages across Australia — namely, Italian, Greek, Cantonese, Mandarin, Arabic and Vietnamese. Quotas were set so that the non-English interviews were in proportion to people in the population who speak these languages and have poor English. In addition, quotas were set so that the English interviews with people who speak both English and a non-English language were also in proportion to population numbers.

In NSW, additional quotas were set to allow for the deliberate oversampling in the LAW Survey of the six local government areas (LGAs) that formed the basis of the NSWLNS (Coumarelos et al. 2006). This oversampling was to boost the numbers available for comparisons between the two surveys.[11] Additional quotas were also set in Victoria, where both people living in remote and outer regional areas and Indigenous people were oversampled to facilitate reporting for these people in this state.[12]

Fieldwork

The interviews were conducted between January and November 2008 by Roy Morgan Research (RMR), a social research firm, using Computer Assisted Telephone Interviewing (CATI). The questionnaire and interviewing procedures were finalised following piloting in urban and rural areas of NSW and Victoria in September 2007.[13]

Weighting

The minimum of 2000 interviews per state/territory required for the separate analysis of each jurisdiction meant that states/territories had to be disproportionately sampled relative to population numbers. For example, while only about one per cent of the Australian population lives in the Northern Territory, 10 per cent of the survey sample was taken from this jurisdiction. The weighting design corrected for this deliberate disproportionate sampling of states/territories when reporting results for Australia as a whole. In addition, it corrected for the oversampling of the six LGAs in NSW and the oversampling of people from remote and outer regional areas and Indigenous people in Victoria. The weighting also involved minor corrections for age, gender and Indigenous status to accommodate instances where quota targets were not met precisely.

Unless otherwise stated, the statistics presented throughout this report series (e.g. number/percentage of respondents, number/percentage of problems, p values) reflect the appropriate statistics after weighting had been applied.[14] Given the weighting to account for the disproportionate sampling of states/territories, respondent and problem numbers in the state/territory reports do not sum exactly to the totals in the national report. In addition, as a result of rounding weighted data, the numbers and percentages reported in the text, tables and figures for respondents and legal problems sometimes do not sum precisely to the total numbers or percentages.[15]

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[11] The NSW sample (N=4113) included 421 respondents from the supplementary LGA sample. Statistical analyses comparing the two surveys are not provided in the present report series.

[12] The Victorian sample (N=4410) included 751 respondents from the supplementary remote/rural sample and 80 respondents from the supplementary Indigenous sample. The supplementary Indigenous sample used a somewhat different sampling strategy from that for the main survey. It targeted areas (e.g. SLAs or Census Collector Districts) that have a relatively high Indigenous population via both RDD sampling and sampling from listed telephone landline numbers. This strategy reduced the phone calls required to make contact with Indigenous respondents, given their small population proportion.

[13] Details about call procedures, interviewer training and auditing, data quality checks during fieldwork and the preparation of the data for analysis are provided in Appendix A2, 'Fieldwork' and 'Data preparation for analysis' sections.

[14] Thus, the numbers of Indigenous Victorian respondents reported throughout the Victorian LAW Survey report represent weighted numbers rather than the actual numbers interviewed.

[15] Further details about weighting targets and reporting weighted data are provided in Appendix A2, 'Weighting' section.

Response rate

The response rate for the LAW Survey across Australia as a whole was calculated to be 60.1 per cent. This calculation was based on the AAPOR classification and used the Council of American Survey Research Organizations' (CASRO) adjustment (AAPOR 2009; Smith 2009).[16]

Comparison of sample and population profile

Minimising non-response is a quality control objective in any survey. However, the response rate alone is insufficient for determining whether the sample is 'representative' of the population — that is, whether the sample results are likely to accurately reflect the patterns in the broader population. An understanding of the differences between those who participated in the survey and those who refused to participate is also important (AAPOR 2009; Groves et al. 1992). Confidence in the representativeness of the sample is increased when the demographic profile of the sample is comparable to that of the population.

As noted earlier, quotas were used to help to achieve a sample that would accurately reflect the demographic profile in the population. Although these quotas were broadly met, minimal weighting was used to fully align the gender, age and Indigenous proportions in the sample with population proportions. However, weighting was not applied to any of the other demographic variables. That is, weighting was not applied to disability status, education, employment status, family status, housing type, main income, main language or remoteness of residential area. Thus, in each jurisdiction, the sample profile was compared to the population profile on these demographic variables to further gauge the representativeness of the sample. These comparisons revealed that the sample was largely consistent with census data and population estimates from relevant benchmark surveys, indicating that the sample was broadly representative of the population.[17]

Despite the broad representativeness of the present sample, it should be noted that the LAW Survey is unlikely to have reached some demographic groups — namely:

- people living in households without landline telephone access, including many Indigenous households throughout Australia, particularly in remote areas, and people living in mobile-telephone-only households[18]
- people who were homeless and living without landline telephone access for the entire survey reference period[19]
- people with poor English who did not speak Italian, Greek, Cantonese, Mandarin, Arabic or Vietnamese
- people who were institutionalised (e.g. prisoners, or people in care institutions due to age or disability)
- people living in private dwellings who were physically unable to complete a phone interview (e.g. due to age, disability, inebriation, etc.).

As a result, the LAW Survey may underrepresent these disadvantaged groups, despite providing broad representation of the general population.

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16 For further details, see Appendix A2, 'Response rate' section.

17 See Appendix A2, 'Comparison of sample and population profile' section for further details.

18 The number of mobile-telephone-only households in Australia is increasing, with the proportion being higher for some demographic groups, such as young people, the unemployed, low-income households and households in disadvantaged areas (see Dal Grande & Taylor 2010; Pennay & Bishop 2009). However, landline telephone surveys conducted in 2006 were estimated to have produced generally representative population estimates once weighting incorporating multiple demographic indicators was applied (Blumberg & Luke 2007; Keeter, Kennedy, Clark, Tompson & Mokrzycki 2007).

19 Some people who had been homeless at some point during the reference period were interviewed. These people were either no longer homeless at the time of interview or, although they were still homeless at the time of interview, they were staying somewhere with landline telephone access.

Data analysis

Descriptive analyses, such as frequencies and percentages, were compiled from the survey data to address various aspects of the first six aims of the study — that is:

1. the prevalence of legal problems
2. the nature of legal problems
3. the strategies used in response to legal problems
4. the advice received for legal problems
5. the finalisation of legal problems
6. the outcome of legal problems.

Inferential statistical analyses were used to examine the demographic and problem characteristics related to each of the above. The inferential statistical analyses included both bivariate analyses (i.e. analyses involving only two variables) and multivariate analyses (i.e. analyses involving more than two variables). A summary of these bivariate and multivariate analyses is provided below, and further details are provided in Appendix A2, 'Data analysis' section.

Bivariate analyses

Bivariate analyses examine the straightforward relationship between two variables, without taking into account the effect of any other variables. The nature of the variables determines which bivariate analysis is appropriate. Chi-square tests, Somers' d tests and bivariate regressions were used in the present study. Throughout this report series, the type of analysis used and the statistical results obtained are detailed in the notes to the table or figure pertaining to each analysis.

Chi-square tests are appropriate bivariate tests for examining the relationship between two nominal categorical variables (i.e. variables with qualitatively distinct, unordered categories). Somers' d tests examine whether one variable tends to increase or decrease as another variable increases. Somers' d tests are appropriate for analyses involving two ordinal categorical variables (i.e. variables with categories that have an intrinsic ordering) and for analyses involving one ordinal categorical variable and one binary variable.[20] In each jurisdiction, two bivariate Poisson regression analyses were conducted, both of which examined the relationship of legal problem group (which is a nominal categorical variable) to a variable based on count data.[21]

The bivariate analyses often involved variables that were not examined via the multivariate analyses conducted, such as:

- problem severity
- number of adverse consequences of legal problems
- number of legal problems per respondent
- number of action types in response to legal problems
- number of advisers used for legal problems
- adviser type used for legal problems
- type of help from main adviser
- manner of finalisation of legal problems.

[20] Somers' d analyses require specification of an outcome variable and an independent variable. The outcome variable used for each Somers' d analysis is stated alongside the statistical results of the test in the relevant table or figure note.

[21] One of these regressions was an 'ordinary' Poisson regression, while the other was a zero-truncated Poisson regression. For both bivariate regressions, problem group was the independent variable, while the count variable was the outcome variable.

All bivariate analyses were adjusted for weighting of the data and, where appropriate, for clustered observations. Significance of the bivariate analyses was examined at the 0.05 level ($p<0.05$), except where Bonferroni corrections were applied to chi-square tests. For the chi-square tests, the adjusted standard residuals were calculated to assist with interpretation. The 'significant' differences between categories of variables that are described in the text are based on these residuals.

Multivariate analyses

Two types of multivariate analyses were used — multivariate regression and hierarchical cluster analysis.

Multivariate regression analyses were conducted to examine the demographic and problem characteristics that predict various outcomes. Multivariate regressions determine which variables from a set of variables are independent predictors of an outcome variable (e.g. Agresti 1996; Hosmer & Lemeshow 2000; Menard 2002). They examine the association of each potential predictor with the outcome variable when the effects of the other potential predictors are taken into account.

In each jurisdiction, a separate multivariate regression model was fitted for each of the following outcome variables:

1. the prevalence of legal problems overall
2. the prevalence of substantial legal problems
3. the prevalence of multiple legal problems
4. the prevalence of each of the 12 legal problem groups
5. the strategy used in response to legal problems — taking action
6. the strategy used in response to legal problems — seeking advice
7. the finalisation status of legal problems
8. the favourability of the outcome of legal problems.

Each model examined the relationship of the outcome variable to multiple independent or predictor variables. These included various demographic characteristics of the respondents (e.g. gender, age, Indigenous status, disability status, education, employment status, family status, housing type, main income, main language and remoteness of residential area[22]), and legal problem characteristics (e.g. problem recency, problem group and strategy used in response to legal problems). The potential predictor variables and their categories are described in Appendix Table A2.8.

The multivariate regressions were conducted on weighted data and adjusted for clustered data where appropriate. The significance of each comparison tested in the regressions was examined at the 0.05 level ($p<0.05$). The odds ratio or incident rate ratio for each comparison was also calculated where appropriate. See Appendix Table A2.9 for full details of all the regression models conducted for each jurisdiction, including the types of regressions used, the predictors in each model and the statistical packages used.[23]

Hierarchical cluster analysis was used to examine the nature of legal problems (i.e. aim 2). The cluster analysis examined which legal problem groups tended to be experienced by the same individuals — that is, tended to co-occur.

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[22] According to the ABS (2007a), Tasmania and the Northern Territory only have remote and regional areas while the ACT almost exclusively comprises major city areas. All other jurisdictions have remote, regional and major city areas. Because of this variation in geographical profiles, identical comparisons on remoteness of residential area could not be examined across jurisdictions. For example, remoteness of residential area could not be examined in the ACT. See Appendix A2, 'Comparison of sample and population profile' and 'Data analysis' sections.

[23] An explanation of the interpretation of odds ratios and incident rate ratios is provided in Appendix A2, 'Data analysis: Significance and strength of predictors'.

3. Prevalence of legal problems

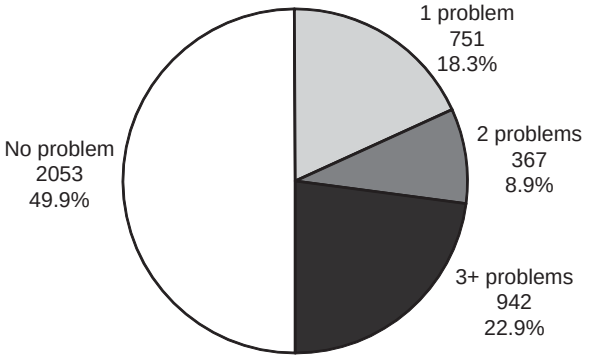
This chapter describes the prevalence of legal problems in the NSW sample, detailing the number, type and severity of legal problems experienced. It also examines the demographic characteristics of respondents that are associated with experiencing different types of legal problems.

Prevalence of legal problems overall

Respondents were asked about legal problems they had experienced in the 12-month period prior to interview, including both problems that began in this period and problems that began earlier but were still ongoing in this period (see Appendix A1, questions P1–P40). Overall, the 4113 NSW respondents reported experiencing a total of 11 081 legal problems in the 12-month reference period.[1] It is worth noting that the LAW Survey measured not only the number of different types of legal problems experienced, but also the number of times that each specific type of legal problem was experienced. Thus, the total number of legal problems for each respondent in the 12-month period is the sum of the number reported for each specific type of legal problem.

Half of the respondents (49.9% or 2053) reported that they did not experience any legal problems during the 12-month reference period (see Figure 3.1). The remaining respondents (50.1% or 2060) reported experiencing at least one legal problem in the reference period. The percentage of respondents who experienced multiple problems (i.e. two or more problems) was 31.8 per cent, with 22.9 per cent of all respondents experiencing three or more legal problems. Applying these sample percentages to population numbers, it is estimated that approximately 2 825 000 people aged 15 years or over in the NSW population experience a legal problem within a 12-month period, including 503 000 experiencing two problems and 1 292 000 experiencing three or more problems.[2]

Figure 3.1: Prevalence of legal problems, NSW



Note: N=4113 respondents.

1 As a result of rounding weighted data, some numbers and percentages in the report do not sum precisely to totals.

2 These figures are based on estimated NSW population numbers as at June 2008 (ABS 2007a, 2008e). See Appendix A2, 'Weighting' section for details.

The median number of legal problems for those NSW respondents who experienced at least one legal problem was 2.0,[3] while the most commonly reported number of problems (i.e. the mode) for those who experienced legal problems was 1.0.[4]

Table 3.1 presents a cumulative frequency distribution of legal problems for the NSW respondents.[5] It can be seen that a minority of respondents accounted for a disproportionate number of the legal problems experienced. For example, while the respondents who experienced three or more legal problems represented less than one-quarter of the NSW sample (22.9%), they accounted for more than four-fifths of the 11 081 legal problems experienced (86.6%). Almost one-tenth (9.4%) of

Table 3.1: Cumulative frequency distribution of legal problems, NSW

Problems per respondent	*All respondents*		*All problems*	
	N	*Cumulative %*	*N*	*Cumulative %*
25+	76	1.9	3 753	33.9
24	2	1.9	37	34.2
23	10	2.1	230	36.3
22	2	2.2	46	36.7
21	1	2.2	23	36.9
20	3	2.3	66	37.5
19	12	2.6	219	39.5
18	8	2.8	135	40.7
17	11	3.0	189	42.4
16	14	3.4	216	44.3
15	11	3.6	167	45.8
14	12	3.9	165	47.3
13	17	4.3	218	49.3
12	15	4.7	174	50.9
11	32	5.4	351	54.0
10	30	6.2	304	56.8
9	35	7.0	312	59.6
8	44	8.1	353	62.8
7	55	9.4	386	66.3
6	85	11.5	512	70.9
5	87	13.6	437	74.8
4	162	17.6	646	80.7
3	219	22.9	657	86.6
2	367	31.8	733	93.2
1	751	50.1	751	100.0
0	2 053	100.0		
Total	**4 113**		**11 081**	

Note: N=4113 respondents.

[3] The median, like the mean or average, is a measure of the central tendency of a frequency distribution. The median provides the midpoint of the frequency distribution and is a more appropriate measure of central tendency than the mean when the distribution is skewed, as it is in the present case. When the distribution is skewed, the mean can be unduly influenced by a minority of extreme scores, resulting in a distorted picture of what constitutes a 'typical' score.

[4] When respondents were not sure whether they had experienced a specific type of legal problem in the reference period, they were not credited with experiencing that problem type. Furthermore, in a small number of cases, a respondent reported experiencing a problem type but did not specify how many times they had experienced this problem type in the reference period. In these cases, a frequency of one was assigned to such specific problem types, given that the mode for each specific problem type across the Australian sample was 1.0.

[5] As for Figure 3.1, the total number of legal problems for each respondent is the sum of the frequency reported for each specific type of legal problem.

the sample accounted for approximately two-thirds of the problems (66.3%), and 4.7 per cent of the sample accounted for about half of the problems (50.9%). It is worth remembering here that the legal problems experienced by some respondents included multiple instances of the same specific type of legal problem in the reference period.[6]

Prevalence of different types of legal problems

As noted earlier, the survey measured the prevalence of 129 specific types of legal problems. These 129 problem types were categorised into 12 problem groups and 27 problem subgroups (see Appendix Table A2.1).

Table 3.2 presents the prevalence of legal problems during the 12-month reference period broken down by problem group and problem subgroup. Appendix Table A2.1 details the classification of specific types of legal problems into problem groups and problem subgroups.

As shown in Table 3.2, there was considerable variation in the prevalence of different legal problem groups. The problem groups with the highest prevalence rates were the consumer, crime, housing and government problem groups, which were experienced by 21.0, 14.0, 13.0 and 10.7 per cent of NSW respondents, respectively. In contrast, only 3.6 per cent of NSW respondents experienced legal problems from the health problem group, and only 4.3 per cent of respondents experienced legal problems from the family problem group. Legal problems related to mental health were experienced by only 0.5 per cent of respondents.

Prevalence of substantial legal problems

For each specific type of legal problem reported, the respondent rated the problem's severity in terms of its impact on their everyday life, choosing from 'none', 'slight', 'moderate' and 'severe' impact. When the respondent reported two or more instances of the same specific type of problem, they were asked to rate the severity of only the worst of these problems.

For convenience, throughout this report, problems rated as having no impact or only a slight impact on everyday life are referred to as 'minor problems', and problems rated as having a moderate or severe impact on everyday life are referred to as 'substantial problems'.

Figure 3.2 presents the number of respondents who experienced substantial problems. The 2060 NSW respondents who experienced legal problems comprised 1156 respondents who had at least one substantial problem and 904 respondents whose worst (or sole) problem was only minor.[7] The 1156 respondents with a substantial legal problem represented 28.1 per cent of the entire sample of 4113 respondents. Translating this number of respondents with a substantial problem into population numbers, it is estimated that 1 586 000 people aged 15 years or over in the NSW population experience a substantial legal problem within a 12-month period.[8]

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6 In a small minority of cases, frequencies of 20 or more for some specific problem types were reported by individual respondents.

7 In a small number of cases, respondents did not provide problem severity ratings for some of their problems. Unless a severity rating of 'substantial' was provided for at least one of a respondent's problems, the respondent was assigned to the 'minor problems only' category.

8 These figures are based on estimated NSW population numbers as at June 2008 (ABS 2007a, 2008e). See Appendix A2, 'Weighting' section for details.

Table 3.2: Prevalence of legal problems by problem group and problem subgroup, NSW

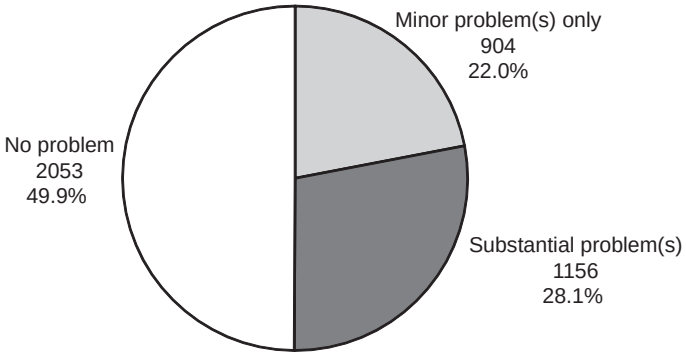
Problem group *Problem subgroup*	*Respondents with problems*		*All problems*	
	N	*%*	*N*	*%*
Accidents	307	7.5	343	3.1
Consumer	862	21.0	2 296	20.7
Goods	321	7.8	648	5.8
Services	681	16.6	1 648	14.9
Credit/debt	260	6.3	703	6.3
Crime	575	14.0	1 667	15.0
Crime offender	60	1.5	145	1.3
Crime victim	541	13.2	1 522	13.7
Employment	254	6.2	649	5.9
Family	176	4.3	553	5.0
Children[a]	123	3.0	443	4.0
Relationships	70	1.7	111	1.0
Government	439	10.7	916	8.3
Fines	125	3.0	294	2.7
Government payments	89	2.2	163	1.5
Local government	191	4.7	327	2.9
State/federal government	103	2.5	133	1.2
Health	148	3.6	312	2.8
Clinical negligence	103	2.5	158	1.4
Health services	42	1.0	121	1.1
Mental health	19	0.5	33	0.3
Housing	534	13.0	1 570	14.2
Neighbours	344	8.4	1 089	9.8
Owned housing	101	2.4	186	1.7
Rented housing	137	3.3	283	2.6
Other housing	8	0.2	11	0.1
Money	244	5.9	606	5.5
Business/investment	175	4.3	449	4.1
Wills/estates	82	2.0	157	1.4
Personal injury	316	7.7	543	4.9
Rights	257	6.2	920	8.3
Discrimination (outside work)	109	2.7	410	3.7
Education	98	2.4	281	2.5
Unfair treatment by police	70	1.7	224	2.0
Other civil	4	0.1	5	0.0
Unclassified[b]	1	0.0	3	0.0
All problem groups	**2 060**	**50.1**	**11 081**	**100.0**

a Includes problems related to grandchildren (see Appendix A1, question P28). Some respondents (205) had missing information on whether they had grandchildren (see Appendix A1, question D6) and were not asked about legal problems related to grandchildren. Thus, the prevalence reported for the children problem subgroup may slightly underestimate the true prevalence.

b Comprises problems that were unclearly described by respondents at question P40 (see Appendix A1).

Note: N=4113 respondents. Percentages do not sum to 100, because multiple problems were experienced by some respondents.

Figure 3.2: Prevalence of substantial legal problems, NSW



Note: N=4113 respondents.

Table 3.3 displays the number of NSW respondents with substantial problems broken down by problem group and problem subgroup (see first data column). The number of respondents with a substantial problem of a particular type (i.e. from a particular problem group or problem subgroup) is expressed both as a percentage of the respondents who experienced that problem type (see second data column) and as a percentage of the entire sample (see third data column). For example, 55 respondents indicated that they had experienced an accidents problem that was substantial. These 55 respondents represented 17.8 per cent of the 307 respondents who had experienced an accidents problem and 1.3 per cent of the entire NSW sample of 4113 respondents.

The second data column in Table 3.3 shows that problem groups varied considerably in the proportion of substantial problems they comprised. The family and health problem groups comprised the highest percentages of substantial problems, while the accidents, crime and consumer problem groups comprised the lowest. More specifically, the majority of respondents who experienced family (77.8%) or health (70.9%) problems had at least one substantial problem of this type, whereas less than half of the respondents with accidents (17.8%), crime (42.6%) or consumer (44.4%) problems had at least one substantial problem of this type.

Although the consumer and crime problem groups tended to comprise predominantly minor problems, they were, as previously discussed, the most prevalent problem groups — 21.0 per cent of the entire sample experienced a consumer problem, and 14.0 per cent of the sample experienced a crime problem (see fifth data column).[9] The sheer volume of these types of problems means that the prevalence of substantial problems of these types was also high, even though most of these problems were minor. Specifically, 9.3 per cent of the sample experienced a substantial consumer problem, and 6.0 per cent experienced a substantial crime problem (see third data column). Following the consumer and crime problem groups, the housing and government problem groups had the next highest prevalence of substantial problems. A substantial housing problem was experienced by 6.2 per cent of all respondents, and a substantial government problem was experienced by 5.9 per cent of all respondents.

As already noted, the prevalence of family and health problems in the sample was low, at 4.3 and 3.6 per cent, respectively (see fifth data column). As a result, the prevalence of substantial problems of these types in the sample was also low (3.3% and 2.6%, respectively; see third data column), even though most family and health problems were rated as substantial.

[9] The fourth and fifth data columns of Table 3.3 are identical to the first two data columns in Table 3.2 and show the prevalence of each problem group and subgroup irrespective of problem severity.

Table 3.3: Prevalence of substantial legal problems by problem group and problem subgroup, NSW

Problem group *Problem subgroup*	*Respondents with substantial problems*			*Respondents with problems*	
	N	*% of respondents with this problem type*	*% of all respondents*	*N*	*% of all respondents*
Accidents	55	17.8	1.3	307	7.5
Consumer	383	44.4	9.3	862	21.0
Goods	88	27.5	2.1	321	7.8
Services	328	48.2	8.0	681	16.6
Credit/debt	144	55.3	3.5	260	6.3
Crime	245	42.6	6.0	575	14.0
Crime offender	40	66.0	1.0	60	1.5
Crime victim	221	40.8	5.4	541	13.2
Employment	159	62.6	3.9	254	6.2
Family	137	77.8	3.3	176	4.3
Children[a]	98	79.8	2.4	123	3.0
Relationships	54	78.0	1.3	70	1.7
Government	242	55.0	5.9	439	10.7
Fines	48	38.6	1.2	125	3.0
Government payments	54	60.5	1.3	89	2.2
Local government	105	54.7	2.5	191	4.7
State/federal government	55	53.5	1.3	103	2.5
Health	105	70.9	2.6	148	3.6
Clinical negligence	66	64.2	1.6	103	2.5
Health services	38	89.4	0.9	42	1.0
Mental health	15	79.7	0.4	19	0.5
Housing	256	47.9	6.2	534	13.0
Neighbours	155	44.9	3.8	344	8.4
Owned housing	51	50.7	1.2	101	2.4
Rented housing	73	53.4	1.8	137	3.3
Other housing	5	57.1	0.1	8	0.2
Money	137	56.1	3.3	244	5.9
Business/investment	92	52.7	2.2	175	4.3
Wills/estates	53	64.6	1.3	82	2.0
Personal injury	153	48.5	3.7	316	7.7
Rights	138	53.9	3.4	257	6.2
Discrimination (outside work)	59	53.8	1.4	109	2.7
Education	52	53.5	1.3	98	2.4
Unfair treatment by police	37	52.5	0.9	70	1.7
Other civil	2	50.3	0.1	4	0.1
Unclassified[b]	1	100.0	0.0	1	0.0
All problem groups	**1156**	**56.1**	**28.1**	**2060**	**50.1**

a Includes problems related to grandchildren (see Appendix A1, question P28). Some respondents (205) had missing information on whether they had grandchildren (see Appendix A1, question D6) and were not asked about legal problems related to grandchildren. Thus, the prevalence reported for the children problem subgroup may slightly underestimate the true prevalence.

b Comprises problems that were unclearly described by respondents at question P40 (see Appendix A1).

Note: N=4113 respondents. Percentages do not sum to 100, because multiple problems were experienced by some respondents.

It is noteworthy that the accidents problem group comprised a particularly low proportion of substantial problems (17.8%) relative to all other problem groups (see second data column). This low proportion may reflect the fact that only injury-free motor vehicle accidents were included in this problem group. Motor vehicle accidents that did result in injury were classified under the personal injury problem group.

Table 3.3 also shows that the 1156 respondents with a substantial legal problem represented 28.1 per cent of the entire sample of 4113 respondents and 56.1 per cent of the 2060 respondents who had a legal problem of any type.

Prevalence of multiple legal problems

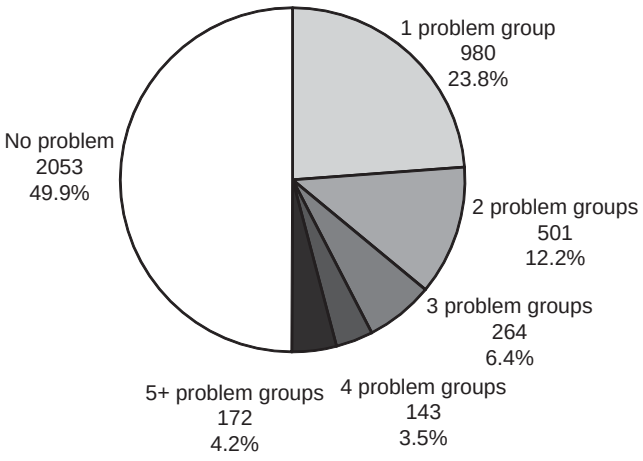
As mentioned above, 31.8 per cent of NSW respondents experienced multiple legal problems — that is, two or more legal problems. Multiple legal problems included:

- multiple problems across more than one of the 12 problem groups
- multiple problems of different types from the same problem group
- multiple instances of the same specific problem type.

Figure 3.3 shows the number of respondents who experienced multiple problems across different problem groups. It can be seen that 23.8 per cent of all NSW respondents experienced one or more problems from only one of the 12 problem groups, while 12.2 per cent had problems from two problem groups, and 14.1 per cent had problems from three or more problem groups. Note that Figure 3.1 shows the total number of problems experienced per respondent, regardless of whether or not these problems were from the same problem group or from different problem groups. A comparison of Figures 3.1 and 3.3 reveals that only some of the respondents who experienced multiple legal problems had problems from different problem groups. For example, whereas 31.8 per cent of the sample experienced at least two legal problems (see Figure 3.1), only 26.3 per cent of the sample experienced problems from at least two problem groups (see Figure 3.3).

Table 3.4 presents the number of respondents who experienced multiple legal problems from the same problem group or problem subgroup (see first data column). For example, respondents who had multiple problems from the housing problem group include respondents with different types of housing problems (e.g. both a 'neighbours' problem and a 'mortgage payment' problem) as well

Figure 3.3: Prevalence of multiple legal problems across problem groups, NSW



Note: N=4113 respondents.

Table 3.4: Prevalence of multiple legal problems by problem group and problem subgroup, NSW

Problem group *Problem subgroup*	*Respondents with multiple problems*			*Respondents with problems*	
	N	*% of respondents with this problem type*	*% of all respondents*	*N*	*% of all respondents*
Accidents	29	9.3	0.7	307	7.5
Consumer	396	45.9	9.6	862	21.0
Goods	122	38.0	3.0	321	7.8
Services	277	40.7	6.7	681	16.6
Credit/debt	108	41.4	2.6	260	6.3
Crime	240	41.7	5.8	575	14.0
Crime offender	21	35.3	0.5	60	1.5
Crime victim	220	40.7	5.3	541	13.2
Employment	103	40.6	2.5	254	6.2
Family	77	43.8	1.9	176	4.3
Children[a]	66	53.8	1.6	123	3.0
Relationships	11	16.2	0.3	70	1.7
Government	174	39.6	4.2	439	10.7
Fines	50	40.2	1.2	125	3.0
Government payments	20	22.7	0.5	89	2.2
Local government	58	30.4	1.4	191	4.7
State/federal government	18	17.5	0.4	103	2.5
Health	140	37.2	1.3	148	3.6
Clinical negligence	26	25.0	0.6	103	2.5
Health services	21	50.8	0.5	42	1.0
Mental health	9	45.6	0.2	19	0.5
Housing	214	40.1	5.2	534	13.0
Neighbours	132	38.3	3.2	344	8.4
Owned housing	32	31.9	0.8	101	2.4
Rented housing	48	35.5	1.2	137	3.3
Other housing	3	36.2	0.1	8	0.2
Money	186	32.5	1.9	244	5.9
Business/investment	58	33.1	1.4	175	4.3
Wills/estates	17	20.6	0.4	82	2.0
Personal injury	81	25.7	2.0	316	7.7
Rights	225	46.2	2.9	257	6.2
Discrimination (outside work)	53	48.9	1.3	109	2.7
Education	49	49.6	1.2	98	2.4
Unfair treatment by police	23	33.2	0.6	70	1.7
Other civil	1	24.3	0.0	4	0.1
Unclassified[b]	0	0.0	0.0	1	0.0
All problem groups	**1308**	**63.5**	**31.8**	**2060**	**50.1**

a Includes problems related to grandchildren (see Appendix A1, question P28). Some respondents (205) had missing information on whether they had grandchildren (see Appendix A1, question D6) and were not asked about legal problems related to grandchildren. Thus, the prevalence reported for the children problem subgroup may slightly underestimate the true prevalence.

b Comprises problems that were unclearly described by respondents at question P40 (see Appendix A1).

Note: N=4113 respondents. Percentages do not sum to 100, because multiple problems were experienced by some respondents.

as respondents with multiple instances of the same type of problem (e.g. multiple 'neighbours' problems). The number of respondents with multiple problems from a particular problem group or problem subgroup is expressed both as a percentage of the respondents who experienced that type of problem (see second data column) and as a percentage of the entire sample (see third data column). For example, 214 respondents experienced multiple housing problems. These 214 respondents represented 40.1 per cent of the 534 respondents with a housing problem and 5.2 per cent of the entire NSW sample of 4113 respondents.

The second data column of Table 3.4 shows that the problem groups and subgroups varied considerably in the proportion of multiple problems they comprised. For example, almost half of the respondents who experienced rights (46.2%), consumer (45.9%) and family (43.8%) problems experienced multiple problems of these types. In contrast, only 9.3 per cent of the respondents who experienced accidents problems had multiple accidents problems.

The third data column shows that the problem group with the highest prevalence of multiple problems was the consumer problem group, with 9.6 per cent of the NSW sample experiencing multiple consumer problems. The crime, housing and government problem groups had the next highest prevalence of multiple problems, with 5.8, 5.2 and 4.2 per cent of all NSW respondents experiencing multiple problems of these types, respectively.

Although the consumer, family and rights problem groups comprised similarly high proportions of multiple problems (45.9%, 43.8% and 46.2%, respectively; see second data column), the prevalence of multiple consumer problems in the sample was higher than the prevalence of multiple family and multiple rights problems (9.6% versus 1.9% and 2.9%, respectively; see third data column). This finding was largely due to the higher overall prevalence of consumer problems compared to family and rights problems (21.0% versus 4.3% and 6.2%, respectively; see fifth data column).

Predicting prevalence of legal problems overall

This section describes the demographic characteristics that are related to the experience of legal problems.

A binary single-level logistic regression was conducted to examine the influence of a range of demographic characteristics on the likelihood of experiencing legal problems in NSW. The regression compared respondents who experienced one or more legal problems (of any type) to respondents who experienced no problems on the following demographic variables: gender, age, Indigenous status, disability status, education, employment status, family status, housing type, main income, main language and remoteness of residential area. The regression was used to determine the demographic variables that are statistically independent predictors of the prevalence of legal problems overall.[10]

Table 3.5 provides a summary of the regression results for NSW on the prevalence of legal problems overall, presenting the odds ratios for all of the significant comparisons. Table 3.6 presents the corresponding unprocessed or descriptive statistics.[11]

[10] See Chapter 2, 'Method: Multivariate analyses' section, and Appendix Tables A2.8 and A2.9 (model 1a) for further details.

[11] See Appendix Table A3.1 for the full results of this regression.

Table 3.5: Regression summary — prevalence of legal problems overall, NSW

SIGNIFICANT VARIABLES		
Variable	***Categories compared***	***Odds ratio[a]***
Gender	Female | male	0.8
Age	15–17 | 65+	2.9
	18–24 | 65+	3.7
	25–34 | 65+	3.4
	35–44 | 65+	3.5
	45–54 | 65+	2.7
	55–64 | 65+	2.6
Disability status	Disability | no disability	2.4
Education	<Year 12 | post-school	0.6
	Year 12 | post-school	0.7
Employment status	Unemployed | other	1.5
Family status	Single parent | other	2.3
Housing type	Disadvantaged | other	1.5
Main language	Non-English | English	0.6
NON-SIGNIFICANT VARIABLES Indigenous status, main income, remoteness[b]		

a An odds ratio (OR)>1.0 indicates that the first category had significantly higher odds of experiencing legal problems than the second category. OR<1.0 indicates that the first category had significantly lower odds. The size of the OR indicates the strength of the relationship. E.g. OR=2.0 means that the odds for the first category were twice those for the second category. OR=0.5 means that the odds for the first category were half those for the second category, or, in other words, that the odds for the second category were twice those (i.e. 1/0.5=2.0) for the first category. See Appendix A2, 'Data analysis: Significance and strength of predictors' section for further details.

b Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents. Data were missing for 26 respondents.

As shown by the odds ratios[12] in Table 3.5, age, disability status and family status were the strongest significant independent predictors of legal problem prevalence in NSW. In descending order of strength, main language, education, employment status, housing type and gender were also significant predictors. For the significant predictors, the demographic groups with higher odds of experiencing legal problems were:

- 15–64 year olds (versus those aged 65 years or over)
- people with a disability
- single parents
- people whose main language was English
- people with post-school qualifications (versus those with low education levels)
- people who had been unemployed
- people who had lived in disadvantaged housing
- males.

[12] An odds ratio that is significantly greater than 1.0 indicates that the first category in the comparison had higher odds than the second category, whereas an odds ratio that is significantly less than 1.0 indicates the reverse. Also, the size of the odds ratio indicates the strength of the relationship. For example, an odds ratio of 2.0 means that the odds for the first category were twice those for the second category, whereas an odds ratio of 5.0 means that the odds for the first category were five times those for the second category. An odds ratio of 0.5 means that the odds for the first category were half those for the second category, or, in other words, that the odds for the second category were twice those (i.e. 1/0.5=2.0) for the first category. See Appendix A2, 'Data analysis: Significance and strength of predictors' section for details.

Table 3.6: Prevalence of legal problems by each demographic variable, NSW

Demographic variable	*Category*	*Respondents with problems*	*Respondents without problems*	*All respondents*	
		%	*%*	*%*	*N*
Gender	Female	47.5	52.5	**100.0**	**2086***
	Male[R]	52.7	47.3	**100.0**	**2027**
	Total	50.1	49.9	**100.0**	**4113**
Age	15–17	46.5	53.5	**100.0**	**205***
	18–24	56.0	44.0	**100.0**	**483***
	25–34	56.9	43.1	**100.0**	**700***
	35–44	59.0	41.0	**100.0**	**724***
	45–54	52.6	47.4	**100.0**	**700***
	55–64	51.0	49.0	**100.0**	**580***
	65+[R]	28.4	71.6	**100.0**	**722**
	Total	50.1	49.9	**100.0**	**4113**
Indigenous status	Indigenous	55.1	44.9	**100.0**	**67**
	Other[R]	50.0	50.0	**100.0**	**4046**
	Total	50.1	49.9	**100.0**	**4113**
Disability status	Disability	61.9	38.1	**100.0**	**829***
	No disability[R]	47.1	52.9	**100.0**	**3284**
	Total	50.1	49.9	**100.0**	**4113**
Education	<Year 12	43.9	56.1	**100.0**	**1186***
	Year 12	46.2	53.8	**100.0**	**747***
	Post-school[R]	55.0	45.0	**100.0**	**2155**
	Total	50.2	49.8	**100.0**	**4087**
Employment status	Unemployed	64.0	36.0	**100.0**	**458***
	Other[R]	48.3	51.7	**100.0**	**3655**
	Total	50.1	49.9	**100.0**	**4113**
Family status	Single parent	71.8	28.2	**100.0**	**294***
	Other[R]	48.4	51.6	**100.0**	**3819**
	Total	50.1	49.9	**100.0**	**4113**
Housing type	Disadvantaged	61.5	38.5	**100.0**	**252***
	Other[R]	49.3	50.7	**100.0**	**3861**
	Total	50.1	49.9	**100.0**	**4113**
Main income	Government payment	45.6	54.4	**100.0**	**1107**
	Other[R]	51.7	48.3	**100.0**	**3006**
	Total	50.1	49.9	**100.0**	**4113**
Main language	Non-English	41.8	58.2	**100.0**	**371***
	English[R]	50.9	49.1	**100.0**	**3742**
	Total	50.1	49.9	**100.0**	**4113**
Remoteness[a]	Remote	61.3	38.7	**100.0**	**21**
	Regional	48.5	51.5	**100.0**	**1158**
	Major city[R]	50.6	49.4	**100.0**	**2934**
	Total	50.1	49.9	**100.0**	**4113**

R Reference category for this demographic variable in the regression.

***** Significant difference ($p<0.05$) between this category and the reference category for this demographic variable in the regression.

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents for education and N=4113 respondents for other demographic variables. Education was missing for 26 respondents.

Indigenous status, main income and remoteness of residential area were not significant in the regression on the prevalence of legal problems overall.

The descriptive statistics in Table 3.6 reveal a similar picture to the odds ratios from the regression in Table 3.5. Females had significantly lower odds of experiencing legal problems (0.8), with 47.5 per cent of females experiencing legal problems compared to 52.7 per cent of males.

People aged 15–64 years had odds of experiencing legal problems that were 2.6–3.7 times as high as those for people aged 65 years or over. Only 28.4 per cent of the oldest age group experienced legal problems compared to 46.5–59.0 per cent of the other age groups.

Respondents with a disability had odds of experiencing legal problems that were 2.4 times as high as those for other respondents. The percentage of respondents experiencing legal problems was 61.9 per cent for respondents with a disability compared to 47.1 per cent for other respondents.

Respondents with low education levels had significantly lower odds of experiencing legal problems (0.6–0.7) than those with post-school qualifications. Between 43.9 and 46.2 per cent of respondents with low education levels experienced legal problems compared to 55.0 per cent of respondents with post-school qualifications.

Respondents who had been unemployed had odds of experiencing legal problems that were 1.5 times as high as those for other respondents (64.0% versus 48.3%).

The odds of experiencing legal problems were 2.3 times as high for single parents as for other respondents (71.8% versus 48.4%).

Respondents who had lived in disadvantaged housing during the previous 12 months had odds of experiencing legal problems that were 1.5 times as high as those for other respondents (61.5% versus 49.3%).

Respondents whose main language was not English had significantly lower odds of experiencing legal problems (0.6) than other respondents. The percentage of respondents experiencing legal problems was 41.8 per cent for respondents whose main language was a non-English language compared to 50.9 per cent for respondents whose main language was English.

Predicting prevalence of substantial legal problems

As previously noted, problems rated by respondents as having no impact or only a slight impact on everyday life were considered to be ‘minor problems’, and problems rated as having a moderate or severe impact on everyday life were considered to be ‘substantial problems’. A second binary single-level logistic regression was conducted to examine the demographic predictors of the prevalence of substantial legal problems in the NSW sample. The regression compared the demographic characteristics of respondents who had experienced at least one substantial legal problem to those of other respondents (who had experienced only minor problems or had not experienced any problems). This regression examined the same set of predictors as the regression on overall prevalence.[13]

A summary of the results of the NSW regression on the prevalence of substantial legal problems is provided in Table 3.7.[14] The pattern of results from this regression was similar to that from the NSW regression on overall prevalence (see Table 3.5), suggesting that the demographic groups that

[13] See Chapter 2, ‘Method: Multivariate analyses’ section, and Appendix Tables A2.8 and A2.9 (model 2) for further details.

[14] See Appendix Table A3.2 for the full results of this regression.

are vulnerable to experiencing legal problems tend to be the same groups that are vulnerable to experiencing substantial legal problems. In both regressions, age, disability status and family status were the strongest independent predictors, and education, employment status and housing type were also significant predictors. In addition, these results were in the same direction in the two regressions. That is, when compared to their counterparts, people aged 15–64 years, people with a disability, single parents, people with post-school qualifications, people who had been unemployed and people who had lived in disadvantaged housing had significantly higher odds both of experiencing legal problems overall and of experiencing substantial legal problems.

Although gender and main language were significant predictors of the prevalence of legal problems overall, they were not significant predictors of the prevalence of substantial legal problems.

Table 3.7: Regression summary — prevalence of substantial legal problems, NSW

SIGNIFICANT VARIABLES		
Variable	***Categories compared***	***Odds ratio[a]***
Age	15–17 | 65+	1.8
	18–24 | 65+	3.0
	25–34 | 65+	3.4
	35–44 | 65+	3.5
	45–54 | 65+	3.0
	55–64 | 65+	2.9
Disability status	Disability | no disability	2.7
Education	<Year 12 | post-school	0.7
	Year 12 | post-school	0.6
Employment status	Unemployed | other	1.6
Family status	Single parent | other	2.0
Housing type	Disadvantaged | other	1.4
NON-SIGNIFICANT VARIABLES	***gender, Indigenous status, main income, main language, remoteness[b]***	

a An odds ratio (OR)>1.0 indicates that the first category had significantly higher odds of experiencing substantial legal problems than the second category. OR<1.0 indicates that the first category had significantly lower odds. The size of the OR indicates the strength of the relationship. E.g. OR=2.0 means that the odds for the first category were twice those for the second category. OR=0.5 means that the odds for the first category were half those for the second category, or, in other words, that the odds for the second category were twice those (i.e. 1/0.5=2.0) for the first category. See Appendix A2, 'Data analysis: Significance and strength of predictors' section for further details.

b Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents. Data were missing for 26 respondents.

Predicting prevalence of multiple legal problems

A single-level zero-truncated Poisson regression was conducted on the subgroup of NSW respondents who experienced legal problems. The regression examined whether the demographic characteristics of respondents predicted the number of legal problems experienced among those who experienced at least one legal problem. That is, the regression examined whether certain demographic groups experienced a greater number of legal problems or 'multiple' legal problems.[15] This regression also used the same set of demographic predictors as the NSW regression on overall prevalence.[16]

[15] For convenience, the term 'multiple legal problems' is used instead of 'a greater number of legal problems' throughout the report when discussing the results of this regression.

[16] See Chapter 2, 'Method: Multivariate analyses' section, and Appendix Tables A2.8 and A2.9 (model 3) for further details.

A summary of the results of this regression on the prevalence of multiple legal problems is provided in Table 3.8.[17] Age, housing type and disability status were the strongest significant predictors of the prevalence of multiple legal problems, followed by education, family status and remoteness of residential area. Thus, when compared to their counterparts, people aged 15–64 years, people who had lived in disadvantaged housing, people with a disability, people with post-school qualifications, single parents and people living in remote or regional areas were significantly more likely to experience multiple legal problems.

The results for this regression were also similar to those for overall prevalence (see Table 3.5). In both regressions, age and disability status were among the three strongest significant predictors, and education, family status and housing type were also significant, with the results being in the same direction. Hence, the regressions suggest that many of the demographic groups that are vulnerable to experiencing legal problems tend to be the same groups that, when they do experience legal problems, are vulnerable to experiencing multiple legal problems.

However, there were some differences between the two regression models. Remoteness of residential area was a significant predictor of multiple legal problems, but not of legal problems overall. Gender, employment status and main language were not significant predictors of multiple legal problems but were significant predictors of legal problems overall.[18]

Table 3.8: Regression summary — prevalence of multiple legal problems, NSW

SIGNIFICANT VARIABLES		
Variable	***Categories compared***	***Incident rate ratio[a]***
Age	15–17 | 65+	2.2
	18–24 | 65+	2.5
	25–34 | 65+	2.1
	35–44 | 65+	2.4
	45–54 | 65+	1.9
	55–64 | 65+	-
Disability status	Disability | no disability	1.7
Education	<Year 12 | post-school	0.7
	Year 12 | post-school	0.8
Family status	Single parent | other	1.4
Housing type	Disadvantaged | other	1.8
Remoteness[b]	Remote/regional | major city	1.2
NON-SIGNIFICANT VARIABLES	***gender, Indigenous status, employment status, main income, main language***	

a An incident rate ratio (IRR)>1.0 indicates that the first category had a significantly higher rate of experiencing legal problems than the second category. An IRR<1.0 indicates that the first category had a significantly lower rate. The size of the IRR indicates the strength of the relationship. E.g. IRR=2.0 means that the incident rate for the first category was twice that for the second category. IRR=0.5 means that the incident rate for the first category was half that for the second category, or, in other words, that the incident rate for the second category was twice that (i.e. 1/0.5=2.0) for the first category. See Appendix A2, 'Data analysis: Significance and strength of predictors' section for further details. '-' indicates that the comparison was not significant.

b Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=2051 respondents with problems. Data were missing for nine respondents.

[17] See Appendix Table A3.3 for the full results of this regression.

[18] The regression on multiple legal problems had less statistical power compared to the regression on overall prevalence, as it was conducted only on the subgroup of respondents who experienced problems rather than on the entire NSW sample.

Predicting prevalence of different types of legal problems

To assess whether the types of problems experienced were related to the demographic characteristics of respondents, 12 binary single-level logistic regressions were performed, one for each legal problem group. The regression for each problem group examined whether demographic characteristics were associated with the experience of one or more problems from that problem group. Again, these regressions used the same set of 11 demographic predictors used in the regression on overall prevalence.[19]

A summary of these 12 logistic regression models on the prevalence of each problem group is presented in Table 3.9.[20] The table shows that age was a significant predictor in each model and was usually one of the strongest predictors. In addition, different types of problems tended to peak at different ages. Of the indicators of disadvantage, disability was significantly related to the greatest number of problem groups. People with a disability had increased odds of problems from 10 of the 12 problem groups. The results of the regressions on the prevalence of each problem group are summarised below, with the significant predictors being listed in descending order of strength in each case.

Accidents

Of the 11 demographic characteristics examined, only age and education were significant independent predictors of whether respondents experienced accidents problems. The odds of experiencing accidents problems were significantly higher for the following groups compared to their counterparts:

- 15–64 year olds and particularly 15–24 year olds (versus those aged 65 years or over)
- people with post-school qualifications (versus those who had not finished school).

Consumer

Age and disability status were the strongest significant predictors of the prevalence of consumer problems, and education, main language and housing type were also significant. The odds of experiencing consumer problems were significantly higher for the following groups compared to their counterparts:

- 18–64 year olds (versus those aged 65 years or over)
- people with a disability
- people with post-school qualifications (versus those with low education levels)
- people whose main language was English
- people who had lived in disadvantaged housing.

Credit/debt

In descending order of strength, age, main language, housing type, disability status, family status, employment status, education and remoteness of residential area were significant independent predictors of whether credit/debt problems were experienced. The odds of experiencing credit/debt problems were significantly higher for the following respondents compared to their counterparts:

- 18–64 year olds and particularly 25–34 year olds (versus those aged 65 years or over)
- people whose main language was English

[19] See Chapter 2, 'Method: Multivariate analyses' section, and Appendix Tables A2.8 and A2.9 (models 4a–4l) for further details.

[20] See Appendix Tables A3.4–A3.15 for the full results of these regressions, and Appendix Tables A3.16–A3.27 for the corresponding descriptive statistics.

Table 3.9: Regression summaries — prevalence of each problem group, NSW

Variable	*Categories compared*	*Odds ratios in model for each problem group*[a]											
		Accidents	*Consumer*	*Credit/ debt*	*Crime*	*Employment*	*Family*	*Government*	*Health*	*Housing*	*Money*	*Personal injury*	*Rights*
Gender	Female | male	-	-	-	0.7	0.7	-	0.8	-	-	0.8	0.7	-
Age	15–17 | 65+	4.3	-	-	5.5	22.0	-	-	-	-	-	10.0	27.3
	18–24 | 65+	5.0	2.2	5.6	6.4	44.1	-	2.5	-	2.9	-	11.8	10.1
	25–34 | 65+	2.7	2.0	7.6	4.1	19.8	3.2	2.3	-	3.0	-	5.5	7.9
	35–44 | 65+	2.3	2.3	4.9	3.0	25.6	4.3	2.1	2.1	3.0	2.1	5.7	9.3
	45–54 | 65+	2.3	2.2	3.9	3.2	27.6	-	1.9	-	2.1	1.8	6.3	5.9
	55–64 | 65+	2.2	1.9	3.7	3.4	13.4	2.4	1.8	2.3	1.7	2.3	5.1	3.2
Indigenous status	Indigenous | other	-	-	-	-	-	-	-	3.3	-	-	-	-
Disability status	Disability | no disability	-	2.1	2.0	1.6	1.6	-	1.6	7.8	1.8	1.6	3.4	2.5
Education	<Year 12 | post-school	0.4	0.5	0.6	0.7	0.5	-	0.7	0.6	-	0.6	-	-
	Year 12 | post-school	-	0.6	-	-	0.5	-	0.6	0.5	0.7	0.6	-	0.6
Employment status	Unemployed | other	-	-	1.6	-	[c]	-	1.8	-	1.4	-	-	1.6
Family status	Single parent | other	-	-	1.9	2.2	2.1	13.3	1.6	-	-	-	-	2.5
Housing type	Disadvantaged | other	-	1.5	2.2	2.0	-	2.0	-	2.4	2.1	-	-	2.3
Main income	Government payment | other	-	-	-	-	-	1.7	1.5	-	-	0.6	0.6	-
Main language	Non-English | English	-	0.6	0.4	0.6	-	-	0.6	-	-	0.5	-	-
Remoteness[b]	Remote/regional | major city	-	-	1.4	-	-	-	-	-	-	-	-	1.5

a An odds ratio (OR)>1.0 indicates that the first category had significantly higher odds of experiencing legal problems from the problem group in question than the second category. An OR<1.0 indicates that the first category had significantly lower odds. The size of the OR indicates the strength of the relationship. E.g. OR=2.0 means that the odds for the first category were twice those for the second category. OR=0.5 means that the odds for the first category were half those for the second category, or, in other words, that the odds for the second category were twice those (i.e. 1/0.5=2.0) for the first category. See Appendix A2, 'Data analysis: Significance and strength of predictors' section for further details. '-' indicates that the comparison was not significant.

b Due to insufficient numbers in remote areas, the regressions compared a combined remote/regional category to the major city (reference) category.

c Due to co-dependence between the employment status predictor and the employment problem group, employment status was not used as a predictor in the model for the employment problem group.

Note: N=4087 respondents for each model. Data were missing for 26 respondents for each model.

- people who had lived in disadvantaged housing
- people with a disability
- single parents
- people who had been unemployed
- people with post-school qualifications (versus those who had not finished school)
- people living in remote or regional areas.

Crime

Age, family status and housing type were the strongest significant predictors of the prevalence of crime problems, followed by main language, disability status, education and gender. The odds of experiencing crime problems were significantly higher for the following groups compared to their counterparts:

- 15–64 year olds and particularly 15–24 year olds (versus those aged 65 years or over)
- single parents
- people who had lived in disadvantaged housing
- people whose main language was English
- people with a disability
- people with post-school qualifications (versus those who had not finished school)
- males.

Employment

Age was the strongest significant predictor of whether employment problems were experienced, followed by family status, education, disability status and gender.[21] The odds of experiencing employment problems were significantly higher for the following respondent groups compared to their counterparts:

- 15–64 year olds (versus those aged 65 years or over)[22]
- single parents
- people with post-school qualifications (versus those with low education levels)
- people with a disability
- males.

Family

In descending order of strength, family status, age, housing type and main income were significant independent predictors of the prevalence of family problems. The odds of experiencing family problems were significantly higher for the following respondents compared to their counterparts:

- single parents
- 35–44 year olds in particular and also 25–34 and 55–64 year olds (versus those aged 65 years or over)

[21] The relationship between the employment status variable and the prevalence of employment problems was not examined, due to too much overlap between this variable and the employment problem group. Being sacked or made redundant was included as a legal problem within the employment problem group. This legal problem would also have been likely to result in a period of unemployment and, hence, membership within the unemployment demographic group.

[22] The particularly high odds of employment problems for all age groups compared to the oldest age group are likely to largely reflect the high retirement rates for the oldest age group.

- people who had lived in disadvantaged housing
- people whose main source of income was government payments.

Government

Age was the strongest significant independent predictor of the prevalence of government problems, followed by employment status, education, main language, family status, disability status, main income and gender. The odds of experiencing government problems were significantly higher for the following groups compared to their counterparts:

- 18–64 year olds (versus those aged 65 years or over)
- people who had been unemployed
- people with post-school qualifications (versus those with low education levels)
- people whose main language was English
- single parents
- people with a disability
- people whose main source of income was government payments
- males.

Health

Disability status and Indigenous status were the strongest significant independent predictors of the prevalence of health problems. Housing type, age and education were also significant predictors. The odds of experiencing health problems were significantly higher for the following respondents compared to their counterparts:

- people with a disability
- Indigenous people
- people who had lived in disadvantaged housing
- 35–44 and 55–64 year olds (versus those aged 65 years or over)
- people with post-school qualifications (versus those with low education levels).

Housing

Age and housing type were the strongest predictors of whether housing problems were experienced, followed by disability status, employment status and education. The odds of experiencing housing problems were significantly higher for the following respondent groups compared to their counterparts:

- 18–64 year olds and particularly 18–44 year olds (versus those aged 65 years or over)
- people who had lived in disadvantaged housing
- people with a disability
- people who had been unemployed
- people with post-school qualifications (versus those who had finished only Year 12).

Money

In descending order of strength, age, main language, education, disability status, main income and gender were significant independent predictors of whether respondents experienced money problems. The odds of experiencing money problems were significantly higher for the following groups compared to their counterparts:

- 35–64 year olds (versus those aged 65 years or over)
- people whose main language was English
- people with post-school qualifications (versus those with low education levels)
- people with a disability
- people whose main source of income was not government payments
- males.

Personal injury

Age and disability status were the strongest significant independent predictors of the prevalence of personal injury problems, followed by main income and gender. The odds of experiencing personal injury problems were significantly higher for the following respondents compared to their counterparts:

- 15–64 year olds and particularly 15–24 year olds (versus those aged 65 years or over)
- people with a disability
- people whose main source of income was not government payments
- males.

Rights

Age was the strongest significant independent predictor of the prevalence of rights problems, followed by family status, disability status, housing type, employment status, education and remoteness of residential area. The odds of experiencing rights problems were significantly higher for the following groups compared to their counterparts:

- 15–64 year olds and particularly 15–17 year olds (versus those aged 65 years or over)
- single parents
- people with a disability
- people who had lived in disadvantaged housing
- people who had been unemployed
- people with post-school qualifications (versus those who had finished only Year 12)
- people living in remote or regional areas.

Prevalence of legal problems: NSW summary

In NSW, legal problems were widespread and often substantial. One-half of NSW respondents (50.1%) reported experiencing one or more legal problems in the 12 months prior to interview. Furthermore, more than one-quarter of all NSW respondents (28.1%) reported experiencing a substantial legal problem — that is, a problem that had a moderate or severe impact on their everyday life. In addition, the experience of multiple legal problems was common, with almost one-quarter of NSW respondents experiencing at least three legal problems.

Some types of legal problems occurred far more frequently than others. The legal problem groups with the highest prevalence rates in NSW were the consumer (21.0% of all respondents), crime (14.0%), housing (13.0%) and government (10.7%) problem groups.

Some respondents were much more likely than others to experience legal problems, with a minority of respondents accounting for the majority of the legal problems experienced. For example,

respondents with three or more legal problems represented less than one-quarter of the NSW sample but accounted for more than four-fifths of the legal problems experienced.

Regression analyses were used to determine the demographic groups that had increased prevalence of:

- legal problems overall
- substantial legal problems
- multiple legal problems
- problems from each of the 12 problem groups.

Most notably, these regression analyses showed that age and various indicators of disadvantage were reliably related to the prevalence of legal problems according to a number of measures.

Age was one of the strongest predictors in most regressions, suggesting a robust 'stages of life' effect. When compared to one or more of the younger age groups, the oldest age group had low prevalence of legal problems overall, substantial legal problems, multiple legal problems and problems from all 12 legal problem groups. Different types of legal problems also tended to peak at different ages or stages of life. For example:

- Accidents, crime, personal injury and rights problems peaked in the younger age groups, either at 15–17 or at 18–24 years.
- Credit/debt problems peaked at 25–34 years.
- Family problems peaked at 35–44 years.

In contrast to age, gender showed considerably fewer and weaker relationships to prevalence, with males having higher prevalence of legal problems overall and problems from five problem groups. Gender was unrelated to the prevalence of substantial legal problems, multiple legal problems and problems from the other seven problem groups.

The regressions also showed that a number of disadvantaged groups had high prevalence of legal problems. People with a disability were the disadvantaged group with increased prevalence according to the greatest number of measures. In addition, the relationships between disability and increased prevalence were often among the strongest. However, people who had lived in disadvantaged housing, single parents and people who had been unemployed also had increased prevalence according to several measures:

- People with a disability had high prevalence of legal problems overall, substantial legal problems, multiple legal problems and problems from 10 problem groups.
- People who had lived in disadvantaged housing had high prevalence of legal problems overall, substantial legal problems, multiple legal problems and problems from seven problem groups.
- Single parents had high prevalence of legal problems overall, substantial legal problems, multiple legal problems and problems from six problem groups.
- People who had been unemployed had high prevalence of legal problems overall, substantial legal problems and problems from four problem groups.

Unlike most of the indicators of disadvantage, low education levels and non-English main language, when significant, were related to *low rather than high* prevalence according to several measures. More specifically:

- People with low education levels had low prevalence of legal problems overall, substantial legal problems, multiple legal problems and problems from 10 problem groups.
- People with a non-English main language had low prevalence of legal problems overall and problems from five problem groups.

The remaining indicators of disadvantage showed only a few significant relationships with prevalence, and these relationships were not always in the direction of higher prevalence for disadvantaged people. That is:

- People whose main source of income was government payments had high prevalence of problems from two problem groups but low prevalence of problems from another two problem groups.
- People living in remote or regional areas had high prevalence of multiple legal problems and problems from two problem groups.
- Indigenous people had high prevalence of only health problems.[23]

The LAW Survey results for NSW on the prevalence of legal problems are interpreted further in Chapters 9 and 10. These chapters compare the NSW results to the LAW Survey results for other jurisdictions and to international findings.

[23] Methodological factors may have militated against detecting a greater number of significant effects for this demographic group. See Chapter 10, 'Tailoring services for specific demographic groups: Indigenous background' section for details.

4. Nature of legal problems

As already discussed, 2060 of the 4113 NSW survey respondents reported experiencing one or more legal problems in the 12 months prior to interview, with a total of 11 081 problems being reported.[1] Respondents who reported experiencing legal problems were asked a series of in-depth questions about up to three of their most serious problems, including questions about the nature of each problem, the actions taken in response to the problem and the outcome of the problem.[2] This pool of problems constituted a total of 3903 problems. These problems (or subsets of these problems) are used for all of the analyses reported in the current and subsequent results chapters.[3]

This chapter presents information about the nature of these 3903 problems, including the other side in the problems, the recency of the problems, and the adverse health and social consequences of the problems. This chapter also examines the extent to which problems of different types were likely to cluster or occur together.

Other side

For each of the 3903 problems, respondents were asked who the problem (or dispute) was with. Respondents provided information on the other side for 3854 of these 3903 problems. Table 4.1 shows that, as would be expected, a wide variety of people and organisations were nominated by respondents as the other side, including both personal contacts, such as family, relatives, friends and neighbours, and an array of professionals, service providers, government organisations and non-government organisations. In 3.7 per cent of problems, respondents reported that there was no other side, as they were not actually in dispute with anyone, or the problem was their own fault. In another 8.2 per cent of problems, the person responsible had not been identified. In a further 9.1 per cent of problems, while the identity of the other side had been established, the other side was a stranger to the respondent.

Table 4.2 breaks down the other side by legal problem group. As shown, the other side nominated by respondents fits neatly with the type of problem. For example, 73.9 per cent of problems where the other side was a legal professional fell within the consumer problem group and predominantly related to problems with consumer services from a lawyer.

When the other side was local government, the problem usually fell within the government problem group (89.7%) and related to issues such as home building works, local amenities or services, and fines. Government departments or agencies were also predominantly nominated as the other side for government problems (64.6%), including problems concerning government payments, taxation, fines, citizenship, residency and immigration. The problems where the police were nominated as the other side were dominated by rights problems (59.6%), which typically related to unfair treatment by police. However, the police were also the other side for government problems (21.3%) such as fines, and for crime problems (16.3%) such as being charged, arrested or questioned in relation to criminal matters.

The majority of legal problems where the other side was a health or welfare provider fell within the health problem group (87.1%) and most commonly involved clinical negligence issues.

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1 As a result of rounding weighted data, some numbers and percentages in the report do not sum precisely to totals.

2 See Chapter 2, 'Method: Survey instrument' section for further details about how this pool of 'most serious' problems was selected.

3 For convenience, this pool of 3903 problems is referred to as 'all problems' throughout the remainder of the report, including in tables and figures.

Table 4.1: Other side in legal problems, NSW

Other side	*N*	*%*
Legal	43	1.1
Government		
Local government	198	5.1
Police	81	2.1
Government agency	217	5.6
Health or welfare	107	2.8
Financial		
Bank/building society/credit union	134	3.5
Insurance company/broker	99	2.6
Other financial	69	1.8
Business		
Manufacturer/retailer	231	6.0
Telecommunications	305	7.9
Utilities	84	2.2
Other business	147	3.8
Employment		
Employer/boss/supervisor	271	7.0
Other employment	63	1.6
Education	95	2.5
Housing		
Neighbour	325	8.4
Landlord or landlord's agent	68	1.8
Other housing	80	2.1
Family/friend		
Spouse/partner or ex	184	4.8
Other relative	130	3.4
Friend/acquaintance	84	2.2
None/stranger		
No other side or no dispute	142	3.7
Stranger (identity known)	349	9.1
Unidentified person	315	8.2
Other[a]	32	0.8
All problems	**3854**	**100.0**

a E.g. other sides that were unclearly defined by the respondent and other sides not classified elsewhere.

Note: N=3854 problems. Data were missing for 49 problems.

When the other side was a financial or business-related professional or organisation, the problems tended to be consumer issues (e.g. problems with consumer contracts, services or faulty goods), credit/debt issues (e.g. problems with loans, credit refusal and creditors' actions) or money issues (e.g. problems with business or investment).

In about two-thirds of cases, employment-related people and agencies, such as employers and work colleagues, tended to be the other side for matters such as work-related discrimination, harassment, victimisation and problematic employment conditions. Employers were also the other side for some personal injury problems (22.7%), particularly work-related injury.

Table 4.2: Other side in legal problems by problem group, NSW

Other side	*Problem group*												*Total*	
	Accidents	*Consumer*	*Credit/ debt*	*Crime*	*Employment*	*Family*	*Government*	*Health*	*Housing*	*Money*	*Personal injury*	*Rights*		
	%	%	%	%	%	%	%	%	%	%	%	%	%	*N*
Legal		73.9			1.0				2.5	22.6			**100.0**	**43**
Government														
Local government			2.2	1.0			89.7	1.1	2.5		2.2	1.2	**100.0**	**198**
Police	1.3			16.3			21.3				1.4	59.6	**100.0**	**81**
Government agency		0.5	2.5	0.5	3.2	10.9	64.6	3.6	7.2	3.7	0.7	2.5	**100.0**	**217**
Health or welfare		2.1	1.5			1.0	2.0	87.1			3.0	3.2	**100.0**	**107**
Financial														
Bank/building society/credit union		56.3	28.4	0.8			0.8		9.3	4.5			**100.0**	**134**
Insurance company/broker	17.3	52.1	5.9	1.1	1.1			3.4	1.1	3.3	14.3	0.5	**100.0**	**99**
Other financial		21.7	37.2				5.5		2.9	32.7			**100.0**	**69**
Business														
Manufacturer/retailer	0.9	86.1	4.4		0.5					2.4	5.7		**100.0**	**231**
Telecommunications		92.5	6.2	0.1			0.4			0.4	0.4		**100.0**	**305**
Utilities		86.5	9.6				3.9						**100.0**	**84**
Other business	0.4	43.0	14.1	10.4	0.4		4.5	3.4	7.0	13.0	3.1	0.7	**100.0**	**147**
Employment														
Employer/boss/supervisor	0.6	0.5	1.3	1.8	67.4		0.4		0.5	2.1	22.7	2.8	**100.0**	**271**
Other employment	5.2		4.2	1.8	65.8	1.7	2.0			8.7	7.2	3.4	**100.0**	**63**
Education		1.2	2.4	3.5	2.2			1.2			2.4	87.1	**100.0**	**95**
Housing														
Neighbour	1.4		0.7	5.1			0.1		90.1	0.4	0.7	1.4	**100.0**	**325**
Landlord or landlord's agent				1.7					90.7	5.9		1.7	**100.0**	**68**
Other housing			1.4				1.5	1.4	49.3	44.9	1.5		**100.0**	**80**
Family/friend														
Spouse/partner or ex		0.2	4.4	16.2		72.5	2.4		1.8		1.3	1.2	**100.0**	**184**
Other relative	0.9	0.4	8.9	18.7	0.8	17.8	0.9	3.5	0.8	43.9	1.8	1.7	**100.0**	**130**
Friend/acquaintance	2.4		18.1	39.0		1.3		1.3	1.3	8.2	13.9	14.4	**100.0**	**84**
None/stranger														
No other side or no dispute	34.4	2.5	0.8	10.5	1.6	0.3	1.9	1.6	1.4	2.7	42.4		**100.0**	**142**
Stranger (identity known)	39.4	6.4	1.3	35.7	0.7		0.6	0.1	0.7	0.9	8.1	6.1	**100.0**	**349**
Unidentified person	6.2	1.4	0.4	86.2		0.1	1.4		0.3	0.1	2.9	1.0	**100.0**	**315**
Other[a]	39.2			10.6			3.4			7.0	26.0	13.8	**100.0**	**32**
All problems	**6.5**	**21.5**	**5.0**	**14.6**	**6.3**	**4.8**	**9.7**	**3.2**	**11.8**	**5.2**	**6.2**	**5.3**	100.0	**3854**

a E.g. other sides that were unclearly defined by the respondent and other sides not classified elsewhere.

Note: N=3854 problems. Data were missing for 49 problems.

Educational institutions, staff and students tended to be nominated as the other side for rights problems (87.1%), which most commonly concerned student bullying/harassment and unfair exclusion from education.

The majority of problems where the other side was a neighbour or landlord fell within the housing problem group (90.1–90.7%).

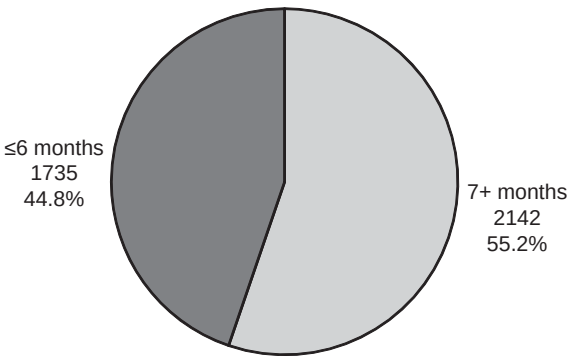
Where the other side was a partner or ex-partner, the majority of legal problems fell within the family problem group (72.5%) and related to divorce or separation, division of assets, and child-related issues, such as child support, custody and contact. Some problems involving partners or ex-partners were crime problems (16.2%), such as domestic and non-domestic assault. Problems where the other side was another family member or relative included money problems (43.9%), such as wills/estates, power of attorney, loan and money repayment issues; crime problems (18.7%); and family problems (17.8%), such as child/grandchild issues. Problems where the other side was a friend or an acquaintance included crime (39.0%), credit/debt (18.1%), rights (14.4%) and personal injury (13.9%) problems.

Understandably, most of the problems where there was no other side, or where the other side was a stranger or an unidentified person, tended to be crime problems, accidents problems (i.e. injury-free motor vehicle accidents) or personal injury problems (e.g. motor vehicle injuries or work-related injuries).

Problem recency

The survey measured the prevalence of legal problems in the 12-month period prior to interview, including both problems that began within this period and problems that began earlier but were still ongoing during this period. The recency of each problem was measured by asking respondents to provide the month and year that the problem had started.[4] Problem recency was provided for 3877 problems. Figure 4.1 shows that 44.8 per cent of the problems began less than seven months prior to interview. The remaining 55.2 per cent of the problems started at least seven months prior to interview, with a minority of these problems starting more than 12 months prior to interview.[5]

Figure 4.1: Problem recency, NSW



Note: N=3877 problems. Data were missing for 26 problems.

[4] Thus, problem recency was estimated to the nearest whole month and had no fractional values.

[5] Note that whereas the category of 'less than seven months prior to interview' spanned a finite period, the category of 'at least seven months prior to interview' spanned a longer, more indefinite period. The apparently higher percentage of problems falling within the latter category is consistent with this category spanning a longer time period. However, as discussed in Chapter 1, 'Methodology of legal needs surveys: Reference period and memory effects' section, memory effects can impact on the accurate recall of problems, including the recall of their recency.

Table 4.3 breaks down the recency of legal problems by their rated severity. The relationship between problem recency and severity was significant. As Table 4.3 shows, 41.7 per cent of the problems that started less than seven months prior to interview were rated as problems that had a substantial impact on everyday life, whereas 52.9 per cent of the problems that had persisted for at least seven months were rated as having a substantial impact.

Table 4.3: Problem recency by problem severity, NSW

Problem recency	*Problem severity*		*Total*	
	Minor	*Substantial*		
	%	*%*	*%*	*N*
7+ months	47.1	52.9	**100.0**	**2142**
≤6 months	58.3	41.7	**100.0**	**1735**
All problems	**52.1**	**47.9**	**100.0**	**3877**

Note: N=3877 problems. Data were missing for 26 problems. χ^2=48.73, $F_{1,2067}$=42.06, p=0.000.

Adverse consequences of legal problems

Respondents were asked whether their problems caused various adverse health and social consequences — namely:

- stress-related illness
- physical ill health
- relationship breakdown
- moving home
- loss of income or financial strain.

Respondents provided information on the adverse consequences experienced as a result of 3872 of their problems. As shown in Table 4.4, respondents reported that these problems caused income loss or financial strain in 29.3 per cent of cases, stress-related illness in 20.9 per cent of cases, physical ill health in 19.6 per cent of cases, relationship breakdown in 9.9 per cent of cases and the consequence of having to move home in 5.7 per cent of cases.

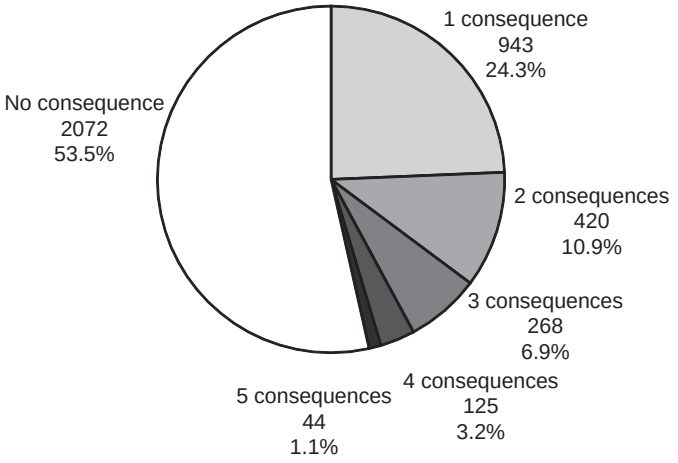
Figure 4.2 indicates the number of adverse consequences experienced per legal problem (based on the five consequences measured by the survey). At least one of the five consequences measured was reported for almost half (46.5%) of the 3872 problems. One consequence was reported for 24.3 per cent of these problems, two consequences were reported for a further 10.9 per cent of problems, and at least three consequences were reported for 11.2 per cent of problems.

Table 4.4: Adverse consequences of legal problems, NSW

Adverse consequence	*N*	*%*
Stress-related illness	810	20.9
Physical ill health	759	19.6
Relationship breakdown	384	9.9
Moving home	220	5.7
Income loss or financial strain	1134	29.3
All problems	**3872**	

Note: N=3872 problems. Data were missing for 31 problems. Percentages do not sum to 100, because not all problems had adverse consequences and multiple adverse consequences were reported for some problems.

Figure 4.2: Number of adverse consequences per legal problem, NSW



Note: N=3872 problems. Data were missing for 31 problems.

Table 4.5 shows the relationship between the number of adverse consequences experienced by each respondent and the number of legal problems they experienced. This relationship was strong and significant, with the number of adverse consequences increasing as the number of problems increased. For example, three or more adverse consequences were reported by 31.1 per cent of the respondents who had at least three problems, but by only 3.9 per cent of the respondents who had one problem.[6] In fact, compared to the mean number of adverse consequences experienced by respondents with one problem (0.5), the mean for those with two problems (0.9) was almost twice as high, while the mean for those with at least three problems (1.7) was more than three times as high.[7]

As would be expected, there was a strong significant relationship between the number of adverse consequences reported for legal problems and their reported severity in terms of impact on the respondents' everyday lives (see Table 4.6). Adverse consequences were significantly more likely for substantial problems than for minor problems. For example, only 1.9 per cent of respondents with minor problems experienced at least three adverse consequences compared to 21.5 per cent of respondents with substantial problems.[8] In fact, the mean number of adverse consequences for substantial problems was more than three times as high as the mean for minor problems.[9]

Table 4.5: Number of adverse consequences of legal problems by number of legal problems per respondent, NSW

Number of problems per respondent	*Number of adverse consequences per respondent*						*Total*	
	Mean	*0*	*1*	*2*	*3*	*4+*		
		%	*%*	*%*	*%*	*%*	*%*	*N*
1	0.5	67.2	22.2	6.7	2.1	1.8	**100.0**	**748**
2	0.9	49.6	27.6	12.8	7.3	2.7	**100.0**	**367**
3+	1.7	26.9	25.4	16.7	17.0	14.1	**100.0**	**942**
All respondents with problems	**1.1**	**45.6**	**24.6**	**12.3**	**9.8**	**7.6**	**100.0**	**2056**

Note: N=2056 respondents with problems. Data were missing for three respondents. Somers' d=0.35 (95% CI=0.32–0.38), SE=0.02, p=0.000, outcome variable is number of adverse consequences.

6 I.e. 17.0+14.1=31.1% versus 2.1+1.8=3.9%.

7 I.e. 1.8 times as high for respondents with two problems versus those with one problem (0.9/0.5=1.8) and 3.4 times as high for respondents with at least three problems versus those with one problem (1.7/0.5=3.4).

8 I.e. 1.6+0.3=1.9% versus 12.7+8.8=21.5%.

9 I.e. 1.4/0.4=3.5.

Table 4.6: Number of adverse consequences of legal problems by problem severity, NSW

Problem severity	*Number of adverse consequences per problem*						*Total*	
	Mean	*0*	*1*	*2*	*3*	*4+*		
		%	*%*	*%*	*%*	*%*	*%*	*N*
Minor	0.4	72.2	21.5	4.5	1.6	0.3	**100.0**	**2016**
Substantial	1.4	33.2	27.5	17.8	12.7	8.8	**100.0**	**1856**
All problems	**0.9**	**53.5**	**24.3**	**10.9**	**6.9**	**4.4**	100.0	**3872**

Note: N=3872 problems. Data were missing for 31 problems. Somers' d=0.36 (95% CI=0.34–0.39), SE=0.01, p=0.000, outcome variable is number of adverse consequences.

Table 4.7 displays the number of consequences reported per legal problem broken down by the type of problem. As shown, problem group was significantly related to the experience of adverse consequences, with some types of problems being more likely to result in one or more of the adverse consequences examined in the survey. In particular, accidents and consumer problems resulted in relatively fewer adverse consequences, while personal injury, family, health and employment problems resulted in a greater number of adverse consequences. Whereas no consequences were reported for around three-quarters of accidents and consumer problems,[10] no consequences were reported for 4.9 per cent of personal injury problems, 15.3 per cent of family problems, 30.5 per cent of health problems and 34.2 per cent of employment problems. The mean number of adverse consequences for family problems (2.2) was more than five times as high as that for accidents problems (0.2) and consumer problems (0.4).[11]

Table 4.8 shows the frequency of the different types of adverse consequences broken down by problem group. There appeared to be considerable variation in the types of adverse consequences reported for different problem groups.[12] For example, the problem groups with the highest proportions

Table 4.7: Number of adverse consequences of legal problems by problem group, NSW

Problem group	*Number of adverse consequences per problem*						*Total*	
	Mean	*0*	*1*	*2*	*3*	*4+*		
		%	*%*	*%*	*%*	*%*	*%*	*N*
Accidents	0.2	82.3	13.0	3.6	0.4	0.7	**100.0**	**252**
Consumer	0.4	71.1	18.8	5.8	3.1	1.2	**100.0**	**830**
Credit/debt	1.2	37.7	29.9	16.2	8.4	7.8	**100.0**	**195**
Crime	0.7	60.6	19.6	9.7	6.2	3.9	**100.0**	**564**
Employment	1.3	34.2	27.3	21.2	12.1	5.2	**100.0**	**241**
Family	2.2	15.3	25.3	14.6	19.4	25.3	**100.0**	**186**
Government	0.7	55.7	27.0	9.9	6.7	0.7	**100.0**	**374**
Health	1.5	30.5	27.1	18.4	15.5	8.6	**100.0**	**125**
Housing	0.7	62.1	19.0	10.4	5.4	3.1	**100.0**	**453**
Money	1.0	43.6	33.1	7.7	8.4	7.2	**100.0**	**202**
Personal injury	1.6	4.9	56.1	23.8	10.9	4.3	**100.0**	**243**
Rights	0.7	58.9	23.0	8.5	5.8	3.8	**100.0**	**205**
All problems	**0.9**	**53.5**	**24.3**	**10.9**	**6.9**	**4.4**	100.0	**3872**

Note: N=3872 problems. Data were missing for 31 problems. Chi-square test results are reported, because the appropriate regression model for ordinal data failed to converge. χ^2=913.27, $F_{42,86866}$=18.62, p=0.000.

[10] As noted earlier, the accidents problem group by definition consisted only of injury-free motor vehicle accidents. Accidents involving injury are captured within the personal injury problem group.

[11] The mean for family problems was 11 times as high as that for accidents problems (2.2/0.2=11.0). The mean for family problems was 5.5 times as high as that for consumer problems (2.2/0.4=5.5).

[12] A significance test was not conducted, because multiple adverse consequences were reported for some problems.

Table 4.8: Adverse consequences of legal problems by problem group and problem subgroup, NSW

Problem group	*Adverse consequence*					*Total*
Problem subgroup	*Stress-related illness*	*Physical ill health*	*Relationship breakdown*	*Moving home*	*Income loss or financial strain*	
	%	*%*	*%*	*%*	*%*	*N*
Accidents	6.2	3.1	2.0	0.0	12.8	**252**
Consumer	11.1	6.2	3.3	1.1	23.0	**830**
Goods	5.5	3.2	1.0	1.0	11.7	**222**
Services	13.2	7.3	4.2	1.2	27.2	**608**
Credit/debt	29.0	17.5	16.0	7.1	49.2	**195**
Crime	20.2	14.7	10.4	6.0	23.6	**564**
Crime offender	35.5	26.8	25.4	12.7	34.1	**47**
Crime victim	18.7	13.6	9.0	5.3	22.6	**517**
Employment	38.5	28.3	8.4	4.7	47.0	**241**
Family	46.0	36.3	51.4	33.2	57.1	**186**
Children[a]	40.3	34.3	31.5	24.1	51.6	**122**
Relationships	56.9	40.0	89.6	50.8	67.6	**64**
Government	18.4	10.7	3.5	1.6	35.5	**374**
Fines	14.5	5.6	3.0	0.6	33.8	**93**
Government payments	21.9	11.3	4.8	3.6	54.7	**58**
Local government	17.3	10.6	3.2	0.7	30.3	**157**
State/federal government	23.7	17.8	3.5	3.4	33.2	**66**
Health	34.9	52.8	14.0	5.9	39.1	**125**
Clinical negligence	30.6	54.5	7.2	4.0	39.3	**84**
Health services	34.7	46.6	17.6	4.1	40.8	**30**
Mental health	~	~	~	~	~	**12**
Housing	19.4	11.4	10.4	9.9	18.2	**453**
Neighbours	18.2	11.6	9.5	5.1	8.8	**270**
Owned housing	22.0	13.0	13.7	8.4	31.6	**81**
Rented housing	20.7	9.4	11.0	25.6	31.6	**95**
Other housing	~	~	~	~	~	**7**
Money	21.7	19.1	10.8	3.8	47.3	**202**
Business/investment	15.3	13.7	4.2	2.6	58.5	**130**
Wills/estates	33.3	28.6	22.5	6.0	27.1	**73**
Personal injury	26.1	90.6	10.1	5.1	24.1	**243**
Rights	22.0	14.5	10.6	5.7	20.9	**205**
Discrimination (outside work)	12.3	10.7	8.6	3.5	23.0	**63**
Education	28.3	13.0	11.2	2.5	10.2	**90**
Unfair treatment by police	24.5	23.2	12.6	15.0	35.4	**48**
Other civil	~	~	~	~	~	**3**
All problems	**20.9**	**19.6**	**9.9**	**5.7**	**29.3**	**3872**

~ Due to insufficient numbers, percentages are not provided.

a Includes problems related to grandchildren (see Appendix A1, question P28). Some respondents (205) had missing information on whether they had grandchildren (see Appendix A1, question D6) and were not asked about legal problems related to grandchildren. Thus, the adverse consequences reported for the children problem subgroup may slightly underestimate the true level of adverse consequences.

Note: N=3872 problems. Data were missing for 31 problems. Percentages do not sum to 100, because multiple adverse consequences were reported for some problems.

of problems reportedly causing stress-related illness were the family (46.0%), employment (38.5%) and health (34.9%) problem groups. Not surprisingly, physical ill health was most commonly reported for legal problems related to personal injury (90.6%) and health (52.8%) but was also relatively common for family (36.3%) and employment (28.3%) problems. The high proportion of family problems causing relationship breakdown (51.4%) largely reflects the capture of the problems of divorce and separation. One-third of family legal problems resulted in the respondent moving home. The problem groups with the highest proportion of problems reportedly causing income loss or financial strain were the family (57.1%), credit/debt (49.2%), money (47.3%) and employment (47.0%) problem groups.

Clustering of legal problems

It was shown in Figure 3.3 that 26.3 per cent of the NSW respondents experienced legal problems from two or more problem groups. As noted earlier, the co-occurrence of problems may reflect connections or relationships between those problems, such as:

- direct causation between the problems (e.g. one problem may trigger another)
- the problems arising from identical or similar defining circumstances (e.g. two types of problems may both require money transactions)
- people having coinciding vulnerabilities to the problems (e.g. certain demographic groups may be exceptionally vulnerable to particular types of problems).

However, it is also possible that problems sometimes coincide by chance, without there being any inherent connection or meaningful relationship between them (e.g. two problems may co-occur simply because both occur frequently in the population).

To examine whether certain types of legal problems tended to co-occur (i.e. tended to be experienced by the same respondents), a hierarchical cluster analysis was conducted on the legal problem groups using all NSW respondents. The cluster analysis placed problem groups that tended to be experienced together in the same cluster, and problem groups that tended not to be experienced together in different clusters.[13]

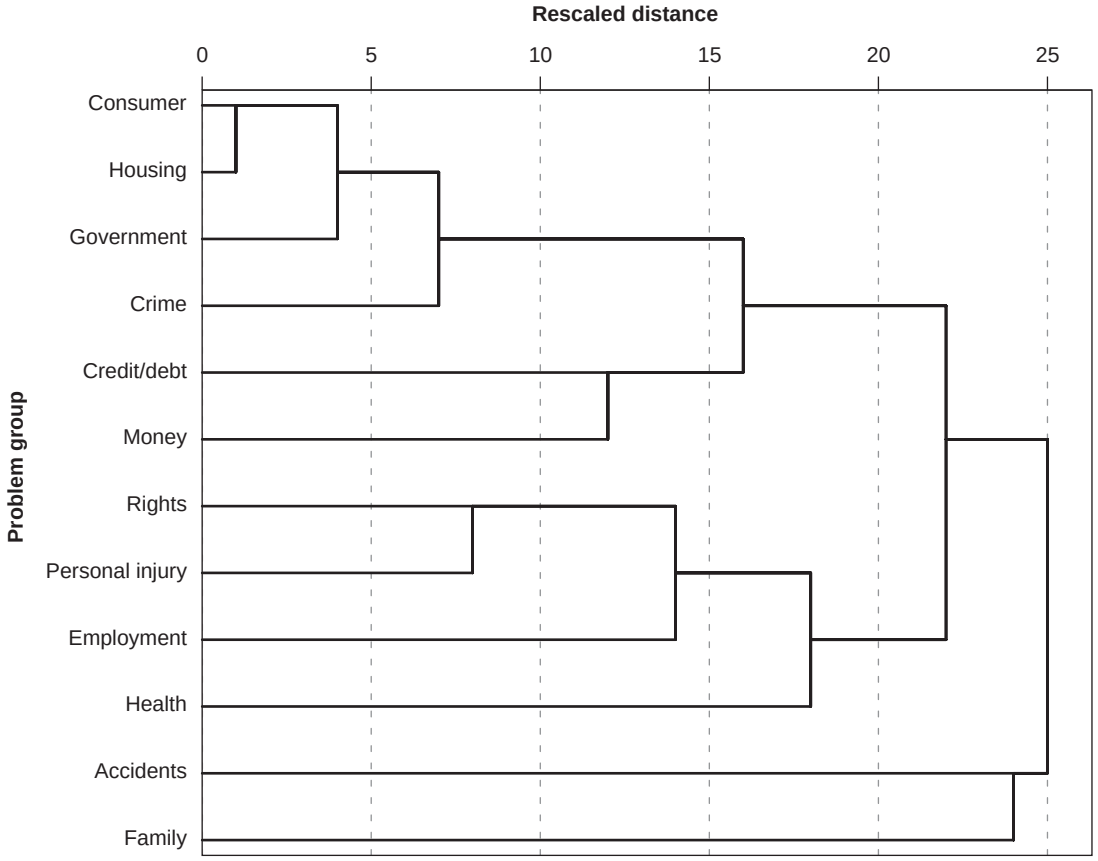
Figure 4.3 summarises the results of the cluster analysis for NSW in the form of a dendrogram (or tree diagram). The branches of the dendrogram join together legal problem groups that tended to co-occur, with shorter branches representing greater co-occurrence between problem groups than longer branches. The dendrogram reveals two main clusters, with the first cluster having two distinct subclusters:[14]

- The first subcluster within the first cluster consisted of the four most frequent problem groups — namely, the consumer, crime, government and housing problem groups.
- The second subcluster within the first cluster was dominated by 'economic' issues, consisting of the credit/debt and money problem groups. However, this subcluster also included some family-related issues, given that the money problem group, in addition to including business and investment issues, included wills, estates and power of attorney issues.

[13] Cluster analysis can determine whether certain types of problems tend to be experienced close in time by the same people, but cannot determine whether any relationships between problems are causal. The cluster analysis was conducted on unweighted data, because such analyses cannot be conducted on weighted data. See Appendix A2, 'Data analysis: Cluster analysis' section for further details.

[14] The number of clusters was decided by subjective inspection of the dendrogram in conjunction with consideration of large jumps in the fusion coefficient at each stage of the analysis. Clusters evident at a rescaled distance of 20 are discussed. See Appendix A2, 'Data analysis: Cluster analysis' section for further details and Appendix Figure A4.1 for the fusion coefficient at each stage of the analysis.

Figure 4.3: Dendrogram — clustering of problem groups, NSW



Note: N=4113 respondents. The cluster analysis used complete linkage with Jaccard scores.

- The second cluster was dominated by 'rights and injury/health' issues, comprising the employment, health, personal injury and rights problem groups. Note that many of the problems within the employment problem group involved work-related rights issues, while the rights problem group comprised rights issues unrelated to work.[15]

The finding that some problem groups clustered together suggests the possibility that these problem groups may be causally related in some way, although it is difficult to completely rule out the possibility that problems may sometimes coincide by chance rather than because of intrinsic connections. In particular, it is noteworthy that the first subcluster comprised the four problem groups with the highest prevalence (see first two data columns in Table 3.2). The high volume of these types of problems increases the likelihood that they may sometimes coincide simply because they occur so frequently, rather than because of some real connection or relationship between them. The second subcluster of the first cluster and the second cluster, however, comprised problem groups with more moderate or lower prevalence (see Table 3.2). Thus, it is less probable that these problems coincided purely by chance.

The co-occurrence of problem groups is further explored in Table 4.9, which examines the overlap between each pair of problem groups. For example, 307 respondents experienced accidents problems, 862 experienced consumer problems and 103 experienced both of these types of problems. Those who experienced both types of problems represent 33.6 per cent of the 307 respondents with accidents problems and 12.0 per cent of the 862 respondents with consumer problems.

[15] The accidents and family problem groups did not cohere strongly with any cluster or subcluster.

Table 4.9: Co-occurrence of problem groups, NSW

Problem group	*Accidents*		*Consumer*		*Credit/debt*		*Crime*		*Employment*		*Family*		*Government*		*Health*		*Housing*		*Money*		*Personal injury*		*Rights*	
	N	*%*	*N*	*%*	*N*	*%*	*N*	*%*	*N*	*%*	*N*	*%*	*N*	*%*	*N*	*%*	*N*	*%*	*N*	*%*	*N*	*%*	*N*	*%*
Accidents			103	12.0	34	13.0	84	14.6	35	13.9	20	11.6	60	13.6	13	8.6	59	11.1	28	11.3	40	12.7	28	11.0
Consumer	103	33.6			142	54.5	230	40.0	110	43.3	70	39.7	213	48.6	89	60.0	242	45.4	117	48.1	145	45.9	129	50.2
Credit/debt	34	11.0	142	16.5			88	15.3	43	17.1	44	25.2	93	21.1	42	28.1	101	18.8	56	23.0	65	20.5	56	21.7
Crime	84	27.3	230	26.6	88	33.8			83	32.6	64	36.4	137	31.3	49	33.2	147	27.6	65	26.6	117	37.1	98	38.2
Employment	35	11.5	110	12.7	43	16.7	83	14.4			20	11.4	65	14.8	33	22.0	68	12.7	29	11.9	59	18.6	49	19.2
Family	20	6.6	70	8.1	44	17.1	64	11.2	20	7.9			50	11.3	18	12.3	57	10.8	15	6.2	35	11.1	52	20.1
Government	60	19.4	213	24.7	93	35.6	137	23.9	65	25.6	50	28.2			49	33.2	148	27.8	67	27.5	61	19.2	72	27.9
Health	13	4.1	89	10.3	42	16.0	49	8.6	33	12.9	18	10.4	49	11.2			64	11.9	25	10.2	35	10.9	31	12.2
Housing	59	19.3	242	28.1	101	38.7	147	25.6	68	26.8	57	32.6	148	33.8	64	42.9			79	32.4	74	23.6	93	36.0
Money	28	9.0	117	13.6	56	21.6	65	11.3	29	11.4	15	8.6	67	15.3	25	16.8	79	14.8			31	9.7	34	13.2
Personal injury	40	13.1	145	16.8	65	24.9	117	20.4	59	23.2	35	19.9	61	13.8	35	23.3	74	13.9	31	12.6			78	30.5
Rights	28	9.2	129	14.9	56	21.4	98	17.1	49	19.4	52	29.3	72	16.3	31	21.2	93	17.3	34	13.9	78	24.8		
Total N	**307**		**862**		**260**		**575**		**254**		**176**		**439**		**148**		**534**		**244**		**316**		**257**	

Note: N=4113 respondents.

The most striking pattern in Table 4.9 is for the four problem groups in the first subcluster of the first cluster, which had the highest prevalence — namely, the consumer, crime, government and housing problem groups. Generally, these four problem groups had a high degree of overlap with all problem groups and often had the greatest degree of overlap. As argued above, while this overlap may reflect that these four problem groups are intrinsically connected to a wide range of problem types, the possibility that this overlap may sometimes occur by chance cannot be ruled out.

The table also reveals sizeable overlap between some other problem groups that clustered together. For example, about one-fifth of respondents who experienced a credit/debt problem also experienced a money problem, and vice versa. Similarly, the percentage overlap between the employment, personal injury and rights problem groups was between 18.6 and 30.5.

Nature of legal problems: NSW summary

Respondents who experienced legal problems were asked a series of in-depth questions about the nature of their most serious problems — a total of 3903 problems. They were asked about the other side in each problem or dispute, and the impact of the problem on various life circumstances. The types of problems that tended to occur together were also examined.

Respondents nominated a wide variety of people and organisations as the other side in their problems, including family, relatives, friends, professionals, service providers, government organisations and non-government organisations. The type of other side nominated by respondents appeared to be commensurate with the type of problem reported.

The legal problems experienced in NSW often had considerable adverse consequences on a broad range of life areas. The LAW Survey measured five different types of adverse health and social consequences resulting from legal problems. Almost half of the legal problems examined (46.5%) led to at least one of these five adverse consequences. Income loss or financial strain was reported for 29.3 per cent of problems, stress-related illness for 20.9 per cent of problems, physical ill health for 19.6 per cent of problems, relationship breakdown for 9.9 per cent of problems and moving home for 5.7 per cent of problems.

The adverse impacts of legal problems were related to their severity and to the number of legal problems experienced by respondents. A significantly greater number of adverse consequences were experienced:

- for problems rated by respondents as having a substantial impact on their everyday lives
- when respondents had multiple legal problems.

Some types of legal problems were also more likely than others to have adverse impacts on a variety of life circumstances. Most notably, family problems were rated as having the most adverse consequences, with an average of 2.2 adverse consequences resulting from each family problem. Personal injury (1.6) and health (1.5) problems had the next highest mean numbers of adverse consequences, while accidents (0.2) and consumer (0.4) problems had the lowest. Relatively high proportions of the family problems experienced were reported to cause income loss or financial strain (57.1%), relationship breakdown (51.4%), stress-related illness (46.0%), physical ill health (36.3%) and having to move home (33.2%). The corresponding percentages for the accidents problem group ranged from 0.0 to 12.8 per cent, while those for the consumer problem group ranged from 1.1 to 23.0 per cent.

The cluster analysis conducted for NSW suggested that some types of legal problems tended to co-occur or, in other words, tended to be experienced proximately by the same people. Such analyses point to the possibility that these types of co-occurring problems may be causally connected in some way. For example, one legal problem may directly trigger another problem, some types of problems may arise from the same circumstances, or some people may be particularly vulnerable to certain groups of problems. Nonetheless, the possibility that problems sometimes co-occur even though they are unrelated cannot be ruled out. The following problem groups tended to occur in combination:

- The consumer, crime, housing and government problem groups — the four most frequent problem groups — formed a subcluster.
- The credit/debt and money problem groups formed a subcluster that was dominated by economic issues.
- The employment, health, personal injury and rights problem groups formed a cluster that was dominated by rights and injury/health issues.

The LAW Survey results for NSW on the nature of legal problems are interpreted further in Chapters 9 and 10. These chapters compare the NSW results to the LAW Survey results for other jurisdictions and to international findings.

5. Response to legal problems

As already discussed, NSW respondents were asked in-depth questions about their most serious legal problems — a pool of 3903 problems.[1] A series of these questions asked about the actions they took to try to resolve these legal problems. Respondents provided information on their actions in response to 3860 of these problems. This chapter describes the actions taken in response to these 3860 problems and also examines the demographic and problem characteristics that were associated with different types of actions.

Action types in response to legal problems

The survey asked respondents whether the six following types of actions were taken in an attempt to resolve their legal problems:

1. seeking advice formally (see Appendix A1, questions A9–A14)
2. using websites or self-help guides (see question A5)
3. consulting relatives or friends informally (see question A29)
4. communicating with the other side (see questions A16 and A31)
5. court or tribunal proceedings (see question A7)
6. formal dispute resolution (see question A8).

'Seeking advice' was defined as consulting advisers in a professional or formal capacity to try to resolve the problem. Advisers could be professionals or organisations. Consulting an adviser meant that the respondent, or someone on the respondent's behalf, had spoken or written directly to the adviser. Seeking advice from relatives or friends in their professional capacity, such as asking a lawyer friend for legal advice, was included as 'seeking advice' from a formal adviser.

'Using websites or self-help guides' entailed the respondent, or someone on the respondent's behalf, obtaining information without having direct contact with a professional or organisation and was distinguished from 'seeking advice'.

'Consulting relatives or friends' involved talking to relatives or friends about the problem in an informal or non-professional capacity and was also distinguished from the action of 'seeking advice'.

'Communicating with the other side' was defined as the respondent, or someone on the respondent's behalf, talking or writing directly to the other side to try to resolve the problem. Communicating with the other side was also not considered to entail 'seeking advice'.[2]

'Court or tribunal proceedings' included proceedings that had already taken place and proceedings that the respondent reported as upcoming or likely to occur.

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1 See Chapter 2, 'Method: Survey instrument' section for further details about how this pool of most serious problems was selected. Note also that, as a result of rounding weighted data, some numbers and percentages in the report do not sum precisely to totals.

2 Question A16 checked whether any of the advisers captured by questions A9–A14 were the other side (see Appendix A1). If the other side was listed at A9–A14, the respondent was credited with the action of direct communication with the other side to try to resolve the problem.

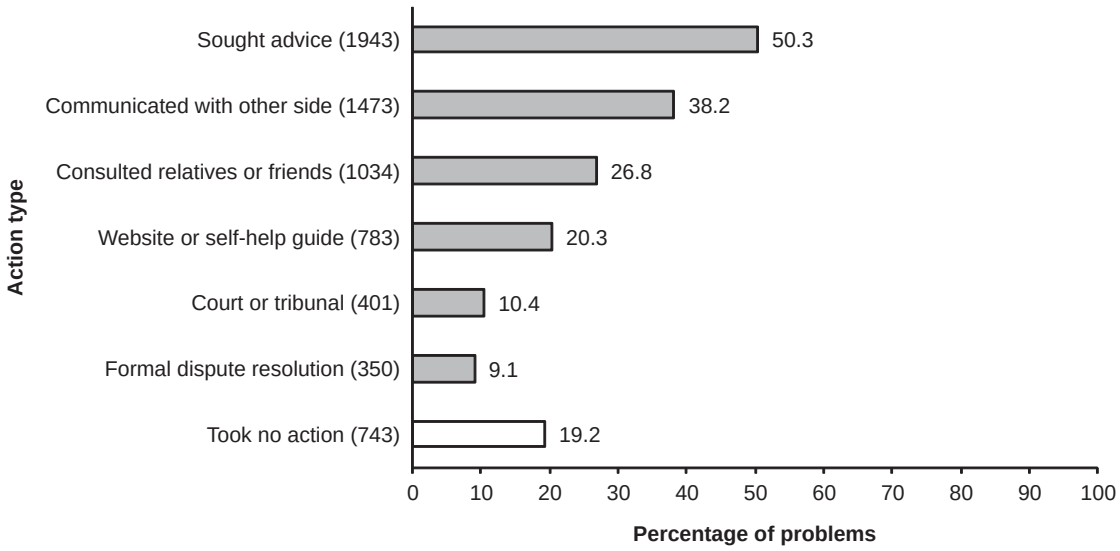
'Formal dispute resolution' included formal mediation, conciliation or dispute resolution sessions that had already taken place and any such sessions that the respondent reported as upcoming or likely to occur.

Figure 5.1 presents the proportion of problems that resulted in each of the six types of actions. Some legal problems resulted in more than one type of action, while others resulted in no action. As Figure 5.1 shows, 19.2 per cent of the 3860 legal problems resulted in none of the action types examined by the survey. Respondents sought advice from formal advisers in response to 50.3 per cent of problems, communicated with the other side in response to 38.2 per cent of problems, consulted relatives or friends informally in response to 26.8 per cent of problems and used a website or other self-help guide in response to 20.3 per cent of problems. Furthermore, respondents reported that court or tribunal proceedings either had taken place or were likely to occur in relation to 10.4 per cent of problems.[3] Respondents also reported that they had attended or were likely to attend formal dispute resolution sessions in relation to 9.1 per cent of problems.[4]

Figure 5.2 shows the number of different types of actions resulting from respondents' legal problems. As already noted, 19.2 per cent of the legal problems did not result in any of the six types of actions measured by the survey. However, 36.6 per cent of the legal problems resulted in one type of action, a further 23.9 per cent resulted in two different types of actions, and the remaining 20.2 per cent resulted in at least three of the six types of actions measured.

An examination was made of whether the number of different types of actions taken in response to legal problems was related to the severity of problems. This relationship was significant (see Table 5.1). A greater number of action types was taken in response to legal problems that respondents had rated as having a substantial impact on their everyday lives than in response to legal problems rated as having a minor impact. Three or more different types of actions were taken in response to 30.9 per cent of substantial problems but only 10.5 per cent of minor problems (see Table 5.1).

Figure 5.1: Action types in response to legal problems, NSW

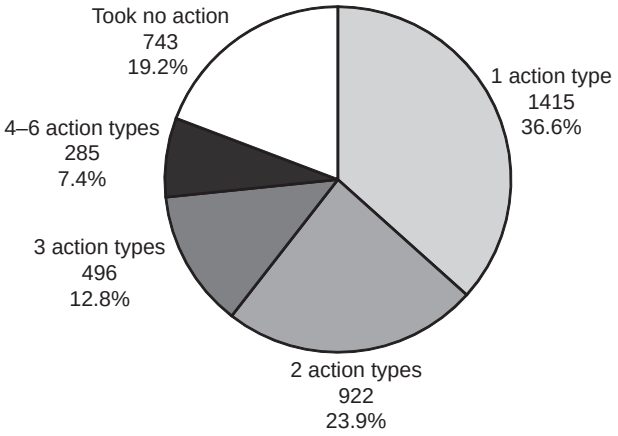


Note: N=3860 problems. Data were missing for 43 problems. Percentages do not sum to 100, because multiple action types were used for some problems.

[3] For a further 5.6 per cent of problems, respondents were unsure whether court or tribunal proceedings were likely to eventuate or refused to comment on this issue.

[4] For a further 3.9 per cent of problems, respondents were unsure whether formal dispute resolution sessions were likely to eventuate or refused to comment on this issue.

Figure 5.2: Number of action types per legal problem, NSW



Note: N=3860 problems. Data were missing for 43 problems.

Table 5.1: Number of action types in response to legal problems by problem severity, NSW

Problem severity	*Number of action types per problem*					*Total*	
	Mean	*0*	*1*	*2*	*3+*		
		%	*%*	*%*	*%*	*%*	*N*
Minor	1.2	25.7	42.6	21.2	10.5	**100.0**	**2011**
Substantial	1.9	12.2	30.1	26.8	30.9	**100.0**	**1849**
All problems	**1.6**	**19.2**	**36.6**	**23.9**	**20.2**	**100.0**	**3860**

Note: N=3860 problems. Data were missing for 43 problems. Somers' d=0.22 (95% CI=0.20–0.25), SE=0.01, p=0.000, outcome variable is number of action types.

In fact, with the exception of communicating with the other side, each other type of action was used for a significantly higher proportion of substantial problems than of minor problems (see Table 5.2).[5] For example, court or tribunal proceedings occurred or were likely to occur for less than five per cent of minor problems compared to 16.7 per cent of substantial problems.

The number of different types of actions taken was also significantly associated with the type of legal problem (see Table 5.3). Family, money, employment and housing problems resulted in significantly more action types than average. Three or more different types of actions were taken in response to 51.1 per cent of family problems, 32.4 per cent of money problems, 31.9 per cent of employment problems and 26.4 per cent of housing problems. Accidents, crime, consumer and personal injury problems resulted in significantly fewer action types than average. Only 7.0 per cent

Table 5.2: Action types in response to legal problems by problem severity, NSW

Problem severity	*Action type*						*Total*
	Sought advice	*Communicated with other side*	*Consulted relatives or friends*	*Website or self-help guide*	*Court or tribunal*	*Formal dispute resolution*	
	%	*%*	*%*	*%*	*%*	*%*	*N*
Minor	40.0	36.2	21.3	13.5	4.6	4.3	**2011**
Substantial	61.6	40.2	32.8	27.7	16.7	14.2	**1849**
All problems	**50.3**	**38.2**	**26.8**	**20.3**	**10.4**	**9.1**	**3860**

Note: N=3860 problems. Data were missing for 43 problems. Percentages do not sum to 100, because multiple action types were used for some problems. Sought advice: χ^2=181.96, $F_{1,2058}$=152.18, p=0.000. Communicated with other side: χ^2=6.57, $F_{1,2058}$=5.62, p=0.018. Consulted relatives or friends: χ^2=65.02, $F_{1,2058}$=53.40, p=0.000. Website or self-help guide: χ^2=121.42, $F_{1,2058}$=106.33, p=0.000. Court or tribunal: χ^2=150.96, $F_{1,2058}$=117.01, p=0.000. Formal dispute resolution: χ^2=116.05, $F_{1,2058}$=92.68, p=0.000. Bonferroni correction applied, χ^2 significant if p<0.008.

[5] Although this result was not significant for the action of communicating with the other side, the trend was in the same direction.

of accidents problems, 10.4 per cent of crime problems, 12.3 per cent of consumer problems and 15.2 per cent of personal injury problems resulted in three or more action types.[6]

Furthermore, there were significant differences between problem groups for each of the six types of actions (see Table 5.4). For example, advice was sought for approximately three-quarters of family

Table 5.3: Number of action types in response to legal problems by problem group, NSW

Problem group	*Number of action types per problem*					*Total*	
	Mean	*0*	*1*	*2*	*3+*		
		%	*%*	*%*	*%*	*%*	*N*
Accidents	1.1	29.1	45.3	18.6	7.0	**100.0**	**252**
Consumer	1.3	19.4	44.5	23.8	12.3	**100.0**	**828**
Credit/debt	1.5	24.2	31.4	22.8	21.6	**100.0**	**195**
Crime	1.2	27.0	43.9	18.8	10.4	**100.0**	**563**
Employment	1.9	16.2	25.7	26.2	31.9	**100.0**	**241**
Family	2.6	5.4	18.8	24.7	51.1	**100.0**	**186**
Government	1.7	17.0	30.8	29.5	22.7	**100.0**	**374**
Health	1.6	17.9	33.4	25.1	23.7	**100.0**	**123**
Housing	1.8	13.4	31.0	29.2	26.4	**100.0**	**451**
Money	2.0	9.3	32.5	25.7	32.4	**100.0**	**202**
Personal injury	1.3	19.8	45.7	19.4	15.2	**100.0**	**240**
Rights	1.6	23.4	27.1	23.1	26.5	**100.0**	**203**
All problems	**1.6**	**19.2**	**36.6**	**23.9**	**20.2**	**100.0**	**3860**

Note: N=3860 problems. Data were missing for 43 problems. A Poisson regression was conducted to determine whether problem group predicted the number of action types taken in response to legal problems. See Appendix Table A5.1 for full results.

Table 5.4: Action types in response to legal problems by problem group, NSW

Problem group	*Action type*						*Total*
	Sought advice	*Communicated with other side*	*Consulted relatives or friends*	*Website or self-help guide*	*Court or tribunal*	*Formal dispute resolution*	
	%	*%*	*%*	*%*	*%*	*%*	*N*
Accidents	52.5	22.1	20.2	6.0	2.7	1.9	**252**
Consumer	23.7	58.4	23.9	20.4	3.4	3.7	**828**
Credit/debt	38.4	49.9	26.9	15.6	11.2	7.6	**195**
Crime	61.3	12.1	20.3	7.7	12.7	3.3	**563**
Employment	62.5	38.2	39.3	28.0	6.2	16.0	**241**
Family	79.1	40.8	40.3	33.0	38.1	28.8	**186**
Government	41.6	47.8	24.1	32.4	9.6	13.6	**374**
Health	66.4	32.9	31.8	23.6	6.4	3.6	**123**
Housing	51.3	46.7	34.2	27.2	12.1	10.3	**451**
Money	69.2	40.9	29.3	26.9	19.8	16.3	**202**
Personal injury	72.4	15.5	14.3	10.5	12.0	9.0	**240**
Rights	55.8	25.0	34.6	21.6	9.9	16.3	**203**
All problems	**50.3**	**38.2**	**26.8**	**20.3**	**10.4**	**9.1**	**3860**

Note: N=3860 problems. Data were missing for 43 problems. Percentages do not sum to 100, because multiple action types were used for some problems. Sought advice: χ^2=453.84, $F_{11,22541}$=37.88, p=0.000. Communicated with other side: χ^2=445.56, $F_{11,22499}$=35.94, p=0.000. Consulted relatives or friends: χ^2=99.84, $F_{11,22430}$=8.21, p=0.000. Website or self-help guide: χ^2=186.04, $F_{11,22421}$=15.10, p=0.000. Court or tribunal: χ^2=246.09, $F_{11,21913}$=19.00, p=0.000. Formal dispute resolution: χ^2=212.72, $F_{11,22334}$=17.70, p=0.000. Bonferroni correction applied, χ^2 significant if p<0.008.

[6] The number of action types used for other problem groups were not significantly different from average.

and personal injury problems but for less than one-quarter of consumer problems. Relative to other problems, family problems more commonly led to court or tribunal proceedings and to formal dispute resolution. Trying to resolve the problem by communicating with the other side occurred relatively frequently in response to consumer problems but relatively rarely in response to crime and personal injury problems.

Strategy in response to legal problems

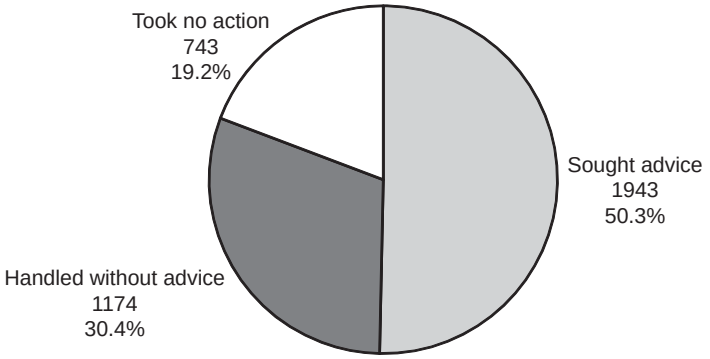
The different types of actions taken in response to legal problems were used to define the overall strategy adopted by respondents in relation to each legal problem. Three possible broad strategies were defined: 'took no action', 'sought advice' and 'handled without advice'. For each legal problem, the broad strategy used was determined by whether or not:

- some type of action was taken
- one of the actions involved seeking advice (for cases where some type of action was taken).

Figure 5.3 displays the percentage of legal problems resulting in each of the three broad strategies. The first broad strategy, 'took no action', meant that the respondent did not use any of the six action types defined by the survey. As already noted, no action was taken in response to 743 or 19.2 per cent of legal problems (see Figures 5.1–5.3). The second broad strategy, 'sought advice', meant that the action of seeking advice from formal or professional advisers had been taken, regardless of whether any of the other five action types had been used. Thus, the broad strategy 'sought advice' included both problems where the only action taken was seeking advice and problems where the action of seeking advice was taken in addition to any number of the other five types of actions. As shown in Figures 5.1 and 5.3, respondents sought advice in response to 1943 or 50.3 per cent of their legal problems. Finally, the broad strategy of 'handled without advice' was used for the remaining 1174 or 30.4 per cent of problems, which meant that at least one type of action was taken but seeking advice was not one of the actions taken. Thus, problems handled without advice involved one or more of the following types of actions: communicating with the other side, consulting relatives or friends informally, using websites or self-help guides, court or tribunal proceedings, or formal dispute resolution sessions.

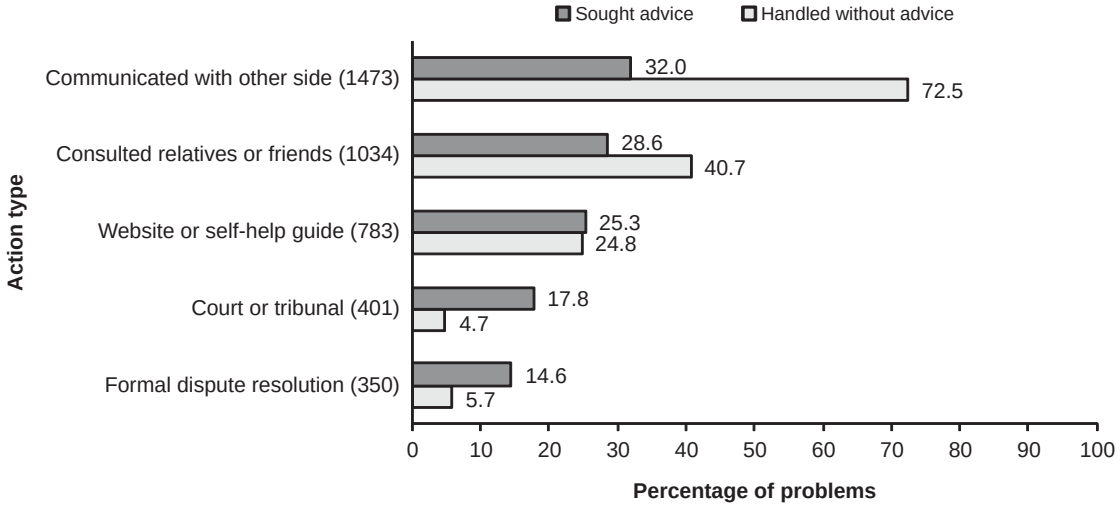
Figure 5.4 focuses on problems where some type of action was taken. It compares problems involving the strategy of 'sought advice' to problems involving the strategy of 'handled without advice' on all of the action types that were used. There were significant differences between problems where advice was sought and problems handled without advice in their likelihood of involving each of the following actions: communicating with the other side, consulting relatives or friends informally,

Figure 5.3: Strategy in response to legal problems, NSW



Note: N=3860 problems. Data were missing for 43 problems.

Figure 5.4: Action types in response to legal problems by use of advice, NSW



Note: N=3117 problems where took action (i.e. N=1943 problems where sought advice and N=1174 problems where handled without advice). Percentages do not sum to 100, because multiple action types were used for some problems. Communicated with other side: χ^2=482.10, $F_{1,1811}$=415.00, p=0.000. Consulted relatives or friends: χ^2=48.62, $F_{1,1811}$=43.17, p=0.000. Website or self-help guide: χ^2=0.14, $F_{1,1181}$=0.12, p=0.729. Court or tribunal: χ^2=111.44, $F_{1,1181}$=93.12, p=0.000. Formal dispute resolution: χ^2=58.01, $F_{1,1181}$=51.72, p=0.000. Bonferroni correction applied, χ^2 significant if p<0.01.

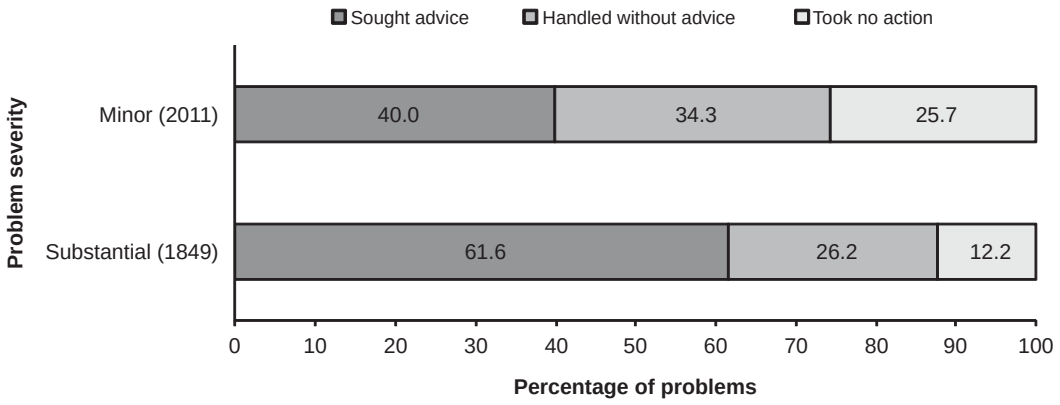
court or tribunal proceedings, and formal dispute resolution sessions. More specifically, problems where advice was sought, when compared to problems handled without advice, were:

- significantly less likely to also involve communicating with the other side to try to resolve the problem (32.0% versus 72.5%)
- significantly less likely to involve consulting relatives or friends informally to try to resolve the problem (28.6% versus 40.7%)
- significantly more likely to involve court or tribunal proceedings (17.8% versus 4.7%)
- significantly more likely to involve formal dispute resolution (14.6% versus 5.7%).

Strategy in response to substantial legal problems

The strategy used in response to legal problems was significantly related to problem severity (see Figure 5.5). Respondents sought advice in response to 61.6 per cent of substantial problems but only 40.0 per cent of minor problems. No action was taken in response to 25.7 per cent of minor problems but only 12.2 per cent of substantial problems.

Figure 5.5: Strategy in response to legal problems by problem severity, NSW



Note: N=3860 problems. Data were missing for 43 problems. χ^2=203.36, $F_{2,4125}$=86.93, p=0.000.

Reasons for taking no action in response to legal problems

Where no action was taken in response to legal problems, respondents were asked about all of their reasons for doing nothing in a series of closed-ended questions (see Appendix A1, questions A32.1–A32.11) and also one open-ended question (see Appendix A1, question A32.12). The reasons asked about in the closed-ended questions are listed in Table 5.5. Respondents were required to answer 'yes' or 'no' to each of these questions. Thus, where appropriate, they were able to endorse multiple reasons for doing nothing.

The reasons for doing nothing were provided for 709 of the 743 problems where no action was taken. Respondents often endorsed multiple reasons. As shown in Table 5.5, frequently endorsed reasons by those who did nothing were that the problem was resolved quickly (53.9% of problems) and that the problem was not very important (38.6%). However, in some cases where respondents did nothing, they felt that they didn't have the resources to take action or that taking action would not be beneficial. For example, the reasons provided by respondents for taking no action included that it would make no difference (55.5% of problems), it would take too long (33.9%), it would be too stressful (30.0%), it would cost too much (28.3%), the respondent had bigger problems (27.7%), the respondent didn't know what to do (20.6%) and it would damage the respondent's relationship with the other side (15.1%).

Other reasons for doing nothing were provided from the open-ended question for 96 (13.5%) of the problems where no action was taken (see Table 5.5). These comprised numerous different reasons, with the most common being that:

- the problem had been finalised without assistance
- the problem had occurred recently, or some action was pending
- the respondent wanted to avoid contact or confrontation with the other side or wanted to avoid escalating the problem
- the person responsible could not be identified or contacted, or there was no proof
- taking action may have impacted on the respondent's employment.

Table 5.5: Reasons for taking no action in response to legal problems, NSW

Reason	*N*	*%*
Problem not very important	274	38.6
Problem resolved quickly	382	53.9
Would take too long	241	33.9
Would be too stressful	213	30.0
Would cost too much	200	28.3
Would damage relationship with other side[a]	107	15.1
Would make no difference	394	55.5
Had bigger problems	196	27.7
Was at fault/there was no dispute	199	28.0
Didn't know what to do	146	20.6
Didn't need information/advice	278	39.3
Other reason[b]	96	13.5
All problems where took no action	**709**	

a Respondents were not asked about this reason for the 161 problems where there was no other side or the other side was an unidentified person.

b Comprises answers to the open-ended question (see Appendix A1, question A32.12), whereas the remaining reasons are based on the closed-ended questions (see Appendix A1, questions A32.1–A32.11).

Note: N=709 problems where took no action. Data were missing for 34 problems. Percentages do not sum to 100, because multiple reasons were reported for some problems.

Reasons for only consulting relatives or friends in response to legal problems

Of the 1174 problems where respondents handled the problem without advice, 138 problems (11.8%) involved the sole action of consulting relatives or friends informally about the problem. The respondents who took only this action were asked their reasons for not taking any other type of action in a series of closed-ended questions (see Appendix A1, questions A33.1–A33.11) and one open-ended question (see Appendix A1, question A33.12). Again, respondents were required to answer each question separately and could thus endorse multiple reasons as appropriate. The reasons asked about in relation to only consulting relatives or friends were the same as those asked about in relation to doing nothing (cf. Tables 5.5 and 5.6).

The pattern of reasons for only consulting relatives or friends was similar to that for taking no action. Again, respondents often endorsed more than one reason. In addition, in a sizeable proportion of cases, respondents endorsed reasons indicating that they didn't have the resources to take other actions or that taking other actions would not be beneficial (see Table 5.6). For example, the reasons endorsed for only consulting relatives or friends included that it would make no difference (59.3% of problems), it would be too stressful (44.3%), the respondent didn't know what to do (39.9%), it would take too long (39.8%), the respondent had bigger problems (39.0%), it would cost too much (37.4%) and it would damage the respondent's relationship with the other side (22.4%).

Table 5.6: Reasons for only consulting relatives or friends in response to legal problems, NSW

Reason	*N*	*%*
Problem not very important	45	32.9
Problem resolved quickly	58	41.9
Would take too long	55	39.8
Would be too stressful	61	44.3
Would cost too much	52	37.4
Would damage relationship with other side[a]	31	22.4
Would make no difference	82	59.3
Had bigger problems	54	39.0
Was at fault/there was no dispute	30	21.5
Didn't know what to do	55	39.9
Didn't need information/advice	51	37.0
Other reason[b]	32	23.3
All problems where only consulted relatives or friends	**138**	

a Respondents were not asked about this reason for the 27 problems where there was no other side or the other side was an unidentified person.

b Comprises answers to the open-ended question (see Appendix A1, question A33.12), whereas the remaining reasons are based on the closed-ended questions (see Appendix A1, questions A33.1–A33.11).

Note: N=138 problems where only consulted relatives or friends. Data were missing for three problems. Percentages do not sum to 100, because multiple reasons were reported for some problems.

Predicting strategy in response to legal problems

This section describes the variables associated with the strategies people use to try to resolve their legal problems. Two binary multilevel logistic regression models were fitted to the NSW data to examine whether various demographic and problem characteristics were independent predictors of the strategy used to try to resolve legal problems. The first regression examined the likelihood

of taking action to resolve legal problems. It was based on all problems and compared problems resulting in no action to problems resulting in some type of action (i.e. seeking advice or handling without advice). The second regression examined the likelihood of seeking advice when action was taken to resolve problems. It was based only on problems resulting in some type of action and compared seeking advice to handling the problem without advice. The following demographic and problem characteristics were tested as possible predictors of strategy in each model: gender, age, Indigenous status, disability status, education, employment status, family status, housing type, main income, main language, remoteness of residential area, problem recency and problem group.[7]

Thus, the regressions reveal the types of problems and the demographic groups that had lower levels of taking action and seeking advice. While regression analysis can be used to show where relationships exist, it cannot explain any relationships. As already noted, although failure to take action or seek advice may often reflect unmet legal need, it may sometimes be appropriate. Nonetheless, the regressions on strategy help to signal the types of problems and demographic groups that may particularly benefit from initiatives that facilitate appropriate responses to legal problems. For example, education strategies that better signpost the pathways available for legal resolution may be particularly useful for the types of problems and the demographic groups with low levels of taking action or seeking advice. In addition, the provision of more streamlined resolution processes in some of these cases may be warranted.

Table 5.7 provides a summary of the results of both regressions on strategy for NSW. Problem recency, problem group, gender, age, disability status, education, employment status, main income and main language were significant independent predictors of the type of strategy used in response to legal problems in one or both regressions. For both regressions, problem group was the strongest predictor. Indigenous status, family status, housing type and remoteness of residential area were not significant predictors of strategy in either regression.

The results of the two regressions on strategy are further described in the sections below.[8] These regression results are accompanied by the relevant unprocessed percentages. The percentages are based on all problems.

Legal problem characteristics

The recency of legal problems was related to the strategies used. The odds of taking action were significantly higher for problems that had persisted for at least seven months (1.3) than for more recent problems (see Table 5.7). The odds of seeking advice when action was taken were also higher for more persistent problems (1.6). Respondents took no action for 16.5 per cent of problems that had persisted for at least seven months compared to 22.7 per cent of more recent problems (see Figure 5.6). Advice was sought for 56.0 per cent of problems that had persisted for at least seven months but only 43.4 per cent of more recent problems.

In addition, the regression results indicated that the strategy used in response to legal problems was significantly associated with the type of problem. In fact, problem group was the strongest predictor of both taking action and seeking advice (see Table 5.7).

As Table 5.7 shows, the odds of taking action were significantly lower for accidents (0.5) and crime (0.6) problems than for all problems on average. When action was taken, accidents and crime problems resulted in higher odds of seeking advice than average (1.5 and 2.5, respectively). No action

[7] See Chapter 2, 'Method: Multivariate analyses' section, and Appendix Tables A2.8 and A2.9 (models 5a and 6a) for further details.

[8] See Appendix Tables A5.2 and A5.3 for the full results of these regressions.

Table 5.7: Regression summary — strategy in response to legal problems, NSW

SIGNIFICANT VARIABLES			
Variable	***Categories compared***	***Taking action[a]***	***Seeking advice***
		Odds ratio[b]	***Odds ratio[c]***
Problem recency	7+ months | ≤6 months	1.3	1.6
Problem group	Accidents | mean	0.5	1.5
	Consumer | mean	-	0.2
	Credit/debt | mean	0.6	0.4
	Crime | mean	0.6	2.5
	Employment | mean	-	-
	Family | mean	3.7	2.0
	Government | mean	-	0.4
	Health | mean	-	-
	Housing | mean	1.4	0.6
	Money | mean	1.9	-
	Personal injury | mean	-	4.5
	Rights | mean	-	-
Gender	Female | male	1.8	-
Age	15–17 | 65+	-	-
	18–24 | 65+	-	-
	25–34 | 65+	-	-
	35–44 | 65+	-	-
	45–54 | 65+	-	1.6
	55–64 | 65+	-	1.9
Disability status	Disability | no disability	-	1.3
Education	<Year 12 | post-school	0.6	-
	Year 12 | post-school	-	-
Employment status	Unemployed | other	-	0.8
Main income	Government payment | other	-	1.5
Main language	Non-English | English	0.6	-
NON-SIGNIFICANT VARIABLES		***age, Indigenous status, disability status, employment status, family status, housing type, main income, remoteness[d]***	***gender, Indigenous status, education, family status, housing type, main language, remoteness[d]***

a I.e. seeking advice or handling without advice.

b An odds ratio (OR)>1.0 indicates that the first category had significantly higher odds of taking action (than taking no action) compared to the second category. An OR<1.0 indicates that the first category had significantly lower odds. The size of the OR indicates the strength of the relationship. E.g. OR=2.0 means that the odds for the first category were twice those for the second category. OR=0.5 means that the odds for the first category were half those for the second category, or, in other words, that the odds for the second category were twice those (i.e. 1/0.5=2.0) for the first category. See Appendix A2, 'Data analysis: Significance and strength of predictors' section for further details. '-' indicates that the comparison was not significant.

c An OR>1.0 indicates that the first category had significantly higher odds of seeking advice (than handling without advice) compared to the second category. An OR<1.0 indicates that the first category had signficantly lower odds. The size of the OR indicates the strength of the relationship. '-' indicates that the comparison was not significant.

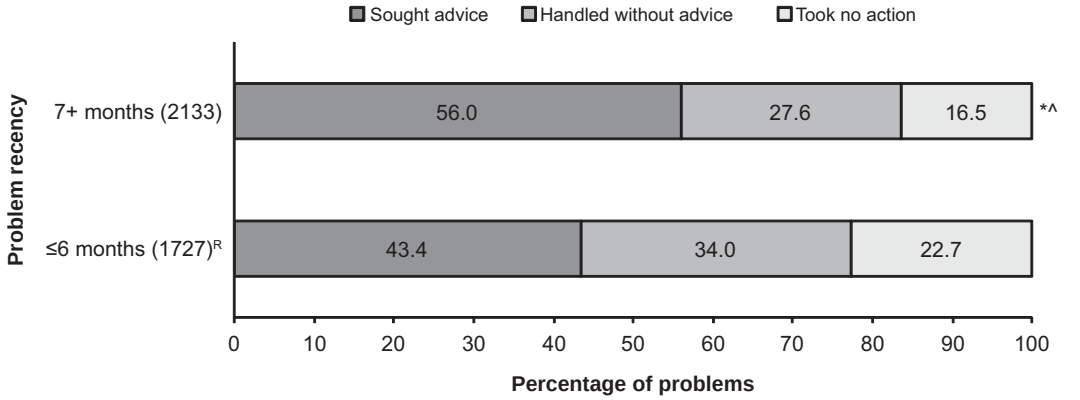
d Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=3847 problems for regression on taking action. Data were missing for 56 problems. N=3106 problems where took action for regression on seeking advice. Data were missing for 55 problems.

was taken for 29.1 per cent of accidents problems and 27.0 per cent of crime problems compared to 19.2 per cent on average (see Figure 5.7). Advice was sought for 52.5 and 61.3 per cent of these problems, respectively, compared to 50.3 per cent on average.

The odds of taking action for consumer and government problems were not significantly different from those for all problems on average (see Table 5.7). When action was taken, however, consumer and government problems resulted in significantly lower odds of seeking advice than average (0.2 and 0.4, respectively). In total, 23.7 per cent of consumer problems and 41.6 per cent of government problems resulted in seeking advice compared to 50.3 per cent on average (see Figure 5.7).

Figure 5.6: Strategy in response to legal problems by problem recency, NSW



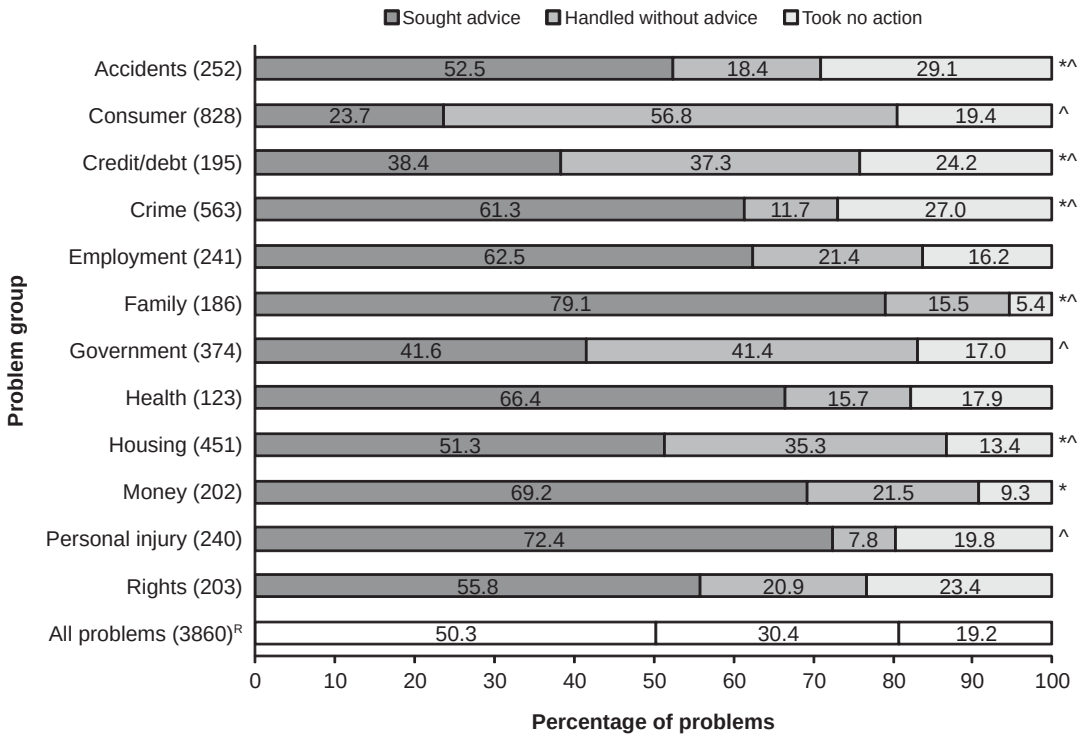
R Reference category for problem recency in the regressions.

***** Significant difference (p<0.05) for problem recency in the regression on taking action.

^ Significant difference (p<0.05) for problem recency in the regression on seeking advice.

Note: N=3860 problems. Data were missing for 43 problems.

Figure 5.7: Strategy in response to legal problems by problem group, NSW



R Reference category for problem group in the regression was the mean of all problems.

***** Significant difference (p<0.05) between this problem group and the mean of all problems in the regression on taking action.

^ Significant difference (p<0.05) between this problem group and the mean of all problems in the regression on seeking advice.

Note: N=3860 problems. Data were missing for 43 problems.

The odds of taking action were significantly lower for credit/debt problems (0.6) than for all problems on average (see Table 5.7). When action was taken for these problems, they resulted in significantly lower odds of seeking advice than average (0.4). About one-quarter of credit/debt problems resulted in taking no action compared to 19.2 per cent on average, and only 38.4 per cent of these problems resulted in seeking advice compared to 50.3 per cent on average (see Figure 5.7).

The odds of taking action were higher for family problems (3.7) than for all problems on average. When action was taken, family problems resulted in significantly higher odds of seeking advice than average (2.0; see Table 5.7). Only 5.4 per cent of family problems resulted in taking no action compared to the average of 19.2 per cent, while 79.1 per cent of these problems resulted in seeking advice compared to 50.3 per cent on average (see Figure 5.7).

Housing problems resulted in high odds of taking action (1.4), with 13.4 per cent resulting in no action compared to 19.2 per cent on average (see Table 5.7 and Figure 5.7). They also resulted in lower than average odds of seeking advice when action was taken (0.6). This low level of seeking advice was not obvious from the percentages, suggesting that it becomes evident once the influences of other demographic and problem characteristics are also considered.

The odds of taking action were higher for money problems (1.9) than for all problems on average (see Table 5.7). Only 9.3 per cent of money problems resulted in taking no action compared to 19.2 per cent on average (see Figure 5.7). However, respondents were no more likely to seek advice when they took action for money problems than for all problems on average.

The odds of taking action for personal injury problems were not significantly different from average (see Table 5.7). When action was taken, however, these problems resulted in higher odds of seeking advice than average (4.5). Advice was sought for 72.4 per cent of personal injury problems compared to 50.3 per cent on average (see Figure 5.7).

Finally, the strategies used for employment, health and rights problems were not significantly different from those used for all problems on average.

Demographic variables

The regressions on strategy revealed that some demographic groups were less likely to take action or seek advice to resolve their legal problems, even after the characteristics of the problem (i.e. recency and problem group) were taken into account. As already noted, however, problem group had a stronger effect on strategy than any of the demographic variables.

Gender, main language and education were the only significant demographic predictors of taking action and had similar strengths of association with taking action (see Table 5.7). Compared to their counterparts, the following demographic groups had significantly lower odds of taking action:

- males
- people whose main language was not English
- people who had not finished school (versus those with post-school qualifications).

In descending order of strength, the demographic predictors of seeking advice were age, main income, employment status and disability status (see Table 5.7). Compared to their counterparts,

the following demographic groups had significantly lower odds of seeking advice when action was taken:

- people aged 65 years or over (versus 45–64 year olds)
- people whose main source of income was not government payments
- people who had been unemployed
- people without a disability.

The odds ratios from the regressions in Table 5.7 generally reveal a similar picture to the percentages in Table 5.8.[9] Compared to males, females had significantly higher odds of taking action (1.8), but similar odds of seeking advice when action was taken (see Table 5.7). Females took no action for only 14.7 per cent of problems compared to 23.4 per cent for males (see Table 5.8).

Age was unrelated to the odds of taking action (see Table 5.7). However, respondents aged 45–64 years had significantly higher odds (1.6–1.9) of seeking advice when action was taken compared to respondents aged 65 years or over. Respondents aged 45–64 years sought advice for 55.7–58.7 per cent of problems compared to 46.2 per cent for those aged 65 years or over (see Table 5.8).

Similarly, disability status was unrelated to the odds of taking action (see Table 5.7). However, respondents with a disability had significantly higher odds (1.3) than other respondents of seeking advice when action was taken. Those with a disability sought advice for 57.2 per cent of problems compared to 47.9 per cent for other respondents (see Table 5.8).

Respondents who had not finished school had lower odds of taking action (0.6) compared to those with post-school qualifications (see Table 5.7). However, education was not related to the likelihood of seeking advice when action was taken. Respondents who had not finished school took no action for 23.3 per cent of problems compared to 17.3 per cent for those with post-school qualifications (see Table 5.8).

Employment status was unrelated to the odds of taking action (see Table 5.7). However, respondents who had been unemployed had significantly lower odds (0.8) of seeking advice when action was taken. Unemployed respondents sought advice for 44.7 per cent of problems compared to 51.4 per cent for other respondents (see Table 5.8).

Main income was unrelated to the odds of taking action, but respondents whose main income was government payments had significantly higher odds (1.5) of seeking advice when action was taken compared to others (see Table 5.7). Respondents whose main income was government payments sought advice for 54.6 per cent of problems compared to 48.9 per cent for other respondents (see Table 5.8).

People with a non-English main language had significantly lower odds (0.6) than other respondents of taking action (see Table 5.7). However, main language was unrelated to the likelihood of seeking advice when action was taken. People with a non-English main language took no action for 27.5 per cent of problems compared to 18.6 per cent for others (see Table 5.8).

[9] The percentages and the regression on taking action are based on all problems, whereas the regression on seeking advice is based only on problems where action was taken.

Table 5.8: Strategy in response to legal problems by each demographic variable, NSW

Demographic variable	*Category*	*Strategy*			*All problems*	
		Sought advice	*Handled without advice*	*Took no action*		
		%	*%*	*%*	*%*	*N*
Gender	Female	54.1	31.3	14.7	**100.0**	**1842***
	Male[R]	46.9	29.7	23.4	**100.0**	**2018**
	Total	50.3	30.4	19.2	**100.0**	**3860**
Age	15–17	36.0	30.5	33.5	**100.0**	**166**
	18–24	43.3	32.6	24.1	**100.0**	**552**
	25–34	49.2	33.7	17.1	**100.0**	**746**
	35–44	50.6	31.2	18.2	**100.0**	**825**
	45–54	55.7	28.4	16.0	**100.0**	**695^**
	55–64	58.7	23.7	17.6	**100.0**	**543^**
	65+[R]	46.2	32.8	21.1	**100.0**	**333**
	Total	50.3	30.4	19.2	**100.0**	**3860**
Indigenous status	Indigenous	50.2	37.5	12.3	**100.0**	**74**
	Other[R]	50.3	30.3	19.4	**100.0**	**3786**
	Total	50.3	30.4	19.2	**100.0**	**3860**
Disability status	Disability	57.2	26.3	16.5	**100.0**	**1027^**
	No disability[R]	47.9	31.9	20.2	**100.0**	**2834**
	Total	50.3	30.4	19.2	**100.0**	**3860**
Education	<Year 12	47.6	29.1	23.3	**100.0**	**939***
	Year 12	49.7	29.9	20.4	**100.0**	**637**
	Post-school[R]	51.7	31.0	17.3	**100.0**	**2270**
	Total	50.4	30.4	19.3	**100.0**	**3847**
Employment status	Unemployed	44.7	32.2	23.2	**100.0**	**599^**
	Other[R]	51.4	30.1	18.5	**100.0**	**3261**
	Total	50.3	30.4	19.2	**100.0**	**3860**
Family status	Single parent	58.3	23.5	18.2	**100.0**	**452**
	Other[R]	49.3	31.3	19.4	**100.0**	**3408**
	Total	50.3	30.4	19.2	**100.0**	**3860**
Housing type	Disadvantaged	56.9	25.3	17.8	**100.0**	**331**
	Other[R]	49.7	30.9	19.4	**100.0**	**3529**
	Total	50.3	30.4	19.2	**100.0**	**3860**
Main income	Government payment	54.6	26.2	19.1	**100.0**	**974^**
	Other[R]	48.9	31.8	19.3	**100.0**	**2886**
	Total	50.3	30.4	19.2	**100.0**	**3860**
Main language	Non-English	38.8	33.7	27.5	**100.0**	**260***
	English[R]	51.2	30.2	18.6	**100.0**	**3600**
	Total	50.3	30.4	19.2	**100.0**	**3860**
Remoteness[a]	Remote	64.2	31.0	4.8	**100.0**	**22**
	Regional	54.3	28.2	17.5	**100.0**	**1075**
	Major city[R]	48.7	31.3	20.0	**100.0**	**2762**
	Total	50.3	30.4	19.2	**100.0**	**3860**

R Reference category for this demographic variable in the regression.

***** Significant difference ($p<0.05$) between this category and the reference category for this demographic variable in the regression on taking action.

^ Significant difference ($p<0.05$) between this category and the reference category for this demographic variable in the regression on seeking advice.

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category with the major city (reference) category.

Note: N=3847 problems for education and N=3860 problems for other demographic variables. Data were missing where totals are less than 3903.

Consistency of strategy in response to legal problems

According to the regressions, respondents who had done nothing in response to a previous legal problem were significantly less likely than others to take action for subsequent legal problems (see random effects in Appendix Table A5.2). In addition, of the respondents who had taken action for an earlier legal problem, those who had handled the problem without advice were significantly less likely than others to seek advice for new legal problems (see random effects in Appendix Table A5.3).

Response to legal problems: NSW summary

NSW respondents used a wide variety of actions to try to resolve their legal problems and did not restrict themselves to seeking professional advice. The following six types of actions were used in a sizeable proportion of cases:

1. seeking advice from a professional or formal adviser (50.3%)
2. communicating with the other side (38.2%)
3. consulting relatives or friends informally (26.8%)
4. using websites or self-help guides (20.3%)
5. court or tribunal proceedings (10.4%)
6. formal dispute resolution sessions (9.1%).

In addition, respondents often used multiple actions to try to resolve legal problems, with at least three of these six types of actions being used in 20.2 per cent of cases.

These six different types of actions were summarised into two broad strategies: seeking advice and handling the problem without advice. Approximately half of the problems (50.3%) resulted in the strategy of seeking advice, regardless of whether any of the other five action types were also used. A further 30.4 per cent of problems were handled without advice but involved one of the other five types of action. However, a third broad strategy — taking no action — was also identified, with no action of any type being taken in response to 19.2 per cent of legal problems.

The reasons respondents provided for doing nothing suggested that, although inaction may sometimes be apposite, in many cases inaction signalled possible unmet legal need. Respondents sometimes failed to take action due to poor legal knowledge, other personal constraints or systemic constraints. For example, respondents reported taking no action because it would take too long (33.9%), it would be too stressful (30.0%), it would cost too much (28.3%), they had bigger problems (27.7%), they didn't know what to do (20.6%) and it would damage their relationship with the other side (15.1%). Similar reasons were provided in the small number of cases where the only action was to consult relatives or friends, again suggesting that legal needs may sometimes remain unaddressed in some of these cases.

The factors that determine the strategies adopted in response to legal problems were examined via regression and other statistical analyses. The characteristics of legal problems strongly influenced strategy. Regression models revealed that problem group was the strongest predictor of strategy. For example, family, housing and money problems resulted in significantly high levels of taking action. In addition, accidents, crime, family and personal injury problems resulted in significantly high levels of seeking advice when action was taken. Problem recency was also a significant, albeit weaker, predictor of strategy in the regressions, with high levels of taking action and seeking advice for problems that had persisted for at least seven months. Other analyses revealed that the severity

of the problem influenced strategy. Substantial problems resulted in a greater number of action types and also in higher levels of seeking advice.

Demographic characteristics also influenced strategy, although their effect was not as strong as that of problem group. According to the regression analyses, some demographic groups had low levels of taking action and some had low levels of seeking advice when action was taken. In descending order of strength, compared to their counterparts, the following demographic groups had significantly lower odds of taking action:

- males
- people whose main language was not English
- people who had not finished school (versus those with post-school qualifications).

Also, in descending order of strength, compared to their counterparts, the following demographic groups had significantly lower odds of seeking advice when action was taken:

- people aged 65 years or over (versus 45–64 year olds)
- people whose main source of income was not government payments
- people who had been unemployed
- people without a disability.

The LAW Survey results for NSW on the responses to legal problems are interpreted further in Chapters 9 and 10. These chapters compare the NSW results to the LAW Survey results for other jurisdictions and to international findings.

6. Advice for legal problems

This chapter focuses on the 1943 legal problems where NSW respondents sought advice from one or more advisers in a professional or formal capacity.[1] It describes the number and types of advisers consulted, the nature of the contact with advisers and the nature of assistance they provided. In addition, the chapter examines the extent to which respondents were aware of the availability of various free legal services.

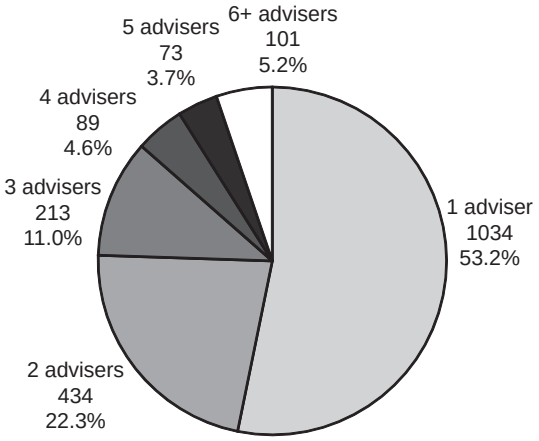
Number of advisers

Respondents who sought advice in response to legal problems were asked to identify all of the advisers they had consulted in a formal or professional capacity in an attempt to resolve each problem. Respondents sometimes used more than one adviser in response to the same problem.

Figure 6.1 presents the number of advisers that respondents reported using in response to the 1943 problems where they sought advice. This total number summed not only the different types of advisers used but also the number of each type of adviser used.[2] For more than half (53.2%) of the legal problems where advice was sought, respondents reported using only one adviser. Two advisers were used in response to a further 22.3 per cent of the problems, and three or more advisers were used in the remaining 24.5 per cent of the problems. The 24.5 per cent of problems where three or more advisers were used include 5.2 per cent of problems where six or more advisers were consulted. When advice was sought in response to a legal problem, the average number of advisers used was 2.1, while the mode was 1.0.

When respondents sought advice, there was a significant relationship between the number of advisers consulted and problem severity (see Figure 6.2). Significantly more advisers were consulted for

Figure 6.1: Number of advisers per legal problem, NSW

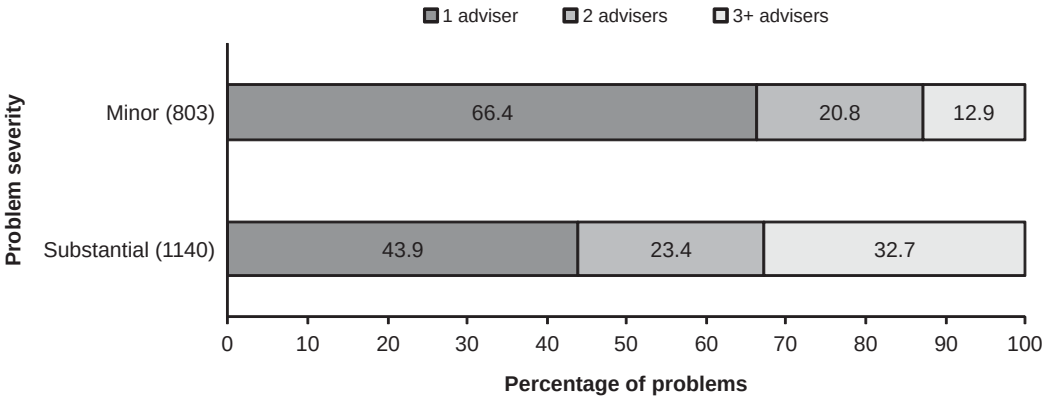


Note: N=1943 problems where sought advice.

1 As a result of rounding weighted data, some numbers and percentages in the report do not sum precisely to totals.

2 For example, the LAW Survey recorded the number of each type of adviser used (e.g. two private lawyers, one ombudsman, three doctors, etc.). Up to four advisers of each type were recorded. Where respondents were unsure whether they had used a certain type of adviser, they were not credited with using that type of adviser. Where respondents reported using a certain type of adviser but did not say how many of that adviser type they had used, they were credited with using one of that adviser type (since the mode for each adviser type was 1.0 across Australia).

Figure 6.2: Number of advisers by problem severity, NSW



Note: N=1943 problems where sought advice. Somers' d=0.21 (95% CI=0.17–0.25), SE=0.02, p=0.000, outcome variable is number of advisers.

problems of substantial impact than for problems of minor impact. For example, three or more advisers were consulted for 32.7 per cent of cases where advice was sought for a substantial problem but for only 12.9 per cent of cases where advice was sought for a minor problem.

There was also a significant relationship between the number of advisers consulted and problem group (see Table 6.1). Compared to average, significantly more advisers were consulted for family, personal injury and employment problems, and significantly fewer were consulted for accidents and consumer problems.[3] This finding may in part reflect the relationship between the number of advisers and problem severity, given that, for instance, the family and employment problem groups tended to comprise relatively high proportions of substantial problems, while the accidents and consumer problem groups tended to comprise relatively low proportions of substantial problems (see Table 3.3).

Table 6.1: Number of advisers by problem group, NSW

Problem group	*Number of advisers*				*Total*	
	Mean	*1*	*2*	*3+*		
		%	*%*	*%*	*%*	*N*
Accidents	1.4	72.8	21.2	6.0	**100.0**	**132**
Consumer	1.6	67.4	17.3	15.3	**100.0**	**196**
Credit/debt	1.9	54.8	32.9	12.4	**100.0**	**75**
Crime	2.0	51.6	27.1	21.3	**100.0**	**345**
Employment	2.5	43.8	22.5	33.8	**100.0**	**151**
Family	3.0	39.2	17.1	43.8	**100.0**	**147**
Government	1.9	58.1	20.5	21.3	**100.0**	**155**
Health	2.0	54.5	28.6	16.9	**100.0**	**82**
Housing	2.0	59.3	19.1	21.7	**100.0**	**231**
Money	2.1	50.3	21.8	27.9	**100.0**	**140**
Personal injury	2.7	38.7	22.3	38.9	**100.0**	**173**
Rights	2.3	46.0	22.6	31.4	**100.0**	**113**
All problems where sought advice	**2.1**	**53.2**	**22.3**	**24.5**	100.0	**1943**

Note: N=1943 problems where sought advice. A single-level zero-truncated Poisson regression was conducted to determine whether problem group predicted the number of advisers consulted for legal problems. See Appendix Table A6.1 for full results.

[3] The number of advisers used for the other problem groups was not significantly different from average.

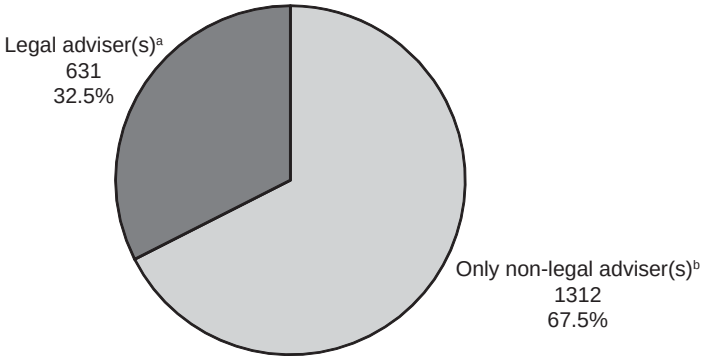
Adviser type

Respondents were asked to identify both the legal advisers and the non-legal advisers that they used (see Appendix A1, questions A9–A14). Legal advisers included not-for-profit legal services, such as legal services for Aboriginal and Torres Strait Islander people (ALSs),[4] CLCs,[5] court services (i.e. services provided by court registrars and staff) and Legal Aid.[6] Legal advisers also included private lawyers. Private lawyers who were relatives or friends but were consulted in their professional capacity were included as legal advisers. Non-legal advisers included dispute resolution or complaint-handling bodies, government bodies (including the police), trade unions or professional associations, health or welfare advisers, financial advisers, employers, schools or educational institutions, and community groups.[7]

Figure 6.3 presents the percentage of problems where respondents who sought advice used one or more legal advisers. As shown, respondents did not limit themselves to legal advisers in response to legal problems. In fact, one or more legal advisers were used in response to only 32.5 per cent of the problems where respondents sought advice. In the remaining 67.5 per cent of the problems where advice was sought, respondents used only non-legal advisers.

Table 6.2 presents more detailed information about the types of legal and non-legal professionals used by respondents as advisers. The table is based on all of the advisers used for each problem and, thus, includes multiple advisers for some problems. It can be seen that not-for-profit legal services

Figure 6.3: Use of legal advisers, NSW



a Comprises problems where only legal advisers were used, as well as problems where both legal and non-legal advisers were used. Examples of legal advisers are ALSs, CLCs, court services, Legal Aid and private lawyers.

b E.g. dispute/complaint-handling bodies, government bodies (including the police), trade unions or professional associations, health or welfare advisers, financial advisers, employers, schools or educational institutions, and community groups.

Note: N=1943 problems where sought advice.

4 The term 'ALSs' is used in the present report to refer to organisations that specifically focus on the delivery of legal services to Aboriginal and Torres Strait Islander people. These services are provided by different organisations across Australia. See Appendix Table A6.2 for further details.

5 The term 'CLCs' is used in the present report to refer to independent not-for-profit community-based centres, services or organisations that provide free legal advice, information and education to their client communities, with a particular focus on the disadvantaged members of the community with special needs. See Appendix Table A6.2 for further details.

6 As noted earlier, the uncapitalised term 'legal aid' is used throughout this report to refer to legal aid services generically, including legal aid services in other countries. The capitalised term 'Legal Aid' is used throughout to refer to the various Legal Aid commissions in Australia. However, in the present chapter, which examines the advisers used by NSW respondents, 'Legal Aid' refers almost invariably to Legal Aid NSW. Nonetheless, 'Legal Aid' rather than 'Legal Aid NSW' is still used in this chapter, given that some NSW respondents may have used Legal Aid in other jurisdictions, because, for example, they lived in another jurisdiction at some point during the 12-month reference period for the study.

7 Note that advisers were classified as 'legal' advisers only if one of their primary roles is to provide legal information, advice, assistance or representation. Thus, professionals and organisations that sometimes provide legal information or advice as a subsidiary activity are classified as 'non-legal' advisers. For example, police are classified as non-legal advisers, because their central activity involves law enforcement, even though they are often the first point of professional contact for criminal law problems and may provide some legal information or advice about such problems.

were used in only a relatively small proportion of cases where advice was sought. Legal Aid was used in 4.9 per cent of cases, court services were used in 3.5 per cent of cases, and CLCs were used in 1.8 per cent of cases. LawAccess NSW was used in under one per cent of legal problems where advice was sought. At least one of these not-for-profit legal services was used in 189 or 9.7 per cent of all problems where respondents sought advice. ALSs were not used in response to the 3903 legal problems followed up in depth by the survey.

Table 6.2: Adviser type, NSW

Adviser type	*N*	*%*
LEGAL ADVISER		
Legal adviser	631	32.5
ALS	0	0.0
CLC	34	1.8
Court service[a]	67	3.5
LawAccess NSW	14	0.7
Legal Aid	94	4.9
Private lawyer	457	23.5
Legal adviser — other or nfs[b]	61	3.2
NON-LEGAL ADVISER		
Dispute/complaint-handling adviser	137	7.1
Ombudsman	67	3.5
Tribunal	36	1.8
Dispute/complaint-handling adviser — other or nfs[c]	39	2.0
Government adviser	755	38.8
Local council/government	127	6.5
Member of parliament	41	2.1
Police	403	20.8
Child welfare/support department/agency	39	2.0
Department of Fair Trading/Consumer Affairs	59	3.0
Government department/agency — other[d]	110	5.7
Government adviser — nfs[e]	51	2.6
Trade or professional association	135	6.9
Trade union	87	4.5
Professional association	39	2.0
Trade or professional association — nfs	10	0.5
Health or welfare adviser	553	28.5
Doctor (e.g. GP, medical specialist)	382	19.6
Health care service/facility/hospital	76	3.9
Psychologist/counsellor	155	8.0
Social/welfare worker	37	1.9
Health or welfare adviser — other or nfs[f]	57	2.9
Financial adviser	422	21.7
Accountant	122	6.3
Bank/building society/credit union	65	3.3
Financial planner	51	2.6
Insurance company/broker	189	9.7
Financial adviser — other or nfs[g]	36	1.9

Table 6.2: Adviser type, NSW (cont.)

Other adviser	335	17.2
Business/service provider[h]	39	2.0
Employer/boss/supervisor	134	6.9
Non-legal community group/organisation[i]	41	2.1
School/educational institution	93	4.8
Person or organisation — other or nfs[j]	40	2.1
All problems where sought advice	**1943**	

a E.g. services provided by court registrars and staff.

b E.g. lawyer not further specified, legal telephone line/organisation.

c E.g. Community Justice Centre, commissioner, family dispute mediation body.

d E.g. Australian Taxation Office, Centrelink, department dealing with climate, education, environment, housing, industrial relations, justice, planning, workers' compensation.

e May include some dispute/complaint-handling advisers, because the information supplied was not sufficient to determine whether the adviser had a dispute/complaint-handling function.

f E.g. chiropractor, physiotherapist, occupational therapist.

g E.g. superannuation fund, mortgage company.

h E.g. home/building/auto trade.

i E.g. neighbourhood group, church/charitable organisation, health/welfare/women's advocacy organisation.

j E.g. owner's/strata body/corporation, real estate agent.

Note: N=1943 problems where sought advice. Percentages do not sum to 100, because multiple advisers were reported for some problems. 'nfs' denotes 'not further specified'. Subtotals show the number of problems where at least one of that adviser type was used (e.g. one or more legal advisers were used in 631 problems).

Private lawyers were used in response to 457 or 23.5 per cent of legal problems where respondents sought advice. In 96 of these 457 problems, respondents consulted a private lawyer who was a relative or friend.[8] These 96 problems accounted for 5.0 per cent of all problems where respondents sought advice.

In terms of non-legal advisers, government advisers (38.8%), health or welfare advisers (28.5%) and financial advisers (21.7%) were all consulted relatively frequently. Within the government adviser group, the police were consulted in 20.8 per cent of the problems where advice was sought, local councils or governments were consulted in 6.5 per cent, and a variety of government departments were also consulted.

Within the health or welfare adviser group, doctors were most commonly consulted (19.6%), followed by psychologists or counsellors (8.0%). Insurance companies or brokers (9.7%) and accountants (6.3%) were the most commonly used financial advisers.

Dispute/complaint-handling bodies were used as advisers in 7.1 per cent of the problems where advice was sought, and trade unions or professional associations were used in 6.9 per cent. Employers, bosses or supervisors were consulted in 6.9 per cent of the problems where respondents sought advice.

It was of interest to examine whether the type of problem dictated the types of advisers consulted. An adjusted chi-square test was conducted on the relationship between problem group and the type of adviser first consulted for each problem. This relationship was significant, indicating that the type of problem tended to guide respondents' choice of first adviser, and that the first adviser appeared generally to be appropriate.[9] To give a few examples, the first adviser consulted for:

- family and money problems was significantly more likely to be a legal adviser

[8] Note that, for some problems, respondents may have used private lawyers who were relatives or friends as well as other private lawyers.

[9] The adjusted chi-square test was based on first adviser for the problem according to the seven broad adviser groupings shown in Table 6.2. χ^2=1842.39, $F_{61,80\,650}$=25.31, p=0.000.

- health and personal injury problems was significantly more likely to be a health or welfare adviser
- accidents problems was significantly more likely to be a financial adviser, typically an insurance company.

The relationship between problem group and adviser type is explored further in Table 6.3, which includes all of the advisers consulted for each problem rather than only the first adviser. The descriptive data in Table 6.3, based on all advisers, are generally in keeping with the chi-square results on first adviser outlined above.[10] Again, the data indicate that the choice of advisers generally appeared to be appropriate. For example, when respondents sought advice for accidents problems, which comprised injury-free motor vehicle accidents, the most frequent type of adviser used was an insurance company/broker (69.5%). The police were the second most common type of adviser used for accidents problems (23.9%).

The most frequently used advisers for consumer problems were government advisers (31.3%), particularly for consumer problems regarding the purchase of faulty goods, telecommunications services (e.g. telephone, internet, pay television) and services provided by professionals or trades-people. Legal advisers, including private lawyers, were the next most commonly used advisers for consumer problems (24.5%), mainly for consumer problems involving insurance and services provided by lawyers, other professionals or tradespeople. Financial advisers were also used for a sizeable number of consumer problems (23.5%), such as problems regarding bank, building society or credit union services, insurance, and services provided by professionals or tradespeople. In addition, dispute/complaint-handling advisers were used for some consumer problems (22.4%), predominately problems with telecommunications services.

For credit/debt problems, the most frequently used advisers were legal advisers (44.5%) and financial advisers (44.5%), particularly in relation to a creditor's threats or actions. In addition, legal advisers were sometimes used for credit/debt problems concerning guaranteeing or paying a loan, while financial advisers were sometimes used for issues concerning credit ratings or credit refusal.

Unsurprisingly, the police were the most frequent type of adviser used for crime problems (67.2%), particularly for crime victimisation.

When respondents sought advice for employment problems, trade unions or professional associations were most frequently used (43.1%), mainly regarding problems with employment conditions and workplace harassment or victimisation. Health or welfare advisers were the next most commonly used advisers for employment problems (40.5%), particularly for workplace harassment or victimisation. Other advisers used for employment problems included legal advisers (24.5%), employers, bosses or supervisors (23.5%) and government advisers (17.7%).

For family problems, respondents most frequently consulted legal advisers (70.0%), chiefly for divorce/separation and child custody/contact issues. The next most commonly consulted advisers for family problems were health or welfare advisers (44.2%) for issues such as divorce/separation problems and government advisers (39.3%) for problems such as child support payments and child custody/contact.

The most frequently used advisers for government problems were government advisers (40.1%), mainly for problems concerning local government services, amenities, building works, developments or planning. Legal advisers were the next most commonly used advisers for government problems (33.2%), again mostly for problems concerning local government issues. Respondents also sought

[10] Note that for 53.2 per cent of problems where advice was sought, the first adviser was the only adviser (see Figure 6.1).

Table 6.3: Adviser type by problem group, NSW

Adviser type[a]	*Problem group*												*All problem groups*
	Accidents	*Consumer*	*Credit/ debt*	*Crime*	*Employment*	*Family*	*Government*	*Health*	*Housing*	*Money*	*Personal injury*	*Rights*	
	%	*%*	*%*	*%*	*%*	*%*	*%*	*%*	*%*	*%*	*%*	*%*	*%*
Legal adviser	11.8	24.5	44.5	18.6	24.5	70.0	33.2	21.3	43.8	66.0	25.2	20.3	**32.5**
Private lawyer	8.3	17.7	32.1	13.4	17.9	49.2	23.6	18.6	25.7	57.8	20.1	12.8	**23.5**
Not-for-profit legal service[b]	2.6	5.5	12.9	6.7	7.6	28.0	8.5	1.3	16.2	11.0	6.7	9.4	**9.7**
Dispute/complaint-handling adviser	0.9	22.4	3.4	3.4	6.1	6.5	7.6	1.3	8.4	9.8	3.7	5.3	**7.1**
Government adviser	26.0	31.3	15.2	75.3	17.7	39.3	40.1	8.7	64.4	15.4	15.2	32.1	**38.8**
Local council/government		3.9	1.4	3.6	0.7	1.2	14.9	1.4	30.2	2.0	2.2	2.0	**6.5**
Government department/agency[c]	0.4	18.5	4.8	5.0	14.1	28.9	6.1	4.6	17.4	6.2	6.8	7.4	**10.5**
Police	23.9	4.9	3.4	67.2	0.7	11.3	8.4		23.2	5.6	6.2	21.3	**20.8**
Trade or professional association		6.0	1.5	2.4	43.1		4.8	1.3	4.4	6.4	10.9	2.0	**6.9**
Health or welfare adviser	5.4	9.6	20.9	21.4	40.5	44.2	11.6	84.1	10.5	16.8	76.5	38.7	**28.5**
Doctor (e.g. GP, medical specialist)	4.5	7.0	17.2	13.8	27.7	25.0	5.7	63.0	6.4	8.6	66.5	17.8	**19.6**
Psychologist/counsellor	0.8	2.1	3.4	6.9	18.2	20.9	2.9	6.9	2.1	5.1	7.9	26.1	**8.0**
Financial adviser	76.3	23.5	44.5	20.0	12.2	12.4	22.7	7.5	8.5	34.9	12.6	3.0	**21.7**
Accountant	2.5	4.6	15.7	1.0	7.4	7.9	16.6	1.4	4.0	20.1	3.8	1.0	**6.3**
Insurance company/broker	69.5	8.9	2.1	13.4	1.8	1.5	0.3	1.4	1.4	4.9	7.7	1.0	**9.7**
Other adviser	6.3	13.5	10.7	12.5	34.3	14.8	20.3	13.5	12.0	8.4	16.9	56.2	**17.2**
Employer/boss/supervisor	6.0	3.1	3.7	7.0	23.5	5.2	4.2	8.1	2.1	2.2	11.7	7.2	**6.9**
School/educational institution			0.7	2.0	5.4	8.6	2.5	2.8	1.0		3.9	43.5	**4.8**
All problems where sought advice **N**	**132**	**196**	**75**	**345**	**151**	**147**	**155**	**82**	**231**	**140**	**173**	**113**	**1943**

a See Table 6.2 for further details on each adviser type. Apart from the exceptions noted below, adviser types are identical to those in Table 6.2.

b Combines the following categories from Table 6.2: 'ALS', 'CLC', 'court service', 'LawAccess NSW' and 'Legal Aid'.

c Combines the following categories from Table 6.2: 'child welfare/support department/agency', 'Department of Fair Trading/Consumer Affairs' and 'government department/agency — other'.

Note: N=1943 problems where sought advice. Percentages do not sum to 100, because multiple advisers were reported for some problems.

advice from accountants (16.6%) for some government problems, such as problems related to tax assessment/debt problems.

Health or welfare advisers, such as doctors, health care services or facilities, and psychologists or counsellors, were consulted for 84.1 per cent of the legal problems from the health problem group. Doctors were consulted for 63.0 per cent of these problems, particularly for clinical negligence issues. In addition, legal advisers were consulted for 21.3 per cent of legal problems from the health problem group, and many of these problems similarly concerned clinical negligence.

Respondents most frequently sought advice for housing problems from government advisers (64.4%) and legal advisers (43.8%), particularly for problems with neighbours, but also for home ownership and private rental problems.

Legal advisers (66.0%) and financial advisers (34.9%) were commonly used for money problems, particularly for problems with wills or deceased estates. Furthermore, legal advisers were also used for problems related to owning a business and being a landlord, while financial advisers were also used for problems with being a landlord and problems concerning investment income (e.g. superannuation, shares, trusts or managed funds).

The most common advisers for personal injury problems were health or welfare advisers (76.5%), particularly for work-related injuries and injuries not related to motor vehicle accidents. Doctors were identified as advisers for approximately two-thirds of personal injury problems. Legal advisers were used for around one-quarter of personal injury problems, including work-related, motor vehicle and other injuries.

Respondents sought advice from a range of advisers for rights problems, but most commonly from schools or educational institutions (43.5%) for rights issues concerning student bullying or harassment. Other types of advisers used for rights problems were health or welfare advisers (38.7%) and government advisers (32.1%), for problems such as unfair treatment by police, student bullying or harassment, and discrimination. Where respondents sought advice from legal advisers for rights problems (20.3%), they tended to do so in relation to issues concerning unfair treatment by police and discrimination.

There was also a significant relationship between the type of adviser first consulted for each legal problem and problem severity (see note in Table 6.4). Table 6.4, which is based on all advisers for each legal problem, similarly suggests that some types of advisers deal relatively more often with problems of substantial impact. For example, about three-quarters of the problems dealt with by legal advisers, trade unions or professional associations, and health or welfare advisers were rated by respondents as problems that had a substantial impact on their everyday lives. In contrast, only a little more than half of the problems dealt with by government and financial advisers were rated as being of substantial impact. Only about one-third of the problems dealt with by insurance companies or brokers were considered to be substantial problems.

It is likely that this pattern in part reflects the types of problems dealt with by different advisers. For example, legal advisers tended to be used frequently for family problems, and the family problem group tended to comprise a relatively high proportion of substantial problems (see Tables 3.3 and 6.3). Similarly, health or welfare advisers were often used for legal problems from the health problem group, which again tended to comprise a relatively high proportion of substantial problems (see Tables 3.3 and 6.3).

Table 6.4: Adviser type by problem severity, NSW

Adviser type[a]	*Problem severity*		*Total*	
	Minor	*Substantial*		
	%	*%*	*%*	*N*
Legal adviser	25.3	74.7	**100.0**	**631**
Private lawyer	24.3	75.7	**100.0**	**457**
Not-for-profit legal service[b]	21.3	78.7	**100.0**	**189**
Dispute/complaint-handling adviser	32.1	67.9	**100.0**	**137**
Government adviser	43.9	56.1	**100.0**	**755**
Local council/government	44.3	55.7	**100.0**	**127**
Government department/agency[c]	32.1	67.9	**100.0**	**204**
Police	47.6	52.4	**100.0**	**403**
Trade or professional association	24.9	75.1	**100.0**	**135**
Health or welfare adviser	25.5	74.5	**100.0**	**553**
Doctor (e.g. GP, medical specialist)	25.7	74.3	**100.0**	**382**
Psychologist/counsellor	17.4	82.6	**100.0**	**155**
Financial adviser	46.8	53.2	**100.0**	**422**
Accountant	27.8	72.2	**100.0**	**122**
Insurance company/broker	65.4	34.6	**100.0**	**189**
Other adviser	39.9	60.1	**100.0**	**335**
Employer/boss/supervisor	38.2	61.8	**100.0**	**134**
School/educational institution	39.9	60.1	**100.0**	**93**
All problems where sought advice	**41.3**	**58.7**	**100.0**	**1943**

a See Table 6.2 for further details on each adviser type. Apart from the exceptions noted below, adviser types are identical to those in Table 6.2.

b Combines the following categories from Table 6.2: 'ALS', 'CLC', 'court service', 'LawAccess NSW' and 'Legal Aid'.

c Combines the following categories from Table 6.2: 'child welfare/support department/agency', 'Department of Fair Trading/Consumer Affairs' and 'government department/agency — other'.

Note: N=1943 problems where sought advice. Although percentages in the table are based on all advisers for the problem, the adjusted chi-square test was based on first adviser for the problem (according to the seven broad adviser groupings). χ^2=103.91, $F_{6,7831}$=15.22, p=0.000.

Nature of contact with main adviser

The survey identified the main adviser used by respondents and then asked a series of further questions about this main adviser, including the modes of communication used with this adviser, how respondents sourced this adviser, any barriers experienced when trying to access this adviser and the types of help received from this adviser.

When respondents used only one adviser for a legal problem, this sole adviser was deemed to be the main adviser for analysis purposes. The main adviser for respondents who consulted multiple advisers for a legal problem was the adviser who they nominated as the most useful of their advisers (see Appendix A1, question A21).

Mode of communication with main adviser

Respondents were asked in a series of closed-ended questions to indicate the various modes of communication that they used with their main adviser. It is worth noting that the LAW Survey did not measure the number of times that each respondent had contact with their main adviser — only the different types of communication used.

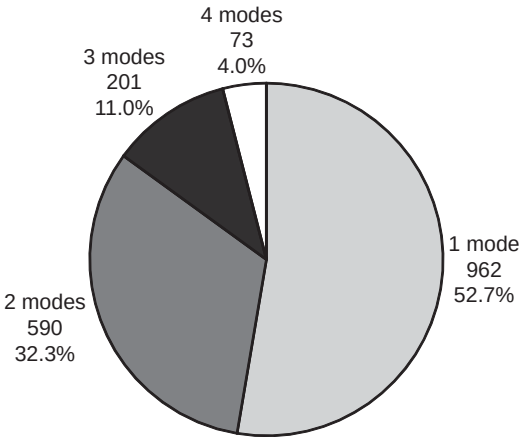
It was fairly common for respondents to use more than one mode of communication with their main adviser. At least two modes of communication were used in almost half of the cases (see Figure 6.4).[11]

Table 6.5 displays the different modes of communication used with the main adviser. For each mode of communication, the table shows the percentage of problems where that mode of communication was used at some point during the consultations of the respondent with their main adviser. Telephone contact and in-person contact were by far the most common ways that respondents communicated with their main adviser. Each of these forms of communication was used in approximately two-thirds of cases at some point. Contact via email or post was less common, each being used in less than one-fifth of cases.

For the 962 problems where only one form of communication was used (see Figure 6.4), it was highly unlikely to be communication via email (2.2%) or post (1.5%), and was much more likely to be face-to-face (54.0%) or telephone (42.2%) communication.

The modes of communication used were significantly related to the type of main adviser consulted (see Table 6.6). For example, relatively fewer of the problems where the main adviser was a health or welfare adviser involved telephone communication (36.4% versus 67.1% on average). A greater proportion of the problems where the main adviser was a legal or a health or welfare adviser involved face-to-face communication (76.2–95.0% versus 67.4% on average). Only a small proportion of the problems where the main adviser was a government or a health or welfare adviser involved email

Figure 6.4: Number of modes of communication with main adviser, NSW



Note: N=1826 problems where sought advice. Data were missing for 117 problems.

Table 6.5: Mode of communication with main adviser, NSW

Mode of communication	*N*	*%*
Telephone	1225	67.1
In person	1230	67.4
Email	314	17.2
Post	267	14.6
All problems where sought advice	**1826**	

Note: N=1826 problems where sought advice. Data were missing for 117 problems. Percentages do not sum to 100, because multiple modes of communication were used for some problems.

[11] Cases where only one form of communication was used include all cases where there was only a single contact with the main adviser, as well as some cases where there were multiple contacts with the main adviser.

Table 6.6: Mode of communication with main adviser by adviser type, NSW

Main adviser type[a]	*Mode of communication*				*Total*
	Telephone	*In person*	*Email*	*Post*	
	%	*%*	*%*	*%*	*N*
Legal adviser	76.7	76.2	27.1	29.8	**443**
Dispute/complaint-handling adviser	84.0	23.3	27.3	21.9	**70**
Government adviser	72.9	55.0	9.5	11.8	**431**
Trade or professional association	66.0	51.6	46.7	16.8	**64**
Health or welfare adviser	36.4	95.0	3.3	3.1	**348**
Financial adviser	83.7	43.6	17.7	12.0	**284**
Other adviser	57.0	81.6	23.1	6.7	**187**
All problems where sought advice	**67.1**	**67.4**	**17.2**	**14.6**	**1826**

a See Table 6.2 for further details on each adviser type. Adviser types are identical to those in Table 6.2.

Note: N=1826 problems where sought advice. Data were missing for 117 problems. Percentages do not sum to 100, because multiple modes of communication were used for some problems. Telephone: χ^2=230.15, $F_{6,7443}$=31.27, p=0.000. In person: χ^2=330.15, $F_{6,7464}$=47.73, p=0.000. Email: χ^2=145.92, $F_{6,7313}$=19.22, p=0.000. Post: χ^2=137.34, $F_{6,7431}$=19.89, p=0.000. Bonferroni correction applied, χ^2 significant if p<0.013.

contact. Communication via post was used for relatively more problems where the main adviser was a legal adviser and for relatively fewer problems where the main adviser was a health or welfare adviser.

The modes used to communicate with the main adviser were not related to remoteness. For each mode of communication, there was no significant difference between respondents who lived in remote or regional areas and respondents who lived in major city areas.[12] Note, however, that this finding was based on the proportion of problems where each form of communication was used. The survey did not measure the number of times that each mode of communication was used with the main adviser or the mode of the initial contact with the main adviser.

Distance travelled to main adviser

For the problems where respondents consulted their main adviser in person, they were asked to estimate the distance they usually had to travel to see this adviser (see Table 6.7). For almost one-quarter of these problems, respondents reported that they didn't need to travel to consult their main adviser face-to-face. For example, this proportion would include cases where the main adviser was a relative or friend, where the main adviser travelled to the respondent (e.g. various professionals and tradespeople) and where the main adviser was at the same workplace as the respondent (e.g. boss, work colleague, trade union official). However, in 8.7 per cent of cases, respondents reported travelling more than 40 kilometres to consult their main adviser.

There was a significant relationship between distance travelled to consult the main adviser in person and remoteness (see Table 6.7), with respondents in remote and regional areas travelling further than those in major city areas. Whereas residents of remote and regional areas travelled more than 40 kilometres to consult their main adviser in 17.1 per cent of cases, residents of major city areas travelled this distance in under five per cent of cases.

[12] Telephone: χ^2=0.20, $F_{1,1251}$=0.14, p=0.704. In person: χ^2=3.42, $F_{1,1251}$=2.80, p=0.095. Email: χ^2=3.52, $F_{1,1251}$=2.48, p=0.115. Post: χ^2=0.25, $F_{1,1251}$=0.19, p=0.661. Bonferroni correction applied, χ^2 significant if p<0.013.

Table 6.7: Distance usually travelled to consult main adviser in person by remoteness, NSW

Distance usually travelled (kilometres)		*Remoteness*		*All problems where consulted main adviser in person*
		Remote/regional[a]	*Major city*	
		%	*%*	*%*
Didn't need to travel		17.6	25.7	**23.0**
≤5		33.3	35.9	**35.1**
6–10		8.6	13.3	**11.8**
11–20		11.0	13.2	**12.5**
21–40		12.3	7.1	**8.8**
41–80		8.8	2.6	**4.6**
81+		8.3	2.1	**4.1**
Total	**%**	**100.0**	**100.0**	**100.0**
	N	**394**	**805**	**1199**

a Due to insufficient numbers in some cells, the analysis compared a combined remote/regional category to the major city category.

Note: N=1199 problems where consulted main adviser in person. Data were missing for 31 problems. A chi-square rather than a Somers' d test was run, because there was particular interest in whether differences due to remoteness would be evident at larger distances. There was no expectation that such differences would be evident at smaller distances, and, thus, there was no expectation of a trend effect across all distances. χ^2=70.20, $F_{6,12109}$=8.09, p=0.000.

Sourcing main adviser

For 1012 problems, the main adviser was a legal, dispute/complaint-handling or government adviser.[13] Respondents were asked how they sourced these types of main adviser (see Appendix A1, question A22).[14] Respondents provided this information for 924 problems (see Table 6.8).

Respondents whose main adviser was a legal, dispute/complaint-handling or government adviser sourced this adviser through a variety of different means. In the majority of cases (77.1%), respondents used their own personal resources or networks to find their main adviser. For example, they relied on their own prior knowledge or similar previous experience (33.4%), obtained a referral from a relative, friend or acquaintance (13.3%), consulted an adviser who was a relative or friend (11.7%) or whom they had used before (4.4%), and used the telephone book (7.9%) or the internet (6.4%).

Sourcing main advisers via referrals from professionals occurred in only a minority of cases. Referrals from legal professionals occurred in 6.3 per cent of cases, with the referral coming from a not-for-profit legal service such as a CLC, a court service, LawAccess NSW or Legal Aid in 4.4 per cent of cases, and from a private lawyer or other legal professional in 1.9 per cent of cases.[15] In a further 5.2 per cent of cases, respondents were referred by a non-legal professional, such as a government, health or financial professional.

Infrequently, respondents sourced their main adviser via advertising (3.6%), by walking in off the street to consult the adviser (2.2%), as a result of being contacted by the adviser or the person handling the matter (1.7%) or via contact with the other side (1.5%).

Table 6.9 also examines main advisers who were legal, dispute/complaint-handling or government advisers. It shows that the means used to source these main advisers was significantly related to adviser type. For example, legal advisers were:

- less likely to be sourced via respondents' prior knowledge or similar experience (16.1% versus 33.4% on average)

13 See the 'legal adviser', 'dispute/complaint-handling adviser' and 'government adviser' categories in Table 6.2.

14 It is worth noting that respondents may have found out about the main adviser prior or subsequently to the occurrence of the legal problem for which they sought advice from this adviser.

15 None of the respondents whose main adviser was a legal, dispute/complaint-handling or government adviser said that they were referred to this adviser by an ALS.

Table 6.8: Source of main adviser — legal, dispute/complaint-handling and government advisers only, NSW

Source of main adviser	*N*	*%*
Personal resources/networks	712	77.1
Prior knowledge or experience	309	33.4
Referred by a relative/friend/acquaintance	123	13.3
Adviser was a relative or friend	108	11.7
Used this adviser or service before	41	4.4
Telephone book	73	7.9
Internet	59	6.4
Referred by legal professional	58	6.3
Not-for-profit legal service[a]	41	4.4
Other legal professional[b]	18	1.9
Referred by non-legal professional[c]	48	5.2
Advertising	33	3.6
Media	17	1.9
Pamphlet/leaflet/poster	16	1.7
Walked in off the street	21	2.2
Contact with other side	14	1.5
Contacted by this adviser or person handling matter	16	1.7
Referred by other person[d]	22	2.4
All problems with legal, dispute/complaint-handling or government main adviser	**924**	**100.0**

a E.g. CLC, court service, LawAccess NSW and Legal Aid.

b E.g. private lawyer, lawyer not further specified, legal telephone line/organisation.

c E.g. dispute/complaint-handling professional, government professional, trade union or professional association, health or welfare professional, financial professional.

d E.g. business/service provider, work-related person, non-legal community group/organisation, school-related person, real estate agent.

Note: N=924 problems with legal, dispute/complaint-handling or government main adviser. Data were missing for 88 problems.

Table 6.9: Source of main adviser by adviser type — legal, dispute/complaint-handling and government advisers only, NSW

Source of main adviser[a]	*Main adviser type*[e]			*All problems with legal, dispute/complaint-handling or government main adviser*
	Legal	*Dispute/ complaint-handling*	*Government*	
	%	*%*	*%*	*%*
Personal resources/networks				
Prior knowledge or experience	16.1	31.4	52.0	**33.4**
Referred by a relative/friend/acquaintance	21.0	1.7	7.0	**13.3**
Knew adviser or used before[b]	27.2	4.1	6.3	**16.1**
Telephone book or internet	9.6	39.3	15.3	**14.3**
Referred by legal or non-legal professional[c]	18.4	9.8	4.5	**11.5**
Other[d]	7.8	13.7	14.8	**11.4**
Total %	**100.0**	**100.0**	**100.0**	**100.0**
N	**439**	**66**	**418**	**924**

a See Table 6.8 for further details on each source of main adviser. Apart from the exceptions noted below, sources of main adviser are identical to those in Table 6.8.

b Combines the following categories from Table 6.8: 'adviser was a relative or friend' and 'used this adviser or service before'.

c Combines the following categories from Table 6.8: 'referred by legal professional' and 'referred by non-legal professional'.

d Combines the following categories from Table 6.8: 'advertising' (including 'media' and 'pamphlet/leaflet/poster'), 'walked in off the street', 'contact with the other side', 'contacted by this adviser or person handling matter' and 'referred by other person'.

e See Table 6.2 for further details on each adviser type.

Note: N=924 problems with legal, dispute/complaint-handling or government main adviser. Data were missing for 88 problems. χ^2=271.85, $F_{10,20246}$=23.76, p=0.000.

- more likely to be sourced via referrals from relatives, friends or acquaintances (21.0% versus 13.3% on average) or via referrals from professionals (18.4% versus 11.5% on average)
- more likely to be known to the respondent, either because they were a relative or friend or because the respondent had consulted the adviser previously (27.2% versus 16.1% on average)
- less likely to be sourced via the telephone book or internet (9.6% versus 14.3% on average).

Barriers to obtaining help from main adviser

For the 1012 problems where the main adviser was a legal, dispute/complaint-handling or government adviser, respondents were asked whether they had experienced any barriers in trying to obtain help from this adviser in a series of closed-ended questions and one open-ended question (see Appendix A1, questions A27.1–A27.12). This information was provided for 946 problems.

Table 6.10 details the information provided via the closed-ended questions. It shows that no barriers were reported for 57.3 per cent of the 946 problems, but at least one barrier was reported for the remaining problems. Barriers to the accessibility of the main adviser were frequently endorsed, such as difficulty getting through on the telephone (16.1%), the adviser taking too long to respond (14.6%), the adviser being too far away or too hard to get to (7.8%), difficulty getting an appointment (7.0%) and inconvenient opening hours (6.5%). Cost (12.2%) and inadequate or poorly explained advice (10.7%) were also endorsed as barriers in over one-tenth of problems.

Table 6.10: Barriers to obtaining help from main adviser — legal, dispute/complaint-handling and government advisers only, NSW

Barrier type	*N*	*%*
No barrier	542	57.3
1+ barriers	404	42.7
Inconvenient opening hours	62	6.5
Difficulty getting through on telephone	152	16.1
Difficulty getting appointment	66	7.0
Took too long to respond	138	14.6
Too expensive	116	12.2
Too far away or too hard to get to	74	7.8
Inadequate or poorly explained advice	101	10.7
Difficulty understanding because non-English speaker[a]	3	0.3
Didn't cater for people with disabilities[b]	14	1.4
Didn't cater for coming with young children[c]	19	2.0
Other barrier[d]	47	5.0
All problems with legal, dispute/complaint-handling or government main adviser	**946**	

a Only respondents whose main language was not English were asked about this barrier. Data were provided for 43 problems, with seven of these problems coming from non-English interviews.

b Only respondents with a disability were asked about this barrier. Data were provided for 263 problems.

c Only respondents with children under 18 years were asked about this barrier. Data were provided for 410 problems.

d Comprises the barriers provided from the open-ended responses (see Appendix A1, questions A27.11–A27.12), whereas the other categories are based on the closed-ended questions (see Appendix A1, A27.1–A27.10).

Note: N=946 problems with legal, dispute/complaint-handling or government main advisers. Data were missing for 66 problems. Percentages do not sum to 100, because multiple barriers were reported for some advisers.

Other types of barriers when trying to obtain help from the main adviser who was a legal, dispute/complaint-handling or government adviser were provided from the open-ended question for 47 or 5.0 per cent of problems. The most common of these barriers were that the main adviser:

- had limited authority to assist or was hampered by red tape, confidentiality, conflict of interest or freedom of information restrictions
- was indifferent or unprofessional
- was difficult to access, due to time pressure, staffing issues (e.g. understaffing, rostering, turnover) or conflicting appointments.

Table 6.11 breaks down the barriers experienced by type of main adviser. There were significant differences between legal, dispute/complaint-handling and government advisers for only two types of barriers. Specifically, legal advisers were more likely to be too expensive (23.2% versus 2.2–4.7%) and to be too far away or too hard to get to (11.4% versus 4.6–4.7%). In fact, cost was the most common barrier to obtaining advice from main advisers who were legal advisers. The finding that legal advisers were more often reported to be too far away or too hard to get to may in part reflect the greater use of face-to-face consultation with legal advisers (see Table 6.6).

Table 6.11: Barriers to obtaining help from main adviser by adviser type — legal, dispute/complaint-handling and government advisers only, NSW

Barrier type	*Main adviser type*[b]			*All problems with legal, dispute/complaint-handling or government main adviser*
	Legal	*Dispute/ complaint-handling*	*Government*	
	%	*%*	*%*	*%*
No barrier	51.4	63.6	62.2	**57.3**
1+ barriers				
Inconvenient opening hours	6.4	11.9	5.8	**6.5**
Difficulty getting through on telephone	15.7	24.2	15.2	**16.1**
Difficulty getting appointment	7.5	6.2	6.6	**7.0**
Took too long to respond	11.4	11.8	18.5	**14.6**
Too expensive	23.2	4.7	2.2	**12.2**
Too far away or too hard to get to	11.4	4.7	4.6	**7.8**
Inadequate or poorly explained advice	10.0	8.6	11.7	**10.7**
Other barrier[a]	10.2	11.9	6.0	**8.4**
All problems with legal, dispute/ complaint-handling or government main adviser **N**	**444**	**69**	**432**	**946**

a Combines the following categories from Table 6.10: 'difficulty understanding because non-English speaker', 'didn't cater for people with disabilities', 'didn't cater for coming with young children' and 'other barrier'.

b See Table 6.2 for further details on each adviser type.

Note: N=946 problems with legal, dispute/complaint-handling or government main advisers. Data were missing for 66 problems. Percentages do not sum to 100, because multiple barriers were reported for some advisers. No barrier: χ^2=11.90, $F_{2,1514}$=4.97, p=0.007. Inconvenient opening hours: χ^2=3.81, $F_{2,1508}$=1.60, p=0.203. Difficulty getting through on telephone: χ^2=3.71, $F_{2,1495}$=1.65, p=0.193. Difficulty getting appointment: χ^2=0.35, $F_{2,1510}$=0.17, p=0.844. Took too long to respond: χ^2=9.56, $F_{2,1497}$=4.33, p=0.014. Too expensive: χ^2=95.92, $F_{2,1502}$=38.92, p=0.000. Too far away or too hard to get to: χ^2=15.52, $F_{2,1511}$=6.67, p=0.001. Inadequate or poorly explained advice: χ^2=1.04, $F_{2,1507}$=0.49, p=0.610. Other barrier: χ^2=6.44, $F_{2,1511}$=3.03, p=0.049. Bonferroni correction applied, χ^2 significant if p<0.006.

Nature of help from advisers

Helpfulness of advisers

Respondents who sought advice in response to legal problems were asked to rate the helpfulness of the advisers they consulted (see Appendix A1, questions A17–A20). They were asked to rate the helpfulness of up to four advisers per problem.[16] Specifically, they were asked to rate whether each adviser was 'very helpful', 'fairly helpful', 'not very helpful' or 'not at all helpful'. Helpfulness ratings were provided for 3392 of the advisers used for the 1943 legal problems where advice was sought. Table 6.12 shows that, overall, respondents were generally happy with their advisers, rating them as very or fairly helpful in the majority of cases (75.3%).

Table 6.12: Helpfulness of advisers, NSW

Adviser type[a]	*Advisers rated as very/fairly helpful*		*All advisers rated*[b]
	N	*%*	*N*
LEGAL ADVISER			
Legal adviser	588	79.0	**744**
ALS	~	~	**0**
CLC	23	64.2	**36**
Court service	48	76.1	**63**
LawAccess NSW	~	~	**12**
Legal Aid	62	71.0	**87**
Private lawyer	419	82.1	**510**
Legal adviser — other or nfs	26	74.5	**35**
NON-LEGAL ADVISER			
Dispute/complaint-handling adviser	89	68.1	**132**
Ombudsman	44	66.3	**67**
Tribunal	22	71.1	**31**
Dispute/complaint-handling adviser — other or nfs	23	68.7	**34**
Government adviser	513	61.3	**837**
Local council/government	74	54.5	**136**
Member of parliament	30	66.2	**45**
Police	277	61.6	**449**
Child welfare/support department/agency	19	61.6	**41**
Department of Fair Trading/Consumer Affairs	48	77.0	**62**
Government department/agency — other	65	62.9	**103**
Government adviser — nfs	~	~	**0**
Trade or professional association	85	70.8	**120**
Trade union	62	76.7	**81**
Professional association	23	58.4	**39**
Trade or professional association — nfs	~	~	**0**
Health or welfare adviser	636	84.1	**756**
Doctor (e.g. GP, medical specialist)	404	86.8	**465**
Health care service/facility/hospital	58	78.6	**74**
Psychologist/counsellor	120	81.0	**148**
Social/welfare worker	24	72.0	**34**
Health or welfare adviser — other or nfs	30	84.0	**36**

[16] Where four or fewer advisers were consulted, respondents were asked to rate the helpfulness of all of these advisers. Where five or more advisers were consulted, respondents were asked to rate the helpfulness of the first three and the last of these advisers.

Table 6.12: Helpfulness of advisers, NSW (cont.)

Financial adviser	358	83.4	**430**
Accountant	84	79.9	**106**
Bank/building society/credit union	49	80.0	**61**
Financial planner	38	79.8	**48**
Insurance company/broker	165	88.0	**187**
Financial adviser — other or nfs	22	79.6	**28**
Other adviser	285	76.2	**374**
Business/service provider	40	91.4	**44**
Employer/boss/supervisor	87	65.2	**134**
Non-legal community group/organisation	40	94.6	**42**
School/educational institution	93	76.9	**121**
Person or organisation — other or nfs	25	74.3	**34**
All advisers rated for problems where sought advice	**2554**	**75.3**	**3392**

~ Due to insufficient numbers, percentages are not provided.

a See Table 6.2 for further details on each adviser type. Adviser types are identical to those in Table 6.2.

b Respondents rated the helpfulness of up to four advisers per problem. Where four or fewer advisers were consulted, respondents were asked to rate all of these advisers. Where five or more advisers were consulted, respondents were asked to rate the first three and the last of these advisers.

Note: N=3392 advisers for problems where sought advice. Data were missing for 681 advisers. Percentages do not sum to 100, because multiple advisers were used for some problems. Although percentages in the table are based on up to four advisers per problem, the adjusted chi-square test was based on first adviser for the problem (according to the seven broad adviser groupings). 'nfs' denotes 'not further specified'. χ^2=87.98, $F_{6,7822}$=12.01, p=0.000.

An adjusted chi-square test based on the first adviser consulted for each legal problem showed a significant relationship between adviser type and perceived helpfulness (see note in Table 6.12). Similarly, the percentages in Table 6.12, which are based on up to four advisers per legal problem, suggest that some types of advisers received positive ratings in a higher proportion of the cases they handled. For example, whereas health or welfare advisers (84.1%) and financial advisers (83.4%) were rated as very or fairly helpful in over four-fifths of cases, government advisers were rated as very or fairly helpful in only 61.3 per cent of cases. Legal advisers were rated as very or fairly helpful in 79.0 per cent of cases.

However, it is important to remember that the choice of adviser was related to both the type of problem (see Table 6.3) and the severity of the problem (see Table 6.4), as would be expected, due to differences in advisers' functions or expertise. As a result, differences in the perceived helpfulness of advisers may in part reflect differences in the nature of the problems handled or in the suitability of the adviser to handle different types of problems or clients.

Helpfulness of main adviser

As might be expected, the helpfulness ratings for respondents' main advisers appeared to be slightly higher than those for all advisers examined.[17] Helpfulness ratings were provided for 1805 of the main advisers used by respondents for the 1943 legal problems where advice was sought. Overall, respondents rated their main adviser as very or fairly helpful in the overwhelming majority of cases — that is, in 83.2 per cent of cases. As noted above, the percentage for all advisers examined was slightly lower in absolute terms, at 75.3 per cent (see Table 6.12).

Like the helpfulness ratings for all advisers examined, those for main advisers appeared to vary by adviser type, with the ordering being similar.[18] Again, the highest helpfulness ratings were for health

[17] A significance test was not conducted on this comparison.

[18] A significance test was not conducted on the helpfulness of main advisers by adviser type.

or welfare advisers (90.8%) and financial advisers (90.2%; cf. Table 6.12). Main advisers who were legal advisers (87.3%) or dispute/complaint-handling advisers (79.7%) were also rated as very or fairly helpful in more than three-quarters of cases. Main advisers who were government advisers (70.3%) or trade unions or professional associations (73.9%) had the lowest helpfulness ratings.

Helpfulness of main adviser compared to relatives or friends

One type of action taken by respondents to try to resolve their legal problems was to consult relatives or friends informally. Respondents took this action in response to 26.8 per cent or 1034 legal problems (see Figure 5.1). These respondents were asked to rate the helpfulness of the 'most helpful' of these relatives or friends (see Appendix A1, questions A29 and A30). Such helpfulness ratings were provided for 1027 problems. Respondents rated the 'most helpful' relative or friend as very or fairly helpful in 79.9 per cent of these 1027 problems. As noted above, the percentage of main advisers who were rated as very or fairly helpful was similar, at 83.2 per cent.

Types of help from main adviser

Respondents who sought advice were asked a series of questions about the types of help they received from their main adviser (see Appendix A1, questions A23, A24 and A28). These questions were asked for all types of main advisers. The types of help received from the main adviser were captured for 1841 of the 1943 problems where respondents sought advice.[19]

The specific types of help received from the main adviser were grouped into three broad categories: 'legal help', 'other help' and 'no help specified'. This classification is based on the nature of the help received rather than the type of adviser providing that help. Thus, the classification acknowledges that legal help can be provided by both legal and non-legal advisers (see Pleasence 2006). That is, the classification adopts a broad view of access to justice which acknowledges that legal resolution can occur by means outside the formal justice system. It allows assessment not only of how often legal help is provided, but also of the extent to which legal help is provided via non-traditional pathways.

'Legal help' in the current classification is defined as information, advice or assistance that aims to address the legal aspects of the problem and includes the following specific types of help:

- pre-packaged legal information
- advice on legal rights or procedures
- help with legal documents
- help with court or tribunal proceedings or preparation
- help with formal dispute resolution sessions (e.g. mediation or conciliation)
- negotiation with the other side
- referral to a lawyer or legal service.

Although the types of help within the legal help category are often core types of help provided by lawyers, they are not necessarily provided exclusively by lawyers. For example, non-legal advisers sometimes disseminate pre-packaged legal information and sometimes accompany or represent people at court or tribunal hearings.[20]

[19] Given that these data are based on respondents' perceptions, it is worth noting that respondents may sometimes have failed to recognise that they received a particular type of help or may have mislabelled the type of help they received.

[20] Similarly, although negotiation with the other side on behalf of a client is often provided by lawyers (cf. Legal Aid NSW 2010; Scott & Sage 2001), this type of help can also be provided by non-legal advisers. The categorisation of 'negotiation with the other side' as help that aims to address the legal aspects of the problem is consistent with the common definition of 'negotiation', which is to bargain or attempt to strike a deal about settlement terms. In addition, this categorisation is consistent with broader conceptualisations of access to justice, which acknowledge that legal resolution can occur outside the formal justice system without the use of lawyers or the courts.

The 'other help' category comprises:

- help that was of a non-legal nature (e.g. medical or financial advice or assistance)
- help where it was unclear whether the help was of a legal or non-legal nature (e.g. 'contacting another professional or agency' or 'unspecified').

Finally, the 'no help specified' category comprises the problems where respondents did not endorse any of the questions asking about the types of help received from the main adviser and said 'no' to the catch-all question which asked if the main adviser provided 'any other information, advice or assistance' (see Appendix A1, question A24.7).

Table 6.13 details the help received from the main adviser both in terms of the three broad categories of help and in terms of the specific types of help within the broad categories. It can be seen that 13.2 per cent of problems where advice was sought fell into the 'no help specified' category, suggesting that in these cases respondents felt that they did not receive any useful help from the main adviser.[21]

Table 6.13: Specific types of help from main adviser, NSW

Type of help	*N*	*%*
No help specified	242	13.2
Legal	1232	66.9
Pre-packaged legal information[a]	349	19.0
Advice on legal rights/procedures	829	45.0
Help with legal documents[b]	555	30.1
Help with court/tribunal process	200	10.8
Help with formal dispute resolution[c]	125	6.8
Negotiation with other side	614	33.3
Referral to lawyer/legal service	121	6.5
Other	1270	69.0
Medical advice/assistance	300	16.3
Counselling/support	418	22.7
Financial advice	269	14.6
Employment advice	147	8.0
Help with other paperwork	555	30.1
Contacted other professional/agency	518	28.1
Other referral[d]	85	4.6
Unspecified[e]	303	16.5
All problems where sought advice	**1841**	

a E.g. leaflets, internet addresses.

b E.g. legal letters, complaints, agreements.

c E.g. dispute resolution, mediation, conciliation sessions.

d E.g. referral to dispute/complaint-handling, government, trade union, medical, health, welfare or financial professional or organisation.

e Comprises 'yes' responses to question A24.7 (see Appendix A1), which asked about other information, advice or assistance but did not capture further details.

Note: N=1841 problems where sought advice. Data were missing for 102 problems. Percentages do not sum to 100, because multiple types of help were reported for some advisers.

[21] Note that the 'no help specified' category included only problems where the respondent had (i) not endorsed any of the help questions; and (ii) answered 'no' to at least half of the help questions, including 'no' to question A24.7, which asked about 'any other information, advice or assistance' (see Appendix A1). Problems where the respondent had not endorsed any of the help questions and had answered 'can't say' to the majority of the help questions were excluded from the 'no help specified' category and treated as missing in Table 6.13.

Legal help of some type was reported for 66.9 per cent of problems where respondents sought advice (see Table 6.13). Respondents often indicated that they received multiple types of legal help from their main adviser. The types of legal help that were most commonly endorsed included advice on legal rights or procedures (45.0%), negotiation with the other side (33.3%), assistance with legal documents (30.1%) and pre-packaged legal information (19.0%). Other types of help of a legal nature included help with court or tribunal proceedings or preparation (10.8%), help with formal dispute resolution sessions (6.8%) and referrals to legal professionals (6.5%).

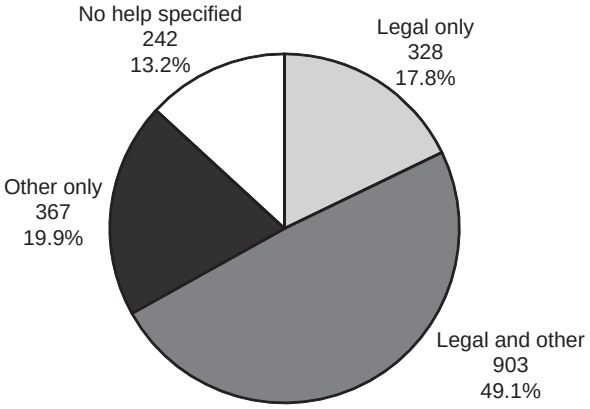
Within the 'other help' category, the most common types of help provided by the main adviser included assistance with paperwork other than legal documents (30.1%), contacting professionals or agencies on the respondent's behalf (28.1%), counselling or support (22.7%), medical advice or assistance (16.3%) and financial advice (14.6%).

Respondents often indicated that both legal and other types of help were provided by the same main adviser. To give one example, a main adviser who provided advice on how a respondent could best consolidate their financial circumstances (i.e. 'financial advice') may also have provided advice on the respondent's legal rights in the event of bankruptcy (i.e. 'advice on legal rights or procedures'). Figure 6.5 summarises the overlap between the broad categories of legal help and other help. As noted above, in 66.9 per cent of problems where respondents sought advice, the main adviser provided legal help. This proportion consists of 49.1 per cent of cases where both legal help and other help were received and 17.8 per cent of cases where only legal help was received. In a further 19.9 per cent of cases, the main adviser provided only help that fell into the other category. Thus, in these 19.9 per cent of cases, either the help provided was of a non-legal nature only, or it was unclear if any of the help provided was of a legal nature. As already noted, no help was specified by respondents in the remaining 13.2 per cent of cases.

Whether or not legal help was received from the main adviser was significantly related to the type of main adviser (see Figure 6.6). Not surprisingly, legal help was particularly likely to be received when the main adviser was a legal adviser (92.0%). Main advisers who were trade unions or professional associations (84.2%) or dispute/complaint-handling advisers (82.1%) were also particularly likely to provide legal help of some sort. Health or welfare advisers were the least likely to provide legal help but still provided legal help in 46.9 per cent of cases.

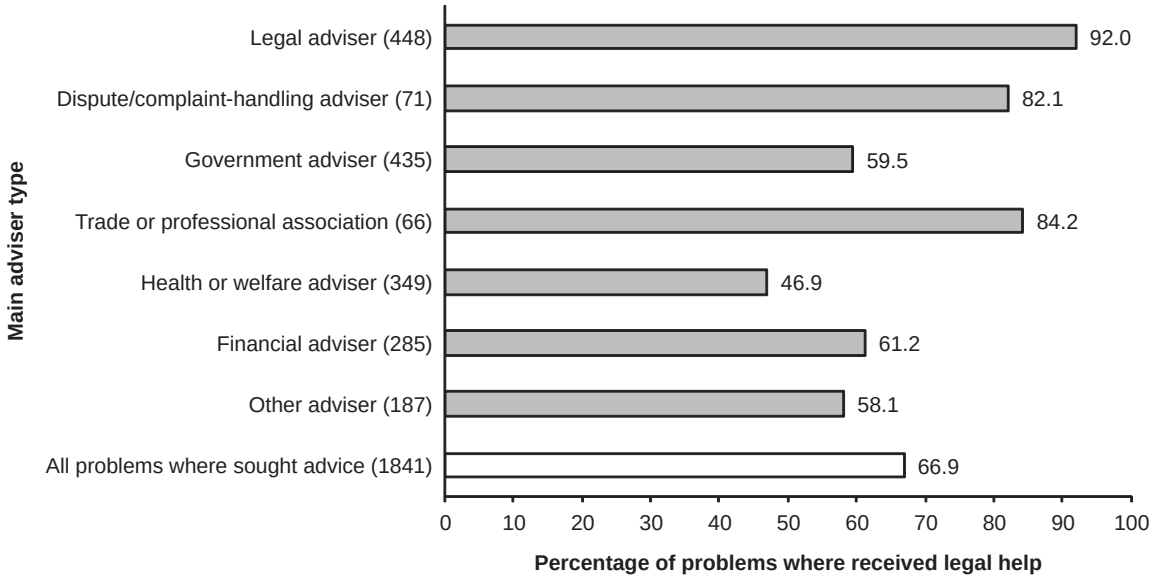
Table 6.14 breaks down each specific type of help by type of main adviser. As would be expected, there were also significant differences in the types of specific help provided by different types of

Figure 6.5: Legal help from main adviser, NSW



Note: N=1841 problems where sought advice. Data were missing for 102 problems.

Figure 6.6: Legal help from main adviser by adviser type, NSW



Note: N=1841 problems where sought advice. Data were missing for 102 problems. χ^2=230.78, $F_{6,7511}$=34.99, p=0.000.

main advisers. In particular, each of the seven specific types of legal help was relatively more likely to be provided by legal advisers than by the remaining adviser types. Legal advisers were relatively more likely to provide:

- pre-packaged legal information (26.4% versus 19.0% of cases on average)
- advice on legal rights or procedures (79.9% versus 45.0%)
- help with legal documents (55.4% versus 30.1%)
- help with court or tribunal proceedings or preparation (30.3% versus 10.8%)
- help with formal dispute resolution sessions (14.3% versus 6.8%)
- negotiation with the other side (49.7% versus 33.3%)
- referral to a lawyer or legal service (15.0% versus 6.5%).

Apart from legal advisers, the only other types of advisers that had elevated rates of providing any of the seven types of legal help were dispute/complaint-handling advisers and trade unions or professional associations. Dispute/complaint-handling advisers had relatively higher rates of providing pre-packaged legal information (34.3% versus 19.0% on average) and advice on legal rights or procedures (57.9% versus 45.0%). Trade unions or professional associations had higher rates of providing advice on legal rights or procedures (72.5% versus 45.0%) and negotiation with the other side (52.2% versus 33.3%).

Some advisers had elevated rates of providing various types of 'other help'. For example, medical advice or assistance was most likely to be provided by health or welfare advisers (68.4% versus 16.3%), as was counselling or support (56.6% versus 22.7%). Higher rates of financial advice than average (14.6%) were provided by financial advisers (38.5%) and legal advisers (19.8%). Advice on employment was provided more often by trade unions or professional associations (45.3%) and by health or welfare advisers (14.2%) than by all advisers on average (8.0%).

Respondents were most likely to specify that they didn't receive any help when the main adviser was a government adviser (26.5%) or financial adviser (17.3%), and least likely to specify receiving no help from health or welfare advisers (5.4%) and legal advisers (5.5%; see Table 6.14).

Table 6.14: Specific types of help from main adviser by adviser type, NSW

Type of help[a]	*Main adviser type*[b]							*All adviser types*
	Legal	*Dispute/ complaint-handling*	*Government*	*Trade or professional association*	*Health or welfare*	*Financial*	*Other*	
	%	%	%	%	%	%	%	%
No help specified	5.5	7.5	26.5	6.7	5.4	17.3	13.0	**13.2**
Legal	92.0	82.1	59.5	84.2	46.9	61.2	58.1	**66.9**
Pre-packaged legal information	26.4	34.3	17.0	26.7	10.8	17.9	14.2	**19.0**
Advice on legal rights/procedures	79.9	57.9	39.4	72.5	20.4	36.0	19.6	**45.0**
Help with legal documents	55.4	33.6	18.3	42.4	18.9	26.9	17.5	**30.1**
Help with court/tribunal process	30.3	16.4	4.6	6.1	4.8	2.0	3.1	**10.8**
Help with formal dispute resolution	14.3	7.9	2.8	10.2	3.2	3.6	7.8	**6.8**
Negotiation with other side	49.7	43.2	25.8	52.2	16.9	30.6	36.1	**33.3**
Referral to lawyer/legal service	15.0	3.6	1.7	8.9	4.4	4.5	5.0	**6.5**
Other	71.5	50.4	45.9	82.3	92.8	71.8	70.4	**69.0**
Medical advice/assistance	4.6	1.5	4.1	6.6	68.4	3.1	4.4	**16.3**
Counselling/support	16.8	6.8	9.3	31.0	56.6	7.3	31.6	**22.7**
Financial advice	19.8	7.9	4.0	15.5	6.0	38.5	9.1	**14.6**
Employment advice	4.2	0.8	2.4	45.3	14.2	5.5	11.6	**8.0**
Help with other paperwork	42.1	26.3	18.4	45.9	26.8	36.5	21.2	**30.1**
Contacted other professional/agency	42.9	18.1	16.2	35.0	25.3	29.5	25.0	**28.1**
Other referral	4.1	2.3	4.7	3.3	6.4	3.5	5.5	**4.6**
Unspecified	13.0	11.8	15.4	24.3	17.7	15.6	25.4	**16.5**
All problems where sought advice N	**448**	**71**	**435**	**66**	**349**	**285**	**187**	**1841**

a See Table 6.13 for further details on each type of help. Types of help are identical to those in Table 6.13.

b See Table 6.2 for further details on each adviser type. Adviser types are identical to those in Table 6.2.

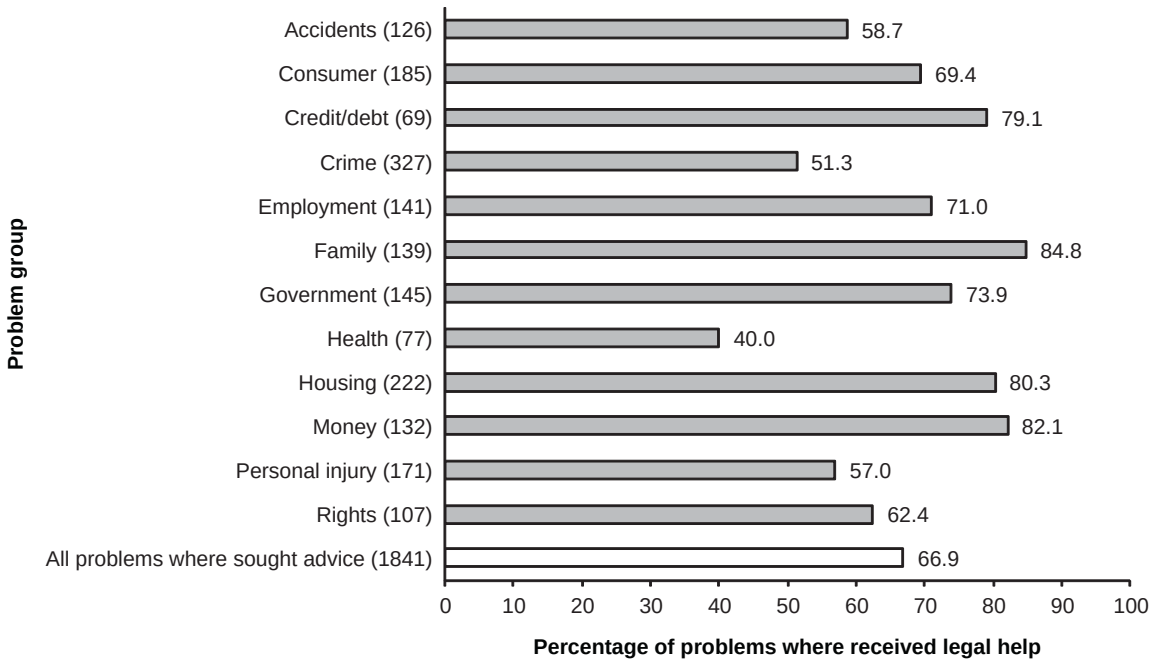
Note: N=1841 problems where sought advice. Data were missing for 102 problems. Percentages do not sum to 100, because multiple types of help were reported for some advisers. No help specified: χ^2=119.29, $F_{6,7516}$=18.04, p=0.000. Pre-packaged legal information: χ^2=49.16, $F_{6,7491}$=6.87, p=0.000. Advice on legal rights/procedures: χ^2=399.29, $F_{6,7499}$=58.41, p=0.000. Help with legal documents: χ^2=209.47, $F_{6,7502}$=30.32, p=0.000. Help with court/tribunal process: χ^2=248.69, $F_{5,5974}$=29.26, p=0.000. Help with formal dispute resolution: χ^2=65.54, $F_{6,7472}$=10.08, p=0.000. Negotiation with other side: χ^2=124.13, $F_{6,7502}$=18.42, p=0.000. Referral to lawyer/legal service: χ^2=76.49, $F_{5,6743}$=8.79, p=0.000. Medical advice/assistance: χ^2=868.66, $F_{6,7430}$=123.35, p=0.000. Counselling/support: χ^2=345.58, $F_{6,7445}$=49.61, p=0.000. Financial advice: χ^2=210.05, $F_{6,7166}$=28.42, p=0.000. Employment advice: χ^2=183.76, $F_{6,7092}$=28.59, p=0.000. Help with other paperwork: χ^2=82.65, $F_{6,7489}$=11.89, p=0.000. Contacted other professional/agency: χ^2=87.97, $F_{6,7493}$=13.26, p=0.000. Other referral: χ^2=5.00, $F_{6,7424}$=0.72, p=0.633. Unspecified: χ^2=20.16, $F_{6,7402}$=2.85, p=0.009. Bonferroni correction applied, χ^2 significant if p<0.003.

Whether or not legal help was received from the main adviser was also significantly related to the types of problems experienced by respondents (see Figure 6.7). Respondents were particularly likely to report receiving legal help for family (84.8%), money (82.1%), housing (80.3%) and credit/debt (79.1%) problems, and least likely to report receiving legal help for health (40.0%), crime (51.3%) and personal injury (57.0%) problems.

Table 6.15 breaks down each specific type of legal and other help by problem group. The table shows that the type of legal problem affected the specific types of help received from the main adviser. First, the types of *legal* help received depended on the type of problem. In particular, each of the seven specific types of legal help was significantly more likely to be provided for family problems than for other problems on average. More specifically, compared to all problems on average:

- pre-packaged legal information was more likely to be received for family and housing problems[22]
- advice on legal rights or procedures was more likely to be received for family, credit/debt, housing and money problems
- help with legal documents was more likely to be received for money and family problems
- help with court or tribunal proceedings or preparation was more likely to be received for family problems
- help with formal dispute resolution sessions was more likely to be received for family and employment problems
- negotiation with the other side was more likely to be received for money, family and housing problems
- referral to a lawyer or legal service was more likely to be received for family and money problems.[23]

Figure 6.7: Legal help from main adviser by problem group, NSW



Note: N=1841 problems where sought advice. Data were missing for 102 problems. χ^2=136.41, $F_{11,13725}$=11.16, p=0.000.

[22] Although this type of help was received for a similar percentage of credit/debt problems, this result fell just short of significance.

[23] Although this type of help was received for a similar percentage of credit/debt problems, this result did not reach significance.

Table 6.15: Specific types of help from main adviser by problem group, NSW

Type of help[a]	*Problem group*												*All problem groups*
	Accidents	*Consumer*	*Credit/debt*	*Crime*	*Employment*	*Family*	*Government*	*Health*	*Housing*	*Money*	*Personal injury*	*Rights*	
	%	%	%	%	%	%	%	%	%	%	%	%	%
No help specified	16.8	9.4	7.6	25.7	7.9	6.8	13.0	8.6	14.0	6.3	5.8	17.8	**13.2**
Legal	58.7	69.4	79.1	51.3	71.0	84.8	73.9	40.0	80.3	82.1	57.0	62.4	**66.9**
Pre-packaged legal information	17.9	21.1	30.4	11.8	21.6	36.0	17.1	9.1	25.8	9.8	16.2	16.6	**19.0**
Advice on legal rights/procedures	29.5	46.1	65.6	37.8	47.5	67.6	41.6	20.8	60.6	58.5	31.2	32.7	**45.0**
Help with legal documents	17.9	25.1	39.3	21.8	31.0	41.9	36.0	21.5	32.5	48.0	36.7	16.8	**30.1**
Help with court/tribunal process	0.9	6.7	11.6	9.7	5.6	30.5	7.8	3.2	14.5	16.9	9.5	10.9	**10.8**
Help with formal dispute resolution	1.0	1.8	5.2	2.1	12.2	16.5	11.5	0.0	7.9	9.3	6.7	11.0	**6.8**
Negotiation with other side	33.9	38.2	38.7	13.1	40.4	45.6	37.9	22.3	41.7	48.2	26.6	34.1	**33.3**
Referral to lawyer/legal service	0.0	5.2	12.6	4.6	5.9	13.9	3.8	4.4	8.8	12.0	3.3	9.2	**6.5**
Other	63.3	60.3	82.2	59.9	82.4	74.8	67.3	90.0	53.4	77.1	88.6	63.3	**69.0**
Medical advice/assistance	6.1	6.0	12.7	13.0	18.1	17.0	3.8	57.5	4.0	4.7	59.2	13.9	**16.3**
Counselling/support	8.5	11.7	19.0	21.6	41.9	33.8	10.8	45.2	13.8	18.2	30.1	37.0	**22.7**
Financial advice	15.0	17.2	32.3	8.4	12.8	25.9	17.0	12.5	16.2	22.2	6.1	4.6	**14.6**
Employment advice	0.0	0.9	3.8	1.6	47.5	5.9	3.2	8.6	3.3	4.3	18.4	5.7	**8.0**
Help with other paperwork	30.6	19.2	40.6	25.7	34.7	32.1	34.6	30.1	27.9	39.0	41.9	15.4	**30.1**
Contacted other professional/ agency	28.5	22.2	35.5	18.5	28.7	27.2	34.6	34.1	26.0	42.6	35.6	24.7	**28.1**
Other referral	2.8	5.0	0.6	4.1	5.7	5.9	5.7	5.3	4.8	0.9	9.0	2.4	**4.6**
Unspecified	9.8	18.0	12.6	20.6	21.4	13.4	22.7	22.9	12.3	13.6	11.8	15.5	**16.5**
All problems where sought advice N	**126**	**185**	**69**	**327**	**141**	**139**	**145**	**77**	**222**	**132**	**171**	**107**	**1841**

a See Table 6.13 for further details on each type of help. Types of help are identical to those in Table 6.13.

Note: N=1841 problems where sought advice. Data were missing for 102 problems. Percentages do not sum to 100, because multiple types of help were reported for some advisers. No help specified: χ^2=77.39, $F_{11,13731}$=6.50, p=0.000. Pre-packaged legal information: χ^2=65.90, $F_{11,13560}$=5.20, p=0.000. Advice on legal rights/procedures: χ^2=131.92, $F_{11,13646}$=10.83, p=0.000. Help with legal documents: χ^2=72.97, $F_{11,13679}$=5.82, p=0.000. Help with court/tribunal process: χ^2=91.85, $F_{10,12230}$=6.93, p=0.000. Help with formal dispute resolution: χ^2=69.26, $F_{11,13384}$=5.65, p=0.000. Negotiation with other side: χ^2=106.30, $F_{11,13688}$=8.68, p=0.000. Referral to lawyer/ legal service: χ^2=43.17, $F_{11,13276}$=3.55, p=0.000. Medical advice/assistance: χ^2=413.95, $F_{11,13543}$=33.46, p=0.000. Counselling/support: χ^2=132.40, $F_{11,13715}$=10.82, p=0.000. Financial advice: χ^2=69.79, $F_{11,13662}$=5.74, p=0.000. Employment advice: χ^2=390.23, $F_{11,13311}$=31.99, p=0.000. Help with other paperwork: χ^2=48.46, $F_{11,13703}$=3.99, p=0.000. Contacted other professional/agency: χ^2=44.59, $F_{11,13686}$=3.69, p=0.000. Other referral: χ^2=18.06, $F_{10,12940}$=1.49, p=0.135. Unspecified: χ^2=25.75, $F_{11,13626}$=2.13, p=0.016. Bonferroni correction applied, χ^2 significant if p<0.003.

Second, *other* specific types of help received also depended on the type of problem. For example, compared to all problems on average:

- medical advice or assistance was more likely to be received for personal injury and health problems
- counselling or support was more likely to be received for health, employment, rights, family and personal injury problems
- financial advice was more likely to be received for credit/debt, family and money problems
- employment advice was more likely to be received for employment and personal injury problems.

Respondents were most likely to specify that they didn't receive any help from the main adviser when the problem was a crime problem (25.7% versus 13.2% on average).

Awareness of legal services

As noted earlier, advice from a professional or formal adviser was sought for only 1943 or 50.3 per cent of respondents' legal problems (see Figure 5.3). Furthermore, a legal adviser was consulted in only 631 or 32.5 per cent of the 1943 cases where respondents sought advice (see Table 6.2). Given these findings, the extent to which respondents were aware of various free legal services is of particular interest.

The survey examined the extent to which respondents were aware of the free services that are provided by the following not-for-profit legal services: ALSs, CLCs, court services, LawAccess NSW and Legal Aid.[24]

ALSs provide free legal information, advice and referral services on a wide range of issues for Indigenous people as well as providing free legal representation for Indigenous people in specified areas of law.

The other not-for-profit organisations provide free legal information and referral services for the public. In addition, they provide free legal advice in certain specified areas of law, but, apart from court services and LawAccess NSW, they have criteria to determine eligibility or priority for receipt of free legal advice (e.g. criteria in relation to areas of law, geographical proximity, disadvantage or availability of alternative services). Legal Aid provides grants to pay fully or in part for legal representation if certain personal and case-specific eligibility criteria are met. CLCs may also provide free legal representation in some cases where clients are not eligible for a Legal Aid grant.[25]

The survey examined awareness of these not-for-profit legal services via:

- uncued or 'free' recall, where respondents were asked to actually provide the names of services they knew about (i.e. 'Can you name any legal services that provide free legal information, advice or assistance?'; see Appendix A1, question D24)
- cued recall or 'recognition', where respondents were provided with the names of the services and asked if they recognised these services (e.g. 'Have you heard of Legal Aid?'; see Appendix A1, question D25).

[24] Note that it is possible that people sometimes incorrectly use the term 'legal aid' to refer to not-for-profit legal services such as ALSs and CLCs.

[25] See Appendix Table A6.2 for further details about the free services provided by these not-for-profit organisations.

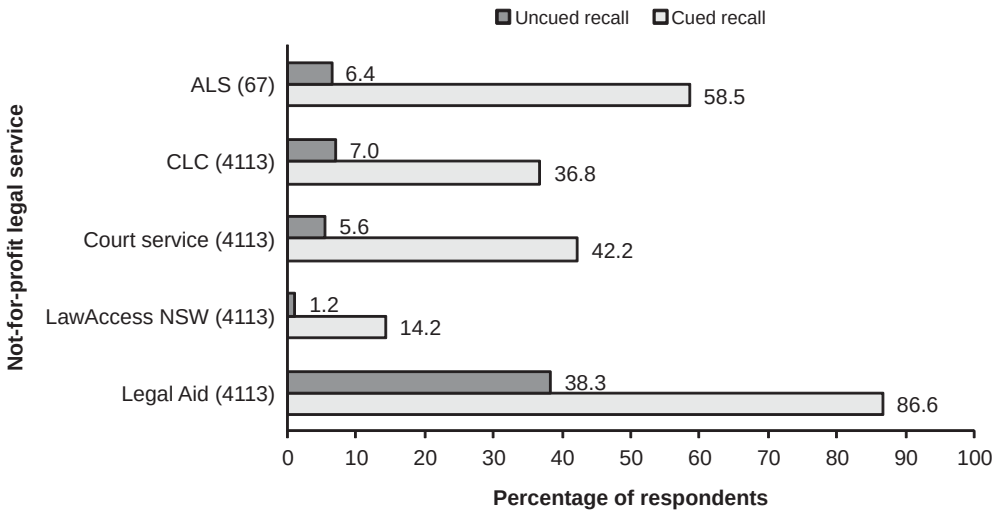
Given that the target client group for ALSs is Indigenous people, the cued recall of ALSs was asked only of respondents who self-identified as being Indigenous.

Figure 6.8 provides both the uncued and cued recall of ALSs, CLCs, court services, LawAccess NSW and Legal Aid. Note that the percentages for ALSs in Figure 6.8 are based only on the 67 Indigenous respondents in the NSW sample,[26] whereas the percentages for the other legal services are based on all 4113 NSW respondents. As expected, the percentages for cued recall or recognition of the not-for-profit legal services, where respondents were provided with the names of the services, were higher than those for uncued recall, where respondents were required to actually name the services. Legal Aid had the highest awareness rates in absolute terms,[27] with 38.3 per cent of respondents being able to freely recall or name Legal Aid, and 86.6 per cent of respondents recognising the name 'Legal Aid'. The awareness of the other not-for-profit legal services was considerably lower in absolute terms. The uncued or free recall of these other services was no more than 7.0 per cent, while the recognition rates for these other services ranged from a very low 14.2 per cent for LawAccess NSW to a moderate 58.5 per cent for ALSs.

In addition, in response to the question on uncued recall:

- various private lawyers were named by 3.5 per cent of NSW respondents as providers of pro bono services or free initial consultations
- other professionals or organisations were named by 9.5 per cent of NSW respondents as providers of free legal information, advice or assistance, such as legal organisations, telephone lines or websites, dispute/complaint-handling organisations, government departments or agencies, the police, trade unions, health or welfare professionals or organisations, and financial professionals or organisations.

Figure 6.8: Uncued and cued recall of not-for-profit legal services, NSW



Note: N=67 Indigenous respondents for ALSs and N=4113 respondents for other not-for-profit legal services.

[26] This number (67) represents the weighted number of Indigenous NSW respondents. The corresponding unweighted number was 65.

[27] A significance test was not conducted.

Advice for legal problems: NSW summary

For the 1943 legal problems where NSW respondents sought advice, they were asked to provide information about the advisers they used and the nature of the help they received.

Respondents did not restrict themselves to traditional legal advisers but used a broad variety of advisers to try to resolve their legal problems. Respondents who sought advice used multiple advisers frequently — in 46.8 per cent of cases. Notably, legal advisers were used for only a minority (32.5%) of the problems where respondents sought advice. Legal advisers included private lawyers and not-for-profit legal services such as ALSs, CLCs, court services, LawAccess NSW and Legal Aid. Only non-legal advisers were used in the majority of cases (67.5%), with these including dispute/complaint-handing advisers (7.1%), government advisers (38.8%), trade unions or professional associations (6.9%), health or welfare advisers (28.5%) and financial advisers (21.7%).

Respondents who sought advice did not always receive 'legal' help that aimed to address the legal aspects of their problem from their main adviser. They received some type of legal help from their main adviser in only 66.9 per cent of problems. Types of legal help included advice on legal rights or procedures, negotiation with the other side, help with legal documents, pre-packaged legal information, help with court or tribunal proceedings or preparation, help with formal dispute resolution sessions and referral to a legal professional. In a further 19.9 per cent of cases, the help was of either an indeterminate nature or a non-legal nature (e.g. medical, counselling, financial or employment-related). In the remaining cases (13.2%), respondents did not specify receiving any type of help from their main adviser.

Legal help was not the exclusive domain of legal advisers, with non-legal advisers also sometimes providing legal help. Although legal advisers had the highest rates of providing legal help (92.0%), dispute/complaint-handling advisers (82.1%) and trade unions or professional associations (84.2%) also provided legal help in the large majority of cases.

The characteristics of legal problems strongly influenced both the advisers used and the help received. First, problem severity influenced the advisers used. Problems of substantial impact involved a greater number of advisers and were more likely to be dealt with by certain types of advisers. For example, legal advisers, trade unions or professional associations, and health or welfare advisers dealt with the highest proportions of substantial problems.

Second, the type of problem influenced both the advisers used and the help received. Most notably, family and money problems were particularly likely to result in the use of legal advisers and the provision of legal help. Respondents who sought advice used legal advisers for 70.0 per cent of their family problems and 66.0 per cent of their money problems, and they received legal help for over four-fifths of these problems. Housing (80.3%) and credit/debt (79.1%) problems also resulted in higher than average rates of legal help when advice was sought, while health (40.0%), crime (51.3%) and personal injury (57.0%) problems resulted in lower than average rates. In addition, the type of problem influenced the number of advisers used, with a significantly greater number of advisers being used for family, personal injury and employment problems.

Respondents were also asked about the nature of the contact with their main adviser. Respondents whose main adviser was a legal, dispute/complaint-handling or government adviser were asked how they sourced this adviser. In the majority of cases (77.1%), respondents used their own personal resources or networks to find this main adviser. For example, they relied on their own knowledge or experience (33.4%), obtained a referral from a relative, friend or acquaintance (13.3%), consulted

an adviser who was a relative or friend (11.7%) and used the telephone book (7.9%) or the internet (6.4%). Less often, respondents were referred to their main adviser by a professional, with referral from a legal professional occurring in 6.3 per cent of cases. There were significant differences in how these types of advisers were sourced. For example, legal advisers were more likely to be sourced via referral from both professionals and personal contacts.

Respondents were asked about the modes of communication that they used with their main adviser. Multiple modes of communication were used in 47.3 per cent of cases. Face-to-face contact was more likely when the main adviser was a legal adviser or a health or welfare adviser. Not surprisingly, there was a significant relationship between distance travelled to consult the main adviser face-to-face and remoteness, with residents of remote or regional areas travelling further than residents of major city areas.

Respondents whose main adviser was a legal, dispute/complaint-handling or government adviser were asked whether they had experienced any barriers in trying to obtain help from this adviser. Most notably, a range of barriers to the accessibility of these main advisers were frequently endorsed, such as difficulty getting through on the telephone (16.1%), the adviser taking too long to respond (14.6%), the adviser being too far away or too hard to get to (7.8%), difficulty getting an appointment (7.0%) and inconvenient opening hours (6.5%). Cost (12.2%) and inadequate or poorly explained advice (10.7%) were also endorsed as barriers. There were significant differences between these three types of advisers in the extent to which cost was seen as a barrier. Specifically, legal advisers were more likely to be too expensive (23.2% versus 2.2–4.7%) and too far away or too hard to get to (11.4% versus 4.6–4.7%). In fact, cost was the most common barrier to obtaining advice from main advisers who were legal advisers. The finding that legal advisers were more often reported to be too far away or too hard to get to may in part reflect the greater use of face-to-face consultation with legal advisers.

Overall, respondents were generally satisfied with all of their advisers, rating them as very or fairly helpful in the majority of cases (75.3%). However, perceived helpfulness varied somewhat by adviser type. For example, over four-fifths of health or welfare advisers and financial advisers, but less than two-thirds of government advisers, were rated as very or fairly helpful. Legal advisers were rated as very or fairly helpful in 79.0 per cent of cases. Differences in perceived helpfulness may be due in part to differences in the nature of the problems handled by different advisers.

The survey also examined the extent to which respondents were aware of the free services provided by various not-for-profit legal services. Legal Aid had the highest awareness rates in absolute terms, with 86.6 per cent of NSW respondents recognising the name ‘Legal Aid’ when it was provided by the interviewer. The recognition rates for the other not-for-profit services examined were 58.5 per cent for ALSs (based on Indigenous respondents), 42.2 per cent for court services, 36.8 per cent for CLCs and 14.2 per cent for LawAccess NSW.

The LAW Survey results for NSW on seeking advice for legal problems are interpreted further in Chapters 9 and 10. These chapters compare the NSW results to the LAW Survey results for other jurisdictions and to international findings.

7. Finalisation of legal problems

As noted earlier, 3903 of the legal problems reported by NSW respondents were followed up in depth.[1] This chapter examines the finalisation of these problems. It details whether or not these problems were over at the time of interview or still ongoing, and how concluded problems were finalised. The chapter also investigates which problems were less likely to be finalised and which respondents were less likely to achieve finalisation.

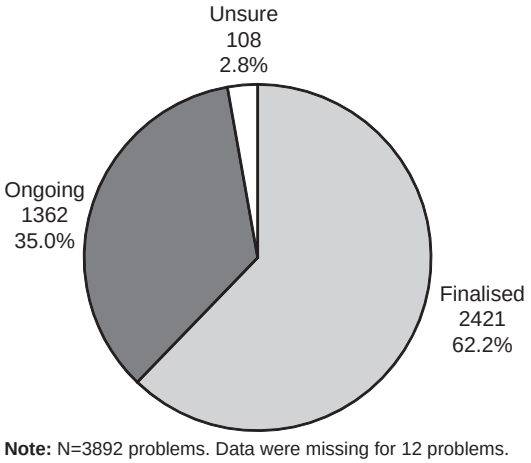
Finalisation status of legal problems

Respondents were asked whether their legal problems had been finalised — that is, whether each of these problems was 'now over' or 'still ongoing' (see Appendix A1, question A34). This information was provided for 3892 legal problems. As Figure 7.1 shows, respondents reported that 62.2 per cent or 2421 of these problems had been finalised, while 35.0 per cent of the problems were still ongoing at the time of interview. For the remaining 2.8 per cent of legal problems, respondents were 'unsure' whether the problem had concluded. Given that respondents could not definitively state that these 2.8 per cent of problems were finalised, in all subsequent analyses these problems were treated as being unfinalised and were combined with the 'ongoing' category.

The finalisation status of legal problems at the time of interview was significantly related to problem severity (see Figure 7.2). Problems of substantial impact had lower finalisation rates than problems of minor impact (49.7% versus 73.7%). Problems were also significantly less likely to be finalised as the number of different types of adverse consequences caused by the problems increased (see Table 7.1). Whereas 71.7 per cent of the problems without adverse consequences had been finalised at the time of interview, only 31.1 per cent of the problems resulting in at least four different types of adverse consequences had been finalised.

An analysis was also made of whether the finalisation status of any given legal problem at the time of interview was related to the total number of problems experienced by the respondent over the reference period (see Table 7.2). This relationship was significant, with the likelihood of finalisation

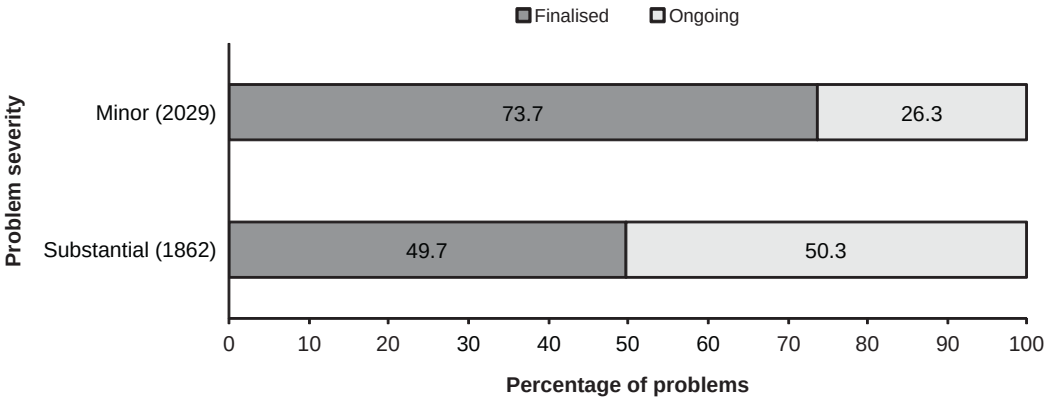
Figure 7.1: Finalisation status of legal problems, NSW



Note: N=3892 problems. Data were missing for 12 problems.

[1] As a result of rounding weighted data, some numbers and percentages in the report do not sum precisely to totals.

Figure 7.2: Finalisation status of legal problems by problem severity, NSW



Note: N=3892 problems. Data were missing for 12 problems. χ^2=239.88, $F_{1,2067}$=200.92, p=0.000.

Table 7.1: Finalisation status of legal problems by number of adverse consequences of legal problems, NSW

Finalisation status		*Number of adverse consequences per problem*					*All problems*
		0	*1*	*2*	*3*	*4+*	
		%	*%*	*%*	*%*	*%*	*%*
Finalised		71.7	59.9	50.5	40.4	31.1	**62.6**
Ongoing		28.3	40.1	49.5	59.6	68.9	**37.4**
Total	**%**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**
	N	**2072**	**940**	**418**	**268**	**169**	**3867**

Note: N=3867 problems. Data were missing for 36 problems. Somers' d=0.25 (95% CI=0.22–0.29), SE=0.02, p=0.000, outcome variable is finalisation status.

Table 7.2: Finalisation status of legal problems by number of legal problems per respondent, NSW

Finalisation status		*Number of problems per respondent*			*All problems*
		1–2	*3–5*	*6+*	
		%	*%*	*%*	*%*
Finalised		69.1	64.3	53.0	**62.2**
Ongoing		30.9	35.7	47.0	**37.8**
Total	**%**	**100.0**	**100.0**	**100.0**	**100.0**
	N	**1405**	**1170**	**1317**	**3892**

Note: N=3892 problems. Data were missing for 12 problems. Somers' d=0.16 (95% CI=0.12–0.20), SE=0.02, p=0.000, outcome variable is finalisation status.

for any given legal problem tending to decrease as the number of legal problems experienced by the respondent increased. For example, 69.1 per cent of all problems experienced by respondents who reported experiencing only one or two problems during the reference period were finalised compared to 53.0 per cent of all problems experienced by respondents who reported experiencing at least six problems during the reference period.

Manner of finalisation of legal problems

For the 2421 legal problems reported as being over, respondents were asked by what means the legal problems had been finalised (see Appendix A1, question A35). As shown in Table 7.3, most commonly, legal problems were finalised through agreement with the other side (31.0%) or as a result of the respondent not pursuing the matter at all or deciding not to pursue the matter further (29.4%).

Table 7.3: Manner of finalisation of legal problems, NSW

Manner of finalisation	*N*	*%*
Court or tribunal	71	3.0
Dispute resolution[a]	43	1.8
Complaint-handling body[b]	39	1.6
Another agency[c]	347	14.6
Lawyer's help	36	1.5
Someone else's help	99	4.2
Agreement with other side	737	31.0
Other side didn't pursue further	200	8.4
Respondent didn't pursue further	699	29.4
Other	108	4.6
All finalised problems	**2379**	**100.0**

a E.g. formal dispute resolution, mediation, conciliation.

b E.g. ombudsman, commissioner.

c E.g. government body, insurance company, police.

Note: N=2379 finalised problems. Data were missing for 42 problems.

Only a minority of legal problems were finalised through legal proceedings in a court or tribunal (3.0%), and only a further 3.4 per cent were finalised through formal dispute resolution (1.8%) or complaint-handling processes (1.6%). However, 14.6 per cent were finalised through the decisions or actions of other agencies, such as government bodies, insurance companies or the police.

Lawyers were perceived to have brought about the finalisation of only 1.5 per cent of legal problems, even though, as noted earlier, private lawyers were consulted for 23.5 per cent of the problems where advice was sought (see Table 6.2). This finding suggests that private lawyers provided information, advice or assistance in a considerable number of cases that eventually concluded through other means — for example, through:

- formal legal resolution processes, such as court or tribunal proceedings, or formal dispute resolution or complaint-handling processes
- agreement with the other side
- one of the parties deciding not to pursue the matter further.

The manner in which problems were finalised was significantly related to problem severity (see Table 7.4). Substantial problems were significantly more likely than minor problems to be finalised by court or tribunal proceedings (4.4% versus 2.1%), formal dispute resolution or complaint-handling processes (5.5% versus 2.2%) or the respondent deciding not to pursue the matter further (32.1% versus 27.7%). Minor problems were significantly more likely than substantial problems to be finalised via other agencies, such as government bodies, insurance companies or the police (16.7% versus 11.2%) or via agreement with the other side (33.3% versus 27.3%).

Table 7.5 displays the manner of finalisation broken down by the strategy used by respondents in response to their legal problems. Although a significance test was not conducted on this relationship, some trends are evident.[2] Problems involving advice appeared to be finalised more frequently than problems handled without advice via court or tribunal proceedings (5.5% versus 1.7%) or via formal dispute resolution or complaint-handling processes (5.9% versus 1.9%). Problems involving advice

[2] A significance test was not conducted, because some strategies by definition rendered certain manners of finalisation highly unlikely. First, 'took no action' meant that respondents had reported that court or tribunal proceedings and formal dispute resolution had not occurred and were unlikely to occur (although a few such respondents across Australia reported finalisation via court orders). Second, both 'handled without advice' and 'took no action' meant that a lawyer had not been consulted.

also appeared to be finalised more often than problems involving one of the other strategies via other agencies, such as government bodies, insurance companies or the police (22.7% versus 5.5–11.7%). In addition, problems handled without advice appeared to be more likely than other problems to be finalised via agreement with the other side (48.9% versus 21.1–24.9%) or via the other side not pursuing the matter further (12.1% versus 5.9–7.0%). Unsurprisingly, problems where no action

Table 7.4: Manner of finalisation of legal problems by problem severity, NSW

Manner of finalisation[a]		*Problem severity*		*All finalised problems*
		Minor	*Substantial*	
		%	*%*	*%*
Court or tribunal		2.1	4.4	**3.0**
Dispute resolution or complaint-handling body[b]		2.2	5.5	**3.4**
Another agency		16.7	11.2	**14.6**
Lawyer's or someone else's help[c]		5.4	6.1	**5.7**
Agreement with other side		33.3	27.3	**31.0**
Other side didn't pursue further		8.6	8.0	**8.4**
Respondent didn't pursue further		27.7	32.1	**29.4**
Other		4.0	5.4	**4.6**
Total	**%**	**100.0**	**100.0**	**100.0**
	N	**1463**	**916**	**2379**

a See Table 7.3 for further details on manners of finalisation. Apart from the exceptions noted below, manners of finalisation are identical to those in Table 7.3.

b Combines the following categories from Table 7.3: 'dispute resolution' and 'complaint-handling body'.

c Combines the following categories from Table 7.3: 'lawyer's help' and 'someone else's help'.

Note: N=2379 finalised problems. Data were missing for 42 problems. χ^2=53.05, $F_{7,14368}$=6.77, p=0.000.

Table 7.5: Manner of finalisation of legal problems by strategy in response to legal problems, NSW

Manner of finalisation[a]		*Strategy*			*All finalised problems*
		Sought advice	*Handled without advice*	*Took no action*	
		%	*%*	*%*	*%*
Court or tribunal		5.5	1.7	0.0[d]	**3.0**
Dispute resolution or complaint-handling body[b]		5.9	1.9	0.8[d]	**3.4**
Another agency		22.7	5.5	11.7	**14.6**
Lawyer's or someone else's help[c]		7.5	5.2[d]	3.0[d]	**5.7**
Agreement with other side		21.1	48.9	24.9	**31.0**
Other side didn't pursue further		7.0	12.1	5.9	**8.4**
Respondent didn't pursue further		25.2	21.6	48.0	**29.3**
Other		5.0	3.1	5.7	**4.6**
Total	**%**	**100.0**	**100.0**	**100.0**	**100.0**
	N	**1060**	**768**	**548**	**2376**

a See Table 7.3 for further details on manners of finalisation. Apart from the exceptions noted below, manners of finalisation are identical to those in Table 7.3.

b Combines the following categories from Table 7.3: 'dispute resolution' and 'complaint-handling body'.

c Combines the following categories from Table 7.3: 'lawyer's help' and 'someone else's help'.

d By definition, 'took no action' excluded problems involving court or tribunal proceedings or formal dispute resolution; and both 'handled without advice' and 'took no action' excluded problems where a lawyer was consulted.

Note: N=2376 finalised problems. Data were missing for 45 problems.

was taken appeared to be more likely than other problems to be reported as concluding via the respondent not pursuing the matter further (48.0% versus 21.6–25.2%).[3]

The manner of finalisation was also significantly related to the type of problem (see Table 7.6). For example, compared to all problems on average:

- accidents problems were more likely to be finalised via an agency such as an insurance company (57.4% versus 14.6% on average)
- consumer problems were more likely to be finalised via agreement with the other side (53.8% versus 31.0%) or via the other side not pursuing the matter further (10.9% versus 8.4%)
- credit/debt problems were more likely to be finalised via agreement with the other side (51.9% versus 31.0%)
- crime problems were more likely to be finalised via the respondent not pursuing the matter further (48.9% versus 29.4%) or via an agency such as the police (23.3% versus 14.6%)
- employment problems were more likely to be finalised via the respondent not pursuing the matter further (42.7% versus 29.4%)
- family problems were more likely to be finalised via court, tribunal, formal dispute resolution or complaint-handling processes (27.2% versus 6.4%)

Table 7.6: Manner of finalisation of legal problems by problem group, NSW

Problem group	*Manner of finalisation*[a]						*Total*	
	Court, tribunal, dispute resolution or complaint-handling body[b]	*Another agency*	*Agreement with other side*	*Other side didn't pursue further*	*Respondent didn't pursue further*	*Other*[c]		
	%	*%*	*%*	*%*	*%*	*%*	*%*	*N*
Accidents	1.1	57.4	20.9	3.7	10.7	6.3	**100.0**	**213**
Consumer	4.1	3.1	53.8	10.9	20.3	7.9	**100.0**	**561**
Credit/debt	2.2	4.6	51.9	6.2	29.0	6.1	**100.0**	**99**
Crime	5.5	23.3	6.1	2.7	48.9	13.5	**100.0**	**398**
Employment	6.0	2.4	22.6	8.9	42.7	17.3	**100.0**	**145**
Family	27.2	5.9	33.0	2.9	21.5	9.5	**100.0**	**57**
Government	9.1	7.6	31.6	12.9	33.4	5.5	**100.0**	**202**
Health	5.1	2.1	16.9	3.1	58.6	14.3	**100.0**	**70**
Housing	8.2	14.5	38.6	14.6	15.2	8.8	**100.0**	**253**
Money	11.0	5.7	32.7	12.6	19.6	18.4	**100.0**	**95**
Personal injury	8.2	21.4	22.1	4.8	29.4	14.2	**100.0**	**155**
Rights	10.3	8.5	18.7	11.2	41.2	10.0	**100.0**	**130**
All finalised problems	**6.4**	**14.6**	**31.0**	**8.4**	**29.4**	**10.2**	**100.0**	**2379**

a See Table 7.3 for further details on manners of finalisation. Apart from the exceptions noted below, manners of finalisation are identical to those in Table 7.3.

b Combines the following categories from Table 7.3: 'court or tribunal', 'dispute resolution' and 'complaint-handling body'.

c Combines the following categories from Table 7.3: 'lawyer's help', 'someone else's help' and 'other'.

Note: N=2379 finalised problems. Data were missing for 42 problems. χ^2=914.57, $F_{53,108646}$=14.83, p=0.000.

[3] It is worth noting that 24.9 per cent of problems where no action was taken were reported by respondents as concluding via agreement with the other side, even though these respondents had answered 'no' to the question asking whether they had tried to resolve the problem directly with the other side (see Appendix A1, question A31). Many of the verbatim responses in these cases revealed that the respondent had come to a quick, on-the-spot agreement with the other side, without actually trying to resolve the problem in their own favour. These cases tended to be cases where the respondent was at fault or the incident was minor (e.g. a minor motor vehicle accident).

- health problems were more likely to be finalised via the respondent not pursuing the matter further (58.6% versus 29.4%)
- housing problems were more likely to be finalised via agreement with the other side (38.6% versus 31.0%) or via the other side not pursuing the matter further (14.6% versus 8.4%)
- personal injury problems were more likely to be finalised via an agency such as a government body, insurance company or the police (21.4% versus 14.6%)
- rights problems were more likely to be finalised via the respondent not pursuing the matter further (41.2% versus 29.4%).[4]

Predicting finalisation status of legal problems

This section describes the problem and respondent characteristics associated with whether problems were finalised or ongoing at the time of interview. A binary multilevel logistic regression model was fitted to examine the independent predictors of the finalisation status of legal problems. The regression compared problems that had been finalised to problems that were ongoing on the following variables: gender, age, Indigenous status, disability status, education, employment status, family status, housing type, main income, main language, remoteness of residential area, problem recency, legal problem group and strategy used in response to legal problems.[5]

Thus, the regression reveals the types of problems, strategies and demographic groups with lower levels of finalisation. Although regression analysis can be used to show where relationships exist, it cannot explain any relationships. Nonetheless, the regression on finalisation status helps to pinpoint the types of problems and demographic groups that may particularly benefit from initiatives that facilitate legal resolution, and it also helps to identify the strategies to be encouraged. For example, legal problems with lower levels of finalisation may be more serious, complex or intractable, or the pathways for resolving these problems may be less clear, more time-consuming or more difficult to navigate. Demographic groups with lower levels of finalisation may have a reduced capacity for resolving problems and may require additional encouragement, support or assistance to finalise their problems.

Table 7.7 provides a summary of the regression results on finalisation status for NSW. The regression identified problem group, age and strategy as the strongest significant predictors of finalisation status. In descending order of strength, main language, main income, disability status and problem recency were also significant. Gender, Indigenous status, education, employment status, family status, housing type and remoteness were not significant predictors of finalisation status. The regression results are further described in the sections below, with reference to the corresponding unprocessed or descriptive statistics.[6]

Legal problem characteristics

The recency of legal problems was related to their finalisation satus. Problems that had started at least seven months prior to interview had significantly higher odds of finalisation than more recent problems. However, this significant association was relatively weak (1.3; see Table 7.7). Furthermore, unlike the regression results, the descriptive statistics in Table 7.8 show similar finalisation rates for earlier and more recent problems. This finding suggests that the somewhat higher finalisation levels

[4] For all manners of finalisation with the exception of 'other', percentages not described in the list above were either significantly lower than average or not significant. For example, the percentages of government, money and rights problems finalised via the other side not pursuing the matter further were not significantly different from average.

[5] See Chapter 2, 'Method: Multivariate analyses' section, and Appendix Tables A2.8 and A2.9 (model 7a) for further details.

[6] See Appendix Table A7.1 for the full results of this regression.

Table 7.7: Regression summary — finalisation status of legal problems, NSW

SIGNIFICANT VARIABLES		
Variable	***Categories compared***	***Odds ratio[a]***
Problem recency	7+ months | ≤6 months	1.3
Problem group	Accidents | mean	4.5
	Consumer | mean	1.3
	Credit/debt | mean	0.5
	Crime | mean	1.6
	Employment | mean	-
	Family | mean	0.3
	Government | mean	0.7
	Health | mean	-
	Housing | mean	0.8
	Money | mean	0.7
	Personal injury | mean	1.6
	Rights | mean	-
Strategy	Sought advice | took no action	0.4
	Handled without advice | took no action	0.6
Age	15–17 | 65+	3.5
	18–24 | 65+	3.0
	25–34 | 65+	1.6
	35–44 | 65+	-
	45–54 | 65+	-
	55–64 | 65+	-
Disability status	Disability | no disability	0.7
Main income	Government payment | other	0.7
Main language	Non-English | English	0.6
NON-SIGNIFICANT VARIABLES	***gender, Indigenous status, education, employment status, family status, housing type, remoteness[b]***	

a An odds ratio (OR)>1.0 indicates that the first category had significantly higher odds of finalisation than the second category. OR<1.0 indicates that the first category had significantly lower odds. The size of the OR indicates the strength of the relationship. E.g. OR=2.0 means that the odds for the first category were twice those for the second category. OR=0.5 means that the odds for the first category were half those for the second category, or, in other words, that the odds for the second category were twice those (i.e. 1/0.5=2.0) for the first category. See Appendix A2, 'Data analysis: Significance and strength of predictors' section for further details. '-' indicates that the comparison was not significant.

b Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=3844 problems. Data were missing for 60 problems.

Table 7.8: Finalisation status of legal problems by problem recency, NSW

Problem recency	***Finalisation status***		***Total***	
	Finalised	***Ongoing***		
	%	***%***	***%***	***N***
7+ months	62.0	38.0	**100.0**	**2138***
≤6 months[R]	63.1	36.9	**100.0**	**1734**
All problems	**62.5**	**37.5**	**100.0**	**3872**

R Reference category for problem recency in the regression.

***** Significant difference (p<0.05) for problem recency in the regression.

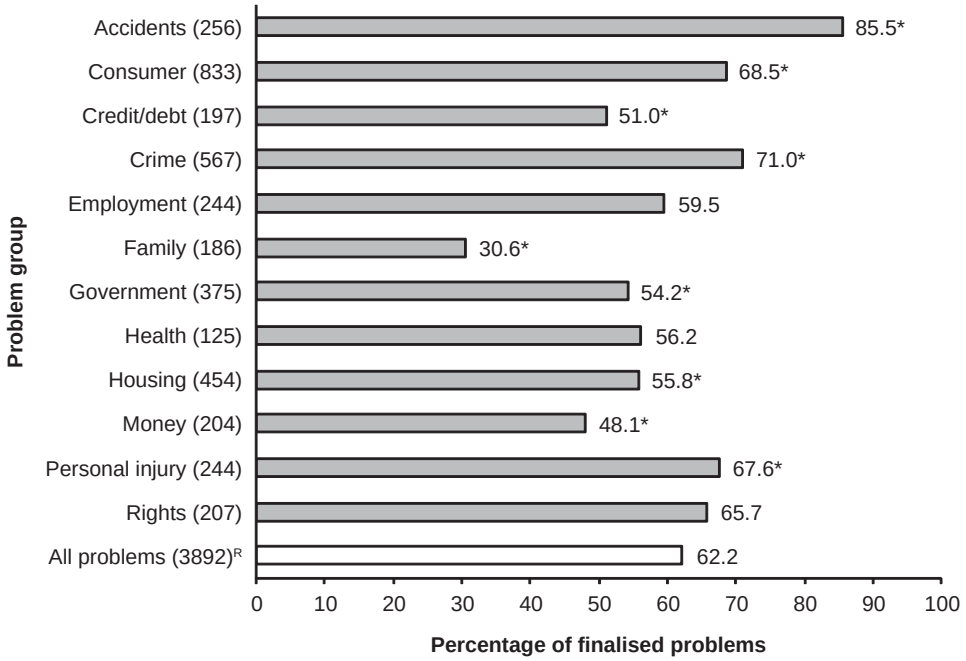
Note: N=3872 problems. Data were missing for 31 problems.

for earlier problems become evident once the influences of the other problem and demographic characteristics are also taken into account.

In addition, the regression results indicated that problem group was the strongest significant predictor of the finalisation status of legal problems at the time of interview (see Table 7.7). Significantly higher odds of finalisation than average were found for accidents (4.5), consumer (1.3), crime (1.6) and personal injury (1.6) problems. The finalisation rates for these problem groups ranged between 67.6 and 85.5 per cent, whereas the finalisation rate for all problems on average was 62.2 per cent (see Figure 7.3).

Significantly lower odds of finalisation than average were found for credit/debt (0.5), family (0.3), government (0.7), housing (0.8) and money (0.7) problems, with the finalisation rates for these problem groups ranging from 30.6 to 55.8 per cent.[7] Family problems had the lowest finalisation rate, at 30.6 per cent.

Figure 7.3: Finalisation status of legal problems by problem group, NSW



R Reference category for problem group in the regression was the mean of all problems.

***** Significant difference ($p<0.05$) between this problem group and the mean of all problems in the regression.

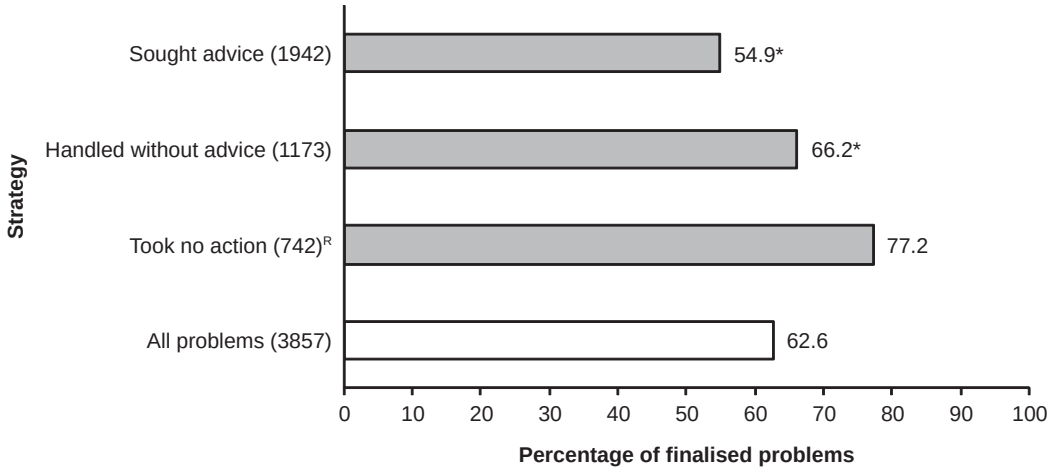
Note: N=3892 problems. Data were missing for 12 problems.

Strategy

Strategy was a significant, strong predictor of finalisation status. Compared to taking no action, both seeking advice (0.4) and handling the problem without advice (0.6) resulted in lower odds of finalisation (see Table 7.7). The finalisation rates were 77.2 per cent when no action was taken, 66.2 per cent when the problem was handled without advice and 54.9 per cent when advice was sought (see Figure 7.4).

[7] Although the health problem group had a similar percentage of finalised problems to the housing problem group, the result for the health problem group did not reach significance.

Figure 7.4: Finalisation status of legal problems by strategy in response to legal problems, NSW



R Reference category for strategy in the regression.

***** Significant difference ($p<0.05$) between this strategy and took no action in the regression.

Note: N=3857 problems. Data were missing for 46 problems

Demographic variables

Although problem group was the strongest predictor of finalisation status, several demographic characteristics were also significantly related to finalisation status. Age was the strongest significant demographic predictor and was followed by main language, main income and disability status (see Table 7.7). The other demographic variables were not significant. Compared to their counterparts, the following demographic groups had significantly lower odds of finalisation:

- people aged 65 years or over (versus 15–34 year olds)
- people whose main language was not English
- people whose main source of income was government payments
- people with a disability.

Hence, these demographic groups were significantly less likely to have finalised their problems, even after the characteristics of the problems (i.e. recency and problem group) and the strategies used in response to the problems were taken into account.

The descriptive statistics in Table 7.9 generally reveal a similar picture to the significant odds ratios from the regression in Table 7.7. Respondents aged 15–34 years had significantly higher odds of finalisation (1.6–3.5) when compared to respondents aged 65 years or over. The finalisation rate was 51.8 per cent for those aged 65 years or over compared to 63.9–82.4 per cent for those aged under 35 years.

Respondents with a disability had significantly lower odds of finalisation (0.7) than other respondents. Respondents with a disability had a finalisation rate of 54.0 per cent, while those without a disability had a finalisation rate of 65.2 per cent.

Respondents whose main income was government payments had significantly lower odds of finalisation (0.7) than other respondents. The finalisation rate was 54.3 per cent for respondents whose main income was government payments compared to 64.9 per cent for other respondents.

Respondents whose main language was not English also had significantly lower odds of finalisation (0.6) than other respondents. The finalisation rate was 58.1 per cent for respondents whose main

Table 7.9: Finalisation status of legal problems by each demographic variable, NSW

Demographic variable	*Category*	*Finalisation status*		*All problems*	
		Finalised	*Ongoing*		
		%	*%*	*%*	*N*
Gender	Female	60.4	39.6	**100.0**	**1847**
	Male[R]	63.9	36.1	**100.0**	**2045**
	Total	62.2	37.8	**100.0**	**3892**
Age	15–17	82.4	17.6	**100.0**	**165***
	18–24	77.8	22.2	**100.0**	**556***
	25–34	63.9	36.1	**100.0**	**751***
	35–44	56.9	43.1	**100.0**	**833**
	45–54	58.6	41.4	**100.0**	**703**
	55–64	57.0	43.0	**100.0**	**549**
	65+[R]	51.8	48.2	**100.0**	**334**
	Total	62.2	37.8	**100.0**	**3892**
Indigenous status	Indigenous	60.9	39.1	**100.0**	**74**
	Other[R]	62.2	37.8	**100.0**	**3818**
	Total	62.2	37.8	**100.0**	**3892**
Disability status	Disability	54.0	46.0	**100.0**	**1034***
	No disability[R]	65.2	34.8	**100.0**	**2858**
	Total	62.2	37.8	**100.0**	**3892**
Education	<Year 12	60.9	39.1	**100.0**	**944**
	Year 12	66.8	33.2	**100.0**	**642**
	Post-school[R]	61.5	38.5	**100.0**	**2293**
	Total	62.2	37.8	**100.0**	**3879**
Employment status	Unemployed	65.3	34.7	**100.0**	**607**
	Other[R]	61.6	38.4	**100.0**	**3284**
	Total	62.2	37.8	**100.0**	**3892**
Family status	Single parent	54.0	46.0	**100.0**	**453**
	Other[R]	63.3	36.7	**100.0**	**3438**
	Total	62.2	37.8	**100.0**	**3892**
Housing type	Disadvantaged	54.4	45.6	**100.0**	**336**
	Other[R]	63.0	37.0	**100.0**	**3556**
	Total	62.2	37.8	**100.0**	**3892**
Main income	Government payment	54.3	45.7	**100.0**	**986***
	Other[R]	64.9	35.1	**100.0**	**2906**
	Total	62.2	37.8	**100.0**	**3892**
Main language	Non-English	58.1	41.9	**100.0**	**270***
	English[R]	62.5	37.5	**100.0**	**3622**
	Total	62.2	37.8	**100.0**	**3892**
Remoteness[a]	Remote	61.7	38.3	**100.0**	**22**
	Regional	62.6	37.4	**100.0**	**1081**
	Major city[R]	62.1	37.9	**100.0**	**2788**
	Total	62.2	37.8	**100.0**	**3892**

R Reference category for this demographic variable in the regression.

***** Significant difference ($p<0.05$) between this category and the reference category for this demographic variable in the regression.

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=3879 problems for education and N=3892 problems for other demographic variables. Data were missing where totals are less than 3903.

language was a non-English language compared to 62.5 per cent for respondents whose main language was English.

Finalisation of legal problems: NSW summary

The LAW Survey examined the finalisation status at the time of interview of 3903 of the legal problems experienced by the NSW sample. Respondents reported that 62.2 per cent of these legal problems had been finalised.

The survey revealed that the vast majority of legal problems were finalised outside the formal justice system. Only 3.0 per cent were finalised through court or tribunal proceedings. In addition, only a small proportion were finalised through formal dispute resolution or complaint-handling processes (3.4%). Most commonly, problems were finalised through agreement with the other side (31.0%) or through the respondent either not pursuing the matter at all or deciding not to pursue the matter further (29.4%). A sizeable proportion of problems (14.6%) were also finalised through the decisions or actions of other agencies, such as government bodies, insurance companies or the police.

Problem characteristics influenced the manner in which legal problems were finalised. First, problem severity was significantly related to the manner of finalisation. Substantial problems were more likely to be finalised via court, tribunal, formal dispute resolution or complaint-handling processes or via the respondent deciding not to pursue the matter further. Minor problems were more likely to be finalised via other agencies, such as government bodies, insurance companies or the police, or via agreement with the other side. Second, the type of problem influenced the manner of finalisation. Notably, family problems were the most likely to be finalised via court, tribunal, formal dispute resolution or complaint-handling processes.

In addition, the manner of finalisation appeared to vary according to the strategy used by the respondent in response to the legal problem.[8] For example, problems involving advice appeared to be more likely than other problems to conclude via court, tribunal, formal dispute resolution or complaint-handling processes or via other agencies, such as government bodies, insurance companies or the police. Problems handled without advice appeared to be more likely than other problems to conclude via agreement with the other side or via the other side not pursuing the matter further.

Regression and other statistical analyses were used to identify the factors related to whether problems were finalised or still ongoing at the time of interview. The characteristics of problems appreciably influenced their finalisation status. The regression revealed that problem group was the strongest predictor of finalisation status, with credit/debt, family, government, housing and money problems having lower finalisation levels than average. Problem recency was also a significant, albeit weaker, predictor in the regression, with lower levels of finalisation for more recent legal problems. In addition, other analyses revealed that the likelihood of finalising a legal problem was significantly related to its severity, its consequences and the number of other problems experienced by the respondent. That is, finalisation rates:

- were lower for substantial problems (49.7%) than for minor problems (73.7%)
- decreased as the number of adverse consequences caused by problems increased
- decreased as the number of problems experienced by respondents increased.

[8] A significance test was not conducted, due to the co-dependence between strategy and manner of finalisation.

According to the regression, strategy was also a strong predictor of finalisation status. Legal problems were more likely to be finalised if respondents had taken no action to try to resolve these problems.

Furthermore, several demographic characteristics were significant predictors of finalisation status, although they were weaker than problem group. Age was the strongest of the demographic predictors, but main language, main income and disability status were also significant. Compared to their counterparts, the following demographic groups had significantly lower odds of finalisation:

- people aged 65 years or over (versus 15–34 year olds)
- people whose main language was not English
- people whose main source of income was government payments
- people with a disability.

Hence, these demographic groups were less likely to have achieved finalisation, even after the characteristics of the legal problem and the strategy used had been taken into account.

The LAW Survey results for NSW on the finalisation of legal problems are interpreted further in Chapters 9 and 10. These chapters compare the NSW results to the LAW Survey results for other jurisdictions and to international findings.

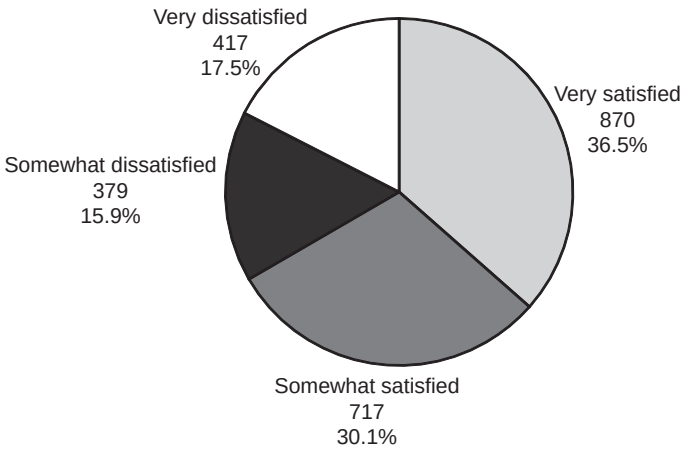
8. Outcome of legal problems

As noted earlier, of the 3903 legal problems followed up in depth in the NSW sample, 2421 were finalised at the time of interview.[1] This chapter examines the respondents' satisfaction with the outcomes of these finalised problems, whether favourable outcomes were achieved, and the problem and demographic characteristics associated with achieving favourable outcomes.

Satisfaction with outcome of legal problems

For each of the 2421 legal problems reported as finalised, respondents were asked how satisfied they were with the outcome of the problem (see Appendix A1, question A37). Figure 8.1 shows that respondents reported being 'very satisfied' with the outcomes of 36.5 per cent of finalised legal problems and 'somewhat satisfied' with the outcomes of a further 30.1 per cent of finalised legal problems. Thus, combining these percentages, respondents indicated being satisfied to some extent with the outcomes of two-thirds (66.6%) of finalised legal problems.

Figure 8.1: Satisfaction with outcome of legal problems, NSW



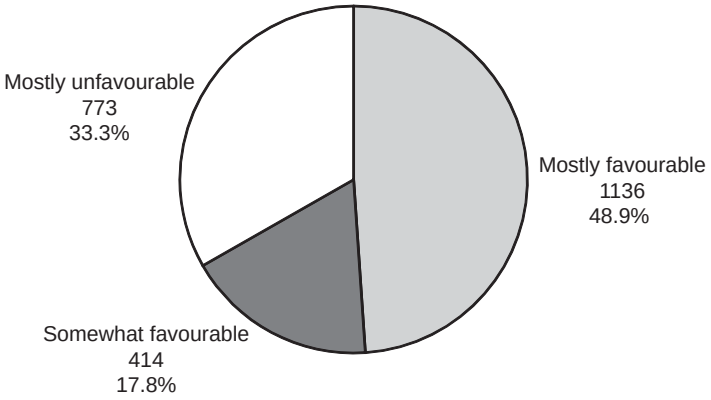
Note: N=2383 finalised problems. Data were missing for 38 problems.

Favourability of outcome of legal problems

In addition, respondents were asked about the extent to which the outcome of each legal problem was in their favour and were asked to choose between 'mostly in my favour', 'somewhat in my favour' and 'mostly not in my favour' (see Appendix A1, question A36). The results for favourability of outcome are displayed in Figure 8.2 and are very similar to those for satisfaction with outcome in Figure 8.1. Just as respondents reported being satisfied with the outcomes of two-thirds of problems, they also reported outcomes that were favourable to some extent for two-thirds of problems (66.7%). This percentage of 66.7 comprises 48.9 per cent of problems where the outcome was reported to be 'mostly' in the respondent's favour and a further 17.8 per cent of problems where the outcome was reported to be 'somewhat' in the respondent's favour.

[1] As a result of rounding weighted data, some numbers and percentages in the report do not sum precisely to totals.

Figure 8.2: Favourability of outcome of legal problems, NSW



Note: N=2323 finalised problems. Data were missing for 98 problems.

As might be expected, there was an extremely strong significant relationship between achieving favourable outcomes for legal problems and being satisfied with those outcomes. Satisfaction with outcomes decreased as perceived favourability of outcomes decreased (see Table 8.1). For example, respondents reported outcomes that were mostly in their favour for 88.7 per cent of the problems where they were very satisfied with the outcomes, and they reported outcomes that were mostly not in their favour for 91.6 per cent of the problems where they were very dissatisfied with the outcomes.

The rest of this chapter examines whether achieving favourable outcomes for legal problems is related to various problem and demographic characteristics. In each case, legal problems with 'favourable' outcomes (i.e. outcomes reported as being 'mostly' or 'somewhat' in the respondent's favour) are compared to legal problems with 'unfavourable' outcomes (i.e. outcomes reported as 'mostly not' in the respondent's favour).[2]

The relationship between the favourability of the outcomes achieved for legal problems and the severity of legal problems is displayed in Figure 8.3. This relationship was significant, with problems of substantial impact being more likely than problems of minor impact to result in unfavourable outcomes (39.6% versus 29.3%).

The relationship between the favourability of the outcomes achieved for legal problems and the number of adverse consequences caused by these legal problems is displayed in Table 8.2. This

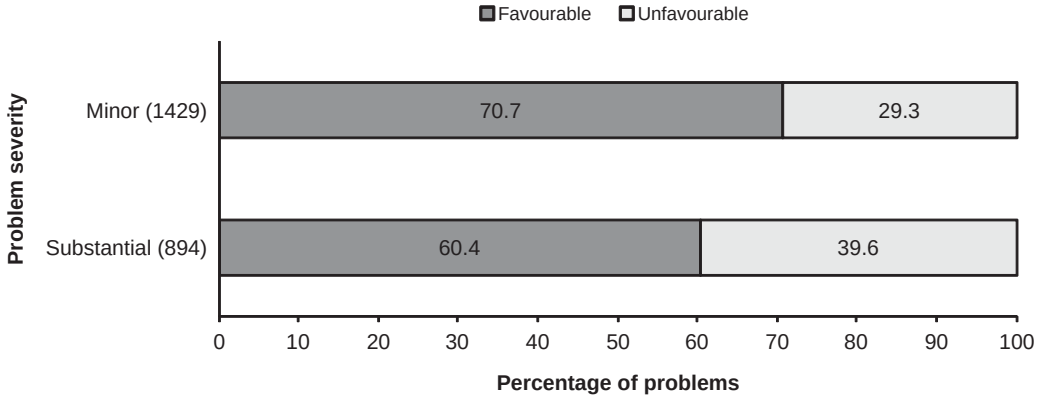
Table 8.1: Favourability of outcome of legal problems by satisfaction with outcome, NSW

Favourability of outcome	*Satisfaction with outcome*				*All finalised problems*
	Very satisfied	*Somewhat satisfied*	*Somewhat dissatisfied*	*Very dissatisfied*	
	%	*%*	*%*	*%*	*%*
Mostly favourable	88.7	46.9	11.5	4.5	**49.0**
Somewhat favourable	6.9	37.2	21.9	3.9	**17.9**
Mostly unfavourable	4.4	15.9	66.5	91.6	**33.2**
Total %	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**
N	**841**	**693**	**368**	**409**	**2311**

Note: N=2311 finalised problems. Data were missing for 110 problems. Somers' d=0.62 (95% CI=0.60–0.64), SE=0.01, p=0.000, outcome variable is satisfaction with outcome.

[2] Given the very strong similarity between favourability of outcome and satisfaction with outcome, analyses on the relationships between satisfaction with outcome and various problem and demographic variables are not reported.

Figure 8.3: Favourability of outcome of legal problems by problem severity, NSW



Note: N=2323 finalised problems. Data were missing for 98 problems. χ^2=26.17, $F_{1,2067}$=22.93, p=0.000.

Table 8.2: Favourability of outcome of legal problems by number of adverse consequences of legal problems, NSW

Favourability of outcome		*Number of adverse consequences per problem*					*All finalised problems*
		0	*1*	*2*	*3*	*4+*	
		%	*%*	*%*	*%*	*%*	*%*
Favourable		71.3	61.0	59.0	54.0	57.0	**66.7**
Unfavourable		28.7	39.0	41.0	46.0	43.0	**33.3**
Total	**%**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**
	N	**1429**	**532**	**207**	**104**	**52**	**2323**

Note: N=2323 finalised problems. Data were missing for 98 problems. Somers' d=0.13 (95% CI=0.08–0.18), SE=0.02, p=0.000, outcome variable is favourability of outcome.

relationship was significant, with the likelihood of favourable outcomes decreasing as the number of adverse consequences caused by legal problems increased. For example, 71.3 per cent of the problems without adverse consequences had favourable outcomes compared to 57.0 per cent of the problems with four or more adverse consequences.

The relationship between achieving a favourable outcome for a legal problem and the total number of legal problems experienced by the respondent during the 12-month reference period was also examined (see Table 8.3). This relationship was weak but significant, with the likelihood of achieving a favourable outcome decreasing as the number of legal problems experienced by the respondent increased. For example, 70.3 per cent of all problems experienced by respondents who had only one or two problems resulted in favourable outcomes compared to 61.4 per cent of all problems experienced by respondents who had six or more problems.

Table 8.3: Favourability of outcome of legal problems by number of legal problems per respondent, NSW

Favourability of outcome		*Number of problems per respondent*			*All finalised problems*
		1–2	*3–5*	*6+*	
		%	*%*	*%*	*%*
Favourable		70.3	67.2	61.4	**66.7**
Unfavourable		29.7	32.8	38.6	**33.3**
Total	**%**	**100.0**	**100.0**	**100.0**	**100.0**
	N	**925**	**717**	**681**	**2323**

Note: N=2323 finalised problems. Data were missing for 98 problems. Somers' d=0.09 (95% CI=0.04–0.14), SE=0.03, p=0.001, outcome variable is favourability of outcome.

There was a significant relationship between achieving favourable outcomes for legal problems and the manner in which the problems were finalised, as shown in Table 8.4. This significant relationship largely reflected a considerably higher rate of unfavourable outcomes for legal problems that were finalised by respondents deciding not to pursue the matter further than for legal problems finalised by other means (68.5% versus 33.4% on average).

Table 8.4: Favourability of outcome of legal problems by manner of finalisation of legal problems, NSW

Manner of finalisation[a]	*Favourability of outcome*		*Total*	
	Favourable	*Unfavourable*		
	%	*%*	*%*	*N*
Court or tribunal	76.1	23.9	**100.0**	**70**
Dispute resolution or complaint-handling body[b]	82.1	17.9	**100.0**	**78**
Another agency	78.0	22.0	**100.0**	**330**
Lawyer's or someone else's help[c]	83.5	16.5	**100.0**	**133**
Agreement with other side	83.4	16.6	**100.0**	**723**
Other side didn't pursue further	84.7	15.3	**100.0**	**196**
Respondent didn't pursue further	31.5	68.5	**100.0**	**664**
Other	63.7	36.3	**100.0**	**98**
All finalised problems	**66.6**	**33.4**	**100.0**	**2292**

a See Table 7.3 for further details on manners of finalisation. Apart from the exceptions noted below, manners of finalisation are identical to those in Table 7.3.

b Combines the following categories from Table 7.3: 'dispute resolution' and 'complaint-handling body'.

c Combines the following categories from Table 7.3: 'lawyer's help' and 'someone else's help'.

Note: N=2292 finalised problems. Data were missing for 129 problems. χ^2=536.42, $F_{7,14421}$=68.30, p=0.000.

Predicting favourability of outcome of legal problems

This section describes the problem and demographic characteristics associated with achieving favourable outcomes for legal problems. A binary multilevel logistic regression model was fitted to the NSW data to examine the independent predictors of achieving favourable outcomes. The regression compared finalised legal problems that had favourable outcomes to finalised legal problems that had unfavourable outcomes on the following variables: gender, age, Indigenous status, disability status, education, employment status, family status, housing type, main income, main language, remoteness of residential area, legal problem group and strategy used in response to legal problems.[3]

Thus, the regression reveals the types of problems, strategies and demographic groups with lower levels of favourable outcomes. Although regression analysis can be used to show where relationships exist, it cannot explain any relationships. Nonetheless, the regression on favourability of outcome helps to signal the types of problems and demographic groups that may benefit most from initiatives that aim to improve outcomes, and also helps to identify the strategies to be encouraged. For example, problems with worse outcomes may be more serious, complex or intractable. As a result, improved pathways for resolving these types of problems may be warranted. In addition, the demographic groups that achieve worse outcomes may have a reduced capacity for resolving problems and may require additional encouragement, support or assistance to resolve their problems more favourably.

Table 8.5 provides a summary of the regression results on favourability of outcome for NSW. Legal problem group was the strongest significant predictor of achieving favourable outcomes for legal problems, with the next strongest predictor being the strategy used in response to legal

[3] See Chapter 2, 'Method: Multivariate analyses' section, and Appendix Tables A2.8 and A2.9 (model 8a) for further details.

Table 8.5: Regression summary — favourability of outcome of legal problems, NSW

SIGNIFICANT VARIABLES		
Variable	***Categories compared***	***Odds ratio[a]***
Problem group	Accidents | mean	1.8
	Consumer | mean	1.3
	Credit/debt | mean	-
	Crime | mean	0.6
	Employment | mean	0.5
	Family | mean	-
	Government | mean	0.6
	Health | mean	0.5
	Housing | mean	2.1
	Money | mean	-
	Personal injury | mean	2.0
	Rights | mean	0.6
Strategy	Sought advice | took no action	1.4
	Handled without advice | took no action	1.6
Remoteness[b]	Remote/regional | major city	1.3
NON-SIGNIFICANT VARIABLES	***gender, age, Indigenous status, disability status, education, employment status, family status, housing type, main income, main language***	

a An odds ratio (OR)>1.0 indicates that the first category had significantly higher odds of a favourable outcome than the second category. OR<1.0 indicates that the first category had significantly lower odds. The size of the OR indicates the strength of the relationship. E.g. OR=2.0 means that the odds for the first category were twice those for the second category. OR=0.5 means that the odds for the first category were half those for the second category, or, in other words, that the odds for the second category were twice those (i.e. 1/0.5=2.0) for the first category. See Appendix A2, 'Data analysis: Significance and strength of predictors' section for further details. '-' indicates that the comparison was not significant.

b Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=2314 finalised problems. Data were missing for 107 problems.

problems. However, the demographic variables were generally unrelated to the favourability of the outcomes achieved, with remoteness of residential area being the only significant demographic predictor. Gender, age, Indigenous status, disability status, education, employment status, family status, housing type, main language and main income were not significant predictors. The regression results are further described in the sections below, with reference to the relevant unprocessed (or descriptive) statistics.[4]

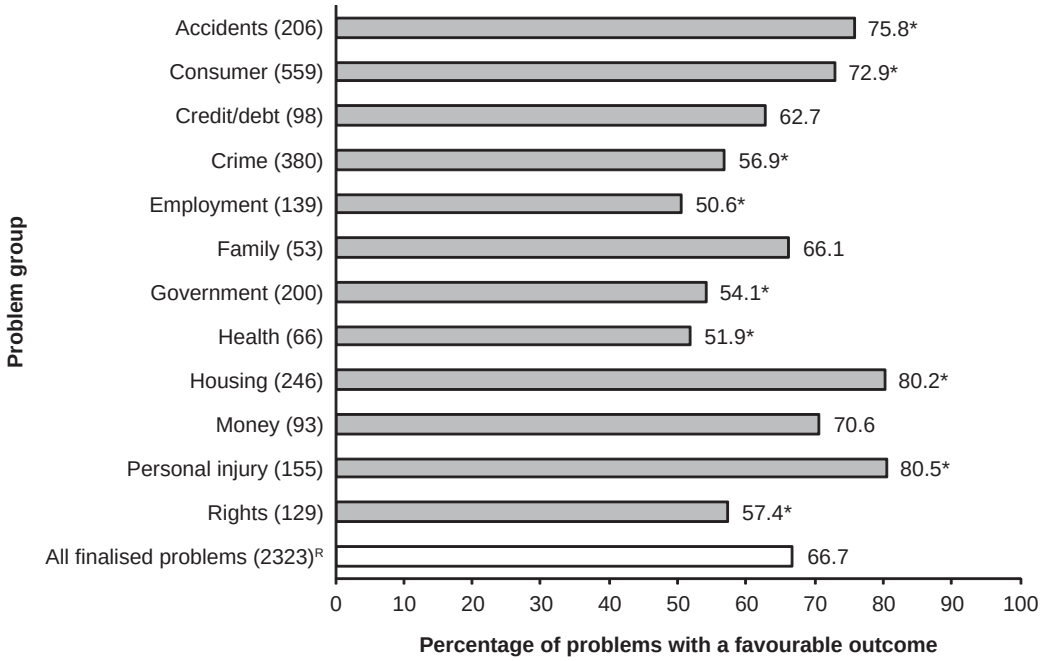
Problem group

The regression results indicated that problem group was the strongest significant predictor of whether or not respondents achieved favourable outcomes for their legal problems (see Table 8.5). Significantly higher odds of favourable outcomes than average were found for the accidents (1.8), consumer (1.3), housing (2.1) and personal injury (2.0) problem groups. The percentage of favourable outcomes for these problem groups ranged between 72.9 and 80.5 per cent, while the corresponding percentage for all problems on average was 66.7 per cent (see Figure 8.4).

Significantly lower odds of favourable outcomes than average were found for crime (0.6), employment (0.5), government (0.6), health (0.5) and rights (0.6) problems (see Table 8.5). The percentage of favourable outcomes for these problem groups ranged from 50.6 to 57.4 per cent (see Figure 8.4).

[4] See Appendix Table A8.1 for the full results of this regression.

Figure 8.4: Favourability of outcome of legal problems by problem group, NSW



R Reference category for problem group in the regression was mean of all problems.

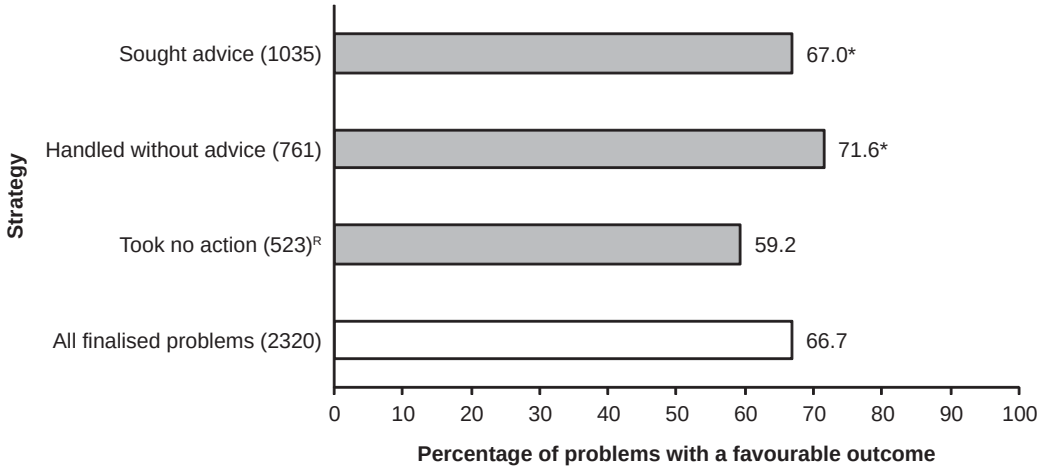
***** Significant difference (p<0.05) between this problem group and the mean of all problems in the regression.

Note: N=2323 finalised problems. Data were missing for 98 problems.

Strategy

Compared to taking no action, both seeking advice (1.4) and handling the problem without advice (1.6) resulted in higher odds of a favourable outcome (see Table 8.5). Favourable outcomes were achieved for 67.0 per cent of the problems involving advice and for 71.6 per cent of the problems handled without advice, but for only 59.2 per cent of the problems resulting in taking no action (see Figure 8.5).

Figure 8.5: Favourability of outcome of legal problems by strategy in response to legal problems, NSW



R Reference category for strategy in the regression.

***** Significant difference (p<0.05) between this strategy and took no action in the regression.

Note: N=2320 finalised problems. Data were missing for 101 problems.

Demographic variables

Remoteness of the respondent's residential area was the only significant demographic predictor of the favourability of outcomes. This demographic variable was a weaker predictor than both problem group and strategy. Respondents living in remote or regional areas had higher odds of favourable outcomes (1.3) when compared to respondents living in major city areas (see Table 8.5). For example, while favourable outcomes were reported for 70.3 per cent of the problems experienced by residents of regional areas, the corresponding percentage for residents of major city areas was 65.3 per cent (see Table 8.6).

Table 8.6: Favourability of outcome of legal problems by each demographic variable, NSW

Demographic variable	*Category*	*Favourability of outcome*		*All finalised problems*	
		Favourable	*Unfavourable*		
		%	*%*	*%*	*N*
Gender	Female	68.9	31.1	**100.0**	**1064**
	Male[R]	64.9	35.1	**100.0**	**1259**
	Total	66.7	33.3	**100.0**	**2323**
Age	15–17	70.1	29.9	**100.0**	**131**
	18–24	63.0	37.0	**100.0**	**422**
	25–34	68.4	31.6	**100.0**	**466**
	35–44	66.0	34.0	**100.0**	**458**
	45–54	68.0	32.0	**100.0**	**397**
	55–64	68.2	31.8	**100.0**	**298**
	65+[R]	65.4	34.6	**100.0**	**151**
	Total	66.7	33.3	**100.0**	**2323**
Indigenous status	Indigenous	61.4	38.6	**100.0**	**45**
	Other[R]	66.8	33.2	**100.0**	**2278**
	Total	66.7	33.3	**100.0**	**2323**
Disability status	Disability	64.5	35.5	**100.0**	**531**
	No disability[R]	67.4	32.6	**100.0**	**1792**
	Total	66.7	33.3	**100.0**	**2323**
Education	<Year 12	66.5	33.5	**100.0**	**551**
	Year 12	66.8	33.2	**100.0**	**416**
	Post-school[R]	66.9	33.1	**100.0**	**1351**
	Total	66.8	33.2	**100.0**	**2317**
Employment status	Unemployed	61.7	38.3	**100.0**	**380**
	Other[R]	67.7	32.3	**100.0**	**1943**
	Total	66.7	33.3	**100.0**	**2323**
Family status	Single parent	67.5	32.5	**100.0**	**233**
	Other[R]	66.7	33.3	**100.0**	**2090**
	Total	66.7	33.3	**100.0**	**2323**
Housing type	Disadvantaged	62.8	37.2	**100.0**	**175**
	Other[R]	67.1	32.9	**100.0**	**2148**
	Total	66.7	33.3	**100.0**	**2323**
Main income	Government payment	65.1	34.9	**100.0**	**511**
	Other[R]	67.2	32.8	**100.0**	**1812**
	Total	66.7	33.3	**100.0**	**2323**

Table 8.6: Favourability of outcome of legal problems by each demographic variable, NSW (cont.)

Main language	Non-English	63.1	36.9	**100.0**	**148**
	English[R]	67.0	33.0	**100.0**	**2175**
	Total	66.7	33.3	**100.0**	**2323**
Remoteness[a]	Remote	~	~	**~**	**14***
	Regional	70.3	29.7	**100.0**	**654***
	Major city[R]	65.3	34.7	**100.0**	**1655**
	Total	66.7	33.3	**100.0**	**2323**

~ Due to insufficient numbers, percentages are not provided.

R Reference category for this demographic variable in the regression.

***** Significant difference ($p<0.05$) between this category and the reference category for this demographic variable in the regression.

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=2317 finalised problems for education and N=2323 finalised problems for other demographic variables. Data were missing where totals are less than 2421.

Outcome of legal problems: NSW summary

NSW respondents achieved favourable outcomes for the majority of their finalised legal problems (66.7%). Not surprisingly, there was an extremely strong significant relationship between the favourability of the outcomes achieved and how satisfied respondents were with these outcomes.

A series of analyses examined the problem characteristics, strategies and demographic groups that were associated with achieving favourable outcomes for legal problems. Regression analysis revealed that, of the variables examined, problem group was the strongest predictor of whether the outcomes of legal problems were favourable. Strategy was the second strongest predictor in the regression. However, most of the demographic characteristics were unrelated to whether favourable outcomes were achieved. The only significant demographic predictor was remoteness of residential area, and its effect was relatively weak. Legal problems had lower odds of favourable outcomes if:

- they were crime, employment, government, health or rights problems
- the respondent took no action in response to the problem, neither seeking advice nor handling the problem without advice
- the respondent lived in a major city area (versus a remote or regional area).

Other types of statistical analyses revealed that achieving a favourable outcome for a legal problem was also significantly associated with the severity of the problem, the number of adverse consequences resulting from the problem, the manner in which the problem was finalised and the total number of legal problems experienced by the respondent. In particular, lower levels of favourable outcomes were achieved:

- for substantial problems (60.4%) than for minor problems (70.7%)
- as the number of adverse consequences caused by problems increased
- for problems that were finalised by the respondent deciding not to pursue the matter further (31.5%) than for all problems on average (66.6%)
- as the number of legal problems experienced by the respondent increased.

The LAW Survey results for NSW on the outcomes of legal problems are interpreted further in Chapters 9 and 10. These chapters compare the NSW results to the LAW Survey results for other jurisdictions and to international findings.

9. NSW findings in context

The current report series investigates the high-level patterns in legal need, response and resolution in each Australian jurisdiction. The present chapter compares the LAW Survey findings for NSW to those for the other seven states/territories and Australia as a whole. A generally consistent picture emerged across jurisdictions, suggesting broad similarities in the overall experience, handling and resolution of legal problems. The chapter also compares the LAW Survey findings to those from recent overseas surveys. The present results largely reinforce key international findings, confirming the widespread and often severe nature of legal problems, the particular vulnerability of disadvantaged groups, the considerable inaction in response to legal problems and the barriers to legal resolution. In addition, the present report series provides a stepping stone for more fine-grained analyses of legal need in subsequent reports using the large national dataset.

Although the present findings were broadly similar across jurisdictions, a greater number of significant results emerged at the national level, in keeping with the large national sample. Occasional significant differences between states/territories were also observed. Given the numerous analyses conducted, these differences may sometimes have occurred by chance and may not always represent fundamental differences in legal needs. In addition, any real differences in legal needs between jurisdictions may be due to a myriad of factors, and it can be difficult to pinpoint the precise factors at play. However, where jurisdictional disparity in the survey results may reflect differences in demographic profiles or service environments, this is noted.

Demographic differences between jurisdictions

Given the well-supported link between disadvantage and legal need in recent surveys, an overview is provided of the level of disadvantage in each Australian jurisdiction to assist with the interpretation of jurisdictional differences in LAW Survey findings.

The Socio-Economic Index for Areas (SEIFA; ABS 2006b) summarises the socioeconomic conditions of geographical areas within Australia and is based on multiple demographic indicators of advantage and disadvantage, including income, educational attainment and employment status. Appendix Table A9.1 summarises the SEIFA data for each jurisdiction and shows that states/territories differ in their overall levels of disadvantage (see ABS 2008c). According to the SEIFA, the Northern Territory is the most disadvantaged jurisdiction in Australia, with a sizeable proportion of its population living in areas of very high disadvantage. In addition, some of its remote areas are among the most disadvantaged areas in Australia.[1] Also according to the SEIFA, a considerable proportion of Tasmanians live in disadvantaged areas, as do a smaller, but still elevated, proportion of South Australians. On the contrary, the ACT is the most affluent jurisdiction in Australia, with a very low proportion of the population living in disadvantaged areas and a high proportion living in advantaged areas. NSW is the next most affluent state/territory, with an elevated proportion of the population living in advantaged areas. Based on the SEIFA, the overall levels of advantage and disadvantage in Victoria, Queensland and Western Australia are more similar to those across

[1] Remote areas of the Northern Territory represent 11 of the 20 most disadvantaged SLAs in Australia.

Australia. However, Queensland has some remote areas that are among the most disadvantaged areas in Australia.[2]

The levels of disadvantage and advantage in each jurisdiction may partly reflect the unique demographic profiles of each jurisdiction, including large geographical variations in degrees of remoteness. The Northern Territory, in particular, has a very distinct profile. Some notable differences in demographic profiles are as follows:

- The Northern Territory has a greater proportion of people who are young, are Indigenous, live in disadvantaged housing and live in remote areas (ABS 2000b, 2007a, 2009c; ABS & AIHW 2010). Indigenous people living in remote areas constitute a particularly high proportion of the population (ABS 2006c).[3]
- Tasmania has high proportions of people who did not finish school, whose main income is government payments and who reside in regional areas. It has a low proportion of people from a non-English-speaking background (ABS 2007a, 2009b, 2009c).
- NSW and Victoria have high proportions of people from a non-English-speaking background and small proportions of people living in remote areas (ABS 2007a).
- The ACT is composed almost entirely of major city areas and has larger proportions of younger people and smaller proportions of older people. Consistent with its affluence, it has greater proportions of people with post-school qualifications and high disposable incomes, and smaller proportions on government payments (ABS 2000a, 2007a, 2008e, 2009b, 2009c).

Prevalence of legal problems

Prevalence of legal problems overall

The LAW Survey findings reiterate that legal problems are ubiquitous. Within the one-year period examined, approximately half of the respondents in each jurisdiction experienced a legal problem. The prevalence rate in NSW was 50 per cent. As reported in Chapter 3, this prevalence rate translates to an estimated 2 825 000 people aged 15 years or over in the NSW population experiencing a legal problem within a one-year period.

The LAW Survey used a general population sample. The present prevalence rates of around 50 per cent were apparently higher than those of most other general population surveys in the UK, other parts of Europe and New Zealand, which have typically fallen below 40 per cent (19–51%; Dignan 2006; Genn 1999; Genn & Paterson 2001; Gramatikov 2008; HKDOJ 2008; Ignite Research 2006; Maxwell et al. 1999; Murayama 2007; Pleasence 2006). However, the present prevalence rates were appreciably lower than those of many of the surveys of disadvantaged samples, including the NSWLNS (69%; Coumarelos et al. 2006) and many US surveys. Most US surveys have produced prevalence rates above 40 per cent, with about half being above 60 per cent (33–87%; AAJC 2009; ABA 1994; CSRA 2003; Dale 2009; GKA 2006, 2008; LASNSC 2005; LSNJ 2009; Miller & Srivastava 2002; Schulman 2003, 2007; TALS 2004; Task Force 2003). Thus, the prevalence rates across surveys have been generally consistent with the level of disadvantage across samples. Populational differences unrelated to disadvantage (e.g. differences in culture, attitudes or geography) and jurisdictional differences (e.g. in legal service provision and redress) may also have contributed to differences in prevalence.

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2 Remote areas of Queensland represent nine of the 20 most disadvantaged SLAs in Australia.

3 The Northern Territory also has a smaller proportion of people whose main income is government payments, reflecting lower proportions on the age pension due to the territory's younger age structure (ABS 2000b, 2011a).

However, the prevalence rates obtained across studies may reflect methodological differences instead of, or in addition to, real differences due to disadvantage, other populational factors or jurisdictional factors. First, the higher prevalence for the LAW Survey compared to other general population surveys may be partly due to its more lenient triviality threshold, which did not filter out less serious, easy-to-solve legal problems, its fairly broad coverage of legal problems[4] and the greater anonymity afforded by its use of telephone rather than face-to-face interviews[5] (cf. Currie 2007b; Dignan 2006; Genn 1999; Genn & Paterson 2001; Gramatikov 2008; HKDOJ 2008; Ignite Research 2006; Pleasence 2006; Pleasence et al. 2010). Second, various methodological differences are also consistent with the lower prevalence rates in general population surveys, including the LAW Survey, when compared to disadvantaged sample surveys such as the NSWLNS and US surveys. The NSWLNS used an especially lenient triviality threshold, capturing non-problematic legal events as well as easy-to-solve problems. The US surveys captured problems experienced by entire households rather than problems experienced by one individual within each household. Furthermore, the NSWLNS and US surveys used telephone rather than face-to-face interviews, which may have contributed to higher reporting when compared to the overseas general population surveys. However, the reference periods used across studies cannot explain the variation in prevalence rates. The studies with the higher prevalence rates, such as the present survey, the NSWLNS and the US surveys, had reference periods of one year, which were shorter, not longer, than the 2–5 years used by the overseas general population surveys.

Although the LAW Survey revealed prevalence rates that were close to 50 per cent in all jurisdictions (47–55%), there were nonetheless significant albeit modest differences between these rates. Compared to average, the rates for the Northern Territory (55%) and Western Australia (52%) were significantly higher, while the rates for South Australia (47%) and Victoria (48%) were significantly lower.[6] Although the reason for the somewhat elevated prevalence in Western Australia is unclear, the higher prevalence in the Northern Territory is consistent with the higher level of disadvantage in this jurisdiction (e.g. ABS 2008c). Regression analyses revealed that only some of the differences in state/territory prevalence rates are likely to be due to differences in demographic compositions.[7] Other differences between jurisdictions may also have influenced the prevalence rates, such as differences in culture, attitudes, systems of law, legal services or social services.

Prevalence of different types of legal problems

The consumer (18–22% of respondents), crime (13–23%), housing (10–13%) and government (8–12%) problem groups were typically the most common problem groups in most jurisdictions. In NSW, the most common problem groups were the consumer (21% of respondents), crime (14%), housing (13%) and government (11%) problem groups. Notably, the Northern Territory was the only jurisdiction where crime was the most common problem group, and the percentage of Northern

4 The LAW Survey, like its predecessor, the NSWLNS, captured a broad range of problems extending to those related to owning a business, wills and estates, and general crime. Coumarelos et al. (2006) and Pleasence (2006) have noted that the broader coverage of problems by some surveys (e.g. by the NSWLNS and some US surveys compared to the UK surveys) may contribute to differences in prevalence.

5 The use of internet questionnaires in the Dutch survey (van Velthoven & ter Voert 2004), which employed a non-random sample, may similarly have afforded considerable anonymity that contributed to the high prevalence rate (67%).

6 χ^2=38.82, $F_{7,144629}$=5.35, p=0.000. See Appendix Figure A9.1.

7 The Australian regression model on overall prevalence (see Table 3.5 in the Australian LAW Survey report) was re-run with the addition of state/territory as a potential predictor variable or 'fixed effect'. See Appendix Tables A2.8 and A2.9 (model 1b) for further details and Appendix Table A9.2 for the full results. The chi-square test examined prevalence given the states'/territories' actual demographic profiles. In contrast, the regression estimated what the prevalence levels would be if states/territories had identical profiles on the demographic variables examined in the model. The regression showed significant differences in prevalence between states/territories after the demographic variables had been taken into account, so it is unlikely that the differences in prevalence are due solely to differences on these demographic variables. Compared to average, the odds of legal problems were lower in South Australia and the ACT, but higher in the Northern Territory.

Territory respondents experiencing crime problems (23%) appeared to be higher than the percentages in the other jurisdictions (13–19%). This Northern Territory finding is largely in keeping with official data showing high recorded offender rates and high crime victimisation rates in this jurisdiction (ABS 2009f, 2011d). Given the high Indigenous population in the Northern Territory, this finding is also consistent with the considerable overrepresentation of Indigenous people in the criminal justice system (Cunneen & Schwartz 2008; Steering Committee for the Review of Government Service Provision (SCRGSP) 2007). Personal injury, employment and credit/debt problems were also reported by sizeable proportions of LAW Survey respondents (5–8%) in all jurisdictions.

The LAW Survey findings on the prevalence of different types of legal problems are largely consistent with overseas surveys. For example, past surveys have often reported high rates of consumer and neighbours problems (ABA 1994; AFLSE 2007; Coumarelos et al. 2006; Currie 2007b; Dale 2000, 2005, 2007, 2009; Dignan 2006; GKA 2006, 2008; Gramatikov 2008; HKDOJ 2008; Ignite Research 2006; LSNJ 2009; Murayama 2007; Pleasence 2006; Pleasence et al. 2010; Schulman 2003, 2007; van Velthoven & Klein Haarhuis 2010). Most of the housing problems for the LAW Survey were neighbours problems. Employment and money/debt problems have also been fairly frequent across surveys (ABA 1994; AFLSE 2007; Coumarelos et al. 2006; Currie 2007b; Dale 2000, 2005, 2007, 2009; Dignan 2006; GKA 2006, 2008; Gramatikov 2008; HKDOJ 2008; Ignite Research 2006; LSNJ 2009; Murayama 2007; Pleasence 2006; Pleasence et al. 2010; Schulman 2003; van Velthoven & Klein Haarhuis 2010; van Velthoven & ter Voert 2004). In addition, although many past surveys have not focused or have not reported on crime problems, the present high rate of crime problems is consistent with that for the NSWLNS (Coumarelos et al. 2006).

Furthermore, the present very low rates of legal problems concerning mental health and immigration replicate past findings (e.g. ABA 1994; AFLSE 2007; Coumarelos et al. 2006; Currie 2007b; Dale 2005, 2009; Dignan 2006; GKA 2006, 2008; Ignite Research 2006; Pleasence 2006; Pleasence et al. 2010; Schulman 2003, 2007). These rates tended to be under one per cent across jurisdictions in the present study.

The LAW Survey findings are in keeping with the notion that the incidence of different problem types reflects the defining circumstances necessary for different legal problems to arise. For example, there is considerable opportunity for consumer problems to arise, because consumer transactions are a routine activity for most people. However, there is only limited opportunity for immigration, citizenship or residency problems to arise, because relatively few people change their country of abode (Dignan 2006; Pleasence 2006).

Prevalence of multiple legal problems

The LAW Survey also reinforces existing evidence that the experience of multiple legal problems is common. In each jurisdiction, roughly one-third of respondents reported at least two legal problems in the 12-month period, with roughly one-quarter reporting problems that fell into different problem groups.

The present results confirm earlier findings that a minority of people are particularly vulnerable to multiple legal problems (e.g. Coumarelos et al. 2006). In each jurisdiction, approximately one-tenth of respondents accounted for around two-thirds of the problems reported. Some legal needs surveys have demonstrated an 'additive effect' of legal problems, whereby experiencing a legal problem increases the likelihood of experiencing an additional problem, with vulnerability continuing to increase as more problems are experienced (Currie 2007b; Gramatikov 2008; Pleasence 2006; Pleasence et al. 2004c). Pleasence et al. (2004c, p. 107) maintained that:

vulnerability to justiciable problems is … cumulative. Each time a person experiences a problem the likelihood of experiencing an additional problem increases; not just as a consequence of initial vulnerability; but also as a consequence of the increased vulnerability brought about by the impact of initial problems.

Clustering of legal problems

The LAW Survey also supports past findings that the types of legal problems that people experience in combination are unlikely to be purely random. Cluster analyses resulted in considerable consistency in the legal problem groups that co-occurred across jurisdictions. In most jurisdictions, the following problem groups tended to occur in combination:

1. the consumer, crime, government and housing problem groups
2. the credit/debt, family and money problem groups
3. the employment, health, personal injury and rights problem groups.[8]

Although problem groups tended to co-occur in these three combinations, there was some variation across jurisdictions. First, some elements of these combinations were missing in some jurisdictions (see Table 9.1). Second, there was variation in whether or not each combination co-occurred with other problems. That is, in some jurisdictions, a given combination formed a whole, stand-alone cluster that was unrelated to other problems, while in other jurisdictions it formed a subcluster within a broader cluster of co-occurring problems. In Table 9.1, stand-alone clusters are marked with '*', while subclusters are marked with '^'.[9]

The first combination, comprising the consumer, crime, government and housing problem groups, was particularly consistent, with all four of these problem groups combining to form either clusters or subclusters in all jurisdictions apart from the Northern Territory. In NSW, these four problem groups formed a subcluster within the first cluster.

The second combination, comprising the credit/debt, family and money problem groups, was dominated by 'economic and family' issues. Most jurisdictions had a cluster or subcluster that included at least two of these three problem groups. Note that the money problem group, by definition, included both problems with economic aspects and problems related to family relationships. Business, investment, wills, estates and power of attorney issues were categorised within this problem group. In NSW, credit/debt and money problems formed a subcluster within the first cluster. However, family problems were not part of this subcluster or of the broader first cluster. Thus, in NSW, this subcluster was more heavily concentrated on economic issues than on family issues.

The third combination, comprising the employment, health, personal injury and rights problem groups, was dominated by 'rights and injury/health' issues. Most jurisdictions had a cluster or subcluster that included at least two of these four problem groups. Note that work-related rights issues were categorised within the employment problem group, while rights issues unrelated to work were categorised within the rights problem group. In NSW, employment, health, personal injury and rights problems formed a separate cluster.

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[8] Across jurisdictions, accidents problems did not cluster strongly with other problem groups. Although accidents problems clustered with personal injury problems in the ACT, this relationship was weak. The finding that accidents problems tended to occur independently of other problems may reflect that, by definition, the accidents problem group consisted exclusively of injury-free motor vehicle accidents, which were typically reported as being minor problems (see Table 3.3). It is plausible that such typically minor accidents are largely chance events that are not often causally linked to other problems. Motor vehicle injuries were categorised within the personal injury problem group.

[9] In addition, problem groups shown in brackets in Table 9.1 were not part of the subclusters shown but fell within the same larger cluster as these subclusters.

Table 9.1: Summary — clustering of problem groups, each jurisdiction

Jurisdiction	*Combinations of problem groups forming clusters* or subclusters^ across jurisdictions*			*Respondents*
	Combination 1	*Combination 2*	*Combination 3*	*N*
NSW	^	^	*	
	consumer	credit/debt	employment	**4 113**
	crime	money	health	
	government		personal injury	
	housing		rights	
Victoria	^	^	*	
	consumer	credit/debt	employment	**4 410**
	crime	money	health	
	government	(family)	personal injury	
	housing		rights	
	(family)			
Queensland	^	*	^	
	consumer	family	credit/debt	**2 020**
	crime	health	employment	
	government		rights	
	housing		(personal injury)	
	(personal injury)			
South Australia	^	^	*	
	consumer	credit/debt	employment	**2 041**
	crime	family	health	
	government	rights	personal injury	
	housing	(money)		
	(money)			
Western Australia	^	*	^	
	consumer	credit/debt	employment	**2 019**
	crime	family	personal injury	
	government	money	rights	
	housing			
Tasmania	*	^	^	
	consumer	credit/debt	health	**2 009**
	crime	family	rights	
	government			
	housing			
	employment			
	personal injury			
Northern Territory	^	^	*	
	consumer	credit/debt	health	**2 069**
	crime	employment	personal injury	
	housing	government		
	rights	(money)		
	(money)			

Table 9.1: Summary — clustering of problem groups, each jurisdiction (cont.)

ACT	^	*	^	
	consumer	credit/debt	employment	**2 035**
	crime	money	rights	
	government	health	(family)	
	housing			
	(family)			
Australia	*	*	*	
	consumer	credit/debt	employment	**20 716**
	crime	family	health	
	government		personal injury	
	housing		rights	
	money			

***** Denotes a whole cluster.

^ Denotes subclusters of a larger cluster. For example, in NSW, the subcluster comprising consumer, crime, government and housing problems joined with the subcluster comprising credit/debt and money problems to form one cluster.

Note: N=20 716 respondents. Problem groups shown in brackets were not part of the subclusters shown but fell within the same larger cluster as these subclusters. For example, in Victoria, family problems were part of neither the 'consumer, crime, government and housing' subcluster nor the 'credit/debt and money' subcluster but were part of the same larger cluster as these two subclusters. Shading indicates problem groups that were common within clusters/subclusters across jurisdictions.

As noted earlier, the co-occurrence of certain legal problems suggests the possibility that these problems may be connected in some way, because, for example:

- one of these problems may directly cause or trigger another
- these problems may arise from similar or identical defining circumstances
- certain individuals may be vulnerable to experiencing these types of problems (Pleasence et al. 2004c).

Past studies have not produced identical legal problem clusters. Nonetheless, like the present study, they have usually found clustering of 'family' and 'economic' issues, although these issues have not necessarily formed a single cluster (Coumarelos et al. 2006; Currie 2007b; Pleasence 2006; Pleasence et al. 2004c, 2010). For example, the NSWLNS and the CSJS both produced separate 'family' and 'economic' clusters (Coumarelos et al. 2006; Pleasence 2006; Pleasence et al. 2010). In addition, the present clustering of rights and health problems is somewhat similar to the clustering of discrimination and clinical negligence problems in the 2004 and 2006–2009 CSJS (Pleasence et al. 2010).

Different clustering patterns across studies are perhaps unsurprising, given their methodological differences. First, different populations may have differing vulnerabilities for certain groups of legal problems.[10] Second, the coverage, definition and categorisation of legal problems may affect clustering. For example, the CSJS and NSWLNS categorised domestic violence issues into a separate problem type, which clustered with other relationship breakdown issues to form a 'family' cluster (Coumarelos et al. 2006; Pleasence 2006; Pleasence et al. 2010). In contrast, other past studies and the present study did not isolate domestic violence issues into a separate problem type but subsumed them within a broader category of problems (cf. Currie 2007b; Genn 1999; Genn & Paterson 2001; Pleasence 2006). Thus, these studies could not examine which problems specifically cluster with

[10] The demographic groups in the present study that were especially vulnerable to experiencing particular types of problems are discussed in the next section, 'Predicting prevalence of legal problems'.

'domestic violence' per se. Third, the reference period used may have an impact. For example, clusters reflecting the long-term consequences of certain legal problems may be less evident with shorter reference periods. Finally, differences in the triviality thresholds used to capture legal problems may also affect clustering. For example, observation of the connections between problems may depend on the proportion of substantial problems captured.

Past evidence has suggested that some types of legal problems are especially likely to trigger or directly cause further problems. In particular, the evidence has been consistent with family, injury and employment problems often preceding and triggering money and debt problems (Currie 2007b; Genn 1999; Pleasence 2006). Trigger effects can have dramatic impacts on people's lives. They can lead to a cascade of spiralling problems and downward mobility in a variety of life circumstances (Coumarelos et al. 2006; Currie 2007b; Genn 1999; Pleasence 2006; Pleasence et al. 2004c). Pleasence (2006) argued that the trigger effect of family problems such as divorce, separation and domestic violence is not surprising, given that they can lead to substantial changes in life circumstances, such as financial hardship, poorer housing, employment problems, difficulties as a single parent, and dependence on maintenance, child support and welfare benefits. The LAW Survey findings that family problems sometimes clustered with economic problems are consistent with the possibility that family problems may sometimes trigger legal problems with a financial impact.[11]

Pleasence (2006) and Genn (1999) argued that personal injury problems can also have a dramatic impact on life circumstances, often as a result of causing unemployment, which in turn can lead to financial hardship. The *Paths to justice* surveys and the CSJS produced broad clusters including employment, personal injury, money and consumer problems (Pleasence 2006; Pleasence et al. 2010). The present results are partially consistent with these findings, given that personal injury and employment problems clustered in most jurisdictions.[12] However, the possible impact of personal injury and unemployment on financial hardship was evident only in Queensland and the Northern Territory, where employment and credit/debt problems clustered together. The shorter reference period in the present study compared to the UK studies may have been insufficient for the full impact of personal injury and employment problems on financial circumstances to become evident in all jurisdictions. Furthermore, the full impact of employment problems on financial hardship may occur more quickly for more disadvantaged people who have fewer savings and assets (Saunders et al. 2007). The present Northern Territory and Queensland results are consistent with this possibility. The top 20 most disadvantaged areas in Australia are remote areas within these jurisdictions, and, in addition, the Northern Territory is the most disadvantaged jurisdiction overall (e.g. ABS 2008c).

As discussed earlier, the co-occurrence of legal problems does not necessarily imply a meaningful connection between these problems in all cases. Legal problems may sometimes co-occur by chance — that is, without a connection due to trigger effects, defining circumstances or personal vulnerabilities. In particular, problem types that occur frequently in the population have more opportunity to coincide by chance. Consistent with this possibility, the first cluster or subcluster in the present study typically included the four most prevalent legal problem groups — that is, the consumer, crime, government and housing problem groups.[13] In addition to clustering with each

[11] The strongest associations of family problems with credit/debt and/or money problems occurred in Australia as a whole, South Australia, Western Australia and Tasmania. As already noted, in NSW, the family problem group was not linked to any cluster. However, the money problem group, which included some problems related to family relationships, was linked to the credit/debt problem group.

[12] Except in the Northern Territory and the ACT, personal injury and employment problems were part of the same cluster.

[13] The consumer, crime, government and housing problem groups were the four most prevalent problem groups in all jurisdictions apart from the ACT where they comprised four of the five most prevalent problem groups. These four problem groups dominated the first cluster/subcluster in all jurisdictions except the Northern Territory. The Northern Territory results were nonetheless similar: consumer, crime and housing problems dominated the first subcluster, and government problems still fell within the same broader cluster, although they fell within a different subcluster.

other, these four problem groups had a sizeable degree of co-occurrence with all problem groups across jurisdictions (see Table 4.9 in each LAW Survey report). Notably, past studies have often similarly found that one of the main clusters that emerges is dominated by high-frequency problem types.[14]

The chance co-occurrence of high-frequency legal problems may be more evident in studies using shorter reference periods, such as the present study and the Coumarelos et al. (2006) study. First, there is less opportunity with shorter periods to capture all of the legal problems that are likely to result from long-term causal effects. Second, shorter reference periods are likely to provide more accurate capture of legal problems that are high volume but 'minor', given that memory decay over longer periods tends to result in less salient problems being forgotten (Lynn et al. 2005; Pleasence et al. 2009; Sudman & Bradburn 1973; Tourangeau et al. 2000). Thus, both of these possibilities may work towards shorter reference periods producing greater visibility of high-volume minor problems that tend to coincide by chance rather than due to some sort of meaningful connection. Nonetheless, the possible chance coincidence of some legal problems in no way negates the potential difficulty that some people face when confronted with multiple problems. The present study, like past studies, makes clear that the occurrence of multiple legal problems is a common experience.

Predicting prevalence of legal problems

The LAW Survey replicates past findings that vulnerability to legal problems is not random but varies according to demographic characteristics. In each jurisdiction, regressions were conducted to examine the characteristics that are significantly related to three 'general' measures of prevalence:

- the prevalence of legal problems overall
- the prevalence of substantial legal problems (i.e. problems rated as having a 'severe' or 'moderate' impact on everyday life)
- the prevalence of multiple (i.e. a greater number of) legal problems.

Summaries of these models are presented in Tables 9.2–9.4.[15] In addition to these three regressions, 12 further regressions were conducted in each jurisdiction to examine the significant predictors of each of the 12 legal problem groups.[16]

The results were similar across jurisdictions. However, not all of the demographic variables that were significant in each Australian model reached significance in all the corresponding state/territory models, as might be expected, given the larger national numbers. As detailed below, the regressions confirm past findings that different ages or life stages are significantly associated with different types of legal problems, and that disadvantaged or socially excluded groups have increased vulnerability.

[14] The broad cluster in the Coumarelos et al. (2006) study was dominated by the four most prevalent problem types (i.e. general crime, housing, consumer and government problems), although it also included other problem types. One cluster in the Canadian study (Currie 2007a) exclusively comprised the three most frequent problem types (i.e. consumer, employment and debt problems). The broad cluster based on the data from the *Paths to justice* study included the two most frequent problem types (i.e. consumer and money problems) as well as other problem types (cf. Genn 1999; Pleasence 2006). The CSJS included a broad or economic cluster that was dominated by the four most prevalent problem types (i.e. consumer, neighbours, money/debt and employment problems), although it also included other problem types (Pleasence 2006; Pleasence et al. 2010).

[15] In each jurisdiction, the model on overall prevalence was comparable to the NSW model shown in Table 3.5, the model on prevalence of substantial legal problems was comparable to the NSW model shown in Table 3.7, while the model on multiple legal problems was comparable to the NSW model shown in Table 3.8. Further details are provided in Appendix Tables A2.8 and A2.9 (models 1a, 2 and 3), while the full results are provided in the LAW Survey report for the relevant jurisdiction.

[16] The models on the prevalence of each problem group in each jurisdiction were comparable to the NSW models shown in Table 3.9. Further details are provided in Appendix Tables A2.8 and A2.9 (models 4a–4l), while the full results are provided in the LAW Survey report for the relevant jurisdiction.

Table 9.2: Regression summaries — prevalence of legal problems overall, each jurisdiction

Variable	*Categories compared*	*NSW*	*Victoria*	*Queensland*	*South Australia*	*Western Australia*	*Tasmania*	*Northern Territory*	*ACT*	*Australia*
Gender	Female | male	<	<	>	<	=	<	<	=	<
Age	15–17 | 65+	>	>	>	>	>	>	>	>	>
	18–24 | 65+	>	>	>	>	>	>	>	>	>
	25–34 | 65+	>	>	>	>	>	>	>	>	>
	35–44 | 65+	>	>	>	>	>	>	>	>	>
	45–54 | 65+	>	>	>	>	>	>	>	>	>
	55–64 | 65+	>	>	>	>	>	>	>	>	>
Indigenous status	Indigenous | other	<	>	<	>	>	>	<	<	=
Disability status	Disability | no disability	>	>	>	>	>	>	>	>	>
Education	<Year 12 | post-school	<	<	<	<	<	<	<	<	<
	Year 12 | post-school	<	<	<	<	<	<	<	<	<
Employment status	Unemployed | other	>	>	>	>	>	>	>	>	>
Family status	Single parent | other	>	>	>	>	>	>	>	>	>
Housing type	Disadvantaged | other	>	>	>	>	>	>	=	>	>
Main income	Government payment | other	<	>	<	<	<	<	>	<	<
Main language	Non-English | English	<	<	<	<	<	>	<	<	<
Remoteness[abc]	Remote | major city	=[a]	<[a]	=	<	<	=[b]	=[b]	[c]	<
	Regional | major city			<	<	<			[c]	<

a Due to insufficient numbers in remote areas, the NSW and Victorian models compared a combined remote/regional category to the major city (reference) category.

b Given that Tasmania and the Northern Territory have no major city areas, the models for these jurisdictions compared the remote category to the regional (reference) category.

c Remoteness was not included as a demographic variable in the ACT model, as this territory almost exclusively comprises major city areas.

Note: The symbols and shading indicate how the first category compares to the second. The first category has:

>	significantly higher odds of experiencing legal problems
<	significantly lower odds of experiencing legal problems
>	non-significant (higher) odds of experiencing legal problems
<	non-significant (lower) odds of experiencing legal problems
=	non-significant (equal) odds of experiencing legal problems

Table 9.3: Regression summaries — prevalence of substantial legal problems, each jurisdiction

Variable	*Categories compared*	*NSW*	*Victoria*	*Queensland*	*South Australia*	*Western Australia*	*Tasmania*	*Northern Territory*	*ACT*	*Australia*
Gender	Female | male	=	=	>	>	>	=	=	>	>
Age	15–17 | 65+	>	>	>	>	>	>	>	=	>
	18–24 | 65+	>	>	>	>	>	>	>	>	>
	25–34 | 65+	>	>	>	>	>	>	>	>	>
	35–44 | 65+	>	>	>	>	>	>	>	>	>
	45–54 | 65+	>	>	>	>	>	>	>	>	>
	55–64 | 65+	>	>	>	>	>	>	>	>	>
Indigenous status	Indigenous | other	<	>	>	>	<	>	>	>	>
Disability status	Disability | no disability	>	>	>	>	>	>	>	>	>
Education	<Year 12 | post-school	<	<	<	<	<	<	<	=	<
	Year 12 | post-school	<	>	<	<	<	<	<	<	<
Employment status	Unemployed | other	>	>	>	>	>	>	>	>	>
Family status	Single parent | other	>	>	>	>	>	>	>	>	>
Housing type	Disadvantaged | other	>	>	>	>	>	>	>	>	>
Main income	Government payment | other	>	>	>	=	>	>	>	>	>
Main language	Non-English | English	<	<	<	<	<	>	<	=	<
Remoteness[abc]	Remote | major city	<[a]	<[a]	=	<	<	<[b]	<[b]	[c]	<
	Regional | major city			>	>	<			[c]	<

a Due to insufficient numbers in remote areas, the NSW and Victorian models compared a combined remote/regional category to the major city (reference) category.

b Given that Tasmania and the Northern Territory have no major city areas, the models for these jurisdctions compared the remote category to the regional (reference) category.

c Remoteness was not included as a demographic variable in the ACT model, as this territory almost exclusively comprises major city areas.

Note: The symbols and shading indicate how the first category compares to the second. The first category has:

>	significantly higher odds of experiencing substantial legal problems
<	significantly lower odds of experiencing substantial legal problems
>	non-significant (higher) odds of experiencing substantial legal problems
<	non-significant (lower) odds of experiencing substantial legal problems
=	non-significant (equal) odds of experiencing substantial legal problems

Table 9.4: Regression summaries — prevalence of multiple legal problems, each jurisdiction

Variable	*Categories compared*	*NSW*	*Victoria*	*Queensland*	*South Australia*	*Western Australia*	*Tasmania*	*Northern Territory*	*ACT*	*Australia*
Gender	Female | male	=	<	<	<	<	=	<	<	<
Age	15–17 | 65+	>	>	>	>	>	>	>	>	>
	18–24 | 65+	>	>	>	>	>	>	>	>	>
	25–34 | 65+	>	>	>	>	>	>	>	>	>
	35–44 | 65+	>	>	>	>	>	>	>	>	>
	45–54 | 65+	>	>	>	>	>	>	>	>	>
	55–64 | 65+	>	>	>	>	>	>	>	>	>
Indigenous status	Indigenous | other	>	>	<	>	<	>	>	>	>
Disability status	Disability | no disability	>	>	>	>	>	>	>	>	>
Education	<Year 12 | post-school	<	<	>	>	<	<	<	>	=
	Year 12 | post-school	<	<	<	>	<	<	=	<	<
Employment status	Unemployed | other	>	>	>	>	>	>	>	>	>
Family status	Single parent | other	>	>	>	>	>	>	>	>	>
Housing type	Disadvantaged | other	>	>	>	>	>	>	>	>	>
Main income	Government payment | other	=	>	=	>	>	=	=	>	>
Main language	Non-English | English	=	>	>	<	<	<	=	<	=
Remoteness[abc]	Remote | major city	>[a]	=[a]	<	<	>	<[b]	<[b]	[c]	=
	Regional | major city			>	>	=			[c]	>

a Due to insufficient numbers in remote areas, the NSW and Victorian models compared a combined remote/regional category to the major city (reference) category.

b Given that Tasmania and the Northern Territory have no major city areas, the models for these jurisdictions compared the remote category to the regional (reference) category.

c Remoteness was not included as a demographic variable in the ACT model, as this territory almost exclusively comprises major city areas.

Note: The symbols and shading indicate how the first category compares to the second. The first category has a:

>	significantly higher rate of experiencing legal problems
<	significantly lower rate of experiencing legal problems
>	non-significant (higher) rate of experiencing legal problems
<	non-significant (lower) rate of experiencing legal problems
=	non-significant (equal) rate of experiencing legal problems

Age

Past research has typically reported that age has a strong influence on the prevalence of legal problems, and that older people have the lowest prevalence rates (Buck et al. 2005; Coumarelos et al. 2006; CSRA 2003; Currie 2007b; Dignan 2006; GKA 2006, 2008; LASNSC 2005; LSNJ 2009; Maxwell et al. 1999; Miller & Srivastava 2002; Pleasence 2006; Pleasence et al. 2010; TALS 2004; van Velthoven & Klein Haarhuis 2010; van Velthoven & ter Voert 2004). The LAW Survey confirms these findings. In all jurisdictions, age was the strongest, or one of the strongest, predictors of prevalence. It was significantly related to all three general prevalence measures — that is, to the prevalence of legal problems overall, substantial legal problems and multiple legal problems. Respondents aged 65 years or over had significantly lower prevalence levels according to these measures when compared to some, and usually most, other age groups (see Tables 9.2–9.4). In most jurisdictions, the prevalence of legal problems overall was at peak or near peak levels at 35–44 years of age.[17] According to the regression results in NSW, 35–44 year olds had the second highest levels of overall prevalence, and 18–24 year olds had the highest levels.

In keeping with past research, the LAW Survey also demonstrated that different types of legal problems tend to peak at different ages and appear to reflect people's changing life circumstances as they progress through different stages of life.

According to past studies, frequent legal problems in the younger age groups include problems related to criminal activity, accidents, personal injury and rented housing (Coumarelos et al. 2006; Currie 2007b; Maxwell et al. 1999; Pleasence 2006). The LAW Survey supports these findings. First, the odds of crime problems peaked at either 15–17 or 18–24 years across jurisdictions, and the odds of rights problems for these age groups were also elevated or at peak levels. Rights problems included some problems that are potentially related to criminal activity — namely, problems concerning unfair treatment by police and student bullying/harassment. These results are consistent with official court statistics and crime data, which show high rates of criminal offending and victimisation among younger adults, particularly young males (ABS 2011d; NSW Bureau of Crime Statistics and Research (NSW BOCSAR) 2011a). Second, the LAW Survey found that the odds of accidents and personal injury problems peaked at either 15–17 or 18–24 years in most jurisdictions. It is noteworthy that the LAW Survey categorised motor vehicle accidents within these two problem groups. The accidents problem group consisted solely of injury-free motor vehicle accidents, while the personal injury problem group included motor vehicle injuries. Thus, these results may reflect poorer driving skills and greater risk-taking behaviour among young adults (Coumarelos et al. 2006). Third, the percentages of rented housing problems were high among 18–24 year olds, although they tended to peak at 25–34 years in most jurisdictions.[18] Problems with rented housing have been argued to reflect younger people's lower levels of economic independence and resultant lower standards of housing (Pleasence 2006).

In the late 20s and early 30s, high rates of legal problems related to credit and debt have been reported by past research and have been argued to echo increasing personal expenditure and use of debt as people become more economically independent and commence acquiring major assets such as motor vehicles and houses (Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Pleasence

[17] Based on the percentages in all jurisdictions apart from the Northern Territory, there was a tendency for overall prevalence to peak at 35–44 years. This tendency resulted in 35–44 year olds having the highest odds of legal problems overall in Victoria, Queensland, Western Australia, Tasmania and Australia as a whole.

[18] The significance of this result was not examined, because, due to small numbers, regressions were not conducted on the prevalence of problem subgroups such as rented housing. A peak at 25–34 years in the percentages for rented housing was not evident in Tasmania, the Northern Territory and the ACT. In Australia as a whole, the prevalence rate of rented housing problems was five per cent for 18–24 year olds, six per cent for 25–34 year olds and less than four per cent for all other age groups.

2006). Similarly, the odds of credit/debt problems in the present study peaked at 25–34 years in most jurisdictions. In NSW, the peak was at 25–34 years, with particularly elevated odds also at 18–24 and 35–44 years, and still elevated odds at 45–64 years. In addition, the types of housing problems experienced by 25–34 year olds appear consistent with the notion that this age group is starting to become more economically independent and to enter into home ownership. While this age group had apparently high percentages of rented housing problems, it also had apparently high percentages of owned housing problems when compared to the group aged 18–24 years. Owned housing problems tended to remain elevated during middle age.[19]

Past research has found that family-related legal problems, such as divorce, relationship breakdown, problems ancillary to relationship breakdown and child-related problems, tend to be frequent in the late 30s to early 40s (Coumarelos et al. 2006; Dignan 2006; Pleasence 2006). Similar results were obtained by the LAW Survey. The odds of experiencing family problems peaked at 35–44 years in most jurisdictions. Most jurisdictions also showed elevated odds at 25–34 years and some also at 45–54 years. In NSW, the peak was at 35–44 years, with elevated odds also at 25–34 and 55–64 years. Again, these findings appear to reflect changing life circumstances whereby, by middle age, many people have chosen long-term partners and have dependent children.

The LAW Survey reinforces past results that most types of legal problems tend to decline significantly after middle age, from the mid 50s onwards (Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Pleasence 2006). Again, these findings are consistent with changes in life circumstances, such as retirement and grown children leaving home. Most obviously, the low odds of legal problems related to employment in the oldest age group across jurisdictions are likely to largely reflect the high retirement rates in this age group. Although most types of legal problems are less prevalent among older people, some types of legal problems are relatively common in this age group. In particular, past research has found that wills, estates and power of attorney issues are common in the older age groups (Coumarelos et al. 2006; Currie 2007b; Maxwell et al. 1999). The LAW Survey replicates these findings. Wills/estates issues were categorised within the money problem group in the present study.[20] The odds of experiencing a problem from this problem group tended to peak at 45–64 years in most jurisdictions and tended to reflect peak percentages of wills/estates problems.[21]

Gender

In Australia as a whole, gender was related to all three general prevalence measures: legal problems overall, substantial legal problems and multiple legal problems. Although significant, these relationships were not strong, and their direction was inconsistent. Males had higher prevalence of legal problems overall and multiple legal problems but lower prevalence of substantial legal problems. Gender was usually unrelated to the general prevalence measures in most states/territories, and, again, the few significant relationships were weak (see Tables 9.2–9.4).

Legal needs surveys have occasionally found differences in the types of legal problems experienced by males and females, although the particular problem types exhibiting gender differences have varied (Coumarelos et al. 2006; Currie 2007b; Pleasence 2006). The LAW Survey similarly found

[19] The significance of these results was not examined, because, due to small numbers, regressions were not conducted on the prevalence of problem subgroups such as rented housing and owned housing. In Australia as a whole, as noted above, the prevalence of rented housing problems was five per cent for 18–24 year olds, six per cent for 25–34 year olds and less than four per cent for the other age groups. The prevalence of owned housing problems in Australia as a whole was less than one per cent for 18–24 year olds, three per cent for 25–44 year olds and two per cent or less for the older age groups.

[20] The money problem group also included business and investment problems.

[21] In Queensland, money problems peaked at 35–44 years rather than 45–64 years. In the Northern Territory and the ACT, age was not significantly related to the prevalence of money problems according to the regression results. Across jurisdictions, consumer, government and health problems tended to show less obvious peaks according to age, and these types of problems were generally elevated for 18–54 year olds compared to those aged 65 years or over.

significant gender differences in the prevalence of some types of problems, and these relationships were most often in the direction of males having higher prevalence. However, again, these relationships between gender and prevalence were usually not very strong. In the Australian analysis, males had higher odds of problems from six of the 12 problem groups: consumer, credit/debt, crime, government, money and personal injury. Females had higher odds only of health problems. The state/territory analyses typically revealed gender differences for only a few legal problem groups. In addition, like the Australian results, the significant gender differences at the state/territory level usually showed elevated prevalence for males rather than females. Each of the six problem groups that was elevated for males in the Australian analysis was also elevated for males in at least a few states/territories. Males had elevated odds of credit/debt and personal injury problems in four states/territories, elevated odds of crime, government and money problems in three states/territories and elevated odds of consumer problems in two states/territories. In NSW, males had higher odds of legal problems overall, but gender was unrelated to the prevalence of substantial legal problems and multiple legal problems. Males also had higher odds of crime, employment, government, money and personal injury problems.

Disadvantaged groups

The LAW Survey supports existing evidence that many types of disadvantage increase vulnerability to legal problems. The survey examined the following indicators of disadvantage: Indigenous background, disability, low levels of education, unemployment, single parenthood, disadvantaged housing, government payments, non-English main language and living in remote areas.[22] In particular, people with a disability stood out as the disadvantaged group with the greatest number of significant associations with increased prevalence of legal problems. In addition, the associations of disability with high prevalence were some of the strongest in the analyses. In all jurisdictions, significantly higher vulnerability was also evident according to some prevalence measures for other disadvantaged groups, such as single parents, people living in disadvantaged housing and the unemployed. The NSWLNS (Coumarelos et al. 2006) did not examine single parenthood, disadvantaged housing and unemployment. Thus, the LAW Survey provides fresh evidence within the Australian context of a link between these indicators of disadvantage and vulnerability to legal problems.

Like past surveys, the LAW Survey found that low levels of education and non-English main language, unlike most other indicators of disadvantage, tended to be related to *low rather than high* prevalence of legal problems when they were significant. Further details about disadvantage and vulnerability are provided below.

Disability

Disability status[23] was often one of the strongest significant predictors of prevalence. In addition, of all the disadvantaged groups examined, people with a disability had increased vulnerability to legal problems according to the greatest number of prevalence measures. In all jurisdictions, they had increased prevalence of legal problems overall (see Table 9.2) and substantial legal problems (see Table 9.3). Except in Western Australia and the Northern Territory, they also had high prevalence of multiple legal problems (see Table 9.4). Furthermore, people with a disability had high prevalence of problems from at least nine of the 12 problem groups in each jurisdiction. In particular, and perhaps unsurprisingly, they had very high prevalence of legal problems from the health problem group.

[22] See Appendix A2, 'Comparison of sample and population profile: Other demographics' section and Appendix Table A2.8 for further details.

[23] The LAW Survey defined 'disability' as any long-term illness or disability that had already lasted, or was likely to last, at least six months, and included a wide range of sensory, intellectual, learning, mental health, neurological and physical conditions. See Appendix A2, 'Comparison of sample and population profile: Disability status' section, and Appendix Table A2.8 for further details.

In NSW, people with a disability had high prevalence of legal problems overall, substantial legal problems, multiple legal problems and problems from 10 problem groups. The exceptions were the accidents and family problem groups.

Past surveys have also found people with a disability to have increased vulnerability to legal problems (Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Pleasence 2006). Like the present survey, the NSWLNS identified people with a disability as the most vulnerable of the demographic groups examined (Coumarelos et al. 2006).

Single parenthood

Family status was related to prevalence according to a number of measures and, when significant, often had one of the strongest effects. Single parents[24] had high prevalence of legal problems overall and substantial legal problems in all jurisdictions (see Tables 9.2 and 9.3), and high prevalence of multiple legal problems in most jurisdictions (see Table 9.4). Single parents were the only disadvantaged group apart from people with a disability who had significantly higher vulnerability according to at least two of these three general prevalence measures in every jurisdiction. Single parents also had high odds of problems from eight of the 12 problem groups in Australia as a whole, and from at least a few problem groups in each jurisdiction. They had particularly high odds of family problems in all jurisdictions, and elevated odds of credit/debt, crime and rights problems in most jurisdictions. The high odds of family problems are not surprising, given that single parents have the defining circumstances necessary for the experience of both relationship breakdown problems and problems related to children. In NSW, single parents had high prevalence of legal problems overall, substantial legal problems, multiple legal problems and problems from six problem groups: credit/debt, crime, employment, family, government and rights.

Past surveys have similarly found single parents to be among the demographic groups most vulnerable to legal problems (Buck et al. 2004; Currie 2007b; Dignan 2006; Pleasence 2006; Pleasence et al. 2010).

Disadvantaged housing

Typically, housing type was significantly related to a number of prevalence measures and was often one of the strongest predictors of the prevalence of multiple legal problems. In most jurisdictions, people living in disadvantaged housing[25] had increased prevalence according to at least two of the three general prevalence measures of legal problems overall, substantial legal problems and multiple legal problems (see Tables 9.2–9.4). They also usually had increased odds of problems from at least a few of the 12 problem groups in each state/territory. Credit/debt, crime, employment, family, health, housing[26] and rights problems were elevated for people living in disadvantaged housing in at least five jurisdictions. In NSW, people living in disadvantaged housing had increased prevalence of legal problems overall, substantial legal problems, multiple legal problems and problems from seven problem groups: consumer, credit/debt, crime, family, health, housing and rights. Western Australia was the only jurisdiction where there was no significant relationship between housing

[24] The LAW Survey defined 'single parents' as people who, at the time of interview, were not living with a partner and had one or more children under 18 years, regardless of whether these children were living with them. See Appendix A2, 'Comparison of sample and population profile: Family status' section, and Appendix Table A2.8 for further details.

[25] The LAW Survey defined 'disadvantaged housing' as any of the following housing situations at any time during the previous 12 months: being homeless, living in emergency or basic accommodation (e.g. refuge, shelter, boarding house, caravan park, tent, motor vehicle, shed or barn), living with relatives or friends due to having nowhere else to live, or living in public housing. See Appendix A2, 'Comparison of sample and population profile: Housing type' section, and Appendix Table A2.8 for further details.

[26] Homelessness and/or living in emergency/basic/public housing led to membership in the disadvantaged housing demographic group but did not constitute problems within the housing problem group. Although living in public housing per se did not constitute a problem within the housing problem group, experiencing a problem with public renting (e.g. a problem with the rental agreement) did constitute a problem within the housing problem group (see Appendix A1, question P6).

type and any of the three general prevalence measures of legal problems overall, substantial legal problems and multiple legal problems. In Western Australia, people living in disadvantaged housing had significantly higher prevalence only of crime and housing problems. While it is not clear why there were fewer significant relationships in Western Australia, the section of the population living in disadvantaged housing may be slightly different. Western Australia has a low proportion of the population living in disadvantaged areas and also a somewhat lower than average proportion living in housing authority dwellings (ABS 2007a, 2008c).

Unemployment

Employment status was usually significantly related to a number of prevalence measures and was occasionally one of the strongest predictors. In most jurisdictions, unemployed people[27] had increased vulnerability to legal problems according to at least two of the three general prevalence measures of legal problems overall, substantial legal problems and multiple legal problems (see Tables 9.2–9.4). The relationship between employment status and the prevalence of problems from each problem group apart from the employment problem group was also examined. The employment problem group was not examined, due to its overlap with the employment status demographic variable.[28] Unemployed people had high odds of problems from eight of the remaining 11 problem groups in Australia as a whole and of problems from at least one problem group in each state/territory. Increased odds of credit/debt, government and rights problems for unemployed people were found in the majority of states/territories. In NSW, unemployed people had increased prevalence of legal problems overall and substantial legal problems, but not of multiple legal problems. They had increased prevalence of problems from four problem groups: credit/debt, government, housing and rights. In Tasmania, however, employment status was significantly related to prevalence according to only two measures. Unemployed people had increased odds only of credit/debt and rights problems. In fact, Tasmania was the only jurisdiction where unemployed people did not have significantly higher prevalence according to any of the three general prevalence measures of legal problems overall, substantial legal problems and multiple legal problems. The Tasmanian findings may reflect differences in the demographic composition of this state's labour force (i.e. people in the workforce or looking for work). For example, Tasmania has relatively high proportions of people on government payments, people in part-time work and people who did not finish school (ABS 2009a, 2009b, 2009c).

Government payments

Past surveys have not reliably found high overall prevalence of legal problems for people on low incomes or welfare benefits (e.g. Pleasence 2006; Pleasence et al. 2010; van Velthoven & Klein Haarhuis 2010). However, poorer respondents have tended to report *different types* of legal problems from wealthier respondents. Wealthier respondents have reported legal problems that appear to reflect their greater opportunity for economic activity, such as problems related to consumer activity, investments, home ownership, clinical interventions and stolen/vandalised property (Coumarelos et al. 2006; Pleasence 2006). In contrast, poorer respondents have reported legal problems that reflect their socioeconomic disadvantage, such as problems related to debt, domestic violence, family relationships, homelessness, mental health, rented housing, social services and welfare benefits (Buck et al. 2005; Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Pleasence 2006).

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[27] The LAW Survey defined 'unemployment' as being out of work and actively looking for work at any time in the previous 12 months. See Appendix A2, 'Comparison of sample and population profile: Employment status' section, and Appendix Table A2.8 for further details.

[28] Being sacked or made redundant was a legal problem within the employment problem group. This legal problem would almost invariably have also resulted in a period of unemployment and, hence, membership within the unemployment demographic group. Due to this overlap, it was not possible to run reliable regressions on the prevalence of the employment problem group if the employment status demographic variable was included as a predictor.

The LAW Survey examined whether prevalence was related to receipt of government payments as the main source of income.[29] The results reinforce past findings. First, there were few significant relationships between main income and the three general measures of prevalence. More specifically, people on government payments did not have high overall prevalence of legal problems in any jurisdiction (see Table 9.2) or high prevalence of substantial legal problems or multiple legal problems in most jurisdictions (see Tables 9.3 and 9.4).[30] Second, in most jurisdictions, the LAW Survey found that the types of legal problems experienced by respondents on government payments were significantly different from those experienced by other respondents.[31] People on government payments were more likely to experience legal problems reflecting socioeconomic disadvantage. They had increased odds of problems from the following problem groups in at least one or a few jurisdictions: family, government, health, housing and rights. The high levels of government problems were largely due to problems related to receipt of government payments. The rights problems included problems related to discrimination and unfair treatment by police. In contrast, respondents with other main sources of income were more likely to experience legal problems reflecting a greater opportunity for economic activity or greater economic independence. These respondents had higher odds of consumer, employment, money and personal injury problems in at least one jurisdiction. The money problems experienced often included problems with business or investment. The high levels of personal injury problems, which often involved work-related injuries, and the high levels of employment problems are consistent with higher rates of employment among this group. In NSW, main income was not related to any of the three general measures of prevalence. However, respondents on government payments had increased risk of family and government problems, whereas other respondents had increased risk of money and personal injury problems. In Queensland and the Northern Territory, main income was not significantly related to any measure of prevalence — neither to the three general prevalence measures, nor to the prevalence of problems from any problem group. The reason for the Queensland result is unclear, given that the proportion of people on government payments is similar to the Australian proportion (ABS 2009c). However, the Northern Territory finding may reflect this jurisdiction's unique demographic profile. It has a smaller proportion of people on government payments, reflecting lower proportions on the age pension, due to its younger age structure (ABS 2000b, 2011a).

Low education levels

Past studies have typically demonstrated that people with low levels of education have *lower rather than higher* rates of legal problems (Coumarelos et al. 2006; Currie 2007b; GKA 2006, 2008; LSNJ 2009; Maxwell et al. 1999; Pleasance 2006; van Velthoven & Klein Haarhuis 2010; van Velthoven & ter Voert 2004). The LAW Survey confirms these findings. People with low education levels[32] had significantly lower overall prevalence of legal problems in all jurisdictions (see Table 9.2). They also had significantly lower prevalence of substantial legal problems in several jurisdictions and of multiple legal problems in two jurisdictions (see Tables 9.3 and 9.4). In addition, people with low education levels had lower odds of problems from at least four of the 12 problem groups in each jurisdiction, often including the accidents, consumer, crime, employment, government, housing

[29] The LAW Survey defined 'government payments' as means-tested government payments received on a fortnightly basis at any time during the previous 12 months. See Appendix A2, 'Comparison of sample and population profile: Main income' section, and Appendix Table A2.8 for further details.

[30] The relationship to prevalence of substantial problems was significant only in Victoria and Australia as a whole, and the relationship to multiple problems was significant only in Victoria and the ACT.

[31] The crime problem group was an exception. Government payments were linked to higher odds of crime problems in Victoria and South Australia, but to lower odds of crime problems in Tasmania.

[32] The survey measured the highest level of education completed at the time of the survey and categorised respondents into three groups — those who had not finished school, those who had finished only Year 12 and those with post-school qualifications. See Appendix A2, 'Comparison of sample and population profile: Education' section, and Appendix Table A2.8 for further details.

and money problem groups. Family and personal injury problems were not significantly related to education in any jurisdiction. In NSW, people with low education levels had decreased prevalence of legal problems overall, substantial legal problems, multiple legal problems and problems from 10 problem groups: accidents, consumer, credit/debt, crime, employment, government, health, housing, money and rights problems. As already noted, unlike people with low levels of education, most other disadvantaged groups tended to have increased prevalence of legal problems.

Ethnic minorities

Past studies have often found relationships between ethnicity and vulnerability to legal problems. However, some studies have found increased vulnerability, while others have found decreased vulnerability among ethnic minority groups (see Coumarelos et al. 2006; CSRA 2003; Currie 2007b; Dale 2000, 2005; LASNSC 2005; LSNJ 2009; Maxwell et al. 1999; Miller & Srivastava 2002; Pleasence 2006; TALS 2004). This variation across surveys may reflect the study of different ethnic groups, the use of different measurements of ethnicity and insufficient numbers of ethnic minority respondents within samples. The LAW Survey examined two ethnic minority groups: Indigenous Australians and people with a non-English main language.

Indigenous background

The NSWLNS by Coumarelos et al. (2006) did not find high rates of legal problems overall for Indigenous respondents but found high rates of credit/debt, employment and family legal problems. The LAW Survey similarly found no significant relationship between Indigenous status[33] and the overall prevalence of legal problems in each jurisdiction (see Table 9.2). With the exception of Tasmania, Indigenous status was also not significantly related to the prevalence of substantial legal problems (see Table 9.3). Notably, however, Indigenous people had significantly higher prevalence according to the measure of multiple legal problems in most jurisdictions, and sometimes these relationships were among the strongest for this prevalence measure (see Table 9.4).[34] Like the NSWLNS, the LAW Survey found significantly higher prevalence of one or a few types of legal problems among Indigenous respondents in most jurisdictions. The problem groups with elevated risk for Indigenous people in some jurisdictions were the crime, government, health and rights problem groups.[35] The crime problems experienced by Indigenous people included both offender and victim problems, and the government problems included problems related to fines and government payments.

With the exception of Western Australia, all jurisdictions had at least one significant association between Indigenous status and prevalence, although there were generally no more than a few significant associations in each jurisdiction (see Tables 9.2–9.4). In NSW, Indigenous status was not related to any of the three general measures of prevalence. However, Indigenous respondents had increased odds of health problems. Methodological issues, such as the small numbers of Indigenous respondents interviewed in many jurisdictions, may have militated against observing a greater number of significant associations with prevalence.[36]

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33 For details about the measurement of Indigenous status, see Appendix A2, 'Comparison of sample and population profile: Gender, age and Indigenous status' section, and Appendix Table A2.8.

34 The NSWLNS (Coumarelos et al. 2006) did not examine the predictors of substantial legal problems or multiple legal problems.

35 Different problem groups had elevated prevalence for Indigenous respondents in the LAW Survey compared to the NSWLNS (Coumarelos et al. 2006).

36 In unweighted numbers, the fewest Indigenous interviews were conducted in the ACT (26), Western Australia (31) and South Australia (35). See Appendix Table A2.7 in each LAW Survey report. See Chapter 10, 'Tailoring services for specific demographic groups: Indigenous background' section, for further discussion of the methodological issues potentially affecting the results for Indigenous status.

Non-English main language

The NSWLNS (Coumarelos et al. 2006) found that respondents born in a non-English-speaking country had low overall prevalence of legal problems and low prevalence of accident/injury, wills/estates and general crime problems. Similarly, the LAW Survey found significant relationships between prevalence and main language[37] in some jurisdictions, and these relationships generally indicated *lower* prevalence for people with a non-English main language.[38] More specifically, in about half the jurisdictions, this demographic group had low odds of legal problems overall (see Table 9.2) and low odds of problems from at least one of the 12 problem groups. In most jurisdictions, however, the prevalence of substantial legal problems and multiple legal problems was not significantly related to main language (see Tables 9.3 and 9.4). In NSW, people with a non-English main language had lower prevalence of legal problems overall, but not of substantial legal problems or multiple legal problems. They also had lower prevalence of problems from five problem groups: consumer, credit/debt, crime, government and money.

NSW and Victoria were the two states/territories that had the greatest number of significant associations between main language and prevalence. This finding may reflect differences between states/territories in the population from a non-English-speaking background. First, this demographic group is relatively large in NSW and Victoria compared to most other states/territories. The proportion of LAW Survey respondents with a non-English main language was nine per cent in NSW and Victoria compared to 2–5 per cent in the other states/territories, with Tasmania (2%) and Queensland (3%) having the lowest proportions.[39] The smaller numbers of respondents with a non-English main language in all states/territories other than NSW and Victoria may have militated against a greater number of significant associations in these other jurisdictions. Census data similarly indicate that NSW and Victoria have relatively large proportions of people from a non-English-speaking background, while Tasmania and Queensland have the smallest proportions (ABS 2007a).[40] Second, the composition of the demographic group from a non-English-speaking background also varies between states/territories. Most notably, according to the census (ABS 2007a), this demographic group in the Northern Territory is distinct from those in all other states/territories because Indigenous languages are far more common among the non-English languages spoken (ABS 2007a).[41] As a result, the Northern Territory is the only state/territory where Indigenous people comprise a large proportion of the non-English-speaking population.[42] The different composition of the non-English group in the Northern Territory may have contributed to the fewer significant relationships between main language and prevalence.

Given that ethnic minorities are often disadvantaged, the lower reporting of legal problems by these groups is notable, because it contrasts with the elevated reporting by other disadvantaged groups.

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37 Respondents with an Indigenous language as their main language were included in the non-English main language group. However, many Indigenous respondents were included in the English main language group. For further details about the measurement of main language, see Appendix A2, 'Comparison of sample and population profile: Main language' section, and Appendix Table A2.8.

38 Increased prevalence for people with a non-English main language was found in only two instances. This group had increased odds of health problems in Australia as a whole and increased odds of housing problems in Tasmania.

39 These sample percentages are based on weighted numbers. See Appendix A2, 'Comparison of sample and population profile: Main language' section, in each LAW Survey report for details on weighting. A significance test was not conducted on these data.

40 According to the census (ABS 2007a), the proportion of the population aged 15 years or over who speak a non-English language at home and do not speak English very well is 10 per cent in NSW and Victoria compared to only two per cent in Tasmania, four per cent in Queensland and 5–6 per cent in all other states/territories except the Northern Territory. Like NSW and Victoria, the Northern Territory has a relatively high proportion at 11 per cent.

41 People who speak a non-English language include 44 per cent whose main language is an Indigenous language in the Northern Territory compared to less than three per cent in the other states/territories (ABS 2007a).

42 Thus, although, as noted above, the Northern Territory, NSW and Victoria all have a high proportion of people from a non-English-speaking background according to the census (ABS 2007a), only in the Northern Territory does this group include a relatively large percentage of Indigenous people. Note also that the LAW Survey estimate of the Northern Territory population with a non-English main language (5%) is likely to be an underestimate partly because the survey undersampled disadvantaged Indigenous people. See Chapter 10, 'Tailoring services for specific demographic groups: Indigenous background' section for further details.

Living in remote areas

The few studies that have examined prevalence according to remoteness or urbanisation have produced inconsistent results (cf. Dignan 2006; GKA 2006; Gramatikov 2008; LASNSC 2005; Miller & Srivastava 2002). Similarly, in the present study, remoteness of residential area was significantly related to the prevalence of legal problems only occasionally, and the direction was inconsistent. Thus, the present findings did not reliably reflect higher prevalence rates in remote areas, which tend to be the more disadvantaged areas across Australia (ABS 2008c). People living in major city areas had high overall prevalence of legal problems in Victoria, South Australia and Australia as a whole and high prevalence of substantial legal problems in Victoria and Western Australia, but low prevalence of multiple legal problems in NSW and Australia as a whole (see Tables 9.2–9.4). Remoteness of residential area was also not reliably related to the prevalence of different types of legal problems. It was not a significant predictor of any problem group in Western Australia, Tasmania and the Northern Territory. In the other jurisdictions, people living in major city areas in some cases had significantly higher prevalence and in other cases had significantly lower prevalence of problems from certain problem groups. As noted earlier, Australian jurisdictions vary enormously in their geographical profiles. As a result, identical comparisons on the remoteness variable could not be made across jurisdictions. For example, remoteness could not be examined in the ACT, because it comprises major city areas almost exclusively.[43] The geographical compositions of jurisdictions may have contributed to the inconsistent findings for remoteness.

Adverse consequences of legal problems

Prevalence of legal problems with a substantial impact

Legal problems often had considerable impacts on everyday life, including adverse consequences on health, financial and social circumstances. About half of the respondents with legal problems (48–57%) in all jurisdictions had a 'substantial' legal problem that had a 'severe' or 'moderate' impact on everyday life. In NSW, the percentage was 56. Similarly, CSJS respondents in the UK reported spending all or most of their time worrying about almost 40 per cent of problems (Pleasence 2006). Canadian respondents reported that almost 60 per cent of problems made daily life somewhat to extremely difficult (Currie 2007b). In Northern Ireland, 40 per cent of problems were reported as having a severe impact (Dignan 2006).

The number of NSW LAW Survey respondents with a substantial legal problem is expressed above as a percentage of the respondents with legal problems. When this number is re-expressed as a percentage of all respondents (also including those without legal problems), 28 per cent of all NSW respondents experienced a legal problem of substantial impact. This percentage translates to approximately 1 586 000 people aged 15 years or over in the NSW population experiencing a substantial legal problem within a one-year period. Similarly, about one-quarter of all respondents in each jurisdiction experienced a substantial legal problem.

[43] In Queensland, South Australia, Western Australia and Australia as a whole, three categories were compared: remote, regional and major city. Due to insufficient weighted numbers in remote areas in NSW and Victoria, major city areas were compared to a combined remote/regional category. Due to there being no major city areas in Tasmania and the Northern Territory (ABS 2007a), remote areas were compared to regional areas. In addition, there were relatively small weighted numbers in the remote category for some jurisdictions (e.g. 58 in Tasmania) where this category was not combined with the regional category, which may have militated against significant differences. For further details about the measurement of remoteness of residential area, see Appendix A2, 'Comparison of sample and population profile: Remoteness' section in the LAW Survey report for each jurisdiction, and also see Appendix Table A2.8.

Types of adverse consequences of legal problems

The LAW Survey examined whether legal problems caused the following types of adverse consequences: stress-related illness, physical ill health, relationship breakdown, moving home, and loss of income or financial strain. In NSW, 47 per cent of the legal problems examined in depth caused at least one of these adverse consequences.[44] Similar percentages (40–47%) were obtained in each jurisdiction and in overseas surveys (38–52%; Currie 2007b; Dignan 2006; Pleasence 2006; Pleasence et al. 2010).[45]

Across jurisdictions, the most common types of adverse consequences reported by LAW Survey respondents were income loss or financial strain (24–30%), followed by stress-related illness (16–22%) and physical ill health (16–20%). Relationship breakdown (7–12%) and moving home (4–7%) were also evident in each jurisdiction. International research has similarly reported that stress-related illness (22–29%), loss of income (13–26%) and physical ill health (10–24%) tend to be more frequent than relationship breakdown (4–16%) and moving home (4–10%; Currie 2007b; Dignan 2006; Ignite Research 2006; Pleasence 2006; Pleasence et al. 2010). However, while loss of income or financial strain was the most common impact for the LAW Survey, stress-related illness was the most common impact for the overseas surveys. This discrepancy may partly reflect measurement differences. Notably, the category of 'loss of income or financial strain' used by the LAW Survey was broader than the 'loss of income' category used by other surveys (Dignan 2006; Ignite Research 2006; Pleasence 2006). Higher endorsement of the broader category would be expected.

Adverse consequences of different types of legal problems

The LAW Survey confirms earlier findings that some types of legal problems are more severe[46] and have more adverse consequences.[47] Family problems were typically seen as the most severe, with the greatest number of adverse impacts. They comprised the highest proportion of substantial problems (69–80%) in most jurisdictions.[48] They also had the highest mean number of adverse consequences (1.5–2.2) in all jurisdictions.[49] Employment problems and legal problems from the health problem group, which included clinical negligence and mental health problems, also tended to have considerable impacts. While the personal injury problem group had a relatively high mean number of adverse consequences, it comprised a somewhat lower proportion of substantial problems. The CSJS in the UK similarly found that relationship breakdown, domestic violence, employment, clinical negligence, mental health and personal injury problems were particularly likely to result in at least one adverse consequence (Pleasence 2006; Pleasence et al. 2007b).

Like other surveys, the LAW Survey found that consumer problems tended to be less severe, with fewer adverse impacts (Currie 2007b; Dignan 2007; Ignite Research 2006; Pleasence et al. 2010). Across jurisdictions, only around two-fifths of the respondents with a consumer problem reported a substantial problem of this type, whereas, as already noted, more than two-thirds of those with a family problem reported a substantial family problem. Nonetheless, the sheer volume of consumer problems meant that substantial consumer problems were still quite prevalent. Across

[44] Up to three 'most serious' problems for each respondent were selected for in-depth examination (see Chapter 2, 'Method: Survey instrument' section). For convenience, these problems that were examined in depth are referred to as 'all problems' throughout the remainder of the report.

[45] The NSWLNS did not measure the adverse consequences of legal issues (Coumarelos et al. 2006).

[46] See Table 3.3 in each LAW Survey report for descriptive statistics on the prevalence of substantial problems by problem group.

[47] See Table 4.7 in each LAW Survey report for chi-square results on the number of adverse consequences of legal problems by problem group.

[48] In South Australia and the ACT, family problems comprised the second highest proportion of substantial problems.

[49] In the Northern Territory, family problems and personal injury problems had the equal highest mean number of adverse consequences.

jurisdictions, roughly 20 per cent of all respondents reported a consumer problem, and 7–10 per cent reported a substantial consumer problem, whereas 4–6 per cent reported a family problem and 3–5 per cent reported a substantial family problem. Similarly, the high volume of crime problems across jurisdictions meant that the prevalence of substantial crime problems was relatively high even though the majority of crime problems were minor.[50]

Legal knowledge and capability

The LAW Survey demonstrated considerable gaps in legal knowledge about not-for-profit legal services in all jurisdictions. Although there was very high awareness of Legal Aid (87–91%), awareness of ALSs was usually more moderate and awareness of the other legal services examined was considerably lower. Across jurisdictions, 51–84 per cent of (Indigenous) respondents recognised ALSs, 32–40 per cent of respondents recognised CLCs, and 26–42 per cent of respondents recognised services provided by court registrars and court staff.[51] In NSW, the recognition rates were 87 per cent for Legal Aid, 59 per cent for ALSs, 37 per cent for CLCs, 42 per cent for court services and 14 per cent for LawAccess NSW. There were significant differences between states/territories in the recognition of each legal service.[52] Specifically, compared to average, the recognition rates for:

- ALSs were higher in the Northern Territory (84%) but lower in NSW (59%) and Tasmania (51%)
- CLCs were higher in Victoria (40%) and the Northern Territory (39%) but lower in Queensland (33%), South Australia (33%) and Tasmania (32%)
- court services were higher in NSW (42%) but lower in Victoria (29%), Western Australia (29%), South Australia (27%) and Tasmania (26%)
- Legal Aid were higher in Tasmania (91%), the Northern Territory (91%) and the ACT (90%) but lower in NSW (87%) and Victoria (87%).

Thus, NSW had a higher than average recognition rate for court services, lower than average recognition rates for ALSs and Legal Aid, and an average recognition rate for CLCs. The differences between states/territories in awareness of not-for-profit legal services may reflect differences in state/territory demographic compositions, differences in proximity to legal services (e.g. due to differences in urbanisation) or various other differences in legal or social service environments across jurisdictions. For example, the higher awareness of ALSs in the Northern Territory may to some extent reflect a greater visibility of these services, given the large proportion of Indigenous people in this jurisdiction. The higher awareness of court services in NSW may partially reflect jurisdictional differences in service provision, such as the long-established chamber service, which is a unique feature of NSW local courts.[53]

Similarly, past studies have found substantial gaps in legal knowledge not only about legal services, but also more broadly about legal rights, legal remedies and the justice system (ABA 1994; Balmer et al. 2010; Cass & Sackville 1975; Fishwick 1992; HKDOJ 2008; Ignite Research 2006; LSC

[50] Many of the overseas surveys did not capture crime problems. The LAW Survey's accidents problem group included relatively minor problems, as, by definition, it comprised only injury-free motor vehicle accidents. Motor vehicle accidents resulting in injury were categorised within the personal injury problem group.

[51] See Appendix Figures A9.2–A9.5. Note that it is possible that people sometimes incorrectly use the term 'legal aid' to refer to not-for-profit legal services such as ALSs and CLCs.

[52] ALSs: χ^2=47.72, $F_{6,123225}$=6.55, p=0.000. CLCs: χ^2=76.08, $F_{7,144622}$=10.45, p=0.000. Court services: χ^2=287.04, $F_{7,144615}$=39.37, p=0.000. Legal Aid: χ^2=59.49, $F_{7,144619}$=8.13, p=0.000. Bonferroni correction applied, significant if p<0.013. See Appendix Figures A9.2–A9.5.

[53] NSW is the only jurisdiction where many local court registries have a registrar or deputy registrar available by appointment to provide information and assistance to members of the public on local court procedures and applications. See <www.lawlink.nsw.gov.au/lawlink/local_courts/ll_localcourts.nsf/pages/lc_our_services>.

2007, 2009; Murayama 2007; Rush 1999; Scott & Sage 2001; Women's Legal Resources Centre 1994). It has been argued that rudimentary legal knowledge is an essential component of 'legal capability' — that is, an essential component of the personal characteristics and competencies that are necessary for an individual to achieve successful legal resolution (Balmer et al. 2010; Felstiner et al. 1981; Genn & Paterson 2001). People must first recognise that they have a problem that has legal aspects. They must also recognise that there are potential legal solutions, and they must have the personal resources or competence to be capable of pursuing a remedy effectively, including adequate literacy, communication skills and perseverance. Thus, like past findings, the present findings suggest that some people's poor legal knowledge may impede their ability to successfully resolve their legal problems.

Response to legal problems

The LAW Survey replicates past findings that people use a broad range of actions to try to resolve legal problems. Seeking legal advice or assistance is only one of the many responses to legal problems (e.g. Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Genn 1999; Genn & Paterson 2001; HKDOJ 2008; Murayama 2007; Pleasence 2006; Pleasence et al. 2010; van Velthoven & Klein Haarhuis 2010; van Velthoven & ter Voert 2004). Furthermore, people often use multiple actions, especially for severe problems. Across jurisdictions, the actions of LAW Survey respondents included:

- seeking advice from legal or non-legal professionals (for 49–53% of problems)
- communicating with the other side (34–39%)
- consulting relatives or friends (24–28%)
- using websites or self-help guides (17–24%)
- court or tribunal proceedings (8–12%)
- formal dispute resolution sessions (7–10%).[54]

These actions were summarised into two broad strategies. The strategy of 'seeking advice' was used for about half the legal problems across jurisdictions (49–53%) and involved consulting a legal or non-legal professional, regardless of whether any other type of action was also taken. The strategy of 'handling without advice' was used for approximately three-tenths of problems (27–32%) and involved taking at least one type of action but not consulting a professional. A third broad strategy — 'taking no action' — meant that none of the above types of actions were taken. Approximately one-fifth of legal problems (16–21%) resulted in respondents taking no action.

There were some significant, but modest, differences in the use of strategies between jurisdictions. Specifically, no action was taken for a higher than average percentage of legal problems in the Northern Territory (21%) but a lower than average percentage in Queensland (16%).[55] In addition, when action was taken, there were higher than average rates of seeking advice for legal problems in South Australia (53%), but higher than average rates of handling legal problems without advice in Victoria (32%).[56] The higher rate of inaction in the Northern Territory, which is the most disadvantaged Australian jurisdiction, is consistent with past and present findings that disadvantaged groups within samples have elevated rates of inaction.[57] Regression analyses revealed that only some

[54] The percentages for court or tribunal proceedings included cases where court or tribunal proceedings had not yet taken place but were likely to take place. Similarly, the percentages for formal dispute resolution included cases where the respondent was likely to attend such sessions in relation to the problem.

[55] χ^2=24.31, $F_{7,71839}$=2.88, p=0.005. See Appendix Figure A9.6 for details.

[56] χ^2=18.71, $F_{7,63025}$=2.24, p=0.028. See Appendix Figure A9.6 for details. The percentages are based on all problems, whereas the chi-square is based only on problems where action was taken (i.e. sought advice or handled without advice).

[57] The demographic characteristics and indicators of disadvantage that predict responses to legal problems are discussed further in this chapter's 'Predicting strategy in response to legal problems' section.

of the differences in the choice of strategies between states/territories are likely to be due to different demographic compositions or the experience of different legal problems.[58] Other differences between jurisdictions may also influence the strategies used, such as differences in culture, attitudes, legal or social environments, and the provision of legal or social services.

Reasons for inaction

The substantial rates of inaction (16–21%) in response to legal problems found by the LAW Survey are consistent with the rates typically obtained by other surveys (e.g. 10–33%; ABA 1994; Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Gramatikov 2008; Maxwell et al. 1999; Pleasence 2006; Pleasence et al. 2004c, 2010). Past surveys have indicated that inaction often, but not always, constitutes unmet legal need. In some cases, people correctly decide that taking action is unnecessary. In other cases, they want to act to resolve a legal need but are constrained from acting (e.g. AFLSE 2007; Balmer et al. 2010; Consortium 1994; Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Fishwick 1992; Genn 1999; HKDOJ 2008; Ignite Research 2006; Pleasence 2006; Schulman 2003; van Velthoven & ter Voert 2004). The LAW Survey confirms past findings. If taken at face value, some of the common reasons for inaction across jurisdictions suggest that inaction may have been sensible and may not necessarily have constituted unmet legal need. For example, some common reasons were that:

- taking action would make no difference (56–60%)
- the problem was resolved quickly (52–60%)
- the problem was trivial or unimportant (39–48%)
- there was no dispute, or the respondent was at fault (24–32%).

However, it is unclear whether these judgements were accurate, because they were ultimately based on respondents' legal knowledge. Given the gaps in the legal knowledge of the general public, such lay judgements about the seriousness of legal problems, the party at fault and the available remedies will sometimes be erroneous and, thus, may sometimes constitute unmet legal need (Balmer et al. 2010; Buck et al. 2008; Genn 1999; Pleasence 2006).

Many of the other reasons for inaction in response to legal problems across jurisdictions more clearly signalled likely unmet legal need, suggesting that respondents wanted to act but were constrained from doing so. For example, such reasons were that:

- it would take too long (32–38%)
- the respondent had bigger problems (28–35%)
- it would be too stressful (26–31%)
- it would cost too much (19–29%)
- the respondent didn't know what to do (15–23%)
- it would damage the respondent's relationship with the other side (10–15%).

[58] The Australian logistic regression models on strategy (one model on taking action and a second model on seeking advice; see Table 5.7 in the Australian LAW Survey report) were re-run with the addition of state/territory as a potential predictor variable or 'fixed effect'. See Appendix Tables A2.8 and A2.9 (models 5b and 6b) for further details and Appendix Tables A9.3 and A9.4 for the full results. The chi-square tests examined taking action and seeking advice given states'/territories' actual demographic and problem profiles. In contrast, the regressions estimated the odds of taking action and seeking advice if states/territories had identical profiles in terms of the demographic and problem characteristics examined in the models. The regressions showed that there were significant differences in the odds of taking action and seeking advice between states/territories after their profiles had been taken into account, so it is unlikely that the differences in strategy are due solely to differences in these profiles. Compared to average, Victorian and Queensland respondents had higher odds of taking action, while Northern Territory respondents had lower odds of taking action. In addition, when they took action, South Australian respondents had higher odds of seeking advice.

Importantly, these reasons for inaction indicate that poor legal knowledge, other personal constraints and also systemic constraints can lead to a failure to take any action to try to resolve legal problems. Although cost was one factor constraining respondents from taking action, it was not ranked in the top six in any jurisdiction.

Predicting strategy in response to legal problems

In each jurisdiction, two regression models were conducted to examine the demographic and problem characteristics related to the strategies used in response to legal problems. The first regression examined the likelihood of taking action in response to legal problems and contrasted taking any type of action (i.e. seeking advice or handling problems without advice) with taking no action. The second regression included only respondents who took action for legal problems. It examined the likelihood of seeking advice and compared seeking advice for legal problems to handling legal problems without advice.[59] As already discussed, inadequate strategies in response to legal problems can often result in unmet legal need. While regression analysis can be used to show where relationships exist, it cannot explain any relationships. Nonetheless, the regressions on strategy help to signal the types of legal problems and demographic groups which may particularly benefit from initiatives that facilitate appropriate responses to legal problems. Table 9.5 provides a summary of these models on taking action and seeking advice for each jurisdiction. Findings were similar across jurisdictions, although, again, not all of the characteristics that were significant in the Australian model reached significance in each state/territory. Typically, the characteristics of legal problems were significantly related to the strategy adopted by respondents, with problem group in particular being a strong predictor of strategy. Demographic characteristics also significantly predicted the strategy used, although they were usually weaker predictors than problem group. Most notably, gender, age, disability status, education, employment status and main language predicted the strategies used in response to legal problems in most jurisdictions. The regression findings are further detailed below.

Legal problem characteristics

Like past surveys, the LAW Survey found that the type of strategy adopted in response to a legal problem was significantly and often strongly related to the problem's characteristics. First, the regressions showed that the type of legal problem strongly influenced strategy. In fact, in all jurisdictions, problem group was an important predictor of both taking action and seeking advice when action was taken. In addition, with only a few exceptions, problem group was the strongest predictor in these regressions across jurisdictions.[60] With the exception of the employment, health and rights problem groups, all other problem groups were significantly related to strategy in most jurisdictions (see Table 9.5).[61] Specifically, in most jurisdictions, compared to all problems on average:

- accidents and crime problems resulted in lower odds of taking action and higher odds of seeking advice when action was taken
- consumer and credit/debt problems resulted in lower odds of seeking advice when action was taken

[59] The model on taking action and the model on seeking advice in each jurisdiction were comparable to the NSW models shown in Table 5.7. Further details are provided in Appendix Tables A2.8 and A2.9 (models 5a and 6a), while the full results are provided in the LAW Survey report for the relevant jurisdiction.

[60] The only exceptions were that problem group was the second strongest predictor of taking action in South Australia, the Northern Territory and the ACT.

[61] Employment problems resulted in higher odds of taking action and of seeking advice when action was taken in a few jurisdictions. Health and rights problems resulted in lower odds of taking action and higher odds of seeking advice when action was taken in a few jurisdictions.

- family problems resulted in higher odds of taking action and of seeking advice when action was taken
- government and housing problems resulted in lower odds of seeking advice when action was taken
- money problems, which included business/investment and wills/estates problems, resulted in higher odds of taking action
- personal injury problems resulted in higher odds of seeking advice when action was taken.[62]

A number of these findings are consistent with earlier surveys. For example, family breakdown, wills, estates, advance directives and personal injury problems have often produced high rates of taking action, seeking advice and using lawyers (ABA 1994; Cass & Sackville 1975; Coumarelos et al. 2006; Currie 2007b; Dale 2005, 2007; Dignan 2006; Fishwick 1992; Genn 1999; LASNSC 2005; Pleasence 2006; Pleasence et al. 2010; Rush 1999; Schulman 2003, 2007; Task Force 2003).[63] Consumer problems have tended to result in lower rates of seeking advice and either higher rates of inaction or higher rates of handling the problem alone (Cass & Sackville 1975; Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Pleasence 2006; Pleasence et al. 2010).[64] It is worth noting that the links between strategy and problem type may in part reflect the severity and adverse impacts of different types of problems.[65] For example, the present study showed that respondents tended to take action and seek advice for family problems,[66] and that family problems tended to be severe and have a greater number of adverse impacts. In contrast, respondents tended to handle consumer problems without advice,[67] and consumer problems tended to be less severe and have fewer adverse impacts.

Second, the regressions also revealed that the recency of legal problems significantly predicted the strategies used. However, consistently across jurisdictions, problem recency was a considerably weaker predictor than problem group. Problems that had persisted for at least seven months resulted in higher odds of taking action in most jurisdictions[68] and in higher odds of seeking advice when action was taken in all jurisdictions (see Table 9.5). These findings may reflect the possibility that more persistent problems tend to be more severe. However, these findings may also reflect the simple fact that it takes time to successfully determine and carry out appropriate actions and to successfully locate and consult with appropriate advisers.

Third, other types of statistical analyses showed that the severity of the legal problem guided strategy. According to chi-square analyses in each jurisdiction, respondents were significantly more likely to take action and more likely to seek advice when they took action for substantial legal problems than for minor legal problems.[69] These findings for problem severity support previous findings and indicate that people sensibly seek expert advice when legal problems are more important, complex or difficult to solve (Currie 2007b; Dignan 2006; Genn 1999; Pleasence et al.

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62 All of the regression findings in the above list were significant in NSW.

63 Coumarelos et al. (2006) found higher rates of seeking help for family law problems when compared to civil law and criminal law problems using a chi-square test. However, family problems did not result in significantly higher odds of seeking help in the regression on action taken.

64 Past studies have also often reported high rates of inaction for problems related to discrimination, human rights and unfair police action (Coumarelos et al. 2006; Currie 2007a; Fishwick 1992; Pleasence 2006; Pleasence et al. 2010). The LAW Survey found high odds of inaction for rights problems in three jurisdictions.

65 See Table 3.3 in each LAW Survey report for descriptive statistics on the prevalence of substantial problems by problem group, and see Table 4.7 in each LAW Survey report for chi-square results on the number of adverse consequences of legal problems by problem group.

66 As noted above, in NSW, family problems resulted in significantly higher odds of taking action and of seeking advice when action was taken.

67 In all jurisdictions, when action was taken for consumer problems, they resulted in significantly lower odds of seeking advice.

68 The result for taking action was significant in all jurisdictions except Queensland, Western Australia, Tasmania and the ACT.

69 See Figure 5.5 in the LAW Survey report for each jurisdiction for the full results.

Table 9.5: Regression summaries — strategy in response to legal problems, each jurisdiction

Variable	*Categories compared*	*Taking action*[a]								*Seeking advice*							
		NSW	*Victoria*	*Queensland*	*South Australia*	*Western Australia*	*Tasmania*	*Northern Territory*	*ACT*	*Australia*	*NSW*	*Victoria*	*Queensland*	*South Australia*	*Western Australia*	*Tasmania*	*Northern Territory*	*ACT*	*Australia*
Problem recency	7+ months | ≤6 months	>	>	>	>	>	>	>	>	>	>	>	>	>	>	>	>	>	>
Problem group	Accidents | mean	<	<	<	<	<	<	<	<	<	>	>	>	>	>	>	>	>	>
	Consumer | mean	<	<	=	<	<	<	>	<	<	<	<	<	<	<	<	<	<	<
	Credit/debt | mean	<	<	<	>	<	<	=	<	<	<	<	<	<	<	<	<	<	<
	Crime | mean	<	<	<	<	<	<	<	<	<	>	>	>	>	>	>	>	>	>
	Employment | mean	>	>	>	>	>	>	>	>	>	>	>	<	>	>	>	>	>	>
	Family | mean	>	>	>	>	>	>	>	>	>	>	>	>	>	>	>	>	>	>
	Government | mean	>	>	=	>	<	=	>	>	>	<	<	<	<	<	<	<	<	<
	Health | mean	<	<	<	<	>	<	<	=	<	>	>	>	>	<	>	<	>	>
	Housing | mean	>	>	>	<	>	>	>	>	>	<	<	<	<	<	<	<	<	<
	Money | mean	>	>	>	>	>	>	>	>	>	>	>	>	<	<	<	<	=	=
	Personal injury | mean	<	<	<	<	=	<	<	>	<	>	>	>	>	>	>	>	>	>
	Rights | mean	<	<	<	<	<	<	<	<	<	>	<	>	=	>	<	>	>	>

a I.e. seeking advice or handling without advice.

Note: The symbols and shading indicate how the first category compares to the second.

	For the regressions on taking action, the first category has:
>	significantly higher odds of taking action (than taking no action)
<	significantly lower odds of taking action (than taking no action)
>	non-significant (higher) odds of taking action (than taking no action)
<	non-significant (lower) odds of taking action (than taking no action)
=	non-signficant (equal) odds of taking action (and taking no action)

	For the regressions on seeking advice, the first category has:
>	significantly higher odds of seeking advice (than handling without advice)
<	significantly lower odds of seeking advice (than handling without advice)
>	non-significant (higher) odds of seeking advice (than handling without advice)
<	non-significant (lower) odds of seeking advice (than handling without advice)
=	non-signficant (equal) odds of seeking advice (and handling without advice)

Table 9.5: Regression summaries — strategy in response to legal problems, each jurisdiction (cont.)

Variable	*Categories compared*	*Taking action*[a]									*Seeking advice*								
		NSW	*Victoria*	*Queensland*	*South Australia*	*Western Australia*	*Tasmania*	*Northern Territory*	*ACT*	*Australia*	*NSW*	*Victoria*	*Queensland*	*South Australia*	*Western Australia*	*Tasmania*	*Northern Territory*	*ACT*	*Australia*
Gender	Female | male	>	>	>	>	>	>	>	>	>	>	=	>	>	>	>	>	>	>
Age	15–17 | 65+	=	<	<	>	>	=	>	>	>	<	<	<	<	<	<	<	<	<
	18–24 | 65+	>	>	<	>	>	>	>	>	>	<	<	<	<	<	<	<	<	<
	25–34 | 65+	>	>	<	>	>	>	>	>	>	>	<	=	<	<	<	=	=	<
	35–44 | 65+	>	>	=	>	>	>	>	>	>	>	>	>	<	<	<	=	<	>
	45–54 | 65+	>	>	=	>	>	>	>	>	>	>	>	>	<	<	<	>	<	>
	55–64 | 65+	>	>	<	>	>	>	>	>	>	>	>	>	<	<	<	>	<	>
Indigenous status	Indigenous | other	>	<	>	>	>	<	<	<	=	<	>	<	<	<	>	<	<	<
Disability status	Disability | no disability	>	>	>	>	>	>	>	>	>	>	=	>	>	>	>	>	>	>
Education	<Year 12 | post-school	<	<	<	<	<	=	<	<	<	<	>	>	<	<	>	<	<	<
	Year 12 | post-school	<	<	<	<	<	=	<	<	<	<	<	<	<	<	>	<	>	<
Employment status	Unemployed | other	<	<	<	<	<	=	<	=	<	<	<	=	<	<	<	<	<	<
Family status	Single parent | other	<	>	>	=	<	<	=	<	<	>	>	<	<	>	>	>	>	>
Housing type	Disadvantaged | other	>	>	>	>	<	>	=	=	>	=	>	<	>	>	>	>	>	>
Main income	Government payment | other	=	>	=	<	>	<	>	>	=	>	=	=	>	=	<	=	<	>
Main language	Non-English | English	<	<	<	<	<	>	<	<	<	<	<	<	<	=	<	<	>	<
Remoteness[bcd]	Remote | major city	>[b]	>[b]	=	=	<	=[c]	=[c]	[d]	=	>[b]	=[b]	=	<	=	<[c]	>[c]	[d]	=
	Regional | major city			>	<	>			[d]	>			>	=	<			[d]	=

a I.e. seeking advice or handling without advice.

b Due to insufficient numbers in remote areas, the NSW and Victorian models compared a combined remote/regional category to the major city (reference) category.

c Given that Tasmania and the Northern Territory have no major city areas, the models for these jurisdictions compared the remote category to the regional (reference) category.

d Remoteness was not included as a demographic variable in the ACT model, as this territory almost exclusively comprises major city areas.

Note: The symbols and shading indicate how the first category compares to the second.

	For the regressions on taking action, the first category has:
>	significantly higher odds of taking action (than taking no action)
<	significantly lower odds of taking action (than taking no action)
>	non-significant (higher) odds of taking action (than taking no action)
<	non-significant (lower) odds of taking action (than taking no action)
=	non-signficant (equal) odds of taking action (and taking no action)

	For the regressions on seeking advice, the first category has:
>	significantly higher odds of seeking advice (than handling without advice)
<	significantly lower odds of seeking advice (than handling without advice)
>	non-significant (higher) odds of seeking advice (than handling without advice)
<	non-significant (lower) odds of seeking advice (than handling without advice)
=	non-signficant (equal) odds of seeking advice (and handling without advice)

2004c, 2010). Somers' d analyses showed that, in each jurisdiction, substantial legal problems were also significantly more likely to result in a greater number of actions, such as using websites or self-help guides, consulting relatives or friends, communicating with the other side, and court, tribunal or formal dispute resolution processes.[70]

The finding that the choice of strategy in response to a legal problem is guided by the characteristics of the problem is heartening. This finding suggests that the response to legal problems is not completely haphazard but is measured against the nature, perceived importance and likely impact of legal problems.

Age and gender

Past studies have usually reported a relationship between the strategies used in response to legal problems and age. Middle-aged or somewhat older people often have the highest rates of taking action or seeking advice. In contrast, the youngest, and sometimes also the oldest, age groups tend to have low rates (Coumarelos et al. 2006; Currie 2007b; Fishwick 1992; Genn 1999; Ignite Research 2006; Pleasence 2006; van Velthoven & ter Voert 2004). The present results support past findings (see Table 9.5). In each jurisdiction, age was a significant, strong predictor in at least one of the two regressions on strategy. Although age was usually a weaker predictor than problem group, age was often the strongest of the demographic predictors.[71] In most jurisdictions, the two youngest and the oldest age groups tended to have the lowest percentages for taking action, while the middle age groups tended to have the highest. These percentages resulted in significantly higher odds of taking action for some of the middle age groups compared to the oldest group in four jurisdictions.[72] In addition, when they took action, the youngest age groups were significantly less likely to seek advice and most likely to handle problems without advice in all jurisdictions apart from NSW and the Northern Territory.[73]

The LAW Survey also found significant relationships between strategy and gender in most jurisdictions, although gender was generally not one of the strongest predictors.[74] Compared to males, females were significantly more likely to take action in most jurisdictions and to seek advice when they took action in a few jurisdictions (see Table 9.5). In NSW, females were more likely than males to take action, but females and males had similar odds of seeking advice when they took action. Although not all past studies have found a relationship between strategy and gender (Coumarelos et al. 2006; Currie 2007b; Genn & Paterson 2001; Miller & Srivastava 2002; van Velthoven & ter Voert 2004), those that have, like the present survey, reported higher rates of taking action or seeking advice for females (Genn 1999; Pleasence 2006; Pleasence et al. 2004c).

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70 See Table 5.1 in the LAW Survey report for each jurisdiction for the full results.

71 Age was the strongest demographic predictor of seeking advice when action was taken in NSW.

72 The regressions compared the oldest age group to each other age group. At least some of the middle age groups (i.e. 25–34, 35–44, 45–54 and 55–64 year olds) had significantly higher odds of taking action compared to the oldest age group in Western Australia, the Northern Territory, the ACT and Australia as a whole. The regressions did not directly compare the two youngest age groups (i.e. 15–17 and 18–24 year olds) to the middle age groups. Nonetheless, like the oldest age group, the two youngest age groups also had low percentages of taking action in most jurisdictions. In fact, 15–17 year olds had the lowest percentages of taking action in all jurisdictions except the ACT. However, there were a few jurisdictions where one of the two youngest age groups had significantly higher odds of taking action compared to the oldest age group: 15–17 year olds in the ACT had significantly higher odds of taking action, and 18–24 year olds in Tasmania and Australia as a whole had significantly higher odds of taking action.

73 Compared to the oldest age group, 15–17 year olds or 18–24 year olds or both had significantly lower odds of seeking advice when they took action in all jurisdictions apart from NSW and the Northern Territory. In addition, 25–34 year olds had significantly lower odds of seeking advice when they took action compared to the oldest age group in Tasmania and Australia as a whole, but this comparison was not significant in the other jurisdictions. In most jurisdictions, when action was taken, the odds of seeking advice for 35–64 year olds were similar to those for the oldest age group with two exceptions: in NSW, 45–64 year olds had significantly higher odds of seeking advice, while in South Australia, 55–64 year olds had significantly higher odds of handling problems without advice.

74 However, gender was the second strongest predictor of taking action in NSW.

Disadvantaged groups

Past studies have reported that certain disadvantaged groups tend to ignore their legal problems. Most consistently, the strategy used in response to legal problems has been associated with education and ethnicity. Less educated people and ethnic minorities more often fail to take action or seek advice (Coumarelos et al. 2006; Currie 2007b; Genn 1999; LSNJ 2009; Pleasence 2006; Pleasence et al. 2004c; van Velthoven & ter Voert 2004). Similarly, in most jurisdictions, the LAW Survey found that low levels of education and non-English main language were the indicators of disadvantage that tended to be linked with lower levels of taking action and lower levels of seeking advice when action was taken.

Education was significantly related to strategy in all jurisdictions apart from Tasmania (see Table 9.5). People with low levels of education had lower odds of taking action in most jurisdictions and lower odds of seeking advice when they took action in a few jurisdictions (see Table 9.5). In NSW, people with low levels of education had lower odds of taking action but average odds of seeking advice when they took action. Although it is unclear why Tasmania was the only jurisdiction where education was not significantly related to strategy, it is notable that Tasmania is the jurisdiction with the highest proportion of people who did not finish school (ABS 2009b).

Main language significantly predicted strategy in all jurisdictions apart from Queensland, Tasmania and the Northern Territory (see Table 9.5). When significant, it was usually one of the strongest predictors of strategy after problem group. In NSW, people with a non-English main language had lower odds of taking action but average odds of seeking advice when they took action. Small numbers in the non-English main language group may have militated against finding significant relationships between main language and strategy in Tasmania and Queensland. As noted earlier, according to both the survey and census data (ABS 2007a), Tasmania has the smallest proportion of people from a non-English-speaking background, and Queensland has the second smallest proportion.[75] In addition, although the Northern Territory did not have a particularly low proportion of survey respondents with a non-English main language (5%), the territory is different from other jurisdictions in that it is the only jurisdiction where Indigenous people comprise a large proportion of the non-English-speaking population (ABS 2007a).[76]

As already discussed, people with low levels of education and people with a non-English main language were also the only two disadvantaged groups that tended to report low rather than high prevalence of legal problems.

The LAW Survey results for employment status were in a similar direction to those for education and main language but were less consistent across jurisdictions. Unemployed people had significantly lower odds of taking action in Australia as a whole and significantly lower odds of seeking advice when they took action in NSW, Western Australia, Tasmania, the ACT and Australia as a whole (see Table 9.5).

In contrast, people with a disability tended to have higher rather than lower odds of taking action. They also tended to have higher odds of seeking advice when they took action. One or both of these effects was significant in all jurisdictions apart from South Australia (see Table 9.5). Some past

[75] According to weighted data, the percentage of LAW Survey respondents with a non-English main language was two per cent in Tasmania, three per cent in Queensland and 4–9 per cent in the other states/territories. Similarly, according to the census (ABS 2007a), the proportion of the population aged 15 years or over who speak a non-English language at home and do not speak English very well is two per cent in Tasmania, four per cent in Queensland and 5–11 per cent in the other states/territories.

[76] Based on the census, people who speak a non-English language include 44 per cent whose main language is an Indigenous language in the Northern Territory compared to less than three per cent in the other states/territories (ABS 2007a).

surveys have similarly found higher rates of seeking advice for people with a disability and some other disadvantaged groups (Balmer et al. 2010; Currie 2007b).

The other indicators of disadvantage were less reliably related to strategy (see Table 9.5). Single parents had significantly higher odds of seeking advice when they took action in Victoria, the ACT and Australia as a whole, but family status was not significantly related to strategy in the other jurisdictions. Indigenous respondents had significantly lower odds of taking action in the Northern Territory, but Indigenous status was not significantly related to strategy in the other jurisdictions. The Northern Territory relationship between Indigenous status and strategy is consistent with the findings of the NSWNLS (Coumarelos et al. 2006).[77] It is also consistent with the territory having the most disadvantaged Indigenous population in Australia (SCRGSP 2007), although the small numbers of Indigenous respondents in other states/territories may have contributed to the failure to achieve significance in these jurisdictions.[78] Housing type and remoteness of residential area were not significantly related to strategy in all jurisdictions.

Like the CSJS (Pleasence 2006), the LAW Survey found that the type of strategy adopted by people in response to a new legal problem is influenced by the strategies they have used in the past. In all jurisdictions, people who took no action in response to one legal problem were significantly more likely to do nothing in response to new legal problems. In addition, in most jurisdictions, when respondents took action, they were significantly more likely to seek advice rather than handle legal problems alone if they had sought advice previously.[79]

Advice for legal problems

Use of a broad range of advisers

The LAW Survey verifies past findings that people who seek advice for their legal problems by no means limit themselves to lawyers or traditional legal services (e.g. Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Genn 1999; Genn & Paterson 2001; HKDOJ 2008; Pleasence 2006; Pleasence et al. 2010; van Velthoven & ter Voert 2004). Across jurisdictions, no more than one-third (23–33%) of the problems where advice was sought involved consulting a legal professional such as an ALS, CLC, court service, LawAccess NSW, Legal Aid, private lawyer or other legal professional, organisation or telephone line. In NSW, a legal adviser was consulted for 33 per cent of the problems where advice was sought. Given that respondents did not seek advice for approximately half of all problems, these percentages across jurisdictions translate to respondents seeking advice from a legal professional for less than one-fifth of all problems (12–17%).

There were significant differences between states/territories in the use of legal advisers, with legal advisers being consulted relatively more frequently than average in NSW and Tasmania and relatively less frequently than average in Western Australia and the Northern Territory.[80] These findings may merely reflect differences in the legal problems experienced but could also reflect other differences, such as in demographic profiles or legal service environments. The lower use of legal advisers in the Northern Territory is consistent with its greater disadvantage given that past studies have found low rates of seeking legal advice among disadvantaged groups (ABA 1994; Fishwick 1992; LSNJ 2009; Maxwell et al. 1999; Pleasence 2006; Pleasence et al. 2004c; Schulman 2003; TALS 2004). For

[77] Coumarelos et al. (2006) found that the type of legal problem, age, Indigenous status and education were predictors of whether action was taken, but that gender, country of birth, disability status and personal income were not.

[78] These possibilities are discussed further in Chapter 10, 'Tailoring services for specific demographic groups: Indigenous background' section.

[79] This regression finding was not significant in Victoria, the Northern Territory and Australia as a whole.

[80] χ^2=53.69, $F_{7,72\,123}$=6.04, p=0.000. See Appendix Figure A9.7.

example, it may partly reflect the much higher proportion of Indigenous people in this jurisdiction. It has been noted that Indigenous people are less likely to use lawyers for family and civil law problems, due to social pressure to handle problems within Indigenous communities and to a paucity of Indigenous services for family and civil law problems relative to criminal problems (Cunneen & Schwartz 2008; Joint Committee of Public Accounts and Audit (JCPAA) 2005; Senate Legal and Constitutional References Committee (SLCRC) 2004).

In NSW, the non-legal advisers used included government advisers, such as government departments, local councils, the police and members of parliament (39% of problems where advice was sought); health or welfare advisers, such as doctors and psychologists (29%); financial advisers, such as accountants and insurance companies (22%); dispute resolution or complaint-handling bodies (7%); and trade unions or professional associations (7%). Similar proportions of these types of advisers were consulted in each jurisdiction.

Legal and non-legal help

The LAW Survey also found that the type of help received for legal problems from respondents' main adviser was not always 'legal'. That is, the help did not always aim to address the legal aspects of problems. Examples of legal help received by respondents included pre-packaged legal information; advice on legal rights or procedures; help with legal documents; help with court or tribunal proceedings or preparation; help with formal dispute resolution sessions, such as mediation or conciliation; negotiation with the other side; and referral to a lawyer or legal service. Across jurisdictions, in the overwhelming majority of cases (86–95%), legal advisers were reported to have provided at least one of these types of legal help. In NSW, legal advisers provided legal help for 92 per cent of the problems for which they were consulted.

Legal help was by no means the exclusive domain of legal advisers. Non-legal advisers provided some type of legal help in many of the cases where they were the main adviser. Nonetheless, in all jurisdictions, legal advisers had significantly higher rates of providing legal help than average, and, in fact, invariably had the highest rates. The types of non-legal advisers who had high rates of providing legal help were similar across jurisdictions. Typically, following legal advisers, the next highest rates of legal help were provided by trade unions or professional associations (78–91%) and dispute/complaint-handling advisers (66–91%). Next were government advisers (55–69%) and financial advisers (44–65%). In addition, health or welfare advisers provided legal help in a substantial percentage of cases where they were consulted (36–53%). In NSW, legal help was provided by trade unions or professional associations in 84 per cent of cases, dispute/complaint-handling advisers in 82 per cent, financial advisers in 61 per cent, government advisers in 60 per cent and health or welfare advisers in 47 per cent.[81]

Averaging across both legal and non-legal advisers, some type of legal help was received from the main adviser for roughly two-thirds of legal problems where advice was sought (60–71%) in each jurisdiction. The percentage was 67 per cent for NSW. The percentage obtained by Coumarelos et al. (2006) for the NSWLNS was substantially lower, at 25 per cent. However, this percentage is likely to be an underestimate. First, whether the help was legal or non-legal was not specified for a large proportion of problems in the NSWLNS (38%), and it is likely that some of these problems involved legal help. Second, the higher percentages in the present study are likely to reflect the improved measurement of help. The NSWLNS used a single open-ended question to capture all types of help, whereas the LAW Survey cued recall of numerous specific types of legal and non-legal help.

[81] The legal help rates for different advisers are likely to be influenced by the problem types involved. Significance tests were not conducted.

However, the difference in legal help percentages may also partly reflect real differences between the samples surveyed, such as poorer choice of appropriate advisers in the NSWLNS due to the more disadvantaged nature of the sample.

Helpfulness of advisers

Past surveys have reported high rates of satisfaction with the help received for legal problems from advisers (Coumarelos et al. 2006; CSRA 2003; Currie 2007b; Dignan 2006; HKDOJ 2008; Pleasence 2006; Pleasence et al. 2010; Rush 1999; van Velthoven & ter Voert 2004). The LAW Survey reinforces these findings. Across all adviser types, about three-quarters (75–79%) were rated as 'helpful' (i.e. very helpful or fairly helpful) in each jurisdiction. However, there were some significant differences in helpfulness ratings according to adviser type in all jurisdictions apart from Queensland. Government advisers received the lowest helpfulness ratings in most jurisdictions, although even these advisers tended to be viewed as helpful in the majority of cases.[82] In each jurisdiction, legal advisers were perceived as helpful in 75–84 per cent of cases. Across jurisdictions, helpfulness ratings for the main adviser for each legal problem were slightly higher (83–89%) in absolute terms than those for all the advisers examined.[83] Legal advisers who were the main adviser were perceived as helpful in 87–91 per cent of cases across jurisdictions. The variation in helpfulness ratings by adviser type may partly reflect differences in the nature of the legal problems handled by different advisers. The choice of adviser depended on the type of problem, and some types of problems were more likely to be severe and more difficult to resolve in the respondent's favour.

Advice for different types of legal problems

The type of legal problem was a strong determinant of the type of adviser used[84] and the type of help obtained.[85] Across jurisdictions, family problems resulted in significantly higher rates of legal help. In addition, family problems were the most likely to involve legal advisers. These findings are likely to reflect the high level of severity of many family problems. The money problem group, which included wills, estates and power of attorney problems, was the second most likely problem group to result in the use of legal advisers in all jurisdictions. Money problems also had significantly higher rates of legal help in most jurisdictions. Past research has similarly found high rates of legal advice for problems related to family breakdown, wills, estates and advance directives (ABA 1994; Cass & Sackville 1975; Coumarelos et al. 2006; Currie 2007b; Dale 2005, 2007; Dignan 2006; Fishwick 1992; Genn 1999; Genn & Paterson 2001; HKDOJ 2008; LASNSC 2005; Pleasence 2006; Rush 1999; Schulman 2003, 2007; Task Force 2003).

In broad terms, the choice of adviser and the type of help obtained appeared to be appropriate to the type of legal problem. For example, across jurisdictions, health and personal injury problems were relatively more likely to involve health or welfare advisers, and medical advice or assistance. In all jurisdictions, accidents problems were relatively more likely to involve financial advisers, such as insurance companies, and money problems resulted in higher rates of financial advice. Thus, again, it appears that respondents were taking into account the nature of the problem when seeking advice.

Sourcing advisers

The LAW Survey examined how respondents sourced their main adviser when this adviser was a legal, dispute/complaint-handling or government adviser. These advisers were sourced through

[82] Government advisers received the lowest helpfulness ratings in all jurisdictions apart from Queensland and the ACT.

[83] A significance test was not conducted on this comparison.

[84] See Table 6.3 in each LAW Survey report for descriptive statistics on adviser type by problem group.

[85] See Figure 6.7 in each LAW Survey report for chi-square results on legal help from main adviser by problem group.

respondents' own personal resources or networks in most cases across jurisdictions (74–81%). For example, respondents relied on their own knowledge, obtained referrals from relatives, friends or acquaintances, chose an adviser who was a relative or friend or whom they had used before, or used the telephone book or the internet. Sourcing the main adviser via referrals from other legal professionals (3–7%) or non-legal professionals (3–6%) occurred only in a minority of cases in all jurisdictions. However, legal advisers were significantly more likely than the other two adviser types to be sourced via referrals (from legal professionals, non-legal professionals and personal networks). In NSW, legal advisers were sourced via referrals through personal networks in 21 per cent of cases and via referrals from professionals in 18 per cent of cases.

Mode of communication with advisers

Across jurisdictions, both telephone communication (62–71%) and in-person communication (60–72%) with the main adviser used for legal problems were common. Email (14–23%) and postal communication (11–18%) with the main adviser were used less frequently. In addition, in most jurisdictions, in-person communication was a particularly important form of communication with main advisers who were legal advisers or health or welfare advisers. It was significantly more likely to be used for these types of main advisers than for all advisers on average.[86]

Barriers to obtaining advice

Past surveys have identified various barriers to obtaining legal advice or assistance. Barriers to the accessibility of services have been commonly reported, although other barriers have included inadequate or unclear information, financial barriers and language barriers (ABA 1994; AFLSE 2007; Coumarelos et al. 2006; Dale 2000, 2005, 2007; Dignan 2006; Genn 1999; Genn & Paterson 2001; Ignite Research 2006; LASNSC 2005; LSNJ 2009; Miller & Srivastava 2001; Pleasence 2006; Schulman 2007; Task Force 2003). Similarly, the LAW Survey identified barriers to obtaining advice for legal problems from main advisers who were legal, dispute/complaint-handling or government advisers. At least one barrier was reported across jurisdictions for about two-fifths (37–43%) of problems where these advisers were used. In particular, a range of barriers to the accessibility of these advisers was endorsed by respondents. For example, in NSW, respondents reported difficulty getting through on the telephone (16%), the adviser taking too long to respond (15%), difficulty getting an appointment (7%) and inconvenient opening hours (7%). Similar percentages were obtained in each jurisdiction.

Another barrier to accessibility related to the physical location of advisers. In NSW, respondents who consulted their main adviser in person reported travelling more than 20 kilometres in 18 per cent of cases, including more than 40 kilometres in nine per cent of cases. In Tasmania and the ACT, it was not possible to examine whether the distance travelled to consult main advisers in person varied by remoteness, because Tasmania comprises largely regional areas and the ACT consists almost exclusively of major city areas. In all other jurisdictions, however, respondents in less urban areas travelled significantly further to consult their main adviser in person. NSW respondents living in remote or regional areas travelled more than 80 kilometres in eight per cent of cases. The corresponding percentage for major city areas was two per cent.

The distance to advisers was also explicitly reported as a barrier to obtaining help for some legal problems in all jurisdictions. In NSW, eight per cent of main advisers who were legal, dispute/complaint-handling or government advisers were reported to be too far away or too hard to get to.

[86] The higher rate of in-person communication with health or welfare advisers was significant in all jurisdictions. The higher rate of in-person communication with legal advisers was significant in all jurisdictions apart from Tasmania and the Northern Territory, although the trend was in the same direction in these two jurisdictions.

In addition, this barrier was significantly more likely than average to be reported for legal advisers in several jurisdictions.[87] This finding is likely to reflect, at least in part, the relatively greater use of face-to-face consultation with legal advisers.

The LAW Survey findings are also consistent with past findings that the cost of services can be a barrier to obtaining advice for legal problems, particularly from private lawyers (ABA 1994; AFLSE 2007; Coumarelos et al. 2006; Dale 2000, 2005, 2007; Genn 1999; Genn & Paterson 2001; LASNSC 2005; LSNJ 2009; Miller & Srivastava 2001; Schulman 2007; Task Force 2003). In all jurisdictions, cost was significantly more likely to be reported as a barrier in relation to legal advisers than to dispute/complaint-handling or government advisers. In fact, cost was the most frequent barrier to obtaining help from main advisers who were legal advisers in all jurisdictions apart from Tasmania, where it fell into a close second place. Cost was cited as a barrier in at least one-fifth of these cases across jurisdictions (20–27%). In contrast, cost was an infrequent barrier to obtaining help from main advisers who were dispute/complaint-handling (0–5%) or government (0–3%) advisers. In NSW, cost was a barrier for 23 per cent of cases where the main adviser was a legal adviser.

Also consistent with past research, LAW Survey respondents reported failing to obtain adequate, clear information in roughly one-tenth of cases across jurisdictions (Coumarelos et al. 2006; Dignan 2006; Ignite Research 2006; Pleasence 2006). The extent to which this finding reflects inadequacies within legal services rather than limitations in people's capacity to understand legal information is unclear.

Finalisation of legal problems

Manner of finalisation

The LAW Survey confirms previous findings that there is no 'rush to law' (Consortium 1994; Coumarelos et al. 2006; Dignan 2006; Genn 1999; Genn & Paterson 2001; HKDOJ 2008; Ignite Research 2006; Maxwell et al. 1999; Murayama 2007; Pleasence 2006; van Velthoven & ter Voert 2004). Less than 10 per cent of legal problems across jurisdictions were finalised via court or tribunal proceedings or via formal dispute resolution or complaint-handling processes. In each jurisdiction, the LAW Survey also replicates previous results that legal problems are more commonly finalised via agreement with the other side (27–32%), via the respondent not pursuing the matter further (28–31%) or via the decision or action of other agencies, such as government bodies, insurance companies or the police (13–17%; Currie 2007b; Dignan 2006; Genn 1999; Genn & Paterson 2001; Ignite Research 2006; Maxwell et al. 1999; Pleasence 2006; van Velthoven & ter Voert 2004).

According to chi-square analyses, the manner in which legal problems were finalised depended on their characteristics. First, problem severity was related to manner of finalisation. In most jurisdictions, substantial problems were significantly more likely than minor problems to be finalised via court or tribunal proceedings, and via formal dispute resolution or complaint-handling processes. Second, the type of legal problem influenced manner of finalisation. Like past surveys, the LAW Survey found that family problems were significantly more likely to conclude via court or tribunal proceedings, while consumer problems were significantly more likely to conclude via agreement with the other side (Dignan 2006; Genn 1999; Genn & Paterson 2001; Ignite Research 2006; Maxwell et al. 1999; Pleasence 2006; Sweeney Research 2011; van Velthoven & ter Voert 2004). To some extent, these findings appear to reflect the more serious nature of family problems compared to consumer problems (cf. Pleasence 2006).

[87] In NSW, this barrier was significantly more likely to be reported for legal advisers than for dispute/complaint-handling advisers and government advisers.

In addition, the strategy used in response to legal problems appeared to affect the manner of finalisation. In keeping with Pleasence (2006), there was a tendency across jurisdictions for problems involving advice to be finalised relatively more often via court or tribunal proceedings, and for problems handled without advice to be finalised relatively more often via agreement with the other side.[88] Problems involving advice also tended to be finalised relatively more often via formal dispute resolution or complaint-handling processes. Again, these findings may partly reflect the use of more formal resolution methods for more serious problems (Pleasence 2006).

Finalisation status

Across jurisdictions, roughly two-thirds of legal problems (62–68%) were finalised by the time of interview. The modest differences in the finalisation rates between jurisdictions were significant when analysed using a chi-square test. NSW had a lower than average finalisation rate, and the Northern Territory and the ACT had higher than average rates.[89] A regression analysis indicated that the lower finalisation level in NSW is unlikely to be due solely to differences in demographic profiles, the legal problems experienced and the strategies used to resolve these problems.[90] The lower NSW finalisation rate may additionally reflect factors such as differences in culture, attitudes, systems of law, and legal or social services. However, the regression found that the higher finalisation rates in the Northern Territory and the ACT can be explained by differences in demographics, problem profiles and strategies.[91] For example, compared to the other states, both the Northern Territory and the ACT have a younger population (ABS 2007a, 2008e). In addition, the Northern Territory was found to have the highest prevalence of crime problems and a significantly higher rate of inaction. Typically, young people, crime problems and inaction were all significantly associated with high levels of finalisation, as will be discussed in the next section. In addition, it is worth noting that the similar finalisation rates in these two jurisdictions do not necessarily imply the use of similar resolution methods or similar levels of legal capability. In fact, there were some apparent differences in the reasons why respondents did nothing or abandoned attempts at resolution. Cost and not knowing what to do were less likely to be cited as reasons for doing nothing in the ACT, while cost was more frequently endorsed as a reason for doing nothing in the Northern Territory.[92] These results are consistent with higher disadvantage in the Northern Territory and also with greater affluence and legal capability in the ACT.

Predicting finalisation status of legal problems

In each jurisdiction, a regression was conducted to reveal the legal problem characteristics, strategies and demographic characteristics related to lower levels of finalisation at the time of interview.[93] Although regression analysis can be used to show where relationships exist, it cannot explain any relationships. Nonetheless, the regressions on finalisation status help to pinpoint the types of problems and demographic groups which may particularly benefit from initiatives that facilitate

88 A significance test was not conducted on these findings. See Chapter 7, 'Manner of finalisation' section, for further details.

89 χ^2=38.17, $F_{7,71\,877}$=4.30, p=0.000. See Appendix Figure A9.8.

90 The Australian logistic regression model on finalisation (see Table 7.7 in the Australian LAW Survey report) was re-run with the addition of state/territory as a potential predictor variable or 'fixed effect'. See Appendix Tables A2.8 and A2.9 (model 7b) for further details and Appendix Table A9.5 for the full results. The chi-square test examined finalisation rates given states'/territories' actual profiles in terms of demographics, problems experienced and strategies used. In contrast, the regression estimated the odds of finalisation if states/territories had identical profiles on the demographics, problem characteristics and strategies examined in the model. The regression showed that NSW still had significantly lower levels of finalisation once its profile had been taken into account according to the variables examined in the model.

91 The regression showed that the Northern Territory and the ACT no longer had significantly higher levels of finalisation after their profiles had been taken into account.

92 Significance testing was not conducted on these data.

93 The model on finalisation status in each jurisdiction was comparable to the NSW model shown in Table 7.7. Further details are provided in Appendix Tables A2.8 and A2.9 (model 7a), while the full results are provided in the LAW Survey report for the relevant jurisdiction.

legal resolution, and they also help to identify the strategies to be encouraged. Table 9.6 provides a summary of these models. Consistently, the characteristics of legal problems were significantly related to their finalisation status, with problem group invariably being a strong predictor. The strategy used in response to legal problems was also a reliably significant and strong predictor of finalisation status. In contrast, with the exceptions of age and disability status, most demographic characteristics were not consistently related to finalisation status. In addition, when demographic characteristics were significant, they were usually weaker predictors than both problem group and strategy. The regression results on finalisation status are further detailed below.

Legal problem characteristics

The characteristics of legal problems were related to whether they had been finalised by the time of interview. First, the regressions revealed that problem group significantly predicted finalisation status in all jurisdictions (see Table 9.6) and was usually the strongest predictor. Most notably, family problems had significantly lower odds of finalisation in all jurisdictions and, in fact, had the lowest percentages of finalisation in each jurisdiction. Past surveys have similarly found low resolution rates for family problems (Coumarelos et al. 2006; Currie 2007b; Genn 1999; Ignite Research 2006; Pleasence 2006). In most jurisdictions, credit/debt, government and money problems also had significantly lower odds of finalisation, while accidents and crime problems had significantly higher odds of finalisation (see Table 9.6).[94]

Second, the recency of legal problems predicted finalisation status in the regressions in most jurisdictions, although its effect was relatively weak. Problems that had persisted for at least seven months were significantly more likely than other problems to be finalised in all jurisdictions except Queensland, Tasmania and the Northern Territory (see Table 9.6).

Third, other types of statistical analyses showed that the severity of legal problems was also linked to finalisation status. Substantial problems invariably had lower finalisation rates, according to chi-square analyses in each jurisdiction.[95] In addition, legal problems that resulted in a greater number of adverse consequences had lower finalisation rates, according to Somers' d analyses in each jurisdiction.[96] Although Pleasence (2006) measured problem duration rather than rate of finalisation, he similarly showed that severe problems had longer durations.

Strategy

The strategy adopted in response to legal problems was consistently related to finalisation status in the regressions. In fact, after problem group, strategy was generally the next strongest significant predictor of finalisation status. In all jurisdictions, legal problems where no action was taken had the highest percentages of finalisation, followed by legal problems handled without advice and then by legal problems where advice was sought. These percentages produced significantly lower odds of finalisation for both seeking advice and handling problems without advice compared to taking no action in all jurisdictions (see Table 9.6). A few past studies have similarly found that problems handled without advice were finalised more quickly than those involving advice (Coumarelos et al. 2006; Genn 1999; Pleasence 2006). It has been argued that this link between problem duration and strategy may partly reflect problem severity. People may handle legal problems alone when they are less serious or complex but seek advice for legal problems that are important and difficult to resolve (Coumarelos et al. 2006; Pleasence 2006). However, seeking advice may also prolong finalisation

[94] All of these findings were significant in NSW, Victoria, Western Australia, the Northern Territory and Australia as a whole.

[95] See Figure 7.2 in the LAW Survey report for each jurisdiction for the full results.

[96] See Table 7.1 in the LAW Survey report for each jurisdiction for the full results.

for other reasons, including the simple fact that successfully locating, contacting and consulting with an appropriate adviser takes time.

The present high odds of finalisation for legal problems where no action was taken contrast with a few previous studies which have reported lower resolution rates for such problems (Coumarelos et al. 2006; Genn 1999; van Velthoven & ter Voert 2004). This discrepancy may partly reflect measurement differences. Unlike the LAW Survey, the previous surveys tended to focus on 'resolution' (e.g. via adjudication or agreement) rather than 'finalisation' and, thus, tended to exclude abandoned problems from their definition of resolved problems.[97] Differences in the type or severity of the problems captured, due, for example, to different triviality thresholds, may also have affected the level of finalisation/resolution where no action was taken.

Age, gender and disadvantaged groups

The regressions revealed some significant relationships between the finalisation status of legal problems and various demographic characteristics. However, unlike problem group and strategy, most demographic characteristics were not consistently related to finalisation status across jurisdictions, and their effects were usually weaker.

With the exception of Western Australia, gender was not significantly related to finalisation status (see Table 9.6). Age, however, was significantly related to finalisation status in most jurisdictions. In addition, when age was significant, it was the strongest of the demographic predictors, although it was consistently a weaker predictor than problem group and usually also a weaker predictor than strategy.[98] Generally, the two youngest age groups had the highest percentages of finalised legal problems. These percentages resulted in younger people having significantly higher odds of finalisation compared to the oldest age group in all jurisdictions apart from Western Australia, Tasmania and the Northern Territory (see Table 9.6). Similarly, a few past studies have found lower resolution rates for the middle or older age groups (Coumarelos et al. 2006; Genn 1999).

The indicators of disadvantage were also sometimes related to lower finalisation levels, although their effects were invariably weaker than problem group and strategy. In Australia as a whole, apart from unemployment and living in remote areas, all other indicators of disadvantage were linked to lower odds of finalisation. Indigenous respondents, people with a disability, people who had not finished school, single parents, people who lived in disadvantaged housing, people whose main source of income was government payments and people with a non-English main language all had significantly lower odds of finalisation. However, no more than a few indicators of disadvantage were significantly related to lower finalisation levels in each state/territory. In fact, in Queensland and South Australia, none of the indicators of disadvantage were significantly related to lower finalisation levels (see Table 9.6). As already noted, fewer significant findings at state/territory level were expected, due to the smaller sample sizes. People with a disability were the only disadvantaged group that had significantly lower finalisation levels in most jurisdictions (see Table 9.6). In NSW, people with a disability, people on government payments and people with a non-English main language had low odds of finalisation.[99]

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97 Legal problems that were reported to be 'now over' as a result of either the other side or the respondent not pursuing the matter further were included within the category of finalised legal problems in the LAW Survey. See Appendix A1, questions A34 and A35.

98 In NSW, problem group was the strongest predictor of finalisation status, followed by age and then by strategy.

99 For education, compared to post-school graduates, people who had not finished school had significantly lower odds of finalisation in the Northern Territory and Australia as a whole, and people who had finished only Year 12 had significantly higher odds of finalisation in Western Australia. Although significance was not reached in other jurisdictions, the percentages showed similar trends in most jurisdictions. Specifically, in seven jurisdictions (with the exceptions of Western Australia and the ACT), people who had not finished school had the lowest percentages of finalisation. In addition, in eight jurisdictions (with the exception of the Northern Territory), people who had finished only Year 12 had the highest percentages of finalisation.

Table 9.6: Regression summaries — finalisation status of legal problems, each jurisdiction

Variable	*Categories compared*	*NSW*	*Victoria*	*Queensland*	*South Australia*	*Western Australia*	*Tasmania*	*Northern Territory*	*ACT*	*Australia*
Problem recency	7+ months | ≤6 months	>	>	>	>	>	<	>	>	>
Problem group	Accidents | mean	>	>	>	>	>	>	>	>	>
	Consumer | mean	>	>	>	>	=	>	>	>	>
	Credit/debt | mean	<	<	<	<	<	<	<	<	<
	Crime | mean	>	>	>	>	>	>	>	>	>
	Employment | mean	<	=	=	>	<	=	>	>	=
	Family | mean	<	<	<	<	<	<	<	<	<
	Government | mean	<	<	<	=	<	<	<	<	<
	Health | mean	=	>	<	<	>	<	<	=	=
	Housing | mean	<	<	=	<	<	>	<	<	<
	Money | mean	<	<	<	<	<	<	<	<	<
	Personal injury | mean	>	>	>	=	>	>	>	>	>
	Rights | mean	>	>	=	>	>	<	>	>	>
Strategy	Sought advice | took no action	<	<	<	<	<	<	<	<	<
	Handled without advice | took no action	<	<	<	<	<	<	<	<	<

Note: The symbols and shading indicate how the first category compares to the second. The first category has:

>	significantly higher odds of finalisation
<	significantly lower odds of finalisation
>	non-significant (higher) odds of finalisation
<	non-significant (lower) odds of finalisation
=	non-significant (equal) odds of finalisation

Table 9.6: Regression summaries — finalisation status of legal problems, each jurisdiction (cont.)

Variable	*Categories compared*	*NSW*	*Victoria*	*Queensland*	*South Australia*	*Western Australia*	*Tasmania*	*Northern Territory*	*ACT*	*Australia*
Gender	Female | male	=	=	<	>	<	>	=	<	=
Age	15–17 | 65+	>	>	>	>	>	>	>	>	>
	18–24 | 65+	>	>	>	>	>	>	>	>	>
	25–34 | 65+	>	>	>	<	>	>	<	>	>
	35–44 | 65+	>	=	>	<	=	>	<	>	>
	45–54 | 65+	>	<	<	<	<	<	<	>	<
	55–64 | 65+	>	<	<	<	<	>	<	>	=
Indigenous status	Indigenous | other	<	<	<	<	=	<	=	=	<
Disability status	Disability | no disability	<	<	>	<	=	<	<	<	<
Education	<Year 12 | post-school	=	<	<	<	=	=	<	=	<
	Year 12 | post-school	=	>	<	>	>	=	<	=	=
Employment status	Unemployed | other	>	>	<	<	<	>	=	=	=
Family status	Single parent | other	=	<	<	<	<	<	=	<	<
Housing type	Disadvantaged | other	=	<	<	>	<	<	<	<	<
Main income	Government payment | other	<	=	<	=	<	<	<	=	<
Main language	Non-English | English	<	<	<	<	>	<	=	<	<
Remoteness[abc]	Remote | major city	>[a]	=[a]	>	>	=	<[b]	<[b]	[c]	=
	Regional | major city			<	<	<			[c]	=

a Due to insufficient numbers in remote areas, the NSW and Victorian models compared a combined remote/regional category to the major city (reference) category.

b Given that Tasmania and the Northern Territory have no major city areas, the models for these jurisdictions compared the remote category to the regional (reference) category.

c Remoteness was not included as a demographic variable in the ACT model, as this territory almost exclusively comprises major city areas.

Note: The symbols and shading indicate how the first category compares to the second. The first category has:

>	significantly higher odds of finalisation
<	significantly lower odds of finalisation
>	non-significant (higher) odds of finalisation
<	non-significant (lower) odds of finalisation
=	non-significant (equal) odds of finalisation

The present finding that people with a disability were the disadvantaged group that most consistently had low odds of finalisation complements other findings from the present survey. As discussed earlier, people with a disability were also the disadvantaged group that most consistently had increased vulnerability to legal problems according to a wide variety of measures in all jurisdictions, and the disadvantaged group that tended to seek advice when they took action in some jurisdictions. The NSWNLS similarly found that people with a disability stood out as the most vulnerable of the disadvantaged groups investigated (Coumarelos et al. 2006).

Similarly, past surveys have provided some evidence of a link between disadvantage and resolution, but a significant link has not emerged in all studies or for all indicators of disadvantage. For example, a few studies have found a relationship between low resolution rates and low levels of education, low income, unpaid work or welfare benefits (Genn 1999; Maxwell et al. 1999; van Velthoven & ter Voert 2004). However, Genn and Paterson (2001) found no significant relationship between demographic factors and resolution in their regression,[100] and Coumarelos et al. (2006) found that disability was the only indicator of disadvantage related to lower resolution rates in their regression.

Outcome of legal problems

In all jurisdictions, LAW Survey respondents reported that about two-thirds of finalised legal problems (64–71%) had favourable outcomes. There were no significant differences in these rates between states/territories, according to both chi-square and regression analyses.[101] Several past surveys have also found that most people perceive the outcomes of their legal problems as satisfactory (Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Genn 1999), although some of the US surveys using disadvantaged samples found satisfaction rates below 50 per cent (Dale 2005, 2007; GKA 2008; Task Force 2003).

Predicting favourability of outcome of legal problems

In each jurisdiction, a regression was conducted to examine the legal problem characteristics, strategies and demographic characteristics related to achieving favourable outcomes for legal problems (see Table 9.7). Although regression analysis can be used to show where relationships exist, it cannot explain any relationships. Nonetheless, the regressions on favourability of outcome help to signal the types of problems and demographic groups which may benefit most from initiatives that aim to improve outcomes, and also help to identify the strategies to be encouraged. As discussed below, problem group and the strategy used in response to legal problems were invariably significant predictors of whether legal problems resulted in favourable outcomes. However, there were very few significant relationships between demographic characteristics and achieving favourable outcomes for legal problems.

Legal problem characteristics

Based on the regressions across jurisdictions, problem group was an important predictor of the types of outcomes achieved for legal problems (see Table 9.7). In fact, problem group was the strongest significant predictor in all jurisdictions apart from the ACT, where it was the second strongest predictor. In most jurisdictions, the outcomes of accidents and personal injury problems were

[100] However, Genn and Paterson (2001) noted that this regression result may have been due to the small numbers, given that chi-square analysis revealed a link between low educational attainment and low resolution.

[101] χ^2=13.02, $F_{7,71995}$=1.59, p=0.134. See Appendix Figure A9.9. The chi-square test compared state/territory rates of favourable outcomes given their actual demographic and problem profiles. The regression analysis examined the odds of favourable outcomes after differences in demographics, problems profiles and strategies used had been taken into account. This regression involved re-running the Australian model on favourable outcome (see Table 8.5 in the Australian LAW Survey report) with the addition of state/territory as a potential predictor variable or 'fixed effect'. See Appendix Tables A2.8 and A2.9 (model 8b) for further details and Appendix Table A9.6 for the full results.

significantly more likely to be rated as favourable, while the outcomes of crime and government problems were significantly less likely to be rated as favourable. Some past surveys have similarly found that the type of legal problem affects perceived outcomes. However, the types of problems linked to particular outcomes have varied across studies (Coumarelos et al. 2006; Currie 2007b; Genn 1999; Genn & Paterson 2001). Like the LAW Survey, the NSWLNS found higher satisfaction with the outcomes of accident/injury problems and lower satisfaction with the outcomes of government and general crime problems (Coumarelos et al. 2006).[102]

In addition, other types of statistical analyses showed that the severity of legal problems was significantly related to the outcomes achieved. Substantial problems were less likely than minor problems to be perceived as having favourable outcomes, according to chi-square analyses in NSW, Victoria, South Australia, the Northern Territory and Australia as a whole.[103] Similarly, according to Somers' d analyses in all jurisdictions, legal problems that caused a greater number of adverse consequences were less likely to be perceived as having favourable outcomes.[104]

Strategy

The present regressions confirm past results that the strategy used in response to a legal problem is a critical determinant of the outcome achieved (ABA 1994; AFLSE 2007; CEALS 2001; Coumarelos et al. 2006; Currie 2007b; Dale 2000, 2007, 2009; Dignan 2006; Genn 1999; LSNJ 2009; Maxwell et al. 1999; Miller & Srivastava 2002; Pleasence 2006). LAW Survey respondents who took no action in response to legal problems achieved the poorest outcomes.[105] In most jurisdictions, both seeking advice for legal problems (66–74%) and handling legal problems without advice (69–76%) were significantly more likely to result in favourable outcomes compared to taking no action (54–62%; see Table 9.7). Past surveys have similarly found that doing nothing, and trying but failing to obtain advice, result in poor outcomes (ABA 1994; Coumarelos et al. 2006; Currie 2007b; Dale 2009; Dignan 2006; Maxwell et al. 1999; Miller & Srivastava 2002; Pleasence 2006). For example, Coumarelos et al. (2006) found higher satisfaction with the outcomes of problems when help was sought than when no action was taken. Pleasence (2006) found that respondents were more likely to achieve their objectives if they obtained advice or handled problems alone rather than if they tried but failed to obtain advice.

Age, gender and disadvantaged groups

Like past surveys, the present survey found that the favourability of the outcomes achieved for legal problems was not consistently related to demographic characteristics in general or to disadvantage more specifically (Coumarelos et al. 2006; Genn 1999; Genn & Paterson 2001). In all jurisdictions, gender, Indigenous status, disability status, family status and main income were not significantly related to whether favourable outcomes were achieved for legal problems. Age, education, employment status, housing type, main language and remoteness of residential area were significantly related to the outcomes of legal problems in only one or a few jurisdictions, and these relationships were not always significant in Australia as a whole (see Table 9.7). In addition, when significant, demographic characteristics invariably had a weaker effect than problem group, and, with one exception, they also had a weaker effect than strategy. Thus, like past surveys, the present survey found that the type of legal problem and the strategy used were the main predictors of the

[102] Coumarelos et al. (2006) found higher odds of satisfaction with the outcomes of accident/injury and wills/estates problems and lower odds of satisfaction with the outcomes of business, consumer, government and general crime problems.

[103] See Figure 8.3 in the LAW Survey report for each jurisdiction for full results.

[104] See Table 8.2 in the LAW Survey report for each jurisdiction for full results.

[105] Similarly, problems finalised as a result of respondents not pursuing the matter further also had poor outcomes.

Table 9.7: Regression summaries — favourability of outcome of legal problems, each jurisdiction

Variable	*Categories compared*	*NSW*	*Victoria*	*Queensland*	*South Australia*	*Western Australia*	*Tasmania*	*Northern Territory*	*ACT*	*Australia*
Problem group	Accidents | mean	>	>	>	>	>	>	>	>	>
	Consumer | mean	>	>	>	<	=	>	>	<	>
	Credit/debt | mean	<	<	<	<	<	>	<	<	<
	Crime | mean	<	<	<	<	<	<	<	<	<
	Employment | mean	<	<	<	<	<	<	<	<	<
	Family | mean	>	>	>	>	<	>	>	<	>
	Government | mean	<	<	<	<	<	<	<	<	<
	Health | mean	<	<	>	>	<	<	<	>	<
	Housing | mean	>	>	>	>	>	>	>	>	>
	Money | mean	>	=	>	<	>	>	>	>	>
	Personal injury | mean	>	>	>	>	>	>	>	>	>
	Rights | mean	<	<	<	>	<	<	>	<	<
Strategy	Sought advice | took no action	>	>	>	>	>	>	>	>	>
	Handled without advice | took no action	>	>	>	>	>	>	>	>	>

Note: The symbols and shading indicate how the first category compares to the second. The first category has:

>	significantly higher odds of a favourable outome
<	significantly lower odds of a favourable outcome
>	non-significant (higher) odds of a favourable outcome
<	non-significant (lower) odds of a favourable outcome
=	non-signficant (equal) odds of a favourable outcome

Table 9.7: Regression summaries — favourability of outcome of legal problems, each jurisdiction (cont.)

Variable	*Categories compared*	*NSW*	*Victoria*	*Queensland*	*South Australia*	*Western Australia*	*Tasmania*	*Northern Territory*	*ACT*	*Australia*
Gender	Female | male	>	=	>	=	=	=	<	>	=
Age	15–17 | 65+	>	>	<	>	<	>	>	>	>
	18–24 | 65+	>	>	<	<	<	>	<	<	<
	25–34 | 65+	>	>	<	<	<	>	<	<	<
	35–44 | 65+	>	=	<	>	>	>	<	<	<
	45–54 | 65+	>	>	<	<	>	>	<	<	=
	55–64 | 65+	>	<	<	>	<	>	>	<	<
Indigenous status	Indigenous | other	<	<	>	>	>	=	<	<	=
Disability status	Disability | no disability	<	<	<	<	=	>	<	=	<
Education	<Year 12 | post-school	=	<	=	<	<	>	<	<	<
	Year 12 | post-school	=	<	<	<	=	=	>	>	=
Employment status	Unemployed | other	<	<	>	=	<	<	<	<	<
Family status	Single parent | other	>	>	>	=	<	<	>	>	>
Housing type	Disadvantaged | other	<	>	<	>	>	>	=	>	=
Main income	Government payment | other	>	>	>	>	>	<	<	<	>
Main language	Non-English | English	<	>	>	>	>	>	<	<	>
Remoteness[abc]	Remote | major city	>[a]	>[a]	>	>	>	>[b]	<[b]	[c]	=
	Regional | major city			>	<	>			[c]	>

a Due to insufficient numbers in remote areas, the NSW and Victorian models compared a combined remote/regional category to the major city (reference) category.

b Given that Tasmania and the Northern Territory have no major city areas, the models for these jurisdictions compared the remote category to the regional (reference) category.

c Remoteness was not included as a demographic variable in the ACT model, as this territory almost exclusively comprises major city areas.

Note: The symbols and shading indicate how the first category compares to the second. The first category has:

>	significantly higher odds of a favourable outome
<	significantly lower odds of a favourable outcome
>	non-significant (higher) odds of a favourable outcome
<	non-significant (lower) odds of a favourable outcome
=	non-signficant (equal) odds of a favourable outcome

favourability of the outcomes achieved for legal problems, and that demographic characteristics had comparatively little influence.

Summary: NSW findings in context

The LAW Survey results for NSW are largely consistent with those in other jurisdictions and with the international findings. Legal problems are widespread, with some people experiencing multiple, severe problems with substantial impacts on many life circumstances. Disadvantaged groups are particularly vulnerable to legal problems. A substantial proportion of people take no action to resolve their legal problems and consequently achieve poor outcomes. Most people who seek advice do not consult legal advisers and resolve their legal problems outside the formal justice system.

10. A holistic approach to justice

This chapter highlights the implications of the LAW Survey findings for improving access to justice in NSW and across Australia.[1] Given the largely consistent findings across jurisdictions, the LAW Survey has similar high-level policy implications for the provision of legal services and remedies across Australian states/territories. As noted earlier, the occasional differences in survey findings between jurisdictions do not always provide conclusive proof of real differences in populations or service environments. For example, in some cases, small survey numbers for minority demographic groups may explain the failure to replicate certain findings across jurisdictions. Thus, policy implications based on significant findings in some jurisdictions may sometimes extend to the jurisdictions where significance was not reached. A demographic group may be fundamentally similar and may benefit from similar service provision strategies across jurisdictions, even though significance may not have been reached in the jurisdictions where this group represents a particularly small proportion of the sample. While this chapter focuses on the policy implications that flow from the findings across most jurisdictions, any departures for NSW are detailed.

Like past legal needs surveys, the LAW Survey in each jurisdiction highlights the value of a holistic, integrated, multifaceted approach to justice that addresses the diverse needs of different people and, in particular, addresses the needs of disadvantaged people, who are especially vulnerable to legal problems.

Justice for disadvantaged people

The LAW Survey replicates previous findings that disadvantaged groups are typically the sections of the community that are most vulnerable to legal problems and often struggle with the weight of the multiple legal problems they experience. A small minority of people account for the majority of the legal problems experienced by the population,[2] and disadvantaged people are particularly likely to fall into this minority group. Disadvantaged people are not only more likely to experience large numbers of legal problems, but they are also more likely to experience a wide range of often substantial legal problems. The present findings according to a variety of measures indicate that people with a disability constitute the disadvantaged group that is most vulnerable to legal problems. However, other disadvantaged groups, including single parents, unemployed people, people living in disadvantaged housing and Indigenous people, also have increased vulnerability to legal problems. In addition, by virtue of their socioeconomic status, disadvantaged groups often have a variety of non-legal needs. Thus, the present findings underscore the value of tailoring access to justice in Australia to meet the needs of disadvantaged groups and indicate that access to justice is an important route to tackling social exclusion (e.g. Pleasence 2006). Arguably, meeting the legal needs of disadvantaged groups should be a major priority of justice policy, given that a substantial proportion of the legal problems within the population are concentrated within these groups.

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1 See Chapter 9 for a summary of the major findings across jurisdictions, which form the basis for the discussion in the present chapter. For full details of the results from all the statistical analyses conducted in each jurisdiction, see Chapters 3–8 in each LAW Survey report.

2 In each jurisdiction, just under one-tenth of respondents accounted for around two-thirds of the legal problems reported.

Multifaceted justice for diverse legal needs

The LAW Survey also reiterates that legal problems are not the exclusive domain of the disadvantaged but are encountered routinely by people from all walks of life, including people of all ages and people from more affluent backgrounds. Thus, the LAW Survey reinforces the fundamental role of access to justice in promoting well-being throughout the wider community. It stresses the crucial importance of an access to justice system that facilitates the effective resolution of the wide range of legal problems commonly experienced by the general public (e.g. Coumarelos et al. 2006; Currie 2007b; Genn 1999; Pleasence 2006; Sandefur 2008, 2009). Justice policy must be framed in a broader context than that of social exclusion to enable all citizens to resolve their legal problems (Currie 2007b; Genn 1999; Pleasence 2006).

In addition to diversity in the experience of legal problems, the LAW Survey confirms that there is also diversity in people's responses to these problems and the outcomes they achieve. Some people ignore their legal problems and achieve poor outcomes. Others have high levels of legal knowledge and capability, and ably use self-help strategies to achieve favourable solutions without seeking expert advice. Many of those who seek expert advice consult only non-legal professionals and resolve their legal problems successfully without recourse to the formal justice system. Some people, however, require considerable assistance from both legal and non-legal services to address their multiple, serious and complex legal and non-legal needs.

This diversity in the experience, handling and outcome of legal problems makes clear that a comprehensive approach to justice must be multifaceted. No single strategy is likely to be successful in obtaining justice for all people. Multifaceted approaches to justice that integrate a variety of strategies are increasingly being propounded in order to cater for all sections of the community and to target limited resources effectively (Coumarelos et al. 2006; Macdonald 2005; Pleasence 2006).

A new wave of justice reform

Over recent decades, successive waves of justice reforms have occurred in many countries, including Australia, with the aim of ameliorating inequality in access to justice. Mirroring these reforms, the concept of 'access to justice' has expanded from a unidimensional to an increasingly multifaceted concept. Initially, 'access to justice' was tightly focused on access to the formal justice system, consistent with the first wave of justice system reforms, which aimed to equalise access to lawyers and the courts through the provision of legal aid and CLCs (see Macdonald 2005). Subsequently, in line with new waves of reforms to establish a variety of preventative and early intervention strategies, the concept of access to justice has successively extended beyond access to the formal justice system to additionally include access to legal information and education, non-court-based dispute resolution and law reform (see Macdonald 2005).

In Australia, despite substantial reforms, empirical studies and inquiries on access to justice have invariably continued to recommend further improvements (see Sackville 2011). Sackville (2011) argued that access to justice may be an ideal that cannot be fully realised. He contended that narrowing the gap between the ideal and the reality requires a more 'integrated' approach to justice that is guided by integrated empirical evidence and evaluation, is supported by both state/territory and federal governments and necessitates the injection of substantial resources.

A new wave of justice reform has emerged recently in the UK with the objective of achieving a more integrated approach to justice. This latest wave of reform includes introducing a large system of CLACs and CLANs to deliver coordinated legal and non-legal services (Buck et al. 2010a, 2010b;

Fox et al. 2010). The policy impetus for this reform came from CSJS findings indicating that existing legal services were too fragmented to deal effectively with the clusters of legal problems that are commonly experienced by many people, especially socially excluded groups. These clusters of legal problems were shown to impact dramatically on a range of life circumstances, indicating the need for a coordinated response from legal and broader human services (Fox et al. 2010). CLACs and CLANs aim to provide a more coordinated response to legal problems by improving the:

- accessibility of services via co-location or networking of local services
- seamlessness of services from reception through to finalisation
- integration of services to detect and address multiple, interrelated problems
- tailoring of services to allow for more intensive support for the most vulnerable clients (Buck et al. 2010b; Fox et al. 2010).[3]

This latest wave of justice reform aiming to provide a more integrated approach to service provision is only just beginning to reach Australian shores. As will be detailed later, similar large-scale initiatives have not taken place in Australia, although integrating or 'joining up' legal and non-legal services has recently been placed on the national agenda (see COAG 2010).

The LAW Survey provides valuable empirical evidence that can be used to inform what a more integrated approach to justice might look like in Australia. It indicates the benefit of a more 'holistic' approach to justice in Australia that is both integrated and multifaceted. First, the LAW Survey supports a more holistic approach that better integrates legal and non-legal services. Similarly to past surveys, it provides compelling evidence in the Australian context that legal problems often cluster together, adversely impact a variety of life circumstances and are most prominent in the disadvantaged sections of the community that already have a range of non-legal needs.

Second, the LAW Survey supports a holistic approach to justice that is multifaceted, in that it includes multiple strategies to cater for the diverse needs of the whole population. It reinforces that justice must be 'made to measure' according to the varying legal needs and legal capabilities of different people. For example, the promotion of self-help strategies may be beneficial for more knowledgeable, articulate people, while intensive assistance services may be critical for disadvantaged people, who tend to struggle with the weight of their problems.

More specifically, the LAW Survey findings suggest that a more holistic approach to justice would include all of the following strategies:

- legal information and education
- self-help strategies
- accessible legal services
- non-legal advisers as gateways to legal services
- integrated legal services
- integrated response to legal and non-legal needs
- tailoring of services for specific problems
- tailoring of services for specific demographic groups.

[3] The ongoing operation of CLACs and CLANs is uncertain, given the likely cut to legal aid spending as part of the recently proposed 23 per cent reduction in the annual budget for the Ministry of Justice by 2014–2015 (Ministry of Justice 2010). The results of an evaluation of CLACs are provided later in this chapter, in the 'Models of service integration' section.

Reliance on only one or a few strategies is likely to fall short of achieving justice for the whole community. In addition, a more holistic approach to justice in Australia is unlikely to be achieved simply by injecting *more* resources into the existing network of legal services, although additional funding and resourcing may be necessary (see Sackville 2011). Rather, a more holistic approach involves reshaping service provision through integrated, multifaceted strategies to *target* resources more efficiently, in order to streamline access to justice and enhance legal resolution. Importantly, several of the proposed strategies for a more holistic approach to justice require greater integration not only within the justice sector, but also across governments and government sectors — that is, a new, whole-of-government approach.

The more holistic approach to justice proposed on the basis of the LAW Survey has the potential to enhance prevention and early intervention, by more efficiently and effectively resolving legal problems in their entirety before they escalate, multiply and resonate in numerous life areas. By achieving legal resolution more quickly and more completely, such an approach can potentially lead to cost savings in the long term, by reducing the number of ineffectual contacts with legal and broader human services and by avoiding expensive court resolution (see Balmer et al. 2010; Buck et al. 2010b; Coumarelos et al. 2006; Currie 2007b; Genn 1999; Macdonald 2005; Pleasence 2006). Targeting limited resources more effectively through strategies that enhance early intervention is becoming crucial, given today's financial climate. Legal aid organisations around the world are facing considerable challenges in extending their reach within a context of intense competition for limited resources among different areas of public service delivery (Balmer et al. 2010).

The strategies identified by the LAW Survey as potentially useful components of a holistic approach to justice are discussed in turn below. It is important to note, however, that the successful implementation of initiatives with prospective merit can be impeded by a variety of factors in practice. Thus, it is critical that new service initiatives, including any based on the LAW Survey, are carefully evaluated.[4] For example, initiatives to increase legal information, education and self-help strategies, and initiatives to increase the accessibility, integration and tailoring of legal and non-legal services, should all be informed by appropriately conceived evaluation.

Enhancing legal capability through information and education

Across jurisdictions, the LAW Survey indicates the need to enhance the legal knowledge and legal capability of the Australian public. First, awareness of some free legal services was consistently poor. Second, in each jurisdiction, many people who ignored their legal problems didn't know how to obtain assistance. Third, the findings suggested that some disadvantaged groups may fail to recognise that their problems have legal implications and solutions. These groups included people with low education levels in all jurisdictions and people with a non-English main language in some jurisdictions.[5] Public education is well recognised as a useful component of legal service provision: legal rights are meaningless if people are unaware of them and the means through which they can be effected (e.g. Australian Law Reform Commission (ALRC) 1992; Cass & Sackville 1975; Genn 1999; Kirby 2011; Pleasence 2006; Rush 1999; Scott & Sage 2001; Urbis Keys Young 2002; Women's Legal Resources Centre 1994; Worthington Di Marzio & Cultural Partners Australia 2001).

[4] Further discussion of the importance of evaluating legal service initiatives is provided later in this chapter, in the 'Evaluation' section.

[5] Unlike the other disadvantaged groups surveyed, people with low education levels and people with a non-English main language typically reported low rather than high prevalence when significant relationships with prevalence were found. These low reporting levels suggest the possibility that these people may not always recognise their legal problems. In NSW, people with a non-English main language had significantly lower prevalence according to a number of measures.

Legal information and legal education are complementary strategies for enhancing legal knowledge and capability. Thus, they are key strategies for empowering people to take action for their legal problems, thereby enhancing early intervention and prevention. The aim of these strategies cannot be to convert lay people into de facto lawyers who have the comprehensive knowledge to resolve, on their own, every potential legal problem. A more feasible aim is to equip the general public with sufficient knowledge to recognise their legal needs, and to readily identify where to obtain appropriate legal advice and assistance (see Coumarelos et al. 2006; Genn 1999; Genn & Paterson 2001). Unfortunately, although evidence-based research has informed best practice in delivering consumer education in a number of areas, there is a paucity of such research in the area of legal education (e.g. Flowers, Chodkiewicz, Yasukawa, McEwen, Ng, Stanton & Johnston 2001; Sheth, Mittal & Newman 1999). Thus, there is a pressing need to evaluate the effectiveness of legal education initiatives (Coumarelos et al. 2006). As described below, the LAW Survey findings provide some guidance about useful goals and features of community legal information and education strategies across Australia.

Generic legal information and education

The present widespread experience of legal problems throughout the Australian community suggests the potential value of generic legal information. Generic legal information could be disseminated via schools, media or the internet, and via non-legal professionals, services or agencies that routinely engage the public, such as community health clinics, social service agencies, health and welfare professionals, government and regulatory agencies, non-government organisations and consumer groups (Genn 1999; Macdonald 2005; Pleasence et al. 2004c).[6]

Enhancing knowledge about legal services and first ports of call

The LAW Survey indicates that there is considerable scope for using generic legal information and education to enhance the Australian public's ability to source appropriate legal services. Across jurisdictions, there were sizeable gaps in knowledge about public legal services. A holistic approach to justice must include an effective mechanism for facilitating the public's engagement with the available system of legal services through simple and effective gateways. Clearly signposted gateways to legal services can be critical in avoiding referral fatigue and maximising effective resolution (Coumarelos et al. 2006; Pleasence 2006).

Thus, a particularly useful initiative may be to increase the community's knowledge of useful first ports of call for legal advice, such as generalist legal services or legal 'triage' services. Legal triage services provide an initial legal 'diagnosis', followed by legal information, advice or assistance, which can be given 'on the spot' or via referral to specialist services, as appropriate. In Australia, various CLCs provide generalist legal services. In addition, a number of legal hotlines provide legal triage, such as LawAccess NSW and various hotlines operated by Legal Aid and CLCs. These hotlines vary in their scope and services, such as the extent to which they provide direct caller access to a lawyer, comprehensive referral to legal and non-legal services and follow-up ancillary services (e.g. face-to-face advice and written information). The LAW Survey findings suggest that current awareness of generalist legal services and legal triage services is low. Only about one-third to two-fifths of respondents were aware of CLCs. In addition, awareness of the LawAccess NSW triage hotline by NSW respondents was even lower, at only 14 per cent. The survey did not specifically examine awareness of the legal advice hotlines operated by CLCs and Legal Aid, although it did examine the overall awareness of these agencies. Thus, while the overall awareness of Legal Aid

[6] The use of non-legal professionals for the dissemination of legal information is discussed in more detail later in this chapter, in the 'Non-legal advisers as gateways to legal services' section.

was high, the extent to which the public is aware of the free legal hotlines operated by Legal Aid remains to be assessed.[7]

To act as effective entry points into legal services, generalist legal services and legal triage hotlines not only must be able to diagnose legal needs and make appropriate legal and non-legal referrals, but must also have high visibility and adequate resourcing (see Mulherin & Coumarelos 2007). Increasing awareness of such useful first ports of call, through, for example, wide-scale advertising or education campaigns, may help to ensure that Australians automatically know the number to call for legal advice, just as they know to ring Triple Zero (000) in the event of an emergency or the Crime Stoppers Australia number to report information on crime.[8] Thus, well-signposted, effective gateways to legal services may be a critical first step towards enabling the general public to engage with the available system of legal services and, hence, a critical step towards accessing justice. Of course, complete, satisfactory legal resolution will then depend on the adequacy of that system.

Enhancing knowledge through personal networks

Across jurisdictions, personal networks were often used as means to legal resolution. First, informal advice on legal problems from relatives or friends was common. Second, relying on the knowledge of relatives or friends was one of the common ways in which respondents sourced their advisers. These findings indicate the potential benefits of improving legal literacy not only among those who are likely to experience legal problems, but also among the broader community, who may be asked for advice. The value of these established informal personal networks could be enhanced by improving public legal knowledge, so that any advice obtained from relatives or friends is better informed (Coumarelos et al. 2006).

Empowering taking action and seeking advice

Many LAW Survey respondents ignored their legal problems and achieved poor outcomes. They tended to become entrenched in this strategy and continued to achieve poor outcomes for each new legal problem that arose. Thus, the survey underscores the utility of mobilising people to take action, by helping them to identify their legal rights, appropriate courses of action and relevant advice services (see Balmer et al. 2010; Coumarelos et al. 2006; Macdonald 2005; Pleasence 2006).

LAW Survey respondents sought advice for about half of the legal problems they experienced, and in most of these cases they felt their advisers were helpful. Traditionally, satisfaction with client services is used as an indicator of the quality of those services (see Armytage 1996; Oliver 1997). Thus, the present high helpfulness ratings suggest that advisers are generally providing useful services and highlight the value of information and education initiatives that signpost people to appropriate legal services. The present findings are consistent with other recent Australian studies that have reported high satisfaction with lawyers (e.g. Crinyion 2007, 2009; Firth & Munday 2003; IRIS Research 2006, 2008; Roger James & Associates 1998). The LAW Survey respondents who handled problems without seeking expert advice often achieved good outcomes. Nonetheless, information and education initiatives that signpost people to relevant legal services may help to ensure that people appropriately seek expert advice whenever this would be a useful strategy and may help to decrease any reliance on handling legal problems alone due to an unawareness of legal services.

Such initiatives could be used not only to raise awareness of legal services, but also to *motivate* people to access these services. In some cases, personal constraints rather than a lack of knowledge about

[7] For further details about the services provided by CLCs, Legal Aid and LawAccess NSW, see the 'Need for integrated legal services' section later in this chapter and Appendix Table A6.2.

[8] The effect of increasing the demand for legal services is discussed later in this chapter, in the 'Managing demand, resources and evaluation' section.

services were reported by respondents who ignored their legal problems. For example, respondents sometimes had bigger problems or felt that taking action would be too stressful or would damage personal relationships. Education campaigns about the potential benefits of legal resolution could be used to overcome any personal or social constraints and, thus, to empower people to act.

Enhancing knowledge about multiple pathways to justice

Across jurisdictions, the LAW Survey confirms the many pathways to justice. Legal problems were frequently resolved via consultation with non-legal advisers, who were often the first point of contact for people with legal needs. A wide range of non-legal advisers were used. Legal problems were also frequently resolved via self-help. Importantly, favourable outcomes for legal problems were often achieved via these non-traditional means, without recourse to expert legal advice. Thus, a comprehensive view of legal resolution must extend beyond traditional 'legal remedies' to include solutions that fall outside the formal justice system, such as self-help solutions and solutions provided by all the individuals and organisations routinely consulted in response to legal issues (cf. Macdonald 2005; Pleasence et al. 2004c). Legal information and education initiatives should, therefore, promote public understanding that resolution via traditional legal processes, such as court and tribunal proceedings and formal dispute resolution mechanisms, is a rare and last resort, and that there are other common pathways for resolution (Pleasence et al. 2004c). For example, the LAW Survey showed that reaching agreement with the other side often produces good outcomes and is a common manner of legal resolution, particularly for consumer, credit/debt, family and housing problems (cf. Sweeney Research 2011).

Enhancing plain language and online legal information

Across jurisdictions, using websites and self-help guides was one of several common responses to legal problems. In addition, some respondents felt that they failed to obtain adequate, clear information or advice from their main advisers. These findings highlight the worth of 'plain language' legal information and advice. Legal information and advice are of value only if they are easy to access, understand and translate into practice. Laws, legal instruments and guides, online legal information and face-to-face legal advice must therefore be framed in the simplest, clearest language (Coumarelos et al. 2006; Forell et al. 2005; Macdonald 2005; Pleasence 2006; Scott 2000). The sizeable proportion of Australians from culturally and linguistically diverse backgrounds also suggests the importance of providing plain language legal resources and advice in the non-English languages used in Australia. The proportion of the population from a non-English-speaking background is relatively high in NSW compared to most states/territories (ABS 2007a).[9]

Furthermore, the increasing reliance on the internet as part of the current technological revolution suggests the particular benefit of facilitating the use of internet legal services (Coumarelos et al. 2006; Scott 2000).[10] For example, improving the legal information and interactive services that are available online, increasing people's awareness of useful legal websites and enhancing their expertise in accessing such websites may all be useful.

Targeted legal information and education

In addition to the value of the generic legal information and education initiatives described above, the LAW Survey suggests the potential value of more targeted legal information and education

[9] According to the census (ABS 2007a), the proportion of the population aged 15 years or over who speak a non-English language at home and do not speak English very well is 10 per cent in NSW.

[10] Note that during 2008–2009, three-quarters (74%) of Australians aged 15 years or over had accessed the internet in the previous 12 months (ABS 2009d). Home was the most popular location to access the internet (68%), followed by work (35%) and a neighbour's, relative's or friend's house (25%).

strategies. One-size-fits-all education strategies tend to be less effective than strategies tailored to address the specific issues faced by particular people at particular times (Balmer et al. 2010; Barendrecht 2011; Buck et al. 2008; Combined Community Legal Centres Group NSW 2004; Coumarelos et al. 2006; Currie 2000; Federation of Community Legal Centres Victoria 2010; Flowers et al. 2001; Giddings & Robertson 2003b; Goldie 1997; Hunter et al. 2009; Kirby 2011; Lawler et al. 2009; Macdonald 2005; Public Legal Education and Support Task Force (PLEAS Task Force) 2007; Public Legal Education Network (Plenet) 2009, n.d.; Scott & Sage 2001). The tailoring of legal information and education initiatives for specific legal problems and demographic groups is discussed later in this chapter.

Other components of holistic justice

Legal information and education strategies should not be presumed to be universal service solutions. The finding that people sometimes felt they did not receive clear, adequate advice may sometimes have reflected low capacity to understand legal information, rather than poorly framed advice. A number of authors have argued that some people have low legal capability, due to literacy, language or communication problems, and that disadvantaged people are particularly likely to have poor legal knowledge and capability (Balmer et al. 2010; Buck et al. 2007; Casebourne et al. 2006; Day et al. 2008; Forell et al. 2005; Genn 1999; Grunseit et al. 2008; Karras et al. 2006; Parle 2009; Pleasence 2006). As a result, legal information and education are often only preliminary steps towards legal resolution. They will often be insufficient for effective, complete legal resolution for all people and should not be regarded as cheap alternatives to legal advice and assistance (Genn 1999; Genn & Paterson 2001; Giddings & Robertson 2003a; Pleasence et al. 2004c). For example, a number of authors have argued that plain language and online legal information resources, no matter how 'state of the art', may be of limited utility for certain legal problems and for population groups with low legal capability (see Assy 2011; Balmer et al. 2010; Barendrecht 2011; Giddings & Robertson 2003a; Hunter et al. 2007; Lawler et al. 2009).

Thus, legal information and education should be seen as constituting only one component of a holistic approach to justice that additionally includes a myriad of more targeted and tailored service initiatives. For example, more intensive and integrated service provision has been propounded for people with low levels of legal capability and for people with complex, serious legal problems (see Coumarelos et al. 2006; Forell et al. 2005; Genn 1999; Pleasence 2006; Scott 2000; Scott & Sage 2001). In addition, it is important that the reach and effectiveness of legal information and education strategies are carefully evaluated (Giddings & Robertson 2003a; Hunter et al. 2007; Lawler et al. 2009).

Self-help legal strategies

The present finding that many people who handled their legal problems themselves achieved favourable outcomes suggests that promoting self-help legal strategies may be effective for some sections of the community. Self-help legal strategies not only include accessing legal information resources and websites, but also include strategies such as directly negotiating with the other side, communicating or lodging complaints with relevant authorities, and do-it-yourself kits for issues like wills, probate and divorce. There has been a trend in recent years towards legal consumers playing a larger part in their own legal service delivery and towards the 'unbundling' of legal services as a means to facilitating self-help (Giddings & Robertson 2003b). Unbundling involves breaking legal service delivery into discrete components so that clients can use self-help strategies for easy tasks but still obtain legal assistance for more difficult tasks (ABA SCDLS 2002; Balmer et al. 2010; Giddings & Robertson 2003b; MacDermott 2003; Shirvington 2003).

Just as legal information and education have been argued to be of limited utility for some people, it has similarly been proposed that self-help legal strategies more broadly cannot be quality substitutes for legal advice and assistance in all situations. The utility of self-help depends on both the nature of the legal tasks and the legal capability of the individuals (see ABA SCDLS 2002; Balmer et al. 2010; Giddings & Robertson 2003b; Lawler et al. 2009; MacDermott 2003; Shirvington 2003). In terms of tasks, non-routine legal work involving the exercise of substantial discretions appears to be less suited to self-help (Barendrecht 2011; Giddings & Robertson 2003b; Lawler et al. 2009). Further, self-help legal strategies will sometimes be incapable of providing complete legal solutions and may be more effective as components of a suite of services (see Giddings & Robertson 2001, 2003a; Hunter et al. 2009; Lawler et al. 2009).

In terms of people, Balmer et al. (2010) demonstrated that self-help legal strategies are more viable for people with high levels of legal knowledge, and disadvantaged people generally did not fall into this group. Unlike educated, affluent people, disadvantaged people tended to have poor legal knowledge and to achieve poor outcomes when they handled legal problems alone. Importantly, Balmer et al. also found that obtaining expert advice for legal problems negated the effect of disadvantaged people having poor legal knowledge and still resulted in good outcomes. They concluded that public legal education initiatives need to be segmented according to the particular needs of different demographic groups. They argued that initiatives promoting self-help might be best targeted at the demographic groups that have high legal knowledge, such as more educated, affluent people. In contrast, initiatives that signpost relevant legal advice services may be more beneficial for disadvantaged groups that have poor legal knowledge and capability.

Accessible legal services

The barriers to accessing legal help reported by LAW Survey respondents across jurisdictions indicate that there is considerable scope in Australia to improve the accessibility of legal services so that they more closely 'mirror' the behaviour of those who wish to use them (Pleasence 2006). Respondents often had difficulty contacting advisers via telephone, making suitable appointments, receiving timely responses and travelling to advisers for in-person consultations. Legal services may need to be extended and provided with additional resources in order to widen accessibility and to meet current demand efficiently. For example, extension of operating hours, telephone, internet and video conferencing services, local services in readily accessible locations, outreach services in rural and remote areas, and services in appropriate languages may all be worth exploring as means of increasing accessibility (Buck et al. 2007, 2008; Coumarelos et al. 2006; Forell, Laufer & Digiusto 2011; Pleasence 2006). As with all new service initiatives, however, it is important to evaluate whether any changes that aim to increase the accessibility of legal services have the desired effect.

Appropriate mode of legal service delivery

The mode of legal service delivery also needs to be accessible and appropriate for the client group. Across jurisdictions, the LAW Survey found that both telephone and in-person communication were very commonly used to consult legal advisers. In addition, in most jurisdictions, in-person communication was more likely to be used for consulting legal advisers than it was for consulting many other types of advisers.[11] These findings suggest that the provision of accessible face-to-face legal services is an important policy objective and a valuable component of a holistic approach to justice.

[11] This finding was significant in NSW.

Sole reliance on internet and telephone legal information and advice services may fall short of providing justice for all people. Some Australians do not have easy access to telephones or the internet. In addition, internet and telephone services can be ineffective modes of delivering legal assistance for people with low levels of legal capability. For example, as already noted, people with poor literacy or communication skills can have difficulty using legal information resources and websites, and other self-help strategies (Barendrecht 2011; Giddings & Robertson 2003a; Hunter et al. 2007; Lawler et al. 2009; Nheu & McDonald 2010). In addition, several authors have noted that disadvantaged people in particular often fall into the category of those who may require high-quality face-to-face advice in order to achieve beneficial legal resolution. Disadvantaged people often have complex legal needs and low levels of legal capability, such as low literacy and poor communication skills, which mean that they cannot always understand telephone and internet advice (Buck et al. 2007, 2008; Forell et al. 2005; Forell & Gray 2009; Genn & Paterson 2001; Pearson & Davis 2002; Pleasence 2006). For example, Pearson and Davis (2002) reported worse outcomes for legal hotline callers who were poorly educated, separated or members of minority ethnic groups. Callers with low legal capability often failed to comprehend and act on the advice they received, suggesting that telephone advice may often be insufficient for such people, unless it is supplemented with additional measures to further reinforce understanding and promote appropriate action. Pearson and Davis suggested that such people may particularly benefit from referral to more intensive legal services, such as face-to-face services. They noted, however, that referrals to private lawyers tended to be ineffective, because many of these callers felt they were unable to afford a private lawyer. Thus, referrals to more intensive services for disadvantaged people should ideally include options for free or low-cost legal services.

Thus, legal hotline services should not be regarded as a stand-alone panacea. The usefulness of legal hotline services will depend in part on their ability to provide effective triage and referral. Ideally, legal hotlines should be able to make appropriate referrals both for problems that require specialist legal expertise and for people who are likely to have difficulty understanding and following telephone advice. Legal hotlines may often provide only a first step towards legal resolution and may represent only one of a raft of strategies required to provide holistic justice throughout the community.

There has also been an increasing interest recently in improving access to legal services through video conferencing,[12] particularly where in-person communication is costly or impractical, such as in prisons and non-urban areas (Forell et al. 2011). A recent review (Forell et al. 2011) identified the potential of video conferencing as a mode of legal service delivery but found that it is largely untested. Thus, the review was unable to draw definitive conclusions about the cost and effectiveness of video conferencing compared to in-person and telephone services. However, it was suggested that the benefits of video conferencing are likely to depend on:

- whether other modes of legal service delivery already exist at a given location
- the relative timeliness, convenience and privacy offered by video conferencing compared to any existing legal services
- the quality and reliability of the video conferencing technology adopted
- the extent to which video conferencing is supported by clients and workers.

The review noted that many legal clients, for reasons of privacy and convenience, tended to prefer both in-person and telephone communication with lawyers, where these were available, rather than communication via video conferencing.

[12] The term 'video conferencing' refers to all synchronous two-way communication with audiovisual interface, whether via integrated service digital network (ISDN), satellite or internet protocol (IP) with video conferencing technologies. These technologies include videolink, video conferencing and web-based technologies such as Skype and Web-ex.

Proximity of legal services

The long distances that some respondents travelled to consult advisers for their legal problems, especially in remote areas, highlight the specific need to improve the accessibility of legal services in less urban areas. Australia has vast geographical areas with sparse populations, where providing easily accessible services of any kind is an enormous challenge. This challenge is underscored by a recent study conducted in NSW which reported difficulties in recruiting and retaining both private and Legal Aid lawyers in certain regional, rural and remote areas (Forell, Cain & Gray 2010). This study concluded that area-specific solutions rather than blanket solutions were likely to be most appropriate, given that retaining lawyers was problematic only in some non-urban areas.

Improving legal services in rural and remote areas of Australia may require multifaceted solutions involving extensions to telephone and internet legal information and advice services, together with additional local services and outreach services. However, given that remote communities in Australia tend to be among the most disadvantaged (ABS 2008c), solutions for improving legal services in non-urban areas cannot rely solely on the expansion of telephone and internet services. For example, 61 per cent of remote Indigenous households across Australia do not tend to use a home landline (ABS & AIHW 2010). In addition, as noted above, disadvantaged people with complex legal problems, low literacy and poor communication skills may often require intensive, quality face-to-face advice and assistance services in order to achieve beneficial legal resolution. Thus, additional local and outreach services may be critical for some disadvantaged people, such as those in more remote areas (Buck et al. 2007, 2008; Forell et al. 2005; Forell & Gray 2009; Genn & Paterson 2001; Pleasence 2006).

A recent systematic review of the literature identified the features that characterise successful outreach legal services to disadvantaged people with complex needs. These features include establishing strong links with the target communities and their support agencies, location in places frequented by the target group, marketing the service, appropriate staffing and resourcing, effective referral systems with support agencies, and appropriate monitoring and review (Forell & Gray 2009). In addition, for disadvantaged people for whom telephone communication is ineffective, it may be worth exploring the use of video conferencing as a means of supplementing in-person outreach services. However, Forell et al. (2011) noted that the uptake of video conferencing in regional, rural and remote areas of Australia has been lower than expected, and that there may be impediments to its success. Thus, any video conferencing initiatives should be carefully planned so that they fill a service gap rather than replicate existing services, and so that they are well supported by target communities. Any such initiatives should also be properly evaluated.

Cost of legal services

Across jurisdictions, some respondents reported that cost was a barrier to legal resolution. Although cost was sometimes reported as a factor constraining respondents from taking any action to resolve legal problems, it was not among the most common constraints in this regard. However, cost was generally the most frequent barrier cited when respondents had tried to obtain advice or assistance from a legal practitioner. These findings suggest two conclusions. First, cost is not a key impediment for many of the legal problems that people prefer to handle outside legal services, such as via self-help strategies or consultation with non-legal professionals. The majority of the legal problems experienced by the public fall into this category and, thus, tend not to be affected by the cost of legal services.

Second, and conversely, cost appears to be a major barrier to resolving the legal problems for which people wish to obtain expert legal advice. These legal problems tend to be the more serious or

complex legal problems that people experience. Cost was cited as a barrier to obtaining advice from a legal practitioner in around one-fifth of cases where a legal practitioner was the main adviser for a legal problem. Thus, the cost of services from private lawyers, and the eligibility criteria for receiving free or low-cost public legal services, may need to be addressed for some people in order for legal assistance to be more widely accessible. Similarly, past studies have sometimes cited cost as a barrier to the use of private lawyers (ABA 1994; AFLSE 2007; Coumarelos et al. 2006; Dale 2000, 2005, 2007; Genn 1999; Genn & Paterson 2001; LASNSC 2005; LSNJ 2009; Miller & Srivastava 2001; Schulman 2007; Task Force 2003). In addition, past research has indicated that cost may especially be a barrier to obtaining legal assistance for people in the middle-income range — that is, people who are neither eligible for legal aid nor able to afford costly legal fees. For example, the availability of free or low-cost public legal services has been found to increase the use of lawyers by the poorest group that is eligible for these services (see Currie 2007b; Genn 1999; Genn & Paterson 2001). However, low-income earners who fall outside the eligibility criteria are less likely to use lawyers for the types of problems covered by legal aid (Pleasence 2011).

Note, however, that the perceived expense of legal services by LAW Survey respondents may also, to some extent, reflect inaccurate beliefs that formal legal and dispute resolution services always necessitate substantial cost. This is consistent with the present finding that respondents were often unaware of the free services available under certain conditions from the various public legal services in Australia (see Appendix Table A6.2). Similarly, several recent US surveys have reported that many low-income respondents did not realise they were eligible for free legal aid (ABA 1994; LSC 2007, 2009). Thus, as already noted, increasing public awareness of the available free legal services in Australia may be beneficial. People not eligible for free or low-cost public services may benefit from accurate information on the cost of accessing legal services from a spectrum of providers.

More integrated services

The LAW Survey highlights the potential benefits of a more integrated approach to service delivery and suggests some strategies that may be useful in achieving such an approach. First, the many different types of non-legal advisers that the community commonly consults in relation to legal problems could be more systematically used as gateways to legal services. Second, increased coordination among legal services to provide a more client-focused approach for people who experience multiple legal problems, most notably disadvantaged people, is likely to be of value. Third, more client-focused services for disadvantaged people may also require better coordination between legal services and other human services, given that such people tend to have non-legal needs in addition to their legal problems.

Non-legal advisers as gateways to legal services

The LAW Survey across jurisdictions corroborates past findings that a wide variety of non-legal workers are routinely the only points of contact with professionals for many people with legal problems. Thus, non-legal professionals are ideally placed to notice or signpost legal problems and to act as gateways to legal services (Pleasence et al. 2004c). Non-legal professionals should not be expected to take on the roles of lawyers but could identify people with legal problems and encourage them to take initial steps towards legal resolution. For example, non-legal professionals could make referrals to legal services or could provide basic legal information packages.

Timely legal referral by non-legal professionals has the potential to substantially enhance early legal intervention and resolution. Early intervention can be critical in maximising outcomes and avoiding more complex problems (e.g. Coumarelos et al. 2006; Forell et al. 2005; MacKenzie & Chamberlain

2003; Pleasence et al. 2004c). However, non-legal professionals are not necessarily well equipped at present to act as legal gateways. Qualitative research in Australia has suggested that they often have limited knowledge of the law, have insufficient knowledge to make appropriate legal referrals, do not have up-to-date legal information, do not have the capacity to provide legal help in addition to their core functions, and do not have well-established links with legal professionals and services (Clarke & Forell 2007; Forell et al. 2005; Karras et al. 2006; Scott & Sage 2001).

Single point of referral

Gateways to quality legal advice need to be clear and simple if they are to be effective (Clarke & Forell 2007; Coumarelos et al. 2006; Pleasence 2006). Perhaps the simplest strategy for non-legal workers to act as effective gateways to legal services would be for them to provide people with a single, well-resourced contact point for legal referral, such as a generalist legal service or legal triage service (Coumarelos et al. 2006; Pleasence 2006). A single point of legal referral promotes simplicity for clients, given that numerous referral options may be something of a chimera when people lack the knowledge for gauging their relative benefits (Clarke & Forell 2007; Pleasence 2006). Furthermore, a single point of legal referral promotes simplicity for non-legal professionals adopting the gateway role. The gateway role needs to be effective without being too onerous for non-legal professionals to take on in addition to their core duties and without requiring extensive legal knowledge. Providing a single point of referral requires non-legal professionals to have sufficient knowledge to identify potential legal problems, but not the sophisticated level of legal expertise that would be required to provide referral to the most suitable specialist legal service in each case. This strategy also has the advantage that more comprehensive legal diagnosis and referral would be conducted by the generalist or triage legal service — that is, by appropriately trained legal services personnel. Quick and effective referrals among legal and non-legal services are critical in avoiding referral fatigue. When people have experienced inappropriate referrals, they are less likely to act on new referrals and tend to give up on legal resolution (Pleasence 2006).

Dissemination of legal information

In addition to identifying legal problems for referral, non-legal professionals and services could be effective points for disseminating up-to-date legal information (Clarke & Forell 2007; Coumarelos et al. 2006; Pleasence 2006). For example, they could be suitable points for advertising useful first ports of call for legal advice, and for disseminating legal information packages on the types of legal problems that are relevant to their field.

Enhancing non-legal advisers' capacity for the gateway role

Non-legal professionals may require appropriate legal training to maximise their ability to identify problems that may benefit from legal referral (Clarke & Forell 2007; Coumarelos et al. 2006; Pleasence 2006). There may be particular value in non-legal professionals being trained to identify the types of legal problems that most commonly relate to their field (Pleasence 2006). For example, doctors and health professionals in Australia already undertake training regarding the mandatory reporting of child abuse. In addition, they are well placed to identify legal issues such as work-related injury, negligent injury and domestic violence. While the LAW Survey showed that they are often consulted for such issues, they could be more formally trained to systematically identify such legal issues and provide timely, appropriate referral to legal information or advice services.

Non-legal professionals may also require additional resources, support and cooperative links with legal services if they are to add the legal gateway role to their duties more formally (see Clarke & Forell 2007).

Need for integrated legal services

The present findings in all jurisdictions stress the importance of well-coordinated or joined-up legal services in order to deal with co-occurring legal problems. Legal problems often clustered together. Disadvantaged people were especially vulnerable to a wide range of legal problems. Thus, legal services must be sophisticated and responsive enough to handle the multitude of complex situations that people face. They must have the capacity to resolve complicated, concurrent and interrelated legal problems that cut across many aspects of people's well-being, including their family circumstances, finances, employment, health, housing and welfare. Legal service delivery needs to be sufficiently coordinated to deal with connected but disparate legal issues. It may often be inadequate to deal with each legal problem in isolation. In particular, a holistic, client-focused approach to legal service provision may be necessary to resolve the multiple legal problems that disadvantaged people tend to face (e.g. Buck et al. 2005; Coumarelos et al. 2006; Currie 2007b; Forell et al. 2005; Maxwell et al. 1999; Pleasence 2006; Sandefur 2007, 2008).

This suggestion is at odds with much of the existing legal service practice across Australia. The diverse areas covered by the law and the complexity of the justice system have inevitably resulted in a degree of specialisation among lawyers.[13] Like medical specialisation, legal specialisation is conducive to the provision of expert assistance with regard to specific individual problems (Coumarelos et al. 2006). However, legal specialisation has, to some degree, resulted in legal service delivery in Australia being siloed by the type of legal matter, legal jurisdiction and eligibility criteria for public legal assistance. Thus, there is considerable fragmentation in legal service delivery, with different types of legal issues tending to be dealt with separately by different legal service providers who function fairly autonomously (Coumarelos et al. 2006; Forell et al. 2005; Scott & Sage 2001). In each Australian jurisdiction, a diverse range of private and public agencies provide a variety of legal services. Private lawyers often specialise in specific areas of law, and some, but not others, provide pro bono services. Public legal service agencies provide a variety of services and include Legal Aid, CLCs, ALSs, LawAccess NSW and local court registrars and staff. Some of these public agencies provide specialist services. That is, they are bound by funding requirements to provide only specific types of services (e.g. telephone information hotlines, advice, referral or representation) for certain demographic groups (e.g. young people, women or people with a disability) and specific types of legal issues. However, other public legal service agencies, including certain CLCs and legal hotlines (e.g. LawAccess NSW and some hotlines operated by Legal Aid and CLCs), provide more generalist services. That is, they provide services for a broader range of legal issues and demographic groups, often including triage services that provide initial legal diagnosis and referral to specialist legal services.[14] A range of government and non-government bodies (e.g. government departments, ombudsmen, commissions, tribunals and industry bodies) also provide various dispute resolution and complaint-handling services, again often for specific areas of the law.[15]

The fragmented nature of legal services in Australia means that legal service provision is problem-focused rather than client-focused. This fragmentation can be a challenge for people with multiple legal problems, who often need to identify a separate legal service provider for different types of legal problems and to navigate the disparate eligibility criteria attached to each service provider. A problem-focused rather than client-focused approach can also mean that only some of the legal problems faced by an individual are detected and addressed. Thus, a person's legal problems may

[13] For example, 'micro-niche' legal practices specialising in extremely narrow areas of the law have emerged in the US (see ABA SCDLS 2002).

[14] See Appendix Table A6.2 for a description of the types of services provided by ALSs, CLCs, court services, LawAccess NSW and Legal Aid, and see Appendix Table A2.2 for examples of public legal services in NSW.

[15] See Appendix Table A2.3 for examples of dispute resolution and complaint-handling agencies in NSW.

not be dealt with in their entirety, resulting in the need for extra contacts with legal services or, worse, in people giving up on obtaining advice (Buck et al. 2010b). Although rigorous research is sparse, some reports have noted poor coordination and unsuitable referral among legal services in Australia, suggesting a lack of clear pathways for clients (ALRC 2000; Coumarelos et al. 2006; Ellison, Schetzer, Mullins, Perry & Wong 2004; Family Law Pathways Advisory Group 2001; Forell et al. 2005; LJF 2003; Scott & Sage 2001). A more integrated approach to legal services in Australia is therefore indicated to handle the multiple, interrelated legal problems faced by some people — most usually, disadvantaged people.

Need for integrated legal and non-legal response

In addition to more integrated legal services, the present findings indicate the potential benefits of a more integrated response across legal and non-legal services. As already discussed, using non-legal professionals as more direct gateways to legal referral is one method for coordinating legal and non-legal services. In many cases, simple, effective referral between otherwise autonomous legal and non-legal services may be a sufficient level of service coordination to achieve complete legal resolution. However, a greater level of integration between legal and non-legal services is likely to be useful for people who face interrelated or complex legal and non-legal needs. A number of the present findings across jurisdictions indicate that people with legal problems often also have related non-legal problems.

First, it is well established that disadvantaged groups within society, by virtue of their socioeconomic status, are often grappling with a variety of non-legal needs, such as health, financial, employment, housing and educational needs (ABS 2004c, 2008b; Gray, Edwards, Hayes & Baxter 2009; Harding et al. 2001; Headey 2006; Vinson 2007). The present results confirm past findings that, in addition to having non-legal problems, disadvantaged groups are typically the demographic groups that are most vulnerable to legal problems. Disadvantaged respondents were not only more likely to experience legal problems, but were also more vulnerable to severe and multiple legal problems. Furthermore, in some cases, they had difficulty resolving these legal problems. The intertwined legal and non-legal needs of many disadvantaged groups indicate that addressing their legal problems in isolation may provide inadequate legal resolution. In order to achieve a comprehensive solution to their concurrent legal and non-legal problems, disadvantaged people may require a coordinated response involving a combination of legal and non-legal services working together (Clarke & Forell 2007; Coumarelos et al. 2006; Forell et al. 2005; Pleasence 2006). The present findings confirm that holistic access to justice should be an important goal within the broader framework of social inclusion (Buck et al. 2010b; Coumarelos et al. 2006; Curran 2007; Forell et al. 2005; Forell & Gray 2009; Moorhead, Robinson & Matrix Research and Consultancy 2006; Noone 2007, 2009; Pleasence 2006).

Second, across jurisdictions, legal problems led to a wide range of adverse and severe consequences in a number of life areas, such as stress-related illness, physical illness, income loss or financial strain, relationship breakdown and the need to move home. The adverse impacts of legal problems on a broad range of outcomes indicate that the link between disadvantage and legal problems is dynamic and bidirectional. That is, not only does socioeconomic disadvantage or social exclusion increase the likelihood of experiencing legal problems, but the experience of legal problems can create, perpetuate or further entrench social exclusion (Buck et al. 2005; Currie 2007b). Resolving legal problems will sometimes require resolution of the non-legal problems that ensue from these legal problems. The broad adverse impacts of legal problems add further weight to the proposal that a coordinated response to legal and non-legal needs, through joined-up legal and non-legal human services, is likely to be beneficial (Kemp et al. 2007; Moorhead et al. 2006; Pleasence 2006; Pleasence et al. 2007a, 2007b, 2007c). Researchers have advocated the coordination of legal services with a

wide variety of other human services, including health, housing, financial, social, welfare, family and crime victim services (Kemp et al. 2007; Moorhead et al. 2006; Pleasence 2006; Pleasence et al. 2007a, 2007b, 2007c).

In the UK, it has been argued that the considerable negative impacts that legal problems can have on people's personal circumstances translate to an enormous impact on society at large across many health, social and economic services. Using CSJS data, the economic impact was estimated to be at least €13 billion over a period of three and a half years and prompted the Lord Chancellor to state that solving legal problems must remain a priority across government (Balmer et al. 2010; Pleasence 2006). The LAW Survey findings suggest that the negative impacts of legal problems in Australia are also likely to translate to substantial economic impacts throughout Australian society. The findings indicate that an earlier, more integrated response from legal and non-legal services may prevent the escalation of legal and non-legal problems and result in long-term cost savings across government sectors.

Models of service integration

Integration among legal services or across both legal and non-legal services can be achieved via a variety of models. Service integration is typically conceptualised as a continuum (Cortis, Chan & Hilferty 2009; Fine, Pancharatnam & Thomson 2005; Horwath & Morrison 2007; Lappin 2010; Lennie 2010; Leutz 1999). At one extreme, slight integration involves agencies remaining completely autonomous but developing some cooperative links. At the other extreme, full integration involves agencies combining to form new units with pooled resources. Moderate integration models involve a series of increasingly more intensive linkages between separate agencies (Fine et al. 2005). For example, moderate integration models involve harmonising various activities to minimise duplication between agencies and may also involve more integrated client-focused or case management approaches (Fine et al. 2005).

Thus, slight integration of legal services in Australia could simply involve better cooperative links, via promotion of improved networking and referral, between various public and private legal service providers without the need for them to surrender their independence. One example of slight integration of legal services is the use of quality legal triage services to provide an initial diagnosis of legal needs and referral to specialist legal services as appropriate. Similarly, slight integration of legal and non-legal services may, as discussed earlier, involve more systematic referrals to legal services from non-legal professionals or could further involve bidirectional referrals and cooperative links. More intensive integration models may, for example, involve 'service hubs' or 'one-stop shops' that co-locate different legal services or both legal and non-legal services. Service hubs aim to improve the accessibility of services by providing a convenient entry point, such as a location frequented by the client group. In addition to facilitating referrals between agencies, service hubs can also involve more intensively integrated services by adopting a more client-focused or case management approach across services (Coumarelos et al. 2006; Fine et al. 2005; Forell et al. 2005). For example, they could involve more systematic diagnosis of a client's full range of legal and non-legal needs at entry, followed by a case plan for addressing all of those needs through coordinated response across services.

Increased integration among a variety of human services has become the focus of recent whole-of-government social inclusion policies in several countries, including Australia (Australian Government 2009a; Vinson 2009). Such policies target demographic groups that experience multiple disadvantage and aim to address the multiple causes and impacts of disadvantage by a joined-up approach to service provision across numerous government and non-government human services.

Some of these policies explicitly nominate access to justice as a priority area and aim to include legal services within the network of joined-up human services.

As noted earlier, the UK has been a world leader in establishing integrated legal and non-legal services. For example, UK initiatives have included co-locating citizens advice bureaus within health settings (Balmer et al. 2006; Kemp et al. 2007; Pleasence 2006). More recently, a major large-scale initiative in the UK introduced CLACs and CLANs to provide integrated social welfare law services by coordinating various legal and non-legal services (Buck et al. 2010b). CLACs involve co-locating services within single centres, whereas CLANs involve enhancing coordination between a network of local services in areas where population densities do not facilitate single centres. CLACs and CLANs are service hubs that aim to provide 'accessible' services through the provision of convenient entry points to service delivery. Furthermore, they involve client-focused or case management approaches via 'seamless', 'integrated' and 'tailored' service delivery. That is, they aim to provide service delivery that is 'seamless' from entry through to aftercare via good coordination and referral, 'integrated' in that it detects and addresses all the problems experienced by the client, and 'tailored' to allow for intensive support for the most vulnerable clients (Buck et al. 2010b). A process evaluation of CLACs found two key benefits: the convenience of a range of advice expertise 'under one roof' and knowledge transfer among service providers (Buck et al. 2010b). CLANs were not included in this evaluation, because they were not operational at the time of fieldwork.

Similarly, the US has seen a proliferation of community law services involving collaboration between different professionals. In some of these collaborations, lawyers are the predominant service providers. In others, lawyers provide a secondary or supportive role to non-legal professionals. Other collaborations involve lawyers working with non-legal professionals in an integrated fashion to meet multiple client needs (Castles 2008).

Service integration in Australia

In Australia, large-scale service integration initiatives have not been undertaken at the national or state/territory level, and there has been only limited discussion about what joined-up or integrated services would entail (Noone 2007, 2009). Service integration has only just been placed on the national agenda, with COAG's (2010) National Partnership Agreement on Legal Assistance Services, which covers the period July 2010 to June 2014. It aims to increase collaboration among legal services by increasing preventative, early intervention and dispute resolution services, comprehensive legal information services, seamless referral for preventative and early intervention, and efficient and cost-effective Legal Aid services. It also aims to increase collaboration between legal services and other human services.

Although not on a particularly large scale, initiatives that provide communication among various legal services and associations have begun to take shape in some Australian jurisdictions (cf. Noone 2007, 2009). For example, Legal Assistance Forums (LAFs) have been established in NSW (NLAF), Victoria (VLAF) and Queensland (QLAF), and at the national level (ALAF). The LAFs typically include representatives from Legal Aid, ALSs, CLCs, legal professional associations, public interest law clearing houses (PILCHs) and law foundations. They are a primary mechanism through which agencies collaborate in the planning, design and delivery of public legal assistance.[16] In some cases, LAF-based working groups have been established to cooperate on addressing specific legal

[16] See <www.nlaf.org.au/groups>, <www.vlaf.org.au>, <www.qlaf.org.au> and <www.nla.aust.net.au/category.php?id=4>.

issues or meeting the needs of certain demographic groups.[17] In addition, various one-off initiatives have sought to provide coordinated legal services — for example, initiatives in response to crises such as the 2009 Victorian bushfires,[18] and pro bono partnerships between private and public legal services.[19]

Coordination between legal and non-legal services in Australia is also generally less well advanced than in countries such as the UK and the US. Nonetheless, a number of initiatives within states/territories with the aim of improving legal outcomes have involved partnerships between legal and non-legal agencies. Typically, these initiatives have been relatively small-scale projects that have been undertaken on a disjointed or ad hoc basis, often under the auspices or funding of Legal Aid, law foundations, PILCHs, CLCs, universities or pro bono partnerships. These projects have included place-based initiatives, co-located services, issue-based initiatives, client-based initiatives, such as initiatives for homeless or Indigenous people, legal information and education initiatives, 'hosted' and outreach legal services, and multidisciplinary services. Perhaps the largest scale initiative in Australia that involves partnerships between various legal and non-legal agencies is the Cooperative Legal Service Delivery (CLSD) program, which spans much of regional NSW. The CLSD program involves government, public legal service providers, private lawyers, non-legal service providers and community groups working together to deliver services more effectively to disadvantaged people in particular regional areas.[20] Other examples of initiatives involving coordination between legal and non-legal organisations in each state/territory are as follows:

- NSW: homeless persons' legal services[21] and the Regional Outreach Clinic Program, which hosts Legal Aid outreach services[22]
- Victoria: homeless persons' legal services,[23] the co-location of the West Heidelberg CLC and Banyule Community Health (see Noone 2007, 2009), and Seniors Rights Victoria[24]
- Queensland: homeless persons' legal services,[25] the Regional Legal Assistance Forums (RLAFs), which are place-based initiatives,[26] the co-location of the Logan Youth Legal Service and Youth and Family Service (Logan City),[27] relationships between Legal Aid and community organisations to facilitate legal information and referral, such as Community Access Points,[28] and multidisciplinary community-based organisations, such as the legal, advocacy and community development services of the Advocacy and Support Centre[29]

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17 The NLAF working group on employment law services was established to examine ways of increasing employment law services for socially excluded people. See <www.nlaf.org.au/groups>. The QLAF specialist forum on Disability Legal Assistance was established to promote cooperation between legal service providers and to help to ensure that the legal needs of people with impaired decision-making capacity are met with the best and most effective service available. See <www.qlaf.org.au/specialist-forums.php>.

18 Victorian Bushfire Legal Help was established to provide free legal information and support for people affected by the 2009 Victorian bushfires and involved the CLCs in the affected areas, the Victorian Federation of Community Legal Centres, PILCH (Vic), Victoria Legal Aid, the Law Institute of Victoria, the Victorian Bar, and federal government emergency funding. See <www.bushfirelegalhelp.org.au>.

19 Notable examples of pro bono partnerships between private and public legal services include partnerships involving homeless persons' legal services in NSW, Queensland and Victoria. See <www.piac.asn.au/campaigns/homeless-persons-legal-service>, <www.qpilch.org.au/01_cms/details.asp?ID=7> and <www.pilch.org.au/hplc>.

20 See <www.legalaid.nsw.gov.au/asp/index.asp?pgid=712>.

21 See <www.piac.asn.au/campaigns/homeless-persons-legal-service>.

22 See <www.legalaid.nsw.gov.au/asp/index.asp?pgid=590>.

23 See <www.pilch.org.au/hplc>.

24 See <www.seniorsrights.org.au>.

25 See <www.qpilch.org.au/01_cms/details.asp?ID=7>.

26 See <www.qlaf.org.au/regional-forums.php>.

27 See <www.yfs.org.au>.

28 See <www.legalaid.qld.gov.au/about/partners/Pages/Community-access-points.aspx>.

29 See <www.tascinc.org.au>.

- South Australia: homeless persons' legal services[30] and ongoing relationships between Legal Aid and community organisations to facilitate legal information and referral, such as Murray Bridge Outreach[31]
- Western Australia: multidisciplinary community-based organisations, such as citizens advice bureaus, which provide information, referrals and mediation services,[32] and the Geraldton Resource Centre, which co-locates the Geraldton CLC with financial, tenancy and other community services[33]
- Tasmania: the Tasmanian Government's multi-agency Safe at Home family violence initiative[34] and the Migrant Resource Centre of Southern Tasmania, which provides information about legal and other services[35]
- the Northern Territory: co-location of the Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council domestic violence service with other health, cultural and social services at Pitjantjatjara Council Resource Centre,[36] coordination of legal, counselling and referral services for Indigenous victims of family violence at the North Australian Aboriginal Family Violence Legal Service[37] and the Central Australian Aboriginal Family Legal Unit Aboriginal Corporation[38]
- the ACT: Street Law, which is an ongoing relationship between community legal services and community organisations to provide crisis, child, family, women's, migrant and settlement services.[39]

The best method for providing integrated service delivery throughout Australia requires considerable thought and careful planning, and there are lessons to be learnt from the experience overseas. The implementation of CLACs and CLANs in the UK confirmed that joining up legal and non-legal services is a complex, challenging process. It requires considerable planning, investment, resources and cooperation if it is to be effective (Buck et al. 2010a, 2010b; Fox et al. 2010; Smith & Patel 2010). Integrating services can pose considerable challenges across sectors, across government and within organisations. Although considerable funding and resources are required, funding for coordinated activities between agencies often falls outside the individual funding guidelines of each agency (Noone 2009). In addition, competing priorities, different reporting requirements, ethical obligations and professional duties can also provide substantial impediments to successful multidisciplinary integration (Castles 2008; Noone 2009). For example, multidisciplinary integration requires shared understanding of the complementary roles of different agencies; identification of mutually beneficial aspects of service delivery; reconciliation of competing policies, objectives and reporting requirements; considerable funding, resourcing and time commitment to embed effective relationships and referral; and mechanisms of evaluation, accountability and quality assurance (Pleasence 2006; Pleasence et al. 2004c; Scott & Sage 2001).

Thought also needs to be given to the integrated service models that are most suited to local conditions in Australia. For example, the tyranny of distance is a much greater issue in Australia

30 See <www.law.adelaide.edu.au/alos>.

31 See <www.lsc.sa.gov.au/cb_pages/legal_advice_outreach.php>.

32 See <www.cabwa.com.au>.

33 See <www.grc.asn.au>.

34 See <www.safeathome.tas.gov.au>.

35 See <www.mrchobart.org.au>.

36 See <www.waru.org/organisations/npywc>.

37 See <www.naafvls.com.au>.

38 See <www.caaflu.com.au>.

39 See <www.streetlaw.org.au>.

than in the UK, given Australia's vast rural and remote areas. The population may be too sparse and the existing services too few in such areas to support certain types of integrated service delivery (see Wakerman, Humphreys, Wells, Kuipers, Entwistle & Jones 2006). Co-located or closely located services may be more feasible in major city areas, regional centres or a largely urban jurisdiction such as the ACT. In more remote areas, however, it is likely that integrated services will have to rely more heavily on outreach services. Although the evaluation by Buck et al. (2010b) did not include CLANs, they noted that, compared to CLACs, where services are under the one roof, CLANs could face distinct delivery challenges, given their multiple access points and dependence on outreach services. Such challenges loom even larger in Australia. Furthermore, the best way to build on the existing infrastructure of legal and human services in Australia needs to be considered. This infrastructure is not identical across states/territories or across city, regional, rural and remote areas. For example, a more comprehensive system of citizens advice bureaus exists in Western Australia than in the rest of the country. In addition, in areas where initiatives providing some coordination between legal and non-legal agencies already exist (e.g. the CLSD program in regional NSW and RLAFs in regional Queensland), it may well be sensible to build on these initiatives rather than to start afresh. At the very least, such initiatives are likely to provide valuable insights on the advantages and disadvantages of certain aspects of service integration. Consequently, service integration should be suitably tailored to local conditions and infrastructure.

In addition, the best entry points to more coordinated services need to be determined, and, again, there may be benefit in tailoring entry points to the existing local infrastructure. Entry points must have a number of features to be viable. First, they must have high visibility and accessibility. That is, they must be well known to the public and convenient to use. Marketing may be required to ensure high awareness of the services offered via particular entry points (Scott & Sage 2001). Second, entry points must be able to provide the first step towards a comprehensive diagnosis of the client's full range of legal and non-legal needs. They must be able to provide at least a preliminary diagnosis with suitable referral for a more complete diagnosis. Third, entry points must be well connected to a wide range of legal and other human services, so that they can provide relevant referrals to specialised services for holistic resolution of all of a client's legal and non-legal problems, including, where appropriate, referrals for more tailored, client-centred or case management services.

The types of services that could viably act as entry points to integrated legal and non-legal services in Australia also need to be considered. First, generalist CLC offices may be feasible entry points, in areas where they are available. Generalist CLCs already often have established relationships with other legal and non-legal services in their area. They usually offer general legal advice and referral to specialist legal services, foster relationships with non-legal services and cater for the particular needs of their client group. Although these CLC activities bear some similarity to those of the UK's CLACs, they fall fundamentally short of the CLACs' integrated service model in a number of critical respects. Unlike CLACs, generalist CLCs are not funded to provide integrated legal and non-legal services. As a result, generalist CLCs tend to have less streamlined processes for the diagnosis and treatment of multiple legal and non-legal problems, and less formalised cooperative links with broader human services. Adapting the CLC infrastructure to more systematically focus on the holistic assessment and treatment of each client's full range of legal and non-legal problems is likely to require not only further resourcing, but also changes to operations and more formalised cooperative links with broader human services.

Second, the possibility of using legal triage hotlines, such as LawAccess NSW and the various Legal Aid and CLC hotlines, as entry points to integrated legal services has already been raised. In addition, legal triage hotlines may be suitable entry points to more integrated service provision

across legal and human services. Although legal hotlines operate throughout Australia, they may require some adaptation in order to act as effective entry points to integrated legal and non-legal services. For example, the public profile of these legal hotlines is not necessarily high, as indicated by the LAW Survey findings for LawAccess NSW. In addition, although the existing legal hotlines sometimes provide non-legal referral (see Cain 2007; Scott et al. 2004), they tend to focus on legal diagnosis and legal resolution, and are not specifically funded to provide comprehensive assessment and resolution of all of a client's intertwined legal and non-legal problems. Legal triage hotlines may be more feasible entry points than generalist CLCs in remote geographical locations where the population may be too sparse to support local services.

Third, in some locations, local community organisations may also be feasible entry points to integrated services, particularly organisations that people routinely turn to for information, advice or assistance with problems. For example, such organisations may include neighbourhood or community centres, citizens advice bureaus, community access points, local council offices, members of parliament, libraries, and family or migrant resource centres. Given that LAW Survey respondents used a diverse range of non-legal community organisations as advisers for their legal problems, there may be benefit in more systematically supporting appropriate community organisations to act as gateways to integrated legal and non-legal services, particularly in remote areas. Again, considerable adaptations would be required to use local community organisations as effective entry points to integrated legal and non-legal services.

Tailoring services for specific legal problems

In setting priorities for the provision of legal services, the LAW Survey findings[40] indicate that some consideration needs to be given to the types of legal problems that require greater resources, time or expertise to resolve (Coumarelos et al. 2006; Genn 1999; Genn & Paterson 2001). Some types of legal problems were common, while others were rare. Furthermore, legal problems varied in their severity and their adverse impacts on a variety of life circumstances. Some legal problems were relatively intractable, requiring external advice or assistance, being less likely to be finalised and resulting in poorer outcomes. In fact, the type of legal problem was often the strongest determinant of the strategies adopted, the finalisation of legal problems and the types of outcomes achieved. The methods used to resolve legal problems also varied according to the type of problem. Thus, the findings suggest the potential benefits of tailoring legal services to meet different types of legal needs.

Legal services should be able to deal effectively with severe, more intractable legal problems. The present findings suggest that family problems are of particular note in this regard. Family problems were less likely to be finalised.[41] In addition, family problems typically stood out as being very likely to comprise substantial legal problems with a broad range of negative consequences on health, economic and social circumstances.[42] In several jurisdictions, family problems clustered with credit/debt problems.[43] In most jurisdictions, respondents were more likely to seek advice for family problems than for other legal problems when they took action to try to resolve them.[44] It is not

[40] The present section on 'Tailoring services for specific legal problems' draws on both descriptive statistical analyses (e.g. percentages and means) and inferential statistical analyses involving significance testing (e.g. chi-square and regression analyses). See Chapter 9 for a summary of the major findings across jurisdictions. For full details of the results from all the statistical analyses conducted in each jurisdiction, see Chapters 3–8 in each LAW Survey report.

[41] This result was significant in all jurisdictions.

[42] In NSW, family problems comprised the highest proportion of substantial problems and had the highest mean number of adverse consequences.

[43] In NSW, family and credit/debt problems did not cluster.

[44] In NSW, this result was significant.

surprising that family problems such as separation and divorce may trigger further legal and non-legal problems, given that they often result in major changes to housing and finances (Pleasence 2006). Although family problems were less frequent than some types of problems, they clearly require considerable investment of time, resources and expertise to achieve successful resolution.

Similarly, health and employment problems tended to be substantial, with relatively high numbers of adverse impacts, again suggesting the importance of ensuring that there is sufficient targeting of legal services to deal effectively with these problems.[45] These problems were perceived as having average or less favourable outcomes across jurisdictions.[46] Thus, people may need to be encouraged to seek expert advice for health and employment problems more often than they currently do in order to improve outcomes. In most jurisdictions, when respondents took action, they were no more likely to seek advice for these problems than for other problems.[47] The severity and adverse impacts of these problems are in keeping with past research and may reflect the financial hardship that can result from illness and unemployment (Genn 1999; Pleasence 2006). Furthermore, a link between employment problems and financial hardship was seen in two jurisdictions in the present study. Employment and credit/debt problems co-occurred or clustered together in Queensland and the Northern Territory.

While personal injury problems similarly tended to have a high number of adverse impacts, they were less often rated as substantial problems.[48] Personal injury problems were more likely than average to result in seeking advice when action was taken.[49] They were also more likely to result in favourable outcomes in most jurisdictions.[50] Thus, the current pathways used for resolving personal injury problems appear to work relatively effectively when compared to the pathways for other types of problems. Nonetheless, these findings do not rule out the possibility of further improvements to the pathways and outcomes for personal injury problems.

Legal services should also be able to deal effectively with common legal problems. Consumer and crime problems were the most common types of problems in all jurisdictions. Across jurisdictions, consumer problems were most frequently finalised via agreement with the other side. In addition, consumer problems were perceived as having average or favourable outcomes.[51] The Australian Consumer Survey similarly found that negotiating with the other side was a common means of resolving consumer problems that often led to satisfactory outcomes (Sweeney Research 2011). Although the present survey found that most consumer problems were relatively minor, the sheer volume of consumer problems means that the population will still face many substantial problems of this type. Thus, there is likely to be a considerable need for expert legal information and advice for more complex consumer problems that are not easily handled by direct negotiation with the other side.

Similarly, the survey demonstrated that, even though most of the crime problems experienced by respondents were minor, the high volume of crime problems means that many substantial crime problems will be experienced. Across jurisdictions, crime problems were commonly finalised via the respondent not pursuing the matter further or via agencies such as the police and insurance

[45] In NSW, these problem groups were ranked in the top four in terms of both proportion of substantial problems and mean number of adverse consequences.

[46] In NSW, both employment and health problems had significantly lower levels of favourable outcomes.

[47] In NSW, both of these problem groups resulted in average levels of seeking advice when action was taken.

[48] In all jurisdictions, personal injury problems were ranked in the top four in terms of mean number of adverse impacts but were below the top four in terms of proportion of substantial problems.

[49] Personal injury problems resulted in significantly higher levels of seeking advice when action was taken in all jurisdictions.

[50] Personal injury problems had significantly higher levels of favourable outcomes in NSW.

[51] In NSW, consumer problems had significantly higher levels of favourable outcomes.

companies. In addition, crime problems were perceived to result in less favourable outcomes.[52] These findings may in part reflect the nature of crime victimisation. In addition to the personal violation experienced, common crimes such as theft, burglary and vandalism often remain unsolved, due to the difficulty in identifying the perpetrator (NSW BOCSAR 2011b). Thus, in many instances, abandonment may be an appropriate means of finalising crime problems. However, it is important that decisions to abandon rather than take further action to resolve crime problems are properly informed. Hence, legal information and advice services could play a useful role in facilitating such informed decisions.

Housing and government problems also tended to be relatively frequent across jurisdictions. Government problems are worth noting, because they were less likely to be finalised and resulted in average or poorer outcomes in most jurisdictions.[53] Given that government problems tended to be handled without advice when action was taken,[54] there may be some benefit in encouraging people with these problems to seek expert advice more often than they do currently. Government problems included a considerable number of problems related to fines, government payments and local government issues, as well as some state and federal government issues.

Legal service provision could also focus on the types of legal problems that tend to have poorer outcomes. As noted above, respondents perceived that crime, employment, government and health problems had average or poorer outcomes in all jurisdictions. In addition, credit/debt and rights problems had average or poorer outcomes across jurisdictions.[55] Credit/debt problems were more likely than other problems to be handled without advice when action was taken,[56] suggesting that empowering people to seek advice more often for these problems may be useful. Rights problems resulted in average or lower than average levels of taking action across jurisdictions,[57] suggesting that mobilising people to act may improve outcomes. Thus, the present results support the contention that public legal education may be more necessary for some legal issues than for others (Balmer et al. 2010). Such initiatives could be targeted to enable people to take action and seek advice for the types of legal problems that currently tend to have poorer outcomes as a result of being ignored or being handled without advice.

Enhancing realistic expectations about outcomes

It has been argued that encouraging people to take action and seek advice for legal problems is likely to improve outcomes and increase people's satisfaction with the end results. It is worth noting that people's perceptions about outcomes being unsatisfactory may sometimes be founded on unrealistic expectations. The psychosocial literature indicates that satisfaction is a complex response that is shaped by both the fulfilment of needs and the fulfilment of expectations about quality and fairness (Oliver 1997). Thus, correcting any unrealistic expectations about the likely outcomes of legal problems may increase people's level of satisfaction with the results achieved. Legal information and advice services could work towards ensuring that people's expectations are realistic, by providing them with sound information on their rights, the available legal solutions and the probable outcomes of certain resolution strategies, given the specific circumstances of their legal problem.

52 Crime problems resulted in significantly lower levels of favourable outcomes in all jurisdictions.

53 In NSW, government problems had significantly lower levels of both finalisation and favourable outcomes.

54 Government problems resulted in significantly lower levels of seeking advice when action was taken in all jurisdictions.

55 In NSW, credit/debt problems had average levels of favourable outcomes, while rights problems had significantly lower levels.

56 Credit/debt problems resulted in significantly lower levels of seeking advice when action was taken in all jurisdictions.

57 Rights problems resulted in average levels of taking action in NSW.

Tailoring services for specific demographic groups

The LAW Survey findings across jurisdictions demonstrate considerable diversity in the experience, handling and resolution of legal problems according to demographic status.[58] This diversity suggests the value of tailoring legal services to meet the specific legal needs of different demographic groups. As noted earlier, strategies tailored to address the specific issues faced by particular groups at particular times are often more effective than one-size-fits-all education strategies (Balmer et al. 2010; Barendrecht 2011; Buck et al. 2008; Combined Community Legal Centres Group NSW 2004; Coumarelos et al. 2006; Currie 2000; Federation of Community Legal Centres Victoria 2010; Flowers et al. 2001; Giddings & Robertson 2003b; Goldie 1997; Hunter et al. 2009; Kirby 2011; Lawler et al. 2009; Macdonald 2005; PLEAS Task Force 2007; Plenet 2009, n.d.; Scott & Sage 2001). In addition, the present findings suggest that disadvantaged groups may often require more intensive, integrated assistance and support to achieve legal resolution.

Age

Age was usually and often strongly related to the prevalence of legal problems, the strategies used to resolve them and whether or not they had been finalised. In most jurisdictions, the prevalence of legal problems overall was at peak or near peak levels at 35–44 years of age.[59] According to the regression results in NSW, 35–44 year olds had the second highest levels of overall prevalence, and 18–24 year olds had the highest levels. Across jurisdictions, the oldest group had low prevalence of legal problems overall, substantial legal problems and multiple legal problems. In addition, in all jurisdictions, there was a 'stages of life' effect whereby different age groups experienced different types of legal problems.

Furthermore, age affected strategy. Across jurisdictions, age was related to the likelihood of taking action or the likelihood of seeking advice when action was taken or both. In a number of jurisdictions, the younger and oldest groups had low levels of taking action, while the middle age groups had higher levels.[60] In addition, younger people were less likely to seek advice when they took action in most jurisdictions.[61] In NSW, the effect for taking action was not significant. In addition, the effect for seeking advice was different to that in most jurisdictions. The younger and oldest groups had similar levels of seeking advice when they took action. However, some middle age groups were significantly more likely to seek advice when they took action compared to the oldest group.

Finally, in most jurisdictions, younger people had high levels of finalising their legal problems.[62] This effect was significant in NSW.

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[58] The present section on 'Tailoring services for specific demographic groups' draws on regression analyses conducted in all jurisdictions. These regression results are summarised in Tables 9.2–9.7 in Chapter 9. For full details of the regression analyses, see Chapters 3, 5, 7 and 8 in each LAW Survey report.

[59] Based on the percentages in all jurisdictions apart from the Northern Territory, there was a tendency for overall prevalence to peak at 35–44 years. According to significant regression results, 35–44 year olds had peak levels of overall prevalence in Victoria, Queensland, Western Australia, Tasmania and Australia as a whole.

[60] According to the percentages in most jurisdictions, there was a tendency for the younger groups (15–17 and 18–24 year olds) and the oldest group (people aged 65 years or over) to have lower levels of taking action than the middle age groups (25–34, 35–44, 45–54 and 55–64 year olds). The regressions on taking action compared the oldest group to each other age group and found that the oldest group was significantly less likely to take action than some of the middle age groups in four jurisdictions. Note that the regressions did not directly compare the younger groups to the middle age groups. However, the youngest group (15–17 year olds) had the lowest percentages of taking action in all jurisdictions except the ACT.

[61] According to the percentages in all jurisdictions, there was a tendency for the two youngest groups to have the lowest or near lowest percentages of seeking advice when they took action. The regressions on seeking advice compared the oldest group to each other age group and found that some of the younger groups were significantly less likely to seek advice when they took action compared to the oldest group in most jurisdictions. The regressions did not directly compare the younger groups to the middle age groups. However, in most jurisdictions, the middle age groups had levels of seeking advice when they took action that were not significantly different to those of the oldest group.

[62] The regressions on finalisation status compared the oldest group to each other age group. In most jurisdictions, compared to the oldest group, some of the younger groups had significantly higher levels of finalisation, while the middle age groups had similarly low levels.

The reason for the lower reporting levels by older people is unclear. Older people may actually have a lower prevalence of legal problems because their life circumstances are less likely to expose them to legal problems or because they are better able, through experience, to deal with issues before they escalate (Pleasence et al. 2004c). However, the lower reporting by older people may also partly reflect a failure to identify legal needs, for reasons such as a decrease in the importance placed on problems or an increased ignorance of personal circumstances (Pleasence et al. 2004c). Qualitative research identified older people as having particular types of legal needs, due to their unique life circumstances, such as their low income and increased health needs (Ellison et al. 2004). In addition, older people often ignored their legal problems and were reluctant to complain about them. Older people have also been found to have poor understanding of their legal rights and avenues for legal redress (Ellison et al. 2004; Tilse, Setterlund, Wilson & Herd 2002). Thus, specialised information and education strategies for older people may be useful in helping them to recognise and deal effectively with legal problems (e.g. Ellison et al. 2004).

The age-related experience of legal problems suggests that there may be benefits to tailoring legal information, education and advice strategies for different age groups, to address the types of legal problems typically faced at various life stages (Coumarelos et al. 2006; Dignan 2006; Macdonald 2005; Pleasence 2006). Age-tailored initiatives have been adopted in other areas, such as in the area of financial services, where banking, superannuation and insurance schemes are customised to the typical needs of different age groups (e.g. Brennan 2000; Datamonitor 2003; Department of Family and Community Services 2005). Legal information and education strategies could similarly be targeted according to the types of legal problems that tend to peak at different ages, communicated in an age-appropriate form and disseminated via age-accessible pathways. For example, high schools could be pathways for delivering legal information and education to young people on the types of legal problems their age groups typically face, such as problems related to criminal activity, accidents and personal injury, and rented housing (Coumarelos et al. 2006). Pre-natal classes may be useful avenues for disseminating information on the legal issues that predominate for parents of young families, such as family, credit/debt and housing issues (Coumarelos et al. 2006; Pleasence et al. 2004c). Older people have been found to have particular legal information-seeking behaviours and needs (Edwards & Fontana 2004). Legal advice and assistance services could also be tailored to the particular legal needs of different age groups. For example, specialist legal services for specific age groups, such as younger people or older people, may be of value in geographical regions that include large populations of those age groups (Coumarelos et al. 2006; Ellison et al. 2004). Again, such specialist services could use age-appropriate communication and could focus on overcoming the specific barriers to accessing justice faced by the client group (Ellison et al. 2004).

Given that, as noted above, younger and older people were less likely to take action to resolve their legal problems in some jurisdictions, information and education initiatives could target these age groups to help empower them to identify their legal needs and take steps towards resolution. The finding that younger people were more likely to handle problems without seeking advice when they took action in most jurisdictions[63] suggests that this age group may also benefit from information and education strategies that signpost them to advice services. Enhancing young people's awareness of advice services would help to ensure that they are able to seek expert advice whenever this would be useful and do not rely on less optimal strategies due to a lack of knowledge about avenues for assistance.

[63] As already noted, although age was significantly related to seeking advice in NSW, younger people did not have significantly lower levels of seeking advice when they took action.

Finally, the higher levels of finalisation for younger respondents in most jurisdictions[64] suggest that middle-aged and older respondents may benefit from greater levels of assistance or support in order to resolve their legal problems successfully.

Gender

Like past surveys, the present study did not reveal strong, consistent relationships between gender and the prevalence of legal problems. In most jurisdictions, gender was not significantly related to the prevalence of legal problems overall, substantial legal problems or multiple legal problems.[65] However, males had elevated levels of problems from a few of the 12 problem groups in most jurisdictions. Each of the following types of legal problems was elevated for males in at least three jurisdictions: consumer, credit/debt, crime, government, money and personal injury problems. In NSW, males had significantly higher prevalence of crime, employment, government, money and personal injury problems.

Gender was significantly related to finalisation status only in Western Australia and was not significantly related to favourability of outcome in any jurisdiction. However, gender was more reliably related to strategy across jurisdictions. Males were less likely to take action in most jurisdictions and less likely to seek advice when they took action in a few jurisdictions. In NSW, males were significantly less likely to take action, but there was no gender difference for seeking advice when action was taken. Thus, males may benefit from information and education campaigns that encourage them to take appropriate action for their legal problems, including appropriately seeking advice. They may also benefit from legal services targeted for men.

Disadvantaged groups

Disadvantaged groups[66] were typically vulnerable to a wide range of legal problems, sometimes ignored these problems and sometimes struggled to achieve resolution. They also often have a variety of non-legal needs. Thus, the present findings reinforce the argument that holistic access to justice for disadvantaged people must be a priority and is likely to be a critical pathway to tackling social exclusion (e.g. Buck et al. 2005; Coumarelos et al. 2006; Currie 2007b; Forell et al. 2005; Maxwell et al. 1999; Pleasence 2006; Sandefur 2007, 2008).

As already discussed, past research has suggested that disadvantaged people tend to have poor legal capability, including poor legal knowledge, literacy and communication skills, which can sometimes limit their ability to achieve legal resolution without expert assistance. For example, they may have difficulty identifying and using self-help strategies, and they may have difficulty accessing, comprehending and acting on legal information and legal advice, including hardcopy and online information, and telephone advice (Balmer et al. 2010; Buck et al. 2008; Giddings & Robertson 2001, 2003a; Hunter et al. 2007; Jones 2010; Lawler et al. 2009; Pearson & Davis 2002).

Given their multiple, often serious legal and non-legal needs, as well as their low levels of legal capability, it has been argued that disadvantaged people can require intensive assistance and support to achieve successful legal resolution. For example, they may sometimes benefit from high-quality face-to-face legal advice, and from a coordinated legal and non-legal response to their multiple problems (Buck et al. 2007, 2008, 2009; Coumarelos et al. 2006; Forell et al. 2005; Forell & Gray 2009; Genn & Paterson 2001; Giddings & Robertson 2001; Grunseit et al. 2008; Hunter et al.

64 As already noted, this finding was significant in NSW.

65 In NSW, however, males had significantly higher prevalence of legal problems overall.

66 The LAW Survey examined the following indicators of disadvantage: Indigenous background, disability, low levels of education, unemployment, single parenthood, disadvantaged housing, government payments, non-English main language and living in remote areas. See Appendix A2, 'Comparison of sample and population profile' section, and Appendix Table A2.8 for further details.

2007; Karras et al. 2006; Pleasence 2006; Pleasence et al. 2007a, 2007b, 2007c). In addition, the typically low economic status of disadvantaged groups dictates that appropriately intensive and integrated service delivery for these groups would ideally be free or low cost. It has been argued that effective public legal services are vital for disadvantaged groups to be able to access legal advice and assistance at the same frequency as other people (Currie 2007a; Genn 1999; Genn & Paterson 2001). Given that a large portion of the legal problems experienced by the community are concentrated within disadvantaged groups, quality public legal services constitute a critical component of a holistic justice system, providing the backbone infrastructure necessary to support integrated and multifaceted access to justice strategies.

In addition to the above generic strategies to facilitate access to justice for disadvantaged groups, the LAW Survey results suggest the additional benefit of tailoring legal services to the particular needs of different disadvantaged groups. As discussed below, there were some notable differences in the present results for different disadvantaged groups.

Disability

People with a disability stood out as the disadvantaged group that most reliably had high prevalence of legal problems according to a variety of measures. Typically, they had high prevalence of legal problems overall, substantial legal problems, multiple legal problems and problems from most problem groups. These relationships with prevalence were usually among the strongest.[67] Disability was also related to strategy. In most jurisdictions, people with a disability were the only disadvantaged group that had high levels of taking action, high levels of seeking advice when they took action, or both. They were also the only disadvantaged group that had low levels of finalisation in most jurisdictions. In NSW, all of these associations of disability status with prevalence and finalisation status were significant. In terms of strategy, people with a disability had significantly higher levels of seeking advice when they took action, but not significantly higher levels of taking action overall.

Past studies have also reliably linked disability to a wide range of legal problems (Coumarelos et al. 2006; Currie 2007b; Pleasence 2006). Like the present survey, Coumarelos et al. (2006) identified people with a disability as the most vulnerable of the demographic groups examined. Thus, meeting the legal needs of people with a disability must be an important policy objective (Coumarelos et al. 2006; Coumarelos & Wei 2009; Currie 2007a; O'Grady et al. 2004; Pleasence 2006; Pleasence et al. 2004a, 2004c). Well-coordinated legal services, including more holistic, client-focused or case management approaches, may be useful in addressing the wide variety of legal problems that these people tend to face.

People with a disability often have many non-legal needs in addition to their legal needs. They tend to suffer multiple types of disadvantage, such as poverty, poor housing, unemployment and crime victimisation, and, consequently, they have been described as the 'most socially excluded' of all disadvantaged groups (ABS 2004a, 2004c; Howard 1999; O'Grady et al. 2004; Pleasence 2006). It has been argued that the link between disability and legal problems is bidirectional. Not only are people with a disability more likely to experience legal problems by virtue of their disadvantaged status,

[67] Note that the greater number of significant and often strong relationships for disability than for some of the other indicators of disadvantage may partly reflect measurement issues. Disability was defined as a 'long-term' condition that had lasted or was likely to last at least six months. However, there were insufficient numbers in some jurisdictions to similarly isolate long-term disadvantage according to other indicators. For example, inclusion in the unemployed, disadvantaged housing and government payments groups did not require a minimum duration. In addition, in some jurisdictions, the smaller numbers of respondents in some disadvantaged groups (e.g. the smaller numbers of Indigenous people and people living in remote areas) may also have militated against achieving a greater number of significant findings for these disadvantaged groups. Nonetheless, it is possible that the present study may somewhat underestimate the vulnerability of people with a disability, given that people who are most severely restricted by their disabilities are likely to be underrepresented. See Appendix A2, 'Comparison of sample and population profile: Disability status' section.

but the impact of their legal problems may further entrench their social exclusion (Coumarelos et al. 2006; O'Grady et al. 2004; Pleasence 2006). The multiple legal and non-legal problems faced by people with a disability indicate that they may require both legal assistance and broader non-legal support in order to achieve complete resolution of their legal problems. Notably, the coordination of legal and health services has been advocated to address their combined legal and health needs (Balmer et al. 2006; Coumarelos & Wei 2009; Pleasence et al. 2004c). Given that their legal and other needs can span many life areas, people with a disability may also benefit from additional human services, such as financial, housing, welfare, social and family services.

The lower levels of finalisation for people with a disability in most jurisdictions[68] indicate that they may have a reduced capacity to achieve legal resolution. A number of factors could contribute to this reduced capacity. First, this reduced capacity may reflect lower legal capability due to poor knowledge about legal rights and remedies, as identified by other research (Balmer et al. 2010). Second, the reduced capacity for finalisation may also reflect lower legal capability due to poorer literacy levels and communication skills, which are often issues for disadvantaged groups (ABS 2008a). Third, this reduced capacity may partly reflect that people with a disability have high rates of a broad range of often substantial legal problems. Facing many legal problems, often of a severe nature, concurrently or proximately, may strain their personal resources for solving each problem (Coumarelos et al. 2006). Finally, the health and other non-legal needs of people with a disability may also complicate the legal resolution process (ABS 2004a, 2004b). Whatever the reason, the reduced finalisation rates of people with a disability reinforce the conclusion that they may require considerable legal and non-legal support in order to address their legal problems effectively (Coumarelos et al. 2006; Coumarelos & Wei 2009). In addition, the possibility that they have poor legal knowledge suggests that they may benefit from information and education initiatives that help them to identify legal problems and direct them to relevant legal services.

The present finding that people with a disability were more likely to seek advice when they took action in some jurisdictions[69] is in keeping with past surveys (Balmer et al. 2010; Currie 2007b). This finding may partly reflect that they have advisers whom they routinely consult about their health and other non-legal needs and, as a result, may turn to these established advisers when legal problems arise (Coumarelos & Wei 2009). However, it is also possible that they tend to seek advice for their legal problems precisely because they find it difficult to handle these problems alone, without assistance. For example, Balmer et al. (2010) showed that disadvantaged groups that had poor legal knowledge, including people with a disability, tended to achieve poor outcomes when they handled their legal problems alone. The tendency of people with a disability to seek advice further underscores the value of this group being signposted to appropriate, quality legal and non-legal assistance in order to achieve satisfactory legal resolution.

Single parenthood

Single parents reliably had increased prevalence of legal problems according to a number of measures. Typically, single parents were more vulnerable to legal problems overall, substantial legal problems and multiple legal problems. They also had increased vulnerability to problems from at least a few problem groups in most jurisdictions, and, unsurprisingly, had particularly high prevalence of family problems in all jurisdictions. They had high levels of seeking advice when they took action and low levels of finalisation in a few jurisdictions. In NSW, single parents had significantly

[68] As already noted, this finding was significant in NSW.

[69] As already noted, this finding was significant in NSW.

higher prevalence according to a number of measures. However, the effects for seeking advice and finalisation were not significant.

Past surveys have similarly found single parents to be among the demographic groups most vulnerable to legal problems, and meeting their legal needs has been identified as a priority (Buck et al. 2004; Currie 2007b; Dignan 2006; Moorhead et al. 2004; Pleasence 2006; Pleasence et al. 2010). Single parents, like people with a disability, have been identified as a group that often experiences multiple disadvantage, such as poverty, poor housing and disability (ABS 2004a, 2006a, 2010b; Australian Government 2009b; Buck et al. 2004; Hayes et al. 2008; Headey 2006; Vinson 2009). It has been argued that the changes in personal circumstances that result from family breakdown, such as changes in family, economic and housing circumstances, can leave lone parents particularly vulnerable to a range of further problems that constitute elements of social exclusion (Pleasence 2006). Given their multiple legal and non-legal problems, single parents are likely to benefit from a more holistic or client-focused approach, such as a coordinated response from both legal services and other human services.

The findings that single parents tended to have higher levels of seeking advice when they took action[70] and lower levels of finalisation[71] in a few jurisdictions suggest that they may sometimes have a reduced capacity for resolving their legal problems, particularly without recourse to external advice. This possibility further emphasises the benefit of good coordination between legal and non-legal services to ensure that this group can be provided with the broader support necessary to achieve complete solutions for their problems. This possibility also stresses the potential value of information and education initiatives that help to direct single parents to the most suitable services.

Unemployment

Unemployed people had high prevalence of legal problems overall, substantial legal problems and multiple legal problems in most jurisdictions. They also had high prevalence of problems from at least one problem group in each jurisdiction. In terms of the strategies used in response to legal problems, unemployed people had low levels of taking action only in Australia as a whole. However, when they took action, they had low levels of seeking advice and high levels of handling problems without advice in most jurisdictions. In NSW, unemployed people had significantly higher prevalence according to a number of measures and significantly lower levels of seeking advice when they took action. Employment status was generally unrelated to finalisation levels. The only significant relationship was in Western Australia, where unemployed people had significantly lower levels of finalisation.

Unemployment, and especially long-term unemployment, is another demographic characteristic that is linked to multiple disadvantage (ABS 2004a; Cobb-Clarke & Leigh 2009; Gray et al. 2009). Furthermore, past legal needs surveys, and the present findings in Queensland and the Northern Territory, suggest that legal problems with employment can trigger further legal problems, such as credit and debt problems (Currie 2007b; Genn 1999; Pleasence 2006). Thus, unemployed people can face multiple legal and non-legal needs and may benefit from well-coordinated legal and non-legal services. In addition, the low levels of taking action and seeking advice found for unemployed people in some jurisdictions suggest that information and education initiatives may be beneficial in mobilising them to take action and in directing them to relevant advice services.

[70] As already noted, this finding was not significant in NSW.

[71] As already noted, this finding was not significant in NSW.

Disadvantaged housing

People living in disadvantaged housing had increased prevalence of substantial legal problems and multiple legal problems in most jurisdictions. They also had increased prevalence of legal problems overall in some jurisdictions and increased prevalence of problems from a few problem groups in each jurisdiction. In addition, they had low levels of finalisation in a few jurisdictions. However, housing type was not significantly related to strategy in any jurisdiction. In NSW, people living in disadvantaged housing had significantly higher prevalence according to numerous measures. However, housing type was not significantly related to finalisation status.

Unemployed people and single parents are more likely than other people to live in disadvantaged housing (ABS 2004a), which suggests that people living in disadvantaged housing may sometimes have non-legal needs in addition to their legal needs. Again, coordinated legal and non-legal services may be beneficial for people living in disadvantaged housing. Their low levels of finalisation in a few jurisdictions suggest that they may require considerable support in order to achieve legal resolution and may benefit from initiatives that help to signpost them to the most relevant services. The findings also suggest that public housing authorities could be gateways to legal services for people living in disadvantaged housing. For example, public housing authorities could disseminate basic legal information, such as information on useful first ports of call for legal advice (cf. Clarke & Forell 2007).

Indigenous background

Although Indigenous status was generally unrelated to the prevalence of legal problems overall or substantial legal problems, Indigenous people had increased prevalence of multiple legal problems and problems from a few legal problem groups in most jurisdictions. The problem groups with elevated risk for Indigenous people in at least one jurisdiction were the crime, government, health and rights problem groups. Indigenous status was related to strategy only in the Northern Territory, where Indigenous people had lower levels of taking action. Furthermore, Indigenous people had lower levels of finalisation in Australia as a whole, but not in any state/territory. Thus, in most jurisdictions, there were usually no more than a few significant associations involving Indigenous status. In NSW, there was only one significant association involving Indigenous status. Indigenous people had high prevalence of health problems.

It is well established that Indigenous people are among the most disadvantaged Australians, tending to suffer multiple disadvantage (ABS 2004a, 2009e; Cunneen & Schwartz 2008; Hunter 2009; SCRGSP 2007). The present increased prevalence of multiple legal problems for Indigenous people and their reduced levels of taking action and achieving finalisation are consistent with their disadvantaged status. However, given their level of disadvantage, it is noteworthy that the present study did not find a greater number of significant associations involving Indigenous status. Various methodological issues may have reduced the ability to detect such associations. First, the small numbers of Indigenous respondents in most jurisdictions may have militated against obtaining significant results. However, this argument is less applicable to the Northern Territory, given the higher proportion of Indigenous respondents in the sample for this jurisdiction (12% versus 3% or less in other jurisdictions).[72] Second, the survey underestimated the level of Indigenous disadvantage, because it could not include the particularly disadvantaged Indigenous people who live without landline telephone access, such as many in remote communities (Hunter & Smith 2000; Papandrea

[72] These percentages are based on weighted numbers. The weighted sample proportion of Indigenous respondents in each jurisdiction was comparable to the Indigenous population proportion except in the Northern Territory, where it was comparable to the population proportion representing Indigenous people with a home landline telephone. For more details, see Appendix A2, 'Comparison of sample and population profile: Gender, age and Indigenous status' section in the LAW Survey report for each jurisdiction.

2010).[73] Underestimating Indigenous disadvantage is of heightened importance in the Northern Territory, given both the higher proportion of Indigenous people in the population (ABS 2007b) and the higher proportion of Indigenous people without landline telephone access in remote areas (Australian Communications and Media Authority 2008). Third, age may have masked relationships involving Indigenous status, given that Indigenous people have relatively shorter life spans than other Australians (ABS & AIHW 2010; SCRGSP 2007). Finally, culturally sensitive protocols for interviewing Indigenous people are sometimes used to enhance self-identification of Indigenous background, full disclosure and confidence in data quality (e.g. ABS 2011b; Hunter & Smith 2000). Unfortunately, it was beyond the scope of the LAW Survey to adopt such specialised interviewing protocols for Indigenous and other ethnic minorities, and, again, this may have affected the results.

Nonetheless, given their disadvantaged status and tendency to experience multiple legal problems in most jurisdictions,[74] Indigenous people are likely to benefit from a more holistic or client-focused approach to their problems, including a coordinated response across legal and other human services. Furthermore, the lower levels of finalisation for Indigenous people in Australia as a whole suggest that they may sometimes have a reduced capacity to achieve legal resolution and may require considerable legal and non-legal support to do so successfully. Given that methodological issues may be responsible for the failure to reach significance in some jurisdictions, the potential value of such initiatives in all jurisdictions is worth considering.

Finally, the high levels of inaction by Indigenous respondents in the Northern Territory suggest that they may benefit from initiatives that help to mobilise them to take action and encourage them to access appropriate legal and non-legal services. The high levels of inaction among Indigenous respondents in the Northern Territory were not due to low awareness of ALSs, suggesting that other constraints contributed to inaction. For example, the particular systemic, social, cultural and geographical disadvantages often experienced by Indigenous people make providing effective and culturally appropriate legal services a funding challenge (see Cunneen & Schwartz 2008; SLCRC 2004). Social pressure to handle legal problems within Indigenous communities has been argued to be one factor that contributes to the low use of Indigenous legal services across Australia (JCPAA 2005). Overcoming any social and cultural constraints to taking action within Indigenous communities may be assisted by information and education initiatives about the potential benefits of legal resolution, and also by initiatives that help to ensure Indigenous legal services are culturally appropriate. For example, the employment of Indigenous staff, cross-cultural education and wider availability of Indigenous interpreters may enhance the cultural sensitivity of Indigenous legal services (see Cunneen & Schwartz 2008; Schetzer & Henderson 2003). Again, the value of similar Indigenous initiatives in all jurisdictions should not be ruled out, given that methodological factors may explain why the Indigenous finding for taking action was significant only in the Northern Territory. However, another possible explanation is that there may be differences in the Indigenous populations across Australia in terms of the legal problems experienced, the level of disadvantage, or other demographic or cultural characteristics. For example, there is evidence that Indigenous people in the Northern Territory are more disadvantaged than other Indigenous Australians in terms of education, labour force participation, household income, home ownership, and suicide and homicide rates (SCRGSP 2007).

Reducing multiple disadvantage for Indigenous people is a whole-of-government goal in Australia. For example, the National Integrated Strategy for Closing the Gap in Indigenous Disadvantage

[73] Nationally, 34 per cent of all Indigenous households (including 29 per cent of those in non-remote areas and 61 per cent of those in remote areas) did not use a home landline telephone during a one-month period (ABS & AIHW 2010).

[74] As already noted, this finding was not significant in NSW.

outlines targets for reducing disadvantage in the areas of life expectancy, early childhood, health, education and employment. A multitude of small-scale initiatives have been introduced at the national and state/territory level to address these targets (Department of Families Housing Community Services and Indigenous Affairs (FaHCSIA) 2011).[75] Although such initiatives often extend to disadvantage in access to justice, they tend to focus on criminal rather than civil justice, given the overrepresentation of Indigenous people in the criminal justice system (ABS 2011d; SCRGSP 2007; Snowball & Weatherburn 2006).[76] In fact, it has been observed that ALSs across Australia tend to focus on criminal law matters, and there is a paucity of Indigenous legal services for family and civil law (Cunneen & Schwartz 2008; JCPAA 2005; SLCRC 2004). The present results more firmly entrench civil and family legal needs among the multiple legal needs that should be addressed for Indigenous people. The results suggest that the scope of ALSs needs to be broad enough to comprehensively address criminal, family and civil law needs. They suggest that multidisciplinary initiatives that aim to reduce Indigenous disadvantage should also include the aim of increasing legal capability and effectively meeting legal needs in all areas of law, including civil and family law.

Low education levels

Unlike most other disadvantaged groups, people with low education levels tended to report *low rather than high* prevalence of legal problems. In all jurisdictions, they reported low prevalence of legal problems overall and low prevalence of problems from several problem groups. They also reported low prevalence of substantial legal problems and multiple legal problems in some jurisdictions. In addition, education was related to strategy. People with low education levels constituted one of the two disadvantaged groups that typically had high levels of inaction in most jurisdictions. Furthermore, they had low levels of seeking advice when they took action in some jurisdictions. In NSW, all of these prevalence effects were significant. People with low education levels also had significantly lower levels of taking action. However, the effect for seeking advice was not significant. Although people with low education levels had significantly lower levels of finalisation in Australia as a whole, education was not consistently related to finalisation status at the state/territory level.[77]

The present low reporting of legal problems by people with low education levels is consistent with past findings (Coumarelos et al. 2006; Currie 2007b; Pleasence 2006; van Velthoven & Klein Haarhuis 2010; van Velthoven & ter Voert 2004). The reason for these low reporting levels is unclear. First, these levels may accurately reflect low prevalence, due to less opportunity to experience certain problems, such as less opportunity to participate in various economic activities. Second, these levels may reflect a failure to recognise legal problems, due to poor legal knowledge or an unwillingness to admit to legal problems (see Balmer et al. 2010; Buck et al. 2008; Coumarelos et al. 2006; Currie 2007b; Genn & Paterson 2001). Thus, people with low education levels may benefit from information and education initiatives aimed at increasing their legal literacy, so that they can readily identify legal problems and relevant legal advice services. Third, it is also possible that people with low education levels tend to ignore their legal problems, because they have other more pressing

[75] One notable initiative, the Northern Territory Emergency Response, is a broad-scale strategy that is funded by both the Australian and Northern Territory governments (Aboriginal and Torres Strait Islander Social Justice Commissioner 2008).

[76] These initiatives include specialised courts, non-custodial sentencing options, rehabilitation programs, juvenile early intervention programs and post-prison release programs (e.g. Allard, Stewart, Chrzanowski, Ogilvie, Birks & Little 2010; Joudo 2008; Marchetti & Daly 2007).

[77] The relationship between education and finalisation status was significant only in Australia, Western Australia and the Northern Territory. In addition, these relationships did not consistently show higher finalisation levels for post-school graduates — the group with the highest level of education. Compared to post-school graduates, people who had not finished school had significantly *lower* levels of finalisation in the Northern Territory and Australia as a whole, whereas people who had finished only Year 12 had significantly *higher* levels of finalisation in Western Australia. See Table 9.6 for a summary, and see Chapter 7 in each LAW Survey report for full details.

needs. This possibility suggests that they may require broad legal and non-legal support to address all of their needs.

The high levels of inaction for people with low education levels in most jurisdictions[78] are also consistent with past surveys (Currie 2007b; LSNJ 2009; Pleasence 2006; van Velthoven & ter Voert 2004). These findings reinforce the potential benefits of initiatives to increase legal capability within this disadvantaged group, and to empower this group to obtain legal assistance when it would be helpful to do so.

Non-English main language

Apart from people with low education levels, people with a non-English main language were the only other disadvantaged group that reported *low rather than high* prevalence of legal problems according to at least one measure in most jurisdictions. In addition, like education, main language was related to strategy. People with a non-English main language had high levels of inaction in most jurisdictions, and they occasionally had low levels of seeking advice when they took action. They also had low levels of finalisation in two jurisdictions. In NSW, people with a non-English main language had significantly lower prevalence according to a number of measures. The findings for taking action and finalisation status were also significant, but the finding for seeking advice was not. As noted earlier, NSW and Victoria had the greatest number of significant associations involving main language, and these were the two jurisdictions that had the largest proportions of LAW Survey respondents whose main language was not English.[79] Small numbers in other states/territories may have militated against a greater number of significant associations in these jurisdictions. Census data similarly suggest that NSW and Victoria have relatively high proportions of people from a non-English-speaking background.[80] The fewer significant relationships in the Northern Territory may also reflect the fact that the composition of the territory's non-English-speaking population is quite different from that of the other jurisdictions. The Northern Territory is the only state/territory where Indigenous people comprise a large proportion of the non-English-speaking population (ABS 2007a).[81]

Only a few past legal needs surveys, including two surveys in Australia, have specifically compared legal problem prevalence rates for English and non-English speakers. Like the present survey, these studies generally found low reporting levels for people from a non-English-speaking background (Coumarelos et al. 2006; Dale 2007; Fishwick 1992). Although past studies have generally not examined the specific relationship between strategy and main language, strategy has been linked to other measures of ethnicity. Consistent with the present findings, some past studies have found low levels of taking action or seeking advice for ethnic minority groups (Currie 2007b; Fishwick 1992; Pleasence 2006; Pleasence et al. 2004c).

Given that the present findings for people with a non-English main language were very similar to those for people with low education levels, the policy implications are also similar. Again, although the low reported levels of legal problems may accurately reflect low prevalence, they may instead reflect a failure to recognise legal problems, due to poor legal knowledge or an unwillingness to

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78 As already noted, this finding was significant in NSW.

79 Based on weighted sample numbers, this proportion was nine per cent in NSW and Victoria compared to 2–5 per cent in the other jurisdictions. A significance test was not conducted on this comparison.

80 According to the census (ABS 2007a), the proportion of the population aged 15 years or over who speak a non-English language at home and do not speak English very well is 10 per cent in NSW and Victoria compared to only 2–6 per cent in all other states/territories except the Northern Territory. Like NSW and Victoria, the Northern Territory has a relatively high proportion at 11 per cent.

81 People who speak a non-English language include 44 per cent whose main language is an Indigenous language in the Northern Territory compared to less than three per cent in the other states/territories (ABS 2007a). Thus, although, as noted above, the Northern Territory, NSW and Victoria all have a high proportion of people from a non-English-speaking background according to the census (ABS 2007a), only in the Northern Territory does this group include a relatively large percentage of Indigenous people.

admit to legal problems (cf. ALRC 1992; Balmer et al. 2010; Buck et al. 2008; Cass & Sackville 1975; Coumarelos et al. 2006; Currie 2007b; Genn & Paterson 2001). Thus, non-English-speaking groups may benefit from information and education initiatives aimed at raising their levels of legal literacy, so that they can readily identify legal problems and can be directed to appropriate advice services. The possibility that non-English-speaking people tend to ignore their legal problems may reflect more pressing non-legal needs, which suggests that broad legal and non-legal support may be beneficial in addressing all of their needs. This possibility also suggests the potential benefits of initiatives to increase legal capability among non-English-speaking people and to empower them to obtain legal assistance when they need it. In addition, culturally sensitive services and the availability of language translation services or services in relevant languages are likely to reduce the barriers to obtaining advice for ethnic minority groups (Pleasence 2006). The failure to obtain significant findings in some jurisdictions for main language should not be taken to imply that initiatives aiming to assist non-English speakers with the identification and resolution of their legal problems would be of no value in these jurisdictions. This failure may often reflect the small sample numbers rather than any inherent differences in the needs of non-English-speaking groups between jurisdictions.

Government payments

Main income was not significantly related to the prevalence of legal problems overall in any jurisdiction. In addition, main income was not significantly related to the prevalence of substantial legal problems and multiple legal problems in most jurisdictions. However, in most jurisdictions, main income was related to the prevalence of problems from a few problem groups. These relationships indicated that people whose main source of income was government payments experienced different types of legal problems from other respondents. People on government payments tended to experience legal problems that appeared to reflect their socioeconomic disadvantage. These problems included family problems, government problems related to the receipt of government payments, health problems and rights problems related to discrimination and unfair treatment by police. In contrast, other respondents tended to experience legal problems that appeared to reflect higher rates of economic activity, economic independence and employment. These problems included consumer problems, employment problems, money problems related to business and investment, and work-related personal injury problems. Main income was generally unrelated to strategy. It was not significantly related to taking action in any jurisdiction, and it had only two significant relationships with seeking advice, which were inconsistent. Finally, people on government payments had low levels of finalisation in only two jurisdictions. In NSW, the prevalence effects for several problem groups and the finalisation effect were significant. In addition, people on government payments had significantly higher levels of seeking advice when they took action.

Like the LAW Survey results in most jurisdictions, past research has found that poorer people experience different types of legal problems from wealthier people, and these problems tend to reflect their disadvantaged status (Buck et al. 2005; Coumarelos et al. 2006; Currie 2007b; Dignan 2006; Pleasence 2006). The present findings in most jurisdictions suggest that government agencies responsible for welfare payments, such as Centrelink and the Department of Veterans' Affairs, could be useful gateways to legal services for people on government payments. In addition, other government agencies that are frequently accessed by people on government payments, such as Medicare, have the potential to be used as gateways. For example, these agencies could be used to disseminate legal information on useful first ports of call for legal advice and on the types of legal problems typically faced by people on government payments (cf. Clarke & Forell 2007).

People on government payments may also have non-legal needs as a result of their multiple disadvantage (Australian Social Inclusion Board 2011; Butterworth 2003; McArthur, Thomson,

Winkworth & Butler 2010). Thus, when they experience legal problems, they may benefit from coordinated responses from both legal and non-legal services. Their low levels of finalisation in a couple of jurisdictions further support this argument.

Living in remote areas

Although remote areas in Australia tend to be the most disadvantaged in the country (ABS 2008c), the LAW Survey findings did not reliably reflect greater legal need among people living in remote areas. In all jurisdictions, remoteness of residential area was not significantly related to strategy or finalisation status. In addition, the occasional significant relationships with prevalence did not always indicate higher prevalence for people living in less urban areas or remote areas. Similarly, none of the few significant relationships with favourability of outcome showed worse outcomes for people living in less urban or remote areas. As noted earlier, because Australian jurisdictions vary enormously in their geographical profiles, identical comparisons on remoteness could not be examined across jurisdictions.[82] The distinct geographical compositions of jurisdictions and the small numbers in certain categories of remoteness in some jurisdictions may have contributed to the inconsistent findings.[83] The few past studies that have examined prevalence according to remoteness or urbanisation have similarly produced inconsistent results (cf. Dignan 2006; GKA 2006; Gramatikov 2008; LASNSC 2005; Miller & Srivastava 2002).

Managing demand, resources and evaluation

The present findings indicate the value of a more holistic approach to justice in Australia that incorporates a variety of strategies to cater for the needs of different sections of the community, including integrated service provision for the most vulnerable groups. Implementing a more holistic, integrated approach to justice obviously requires a substantial injection of funding and resources (see Sackville 2011). The set-up and maintenance costs involved will depend on the type of service integration model adopted. Typically, service models involving greater levels of integration tend to require higher set-up costs (Fine et al. 2005). However, the cost of implementing new service delivery models needs to be considered in the context of the potential benefits and long-term savings that are likely to be achieved through earlier, more effective intervention. In the area of human services, integrated service approaches are generally believed to have long-term cost benefits, although stringent evaluations of cost-effectiveness are not often conducted (Fine et al. 2005).

The strategies proposed on the basis of the present findings have the potential to enhance prevention and early intervention by more efficiently and comprehensively resolving legal and non-legal problems before they escalate, multiply and resonate in numerous life areas. For example, service delivery that more effectively addresses the needs of clients is likely to reduce the costs related to ineffectual contacts with legal and broader human services, and to reduce the need for expensive court litigation (see Balmer et al. 2010; Buck et al. 2010b; Coumarelos et al. 2006; Currie 2007b; Genn 1999; Macdonald 2005; Pleasence 2006). It is well established that litigation is an expensive and inefficient mechanism for resolving civil disputes (see Macdonald 2005).

However, it is important to realise that an almost certain consequence of initiatives that effectively increase access to justice is a corresponding increase in the demand for legal services. The LAW

[82] In Queensland, South Australia, Western Australia and Australia as a whole, three categories of remoteness were compared: remote, regional and major city. In NSW and Victoria, major city areas were compared to a combined remote/regional category. In Tasmania and the Northern Territory, remote areas were compared to regional areas. Remoteness could not be examined in the ACT, because it is composed almost exclusively of major city areas.

[83] In NSW, compared to people living in major city areas, people living in remote or regional areas (who were grouped for analysis) had significantly higher prevalence according to a few measures, and significantly higher levels of favourable outcomes.

Survey demonstrates that the Australian public experiences many, often serious legal problems that do not reach the legal system. In addition, knowledge about some of the major not-for-profit legal services is poor. Thus, there are many cases where individuals are failing to access justice. As a result, there is a large 'dark figure' of hidden potential demand for legal services that will be activated by initiatives that successfully mobilise more people to seek legal resolution (see Genn 1999). Initiatives that increase legal knowledge and capability in the community are especially likely to affect the workload of agencies that provide initial legal information and advice, but there will also be flow-on effects to specialised services as people are directed to more specific, expert assistance. In particular, greater awareness of legal triage services and other useful first ports of call for legal information and advice would be likely to increase the demand for both generalist and specialist legal services, as would the more systematic use of non-legal professionals as gateways to legal services. Critically, any increase in demand needs to be properly managed through careful planning, monitoring, increased funding and expansion of legal services, as appropriate. The failure to suitably manage larger demand could result in unintended negative impacts on legal service delivery. For example, static capacity in the face of greater demand could result in a shift in the composition of the client group, such as an increased uptake by more capable groups effectively decreasing the capacity to assist particularly disadvantaged groups.

Many of the proposed strategies for a more holistic approach to justice require an integrated approach not only within the justice sector, but across government sectors and across both state/territory and federal governments. Thus, a more holistic approach to justice requires whole-of-government commitment. Although funding does not have to emanate only from the public sector, the effective coordination and targeting of resources are ultimately the responsibility of government (Coumarelos et al. 2006; Macdonald 2005; Pleasence 2006; Sackville 2011). The fragmentation of legal services and government across states/territories in Australia has been identified as an obstacle to implementing an integrated approach to justice (Sackville 2011). For example, Legal Aid and CLCs receive funding from both the state/territory and the federal governments. This fragmentation needs to be navigated successfully, with the federal government taking a leadership role, if a more integrated approach to justice is to be achieved (Sackville 2011).

A challenge for policy makers and service providers in developing a more holistic approach to service delivery is that resources and funding are often very limited. First, given that different sections of the community are likely to benefit from different types of strategies, careful consideration needs to be given to the optimal mix of these strategies to facilitate legal resolution throughout the community. For example, it has been argued that the level of integration needs to be carefully matched to the particular needs of client groups. Intensively integrated service delivery is likely to be beneficial for disadvantaged people with multiple severe needs but unnecessarily rigid and expensive for people with less severe problems and high legal capability (see Fine et al. 2005; Leutz 1999).

Second, some thought needs to be given to the measures and resources required to facilitate the sustainability of new legal service initiatives. The success of legal service models depends not only on how well they meet clients' needs, but also on how well they are supported by policy, federal–state relationships, funding, infrastructure, interagency relationships, community readiness and local circumstances (see Wakerman et al. 2006).

Evaluation

Given limited resources, the proficient use of available resources is crucial if access to justice is to be maximised throughout the community. Evaluation is a valuable tool for guiding the efficient

targeting of finite resources to facilitate access to justice. Rigorous evaluation of service initiatives performs a number of critical functions. In particular, quality evaluation can:

- determine the efficacy of programs in reaching relevant client groups and producing quality outcomes for clients
- inform the efficient targeting of resources to meet different types of needs
- inform the continued improvement of programs and the continued identification of further worthwhile service initiatives
- inform the ongoing accountability and cost-efficiency of legal service provision.

Evaluation cannot be an afterthought but must be built in at the design stage of new justice programs and initiatives. Once program implementation has begun, it is often impossible to collect appropriate baseline measures and hence to conduct appropriate evaluation (Weatherburn 2009). In addition, evaluation is necessary not only when an initiative is first implemented, but also in subsequent implementations. Numerous factors can affect whether an initiative will successfully 'translate' when rolled out or adapted to a different location, population group or area of law (see Hunter et al. 2009).

Thus, investment in rigorous evaluation of new access to justice initiatives is essential to ensure that limited resources are optimally allocated to meet the legal needs of the community on an ongoing basis. Ideally, all new legal service initiatives, including any adopted on the basis of the present findings, should be carefully evaluated. For example, initiatives to increase legal information, education and self-help strategies, and initiatives to increase the accessibility, integration and tailoring of legal and non-legal services, should all be informed by appropriately conceived evaluation. Sackville (2011, p. 235) argued that the numerous access to justice initiatives in Australia over recent decades have been undermined by a lack of a solid empirical foundation. He called for a more systematic approach to research and evaluation in order to 'fit the various parts of the access to justice jigsaw together'. As a result, new service initiatives should be carefully designed, monitored and evaluated, with a focus on meeting client needs, service sustainability and cost-effectiveness (cf. Hunter et al. 2007, 2009).

Conclusion

The LAW Survey represents the first comprehensive assessment of a wide range of legal needs on a representative sample of the Australian population. The current report on NSW is part of the first series of reports on the LAW Survey, which includes a report on each state/territory as well as a report on Australia as a whole. The series presents a high-level overview of legal need and legal resolution in each jurisdiction. The findings are broadly similar across jurisdictions and are also consistent with past research. The findings highlight the value of a more holistic approach to justice that provides integrated and multifaceted service delivery across both legal and non-legal services in all jurisdictions.

The LAW Survey confirms that access to justice in Australia is fundamental to community well-being. People from all walks of life experience legal problems that can be severe and can have dramatic adverse impacts on a broad range of life circumstances. However, there is considerable diversity in the experience, handling and outcome of legal problems. Some people are resilient, while others experience multiple, severe legal problems. Some people achieve good outcomes by capably using self-help strategies, while others rely on expert advice. In some cases, people appear to have poor legal knowledge and poor legal capability, with some people leaving their legal problems unresolved. This diversity means that no single strategy will successfully achieve justice for all

people. Rather, the approach to justice must be multifaceted and must integrate a raft of strategies to cater for different needs.

Importantly, the LAW Survey demonstrates that access to justice for disadvantaged people must remain a priority. Disadvantaged groups not only have non-legal needs by virtue of their socioeconomic status, but also are particularly vulnerable to a wide range of severe legal problems and are more likely to struggle with the problems they face. People with a disability are especially vulnerable to legal problems, although other disadvantaged sections of the community also have heightened vulnerability, including single parents, the unemployed, people living in disadvantaged housing and Indigenous people.

In addition, the LAW Survey indicates that integrated service delivery across legal and broader human services is critical, given that legal needs are often interconnected with non-legal needs. Non-legal professionals are routinely consulted by people with legal needs. Legal problems can cause a broad range of non-legal problems. Many people, most notably disadvantaged people, experience multiple interrelated legal and non-legal problems.

Thus, the LAW Survey stresses the value of a holistic approach to justice that is both multifaceted and integrated. It must be multifaceted in that it comprises multiple strategies to cater for the diverse needs of the whole community. It must also be integrated in that it provides more tailored, intensive assistance across both legal and other human services for disadvantaged people who have intertwined legal and non-legal needs. Specifically, the survey suggests that such an approach should include all of the following strategies:

- legal information and education
- self-help strategies
- accessible legal services
- non-legal advisers as gateways to legal services
- integrated legal services
- integrated response to legal and non-legal needs
- tailoring of services for specific problems
- tailoring of services for specific demographic groups.

Limited funding is a key challenge to developing a more holistic approach to justice that includes multiple strategies to address the diverse legal needs experienced by the general public. Setting legal service priorities to optimise the mix of strategies necessary to facilitate legal resolution throughout the community is therefore crucial.

One important consideration in setting priorities is that the system of legal services must be able to deal effectively with all types of legal problems. The LAW Survey demonstrates that legal problems vary dramatically in their frequency, severity, adverse impacts, intractability and likely outcomes. Thus, legal services must be able to handle severe, complex legal problems that require considerable resources, time and expertise to resolve, such as various family problems. They must also be able to process high-volume legal problems, such as consumer and crime problems. Consequently, legal service delivery tailored to specific types of legal problems is likely to be a vital component of a holistic approach to justice.

In setting priorities for legal service provision, the LAW Survey also underscores the importance of balancing strategies that are likely to benefit the general public or large sections of the community

with strategies that are more specifically tailored to the particular needs of the most vulnerable groups.

The LAW Survey highlights the role of information and education initiatives to raise the general level of legal knowledge and capability, not only among those who are most likely to experience legal problems, but also among the broader community who are often asked for informal advice in relation to legal problems. Respondents' awareness of some public legal services was low. Thus, the LAW Survey suggests the value of generic legal information and education, including information about useful first ports of call, such as generalist legal advice services and legal triage hotlines, and about the many pathways for accessing justice. It also suggests the value of more tailored legal information and education initiatives focused on the particular needs of different demographic groups. For example, such initiatives could be tailored for different age groups to address the legal problems typically faced at various life stages. They could also be tailored for the demographic groups that tend to ignore their legal problems. These demographic groups could be empowered to take action through information and education initiatives that help them to recognise their legal problems and direct them to appropriate advice and assistance. In Australia as a whole, the demographic groups that were less likely to take action included males, younger people, older people, people with low education levels, unemployed people and people with a non-English main language. In NSW, these demographic groups included males, people with low education levels and people with a non-English main language.

The LAW Survey suggests that legal information and education initiatives promoting self-help strategies are potentially useful if they are targeted at the demographic groups that have high levels of legal knowledge and capability. Many people successfully handled their legal problems without expert advice. Past findings have suggested that well-educated and articulate people often have high levels of legal knowledge and are most likely to achieve successful resolution when they handle problems alone. Thus, promotion of self-help strategies may strengthen the capability of these groups to successfully handle problems without recourse to expert advice.

However, self-help strategies are unlikely to be quality substitutes for legal advice and assistance when people have poor legal capability. According to past research, disadvantaged groups often lack knowledge of legal rights and remedies, and achieve poor outcomes when they handle problems alone. Thus, for disadvantaged groups, information and education campaigns that help them to identify their legal problems and signpost them to appropriate legal services are likely to be more relevant. The present findings in Australia as a whole suggest that older people, people with low education levels and people with a non-English main language may benefit from such initiatives, because their low levels of reporting legal problems and taking action may reflect a failure to recognise their legal needs and a lack of knowledge about the available pathways to legal resolution. Similarly, in NSW, all of these demographic groups had low levels of reporting legal problems, while people with low education levels and people with a non-English main language also had low levels of taking action.

The LAW Survey emphasises that legal services could be made more accessible in order to meet the current demand. People often experienced difficulties in contacting advisers via telephone, making suitable appointments and receiving timely responses. In addition, people sometimes needed to travel large distances for face-to-face consultations, particularly in non-urban areas. Thus, extension of operating hours, telephone, internet and video conferencing services, local services in readily accessible locations, outreach services in rural and remote areas, and services in appropriate languages may all be useful.

The LAW Survey highlights the need for more holistic, integrated service delivery across legal and non-legal services, including more tailored and intensive support for the most vulnerable groups. First, the widespread use of non-legal advisers in response to legal problems confirms the potential benefits of using non-legal professionals as gateways to legal services. Non-legal professionals could be more formally trained and equipped to identify legal problems and to more systematically provide timely referral to legal information and advice services. In particular, non-legal professionals could provide people with a single, well-resourced contact point for legal referral, such as a generalist legal advice service or legal triage service. This simple strategy has the potential to provide timely legal referral without being overly onerous on non-legal workers, who have their own professional priorities.

Second, the findings that legal problems often clustered together and that disadvantaged groups frequently faced multiple concurrent legal problems also highlight the value of integrated legal service delivery. At present in Australia, legal service provision is often siloed by the type of legal problem and the legal jurisdiction, with different legal services providing specialised assistance for particular legal problems. The fragmented nature of legal service delivery is not ideal for providing comprehensive justice for disadvantaged people, who are vulnerable to a broad range of multiple, interrelated, serious legal problems. Rather, such people would be more likely to benefit from more holistic legal service provision, including not only more systematic legal triage and referral services, but also more intensive, tailored, client-centred or case management approaches, as required.

Third, the LAW Survey underlines the importance of more integrated responses across both legal and non-legal services for people who face interrelated legal and non-legal problems. The findings demonstrate that legal problems can have dramatic impacts on a broad range of life circumstances and can cause a variety of non-legal problems. In addition, the disadvantaged groups that are especially vulnerable to multiple legal problems also tend to have multiple non-legal needs, by virtue of their socioeconomic status. Thus, in addition to benefiting from a more intensive integrated response from legal services, these disadvantaged groups may sometimes require more holistic, client-centred or case management services involving a team of legal and non-legal service providers to achieve complete resolution. In each jurisdiction, at least a few disadvantaged groups experienced a broad range of legal problems, demonstrating increased prevalence of multiple legal problems or increased prevalence of problems from at least six of the 12 legal problem groups, or both. In Australia as a whole, these disadvantaged groups included Indigenous people, people with a disability, unemployed people, single parents and people living in disadvantaged housing. In NSW, these disadvantaged groups included people with a disability, single parents and people living in disadvantaged housing.[84] People with a disability stood out as the only disadvantaged group in all jurisdictions that had increased prevalence according to the measure of multiple legal problems or increased prevalence of problems from at least six problem groups, or both.

Finally, the LAW Survey findings on the finalisation of legal problems further reinforce the conclusion that disadvantaged groups may sometimes have reduced capacity for solving their legal problems and may benefit from more intensive assistance and support in order to achieve successful legal resolution. In most jurisdictions, middle-aged and older people had lower finalisation levels, as did one or a few disadvantaged groups. People with a disability constituted the only disadvantaged group that had lower finalisation levels in most jurisdictions. However, in Australia as a whole, all of the disadvantaged groups except the unemployed and people living in remote areas had lower

[84] In addition, in NSW, people living in remote and regional areas (who were grouped for analysis) had a significantly higher prevalence of multiple legal problems compared to those living in major city areas. However, in the other jurisdictions, the occasional significant relationships between remoteness and prevalence were generally not in the direction of higher prevalence for people living in less urban or remote areas.

finalisation levels. That is, Indigenous people, people with a disability, people with low education levels, single parents, people living in disadvantaged housing, people whose main income was government payments and people with a non-English main language, as well as middle-aged and older people, had lower finalisation levels. In NSW, these groups included middle-aged and older people, people with a disability, people whose main income was government payments and people with a non-English main language.

The multiple legal and non-legal problems faced by disadvantaged groups, their often poor legal capability, their sometimes reduced capacity for legal resolution and their often low economic status together indicate the necessity of effective low-cost services to meet their needs. Given that a large portion of the legal problems experienced by the community are concentrated within disadvantaged groups, quality public legal services constitute a critical component of a holistic justice system, providing the backbone infrastructure necessary to support integrated and multifaceted access to justice strategies.

Although a more holistic, integrated approach to service delivery across legal and broader human services has recently been placed on the national agenda, such service integration in Australia is in its infancy. The LAW Survey indicates that a more integrated approach to service delivery is likely to be beneficial in meeting the diverse legal needs of the community.

In conclusion, the LAW Survey highlights the value of a holistic approach to justice that includes multiple integrated strategies to address the diverse legal needs of the whole community. It underscores the importance of a holistic approach that integrates legal and non-legal service delivery for disadvantaged people who are especially vulnerable to multiple legal and non-legal problems. A holistic approach to justice requires overcoming the fragmentation across legal and non-legal services, across government sectors and across state/territory and federal governments. Thus, whole-of-government commitment, with effective coordination and leadership from the federal government, is essential. Although a more holistic approach to justice will involve considerable resourcing and reshaping of existing service delivery, it has the potential to produce long-term cost savings by enhancing prevention and early intervention through more streamlined, efficient and effective legal resolution.

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Appendix A1: LAW Survey instrument[1] and glossary

SURVEY NO:
STATE/TERRITORY:
INTERVIEWER:
DATE/TIME:

Introduction and screening

Good morning/afternoon/evening. I'm [SAY NAME] from Roy Morgan Research. We are conducting the largest ever study on how to improve legal services throughout Australia. The survey is for the Law and Justice Foundation and is supported by the Legal Aid Commissions. We are interviewing people 15 or over. Could I please speak to the youngest male in your household who is 15 or over, and is home now?

[NOTE THAT ANYONE WHO IS NOT USUALLY A RESIDENT OF THE HOUSEHOLD IS NOT ELIGIBLE. USUAL RESIDENTS OF THE HOUSEHOLD ARE ELIGIBLE, REGARDLESS OF CITIZENSHIP OR PERMANENT RESIDENCY STATUS]

[IF RESPONDENT SPEAKS POOR ENGLISH AND DIDN'T UNDERSTAND INTRODUCTION]:
Does anyone else there speak English?
[IF NEW RESPONDENT, RE-READ INTRODUCTION]
[IF RESPONDENT DOESN'T SPEAK ENGLISH, TERMINATE LANGUAGE PROBLEM (CODE 152), TRY TO ESTABLISH MAIN LANGUAGE SPOKEN AND SEE IF INTERVIEW CAN BE CONDUCTED IN MAIN LANGUAGE]

[IF NO MALES AGED 15+ AT HOME, ASK]: Could I please speak with the youngest female member of your household who is 15 or over, and is home now?
[IF NEW RESPONDENT, RE-READ INTRODUCTION]

[IF RESPONDENT SAYS THEY'RE NOT INTERESTED OR NOT INTERESTED IN MARKET RESEARCH]: This is not market research. This is an opportunity for you to contribute to an Australia-wide study that will help improve access to justice.

[IF RESPONDENT SAYS THEY DON'T HAVE ANY LEGAL PROBLEMS]: That's OK. We are interested in both people who have legal problems and people who don't.

[IF NECESSARY]: The survey takes 15–20 minutes for most people, but can take longer if people have many legal problems. I will try to be as quick as possible.

[IF NECESSARY]: Would it be more convenient if I made an appointment to speak to you in the next day or so?

All the information you provide will be treated in the strictest confidence and you will remain anonymous. We usually record our interviews for quality assurance purposes. Is it OK if we record this interview?

[IF RESPONDENT OBJECTS TO RECORDING, EXPLAIN]: Only the research team hears the recordings and they'll be deleted at the end of the project. They are only used to make sure the questions are being asked clearly and correctly.

[IF RESPONDENT STILL OBJECTS, TERMINATE AS REFUSED TO BE RECORDED (CODE 142)]

[IF RESPONDENT CONCERNED ABOUT CONFIDENTIALITY/PRIVACY]: This research is carried out in compliance with the Privacy Act, and the information you provide will be used only for research purposes.

[1] Questions D13, D21–D23 and P39 do not appear in the final version of the survey instrument. These questions were removed during the early stages of fieldwork.

[FILTER INSTRUCTIONS IMMEDIATELY PRIOR TO A HIGHER LEVEL S, D, P OR A QUESTION (E.G. D5, P4) APPLY TO ALL LOWER LEVEL PARTS OF THAT QUESTION (E.G. FILTER FOR P4 APPLIES TO P4.1–P4.3) UNLESS A SUBSEQUENT FILTER IS APPLIED TO A LOWER LEVEL PART OF THAT QUESTION. FILTERS APPLIED TO A LOWER LEVEL PART OF A QUESTION (E.G. D8.6) ONLY APPLY TO THAT LOWER LEVEL PART OF THE QUESTION (E.G. ONLY TO D8.5 AND NOT TO D8.6–D8.7)]

[NOTE: UNLESS OTHERWISE SPECIFIED, RESPONSE CATEGORIES FOR QUESTIONS THROUGHOUT THE SURVEY ARE 'YES=01, NO=02, CAN'T SAY=98, REFUSED=99' AND THESE CATEGORIES ARE INDICATED BY 'YNCR'. NOTE THAT 'CAN'T SAY' SHOULD NOT BE USED FOR QUESTIONS THAT THE RESPONDENT SHOULD REASONABLY KNOW THE ANSWER TO. UNLESS EXPLICITLY STATED, VALUES OF '1+' AND '2+' IN FILTERS FOR QUESTIONS WITH DO NOT INCLUDE VALUES OF '97', '98' AND '99']

[INTERVIEWERS SHOULD NOT AT ANY POINT RECORD PEOPLE'S NAMES OR ANY OTHER INFORMATION THAT MAY IDENTIFY SPECIFIC INDIVIDUALS]

S1 **What is your age? [RECORD 3-digit AGE, refused=999]**

[IF S1=999]

S1.1 Which of the following age groups do you belong to? [READ. TICK ONE]

01 14 years or less
02 15–17 years
03 18–21 years
04 22–24 years
05 25–29 years
06 30–34 years
07 35–39 years
08 40–44 years
09 45–49 years
10 50–54 years
11 55–59 years
12 60–64 years
13 65–69 years
14 70–79 years
15 80–89 years
16 90–99 years
17 100 years or more
99 [DO NOT READ] Refused

[IF S1<15 OR S1.1=1,99]

S2 **Does anyone else live here who is 15 or older?** [YNR]

[IF S2=1 AND CURRENTLY AVAILABLE — RESTART WITH NEW RESPONDENT FROM SAME HOUSEHOLD. IF S2=1 AND NOT CURRENTLY AVAILABLE — MAKE APPOINTMENT. IF S2=2,99 — THANK AND TERMINATE SAYING]: Thank you for your time, but we are only surveying people who are (aged 15 or older)/(in specific age groups).

[IF SELECTED RESPONDENT IS 15–17, SAY]: Before I interview you, I need the permission of an adult. Could I speak to a parent or another adult aged 18 or over who is responsible for the household at the moment?

[IF NONE AVAILABLE MAKE APPOINTMENT TO RING BACK]

[IF RESPONSIBLE ADULT IS A NEW RESPONDENT]: Good morning/afternoon/evening. I'm [SAY NAME] from Roy Morgan Research. We are conducting the largest ever study on how to improve legal services throughout Australia. The survey is for the Law and Justice Foundation and is supported by the Legal Aid Commissions. This household has been randomly selected for inclusion in the survey. As the randomly selected respondent for this household is under 18, I need to obtain permission of an adult before I can interview him/her. I would greatly appreciate your permission.

[IF PERMISSION NOT ABLE TO BE GIVEN YET, MAKE APPOINTMENT TO RING BACK]

[IF PERMISSION OBTAINED]: Thank you. Could I now please talk to the 15–17 year old male/female?

[IF PERMISSION REFUSED, ASK]: Instead, would I be able to speak to the youngest person aged at least 18?

[IF YES, RECOMMENCE INTERVIEW WITH NEW RESPONDENT. IF REFUSED TO SUBSTITUTE RESPONDENT, TERMINATE]: Thank you for your time and assistance.

IF S1=15+ OR S1.1=2–17]

S3 [RECORD GENDER]:

01 Female
02 Male

[IF AGE/SEX QUOTA IS FULL, TERMINATE SAYING]: Thank you for your time and assistance, but we have already spoken to enough people in your age group.

S4 **Is your postcode** [INSERT POSTCODE]**?** [YNCR]

[IF S4=2]

S4.1 Could I please have your correct postcode? [RECORD 4-DIGIT POSTCODE, CAN'T SAY=9998, REFUSED=9999]

[IF POSTCODE AT S4 OR S4.1 DOESN'T MATCH DATABASE POSTCODE OR IF S4.1=9998, 9999]

S4.2 And what is your suburb? [CR] [SPECIFY] [IF RESPONDENT DOES NOT LIVE IN AN AREA WITH SUBURBS PROMPT FOR LOCAL AREA]

[IF SLA QUOTA FULL, TERMINATE SAYING]: Thank you for your time and assistance, but we have spoken to enough people in your area.

S5 **Are you of Aboriginal or Torres Strait Islander origin?** [YNR]

S6 **Please tell me *all* the languages you speak at home or with family and relatives?** [DO NOT READ. TICK ALL. IF S5=1 AND INTERVIEWER DOESN'T RECOGNISE LANGUAGE, ASK]: Is that an Aboriginal language?

01 English
02 Italian
03 Greek
04 Cantonese
05 Mandarin
06 Arabic
07 Vietnamese
08 German
09 Spanish
10 Hindi
11 Tagalog (Filipino)
12 Aboriginal language (e.g. Djambarrpuyngu, Arrente, Kriol, Walpiri, Ptjantajara, Tiwi, Dhuwal-Dhwala, Anindilyakwa, Murrinh-Patha, Torres Strait Creole)
97 Other [SPECIFY]
99 Refused

[IF 2+ CODES TICKED AT S6 (I.E. IF 2+ OF 2–97 TICKED) OR S6=99]

S7 **Which language do you speak at home most often?** [DO NOT READ. TICK ONE]

01 English
02 Italian
03 Greek
04 Cantonese
05 Mandarin
06 Arabic
07 Vietnamese
08 German
09 Spanish
10 Hindi
11 Tagalog (Filipino)
12 Aboriginal language (e.g. Djambarrpuyngu, Arrente, Kriol, Walpiri, Ptjantajara, Tiwi, Dhuwal-Dhwala, Anindilyakwa, Murrinh-Patha, Torres Strait Creole)
97 Other [SPECIFY]
99 Refused

[IF S7=2–97 OR (ONLY 1 CODE TICKED AT S6 AND THIS CODE IS NOT 1 OR 99)]

S8 **Do you speak English very well, well or not well?** [DO NOT READ. TICK ONE. CODE AS 'NOT AT ALL' IF RESPONDENT CAN'T ANSWER IN ENGLISH]

01 Very well
02 Well
03 Not well
04 Not at all
05 [DO NOT READ — RECORD IF POOR ENGLISH AT INTRODUCTION]
99 Refused

[IF (S8=3–4 AND S7=2–7) OR (S8=3–4 AND S7=8–13 AND S6=2–7) OR (S8=3–4 AND S6=2–7 AND ONLY 1 CODE TICKED AT S6) OR (S8=5)]

S9 **We can conduct this interview in** [RELEVANT LANGUAGE GIVEN AT S7 OR S6]**. Would you prefer to be interviewed in** [RELEVANT LANGUAGE GIVEN AT S7 OR S6]**?** [YNR]

[IF S9=1 OR (IF S8=5 AND S7=2–7)]

S9.1 I will get someone who speaks [RELEVANT LANGUAGE GIVEN AT S7 OR S6] to call you. Can I have your first name so we know who to ask for? [ARRANGE FOR INTERPRETER TO COMPLETE INTERVIEW].

[IF S9=2,99 OR IF NOT CODES 2–7 ON S6, S7, TERMINATE]: Thank you for your time and assistance.

Part A: Demographics

Next are some questions about your circumstances.

Family structure

D1 **What is your marital status?**

[READ. TICK FIRST TO APPLY ONLY]

01 Never married but living with a partner
02 Never married and not living with a partner
03 Married and living with your (husband/wife)
04 Married but separated from your (husband/wife) and living with another partner
05 Married but separated from your (husband/wife) and not living with a partner
06 Divorced and living with a partner
07 Divorced and not living with a partner
08 Widowed and living with a partner
09 Widowed and not living with a partner
99 [DO NOT READ] Refused

[IF D1=1,2,4–9,99 AND (S1<22 OR S1.1=2,3)]

D2 **Are you living with both your parents/guardians, one parent/guardian or neither?** [DO NOT READ. TICK ONE]

01 Neither
02 One parent/guardian
03 Two parents/guardians
98 Can't say
99 Refused

[(IF D2=2)/(IF D2=3,98,99)]

D3 **(Does your parent/guardian)/(Do your parents/guardians) support you financially?** [YNR]

D4 **How many children under 18 years do you have, including biological, adopted, foster and stepchildren? Please include all children under 18, whether or not they live with you.** [RECORD 2-DIGIT NUMBER, REFUSED=99]

[IF D4=1]

D4.1 Does this child live with you? [YNR]

[IF D4=2+]

D4.2 How many of these children live with you? [RECORD 2-DIGIT NUMBER, REFUSED=99]

[IF S1=22+ OR S1.1=4–17]

D5 **And do you have any children *under 22 years* who were school or tertiary students in the last 12 months?** [YNCR]

[IF S1=35+ OR S1.1=7–17]

D6 **Do you have any grandchildren who are under 18 years?** [YNR]

Housing and business

D7 **Not including holiday accommodation, in the last 12 months, have you:** [READ]

D7.1 rented accommodation from a public housing authority? [YNCR]

D7.2 rented accommodation privately? [YNCR]

D8 **And, not including holiday accommodation, in the last 12 months, have you lived in:** [READ] [IF RESPONDENT WONDERS WHY ALL SORTS OF DWELLINGS ARE BEING ASKED ABOUT, EXPLAIN THAT THE STUDY TRIES TO COVER EVERYBODY]

D8.1 a free-standing or semi-detached house? [YNCR]

D8.2 a row or terrace house, townhouse or duplex? [YNCR]

D8.3 a flat, unit or apartment? [YNCR]

D8.4 a nursing home, group care or residential care facility? [YNCR]

[IF S1=50+ OR S1.1=10–17]

D8.5 a retirement village? [YNCR]

[ASK ALL]

D8.6 emergency accommodation or been homeless? For example, lived in a refuge, shelter, tent or motor vehicle; lived with friends or relatives because you had nowhere else to live; squatted or slept rough [YNCR]

[ASK ALL]

D8.7 any other type of dwelling? [DO NOT READ. TICK ALL UNLESS ANSWER IS NO OTHER DWELLING=3, CAN'T SAY=98 OR REFUSED=99]

- 01 Caravan/residential park
- 02 Boarding house
- 03 No other dwelling
- 97 Other [SPECIFY]
- 98 Can't say
- 99 Refused

[IF S1=18+ OR S1.1=3–17]

D9 **At any time during the last 12 months, were you:** [READ]

D9.1 a home owner? That is, owned, paying off or buying ***your own*** home [YNCR]

D9.2 the owner of investment property? That is, owned, paying off or buying real estate other than your ***own*** home [YNCR]

D9.3 a landlord? [YNCR]

[ASK ALL]

D9.4 a business owner? [YNCR]

Illness/disability

D10 **During the last 12 months, have you had any long-term illness or disability that has lasted, or is likely to last, at least 6 months? Please include stress-related, mental health, intellectual as well as physical conditions.** [YNR]

[IF D10=1]

D11 **Please tell me all the long-term illnesses or disabilities you have now, or have had in the last 12 months.** [DO NOT READ. TICK ALL. REFER TO CARD A TO SEE FULL LIST OF RESPONSE CODES. PROMPT WITH]: Anything else? [IF SPECIFY A VISUAL DISABILITY AND NOT IN LIST OF EGS, PROMPT WITH]: Is that corrected by wearing glasses or contact lenses? [IF ANSWER IS 'YES' THEN DO NOT CODE AS VISUAL DISABILITY]

01 ***Hearing disability***
- E.g. Deafness
- Tinnitus
- Other diseases of the ear

02 ***Speech disability***
- E.g. Speech impediments/difficulties
- Stutter

03 ***Visual disability not corrected by glasses/contact lenses***
- E.g. Cataracts
- Glaucoma
- Retinal defects
- Sight loss

04 ***Intellectual or learning disability/Problems with learning or understanding***
- E.g. Attention deficit disorder (ADHD)
- Autism
- Down syndrome
- Dyslexia
- Mental retardation

05 ***Mental health condition***
- E.g. Alcohol addiction
- Anxiety disorders
- Bi-polar disorder
- Depression
- Drug addiction
- Phobias
- Schizophrenia
- Stress-related conditions

06 ***Neurological/nervous system conditions***
- E.g. Alzheimer's disease
- Brain injury/degeneration
- Dementia
- Epilepsy
- Head injury
- Migraine
- Multiple sclerosis
- Parkinson's disease

07 ***Circulatory condition***
- E.g. Angina
- Heart attack
- Heart disease
- Hypertension
- Stroke

08 ***Respiratory condition***
- E.g. Asthma
- Bronchitis
- Emphysema
- Respiratory allergies

09 ***Arthritis***
- E.g. Osteoarthritis
- Rheumatoid arthritis

10 ***Back problems***
- E.g. Disc disorders

11 ***Other musculo-skeletal conditions***
- E.g. Amputations
- Cerebral palsy

Deformities/limited use of arms/legs/fingers/feet/joints
Osteoporosis
Paralysis
Paraplegia/quadriplegia
Repetitive strain injury (RSI)
Rheumatism
Spina bifida
Tenosynovitis

12 ***Other physical conditions***
E.g. AIDS/HIV
Anaemia and other blood disorders
Cancer
Diabetes
Diseases of body organs
Genital disorders
Hernias
Intestinal diseases
Poisoning
Skin conditions
Stomach diseases
Surgery/treatment complications
Thyroid disorders
Ulcers
Urinary disorders

97 Other [SPECIFY]
98 Can't say
99 Refused

[IF D10=1]

D12 **During the last 12 months, how much did your condition restrict your daily activities, such as your communication, mobility or self-care?** [READ. TICK ONE]

01 Not at all
02 Mildly
03 Moderately
04 Severely
05 Profoundly
98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

Employment

About your employment status:

D14 **In the last 12 months, have you been:** [READ]

D14.1 self-employed? [YNCR]

D14.2 a full- or part-time employee? [YNCR]
[IF S1=40+ OR S1.1=8–17]

D14.3 fully retired? [YNCR]
[ASK ALL]

D14.4 performing home duties full-time? [YNCR]
[ASK ALL]

D14.5 a full- or part-time student? [YNCR]
[ASK ALL]

D14.6 unemployed and looking for work? [YNCR]
[ASK ALL]

D14.7 not working for other reasons? For example, due to illness, disability, caring for an ill or disabled person, or voluntary work [YNCR] [IF RESPONDENT UNDER 40 YEARS AND ANSWER TO D14.7 IS THAT THEY ARE RETIRED, CODE AS D14.7=3]

[IF D14.6=1]

D15 **For how many of the last 12 months were you unemployed and looking for work?** [RECORD 2-DIGIT NUMBER OF MONTHS (I.E. 1–12). UNDER ONE MONTH=96, REFUSED=99]

Government payments

D16 **In the last 12 months, have you received any government pensions, payments or concessions?** [YNCR]

[IF D16=2,98,99]

D17 **In the last 12 months, did you try to apply for any government payments or concessions?** [YNCR]

[IF D16=1]

D18 **What type did you receive?** [DO NOT READ. TICK ALL. REFER TO CARD B TO SEE FULL LIST OF RESPONSE CODES. PROMPT WITH]: Anything else? [IF UNSURE OF NAME OF PAYMENT/ CONCESSION, PROMPT WITH CATEGORY NAMES — E.G.]: Was it related to unemployment assistance, family assistance etc [IF RESPONDENT MERELY SAYS THAT IT'S A VETERANS' AFFAIRS PAYMENT, PROMPT WITH]: What type of veterans affairs payment? [SPECIFY TYPE OF VETERANS' AFFAIRS PAYMENT AT '97-OTHER']

Unemployment assistance

01 Newstart Allowance ('The Dole')
02 CDEP Participant Supplement (CPS) and Supplementary Benefits (add-ons)
03 Unemployment assistance not further specified

Family assistance

04 Family Tax Benefit Part A and B
05 Baby Bonus
06 Maternity Immunisation Allowance
07 Health Care Card (Family Tax Benefit)
08 Child Care Benefit (CCB)
09 Child Care Tax Rebate
10 Jobs Education and Training Child Care Fee Assistance (JETCCFA)
11 Family assistance not further specified

Parenting assistance

12 Parenting Payment
13 Double Orphan Pension
14 Parenting assistance not further specified

Elderly persons assistance

15 Age Pension
16 Pension Bonus Scheme
17 Mature Age Allowance
18 Pensioner Concession Card
19 Commonwealth Seniors Health Card
20 Seniors Concession Allowance
21 Elderly person assistance not further specified

Disability/sickness assistance

22 Disability Support Pension
23 Sickness Allowance
24 Mobility Allowance
25 Bereavement Allowance
26 Wife Pension
27 Widow B Pension
28 Disability/sickness assistance not further specified

Carer assistance

29 Carer Payment/Allowance
30 Carer assistance not further specified

Student assistance

31 Austudy/ABSTUDY
32 Pensioner Education Supplement
33 Assistance for Isolated Children (AIC) Scheme
34 Youth Allowance
35 Student assistance not further specified

Special/crisis assistance

36 Special Benefit
37 Crisis Payment

Other allowances/concessions

38 Health Care Card
39 Partner Allowance
40 Widow Allowance
41 Remote Area Allowance
42 Telephone Allowance
43 Utilities Allowance
44 Rent Assistance
45 Pharmaceutical Allowance
46 Allowances/concessions not further specified
97 Other [SPECIFY]
98 Can't say
99 Refused

Part B: Problems or disputes

I am now going to ask you whether you've had certain problems or disputes ***in the last 12 months*** that ***may*** raise legal issues. Please ***only*** include problems or disputes that ***started during*** or ***continued into*** the last 12 months.

[GENERALLY, EVERY 'YES' RESPONSE IN PART B TO ALL PROBLEM TYPES (I.E. TO QUESTIONS NUMBERED AS P1, P2, P3, ETC, OR P1.1, P1.2, P1.3, ETC.) WILL BE FOLLOWED BY A QUESTION ON FREQUENCY AND A QUESTION ON SERIOUSNESS. HOWEVER, QUESTIONS IN PART B WHERE NUMBERING INCLUDES AN 'a' OR 'b' SUFFIX (E.G. P2a, P3.1a, P9b) DO NOT HAVE FREQUENCY AND SERIOUSNESS QUESTIONS ATTACHED TO THEM. QUESTION D19 IN PART B IS A DEMOGRAPHIC QUESTION AND ALSO IS NOT FOLLOWED BY A FREQUENCY AND SERIOUSNESS QUESTION]

[ASK THE FOLLOWING FREQUENCY QUESTION AND THE FOLLOWING SERIOUSNESS QUESTION FOR 'YES' RESPONSES TO QUESTIONS P1–P28, P30–P36 AND P38–P40 (INCLUDING 'YES' RESPONSES TO ALL PROBLEM PARTS OF THESE QUESTIONS). USE DYNAMIC TEXT SUBSTITUTIONS AS FOLLOWS IN THE FREQUENCY AND SERIOUSNESS QUESTIONS FOR THESE PROBLEMS:

- P1–P20, P22–P28, P30–P32, P34, P38–P40: PROBLEMS OR DISPUTES/PROBLEM OR DISPUTE
- P21.1–P21.2, P21.5–P21.6: ACCIDENTS/ACCIDENT
- P21.3–P21.4, P33, P35–P36: INCIDENTS/INCIDENT]

[FREQUENCY QUESTION FOR P1–P28, P30–P36 AND P38–P40]: How many separate (problems or disputes)/(accidents)/(incidents) of this type did you have in the last 12 months? [RECORD 2-DIGIT FREQUENCY AT QUESTION NUMBER_F (E.G. RECORD AT P2_F FOR P2, AT P3.1_F FOR P3.1. NOTE FREQUENCY=1+, CAN'T SAY=98, REFUSED=99). GET APPROXIMATE FREQUENCY IF PERSON IS NOT SURE OF EXACT TOTAL NUMBER]

[SERIOUSNESS QUESTION FOR P1–P28, P30–P36 AND P38–P40 IF FREQUENCY=1,98,99]: What impact has this (problem or dispute)/(accident)/(incident) had on your everyday life? [READ. TICK ONE]

01 None
02 Slight
03 Moderate
04 Severe

98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

[SERIOUSNESS QUESTION FOR P1–P28, P30–P36 AND P38–P40 IF FREQUENCY=2+]: Thinking about the worst of these [INSERT FREQUENCY] (problems or disputes)/(accidents)/(incidents) what impact has it had on your everyday life? [READ. TICK ONE]

01 None
02 Slight
03 Moderate
04 Severe
98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

[NOTE: THE FREQUENCY QUESTION IS NOT ASKED FOR P29, JUST RECORD P29_F=1 AND GO STRAIGHT TO THE FOLLOWING SERIOUSNESS QUESTION]: What impact has this divorce or separation had on your everyday life? [READ. TICK ONE. IF RESPONDENT IS NOT SURE HOW TO ANSWER BECAUSE THEY HAD MORE THAN ONE DIVORCE OR SEPARATION IN THE LAST 12 MONTHS, THEN SAY]: Please just tell me the impact of the worst of these divorces or separations.

01 None
02 Slight
03 Moderate
04 Severe
98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

[FREQUENCY QUESTIONS FOR P37 AND P37.1 ARE PROVIDED AFTER P37 IN MAIN BODY]

[SERIOUSNESS QUESTION FOR P37 IF FREQUENCY=1,98,99]: What impact has this fine or notice had on your everyday life? [READ. TICK ONE]

01 None
02 Slight
03 Moderate
04 Severe
98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

[SERIOUSNESS QUESTION FOR P37 IF FREQUENCY=2+]: Thinking about the worst of these [INSERT FREQUENCY] fines or notices, what impact has it had on your everyday life? [READ. TICK ONE]

01 None
02 Slight
03 Moderate
04 Severe
98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

[SERIOUSNESS QUESTION FOR P37.1 IF FREQUENCY=1,98,99]: What impact has this fine or notice that led to further penalties had on your everyday life? [READ. TICK ONE]

01 None
02 Slight
03 Moderate
04 Severe
98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

[SERIOUSNESS QUESTION FOR P37.1 IF FREQUENCY=2+]: Thinking about the worst of these [INSERT FREQUENCY] fines or notices that led to further penalties, what impact has it had on your everyday life? [READ. TICK ONE]

01 None
02 Slight
03 Moderate

04 Severe
98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

[FOR ALL PROBLEM TYPES, RECORD 2-DIGIT SERIOUSNESS AT QUESTION NUMBER_S (E.G. RECORD AT P2_S FOR P2, AT P3.1_S FOR P3.1)]

[FOR LISTS OF PROBLEMS (E.G. P1.1–P1.3): WHENEVER THERE IS A 'YES' RESPONSE PRIOR TO THE LAST PROBLEM IN A LIST (E.G. AT P1.1 OR P1.2), FLOW OF LIST IS INTERRUPTED WITH FREQUENCY AND SERIOUSNESS QUESTIONS. THUS, IN ALL SUCH CASES, INSERT LEAD-IN TO QUESTION AT THE BEGINNING OF THE NEXT PROBLEM IN THE LIST E.G. RE-INSERT]: Have you had any problems or disputes related to: [AT THE BEGINNING OF P1.2 IF PROBLEM REPORTED AT P1.1]

Employment

The first questions are about any employment- or discrimination-related problems. Please limit your answers to problems that started during or continued into the last 12 months.

[IF D14.1=1 OR D14.2=1 OR D14.6=1]

P1 **Have you had any problems or disputes related to:** [READ]

[IF D14.2=1]

P1.1 being sacked or made redundant? [YNCR]

[IF D14.2=1 AND P1.1=2,98,99]

P1.2 employment conditions? For example about pay, hours, leave, working conditions, your contract, superannuation or union membership [YNCR]

[IF D14.2=1 AND P1.1=1]

P1.3 employment conditions, apart from anything that led to losing your job? For example about pay, hours, leave, working conditions, your contract, superannuation or union membership [YNCR]

[IF D14.1=1 OR D14.2=1]

P1.4 being discriminated against at work or when trying to get work? [YNCR]

[IF D14.6=1 AND D14.1=2,98,99 AND D14.2=2,98,99]

P1.5 being discriminated against when trying to get work? [YNCR]

[IF D14.1=1 OR D14.2=1]

P1.6 any other harassment, victimisation or mistreatment at work? [YNCR]

Discrimination

P2 **Have you had any problems or disputes involving discrimination, not related to work? For example, based on marital status, age, sex, religion, or race,** [IF D10=1] **or disability,** [IF D4=1+] **or parental responsibilities** [YNCR]

[(IF P2_F=1,98,99)/(IF P2_F=2+)]

P2a (And, what was the basis of the discrimination?)/(And, thinking of the worst problem or dispute, what was the basis of the discrimination?) [DO NOT READ. TICK ALL. IF RESPONDENT'S ANSWER IS NOT ONE OF THE RESPONSE CODES, PROMPT WITH]: For example, was it based on marital status, age, sex, religion, race, or something else? [DO NOT RECORD PEOPLE'S NAMES OR ANY OTHER INFORMATION THAT MAY IDENTIFY SPECIFIC INDIVIDUALS]

01 Marital status
02 Age
03 Gender or sex
04 Sexual orientation
05 Religion
06 Ethnicity or race
07 Disability
08 Parental or carer responsibilities
97 Other [SPECIFY AT P2.1]
98 Can't say
99 Refused

Education

[IF D14.5=1 OR D5=1]
Next are any education-related problems that started during or continued into the last 12 months.

[(IF D14.5=1 OR D5=1) AND P2=1]
Apart from anything you've already told me,

[(IF (D14.5=1 AND D5=2,98,99) OR (D14.5=1 AND (S1<22 OR S1.1=2,3)))/(IF D5=1 AND D14.5=2,98,99)/(IF D14.5=1 AND D5=1)]

P3 **Have you had any problems or disputes involving (your education)/(your child's education)/(your education or your child's education) related to:** [READ]

P3.1 unfair suspension or exclusion? [YNCR]

[(IF P3.1_F=1,98,99 AND D14.5=1 AND D5=1)/(IF P3.1_F=2+ AND D14.5=1 AND D5=1)]

P3.1a (And was this problem or dispute related to your education or your child's education?)/(And, thinking of the worst problem or dispute, was it related to your education or your child's education?) [DO NOT READ. TICK ONE]

01 My education
02 My child's education
99 Refused

[IF D14.5=1 OR D5=1]

P3.2 student fees or loans? [YNCR]

[(IF P3.2_F=1,98,99 AND D14.5=1 AND D5=1)/(IF P3.2_F=2+ AND D14.5=1 AND D5=1)]

P3.2a (And was this problem or dispute related to your education or your child's education?)/(And, thinking of the worst problem or dispute, was it related to your education or your child's education?) [DO NOT READ. TICK ONE]

01 My education
02 My child's education
99 Refused

[IF D14.5=1 OR D5=1]

P3.3 bullying or harassment? [YNCR]

[(IF P3.3_F=1,98,99 AND D14.5=1 AND D5=1)/(IF P3.3_F=2+ AND D14.5=1 AND D5=1)]

P3.3a (And was this problem or dispute related to your education or your child's education?)/(And, thinking of the worst problem or dispute, was it related to your education or your child's education?) [DO NOT READ. TICK ONE]

01 My education
02 My child's education
99 Refused

Housing

Next are any housing-related problems that started during or continued into the last 12 months.

[IF D9.1=1]

P4 **Have you had any problems or disputes related to:** [READ]

P4.1 a loan for ***your own*** home? For example, about mortgage repayment, default or repossession [YNCR]

P4.2 planning permission for building works for ***your own*** home? [YNCR]

P4.3 other issues for ***your own*** home? For example, about settlement, contract of sale, title, boundaries, rights of way or access [YNCR]

P5 **Have you had any problems or disputes with your neighbours over things like fences, trees, noise, litter or pets?** [YNCR]

[D7.1=1]

P6 **Have you had any problems or disputes related to accommodation rented from a public housing authority? For example, about rental agreements, payments, bonds, repairs, maintenance, security, sub-letting or eviction** [YNCR]

[D7.2=1]

P7 **Have you had any problems or disputes related to privately rented accommodation? For example, about rental agreements, payments, bonds, repairs, maintenance, security, sub-letting or eviction** [YNCR]

[(IF D8.2=1 OR D8.3=1) AND (ANY OF P5–P7=1)]
Apart from anything you've already told me,

[IF D8.2=1 OR D8.3=1]

P8 **Have you had any problems or disputes related to your home involving the strata or owners' corporation or common property?** [YNCR]
[IF P8=1, ASK P8_F]
[IF P8=1 AND (D9.1=2,98,99 OR (D7.1=2,98,99 AND D7.2=2,98,99)), ASK P8_S]

[IF P8_F=1,98,99 AND D9.1=1 AND (D7.1=1 OR D7.2=1), ASK P8a BEFORE ASK P8_S]

P8a **Was this problem or dispute related to the home you owned or the home you rented?** [DO NOT READ. TICK ONE]

01 Owned
02 Rented
99 Refused

[IF P8_F=1,98,99 AND D9.1=1 AND (D7.1=1 OR D7.2=1), ASK P8_S]

[IF P8_F=2+ AND D9.1=1 AND (D7.1=1 OR D7.2=1), ASK P8b BEFORE ASK P8_S]

P8b **Were these problems or disputes related to the home you owned or the home you rented or both?** [DO NOT READ. TICK ONE]

01 Owned
02 Rented
03 Both
99 Refused

[IF P8_F=2+ AND D9.1=1 AND (D7.1=1 OR D7.2=1), ASK P8_S]

[IF P8b=3, ASK P8c AFTER ASK P8_S]

P8c **Was the worst problem related to the home you owned or the home you rented?** [DO NOT READ. TICK ONE]

01 Owned
02 Rented
99 Refused

[(IF D8.5=1) AND (ANY OF P5–P8=1)]
Apart from anything you've already told me,

[IF D8.5=1]

P9 **Have you had any problems or disputes related to living in a retirement village? For example, about fees, facilities or your contract** [YNCR]
[IF P9=1, ASK P9_F]
[IF P9=1 AND (D9.1=2,98,99 OR (D7.1=2,98,99 AND D7.2=2,98,99)), ASK P9_S]

[IF P9_F=1,98,99 AND D9.1=1 AND (D7.1=1 OR D7.2=1), ASK P9a BEFORE ASK P9_S]

P9a **Was this problem or dispute related to the home you owned or the home you rented?** [DO NOT READ. TICK ONE]

01 Owned
02 Rented
99 Refused

[IF P9_F=1,98,99 AND D9.1=1 AND (D7.1=1 OR D7.2=1), ASK P9_S]

[IF P9_F=2+ AND D9.1=1 AND (D7.1=1 OR D7.2=1), ASK P9b BEFORE ASK P9_S]

P9b **Were these problems or disputes related to the home you owned or the home you rented or both?** [DO NOT READ. TICK ONE]

01 Owned
02 Rented
03 Both
99 Refused

[IF P8_F=2+ AND D9.1=1 AND (D7.1=1 OR D7.2=1), ASK P8_S]

[IF P9b=3, ASK P9c AFTER ASK P9_S]

P9c **Was the worst problem related to the home you owned or the home you rented?** [DO NOT READ. TICK ONE]

01 Owned
02 Rented
99 Refused

[IF D8.4=1]

P10 **Have you had any problems or disputes related to care you received in a nursing home, group care or residential care facility?** [YNCR]

[IF D8.4=1]

P11 **Apart from problems with care, have you had any other problems or disputes related to living in a nursing home, group or residential care facility? For example, about fees, facilities, security, privacy or your contract** [YNCR]

Money and debt

Next are any money-related problems that started during or continued into the last 12 months.

[D16=1 OR D17=1]

P12 **Have you had any problems or disputes related to government payments or concessions? For example, about eligibility, payment amount, breaches, reviews or fraud allegations** [YNCR]

[IF D9.3=1]

P13 **Have you had any problems or disputes related to being a landlord? For example, about rent payments, agreements, the managing agent, sub-letting or a tenant causing damage** [YNCR]

[IF D9.4=1]

P14 **Have you had any problems or disputes related to:** [READ]

P14.1 payments for your business? For example, about business loans, tax, income, accounts or expenses [YNCR]

P14.2 other issues for your business that weren't about payments? For example, about contracts, tenancy, staff issues, workers compensation, licensing, inspections, ownership or litigation [YNCR]

[IF D9.2=1]

P15 **Have you had any problems or disputes related to:** [READ]

P15.1 a loan for any investment property? For example, about mortgage repayment, default or repossession [YNCR]

P15.2 planning permission for building works on investment property? [YNCR]

P15.3 other issues related to any investment property? For example, about settlement, contract of sale, title, boundaries, rights of way or access [YNCR]

[IF ANY OF P4.1, P12, P13, P14.1, P14.2, P15.1=1]
Apart from anything you've already told me,

[ASK ALL]

P16 **Have you had any problems or disputes related to:** [READ]

P16.1 paying a loan or hire purchase agreement or guaranteeing someone else's loan? [YNCR]

P16.2 a creditor taking or threatening action against you for any other unpaid bill or debt? [YNCR]

P16.3 any investment income? For example, problems or disputes about superannuation, shares, trusts or managed funds [YNCR]

P16.4 your credit rating or refusal of credit? [YNCR]

P16.5 repayment of money owed to you? [YNCR]

P17 **Have you had any problems or disputes related to actual or possible bankruptcy?** [YNCR]

Health — mental health condition

Next are any health-related disputes that started during or continued into the last 12 months.

[(IF D11=5 OR (D10=1 AND D11=97,98,99)) AND P10=1]
Apart from anything you've already told me,

[IF D11=5 OR (D10=1 AND D11=97,98,99)]

P18 **Have you had any problems or disputes related to:** [READ]

P18.1 mental health treatment, medication or care? For example, treatment that was inadequate, wrong or against your will [YNCR]

P18.2 being hospitalised or detained for a mental health condition? For example, about being detained against your will, difficulty getting discharged or discharge conditions [YNCR]

Health — long-term illness/disability

[(IF D10=1 OR S1=65+ OR S1.1=13+) AND (ANY OF P10, P18.1, P18.2=1)]
Apart from anything you've already told me,

[IF D10=1 OR S1=65+ OR S1.1=13+]

P19 **Have you had any problems or disputes related to:** [READ]

P19.1 access to, or quality of, disability or care services? For example, community care, respite, independent living, support or rehabilitation services [YNCR]

P19.2 access to, or quality of, disability aids, equipment or facilities? For example, disabled parking permits, wheelchair access, home modifications, aids or equipment to assist with daily living [YNCR]

Health — clinical negligence

[IF ANY OF P10, P18.1, P18.2, P19.1, P19.2=1]
Apart from anything you've already told me,

[ASK ALL]

P20 **Have you had any problems or disputes related to treatment, surgery or medication by a doctor, dentist or other health professional? For example, inadequate or wrong treatment, or treatment that you didn't consent to** [YNCR]

Injury

Next are any accidents or injuries that happened in the last 12 months. Also include any earlier accidents for which insurance, compensation or legal proceedings were still an issue in the last 12 months.

P21 **Have you:** [READ]

P21.1 had a motor vehicle accident where someone was injured? [YNCR]

P21.2 had any other motor vehicle accident where no-one was injured? [YNCR]

P21.3 had a work-related injury? [YNCR]

P21.4 had an injury or illness due to a faulty product? For example, due to electrical goods, toys or food products [YNCR]

P21.5 been accused of injuring or harming someone else in any other accident? [YNCR]

P21.6 had any other injury from an accident that didn't happen at home and was caused by someone else? [YNCR]

Consumer

Next are any consumer-related problems that started during or continued into the last 12 months.

[IF P21.4=1]
Apart from anything you've already told me,

[ASK ALL]

P22 **Have you had any problems or disputes related to buying goods that were faulty? For example, electrical goods, motor vehicles, furniture or clothing** [YNCR]

[ASK ALL]

P23 **Have you had any problems or disputes related to inadequate services or any disputes related to the cost of services from:** [READ]

P23.1 a lawyer? [YNCR]

P23.2 another professional or tradesperson? For example, architect, accountant, travel agent, builder, plumber, painter or mechanic [YNCR]

[IF P16.2=1 OR P16.4=1]
Apart from anything you've already told me,

[ASK ALL]

P24 **Have you had any problems or disputes related to:** [READ]

P24.1 bank, building society or credit union services? [YNCR]

P24.2 water, electricity or gas company services or contracts? [YNCR]

P24.3 phone, mobile phone, internet or pay TV services or contracts? [YNCR]

Family

Next are any family-related problems that started during or continued into the last 12 months.

P25 **Have you had any problems or disputes:** [READ]

P25.1 over a will or deceased estate? For example, about your entitlements, probate or being an executor or trustee of a deceased estate [YNCR]

P25.2 over a power of attorney? [YNCR]

P26 **Have you had any problems or disputes related to fostering, adoption or legal guardianship?** [YNCR]

[IF D4=1+ AND (P12=1 OR P26=1)]
Apart from anything you've already told me,

[IF D4=1+]

P27 **Have you had any problems or disputes involving (your child)/(your children) under 18 related to:** [READ]

P27.1 child support payments? [YNCR]

P27.2 a care protection order or assessment by a child welfare authority? [YNCR]

P27.3 any other residence, contact, access or custody issue? [YNCR]

[IF D6=1]

P28 **Have you had any problems or disputes involving a grandchild? For example, about residence, contact, access, custody, child support, a care protection order or assessment by a child welfare authority** [YNCR]

[IF D1=3–9,99 AND S1=16+,999]

P29 **Can I just check, in the last 12 months, have you divorced or separated from someone you were married to?** [YNCR]

D19 **(Can I just check)/(And, can I also check), in the last 12 months, have you separated from a partner you were living with but not married to?** [YNCR]

[IF P29=1 OR D19=1]

P30 **Following your relationship break-up in the last 12 months, have you had any problems or disputes related to:** [READ]

P30.1 the division of money or property? [YNCR]

P30.2 spouse or partner maintenance (excluding child support payments)? [YNCR]

Government

Next are any government-related problems that started during or continued into the last 12 months.

P31 **Have you had any problems or disputes related to:** [READ]

P31.1 a tax assessment or tax debt? [YNCR]

P31.2 a freedom of information request? [YNCR]

P31.3 citizenship, residency, immigration or refugee status for you, a family member or partner? [YNCR]

[IF ANY OF P4.2, P4.3, P5, P15.2, P15.3=1]
Apart from anything you've already told me,

[ASK ALL]

P32 **Have you had any problems or disputes with your local council or local government? For example, about services, amenities, or objections to building works, developments or town planning** [YNCR]

Crime victim

Next are questions about being a victim of crime in the last 12 months. Also include any earlier crimes for which insurance, compensation or legal proceedings were still an issue in the last 12 months. I again assure you that your answers are strictly confidential.

P33 **Were you a victim of:** [READ]

P33.1 robbery or attempted robbery where you were assaulted or threatened with force? [YNCR]

P33.2 any other theft/burglary or attempted theft/burglary? [YNCR]

P33.3 property vandalism or damage? [YNCR]

P33.4 threatened or actual assault or sexual assault by a family or household member? [YNCR]

P33.5 threatened or actual assault or sexual assault by another person? [YNCR]

P33.6 any other crime? [YNCR]

[(IF P33.6_F=1,98,99)/(IF P33.6_F=2+)]

P33.6a (And, what type of crime was it?)/(And, what type of crime was the worst of these?) [SPECIFY. REFUSED=99] [DO NOT RECORD PEOPLE'S NAMES OR ANY OTHER INFORMATION THAT MAY IDENTIFY SPECIFIC INDIVIDUALS]

Criminal process

P34 **Have you had any problems or disputes related to unfair treatment by police? For example, assaulted or harassed by police, wrongful arrest or searches** [YNCR]

Criminal offence

Next are any other problems related to crimes or fines that started or continued into the last 12 months.

P35 **Have you had allegations of domestic violence made against you, either to the police or in court?** [YNCR]

[IF P35=1]
Apart from anything you've already told me,

[ASK ALL]

P36 **Have you been charged, arrested or questioned by police for allegedly committing a crime?** [YNCR]

Fines

[IF P36=1]
Apart from anything you've already told me,

[ASK ALL]

P37 **Have you had problems paying or disputes related to fines, infringement or penalty notices?** [YNCR] [ASK P37.1 BEFORE ASK P37_F AND P37_S]

[IF P37=1]

P37.1 Did any of these fines or notices lead to ***further*** penalties? For example, lead to court fines, loss of licence or registration, community service order, property being seized or wage deductions [YNCR]

[IF P37.1=1, ASK P37.1_F AND FOLLOW WITH P37.1_S]

P37.1_F How many separate fines or notices led to further penalties in the last 12 months? [RECORD 2-DIGIT FREQUENCY. CAN'T SAY=98, REFUSED=99] [ASK P37.1_S]

[(IF P37=1 AND P37.1=2,98,99)/(IF P37=1 AND P37.1=1) ASK P37_F]

P37_F How many (separate fines or notices)/(other fines or notices) did you have problems paying or disputes about in the last 12 months? [RECORD 2-DIGIT FREQUENCY. CAN'T SAY=98, REFUSED=99] [ASK P37_S IF P37_F=1+,98,99]

Insurance

[IF ANY OF P21.1–P21.6=1]
Apart from anything you've already told me,

[ASK ALL]

P38 **Have you had any problems or disputes related to any sort of insurance, such as car, home, travel, health insurance, etc? For example, about insurance claims, premiums, eligibility, coverage or cancellation** [YNCR]

Other

[ASK ALL]

P40 **Have you had any *other* legal problems or disputes that started during or continued into the last 12 months? For example, related to areas of your life we haven't covered** [YNCR]

[(IF P40_F=1,98,99)/(IF P40_F=2+)]

P40a (And, what type of legal problem or dispute was it?)/(And, what type of legal problem or dispute was the worst of these?) [SPECIFY. CAN'T SAY=98, REFUSED=99] [DO NOT RECORD PEOPLE'S NAMES OR ANY OTHER INFORMATION THAT MAY IDENTIFY SPECIFIC INDIVIDUALS]

Part C: Action and outcome

[IF NO PROBLEM TYPES IDENTIFIED IN PART B (I.E. IF ALL Pn AND ALL Pn.n QUESTIONS IN PART B=2,98,99), GO TO D24]

[IF P40=1 AND P40a=98,99, THEN P40 IS NOT CONSIDERED A PROBLEM IDENTIFIED IN PART C AND IS EXCLUDED FROM THE REST OF THE SURVEY]

[NOTE THAT P37 IS ONLY FOLLOWED-UP AS A PROBLEM TYPE IN PART C IF P37=1 AND P37_F=1+]

[IF 1 PROBLEM TYPE RECORDED IN PART B, RECORD THIS PROBLEM TYPE AS PROBLEM A]

[IF 2+ PROBLEM TYPES IDENTIFIED IN PART B, RECORD FIRST PROBLEM TYPE IDENTIFIED IN PART B AS PROBLEM TYPE 1, SECOND PROBLEM TYPE IDENTIFIED AS PROBLEM TYPE 2, THIRD PROBLEM TYPE IDENTIFIED AS PROBLEM TYPE 3, FOURTH PROBLEM TYPE IDENTIFIED AS PROBLEM TYPE 4, ETC]

[IF 2+ PROBLEM TYPES IDENTIFIED IN PART B]
You identified problems or disputes related to:
[PROBLEM TYPE 1]
[PROBLEM TYPE 2]
[PROBLEM TYPE 3]
[PROBLEM TYPE 4] [ETC … I.E. CONTINUE UNTIL ALL PROBLEM TYPES EXHAUSTED]

[IF 2+ PROBLEM TYPES IDENTIFIED IN PART B]

D20 **Thinking of these problems or disputes, which was the most serious?** [RECORD AS PROBLEM A. IF 2 PROBLEM TYPES IDENTIFIED IN PART B, RECORD REMAINING PROBLEM TYPE AS PROBLEM B. IF ONLY ONE PROBLEM TYPE, DO NOT ASK D20 BUT RECORD PROBLEM A AT D20]

[(IF 3+ PROBLEM TYPES IDENTIFIED IN PART B AND FREQUENCY OF PROBLEM A IS 1)/(IF 3+ PROBLEM TYPES IDENTIFIED IN PART B AND FREQUENCY OF PROBLEM A IS 2+,98,99)]

D20.1 (And which was the next most serious?)/(Excluding the problems or disputes with [PROBLEM A], which was the next most serious problem or dispute?) [RECORD AS PROBLEM B. IF 3 PROBLEM TYPES IDENTIFIED IN PART B, RECORD REMAINING PROBLEM TYPE AS PROBLEM C]

[(IF 4+ PROBLEM TYPES IDENTIFIED IN PART B AND FREQUENCY OF PROBLEM A IS 1 AND FREQUENCY OF PROBLEM B IS 1)/(IF 4+ PROBLEM TYPES IDENTIFIED IN PART B AND FREQUENCY OF PROBLEM A IS 2+,98,99 OR FREQUENCY OF PROBLEM B IS 2+,98,99)]

D20.2 (And which was the next most serious?)/(And, excluding the problems or disputes with [PROBLEM A] and with [PROBLEM B], which was the next most serious?) [RECORD AS PROBLEM C]

Problem A

[IF FREQUENCY OF PROBLEM A=1]
The next questions are about the problem or dispute with [PROBLEM A].

[IF FREQUENCY OF PROBLEM A=2+]
You said you had [FREQUENCY] problems or disputes with [PROBLEM A]. The next questions are about the worst problem or dispute with [PROBLEM A].

[IF FREQUENCY OF PROBLEM A=98,99]
You said you had at least one problem or dispute with [PROBLEM A]. The next questions are about the worst problem or dispute with [PROBLEM A].

Problem description

But first, I'd like to ask you not to mention anyone's name, such as the other side in the problem or dispute. Where your answers relate to specific people, just tell me your relationship to them.

[IF PROBLEM A IS NOT P5, P24.1–P24.3, P29, P32 NOR P34]

A1 **Can I just check, who was the problem or dispute with?** [DO NOT READ. TICK ONE. REFER TO CARD C FOR FULL LIST OF CODES. DO NOT RECORD PEOPLE'S NAMES OR ANY OTHER IDENTIFYING INFORMATION, BUT RATHER, RECORD RELATIONSHIP (E.G. UNCLE) OR OCCUPATION (E.G. ARCHITECT) AS APPROPRIATE. IF ANSWER IS 'STRANGER' OR 'UNKNOWN PERSON' PROMPT WITH]: Do you mean that you don't know who was responsible for the incident, or do you just mean that it's someone you don't know personally? [IF RESPONDENT DOESN'T KNOW WHO WAS RESPONSIBLE, CODE A1=03. IF PERSON RESPONSIBLE HAS BEEN IDENTIFIED, BUT IT'S SOMEONE THE RESPONDENT DOESN'T KNOW PERSONALLY, CODE A1=2]

[IF PROBLEM A IS P5, RECORD A1=37 (NEIGHBOURS).
IF PROBLEM A IS P24.1, RECORD A1=05 (BANK ETC).
IF PROBLEM A IS P24.2, RECORD A1=13 (UTILITIES COMPANY).
IF PROBLEM A IS P24.3, RECORD A1=12 (TELECOMMUNICATIONS COMPANY).
IF PROBLEM A IS P29, RECORD A1=56 ((EX) HUSBAND/WIFE).
IF PROBLEM A IS P32, RECORD A1=47 (LOCAL COUNCIL/GOVERNMENT).
IF PROBLEM A IS P34, RECORD A1=52 (POLICE)]

No other side/other side unknown

01 No-one/no other side/not in dispute with anyone
02 Stranger — i.e. an identified person I don't know personally
03 Unidentified person — i.e. the person responsible is unknown

Business/consumer/finance

04 Accountant
05 Bank/building society/credit union
06 Commercial leaser
07 Customer/client
08 Financial planner
09 Insurance company/broker
10 Manufacturer
11 Retailer
12 Telecommunications company (e.g. phone, mobile phone, internet, pay TV)
13 Utilities company (e.g. water, electricity, gas)
14 Other financial institution (e.g. superannuation fund, mortgage company)
15 Other financial [SPECIFY]

Education

16 Department of Education
17 School/educational institution
18 Teacher, lecturer, or school/college/university staff
19 Student

Employment

20 Boss/supervisor
21 Employee
22 Employer
23 Employment agency
24 Work colleague

Health/welfare

25 Doctor (e.g. GP, psychiatrist, medical specialist)
26 Health care service/facility (e.g. disability/community care/respite/independent living/ rehabilitation service)
27 Hospital/dental hospital
28 Psychologist/counsellor
29 Social worker/welfare worker
30 Other health/welfare professional (e.g. nurse, pharmacist) [SPECIFY]

Housing

31 Boarding house
32 Conveyor
33 Flat mate/co-tenant
34 Inspector — building/pest
35 Landlord (private)
36 Landlord's managing agent/landlord's real estate agent
37 Neighbour(s)
38 Nursing home/group care home/residential care home
39 Owner's/strata body/corporation
40 Public housing authority
41 Renter/tenant/lodger/sub-tenant
42 Retirement village
43 Other real estate agent

Government

44 Australian Taxation Office (ATO)/Tax department
45 Centrelink
46 Child welfare authority or department of child safety/children/communities/families/human services [SEE GLOSSARY]
47 Local council/local government
48 Member of Parliament
49 Other government department/agency [SPECIFY]

Legal

50 Executor/trustee/power of attorney
51 Private solicitor/barrister
52 Police

People

53 Driver
54 Friend
55 Injured person
56 (Ex) husband/wife
57 (Ex) partner
58 Family member/relative (not spouse/partner) [SPECIFY RELATIONSHIP]
59 Household member (not family member)

Other

60 Non-legal community group/organisation [SPECIFY]
61 Other person [SPECIFY. DO NOT RECORD NAMES]
62 Other organisation [SPECIFY]
98 Can't say
99 Refused

[IF PROBLEM A NOT P29 AND NOT P33.4]

A2 **Later I'll ask what you did about the problem and if it's been resolved. But first, please just tell me the main aspects of the problem or dispute.** [SPECIFY. CAN'T SAY=98, REFUSED=99][DO NOT RECORD PEOPLE'S NAMES OR ANY OTHER IDENTIFYING INFORMATION. IF ANSWER IS BRIEF, PROBE FURTHER TO GET A CLEAR DESCRIPTION OF THE PROBLEM/DISPUTE FOR EXAMPLE]: What exactly was the problem for you? [OR]: Could you please tell me a bit more. For example, was there a dispute? [IF THERE WAS A DISPUTE, COULD ASK]: What was being disputed? [IF EVICTION]: Was it actual or threatened eviction? On what grounds? [IF CHILD SUPPORT PAYMENTS]: Was the problem to do with the amount of the payment, you not getting payments or you not being able to make payments, or something else? [IF COMPENSATION]: Was the problem to do with not getting compensation or the amount of compensation, or something else? [IF INJURY/ACCIDENT]: Was there an insurance claim? [OR]: Were there any problems with claiming insurance?

[(IF PROBLEM A IS P1–P20, P22–P28, P30–P32, P34 OR P37–P40)/(IF PROBLEM A IS P21.1, P21.2, P21.5 OR P21.6)/(IF PROBLEM A IS P21.3, P21.4, P33.1–P33.6, P35 OR P36)/(IF PROBLEM A IS P29)]

A3 **Approximately what month and year did (this problem or dispute start)/(this accident happen)/(this incident happen)/(you separate from your husband/wife)?**

[IF CAN'T REMEMBER, PROMPT WITH]: Can you remember whether it was close to Easter, Christmas, a public holiday or someone's birthday? [SEE GLOSSARY FOR PUBLIC HOLIDAYS/IMPORTANT DAYS IN EACH STATE/TERRITORY. RECORD 2-DIGIT MONTH AT A3.1 (JANUARY–DECEMBER=01–12, REFUSED=99, CAN'T SAY=98). RECORD 4-DIGIT YEAR AT A3.2 (E.G. 2006, REFUSED=9999, CAN'T SAY=9998)]

A4 **At any time, did the problem with** [PROBLEM A] **cause you to experience the following:** [READ]

A4.1 stress-related illness? [YNCR]

[IF PROBLEM A NOT P21.3, P21.4 NOR P21.6]

A4.2 physical ill health? [YNCR]

[IF PROBLEM A NOT P29]

A4.3 relationship breakdown? [YNCR]

[ASK ALL]

A4.4 had to move home? [YNCR]

[ASK ALL]

A4.5 loss of income or financial strain? [YNCR]

Actions other than formal advice

A5 **Did you to try to resolve the problem or dispute by obtaining information from an internet website, book, leaflet or other self-help guide?** [YNCR]

[IF A5=1]

A6 **Overall, how helpful was that information?** [READ. TICK ONE]

01 Not at all helpful
02 Not very helpful
03 Fairly helpful
04 Very helpful
98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

A7 **Have there been, or are there going to be, any court or tribunal proceedings in relation to this problem or dispute?** [YNCR]

[IF A7=1]

A7.1 Could you please tell me what type of proceedings: court or tribunal? [DO NOT READ. TICK ONE]

01 Court
02 Tribunal
98 Can't say
99 Refused

A8 **Have you attended, or are you going to attend, any formal mediation, conciliation or dispute resolution sessions in relation to this problem or dispute?** [YNCR]

Type of adviser

Next I'll ask about any ***formal advisers*** you consulted to try to resolve the problem with [PROBLEM A]. That is, any ***professionals or organisations*** that you, or a relative or friend on your behalf, spoke or wrote to directly, including any professionals you know personally. Please exclude merely visiting a website.

[IF A1=2,4–62,98,99]
And please exclude any contact with the other side.

A9 **Did you seek information or advice from any lawyers, legal services or court staff?** [YNCR]

[IF A9=1]

A9.1 Please tell me all such advisers you contacted. [DO NOT READ. PROMPT WITH]: Any other legal advisers? [TICK ALL. IF ANSWER DOESN'T FIT INTO ANY CODES FOR THIS QUESTION, CHECK CARD D TO SEE IF ANY OTHER CODE FOR A9.1–A14.1 IS APPROPRIATE, AND IF IT IS, CODE AT THE RELEVANT QUESTION. IF RESPONDENT INDICATES LAWYER/SOLICITOR/BARRISTER WITHOUT FURTHER CLARIFICATION, PROMPT WITH]: Is that a lawyer working for a private law firm? [IF YES, CODE AS PRECODE 06 AT A9.1. IF NOT, ESTABLISH WHICH OF OTHER PRECODES IS APPROPRIATE. FOR EACH ADVISER TYPE MENTIONED, RECORD NUMBER OF THAT ADVISER TYPE CONTACTED. E.G. IF 2 PRIVATE SOLICITORS/BARRISTERS CONTACTED, ENTER '2'. IF NECESSARY, PROMPT TO DETERMINE EXACT NUMBER CONTACTED OF ANY ADVISER TYPE MENTIONED. NOTE THAT WEBSITES ARE NOT INCLUDED AS ADVISERS IF NO DIRECT CONTACT. IF A NON-INDIGENOUS RESPONDENT PROVIDES A LEGAL SERVICE NAME THAT IS SIMILAR TO ONE OR MORE LEGAL SERVICES ON CARD E, PROMPT WITH]: Do you know if that is a Legal Aid service or a community legal service? [IF AN INDIGENOUS RESPONDENT PROVIDES A LEGAL SERVICE NAME THAT IS SIMILAR TO ONE OR MORE LEGAL SERVICES ON CARD E, PROMPT WITH]: Do you know if that is a Legal Aid service or a community legal service, or an Aboriginal legal service? [IF STILL UNSURE ABOUT WHICH CODE TO USE FOR A NAMED LEGAL SERVICE, THEN CODE AS 7 AND SPECIFY]

		Number contacted
01	Legal Aid or Legal Aid service [SEE CARD E FOR EGS]	☐
02	Aboriginal or Indigenous legal service [SEE CARD E FOR EGS]	☐
03	Community legal centre (CLC) or community legal service [SEE CARD E FOR EGS]	☐
04	LawAccess NSW	☐
05	Court service [SEE CARD E FOR EGS]	☐
06	Private lawyer/solicitor/barrister	☐
07	Other legal service [SPECIFY]	☐
98	Can't say	
99	Refused	

A10 **Did you seek information or advice from the police or any government or complaint handling bodies? For example, government departments, agencies or councils, members of parliament, ombudsmen or tribunals?** [YNCR]

[IF A10=1]

A10.1 Please tell me all such advisers you contacted. [DO NOT READ. PROMPT WITH]: Any other government or complaint handling bodies? [TICK ALL. IF ANSWER DOESN'T FIT INTO ANY CODES FOR THIS QUESTION, CHECK CARD D TO SEE IF ANY OTHER CODE FOR A9.1–A14.1 IS APPROPRIATE, AND IF IT IS, CODE AT THE RELEVANT QUESTION. FOR EACH ADVISER TYPE MENTIONED, RECORD NUMBER OF THAT ADVISER TYPE CONTACTED. E.G. IF 2 OMBUDSMEN CONTACTED, ENTER '2'. IF NECESSARY, PROMPT TO DETERMINE EXACT NUMBER CONTACTED OF ANY ADVISER TYPE MENTIONED. NOTE THAT WEBSITES ARE NOT INCLUDED AS ADVISERS IF NO DIRECT CONTACT]

		Number contacted
08	Australian Taxation Office (ATO)/Tax department	☐
09	Centrelink	☐
10	Child welfare authority or department of child safety/children/communities/ families/human services [SEE GLOSSARY]	☐
11	Commission(er) [SPECIFY. SEE CARD F FOR EGS]	☐
12	Community Justice Centre	☐
13	Department of Education	☐
14	Local council/local government	☐
15	Member of Parliament	☐
16	Ombudsman	☐
17	Police	☐
18	Tribunal	☐
19	Other complaint handling body [SPECIFY. SEE CARD F FOR EGS]	☐
20	Other government department/agency [SPECIFY. SEE CARD F FOR EGS]	☐
98	Can't say	
99	Refused	

A11 **Did you seek information or advice from any trade unions or professional associations? That is, organisations like the Teachers Federation or Master Builders Association** [YNCR]

[IF A11=1]

A11.1 Please tell me all such advisers you contacted. [DO NOT READ. PROMPT WITH]: Any other trade unions or professional associations? [TICK ALL. IF ANSWER DOESN'T FIT INTO ANY CODES FOR THIS QUESTION, CHECK CARD D TO SEE IF ANY OTHER CODE FOR A9.1–A14.1 IS APPROPRIATE, AND IF IT IS, CODE AT THE RELEVANT QUESTION. FOR EACH ADVISER TYPE MENTIONED, RECORD NUMBER OF THAT ADVISER TYPE CONTACTED. E.G. IF 2 TRADE UNIONS CONTACTED, ENTER '2'. IF NECESSARY, PROMPT TO DETERMINE EXACT NUMBER CONTACTED OF ANY ADVISER TYPE MENTIONED. NOTE THAT WEBSITES ARE NOT INCLUDED AS ADVISERS IF NO DIRECT CONTACT]

		Number contacted
21	Trade union	☐
22	Professional association	☐
98	Can't say	
99	Refused	

A12 **Did you seek information or advice from any medical, health or welfare professionals or services? For example, doctors, counsellors, social workers, hospitals or health care services?** [YNCR]

[IF A12=1]

A12.1 Please tell me all such advisers you contacted. [DO NOT READ. PROMPT WITH]: Any other medical, health or welfare professionals or services? [TICK ALL. IF ANSWER DOESN'T FIT INTO ANY CODES FOR THIS QUESTION, CHECK CARD D TO SEE IF ANY OTHER CODE FOR A9.1–A14.1 IS APPROPRIATE, AND IF IT IS, CODE AT THE RELEVANT QUESTION. FOR EACH ADVISER TYPE MENTIONED, RECORD NUMBER OF THAT ADVISER TYPE CONTACTED. E.G. IF 2 DOCTORS CONTACTED, ENTER '2'. IF NECESSARY, PROMPT TO DETERMINE EXACT NUMBER CONTACTED OF ANY ADVISER TYPE MENTIONED. NOTE THAT WEBSITES ARE NOT INCLUDED AS ADVISERS IF NO DIRECT CONTACT]

		Number contacted
23	Doctor (e.g. GP, psychiatrist, medical specialist)	☐
24	Health care service/facility (e.g. disability/community care/respite/ independent living/rehabilitation service)	☐
25	Hospital/dental hospital	☐
26	Psychologist/counsellor	☐
27	Social worker/welfare worker	☐
28	Other health/welfare professional (e.g. nurse, pharmacist) [SPECIFY]	☐
98	Can't say	
99	Refused	

A13 **Did you seek information or advice from any financial professionals or organisations such as accountants, financial planners, insurance companies or banks?** [YNCR]

[IF A13=1]

A13.1 Please tell me all such advisers you contacted. [DO NOT READ. PROMPT WITH]: Any other financial professionals or organisations? [TICK ALL. IF ANSWER DOESN'T FIT INTO ANY CODES FOR THIS QUESTION, CHECK CARD D TO SEE IF ANY OTHER CODE FOR A9.1–A14.1 IS APPROPRIATE, AND IF IT IS, CODE AT THE RELEVANT QUESTION. FOR EACH ADVISER TYPE MENTIONED, RECORD NUMBER OF THAT ADVISER TYPE CONTACTED. E.G. IF 2 ACCOUNTANTS CONTACTED, ENTER '2'. IF NECESSARY, PROMPT TO DETERMINE EXACT NUMBER CONTACTED OF ANY ADVISER TYPE MENTIONED. NOTE THAT WEBSITES ARE NOT INCLUDED AS ADVISERS IF NO DIRECT CONTACT]

		Number contacted
29	Accountant	☐
30	Bank/building society/credit union	☐
31	Financial planner	☐
32	Insurance company/broker	☐
33	Other financial institution (e.g. superannuation fund, mortgage company)	☐
34	Other financial [SPECIFY]	☐
98	Can't say	
99	Refused	

A14 **Did you seek information or advice from any other professionals or organisations such as your employer, school staff or community groups?** [YNCR]

[IF A14=1]

A14.1 Please tell me all such advisers you contacted. [DO NOT READ. PROMPT WITH]: Any other professionals or organisations? [TICK ALL. IF ANSWER DOESN'T FIT INTO ANY CODES FOR THIS QUESTION, CHECK CARD D TO SEE IF ANY OTHER CODE FOR A9.1–A14.1 IS APPROPRIATE, AND IF IT IS, CODE AT THE RELEVANT QUESTION. FOR EACH ADVISER TYPE MENTIONED, RECORD NUMBER OF THAT ADVISER TYPE CONTACTED. E.G. IF 2 PRIVATE BOSSES/SUPERVISORS CONTACTED, ENTER '2'. IF NECESSARY, PROMPT TO DETERMINE EXACT NUMBER CONTACTED OF ANY ADVISER TYPE MENTIONED. NOTE THAT WEBSITES ARE NOT INCLUDED AS ADVISERS IF NO DIRECT CONTACT]

		Number contacted
35	Boss/supervisor	☐
36	Employer	☐
37	Employment agency	☐
38	Non-legal community group/organisation [SPECIFY]	☐
39	School/educational institution	☐
40	Teacher, lecturer, or school/college/university staff	☐
41	Other person [SPECIFY RELATIONSHIP]	☐
42	Other organisation [SPECIFY]	☐
98	Can't say	
99	Refused	

[RECORD LIST OF ALL ADVISERS AT A14.2. RECORD TOTAL NO. OF ADVISERS AS A 2-DIGIT NUMBER AT A14.2Q]

[IF A14.2Q=0,98,99 GO TO A29]

[(IF A14.2Q=1)/(IF A14.2Q=2+)]

A15 **(Was the adviser)/(Were any of the advisers) you contacted also a friend or relative?** [YNCR]

[IF A15=1 AND A14.2Q=2+]

A15.1 Which ones? [RECORD CODE(S) FROM A9–A14] [DO NOT ASK A15.1 IF (A14.2Q=1 AND A15=1), BUT RECORD ADVISER CODE FROM A9–A14 AT A15.1. REFUSED=99]

[(IF AN ADVISER CODE AT A9–A14 MATCHES OTHER SIDE CODE AT A1) OR (IF A14.2Q=1+ AND A1=98,99)]

[FOR DTS (IF A14.2Q=1 USE: Was the adviser)/(IF A14.2Q=2+ USE: Were any of the advisers)/(IF A1=2,4,6–8,18–22,24,25,28–30,32–35,37,41,48,50–59,61 USE: person)/(IF A1=5,9–14,16,17,23,26,27, 31,38–40,42,44–47,49,60,62 USE: organisation)/(IF A1=15,36,43,98,99 USE: person or organisation)]

A16 **Can I just check, (was the adviser)/(were any of the advisers) you contacted, the (person)/ (organisation)/(person or organisation) who the problem or dispute was with?** [YNCR]

[IF A16=1 AND A14.2Q=2+]

A16.1 And, can I just check which adviser was actually the other side? [RECORD CODE FROM A9–A14] [DO NOT ASK A16.1 IF (A14.2Q=1 AND A16=1), BUT RECORD ADVISER CODE FROM A9–A14 AT A16.1]

[IF A16=1 CREATE NEW LIST FOR ALL ADVISERS CONTACTED AT A16.2, WHICH INCLUDES ALL THE ADVISERS LISTED AT A14.2 BUT EXCLUDES THE ADVISER WHO IS THE OTHER SIDE (I.E. EXCLUDES THE ADVISER CODED AT A16.1). ALSO CREATE NEW LIST OF ADVISERS AT A16.2 FOR ALL OTHER RESPONDENTS WITH 1+ ADVISERS (I.E. FOR THOSE WITH ADVISERS WHO WERE NOT ASKED A16, AND FOR THOSE WITH ADVISERS WHO WERE ASKED A16 BUT DID NOT HAVE A MATCH). USE THE NEW LIST OF ADVISERS AT A16.2 TO FEED INTO THE REMAINING QUESTIONS SO THAT THE OTHER SIDE IS NOT TREATED AS AN ADVISER IN ANY OF THE REMAINING QUESTIONS. FOR EXAMPLE, QUESTIONS A17–A28 ARE NOT ASKED IN RELATION TO OTHER SIDE. ANY VERBATIMS FOR ADVISERS CAPTURED AT A9–A14 WILL ALSO BE AVAILABLE IN THE NEWLY CREATED ADVISER LIST]

[IF A16=1, CALCULATE A16.2Q TO REFLECT ONE LESS ADVISER THAN THE VALUE OF A14.2Q. FOR ALL OTHER RESPONDENTS, A16.2Q=A14.2Q]

[N.B. IF A16=1 AND NO ADVISERS APART FROM THE ADVISER WHO MATCHED WITH THE OTHER SIDE (AT A16.1) WERE CODED AT A9–A14 (I.E. A16.2Q=0,98,99), GO TO A29]

[IF A16=2,98,99 AND A16.2Q=1]
The next questions relate to [ADVISER] who you identified as an adviser for your problem with [PROBLEM A].

[IF A16=1 AND A16.2Q=1]
You said you contacted two advisers for the problem with [PROBLEM A]. One of these advisers was the other side. The next questions relate to the ***adviser who wasn't the other side***.

[IF A16=2,98,99 AND A16.2Q=2+]
You said you contacted [INSERT NUMBER FROM A16.2Q] advisers for the problem with [PROBLEM A]. I will now ask about these advisers.

[IF A16=1 AND A16.2Q=2+]
You said you contacted [INSERT NUMBER EQUAL TO A14.2Q] advisers for the problem with [PROBLEM A]. One of these advisers was the other side. I'll now ask about the ***remaining*** [INSERT NUMBER FROM A16.2Q] ***advisers who were not the other side***.

First adviser

[IF A16.2Q=2+]

A17 **Which adviser did you contact first?** [RECORD CODE FROM A16.2] [DO NOT ASK A17 IF A16.2Q=1, BUT RECORD ADVISER CODE FROM A16.2 AT A17]

[IF A16.2Q=1+]

A17.1 How helpful was this adviser? [READ. TICK ONE]

01 Not at all helpful
02 Not very helpful
03 Fairly helpful
04 Very helpful
98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

Second adviser

[IF A16.2Q=3+]

A18 **Which adviser did you contact next?** [RECORD CODE FROM A16.2] [DO NOT ASK A18 IF A16.2Q=2, BUT RECORD REMAINING ADVISER CODE FROM A16.2 AT A18 AND SAY]: You also said you contacted [REMAINING ADVISER CODE FROM A16.2]

[IF A16.2Q=2+]

A18.1 (How helpful was this adviser?) [READ. TICK ONE]

01 Not at all helpful
02 Not very helpful
03 Fairly helpful
04 Very helpful
98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

Third adviser

[IF A16.2Q=4+]

A19 **Which adviser did you contact next?** [RECORD CODE FROM A16.2] [DO NOT ASK A19 IF A16.2Q=3, BUT RECORD REMAINING ADVISER CODE FROM A16.2 AT A19 AND SAY]: You also said you contacted [REMAINING ADVISER CODE FROM A16.2]

[IF A16.2Q=3+]

A19.1 (How helpful was this adviser?) [READ. TICK ONE]

01 Not at all helpful
02 Not very helpful
03 Fairly helpful
04 Very helpful
98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

Fourth/last adviser

[IF A16.2Q=5+]

A20 **Of the remaining advisers, who did you contact *last*?** [RECORD CODE FROM A16.2] [DO NOT ASK A20 IF A16.2Q=4, BUT RECORD REMAINING ADVISER CODE FROM A16.2 AT A20 AND SAY]: You also said you contacted [REMAINING ADVISER CODE FROM A16.2]

[IF A16.2Q=4+]

A20.1 (How helpful was this adviser?) [READ. TICK ONE]

01 Not at all helpful
02 Not very helpful
03 Fairly helpful
04 Very helpful
98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

Most useful adviser — selection

[IF A16.2Q=2+ AND A16=2,98,99]/[IF A16.2Q=2+ AND A16=1]

A21 **(Of the** [INSERT NUMBER FROM A16.2Q] **advisers you contacted, which was the most useful?)/ (Excluding the other side, of the** [INSERT NUMBER FROM A16.2Q] **advisers you contacted, which was the most useful?)** [RECORD ADVISER CODE FROM A16.2 AT A21. REFUSED=99. CAN'T SAY=98. IF RESPONDENT SAYS 2+ ADVISERS WERE BOTH THE MOST USEFUL, RECORD CAN'T SAY=98] [DO NOT ASK A21 IF A16.2Q=1, BUT RECORD THE RELEVANT ADVISER CODE AT A21 (I.E. FROM A16.2)]

[IF A21=98,99]

A21.1 The next questions relate to the most useful adviser, so for which adviser would you prefer to answer these questions?

[RECORD ADVISER CODE FROM A16.2 AT A21.1. REFUSED=99, CAN'T SAY=98. IF RESPONDENT'S ANSWER WAS 'REFUSED' OR 'CAN'T SAY', AUTOMATICALLY AND RANDOMLY SELECT ONE OF THE ADVISERS TO BE CONSIDERED AS THE MOST USEFUL AND RECORD ADVISER CODE FROM A16.2 AT A21.2]

[IF A16.2Q=2+ AND ADVISER CODED AT A21]
The next questions relate to this adviser who you identified as the most useful adviser for your problem with [PROBLEM A].

[IF A16.2Q=2+ AND ADVISER CODED AT A21.1 OR AT A21.2]
The next questions relate to [ADVISER CODED AT A21.1 OR AT A21.2] who you contacted for your problem with [PROBLEM A].

Most useful adviser — source

[IF A16.2Q=1+ AND (A21=1–20 OR A21.1=1–20 OR A21.2=1–20) AND MOST USEFUL ADVISER NOT CODED AT A15.1]

A22 **From what source did you find out about this adviser?** [DO NOT READ. TICK ONE] [DO NOT ASK IF MOST USEFUL ADVISER CODED AT A15.1, BUT RECORD A22=15]

01 Legal Aid or Legal Aid service [SEE CARD E FOR EGS]
02 Aboriginal or Indigenous legal service [SEE CARD E FOR EGS]
03 Community legal centre (CLC) or community legal service [SEE CARD E FOR EGS]
04 LawAccess NSW
05 Court service [SEE CARD E FOR EGS]
06 Advertising/media (e.g. newspaper, radio, television)
07 From a relative/friend/acquaintance
08 Internet
09 Pamphlet/leaflet/poster
10 Prior knowledge/similar previous experience
11 Telephone book
12 Used this adviser before
13 Walked in off the street
97 Other [SPECIFY]
98 Can't say
99 Refused

Most useful adviser — type and mode of help

[A16.2Q=1+]

A23 **Did this adviser provide help with:** [READ]

[IF A16.2Q=1+ AND A7=1]
A23.1 court or tribunal proceedings or preparation? [YNCR]
[IF A16.2Q=1+ AND A8=1]
A23.2 formal mediation, conciliation or dispute resolution sessions? [YNCR]
[IF A16.2Q=1+ AND A1=2,4–62,98,99]
A23.3 negotiating with the other side? [YNCR]
[IF A16.2Q=1+]
A23.4 talking or writing to another professional or agency? [YNCR]
[IF A16.2Q=1+]
A23.5 legal documents such as letters, complaints or agreements? [YNCR]
[IF A16.2Q=1+]
A23.6 other paperwork? [YNCR]

[IF A16.2Q=1+]

A24 **Did this adviser provide:**

A24.1 pre-packaged legal information, such as a leaflet or internet address? [YNCR]
A24.2 advice on your legal rights or legal procedures? [YNCR]
A24.3 financial advice? [YNCR]
A24.4 advice about employment? [YNCR]
A24.5 medical advice or assistance? [YNCR]
A24.6 counselling or support? [YNCR]
A24.7 any other information, advice or assistance? [YNCR]

[IF A16.2Q=1+]

A25 **How did you communicate with this adviser?** [READ] [QUESTION ORDER RANDOMISED A25.1–A25.4]

A25.1 By telephone? [YNCR]

A25.2 In person? [YNCR]

A25.3 By email? [YNCR]

A25.4 By post or mail? [YNCR]

[IF A16.2Q=1+ AND A25.2=1]

A26 **When you saw this adviser in person, approximately how many kilometres did you usually travel?** [DO NOT READ. TICK ONE]

01 Didn't need to travel
02 1–5
03 6–10
04 11–20
05 21–40
06 41–80
07 81+
98 Can't say
99 Refused

Most useful adviser — barriers

[IF A16.2Q=1+ AND (A21=1–20 OR A21.1=1–20 OR A21.2=1–20)]

A27 **Did you experience any of the following difficulties when trying to get information or advice from this adviser:** [READ] [QUESTION ORDER RANDOMISED A27.1–A27.7]

A27.1 inconvenient opening hours? [YNCR]

A27.2 difficulty getting through on the phone? [YNCR]

A27.3 difficulty getting an appointment? [YNCR]

A27.4 took too long to respond? [YNCR]

A27.5 too expensive? [YNCR]

A27.6 too far away/hard to get to? [YNCR]

A27.7 inadequate, poor or badly explained advice? [YNCR]

[IF A16.2Q=1+ AND (A21=1–20 OR A21.1=1–20 OR A21.2=1–20) AND (S7=2–12,97,99 OR (S6=2–97 AND S7 NOT ASKED))]

A27.8 difficulty understanding the advice because English isn't your first language? [YNCR]

[IF A16.2Q=1+ AND (A21=1–20 OR A21.1=1–20 OR A21.2=1–20) AND D10=1]

A27.9 didn't cater for people with disabilities? [YNCR]

[IF A16.2Q=1+ AND (A21=1–20 OR A21.1=1–20 OR A21.2=1–20) AND D4=1+]

A27.10 didn't cater for parents bringing along young children? [YNCR]

[IF A16.2Q=1+ AND (A21=1–20 OR A21.1=1–20 OR A21.2=1–20)]

A27.11 any other difficulty when trying to get information or advice from this adviser? [YNCR]

[IF A27.11=1]

A27.12 What type of difficulty? [SPECIFY]

Most useful adviser — referrals

[A16.2Q=1+]

A28 **Did this adviser refer you to a lawyer or anyone else?** [YNCR]

[IF A28=1]

A28.1 Who were you referred to? [DO NOT READ. TICK ALL. PROMPT WITH]: Anyone else?

01 Complaint handling/dispute resolution/mediation/conciliation
02 Financial professional/organisation
03 Government department/agency
04 Lawyer/legal service
05 Medical, health or welfare professional/service
06 Non-legal community group/organisation

07 Ombudsman/tribunal
08 Police
09 Trade union or professional association
97 Other [SPECIFY]
98 Can't say
99 Refused

Relatives/friends

[IF A15=2,98,99 OR A14.2Q=0,98,99]

A29 **Did you go to any relatives or friends for information or advice to try to resolve the problem or dispute?** [YNCR]

[IF A15=1]

A29.1 Apart from the (adviser)/(advisers) that you said (was a relative or friend)/(were relatives or friends), did you go to any other relatives or friends for information or advice to try to resolve the problem or dispute? [YNCR]

[(IF A29=1)/(IF A29.1=1)]

A30 **Thinking of the most helpful of these (relatives or friends)/(other relatives or friends), how helpful was he or she?** [READ. TICK ONE]

01 Not at all helpful
02 Not very helpful
03 Fairly helpful
04 Very helpful
98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

Other side

[IF A1=2,4–62,98,99 AND A16 NOT 1 AND NO ADVISERS CODED AT A15.1]

A31 **Did you, or a relative or friend on your behalf, talk or write directly to the other side to try to resolve the problem or dispute?** [YNCR] [DO NOT ASK A31 IF A16=1, BUT RECORD A31=1]

[IF A1=2,4–62,98,99 AND A16 NOT 1 AND 1+ ADVISERS CODED AT A15.1]

A31.1 Did you, or a relative or friend on your behalf, talk or write directly to the other side to try to resolve the problem or dispute? Do not include any contact that [ADVISER(S) CODED AT A15.1] had with the other side. [YNCR]

Reasons for no action/advice

[(IF A16.2Q=0,98,99 AND A29=2,98,99 AND A5=2,98,99 AND A7=2,98,99 AND A8=2,98,99) AND (A1=1,3 OR A31=2,98,99 OR A31.1=2,98,99)].

A32 **I'd now like to ask why you didn't do anything to try to resolve the problem with** [PROBLEM A]**. Is it because:** [READ. QUESTION ORDER RANDOMISED A32.1–A32.10]

A32.1 It wasn't very important? [YNCR]
A32.2 It was resolved quickly? [YNCR]
A32.3 It would take too long? [YNCR]
A32.4 It would be too stressful? [YNCR]
A32.5 It would cost too much? [YNCR]

[IF A1=2,4–62,98,99 AND IF (A16.2Q=0,98,99 AND A29=2,98,99 AND A5=2,98,99 AND A7=2,98,99 AND A8=2,98,99 AND (A31=2,98,99 OR A31.1=2,98,99))]

A32.6 It would damage the relationship with the other side? [YNCR]
A32.7 It would make no difference? [YNCR]
A32.8 You had bigger problems? [YNCR]
A32.9 You were at fault or there was no dispute? [YNCR]
A32.10 You didn't know what to do? [YNCR]
A32.11 You didn't need information or advice? [YNCR]
A32.12 Is there any other reason? [YNCR] [SPECIFY]

[(IF A16.2Q=0,98,99 AND A29=1 AND A5=2,98,99 AND A7=2,98,99 AND A8=2,98,99) AND (A1=1,3 OR A31=2,98,99 OR A31.1=2,98,99)]

A33 **I'd now like to ask why you didn't do anything to try to resolve the problem with** [PROBLEM A]**, apart from talking to friends or relatives. Is it because:** [READ. QUESTION ORDER RANDOMISED A33.1–A33.10]

A33.1 It wasn't very important? [YNCR]
A33.2 It was resolved quickly? [YNCR]
A33.3 It would take too long? [YNCR]
A33.4 It would be too stressful? [YNCR]
A33.5 It would cost too much? [YNCR]

[IF A1=2,4–62,98,99 AND ((IF A16.2Q=0,98,99 AND A29=1 AND A5=2,98,99 AND A7=2,98,99 AND A8=2,98,99) AND (A31=2,98,99 OR A31.1=2,98,99))]

A33.6 It would damage the relationship with the other side? [YNCR]
A33.7 It would make no difference? [YNCR]
A33.8 You had bigger problems? [YNCR]
A33.9 You were at fault or there was no dispute? [YNCR]
A33.10 You didn't know what to do? [YNCR]
A33.11 You didn't need any further information or advice? [YNCR]
A33.12 Is there any other reason? [YNCR] [SPECIFY]

Resolution

[IF A32.2=2,98,99 OR A33.2=2,98,99 OR A16.2Q=1+ OR A5=1 OR A7=1 OR A8=1 OR A31=1 OR A31.1=1]

A34 **I'll ask later whether you're satisfied with any outcome of the problem. Could you please first tell me: Is the problem or dispute now over, or is it still ongoing?** [DO NOT READ. TICK ONE. DO NOT ASK A34 IF A32.2=1 OR A33.2=1 BUT RECORD A34=2]

01 Still ongoing
02 Now over
98 Can't say
99 Refused

[IF A34=2]

A35 **How was the problem or dispute finalised? Stop me when I get to the answer that best describes how it was finalised. Was it through:** [READ AND TICK FIRST TO APPLY ONLY, DO NOT READ REMAINING CODES AFTER RESPONDENT HAS NOMINATED ONE CODE]

[IF A7=1 AND A34=2]
01 A court or tribunal
[IF A8=1 AND A34=2]
02 Formal mediation, conciliation or dispute resolution
03 An ombudsman or complaint-handling body
04 Another agency (e.g. government body, insurance company, police, etc) [NOTE 'ETC' MUST BE READ OUT. IF RESPONDENT SAYS THE PERSON WASN'T CAUGHT OR SIMILAR AND DOESN'T MENTION POLICE, PROMPT WITH]: Were the police involved?
[IF A9=1 AND A34=2]
05 A lawyer's help
06 Someone else's help
[IF A1=2,4–62,98,99 AND A34=2]
07 Direct agreement between you and the other side
[IF A1=2,4–62,98,99 AND A34=2]
08 The other side not pursuing the matter or doing what you wanted
[IF A1=2,4–62,98,99 AND A34=2]
09 You doing what the other side wanted
10 You deciding not to take the matter further
11 You resolving the matter without anyone's help [SPECIFY]
97 Some other method [SPECIFY]
98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

[IF A34=2]

A36 **To what extent was the outcome of the problem or dispute in your favour?** [READ. TICK ONE]

01 Mostly in my favour
02 Somewhat in my favour
03 Mostly not in my favour
98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

[IF A34=2]

A37 **How satisfied were you with the outcome?** [READ. TICK ONE]

01 Very satisfied
02 Somewhat satisfied
03 Somewhat dissatisfied
04 Very dissatisfied
98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

Problem B

[IF FREQUENCY OF PROBLEM B=1]
The next questions are about the problem or dispute with [PROBLEM B].

[IF FREQUENCY OF PROBLEM B=2+]
You said you had [FREQUENCY] problems or disputes with [PROBLEM B]. The next questions are about the ***worst*** problem or dispute with [PROBLEM B].

[IF FREQUENCY OF PROBLEM B=98,99]
You said you had at least one problem or dispute with [PROBLEM B]. The next questions are about the ***worst*** problem or dispute with [PROBLEM B].

[REPEAT QUESTIONS A1–A37 FOR PROBLEM B. RECORD ANSWERS AS B1–B37]

Problem C

[IF FREQUENCY OF PROBLEM C=1]
The next questions are about the problem or dispute with [PROBLEM C].

[IF FREQUENCY OF PROBLEM C=2+]
You said you had [FREQUENCY] problems or disputes with [PROBLEM C]. The next questions are about the ***worst*** problem or dispute with [PROBLEM C].

[IF FREQUENCY OF PROBLEM C=98,99]
You said you had at least one problem or dispute with [PROBLEM C]. The next questions are about the ***worst*** problem or dispute with [PROBLEM C].

[REPEAT QUESTIONS A1–A37 FOR PROBLEM C. RECORD ANSWERS AS C1–C37]

Awareness of legal services

[ASK ALL]
Next are some general questions about legal services.

[IF (THERE IS NO PROBLEM A OR A9=2,98,99 OR (A9.1=6–7,98,99 AND A9.1 NOT 1–5)) AND (THERE IS NO PROBLEM B OR B9=2,98,99 OR (B9.1=6–7,98,99 AND B9.1 NOT 1–5)) AND (THERE IS NO PROBLEM C OR C9=2,98,99 OR (C9.1=6–7,98,99 AND C9.1 NOT 1–5))]

D24 **Can you name any services that provide free legal information, advice or assistance?** [DO NOT READ. TICK ALL. PROMPT WITH]: Anyone else? [IF ANSWER MENTIONS A PERSON'S NAME OR PRO BONO LAWYERS/SERVICES, PROMPT WITH]: Is that a private law firm? [IF 'YES' CODE AT '6 PRIVATE LAWYER/SOLICITOR/BARRISTER/PRO BONO SERVICE'. IF 'NO' CODE AT '7 OTHER LEGAL SERVICE' AND SPECIFY]

01 Legal Aid or Legal Aid service [SEE CARD E FOR EGS]
02 Aboriginal or Indigenous legal service [SEE CARD E FOR EGS]
03 Community legal centre (CLC) or community legal service [SEE CARD E FOR EGS]
04 LawAccess NSW

05 Court service [SEE CARD E FOR EGS]
06 Private lawyer/solicitor/barrister/pro bono service
07 Other legal service [SPECIFY]
08 No, can't name any
99 Refused

[IF A9.1=1–5 OR B9.1=1–5 OR C9.1=1–5 BUT NOT ALL OF 1–5]

D24.1 You mentioned earlier that you contacted [LEGAL ADVISER(S) CODED AS 1, 2, 3, 4 OR 5 AT A9.1, B9.1 or C9.1]. Can you name any other legal services that provide free legal information, advice or assistance? [DO NOT READ. TICK ALL. PROMPT WITH]: Anyone else? [IF ANSWER MENTIONS A PERSON'S NAME OR PRO BONO LAWYERS/SERVICES, PROMPT WITH]: Is that a private law firm? [IF 'YES' CODE AT '6 PRIVATE LAWYER/SOLICITOR/BARRISTER/PRO BONO SERVICE'. IF 'NO' CODE AT '7 OTHER LEGAL SERVICE' AND SPECIFY. RECORD AT D24.1 ALL ADVISERS CODED AS 1–5 AT A9.1, ALL ADVISERS CODED AS 1–5 AT B9.1, ALL ADVISERS CODED AS 1–5 AT C9.1 AS WELL AS ANY OTHERS NAMED AT D24.1. DO NOT ASK D24.1 IF ASKED D24, BUT RECORD AT D24.1 ALL ADVISERS CODED AT D24]

01 Legal Aid or Legal Aid service [SEE CARD E FOR EGS]
02 Aboriginal or Indigenous legal service [SEE CARD E FOR EGS]
03 Community legal centre (CLC) or community legal service [SEE CARD E FOR EGS]
04 LawAccess NSW
05 Court service [SEE CARD E FOR EGS]
06 Private lawyer/solicitor/barrister/pro bono service
07 Other legal service [SPECIFY]
08 No, can't name any
99 Refused

[IF D24.1 DOES NOT INCLUDE ALL OF 1–5]

D25 Can I just check, have you heard of:

[IF D24.1 NOT 1]
D25.1 Legal Aid [YNCR]
[IF S5=1 AND D24.1 NOT 2]
D25.2 The Aboriginal Legal Service [YNCR]
[IF D24.1 NOT 3]
D25.3 Community legal centres or community legal services [YNCR]
[IF NSW RESPONDENT AND D24 NOT 4]
D25.4 LawAccess NSW [YNCR]
[IF D24.1 NOT 5]
D25.5 Services provided by court staff such as magistrates, chamber magistrates or registrars [YNCR]

Part A2: Demographics 2

Education

Just a few more questions about yourself to finish up.

D26 What is the highest level of education you've completed? [DO NOT READ. TICK ONE. IF PROVIDE INFORMATION SUCH AS GETTING A LEAVING CERTIFICATE WITHOUT EXPLICITLY PROVIDING SCHOOL YEAR, PROMPT WITH]: What school year is that equivalent to? [IF STILL UNSURE, PROMPT WITH]: How old were you when left school? [IF REFUSING, SAY]: Would it be [READ OUT THE CATEGORIES]? [TICK FIRST TO APPLY]

01 You didn't go to school
02 Year 8 or lower
03 Year 9
04 Year 10 or equivalent
05 Year 11 or equivalent
06 Year 12 or equivalent
07 Certificate
08 Diploma or advanced diploma
09 Bachelor degree

10 Post-graduate degree (e.g. Masters, PhD, Doctorate)
11 [SPECIFY 2-DIGIT AGE LEFT SCHOOL IF NONE OF ABOVE]
98 [DO NOT READ] Can't say
99 [DO NOT READ] Refused

Income

D27 **What is your gross personal income BEFORE tax from all sources? Please include wages/salary, government payments and investment income such as rent, interest or dividends.** [DO NOT READ. TICK ONE. IF REFUSING, SAY]: Would the gross weekly income be [READ OUT GROSS WEEKLY CATEGORIES]? [TICK FIRST TO APPLY]

	[GROSS WEEKLY]	[GROSS ANNUAL]
01	Nil	Nil
02	$1–149	$1–7,799
03	$150–249	$7,800–12,999
04	$250–399	$13,000–20,799
05	$400–599	$20,800–31,199
06	$600–799	$31,200–41,599
07	$800–999	$41,600–51,999
08	$1000–1299	$52,000–67,599
09	$1300+	$67,600+
98	[DO NOT READ] Can't say	
99	[DO NOT READ] Refused	

[((IF S1=22+ OR S1.1=4–17) AND (D1=1,3,4,6,8)) OR ((S1<22 OR S1.1=1–3) AND D1=3)) OR ((S1<22 OR S1.1=1–3) AND D1=1,4,6,8 AND D3=2))]

D28 **What is the gross combined income of you and your partner BEFORE tax from all sources? Please include wages/salary, government payments and investment income such as rent, interest or dividends.** [DO NOT READ. TICK ONE. IF REFUSING, SAY]: Would the gross weekly income be [READ OUT GROSS WEEKLY CATEGORIES]? [TICK FIRST TO APPLY]

	[GROSS WEEKLY]	[GROSS ANNUAL]
01	$0–349	$0–18,199
02	$350–499	$18,200–25,999
03	$500–649	$26,000–33,799
04	$650–799	$33,800–41,599
05	$800–999	$41,600–51,999
06	$1000–1199	$52,000–62,399
07	$1200–1699	$62,400–88,399
08	$1700–2499	$88,400–129,999
09	$2500+	$130,000+
98	[DO NOT READ] Can't say	
99	[DO NOT READ] Refused	

[IF D2=2 AND D3=1]

D29 **What is the gross income of the parent/guardian you live with BEFORE tax from all sources? Please include wages/salary, government payments and investment income such as rent, interest or dividends.** [DO NOT READ. TICK ONE. IF REFUSING, SAY]: Would the gross weekly income be [READ OUT GROSS WEEKLY CATEGORIES]? [TICK FIRST TO APPLY]

	[GROSS WEEKLY]	[GROSS ANNUAL]
01	Nil	Nil
02	$1–149	$1–7,799
03	$150–249	$7,800–12,999
04	$250–399	$13,000–20,799
05	$400–599	$20,800–31,199
06	$600–799	$31,200–41,599
07	$800–999	$41,600–51,999
08	$1000–1299	$52,000–67,599
09	$1300+	$67,600+
98	[DO NOT READ] Can't say	
99	[DO NOT READ] Refused	

[IF D2=3 AND D3=1]

D30 **What is the gross combined income of your parents/guardians BEFORE tax from all sources? Please include wages/salary, government payments and investment income such as rent, interest or dividends.** [DO NOT READ. TICK ONE. IF REFUSING, SAY]: Would the gross weekly income be [READ OUT GROSS WEEKLY CATEGORIES]? [TICK FIRST TO APPLY]

	[GROSS WEEKLY]	[GROSS ANNUAL]
01	$0–349	$0–18,199
02	$350–499	$18,200–25,999
03	$500–649	$26,000–33,799
04	$650–799	$33,800–41,599
05	$800–999	$41,600–51,999
06	$1000–1199	$52,000–62,399
07	$1200–1699	$62,400–88,399
08	$1700–2499	$88,400–129,999
09	$2500+	$130,000+
98	[DO NOT READ] Can't say	
99	[DO NOT READ] Refused	

Out-of-home care

[IF S1=15–17 OR S1.1=2]

D31 **And lastly, have you *ever* been in foster care, state care, a children's home, an orphanage or other out-of-home care?** [YNCR]

[IF S1=18+ OR S1.1=3–17]

D31.1 And lastly, as a child were you ***ever*** in foster care, state care, a children's home, an orphanage or other out-of-home care? [YNCR]

Closing

Thank you for your time and assistance.

[IF RESPONDENT CONCERNED ABOUT CONFIDENTIALITY/PRIVACY]: This research is carried out in compliance with the Privacy Act, and the information you provided will be used only for research purposes.

LAW Survey glossary

Word/phrase	*Question/s in survey*	*Definition*
Bankruptcy	P17	The legal situation of someone who is unable to pay their debts.
Bond	P6, P7	Money deposited by a tenant as a security against failure to comply with any terms or conditions in a rental agreement.
Breach	P12	The failure to perform an obligation under a contract or agreement. For example, the failure to comply with the specific administrative or activity requirements of receiving a government payment, which may result in the payment being cut.
Care protection order or assessment	P27.2, P28	An order or assessment related to the care and protection of a child or young person. Such orders or assessments may result from the suspected neglect or abuse of the child or young person. Care protection orders are usually administered by a government child welfare authority.
Child welfare authority	P27.2, P28, A1, A10.1	A Government body set up in each state and territory to help protect and care for children and young people. For example, Department of/for: • Child Safety (ChildSafe) (QLD) • Child Protection (DCP) (WA) • Education and Children's Services (DECS) (SA) • Communities (DFC) (WA) • Community Services (DOCS) (NSW) • Disability, Housing and Community Services (DHCS) (ACT) • Families (SA) • Families and Communities (DFC) (SA) • Family and Community Services (FACSIA) (Commonwealth) • Health and Community Services (DHCS) (NT) • Health and Human Services (DHHS) (TAS) • Human Services (DHS) (VIC)
Common property	P8	Property that is accessible or shared by residents in a residential facility. For example, parking lots, laundries and other amenities.
Community service order	P37.1	A court order requiring a person who has been convicted of an offence to perform community service.
Conciliation	A8, A23.2, A28.1, A35	A formal process where two parties in a dispute meet face to face with a conciliator with the aim of reaching an agreement. The conciliator's role is to advise on or determine the process of conciliation, and to make suggestions for terms of settlement.
Creditor	P16.2	A person to whom a debt must be paid.
Credit rating	P16.4	An assessment of the likelihood that a borrower will be able to meet his or her financial obligations.
Custody	P27.3, P28	The legal responsibility for the day-to-day care of a child.
Deceased estate	P25.1	The property of a deceased person.
Discrimination	P2	Unequal treatment of persons based on marital status, age, sex, sexual orientation, religion, ethnicity, race, disability etc.
Dispute resolution	A8, A23.2, A28.1, A35	The settlement of a conflict between parties using a range of techniques, including processes that occur inside and outside courtrooms.
Eviction	P6, P7, A2	The process of removing a tenant from a rental property for failing to comply with the rental agreement.
Executor	P25.1, A1	The person who has the duty of carrying out the provisions of a will.
Fraud	P12	An intentional dishonest act done with the purpose of deceiving others to get some benefit at the expense or disadvantage of others. For example, knowingly giving false or misleading information to get a government payment to which you are not entitled.
Freedom of information request	P31.2	Making an application for access to information held by a public authority under the Freedom of Information Act.
Guaranteeing a loan	P16.1	A legally binding promise to repay a loan if the borrower is unable to pay the loan.

LAW Survey glossary (cont.)

Word/phrase	*Question/s in survey*	*Definition*
Guardianship	P26	A person who has the right and duty to protect another person, their property and their rights.
Harassment	P1.6, P3.3, P34	Any inappropriate and unwanted action or behaviour that is objectionable or may offend, humiliate, intimidate, frighten or make someone uncomfortable.
Hire purchase agreement	P16.1	A method of acquiring goods by installment payments.
Litigation	P14.2	The conduct of a lawsuit before a court.
Managed funds	P16.3	A mixed fund of various investments (e.g. stocks, shares, government securities, property) managed by a fund manager.
Mediation	A8, A23.2, A28.1, A35	A formal process where two parties in a dispute meet face to face with a mediator with the aim of reaching an agreement. The mediator facilitates discussion, but has no advisory or determinative role about the content of the dispute or its outcome.
Mortgage default	P4.1, P15.1	Failure to keep up to date with repayment obligations for a loan.
Ombudsman	A10, A10.1, A28.1, A35	A public official appointed to investigate citizens' complaints against the administrative agencies of government.
Out-of-home care	D31	Any residential care and control of a child or young person in any place other than the usual home, by any person other than a parent or relative. For example, foster care, state care, children's home, an orphanage, shelter and residential facilities, detention centres, respite services etc.
Owner's body/owner's corporation/ body corporate/strata corporation/ strata company	A1, P8	The governing body of a block of home units, flats, apartments, etc, consisting of the owners or their representatives.
Penalty/infringement notice	P37	A notice or ticket issued to an individual by a government authority for breaking a law.
Power of attorney	P25.2, A1	A legal document that gives someone the power to act on behalf of another person for certain matters, such as legal or financial matters.
Probate	P25.1	The acceptance by the Probate Division of the Supreme Court that a deceased's will is valid.
Public housing authority	P6, D7.1, A1	A government agency administering government owned housing, including public, Aboriginal and social housing.
Redundancy	P1.1	The termination of an employee's employment on the grounds that the employer does not need the employee's work.
Repossession	P4.1, P15.1	A creditor taking possession of something that is the subject of a contract, once the contract has been broken. For example, a bank taking possession of a person's home when the person is unable to pay their home loan.
Rights of way or access	P4.3, P15.3	A right to pass over public or private land.
Settlement	P4.3, P15.3	The finalising of the sale of real estate.
Spouse/partner maintenance	P30.2	A financial benefit paid by one spouse to the other.
Sub-letting	P6, P7, P13	A method of transferring some or all of a tenant's legal interest in a rented property to another person.
Title	P4.3, P15.3	Ownership rights over property.
Tribunal	A7, A7.1, A10, A10.1, A23.1, A28.1, A35	A decision-making body established under legislation dealing with specialised areas of law. Tribunals are less formal than courts, but are still able to affect the legal rights of a person.
Trustee	P25.1, A1	A person who holds assets for the benefit of another person.
Trust	P16.3	Where a person holds the title of property or assets for the benefit of another.

Appendix A2: the present study

Classification of legal problems

Appendix Table A2.1 details the legal problem groups and subgroups used in the LAW Survey. It also lists the survey question numbers used to construct each group and subgroup. See Appendix A1 for each question in full.

Table A2.1: Classification of legal problems

Question no.	*Problem group* **Problem subgroup** Specific type of problem
	Accidents
P21.2	Motor vehicle accident — no injury
	Consumer
	Goods
P22	Buying faulty goods
P22[a]	Other trade/sales issue
	Services
P23.1	Services — lawyer
P23.1[a]	Services — Legal Aid
P23.1[a]	Services — eligibility for Legal Aid
P23.2	Services — other professional or tradesperson
P23.2[a]	Services — other provider
P24.1	Services — bank, etc.
P24.2	Services/contracts — water, electricity or gas
P24.3	Services/contracts — telephone, internet or TV
P24.3[a]	Services/contracts — other membership
P38	Insurance
	Credit/debt
P16.1	Guarantor or paying a loan (not mortgage)
P16.2	Creditor's threats or actions
P16.4	Credit rating or refusal
P16.5	Repayment of money owed to you
P17	Actual/possible bankruptcy
	Crime
	Crime offender
P35	Domestic violence allegation
P35[a]	Domestic/family violence order
P35[a]	Other interpersonal violence order
P36	Charge/arrest/questioning by police
P36[a]	Charge/arrest/questioning by other authority
P36[a]	Charge/arrest/questioning — parent

Table A2.1: Classification of legal problems (cont.)

	Crime victim
P33.1	Robbery
P33.2	Theft/burglary
P33.3	Property damage/vandalism
P33.4	Domestic assault or sexual assault
P33.4[a]	Domestic assault or sexual assault — parent
P33.5	Non-domestic assault or sexual assault
P33.5[a]	Non-domestic assault or sexual assault — parent
P33.6	Other crime
P33.6[a]	Other crime — parent
P33.6[a]	Other crime — relative/friend
	Employment
P1.1	Sacked or redundant
P1.2/P1.3	Employment conditions
P1.2[a]	Employment conditions — parent
P1.2[a]	Review of work performance/conduct
P1.4/P1.5	Discrimination at work or getting work
P1.6	Harassment or victimisation at work
	Family
	Children
P26	Fostering, adoption or guardianship
P27.1	Child — support payments
P27.2	Child — care protection
P27.3	Child — custody/contact
P27.3[a]	Child — other parenting/care issue
P27[a]	Parentage
P28	Grandchild — custody/contact/support/care
	Relationships
P29	Divorce/separation
P30.1	Division of assets — break-up in last 12 months
P30.1[a]	Division of assets — break-up 12+ months ago
P30.2	Spouse/partner maintenance
	Government
	Fines
P37.1	Fines leading to further penalty
P37[b]	Other fines (no further penalty)
	Government payments
P12	Government payments/concessions
P12[a]	Government payments/concessions — foreign
P12[a]	Government payments/concessions — carer
	Local government
P4.2	Home owner — building works
P15.2	Investment property — building works
P32	Local government — services/amenities/works
P32[a]	Local government — other issue

Table A2.1: Classification of legal problems (cont.)

	State/federal government
P31.1	Tax assessment/debt
P31.2	Freedom of information request
P31.3	Citizenship, residency or immigration
P31[a]	State/federal government — other issue
	Health
	Clinical negligence
P20	Treatment by doctor or health professional
	Health services
P10	Nursing or group home — care
P19.1	Disability or care services
P19.1[c]	Disability or care services — carer
P19.2	Disability aids, equipment or facilities
P19.2[c]	Disability aids, equipment or facilities — carer
P19[a]	Access to health services
P19[a]	Health care costs or entitlements
	Mental health
P18.1	Mental health treatment or care
P18.2	Hospitalised/detained for mental health
P18.2[a]	Mental health order
	Housing
	Neighbours
P5	Neighbours
	Owned housing
P4.1	Home owner — mortgage payments
P4.1[a]	Home owner — other mortgage issue
P4.3	Home owner — other issue
P4.3[a]	Land ownership/use
P8a-01	Strata title — owner
P9a-01	Retirement village — owner
	Rented housing
P6	Renting public housing
P7	Renting privately
P7[a]	Renting holiday accommodation
P8a-02	Strata title — tenant
P9a-02	Retirement village — tenant
P11	Nursing or group home — tenant
	Other housing
P8	Strata title — nfs
	Money
	Business/investment
P13	Landlord
P14.1	Business owner — payments
P14.2	Business owner — other issue
P14.2[a]	Business owner — 12+ months ago
P15.1	Investment property — mortgage

Table A2.1: Classification of legal problems (cont.)

P15.3	Investment property — other issue
P16.3	Investment income (super, shares, trusts, etc.)
P16.3[a]	Investment — return of principal investment
	Wills/estates
P25.1	Will or deceased estate
P25.2	Power of attorney
P25[a]	Management of your affairs/estate
	Personal injury
P21.1	Motor vehicle injury — self or someone else
P21.3	Work-related injury — self
P21.4	Injury/illness from faulty product — self
P21.5	Other negligence injury — someone else
P21.6	Other negligence injury — self
	Rights
	Discrimination (outside work)
P2a-01	Discrimination — marital status
P2a-02	Discrimination — age
P2a-03	Discrimination — gender or sex
P2a-04	Discrimination — sexual orientation
P2a-05	Discrimination — religion
P2a-06	Discrimination — ethnicity or race
P2a-07	Discrimination — disability
P2a-08	Discrimination — parental/carer
P2a-97	Discrimination — other type or nfs
P2a	Discrimination — multiple types
	Education
P3.1a-01	Unfair exclusion from education — self
P3.1a-02	Unfair exclusion from education — parent
P3.2a-01	Student fees or loans — self
P3.2a-02	Student fees or loans — parent
P3.3a-01	Student bullying or harassment — self
P3.3a-02	Student bullying or harassment — parent
P3[a]	Student results or teaching quality
	Unfair treatment by police
P34	Unfair treatment by police
	Other civil
P40[a]	Privacy/confidentiality
P40[a]	Intellectual property
P40[a]	Civil action
P40[a]	Court process/cost
P40[a]	Complaint against independent body
P40[a]	Other civil legal problem

Table A2.1: Classification of legal problems (cont.)

	Unclassified
P40[a]	Legal problem — nfs

a These problems were not specifically asked about in the survey but were captured as open-ended responses to question P40 (which asked about 'any other legal problems or disputes' in the previous 12 months). The question number in the table next to each open-ended response indicates the closed-ended question (e.g. P27.3) or group of questions (e.g. P27) which captured problems that were most similar to the open-ended response. In a small number of cases, open-ended responses from question P40 appeared to describe problems that were identical to those captured by closed-ended questions. The frequencies for these cases are included together with the frequencies for these closed-ended questions.

b 'Other fines (no further penalty)' were derived by removing 'fines leading to further penalty' from P37.

c Problems as a long-term carer of an ill, disabled or elderly person were explored in the first 2116 interviews conducted across Australia by questions P39.1 and P39.2. These carer questions were subsequently removed to shorten the survey. Similarly to questions P19.1 and P19.2, the carer questions asked about problems accessing disability services, aids, equipment or facilities. However, whereas questions P19.1 and P19.2 asked whether respondents had experienced these problems in relation to their own disability, the carer questions asked carers whether they had experienced problems due to a person in their care having difficulty accessing disability services, aids, equipment or facilities. Note also that after the carer questions were dropped, some of the problems captured as open-ended responses to question P40 were identical to the problems captured by the carer questions.

Note: 'nfs' denotes 'not further specified'.

Sampling

Random digit dialling

Random digit dialling (RDD) involves randomly generating a list of potential household telephone numbers, including both listed and unlisted numbers, from all active telephone exchanges across the country. In order to generate potential household telephone numbers, a list of exchanges or prefixes (as indicated by the first three or four digits in a telephone number) is first obtained. The remaining digits for the potential telephone numbers are then randomly generated and attached to the prefix.

Fieldwork

Call procedures

Up to five telephone calls to each randomly generated number were made to try to establish contact. These calls were made during weekdays and weekends at various times of the day. Calls to the same household were spaced out over seven days and included:

- calls on weekdays and weekends
- calls on evenings prior to 8 pm
- no more than two calls to the same number prior to 6 pm on any given weekday
- no more than two calls, spaced a minimum of one hour apart, to the same number on any given evening between 6 pm and 8 pm
- calls to the same number on weekends spaced a minimum of two hours apart.

Once contact was established with a household, up to five call backs were made to achieve interviews at each qualifying number, including call backs to keep previously arranged appointments. Where contact was made and qualifying respondents were not available, mobile, workplace and other telephone numbers were sought for follow-up. Consent to interview respondents who were under 18 years was obtained from the respondent's parent or guardian.

Interviewer training and auditing

Interviewers were trained on the unique requirements of the survey. Interviewer handbooks included a glossary (see Appendix A1), tips on how to encourage participation and deal with sensitive information, and details of services to which respondents could be referred (e.g. Lifeline for counselling, Legal Aid for free legal information). The LJF website provided additional information on the survey and RMR operated a telephone helpline. The interviewer handbook also included a number of information cards to assist interviewers with coding responses for particular questions. For example, to assist with coding the advisers used by respondents, Card E listed available legal services in each state/territory (see Appendix Table A2.2) and Card F listed available government and complaint-handling services (see Appendix Table A2.3).

Table A2.2: Card E — legal services, NSW

01	**Legal Aid or Legal Aid service**	
	Children's Legal Service	Prisoners' Legal Service
	Child Support Advice Service	Veterans Advocacy Service
	Duty Lawyer	Women's Domestic Violence Court Assistance Program
	Mental Health Advocacy Service	Youth Hotline
02	**Aboriginal or Indigenous legal service**	
	Aboriginal Legal Services Hotline	Thiyama-li Family Violence Service
	Aboriginal Women's Legal Service	Wiradjuri Aboriginal Legal Service
	Family Violence Protection Unit	Wirringa Baiya Aboriginal Womens Legal Centre
	Indigenous Women's Legal Contact Line	
03	**Community legal centres (CLCs) or community legal services**	
	Aged-Care Rights Service (TARS)	Intellectual Disability Rights Service
	Arts Law Centre of Australia	Lesbian and Gay Rights Legal Service
	Ask!	National Childrens & Youth Law Centre
	Consumer Credit Legal Centre	National Pro Bono Resource Centre
	Court Support Scheme	Older Persons Tenants Service (OPTS)
	Criminal Justice Support Network	Public Interest Advocacy Centre
	Disability Discrimination Legal Centre	Public Interest Law Clearing House
	Domestic Violence Advocacy	Refugee Advice and Casework Service
	Environmental Defender's Office	Shopfront Youth Legal Centre
	HIV/AIDS Legal Centre	Tenants Union
	Homeless Persons Legal Service	Tenants Services
	Immigration Advice and Rights Centre	
04	**LawAccess NSW**	
05	**Court services**	
	Court Staff	Drug Court
	Chamber Magistrate	Family Court
	Local Magistrate	Federal Court
	Magistrate Registrar	High Court
	Children's Court	Land and Environment Court
	Compensation Court	Local Court
	Coroner's Court	Supreme Court
	District Court	
06	**Private solicitor or barrister**	
07	**Other legal services [SPECIFY]**	

Table A2.3: Card F — government and complaint-handling bodies, NSW

Questionnaire codes	
08	**Australian Taxation Office (ATO)/Tax Dept**
09	**Centrelink**
10	**Child welfare authority or Dept of Child Safety/Children/Community/Families/Human Services**
11	**Commission(er)**
12	**Community Justice Centre**
13	**Dept of Education**
14	**Local council/local government**
15	**Member of parliament**
16	**Ombudsman**
17	**Police**
18	**Tribunal**
19	**Other complaint-handling body**
20	**Other government dept/agency**
Additional codes	
11	**Commission(er) — E.g.**
11	Australian Consumer and Competition Commission
11	Australian Industrial Relations Commission
11	Children and Young People's Commissioner
11	Community Relations Commission
11	Complaints Commissioner
11	Fair Pay Commission
11	Health Care Complaints Commission
11	Human Rights and Equal Opportunity Commission
11	Legal Services Commissioner
11	Police Integrity Commission
11	Privacy Commissioner
19	**Other complaint-handling body — E.g.**
19	Aged and Community Care Complaints Unit
19	Australian Commercial Disputes Centre
19	Credit Union Dispute Resolution Centre
19	Disability Complaints Service
19	Family Relationships Services
19	Financial Industry Complaints Service
19	General Insurance Claims Review Panel
19	General Insurance Enquiries and Complaints Scheme
19	Health Conciliation Registry
19	Insurance Brokers Dispute Facility
19	Mortgage Industry Association
19	National Furnishing Industry Association
19	Rural Assistance Authority
19	State Rail Customer Complaints
19	Workers Compensation Resolution Service
20	**Other government dept/agency — E.g.**
10	Dept of Community Services (DOCS)
20	Dept of Corrective Services
20	Dept of Education

Table A2.3: Card F — government and complaint-handling bodies, NSW (cont.)

20	Dept of Employment
20	Dept of Fair Trading
10	Dept for Families and Community Services (FACSIA)
20	Dept of Health
20	Dept of Housing
20	Dept of Immigration
20	Dept of Industrial Relations
20	Dept of Juvenile Justice
20	Dept of Premier and Cabinet
20	Dept of Social Security

To promote interviewing quality, at least 10 per cent of all interviews were audited by RMR throughout the fieldwork period. In addition, in-depth auditing of interviewing was conducted by the LJF in the early stages of the fieldwork, and the feedback from this in-depth auditing was used to form the basis of additional interviewer training.

Data quality checks during fieldwork

At several stages during the fieldwork, quality checks were performed by the LJF on preliminary data, such as checks on valid ranges, filtering and interview completeness. Feedback was provided to RMR in order to rectify the problems identified and to recontact respondents as appropriate to confirm details or complete interviews.

Data preparation for analysis

The final data were provided by RMR in de-identified form in two IBM SPSS Statistics (formerly PASW Statistics) data files, one file with a separate record for each respondent and the other with a separate record for each problem. In addition to being provided on the IBM SPSS Statistics files, verbatim responses to open-ended questions were also provided in Microsoft Excel. The LJF reviewed the verbatim responses and converted them into coded form to allow quantitative analysis. This was a particularly time-consuming task that involved (i) reviewing thousands of verbatim responses, (ii) identifying the verbatim responses that fitted pre-coded answer options and reassigning these accordingly, (iii) developing and applying new coding schemes for verbatim responses that did not fit pre-coded options, and (iv) cleaning the data on other questions to accommodate the flow-on effects from coding verbatim responses.

Weighting

Weighting targets

Survey weighting adjusts a sample so it reflects the population on key variables. This involves statistically increasing or decreasing the number of respondents with particular characteristics so that the proportion in the sample aligns with independent estimates of the population. These population estimates are referred to as 'weighting targets'. The weighting targets for the sample were derived from a number of benchmark surveys conducted by the ABS. These included the 2006 Census of Population and Housing (ABS 2007a) with resident population estimates for people aged 15 years or over based on the Labour Force Survey, June 2008 (ABS 2008e). In addition, Indigenous targets in the Northern Territory were adjusted to take into account telephone availability using the National Aboriginal and Torres Strait Islander Social Survey, 2002 (ABS 2004d).

Australia was divided into 10 strata for weighting purposes. Age, sex and Indigenous status were weighted within each stratum. NSW was divided into two strata, the first consisting of the six oversampled LGAs,[1] and the second consisting of the rest of the state. Victoria was also divided into two strata: a remote and outer regional stratum and the rest of the state. The remaining states/territories each formed a separate stratum. Within each of the 10 strata, cell weighting was used to adjust age by sex proportions. Within the Tasmanian and the Northern Territory strata, cell weighting was also used to adjust Indigenous proportions. Due to insufficient Indigenous numbers, rim weighting rather than cell weighting was used to adjust Indigenous proportions within each of the remaining strata.

The above process resulted in a final weight set for each jurisdiction apart from Australia, NSW and Victoria. In producing the final weight set for Australia, the scaling of the weights within each stratum was maintained, but adjustments were made so that each stratum was in proportion to its population share within Australia. A similar procedure was used to combine the two NSW strata for the NSW weight set and to combine the two Victorian strata for the Victorian weight set. In each jurisdiction, the final weight for each respondent was applied to both the respondent and problem data files.

Reporting weighted data

Two versions of the weight set were used in the report for each jurisdiction. The first version summed to the jurisdiction's raw sample size and allowed for reporting respondent numbers that were similar to the sampled numbers while still allowing the rescaling that weighting provides. This version of the weight set was used throughout the report for each jurisdiction, with the exception noted below.

The second version of the weight set for each jurisdiction summed to population numbers and enabled population estimates. For example, it allowed estimates of the number of people within each jurisdiction's general population who were likely to experience legal problems within a one-year period.

Response rate

AAPOR (2009) provides a comprehensive system for calculating response rates based on the final outcome of telephone calls to randomly generated numbers. The AAPOR scheme divides these final call outcomes into four main groups:

- complete interviews (I)
- non-eligible cases (NE)
- cases of unknown eligibility (UH and UO)
- non-response cases — that is, eligible cases that refused to participate (R).

A summary of the call outcomes for the present survey is presented in Appendix Table A2.4, and full details are presented in Appendix Table A2.5. There were 20 716 completed interviews (I) across Australia. Interviews were defined as complete if they were missing answers on no more than two demographic questions, no more than two legal problem questions and no more than six action and outcome questions.[2]

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1 See Chapter 2, 'Method: Quotas' section.

2 Attempts were made to recontact and re-interview 264 respondents who had too many missing answers to try to convert incomplete interviews into complete interviews. Of these, 142 were converted into complete interviews using this process.

Table A2.4: Summary — outcome of attempted telephone contact, Australia

Outcome	*AAPOR final outcome code*	*N*
Complete interviews	I	20 716
Not eligible (e.g. fax/business number, physical barrier)	NE	182 673
Not eligible (surplus to quota)	NE	135 192
Unknown eligibility — unknown if household (e.g. no contact)	UH	113 238
Unknown eligibility — unknown other (e.g. refusal before screening)	UO	74 802
Non-response (i.e. eligible but refused)	R	1 467

Table A2.5: Details — outcome of attempted telephone contact, Australia

Final outcome of calls	*APPOR final disposition codes*			*N*
Complete interview	1.10	I	Complete	**20 716**
Not eligible				**182 673**
Fax/modem	4.20	NE	Fax/data line	15 611
Fax machine	4.20	NE	Fax/data line	10 689
Modem number	4.20	NE	Fax/data line	13 233
Business number	4.51	NE	Business, government, etc.	30 376
No-one fits introduction criteria	4.70	NE	No eligible respondent	97 905
Language problem	4.70	NE	No eligible respondent	7 109
Hearing difficulty/elderly/inebriated	4.70	NE	No eligible respondent	7 750
Not eligible — surplus to quota				**135 192**
Appointments (direct or general)	4.80	NE	Quota filled	4 069
Appointments (non-English interview)	4.80	NE	Quota filled	4
Appointments (TTY — teletype telephone)	4.80	NE	Quota filled	80
Quota full	4.80	NE	Quota filled	123 486
Age by sex quota full	4.80	NE	Quota filled	7 079
SLA quota full	4.80	NE	Quota filled	474
Unknown eligibility — unknown if household				**113 238**
10+ calls, contact on calls 1–5	3.10	UH	Unknown if housing unit	17 481
No contact — 6+ calls, call 5 answer machine	3.14	UH	Telephone answering device	805
No contact — 5+ calls	3.13	UH	No answer	66 738
No contact — engaged	3.12	UH	Always busy	518
No contact — no reply	3.13	UH	No answer	20 098
No contact — answer machine	3.14	UH	Telephone answering device	7 548
TCI faults	3.16	UH	Technical telephone problem	50
Unknown eligibility — unknown other				**74 802**
Refused — categorically won't do it	3.21	UO	No screener completed	4 530
Refused — too busy (appointment rejected)	3.21	UO	No screener completed	6 849
Refused — concerned re study legitimacy	3.21	UO	No screener completed	105
Refused — new marketing laws	3.21	UO	No screener completed	166
Refused — not interested in the research	3.21	UO	No screener completed	7 254
Refused — interviewed too often	3.21	UO	No screener completed	166
Refused — doesn't want to tie up telephone line	3.21	UO	No screener completed	48
Refused — doesn't do market research	3.21	UO	No screener completed	1 093
Refused — concerned re confidentiality	3.21	UO	No screener completed	94
Refused — no legal issues	3.21	UO	No screener completed	101
Refused — to be recorded	3.21	UO	No screener completed	241

Table A2.5: Details — outcome of attempted telephone contact, Australia (cont.)

Refused — no-one else aged 15 years or over	3.21	UO	No screener completed	31
Refused — interview in alternative language	3.21	UO	No screener completed	47
Refused — to substitute respondent	3.21	UO	No screener completed	126
Refused — hung up during introduction	3.21	UO	No screener completed	22 253
Refused — to call qualifying person to telephone	3.21	UO	No screener completed	516
Refused — soft refusal recontact	3.21	UO	No screener completed	29 792
Refused — other	3.21	UO	No screener completed	211
Termination — other [SPECIFY]	3.90	UO	Other	1 179
Non-response (i.e. eligible but refused)				**1 467**
Termination — didn't wish to continue	2.10	R	Refusal and break-off	1 433
Termination — completed interview deleted	2.10	R	Refusal and break-off	34
Total				**528 088**

Non-eligible cases (NE) included non-household numbers such as fax lines, business numbers and dead numbers, and cases where the respondent was physically unable to participate due to language problems, hearing impairment or other difficulties (e.g. aged/infirm). A Teletype (TTY)[3] service and interviews in non-English languages were used to boost the inclusion of such respondents. Non-eligible cases also resulted from cases surplus to quota requirements — that is, when cases were eligible only for subgroups where the quota had been filled, but not for any 'open' subgroup.

Cases of unknown eligibility included situations where it was unknown if a household existed at the dialled telephone number (UH) because, for example, no contact was made after five call attempts (e.g. no answer, engaged, answering machine, voicemail). Other cases of unknown eligibility (UO) included 'outright' refusals — that is, refusals that occurred before eligibility details could be collected, such as during the introduction or before completion of the screening questions. The present survey, like many voluntary telephone surveys, resulted in many cases of unknown eligibility due to outright refusals (see UO in Appendix Table A2.4).

Non-response cases according to the AAPOR scheme are refusals where it is clear that the person was eligible for interview (R). That is, a refusal is classified as a non-response only if it is known or can be inferred that the respondent is eligible for an 'open' quota subgroup. Given the high numbers of outright refusals, there were few established cases of non-response where eligibility details for refusals were able to be collected (see R in Appendix Table A2.4). The non-response cases consisted of cases where a person began an interview but did not complete it and cases where a person finished an interview but subsequently asked for it to be deleted (see R in Appendix Table A2.5).

For surveys where there are no cases of unknown eligibility, the response rate is defined as the number of complete interviews divided by the number of eligible cases — that is, I/(I+R). However, calculation of the response rate is more complicated when there are many cases of unknown eligibility. Some, but not all, of these cases are likely to be eligible. Assuming all these cases are eligible can grossly underestimate the response rate, while assuming they are all ineligible can grossly overestimate it. Thus, it is appropriate to estimate the proportion of these cases that are eligible and to adjust the calculation of the response rate accordingly (AAPOR 2009; Smith 2009). This estimated proportion, 'e', can be calculated by a variety of methods. The CASRO method for calculating 'e' was used for the present survey, as provided by AAPOR's online response rate

[3] Telephones enabled with TTY are used within the deaf community. RMR was able to distinguish TTY enabled telephones and therefore attempt an interview for those telephones where the announcer message was activated.

calculator (AAPOR 2009; Smith 2009).[4] This method assumes that the proportion of eligible cases among the cases of unknown eligibility is the same as that among the cases of known eligibility — that is, e=(I+R)/(I+R+NE). The response rate is then given by the formula I/(I+R+e(UH+UO)). Using this method, the response rate for the LAW Survey across Australia as a whole was 60.1 per cent. The advantage of the CASRO method is its ease of use and conservative leaning. Thus, it is unlikely to overestimate the response rate (Smith 2009).

Comparison of sample and population profile

The demographic profile of the sample was compared to that of the population to gauge the representativeness of the sample.

Gender, age and Indigenous status

Weighting was used to correct for the departures from the quotas set for gender, age and Indigenous status. Appendix Tables A2.6 and A2.7 compare the gender, age and Indigenous proportions in the NSW sample *before weighting was applied* to those in the NSW population. It can be seen that the sample profile was similar to the population profile on these key demographics prior to weighting. Hence, only minimal weighting corrections on these demographics were needed.

Appendix Table A2.6 presents the gender and age breakdown for the NSW sample and also for the population. The percentages of males (48.5%) and females (51.5%) for the NSW LAW Survey sample were similar to those in the population (49.3% and 50.7%, respectively). The LAW Survey also produced percentages in each age group that were similar to those in the population.

Appendix Table A2.7 shows that 1.6 per cent of NSW LAW Survey respondents reported that they were of Aboriginal or Torres Strait Islander origin (see Appendix A1, question S5).[5] The population percentage for Indigenous people aged 15 years or over was equivalent (1.6%).

It is important to note that the survey is likely to underestimate the level of Indigenous disadvantage, because it could not cover the considerable proportion of disadvantaged Indigenous people across Australia who live without home landline telephone access, particularly in remote areas. Nationally, it is estimated that 29.1 per cent of Indigenous households in non-remote areas, and 60.5 per cent in remote areas, do not have a landline (ABS & Australian Institute of Health and Welfare (AIHW) 2010).

[4] AAPOR's online calculator is at <www.aapor.org/uploads/Response_Rate_Calculator.xls>.

[5] Where respondents did not report Indigenous status, they were assigned to the 'non-Indigenous' group.

Table A2.6: Gender and age within sample and population, NSW

Gender	*Age*															
	15–17		*18–24*		*25–34*		*35–44*		*45–54*		*55–64*		*65+*		*15–65+*	
	N	*%*	*N*	*%*	*N*	*%*	*N*	*%*	*N*	*%*	*N*	*%*	*N*	*%*	*N*	*%*
Sample																
Males	108	2.6	242	5.9	329	8.0	359	8.7	355	8.6	281	6.8	319	7.8	**1 993**	**48.5**
Females	97	2.4	234	5.7	362	8.8	384	9.3	371	9.0	287	7.0	385	9.4	**2 120**	**51.5**
Total	**205**	**5.0**	**476**	**11.6**	**691**	**16.8**	**743**	**18.1**	**726**	**17.7**	**568**	**13.8**	**704**	**17.1**	**4 113**	**100.0**
Population[a]																
Males	144 160	2.6	336 848	6.0	481 084	8.5	494 409	8.8	478 103	8.5	397 309	7.0	448 635	8.0	**2 780 548**	**49.3**
Females	136 629	2.4	325 328	5.8	478 551	8.5	499 013	8.8	482 047	8.5	398 338	7.1	541 460	9.6	**2 861 366**	**50.7**
Total	**280 789**	**5.0**	**662 176**	**11.7**	**959 635**	**17.0**	**993 422**	**17.6**	**960 150**	**17.0**	**795 647**	**14.1**	**990 095**	**17.5**	**5 641 914**	**100.0**

a These figures are based on the 2006 Census of Population and Housing (ABS 2007a) with resident population estimates for people aged 15 years or over based on the Labour Force Survey, June 2008 (ABS 2008e).

Note: N=4113 respondents.

Table A2.7: Indigenous status within sample and population, NSW

Indigenous status	*Sample*		*Population*[a]	
	N	*%*	*N*	*%*
Indigenous	65	1.6	91 687	1.6
Non-Indigenous	4 048	98.4	5 550 227	98.4
Total	**4 113**	**100.0**	**5 641 914**	**100.0**

a These figures are based on the 2006 Census of Population and Housing (ABS 2007a) with resident population estimates for people aged 15 years or over based on the Labour Force Survey, June 2008 (ABS 2008e).

Note: N=4113 respondents.

Other demographics

Apart from age, gender and Indigenous status, weighting was not applied to any of the other demographic characteristics or indicators of disadvantage used in the present study. To gauge whether the sample was representative of the population on these indicators of disadvantage, the demographic profile of the sample was also compared to that of the population on these indicators. The sample percentages are based on the data after weighting had been applied for gender, age and Indigenous status.

Disability status

The proportion of the NSW sample with a disability was compared to that from the Survey of Disability, Ageing and Carers (SDAC) conducted in 2003 (ABS 2004b). The SDAC is the largest Australian survey of disability and provides a national benchmark for measuring the incidence of disability in the community.[6] The SDAC defines disability as any limitation, restriction or impairment which has lasted, or is likely to last, for at least six months and restricts everyday activities. The SDAC sample comprised over 40 000 people across Australia, including both people living in private dwellings and people living in 'care accommodation', such as hospitals and nursing homes. Disability status and the level of limitation of core activity were determined in face-to-face interviews using a large module of questions.

The present survey used only a single question to establish disability status. This question asked whether, during the previous 12 months, respondents had experienced any long-term illness or disability that had lasted, or was expected to last, at least six months (see Appendix A1, question D10). Two further questions were used to determine the type of disability (see Appendix A1, question D11) and the restriction on daily activities (see Appendix A1, question D12). In the NSW sample, 20.2 per cent of respondents reported having a disability. An equivalent percentage of 20.2 for people aged 15 years or over was obtained in the SDAC.

Although the definitions used in the SDAC and in the LAW Survey were not identical, the equivalent percentages indicate that the present sample is likely to be broadly representative of people in the population who have a disability. However, the LAW Survey included only people living in private households who could be interviewed by telephone or via TTY. Thus, it is likely that the survey was unable to reach some people who are severely restricted by their disabilities, such as people in care accommodation and people not able to undertake a telephone interview.

Education

The LAW Survey asked respondents about the highest level of education they had completed (see Appendix A1, question D26). In NSW, 52.7 per cent had obtained post-school qualifications, 18.3 per cent had completed Year 12 or an equivalent level and 29.0 per cent had completed below Year 12. The Education and Work Survey, May 2009 (ABS 2009b) was used as the benchmark survey for comparison on education. This survey of 30 440 respondents considered the educational experience of people aged 15–74 years who were in the labour force. It reported that, in NSW, 50.5 per cent had obtained post-school qualifications, 20.3 per cent had completed Year 12 and 29.1 per cent had completed Year 11 or below.[7] These percentages are similar to those for the present survey and suggest that the present survey obtained a good representation of respondents in terms of educational attainment.

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[6] While a number of later surveys report measures of disability, the ABS (2010a, p. 13) noted that 'the SDAC produces the most conceptually accurate measure of disability'. State breakdowns from the 2009 SDAC were not available in time to be included in the present study.

[7] Percentages do not sum to 100, because, for example, the ABS had to provide estimates for some categories due to small population numbers.

Employment status

In the present study, 11.1 per cent of the NSW sample reported that they had been unemployed and looking for work at some time during the previous 12 months (see Appendix A1, question D14.6). Similar to the present survey, the definition of unemployment used in the Labour Force Survey (ABS 2008e) required that the respondent was actively looking for work. However, unlike the present survey, the Labour Force Survey measured unemployment during a 'reference week' rather than during the previous 12 months. The Labour Force Survey for June 2008 reported that 4.5 per cent of the NSW labour force aged 15 years or over were unemployed during the reference week. Although the unemployment rate obtained in the present study is higher than that in the Labour Force Survey, this finding is expected, due to the different reference periods. The ABS reference period was not adopted in the LAW Survey, because it was of interest to examine whether unemployment was associated with the experience of legal problems at any time during the previous 12 months.

Family status

The LAW Survey compared single parents to other respondents on their experience of legal problems. Respondents were categorised as 'single parents' if they did not live with a partner (see Appendix A1, question D1) and had biological, adopted, foster or step children under 18 years, regardless of whether these children lived with the respondent (see Appendix A1, question D4). In the NSW sample, 7.2 per cent of respondents were single parents.

Single-parent status in the present survey was compared to that in the Family Characteristics and Transitions Survey, 2007 (ABS 2008d). This survey collected information on all household members of randomly selected households, a total of 31 300 people in all. It reported that 6.5 per cent of NSW households consisted of a single-parent family with children less than 18 years living within the household. This percentage was similar to that for the present survey. While the definitions of single parents used in the two surveys were not identical, the similar percentages suggest that the present sample provides a good representation of single parents.

Housing type

The LAW Survey defined 'disadvantaged housing' as living in any of the following housing situations at any time during the previous 12 months:

- being homeless (see Appendix A1, question D8.6)
- living in emergency or basic accommodation (e.g. refuge, shelter, boarding house, caravan park, tent, motor vehicle, shed, barn; see Appendix A1, questions D8.6 and D8.7)
- living with relatives or friends due to having nowhere else to live (see Appendix A1, question D8.6)
- living in public housing (see Appendix A1, question D7.1).

In NSW, 6.1 per cent of LAW Survey respondents reported living in at least one of these disadvantaged housing options during the previous 12 months. According to the 2006 Census of Population and Housing (ABS 2007a), 5.0 per cent of the NSW population lived in rented public housing and about 0.4 per cent were homeless on the night of the census. Although the ABS definition of disadvantaged housing is based on current status rather than status over a one-year period, the definitions are otherwise relatively similar. They both include primary homelessness (e.g. living on the street), secondary homelessness (e.g. moving between temporary shelters) and tertiary homelessness (e.g. living in boarding houses on a medium- to long-term basis). The comparison suggests that the present survey achieved a reasonable representation of people living in disadvantaged housing.

However, note that the LAW Survey is likely to have underrepresented homeless people and other people living in disadvantaged housing who do not have access to a landline telephone.

Main income

LAW Survey respondents were asked if they had received any government pensions, payments or concessions in the previous 12 months (see Appendix A1, question D16). Respondents whose main source of income was government payments at some point during the previous 12 months were compared to other respondents. Government payments were categorised as the main source of income if they were received on a fortnightly basis and were means-tested payments that were not payable above a certain low-income level. Over a quarter (26.9%) of the NSW sample had received a government payment as their main source of income at some time during the previous 12 months.

The Household Income and Income Distribution Survey, 2007–08 (ABS 2009c) was used for comparison purposes. This survey collected detailed information about the income of people aged 15 years or over from a sample of approximately 9345 households over the period from August 2007 to June 2008. This survey reported that government payments and allowances had been the principal source of household income for 24.0 per cent of NSW households during the previous 12 months. Despite some definitional differences, the comparison between surveys suggests that the present survey is broadly representative of people in the NSW population who receive government payments as their main source of income.

Main language

The present survey asked respondents about all of the languages they speak at home with family and relatives (see Appendix A1, question S6) and the main language they speak at home (see Appendix A1, question S7). Overall, 9.0 per cent of NSW respondents reported that they speak a language other than English as their main language.

On a comparative measure from the 2006 Census of Population and Housing (ABS 2007a), the ABS reported that 9.6 per cent of the NSW population aged 15 years or over speak a language other than English and do not speak English 'very well'. Thus, the present survey appears to have achieved a reasonable representation of non-English speakers. As already noted, quotas were set to achieve a reasonable representation of people who speak English well but have a non-English language, and also to achieve a reasonable representation of people who have poor English via interviews in the six most commonly used non-English languages. In NSW, 122 interviews were conducted in these six languages. However, the survey is likely to somewhat underestimate people with poor English, because it did not include people with poor English who did not speak one of the six most common non-English languages.

Remoteness

The 2006 Census of Population and Housing (ABS 2007a) used the Accessibility and Remoteness Index of Australia (ARIA) to measure the remoteness of residential areas. The ARIA is based on the physical road distance to the nearest urban centre. According to the census, 0.6 per cent of the NSW population lived in remote areas, 26.8 per cent lived in regional areas and 72.5 per cent lived in major cities.[8] Respondents in the present survey were allocated an ARIA code based on their residential postcode (see Appendix A1, question S4). Overall, 0.5 per cent of NSW LAW Survey respondents lived in remote areas, 28.2 per cent lived in regional areas and 71.3 per cent lived in major cities, a similar distribution to that of the census.

[8] Percentages do not sum to 100, because a very small percentage of people did not have a usual address at the time of the census.

Data analysis

Bivariate analyses

Chi-square tests

The chi-square test is a non-parametric test that is appropriate for examining whether there is a significant relationship between nominal categorical variables. The test is based on the cross-tabulation of the relevant variables and compares the observed frequencies in each cell of the cross-tabulation to the frequencies expected if there were no relationship between the variables (e.g. Siegel & Castellan 1988). An adjusted version of the standard chi-square test was used throughout the present report, which applied a second-order Rao-Scott (Rao & Scott 1984) correction to accommodate weighting and, where appropriate, clustering of the data. This correction produces an adjusted F statistic, from which a p value is calculated. The statistical significance of each chi-square test was examined at the 0.05 level, and Bonferroni corrections were applied to this p value where multiple comparisons were conducted. Throughout the present report, the following information is provided for each chi-square test in the notes to the relevant table or figure: the chi-square statistic, the F statistic, the p value for the F statistic and, where appropriate, the Bonferroni correction. When the chi-square test showed a significant relationship between the two variables examined, adjusted standard residuals with an absolute value of at least 2.0 were used to indicate which cells in the cross-tabulation contributed to the obtained significance. 'Significant' differences between categories of the variables that are highlighted in the text are based on these residuals. The adjusted chi-square analyses were run using the Complex Samples module of IBM SPSS Statistics.

Somers' d tests

The Somers' d test is also a non-parametric test that is based on the cross-tabulation of variables. Somers' d is appropriate for examining the trend effect between ordinal categorical variables as it takes the ordering of the categories into account. In addition, Somers' d is an asymmetric measure of association. That is, it measures the effect of one variable on the other variable. Hence, one variable must be selected as an outcome variable and the other variable as a predictor variable. The Somers' d test then provides a measure of the effect of the predictor variable on the outcome variable (Somers 1962). The statistical significance of each Somers' d test was examined at the 0.05 level. Somers' d tests were run using STATA (StataCorp 2011), adjusting for weighted and clustered data as appropriate.

Bivariate regressions

Bivariate regression models are used to examine whether one variable (the predictor variable) can explain or predict the value of a second variable (the outcome variable). The specific model used in a regression analysis ideally depends on the nature of the outcome variable. In the present study, two bivariate models were conducted in each jurisdiction. Both models were Poisson models, because the outcome variable was a count of events. One of these models was an 'ordinary' Poisson regression that examined whether problem group predicted the number of action types used in response to legal problems (see Table 5.3). The second model was a zero-truncated Poisson model that examined whether problem group predicted the number of advisers consulted for legal problems (see Table 6.1). A zero-truncated model was appropriate in this instance, because only problems involving advisers were included (i.e. there were no zero counts on the outcome variable of number of advisers). The bivariate Poisson regressions were run using STATA (StataCorp 2011) on weighted and clustered data, and significance was examined at the 0.05 level.

Multivariate analyses

Multivariate regressions

Multivariate regression models are used to examine whether a relationship exists between an outcome variable and a suite of other variables. They determine whether the value of the outcome variable can be explained or predicted by the other variables (the predictor variables). Furthermore, these analyses consider the independent contribution of each predictor variable to the outcome variable. That is, they consider the association of each predictor variable to the outcome variable when the effects of the other predictor variables are taken into account (e.g. Agresti 1996; Hosmer & Lemeshow 2000; Menard 2002).

In each jurisdiction, a multivariate regression model was fitted for each of the following outcome variables:

1. the prevalence of legal problems overall
2. the prevalence of substantial legal problems
3. the prevalence of multiple legal problems
4. the prevalence of each of the 12 legal problem groups
5. the strategy used in response to legal problems — taking action
6. the strategy used in response to legal problems — seeking advice
7. the finalisation status of legal problems
8. the favourability of the outcome of legal problems.

The various demographic and problem characteristics examined as potential predictor variables for each outcome variable are detailed in Appendix Table A2.8. Appendix Table A2.9 provides a summary of all of the multivariate regression models used in each jurisdiction, including the type of model, the predictors in each model and the statistical package used. In each model, all the predictors were treated as categorical variables and were entered simultaneously as main effects only. All multivariate regression analyses were run on weighted data.

Table A2.8: Predictor variables and their categories

Variable	*Category*	*Description*	*Question no.*[c]
PROBLEM CHARACTERISTICS			
Problem recency	7+ months	Legal problems that began seven or more months before the date of interview.	A3
	≤6 months	Legal problems that began less than seven months before the date of interview.	
Problem group	Accidents	See Appendix Table A2.1 for details	
	Consumer		
	Credit/debt		
	Crime		
	Employment		
	Family		
	Government		
	Health		
	Housing		
	Money		
	Personal injury		
	Rights		
Strategy	Sought advice	Legal problems for which the respondent sought advice from formal or professional advisers, regardless of whether any other action was taken.	A5 A7–A16 A29 A31
	Handled without advice	Legal problems for which the respondent did not seek advice from formal or professional advisors, but used at least one of: websites or self-help guides, court or tribunal proceedings, formal dispute resolution sessions, communicating with the other side, consulting relatives or friends informally.	
	Took no action	Legal problems for which the respondent took no action.	
Problem severity	Substantial	Legal problems that had a moderate or severe impact on the respondent's everyday life.	P1_S–P40_S
	Minor	Legal problems that had no impact or a slight impact on the respondent's everyday life.	
DEMOGRAPHIC VARIABLES			
Gender	Female		S3
	Male		
Age	15–17		S1 S1.1
	18–24		
	25–34		
	35–44		
	45–54		
	55–64		
	65+		
Indigenous status	Indigenous	Respondents who self-identified as being of Aboriginal or Torres Strait Islander origin.	S5
	Other	All other respondents.	

Table A2.8: Predictor variables and their categories (cont.)

Disability status	Disability	Respondents who reported having a long-term illness or disability during the previous 12 months that lasted, or was likely to last, at least six months.	D10 D11
	No disability	All other respondents.	
Education	<Year 12	Respondents whose highest level of education at the time of interview was less than Year 12. Respondents may still have been continuing education at this time.	
	Year 12	Respondents whose highest level of education at the time of interview was Year 12. Respondents may still have been continuing education at this time.	D26
	Post-school	Respondents who had completed further educational qualifications after graduating from high school.	
Employment status	Unemployed	Respondents who were unemployed (and looking for work) at any time within the previous 12 months.	D14.6
	Other	All other respondents.	
Family status	Single parent	Respondents who, at the time of interview, were not living with a partner and had one or more children under 18 years, regardless of whether these children were living with them.	D1 D4
	Other	All other respondents.	
Housing type	Disadvantaged	Respondents who, at any time during the previous 12 months, were homeless; lived in emergency or basic accommodation (e.g. boarding house, caravan park, refuge, shelter, tent, motor vehicle, shed, barn); lived with relatives or friends because they had nowhere else to live; or lived in public housing.	D7.1 D8.6 D8.7
	Other	All other respondents.	
Main income	Government payment	Respondents who received means-tested government payments as their likely main source of income for any period within the previous 12 months.	D18
	Other	All other respondents.	
Main language[a]	Non-English	Respondents who specified they speak a language other than English as their main language at home.	S6 S7
	English	All other respondents.	
Remoteness[b]	Remote	Respondents who lived in very remote or remote areas at the time of interview based on the ARIA (ABS 2001).	
	Regional	Respondents who lived in inner or outer regional areas at the time of interview based on the ARIA (ABS 2001).	S4
	Major city	Respondents who lived in major cities at the time of interview based on the ARIA (ABS 2001).	

a Respondents with an Indigenous language as their main language were included in the non-English main language group. However, many Indigenous respondents specified English as their main language and were included in the English main language group.

b Given that the ACT almost exclusively comprises major city areas, remoteness of residential area was not examined in the ACT.

c See Appendix A1 for each question in full. Questions A1–A37 were asked for each of the problems followed up in depth — that is, for up to three problems per respondent. These questions were labelled 'A1–A37' when asked for the first of these problems, but 'B1–B37' when asked for the second of these problems and 'C1–C37' when asked for the third of these problems.

Note: Not all of the predictor variables listed here were used in all regression models. In addition, in some models for some jurisdictions, the categories of the predictors varied from those shown here. Details of the variations are provided in the relevant results tables and figures.

Table A2.9: Summary — multivariate regression analyses conducted, each jurisdiction

Model no.	Outcome variable	Potential predictor variables	Type of regression	Data used	Levels[f]	Data analysis package	Table in each state/territory report	Table in Australian report
	PREVALENCE							
1a	**Prevalence of legal problems overall**	Demographics[a]	Binary logistic	Each state/territory	1–R	SPSS[g]	3.5, 9.2, A3.1	9.2
	1+ versus none			Australia	2–RS	MLwiN[h]	9.2	3.5, 9.2, A3.1
1b	**Prevalence of legal problems overall**	Demographics[a]	Binary logistic	Australia	1–R	MLwiN[h]	A9.2	A9.2
	1+ versus none	State/territory[b]						
2	**Prevalence of substantial legal problems**	Demographics[a]	Binary logistic	Each state/territory	1–R	SPSS[g]	3.7, 9.3, A3.2	9.3
	1+ versus none			Australia	2–RS	MLwiN[h]	9.3	3.7, 9.3, A3.2
3	**Prevalence of multiple legal problems**	Demographics[a]	Zero-truncated Poisson	Each state/territory	1–R	STATA[i]	3.8, 9.4, A3.3	9.4
	Number of legal problems			Australia	2–RS	STATA[i]	9.4	3.8, 9.4, A3.3
4a	**Prevalence of accidents problems**	Demographics[a]	Binary logistic	Each state/territory	1–R	SPSS[g]	3.9, A3.4	
	1+ versus none			Australia	2–RS	MLwiN[h]		3.9, A3.4
4b–4l	**Comparable to model 4a for each problem group**	Demographics[a]	Binary logistic	Each state/territory	1–R	SPSS[g]	3.9, A3.5–A3.15	
	1+ versus none			Australia	2–RS	MLwiN[h]		3.9, A3.5–A3.15
	STRATEGY							
5a	**Strategy in response to legal problems — taking action**	Problem recency[c]	Binary logistic	Each state/territory	2–PR	MLwiN[h]	5.7, 9.5, A5.2	9.5
		Problem group[d]		Australia	3–PRS	MLwiN[h]	9.5	5.7, 9.5, A5.2
	Took action versus took no action	Demographics[a]						
5b	**Strategy in response to legal problems — taking action**	Problem recency[c]	Binary logistic	Australia	2–PR	MLwiN[h]	A9.3	A9.3
		Problem group[d]						
	Took action versus took no action	Demographics[a]						
		State/territory[b]						
6a	**Strategy in response to legal problems — seeking advice**	Problem recency[c]	Binary logistic	Each state/territory	2–PR	MLwiN[h]	5.7, 9.5, A5.3	9.5
		Problem group[d]		Australia	3–PRS	MLwiN[h]	9.5	5.7, 9.5, A5.3
	Sought advice versus handled without advice	Demographics[a]						
6b	**Strategy in response to legal problems — seeking advice**	Problem recency[c]	Binary logistic	Australia	2–PR	MLwiN[h]	A9.4	A9.4
		Problem group[d]						
	Sought advice versus handled without advice	Demographics[a]						
		State/territory[b]						

Table A2.9: Summary — multivariate regression analyses conducted, each jurisdiction (cont.)

	FINALISATION STATUS							
7a	**Finalisation status of legal problems**	Problem recency[c]	Binary logistic	Each state/territory	2–PR	MLwiN[h]	7.7, 9.6, A7.1	9.6
	Finalised versus ongoing	Problem group[d]		Australia	3–PRS	MLwiN[h]	9.6	7.7, 9.6, A7.1
		Strategy[e]						
		Demographics[a]						
7b	**Finalisation status of legal problems**	Problem recency[c]	Binary logistic	Australia	2–PR	MLwiN[h]	A9.5	A9.5
	Finalised versus ongoing	Problem group[d]						
		Strategy[e]						
		Demographics[a]						
		State/territory[b]						
	FAVOURABILITY OF OUTCOME							
8a	**Favourability of outcome of legal problems**	Problem group[d]	Binary logistic	Each state/territory	2–PR	MLwiN[h]	8.5, 9.7, A8.1	9.7
	Favourable versus unfavourable	Strategy[e]		Australia	3–PRS	MLwiN[h]	9.7	8.5, 9.7, A8.1
		Demographics[a]						
8b	**Favourability of outcome of legal problems**	Problem group[d]	Binary logistic	Australia	2–PR	MLwiN[h]	A9.6	A9.6
	Favourable versus unfavourable	Strategy[e]						
		Demographics[a]						
		State/territory[b]						

a 'Demographics' refers to the following potential predictor variables, generally with the following categories: gender (female, *male*); age (15–17, 18–24, 25–34, 35–44, 45–54, 55–64, *65+*); Indigenous staus (Indigenous, *other*); disability status (disability, *no disability*); education (<Year 12, Year 12, *post-school*); employment status (unemployed, *other*); family status (single parent, *other*); housing type (disadvantaged, *other*); main income (government payment, *other*); main language (non-English, *English*); remoteness (remote, regional, *major city* were used in Queensland, South Australia Western Australia and Australia; remote/regional, *major city* were used in NSW and Victoria; remote, *regional* were used in Tasmania and the Northern Territory; remoteness was not examined in the ACT). The reference category for each potential predictor variable is italicised. The employment status variable was not used in the regression for prevalence of employment problems.

b State/territory had eight categories: NSW, Victoria, Queensland, South Australia, Western Australia, Tasmania, the Northern Territory and the ACT. The reference category was the average of all states/territories.

c Problem recency had two categories: 7+ months ago and ≤6 months. The reference category was ≤6 months.

d Problem group had 12 categories: accidents, consumer, credit/debt, crime, employment, family, government, health, housing, money, personal injury, rights. The reference category was the average of all 12 problem groups.

e Strategy had three categories: sought advice, handled without advice and took no action. The reference category was took no action.

f Number and type of levels where S=state/territory, R=respondent and P=problem. E.g. '2–RS' denotes a two-level model where the first level is respondent and the second level is state/territory.

g 'SPSS' refers to IBM SPSS Statistics.

h Rasbash et al. (2009); Browne (2009).

i StataCorp (2011).

Types of multivariate regression models

As noted earlier, the specific model used in a regression analysis ideally depends on the nature of the outcome variable. Binary logistic regression is appropriate when the outcome variable is binary, whereas Poisson regression is appropriate when the outcome variable is a count of events. Furthermore, when this count of events excludes zero values, zero-truncated Poisson models are more suitable.[9] Both multivariate binary logistic regression and multivariate Poisson regression were used to analyse LAW Survey data. In each jurisdiction, binary logistic regression was appropriate for all multivariate regression analyses, except one. A zero-truncated Poisson regression was used for the model on the prevalence of multiple legal problems in each jurisdiction (see point 3 above). This was a suitable model, because the outcome variable involved a count of the number of legal problems experienced by respondents who had problems. Thus, there were no zero counts on the outcome variable, because respondents without problems were excluded from this analysis.

The appropriate regression model also depends on whether or not the observations are independent. Single-level models are appropriate when the observations are independent, whereas multilevel models are appropriate when the observations may be correlated, for example, due to clustering or the hierarchical structure of the data (Goldstein 2003; Hedeker 1999, 2003). Both single-level and multilevel regression models were used. Further details about the multivariate regression models are provided below and in Appendix Table A2.9.

Regressions on prevalence

The multivariate regressions on prevalence (see points 1–4 above) were based on respondents as the unit of analysis. These regressions on prevalence were always run as single-level models when state/territory data were used, because there was only one observation per respondent and, thus, the observations were independent. For example, the respondent either experienced a legal problem or did not. Thus, the state/territory regressions on prevalence had one level: respondent.

When the regressions on prevalence were run on the national data, however, it was possible that observations were clustered by state/territory and thus were not independent. The possible variation by state/territory was considered in one of two ways in these national models. In some of these models, state/territory was introduced as a second level or 'random effect' so the model had two levels rather than one level: state/territory and respondent. In others of these models, the single-level model was retained (i.e. respondent), but state/territory was included as an additional predictor variable or 'fixed effect' to examine its effect on prevalence once the other predictor variables were taken into account (see Appendix Table A2.9).

Regressions on strategy, finalisation status and favourability of outcome

The multivariate regressions on strategy, finalisation status and favourability of outcome (see points 5–8 above) were based on legal problems as the unit of analysis. These regressions were all run as multilevel models, because the observations were potentially correlated as a result of some respondents having multiple legal problems. For example, a respondent may tend to use the same strategy for all their legal problems. When run on state/territory data, these regressions always had two levels: respondent and problem.

When these regressions on strategy, finalisation status and favourability of outcome were run on the national data, it was additionally possible that observations were clustered by state/territory. For example, some strategies may be more likely in some states/territories due to differences in

[9] If the outcome variable has an excess number of zeros, a zero-inflated Poisson model may be necessary. Zero-inflated Poisson models were not necessary for any of the analyses conducted on LAW Survey data.

demographics or services. The possible variation by state/territory was considered in one of two ways in these national regressions. In some of these models, state/territory was introduced as a third level or 'random effect' so the model had three rather than two levels: state/territory, respondent and problem. In others of these models, a two-level model was retained (i.e. respondent and problem), but state/territory was included as an additional predictor variable or 'fixed effect' to examine its effect on the outcome variable (e.g. finalisation status) once the other predictor variables were taken into account (see Appendix Table A2.9).

Significance and strength of predictors

A predictor variable was considered to be significant if one or more comparisons between categories of that variable were significant at the 0.05 level ($p<0.05$). With the exception of legal problem group and state/territory, comparisons were made between one chosen category of each predictor (the reference category) and each other category of that predictor.

Basing comparisons on a single reference category is appropriate for predictors that have only a few categories and for predictors that have ordered categories (e.g. age, education). However, this method limits the interpretation of nominal (non-ordered categorical) predictors that have numerous categories, because many of these categories are not directly compared. Problem group and state/territory were the only nominal predictors with numerous categories in the present study. If the comparisons for problem group had been based on a single reference category (i.e. a particular problem group), there would have been no comparisons between any of the remaining 11 problem groups. As a result, comparisons of each problem group were made against the mean or average effect of all the problem groups rather than against one specific problem group (e.g. Menard 2002). Basing comparisons on the average effect allowed conclusions to be drawn about whether each problem group was more or less likely than average to result in certain outcomes (e.g. seeking advice). Comparisons against the average were also made for the state/territory variable where it was used as a predictor variable (fixed effect) in some national models.

The odds ratio for each comparison in the logistic regressions was calculated. The odds ratio is a ratio of two sets of odds. Take the example of the relationship between gender and the prevalence of legal problems overall where males are used as the reference category. The odds ratio compares the odds for females reporting legal problems to the odds for males (the reference category).[10] When the odds ratio is not significantly different from one (1.0), there is no difference between these two sets of odds — that is, no difference in the prevalence of legal problems overall for females and males. An odds ratio that is significantly greater than 1.0 indicates that the odds for females are higher than the odds for the reference category (males). Conversely, an odds ratio that is significantly less than 1.0 suggests that the odds for females are lower than the odds for males.

The size of the odds ratio indicates the strength of the relationship. For odds ratios greater than 1.0, the strength of the association increases as the odds ratio increases. For example, an odds ratio of 2.0 suggests that the odds for females are twice as high as the odds for males (the reference category), while an odds ratio of 5.0 suggests that the odds for females are five times as high.

For odds ratios less than 1.0, the strength of the relationship increases as the odds ratio decreases. For example, an odds ratio of 0.5 suggests that the odds for females are half those for males (the reference category), while an odds ratio of 0.2 suggests that the odds for females are one-fifth those for males. For convenience, these relationships can be stated in the opposite direction, by

[10] The value for the odds of reporting legal problems is calculated by dividing the probability of reporting legal problems by the probability of not reporting legal problems.

using females rather than males as the reference category and inverting the odds ratios (i.e. 1/odds ratio). For instance, the odds ratio of 0.5 discussed above where males are the reference category is equivalent to an odds ratio of 2.0 (i.e. 1/0.5=2.0) where females are the reference category. Thus, this relationship can be stated as the odds for females being half the odds for males, or as the odds for males being twice the odds for females. Similarly, the odds ratio above of 0.2 where males are the reference category means that the odds for females are one-fifth those for males, or that the odds for males are five times those for females (1/0.2=5.0).

As already noted, for the predictor variables of problem group and state/territory, the average or mean of all categories was used as the reference category. Thus, for the problem group predictor, the odds ratio for each problem group compared the odds for that problem group to the average (or mean) odds for all problem groups. Similarly, the odds for each state/territory were compared to the average odds for all states/territories.

The incident rate ratio was calculated for each comparison in the Poisson regressions. For example, for the association between the number of legal problems and gender, an incident rate ratio that is not significantly different from the value of one (1.0) suggests that there is no real difference between females and males with respect to the number of legal problems reported. An incident rate ratio that is significantly greater than 1.0 suggests that the first incident rate is higher than the incident rate for the reference category. For example, an incident rate ratio of 2.0 for females compared to males where males are the reference category suggests that the rate of legal problems experienced by females is twice the rate of legal problems experienced by males. Incident rate ratios, like odds ratios, can be stated in the opposite direction by inverting the ratio (i.e. 1/incident rate ratio). Thus, an incident rate ratio of 0.5 for females compared to males means that the rate for females is half that experienced by males, or, in other words, that the rate for males is twice that for females (i.e. =1/0.5=2).

The 95 per cent confidence interval associated with each odds ratio or incident rate ratio was also calculated and provides, with 95 per cent certainty, the range of values that the odds ratio or incident rate ratio could take.

Cluster analysis

Cluster analysis is an exploratory data analysis tool that groups observations according to their degree of relatedness (e.g. Aldenderfer & Blashfield 1984; Bartholomew, Steele, Moustaki & Galbraith 2008; Everitt, Landau & Leese 2001). Observations within a cluster are more closely related to one another than they are to observations in other clusters. A hierarchical cluster analysis was conducted in each jurisdiction to examine the co-occurrence of legal problem groups. Hierarchical cluster analysis starts with each observation (i.e. legal problem group) in a separate cluster (i.e. 12 clusters in the present case). It then proceeds in a series of successive steps, with each step joining together the two clusters that are most similar into one cluster. In this way, problem groups were combined into an increasingly smaller number of coherent clusters, until all problem groups had been combined into one cluster.

The results of the cluster analysis for each jurisdiction were summarised in a hierarchical tree diagram, or dendrogram. The branches of the dendrogram illustrate which problem groups were joined together at each step of the analysis. The length of the branches joining problem groups (as measured by the 'distance' shown on the x-axis of the dendrogram) indicates the degree of similarity between those problem groups. Shorter branches indicate greater similarity (or co-occurrence) and earlier combination of problem groups into one cluster in the analysis.

Jaccard scores were used to measure the amount of similarity between legal problem groups, and complete linkage was used as the clustering method.[11] The number of clusters formed by a particular stage in the analysis is evident by 'cutting' (i.e. drawing a line through) the dendrogram at the distance corresponding to that stage, and noting which clusters were formed below that distance. There is no single established method for deciding the best cut of the dendrogram — that is, for deciding the optimal number of clusters that best describes the relationships between observations. The formal tests available for this purpose often provide different results and, consequently, heuristic approaches are commonly used (Aldenderfer & Blashfield 1984; Everitt et al. 2001). The most basic heuristic approach is to cut the dendrogram according to the subjective inspection of the different levels of the tree. A common method used to assist in determining the best cut involves examining the distance between the fusion coefficients at each stage, and cutting the dendrogram at a relatively large jump in this distance (Aldenderfer & Blashfield 1984; Everitt et al. 2001). In the present case, the optimal number of clusters was determined using a combination of subjective inspection and the change in the fusion coefficient. The cluster analysis in each jurisdiction was run on unweighted data, because it is not possible to run cluster analyses on weighted data. The base module of IBM SPSS Statistics was used.

[11] Jaccard scores take into account instances where an individual has experienced problems from both legal problem groups of interest and ignores instances where individuals have experienced neither (Everitt et al. 2001). Jaccard scores were considered appropriate in the present analysis, because, while individuals who have experienced problems from the same pair of legal problem groups are likely to have something in common, there is no reason to expect that individuals who have not experienced problems from either of these problem groups have something in common (e.g. Pleasence et al. 2004b). Single, average and complete linkage methods can all be used with Jaccard scores, with the choice of method depending on whichever provides the clearest clustering pattern (Bartholomew et al. 2008; Everitt et al. 2001).

Appendix A3: prevalence of legal problems

Table A3.1: Regression results — prevalence of legal problems overall, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*
FIXED EFFECTS					
Gender	Female | male	–0.217	0.069	**0.002**	0.8 (0.7–0.9)
Age	15–17 | 65+	1.064	0.198	**0.000**	2.9 (2.0–4.3)
	18–24 | 65+	1.295	0.149	**0.000**	3.7 (2.7–4.9)
	25–34 | 65+	1.221	0.137	**0.000**	3.4 (2.6–4.4)
	35–44 | 65+	1.261	0.136	**0.000**	3.5 (2.7–4.6)
	45–54 | 65+	1.010	0.134	**0.000**	2.7 (2.1–3.6)
	55–64 | 65+	0.951	0.135	**0.000**	2.6 (2.0–3.4)
Indigenous status	Indigenous | other	–0.141	0.279	0.613	0.9 (0.5–1.5)
Disability status	Disability | no disability	0.869	0.093	**0.000**	2.4 (2.0–2.9)
Education	<Year 12 | post-school	–0.467	0.088	**0.000**	0.6 (0.5–0.7)
	Year 12 | post-school	–0.428	0.095	**0.000**	0.7 (0.5–0.8)
Employment status	Unemployed | other	0.436	0.117	**0.000**	1.5 (1.2–1.9)
Family status	Single parent | other	0.820	0.144	**0.000**	2.3 (1.7–3.0)
Housing type	Disadvantaged | other	0.374	0.150	**0.013**	1.5 (1.1–2.0)
Main income	Government payment | other	–0.069	0.098	0.482	0.9 (0.8–1.1)
Main language	Non-English | English	–0.508	0.120	**0.000**	0.6 (0.5–0.8)
Remoteness[a]	Remote/regional | major city	–0.031	0.079	0.697	1.0 (0.8–1.1)
Constant		–0.843	0.122	**0.000**	

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents. Data were missing for 26 respondents. P values for significant comparisons are presented in bold.

Table A3.2: Regression results — prevalence of substantial legal problems, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*
FIXED EFFECTS					
Gender	Female | male	0.036	0.075	0.631	1.0 (0.9–1.2)
Age	15–17 | 65+	0.597	0.250	**0.017**	1.8 (1.1–3.0)
	18–24 | 65+	1.100	0.178	**0.000**	3.0 (2.1–4.3)
	25–34 | 65+	1.226	0.161	**0.000**	3.4 (2.5–4.7)
	35–44 | 65+	1.264	0.158	**0.000**	3.5 (2.6–4.8)
	45–54 | 65+	1.095	0.157	**0.000**	3.0 (2.2–4.1)
	55–64 | 65+	1.053	0.159	**0.000**	2.9 (2.1–3.9)
Indigenous status	Indigenous | other	–0.053	0.300	0.860	0.9 (0.5–1.7)
Disability status	Disability | no disability	0.994	0.095	**0.000**	2.7 (2.2–3.3)
Education	<Year 12 | post-school	–0.302	0.099	**0.002**	0.7 (0.6–0.9)
	Year 12 | post-school	–0.469	0.108	**0.000**	0.6 (0.5–0.8)
Employment status	Unemployed | other	0.471	0.121	**0.000**	1.6 (1.3–2.0)
Family status	Single parent | other	0.702	0.134	**0.000**	2.0 (1.6–2.6)
Housing type	Disadvantaged | other	0.345	0.150	**0.022**	1.4 (1.1–1.9)
Main income	Government payment | other	0.069	0.108	0.524	1.1 (0.9–1.3)
Main language	Non-English | English	–0.257	0.135	0.057	0.8 (0.6–1.0)
Remoteness[a]	Remote/regional | major city	–0.053	0.089	0.551	0.9 (0.8–1.1)
Constant		–2.098	0.148	**0.000**	

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents. Data were missing for 26 respondents. P values for significant comparisons are presented in bold.

Table A3.3: Regression results — prevalence of multiple legal problems, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Incident rate ratio (95% CI)*
FIXED EFFECTS					
Gender	Female | male	–0.040	0.090	0.660	1.0 (0.8–1.1)
Age	15–17 | 65+	0.796	0.314	**0.011**	2.2 (1.2–4.1)
	18–24 | 65+	0.924	0.255	**0.000**	2.5 (1.5–4.2)
	25–34 | 65+	0.730	0.248	**0.003**	2.1 (1.3–3.4)
	35–44 | 65+	0.891	0.248	**0.000**	2.4 (1.5–4.0)
	45–54 | 65+	0.618	0.249	**0.013**	1.9 (1.1–3.0)
	55–64 | 65+	0.464	0.249	0.063	1.6 (1.0–2.6)
Indigenous status	Indigenous | other	0.234	0.231	0.310	1.3 (0.8–2.0)
Disability status	Disability | no disability	0.554	0.109	**0.000**	1.7 (1.4–2.2)
Education	<Year 12 | post-school	–0.336	0.126	**0.008**	0.7 (0.6–0.9)
	Year 12 | post-school	–0.278	0.133	**0.036**	0.8 (0.6–1.0)
Employment status	Unemployed | other	0.191	0.113	0.092	1.2 (1.0–1.5)
Family status	Single parent | other	0.312	0.112	**0.006**	1.4 (1.1–1.7)
Housing type	Disadvantaged | other	0.608	0.158	**0.000**	1.8 (1.3–2.5)
Main income	Government payment | other	0.013	0.123	0.913	1.0 (0.8–1.3)
Main language	Non-English | English	–0.023	0.179	0.899	1.0 (0.7–1.4)
Remoteness[a]	Remote/regional | major city	0.220	0.105	**0.037**	1.2 (1.0–1.5)
Constant		0.748	0.237	**0.002**	

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=2051 respondents with problems. Data were missing for nine respondents. P values for significant comparisons are presented in bold.

Table A3.4: Regression results — prevalence of accidents legal problems, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*	
FIXED EFFECTS						
Gender	Female | male	–0.237	0.126	0.062	0.8	(0.6–1.0)
Age	15–17 | 65+	1.447	0.404	**0.000**	4.3	(1.9–9.4)
	18–24 | 65+	1.605	0.293	**0.000**	5.0	(2.8–8.8)
	25–34 | 65+	0.984	0.298	**0.001**	2.7	(1.5–4.8)
	35–44 | 65+	0.813	0.303	**0.007**	2.3	(1.2–4.1)
	45–54 | 65+	0.833	0.298	**0.005**	2.3	(1.3–4.1)
	55–64 | 65+	0.809	0.309	**0.009**	2.2	(1.2–4.1)
Indigenous status	Indigenous | other	–0.280	0.593	0.636	0.8	(0.2–2.4)
Disability status	Disability | no disability	0.044	0.177	0.802	1.0	(0.7–1.5)
Education	<Year 12 | post-school	–0.818	0.200	**0.000**	0.4	(0.3–0.7)
	Year 12 | post-school	–0.259	0.154	0.094	0.8	(0.6–1.0)
Employment status	Unemployed | other	0.088	0.192	0.646	1.1	(0.7–1.6)
Family status	Single parent | other	0.064	0.246	0.797	1.1	(0.7–1.7)
Housing type	Disadvantaged | other	0.020	0.273	0.942	1.0	(0.6–1.7)
Main income	Government payment | other	0.126	0.187	0.501	1.1	(0.8–1.6)
Main language	Non-English | English	–0.234	0.217	0.282	0.8	(0.5–1.2)
Remoteness[a]	Remote/regional | major city	–0.212	0.157	0.177	0.8	(0.6–1.1)
Constant		–3.051	0.275	**0.000**		

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents. Data were missing for 26 respondents. P values for significant comparisons are presented in bold.

Table A3.5: Regression results — prevalence of consumer legal problems, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*	
FIXED EFFECTS						
Gender	Female | male	–0.138	0.082	0.091	0.9	(0.7–1.0)
Age	15–17 | 65+	0.221	0.286	0.439	1.2	(0.7–2.2)
	18–24 | 65+	0.797	0.188	**0.000**	2.2	(1.5–3.2)
	25–34 | 65+	0.690	0.174	**0.000**	2.0	(1.4–2.8)
	35–44 | 65+	0.841	0.168	**0.000**	2.3	(1.7–3.2)
	45–54 | 65+	0.806	0.167	**0.000**	2.2	(1.6–3.1)
	55–64 | 65+	0.655	0.171	**0.000**	1.9	(1.4–2.7)
Indigenous status	Indigenous | other	0.105	0.311	0.735	1.1	(0.6–2.0)
Disability status	Disability | no disability	0.719	0.101	**0.000**	2.1	(1.7–2.5)
Education	<Year 12 | post-school	–0.716	0.114	**0.000**	0.5	(0.4–0.6)
	Year 12 | post-school	–0.449	0.113	**0.000**	0.6	(0.5–0.8)
Employment status	Unemployed | other	0.228	0.133	0.086	1.3	(1.0–1.6)
Family status	Single parent | other	0.266	0.146	0.068	1.3	(1.0–1.7)
Housing type	Disadvantaged | other	0.434	0.159	**0.007**	1.5	(1.1–2.1)
Main income	Government payment | other	–0.098	0.118	0.406	0.9	(0.7–1.1)
Main language	Non-English | English	–0.482	0.160	**0.003**	0.6	(0.5–0.8)
Remoteness[a]	Remote/regional | major city	–0.020	0.096	0.835	1.0	(0.8–1.2)
Constant		–1.799	0.158	**0.000**		

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents. Data were missing for 26 respondents. P values for significant comparisons are presented in bold.

Table A3.6: Regression results — prevalence of credit/debt legal problems, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*
FIXED EFFECTS					
Gender	Female | male	–0.040	0.137	0.770	1.0 (0.7–1.3)
Age	15–17 | 65+	–0.077	0.802	0.923	0.9 (0.2–4.5)
	18–24 | 65+	1.719	0.393	**0.000**	5.6 (2.6–12.1)
	25–34 | 65+	2.028	0.367	**0.000**	7.6 (3.7–15.6)
	35–44 | 65+	1.589	0.376	**0.000**	4.9 (2.3–10.2)
	45–54 | 65+	1.351	0.372	**0.000**	3.9 (1.9–8.0)
	55–64 | 65+	1.297	0.374	**0.001**	3.7 (1.8–7.6)
Indigenous status	Indigenous | other	0.429	0.406	0.290	1.5 (0.7–3.4)
Disability status	Disability | no disability	0.717	0.158	**0.000**	2.0 (1.5–2.8)
Education	<Year 12 | post-school	–0.456	0.190	**0.016**	0.6 (0.4–0.9)
	Year 12 | post-school	–0.169	0.185	0.361	0.8 (0.6–1.2)
Employment status	Unemployed | other	0.462	0.201	**0.022**	1.6 (1.1–2.4)
Family status	Single parent | other	0.642	0.196	**0.001**	1.9 (1.3–2.8)
Housing type	Disadvantaged | other	0.807	0.214	**0.000**	2.2 (1.5–3.4)
Main income	Government payment | other	0.215	0.187	0.250	1.2 (0.9–1.8)
Main language	Non-English | English	–0.840	0.315	**0.008**	0.4 (0.2–0.8)
Remoteness[a]	Remote/regional | major city	0.309	0.151	**0.042**	1.4 (1.0–1.8)
Constant		–4.448	0.371	**0.000**	

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents. Data were missing for 26 respondents. P values for significant comparisons are presented in bold.

Table A3.7: Regression results — prevalence of crime legal problems, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*
FIXED EFFECTS					
Gender	Female | male	–0.309	0.096	**0.001**	0.7 (0.6–0.9)
Age	15–17 | 65+	1.703	0.292	**0.000**	5.5 (3.1–9.7)
	18–24 | 65+	1.862	0.235	**0.000**	6.4 (4.1–10.2)
	25–34 | 65+	1.414	0.226	**0.000**	4.1 (2.6–6.4)
	35–44 | 65+	1.087	0.228	**0.000**	3.0 (1.9–4.6)
	45–54 | 65+	1.163	0.226	**0.000**	3.2 (2.1–5.0)
	55–64 | 65+	1.233	0.229	**0.000**	3.4 (2.2–5.4)
Indigenous status	Indigenous | other	0.071	0.351	0.839	1.1 (0.5–2.1)
Disability status	Disability | no disability	0.470	0.117	**0.000**	1.6 (1.3–2.0)
Education	<Year 12 | post-school	–0.392	0.127	**0.002**	0.7 (0.5–0.9)
	Year 12 | post-school	–0.254	0.135	0.059	0.8 (0.6–1.0)
Employment status	Unemployed | other	0.194	0.142	0.172	1.2 (0.9–1.6)
Family status	Single parent | other	0.796	0.151	**0.000**	2.2 (1.6–3.0)
Housing type	Disadvantaged | other	0.705	0.167	**0.000**	2.0 (1.5–2.8)
Main income	Government payment | other	0.060	0.129	0.641	1.1 (0.8–1.4)
Main language	Non-English | English	–0.561	0.190	**0.003**	0.6 (0.4–0.8)
Remoteness[a]	Remote/regional | major city	0.140	0.108	0.195	1.2 (0.9–1.4)
Constant		–2.988	0.210	**0.000**	

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents. Data were missing for 26 respondents. P values for significant comparisons are presented in bold.

Table A3.8: Regression results — prevalence of employment legal problems, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*	
FIXED EFFECTS						
Gender	Female | male	–0.335	0.138	**0.015**	0.7	(0.5–0.9)
Age	15–17 | 65+	3.090	0.826	**0.000**	22.0	(4.4–111.0)
	18–24 | 65+	3.786	0.744	**0.000**	44.1	(10.3–189.7)
	25–34 | 65+	2.985	0.747	**0.000**	19.8	(4.6–85.6)
	35–44 | 65+	3.242	0.750	**0.000**	25.6	(5.9–111.2)
	45–54 | 65+	3.317	0.746	**0.000**	27.6	(6.4–119.1)
	55–64 | 65+	2.597	0.759	**0.001**	13.4	(3.0–59.5)
Indigenous status	Indigenous | other	–0.154	0.571	0.788	0.9	(0.3–2.6)
Disability status	Disability | no disability	0.483	0.176	**0.006**	1.6	(1.1–2.3)
Education	<Year 12 | post-school	–0.658	0.185	**0.000**	0.5	(0.4–0.7)
	Year 12 | post-school	–0.671	0.194	**0.001**	0.5	(0.3–0.7)
Family status	Single parent | other	0.728	0.207	**0.000**	2.1	(1.4–3.1)
Housing type	Disadvantaged | other	0.134	0.288	0.642	1.1	(0.6–2.0)
Main income	Government payment | other	–0.040	0.203	0.845	1.0	(0.6–1.4)
Main language	Non-English | English	–0.237	0.249	0.341	0.8	(0.5–1.3)
Remoteness[a]	Remote/regional | major city	0.159	0.160	0.319	1.2	(0.9–1.6)
Constant		–5.502	0.748	**0.000**		

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents. Data were missing for 26 respondents. The relationship between the employment status variable and the prevalence of employment problems was not examined due to too much overlap between this variable and the employment problem group. Being sacked or made redundant was included as a legal problem within the employment problem group, and would also have been likely to result in a period of unemployment, and, hence, membership within the unemployment demographic group. P values for significant comparisons are presented in bold.

Table A3.9: Regression results — prevalence of family legal problems, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*	
FIXED EFFECTS						
Gender	Female | male	0.105	0.177	0.552	1.1	(0.8–1.6)
Age	15–17 | 65+	0.271	0.678	0.689	1.3	(0.3–5.0)
	18–24 | 65+	0.439	0.506	0.386	1.6	(0.6–4.2)
	25–34 | 65+	1.160	0.411	**0.005**	3.2	(1.4–7.1)
	35–44 | 65+	1.462	0.395	**0.000**	4.3	(2.0–9.4)
	45–54 | 65+	0.795	0.422	0.059	2.2	(1.0–5.1)
	55–64 | 65+	0.888	0.416	**0.033**	2.4	(1.1–5.5)
Indigenous status	Indigenous | other	–0.774	0.577	0.180	0.5	(0.1–1.4)
Disability status	Disability | no disability	0.085	0.207	0.682	1.1	(0.7–1.6)
Education	<Year 12 | post-school	0.033	0.224	0.884	1.0	(0.7–1.6)
	Year 12 | post-school	0.183	0.234	0.434	1.2	(0.8–1.9)
Employment status	Unemployed | other	0.193	0.250	0.439	1.2	(0.7–2.0)
Family status	Single parent | other	2.591	0.188	**0.000**	13.3	(9.2–19.3)
Housing type	Disadvantaged | other	0.710	0.270	**0.009**	2.0	(1.2–3.5)
Main income	Government payment | other	0.541	0.215	**0.012**	1.7	(1.1–2.6)
Main language	Non-English | English	–0.464	0.334	0.164	0.6	(0.3–1.2)
Remoteness[a]	Remote/regional | major city	–0.156	0.199	0.435	0.9	(0.6–1.3)
Constant		–4.888	0.400	**0.000**		

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents. Data were missing for 26 respondents. P values for significant comparisons are presented in bold.

Table A3.10: Regression results — prevalence of government legal problems, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*	
FIXED EFFECTS						
Gender	Female | male	–0.238	0.107	**0.026**	0.8	(0.6–1.0)
Age	15–17 | 65+	–0.168	0.427	0.693	0.8	(0.4–2.0)
	18–24 | 65+	0.915	0.247	**0.000**	2.5	(1.5–4.1)
	25–34 | 65+	0.832	0.226	**0.000**	2.3	(1.5–3.6)
	35–44 | 65+	0.761	0.230	**0.001**	2.1	(1.4–3.4)
	45–54 | 65+	0.640	0.223	**0.004**	1.9	(1.2–2.9)
	55–64 | 65+	0.592	0.225	**0.009**	1.8	(1.2–2.8)
Indigenous status	Indigenous | other	–0.302	0.462	0.514	0.7	(0.3–1.8)
Disability status	Disability | no disability	0.463	0.130	**0.000**	1.6	(1.2–2.1)
Education	<Year 12 | post-school	–0.394	0.139	**0.005**	0.7	(0.5–0.9)
	Year 12 | post-school	–0.551	0.158	**0.000**	0.6	(0.4–0.8)
Employment status	Unemployed | other	0.587	0.159	**0.000**	1.8	(1.3–2.5)
Family status	Single parent | other	0.492	0.177	**0.005**	1.6	(1.2–2.3)
Housing type	Disadvantaged | other	–0.016	0.206	0.939	1.0	(0.7–1.5)
Main income	Government payment | other	0.379	0.148	**0.011**	1.5	(1.1–2.0)
Main language	Non-English | English	–0.493	0.211	**0.020**	0.6	(0.4–0.9)
Remoteness[a]	Remote/regional | major city	–0.014	0.122	0.906	1.0	(0.8–1.3)
Constant		–2.712	0.212	**0.000**		

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents. Data were missing for 26 respondents. P values for significant comparisons are presented in bold.

Table A3.11: Regression results — prevalence of health legal problems, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*	
FIXED EFFECTS						
Gender	Female | male	0.295	0.182	0.104	1.3	(0.9–1.9)
Age	15–17 | 65+	–0.784	0.995	0.431	0.5	(0.1–3.2)
	18–24 | 65+	0.631	0.421	0.134	1.9	(0.8–4.3)
	25–34 | 65+	0.239	0.401	0.551	1.3	(0.6–2.8)
	35–44 | 65+	0.752	0.348	**0.031**	2.1	(1.1–4.2)
	45–54 | 65+	0.483	0.328	0.140	1.6	(0.9–3.1)
	55–64 | 65+	0.851	0.330	**0.010**	2.3	(1.2–4.5)
Indigenous status	Indigenous | other	1.196	0.521	**0.022**	3.3	(1.2–9.2)
Disability status	Disability | no disability	2.060	0.216	**0.000**	7.8	(5.1–12.0)
Education	<Year 12 | post-school	–0.597	0.224	**0.008**	0.6	(0.4–0.9)
	Year 12 | post-school	–0.709	0.291	**0.015**	0.5	(0.3–0.9)
Employment status	Unemployed | other	0.104	0.298	0.726	1.1	(0.6–2.0)
Family status	Single parent | other	0.324	0.283	0.253	1.4	(0.8–2.4)
Housing type	Disadvantaged | other	0.886	0.250	**0.000**	2.4	(1.5–4.0)
Main income	Government payment | other	0.117	0.233	0.615	1.1	(0.7–1.8)
Main language	Non-English | English	0.411	0.332	0.216	1.5	(0.8–2.9)
Remoteness[a]	Remote/regional | major city	–0.032	0.210	0.879	1.0	(0.6–1.5)
Constant		–4.725	0.336	**0.000**		

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents. Data were missing for 26 respondents. P values for significant comparisons are presented in bold.

Table A3.12: Regression results — prevalence of housing legal problems, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*	
FIXED EFFECTS						
Gender	Female | male	–0.128	0.098	0.194	0.9	(0.7–1.1)
Age	15–17 | 65+	0.469	0.333	0.159	1.6	(0.8–3.1)
	18–24 | 65+	1.079	0.232	**0.000**	2.9	(1.9–4.6)
	25–34 | 65+	1.084	0.211	**0.000**	3.0	(2.0–4.5)
	35–44 | 65+	1.109	0.206	**0.000**	3.0	(2.0–4.5)
	45–54 | 65+	0.729	0.211	**0.001**	2.1	(1.4–3.1)
	55–64 | 65+	0.558	0.222	**0.012**	1.7	(1.1–2.7)
Indigenous status	Indigenous | other	–0.312	0.412	0.449	0.7	(0.3–1.6)
Disability status	Disability | no disability	0.575	0.123	**0.000**	1.8	(1.4–2.3)
Education	<Year 12 | post-school	–0.227	0.131	0.083	0.8	(0.6–1.0)
	Year 12 | post-school	–0.348	0.141	**0.014**	0.7	(0.5–0.9)
Employment status	Unemployed | other	0.350	0.154	**0.023**	1.4	(1.0–1.9)
Family status	Single parent | other	0.164	0.171	0.338	1.2	(0.8–1.6)
Housing type	Disadvantaged | other	0.758	0.173	**0.000**	2.1	(1.5–3.0)
Main income	Government payment | other	0.010	0.139	0.941	1.0	(0.8–1.3)
Main language	Non-English | English	–0.081	0.173	0.639	0.9	(0.7–1.3)
Remoteness[a]	Remote/regional | major city	–0.120	0.116	0.300	0.9	(0.7–1.1)
Constant		–2.716	0.200	**0.000**		

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents. Data were missing for 26 respondents. P values for significant comparisons are presented in bold.

Table A3.13: Regression results — prevalence of money legal problems, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*	
FIXED EFFECTS						
Gender	Female | male	–0.274	0.139	**0.049**	0.8	(0.6–1.0)
Age	15–17 | 65+	–1.711	1.086	0.115	0.2	(0.0–1.5)
	18–24 | 65+	–0.159	0.391	0.684	0.9	(0.4–1.8)
	25–34 | 65+	0.160	0.317	0.613	1.2	(0.6–2.2)
	35–44 | 65+	0.721	0.292	**0.013**	2.1	(1.2–3.6)
	45–54 | 65+	0.605	0.288	**0.035**	1.8	(1.0–3.2)
	55–64 | 65+	0.824	0.287	**0.004**	2.3	(1.3–4.0)
Indigenous status	Indigenous | other	0.278	0.576	0.629	1.3	(0.4–4.1)
Disability status	Disability | no disability	0.493	0.166	**0.003**	1.6	(1.2–2.3)
Education	<Year 12 | post-school	–0.565	0.188	**0.003**	0.6	(0.4–0.8)
	Year 12 | post-school	–0.497	0.212	**0.019**	0.6	(0.4–0.9)
Employment status	Unemployed | other	–0.085	0.271	0.753	0.9	(0.5–1.6)
Family status	Single parent | other	–0.472	0.311	0.129	0.6	(0.3–1.1)
Housing type	Disadvantaged | other	0.308	0.277	0.267	1.4	(0.8–2.3)
Main income	Government payment | other	–0.439	0.219	**0.045**	0.6	(0.4–1.0)
Main language	Non-English | English	–0.667	0.337	**0.048**	0.5	(0.3–1.0)
Remoteness[a]	Remote/regional | major city	0.047	0.157	0.763	1.0	(0.8–1.4)
Constant		–2.789	0.273	**0.000**		

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents. Data were missing for 26 respondents. P values for significant comparisons are presented in bold.

Table A3.14: Regression results — prevalence of personal injury legal problems, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*	
FIXED EFFECTS						
Gender	Female | male	–0.406	0.126	**0.001**	0.7	(0.5–0.9)
Age	15–17 | 65+	2.306	0.422	**0.000**	10.0	(4.4–22.9)
	18–24 | 65+	2.467	0.365	**0.000**	11.8	(5.8–24.1)
	25–34 | 65+	1.696	0.370	**0.000**	5.5	(2.6–11.3)
	35–44 | 65+	1.749	0.359	**0.000**	5.7	(2.8–11.6)
	45–54 | 65+	1.837	0.358	**0.000**	6.3	(3.1–12.7)
	55–64 | 65+	1.625	0.367	**0.000**	5.1	(2.5–10.4)
Indigenous status	Indigenous | other	0.301	0.398	0.450	1.4	(0.6–2.9)
Disability status	Disability | no disability	1.229	0.147	**0.000**	3.4	(2.6–4.6)
Education	<Year 12 | post-school	–0.113	0.166	0.494	0.9	(0.6–1.2)
	Year 12 | post-school	–0.124	0.173	0.474	0.9	(0.6–1.2)
Employment status	Unemployed | other	0.154	0.177	0.384	1.2	(0.8–1.7)
Family status	Single parent | other	0.214	0.216	0.322	1.2	(0.8–1.9)
Housing type	Disadvantaged | other	0.246	0.240	0.306	1.3	(0.8–2.0)
Main income	Government payment | other	–0.448	0.177	**0.012**	0.6	(0.5–0.9)
Main language	Non-English | English	–0.355	0.248	0.152	0.7	(0.4–1.1)
Remoteness[a]	Remote/regional | major city	0.104	0.145	0.473	1.1	(0.8–1.5)
Constant		–4.253	0.349	**0.000**		

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents. Data were missing for 26 respondents. P values for significant comparisons are presented in bold.

Table A3.15: Regression results — prevalence of rights legal problems, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*	
FIXED EFFECTS						
Gender	Female | male	–0.107	0.140	0.444	0.9	(0.7–1.2)
Age	15–17 | 65+	3.308	0.467	**0.000**	27.3	(10.9–68.2)
	18–24 | 65+	2.317	0.447	**0.000**	10.1	(4.2–24.4)
	25–34 | 65+	2.062	0.425	**0.000**	7.9	(3.4–18.1)
	35–44 | 65+	2.232	0.414	**0.000**	9.3	(4.1–21.0)
	45–54 | 65+	1.773	0.418	**0.000**	5.9	(2.6–13.3)
	55–64 | 65+	1.158	0.450	**0.010**	3.2	(1.3–7.7)
Indigenous status	Indigenous | other	0.107	0.448	0.811	1.1	(0.5–2.7)
Disability status	Disability | no disability	0.919	0.172	**0.000**	2.5	(1.8–3.5)
Education	<Year 12 | post-school	–0.248	0.195	0.203	0.8	(0.5–1.1)
	Year 12 | post-school	–0.440	0.213	**0.039**	0.6	(0.4–1.0)
Employment status	Unemployed | other	0.495	0.185	**0.008**	1.6	(1.1–2.4)
Family status	Single parent | other	0.928	0.197	**0.000**	2.5	(1.7–3.7)
Housing type	Disadvantaged | other	0.823	0.214	**0.000**	2.3	(1.5–3.5)
Main income	Government payment | other	0.220	0.196	0.262	1.2	(0.8–1.8)
Main language	Non-English | English	0.077	0.243	0.753	1.1	(0.7–1.7)
Remoteness[a]	Remote/regional | major city	0.388	0.157	**0.014**	1.5	(1.1–2.0)
Constant		–5.113	0.405	**0.000**		

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents. Data were missing for 26 respondents. P values for significant comparisons are presented in bold.

Table A3.16: Prevalence of accidents legal problems by each demographic variable, NSW

Demographic variable	*Category*	*Respondents with problems*	*Respondents without problems*	*All respondents*	
		%	*%*	*%*	*N*
Gender	Female	6.6	93.4	**100.0**	**2086**
	Male[R]	8.4	91.6	**100.0**	**2027**
	Total	7.5	92.5	**100.0**	**4113**
Age	15–17	7.6	92.4	**100.0**	**205***
	18–24	14.2	85.8	**100.0**	**483***
	25–34	8.6	91.4	**100.0**	**700***
	35–44	7.2	92.8	**100.0**	**724***
	45–54	7.1	92.9	**100.0**	**700***
	55–64	6.7	93.3	**100.0**	**580***
	65+[R]	3.0	97.0	**100.0**	**722**
	Total	7.5	92.5	**100.0**	**4113**
Indigenous status	Indigenous	5.3	94.7	**100.0**	**67**
	Other[R]	7.5	92.5	**100.0**	**4046**
	Total	7.5	92.5	**100.0**	**4113**
Disability status	Disability	6.4	93.6	**100.0**	**829**
	No disability[R]	7.7	92.3	**100.0**	**3284**
	Total	7.5	92.5	**100.0**	**4113**
Education	<Year 12	4.2	95.8	**100.0**	**1186***
	Year 12	8.4	91.6	**100.0**	**747**
	Post-school[R]	9.0	91.0	**100.0**	**2155**
	Total	7.5	92.5	**100.0**	**4087**
Employment status	Unemployed	9.8	90.2	**100.0**	**458**
	Other[R]	7.2	92.8	**100.0**	**3655**
	Total	7.5	92.5	**100.0**	**4113**
Family status	Single parent	7.7	92.3	**100.0**	**294**
	Other[R]	7.4	92.6	**100.0**	**3819**
	Total	7.5	92.5	**100.0**	**4113**
Housing type	Disadvantaged	6.8	93.2	**100.0**	**252**
	Other[R]	7.5	92.5	**100.0**	**3861**
	Total	7.5	92.5	**100.0**	**4113**
Main income	Government payment	6.0	94.0	**100.0**	**1107**
	Other[R]	8.0	92.0	**100.0**	**3006**
	Total	7.5	92.5	**100.0**	**4113**
Main language	Non-English	7.6	92.4	**100.0**	**371**
	English[R]	7.4	92.6	**100.0**	**3742**
	Total	7.5	92.5	**100.0**	**4113**
Remoteness[a]	Remote	5.0	95.0	**100.0**	**21**
	Regional	5.8	94.2	**100.0**	**1158**
	Major city[R]	8.1	91.9	**100.0**	**2934**
	Total	7.5	92.5	**100.0**	**4113**

R Reference category for this demographic variable in the regression.

***** Significant difference ($p<0.05$) between this category and the reference category for this demographic variable in the regression.

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents for education and N=4113 respondents for other demographic variables. Education was missing for 26 respondents.

Table A3.17: Prevalence of consumer legal problems by each demographic variable, NSW

Demographic variable	*Category*	*Respondents with problems*	*Respondents without problems*	*All respondents*	
		%	*%*	*%*	*N*
Gender	Female	19.8	80.2	**100.0**	**2086**
	Male[R]	22.2	77.8	**100.0**	**2027**
	Total	21.0	79.0	**100.0**	**4113**
Age	15–17	10.4	89.6	**100.0**	**205**
	18–24	22.2	77.8	**100.0**	**483***
	25–34	22.4	77.6	**100.0**	**700***
	35–44	25.9	74.1	**100.0**	**724***
	45–54	24.6	75.4	**100.0**	**700***
	55–64	22.1	77.9	**100.0**	**580***
	65+[R]	12.3	87.7	**100.0**	**722**
	Total	21.0	79.0	**100.0**	**4113**
Indigenous status	Indigenous	23.4	76.6	**100.0**	**67**
	Other[R]	20.9	79.1	**100.0**	**4046**
	Total	21.0	79.0	**100.0**	**4113**
Disability status	Disability	29.1	70.9	**100.0**	**829***
	No disability[R]	18.9	81.1	**100.0**	**3284**
	Total	21.0	79.0	**100.0**	**4113**
Education	<Year 12	14.4	85.6	**100.0**	**1186***
	Year 12	18.4	81.6	**100.0**	**747***
	Post-school[R]	25.6	74.4	**100.0**	**2155**
	Total	21.0	79.0	**100.0**	**4087**
Employment status	Unemployed	25.2	74.8	**100.0**	**458**
	Other[R]	20.4	79.6	**100.0**	**3655**
	Total	21.0	79.0	**100.0**	**4113**
Family status	Single parent	28.0	72.0	**100.0**	**294**
	Other[R]	20.4	79.6	**100.0**	**3819**
	Total	21.0	79.0	**100.0**	**4113**
Housing type	Disadvantaged	29.5	70.5	**100.0**	**252***
	Other[R]	20.4	79.6	**100.0**	**3861**
	Total	21.0	79.0	**100.0**	**4113**
Main income	Government payment	18.8	81.2	**100.0**	**1107**
	Other[R]	21.8	78.2	**100.0**	**3006**
	Total	21.0	79.0	**100.0**	**4113**
Main language	Non-English	15.1	84.9	**100.0**	**371***
	English[R]	21.5	78.5	**100.0**	**3742**
	Total	21.0	79.0	**100.0**	**4113**
Remoteness[a]	Remote	11.0	89.0	**100.0**	**21**
	Regional	20.2	79.8	**100.0**	**1158**
	Major city[R]	21.3	78.7	**100.0**	**2934**
	Total	21.0	79.0	**100.0**	**4113**

R Reference category for this demographic variable in the regression.

***** Significant difference ($p<0.05$) between this category and the reference category for this demographic variable in the regression.

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents for education and N=4113 respondents for other demographic variables. Education was missing for 26 respondents.

Table A3.18: Prevalence of credit/debt legal problems by each demographic variable, NSW

Demographic variable	*Category*	*Respondents with problems*	*Respondents without problems*	*All respondents*	
		%	*%*	*%*	*N*
Gender	Female	6.3	93.7	**100.0**	**2086**
	Male[R]	6.3	93.7	**100.0**	**2027**
	Total	6.3	93.7	**100.0**	**4113**
Age	15–17	1.1	98.9	**100.0**	**205**
	18–24	7.8	92.2	**100.0**	**483***
	25–34	10.8	89.2	**100.0**	**700***
	35–44	7.6	92.4	**100.0**	**724***
	45–54	6.1	93.9	**100.0**	**700***
	55–64	5.9	94.1	**100.0**	**580***
	65+[R]	1.8	98.2	**100.0**	**722**
	Total	6.3	93.7	**100.0**	**4113**
Indigenous status	Indigenous	15.1	84.9	**100.0**	**67**
	Other[R]	6.2	93.8	**100.0**	**4046**
	Total	6.3	93.7	**100.0**	**4113**
Disability status	Disability	10.5	89.5	**100.0**	**829***
	No disability[R]	5.3	94.7	**100.0**	**3284**
	Total	6.3	93.7	**100.0**	**4113**
Education	<Year 12	5.0	95.0	**100.0**	**1186***
	Year 12	6.5	93.5	**100.0**	**747**
	Post-school[R]	7.0	93.0	**100.0**	**2155**
	Total	6.3	93.7	**100.0**	**4087**
Employment status	Unemployed	11.9	88.1	**100.0**	**458***
	Other[R]	5.6	94.4	**100.0**	**3655**
	Total	6.3	93.7	**100.0**	**4113**
Family status	Single parent	15.3	84.7	**100.0**	**294***
	Other[R]	5.6	94.4	**100.0**	**3819**
	Total	6.3	93.7	**100.0**	**4113**
Housing type	Disadvantaged	15.5	84.5	**100.0**	**252***
	Other[R]	5.7	94.3	**100.0**	**3861**
	Total	6.3	93.7	**100.0**	**4113**
Main income	Government payment	7.9	92.1	**100.0**	**1107**
	Other[R]	5.8	94.2	**100.0**	**3006**
	Total	6.3	93.7	**100.0**	**4113**
Main language	Non-English	3.1	96.9	**100.0**	**371***
	English[R]	6.7	93.3	**100.0**	**3742**
	Total	6.3	93.7	**100.0**	**4113**
Remoteness[a]	Remote	5.5	94.5	**100.0**	**21***
	Regional	7.6	92.4	**100.0**	**1158***
	Major city[R]	5.8	94.2	**100.0**	**2934**
	Total	6.3	93.7	**100.0**	**4113**

R Reference category for this demographic variable in the regression.

***** Significant difference ($p<0.05$) between this category and the reference category for this demographic variable in the regression.

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents for education and N=4113 respondents for other demographic variables. Education was missing for 26 respondents.

Table A3.19: Prevalence of crime legal problems by each demographic variable, NSW

Demographic variable	*Category*	*Respondents with problems*	*Respondents without problems*	*All respondents*	
		%	*%*	*%*	*N*
Gender	Female	12.3	87.7	**100.0**	**2086***
	Male[R]	15.6	84.4	**100.0**	**2027**
	Total	14.0	86.0	**100.0**	**4113**
Age	15–17	17.0	83.0	**100.0**	**205***
	18–24	22.1	77.9	**100.0**	**483***
	25–34	16.9	83.1	**100.0**	**700***
	35–44	13.5	86.5	**100.0**	**724***
	45–54	13.9	86.1	**100.0**	**700***
	55–64	14.6	85.4	**100.0**	**580***
	65+[R]	4.8	95.2	**100.0**	**722**
	Total	14.0	86.0	**100.0**	**4113**
Indigenous status	Indigenous	20.5	79.5	**100.0**	**67**
	Other[R]	13.9	86.1	**100.0**	**4046**
	Total	14.0	86.0	**100.0**	**4113**
Disability status	Disability	17.7	82.3	**100.0**	**829***
	No disability[R]	13.0	87.0	**100.0**	**3284**
	Total	14.0	86.0	**100.0**	**4113**
Education	<Year 12	12.4	87.6	**100.0**	**1186***
	Year 12	14.1	85.9	**100.0**	**747**
	Post-school[R]	15.0	85.0	**100.0**	**2155**
	Total	14.1	85.9	**100.0**	**4087**
Employment status	Unemployed	21.3	78.7	**100.0**	**458**
	Other[R]	13.0	87.0	**100.0**	**3655**
	Total	14.0	86.0	**100.0**	**4113**
Family status	Single parent	27.4	72.6	**100.0**	**294***
	Other[R]	12.9	87.1	**100.0**	**3819**
	Total	14.0	86.0	**100.0**	**4113**
Housing type	Disadvantaged	25.4	74.6	**100.0**	**252***
	Other[R]	13.2	86.8	**100.0**	**3861**
	Total	14.0	86.0	**100.0**	**4113**
Main income	Government payment	13.6	86.4	**100.0**	**1107**
	Other[R]	14.1	85.9	**100.0**	**3006**
	Total	14.0	86.0	**100.0**	**4113**
Main language	Non-English	9.5	90.5	**100.0**	**371***
	English[R]	14.4	85.6	**100.0**	**3742**
	Total	14.0	86.0	**100.0**	**4113**
Remoteness[a]	Remote	24.9	75.1	**100.0**	**21**
	Regional	14.8	85.2	**100.0**	**1158**
	Major city[R]	13.6	86.4	**100.0**	**2934**
	Total	14.0	86.0	**100.0**	**4113**

R Reference category for this demographic variable in the regression.

***** Significant difference ($p<0.05$) between this category and the reference category for this demographic variable in the regression.

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents for education and N=4113 respondents for other demographic variables. Education was missing for 26 respondents.

Table A3.20: Prevalence of employment legal problems by each demographic variable, NSW

Demographic variable	*Category*	*Respondents with problems*	*Respondents without problems*	*All respondents*	
		%	*%*	*%*	*N*
Gender	Female	5.3	94.7	**100.0**	**2086***
	Male[R]	7.1	92.9	**100.0**	**2027**
	Total	6.2	93.8	**100.0**	**4113**
Age	15–17	4.5	95.5	**100.0**	**205***
	18–24	10.7	89.3	**100.0**	**483***
	25–34	6.3	93.7	**100.0**	**700***
	35–44	8.4	91.6	**100.0**	**724***
	45–54	8.7	91.3	**100.0**	**700***
	55–64	4.4	95.6	**100.0**	**580***
	65+[R]	0.3	99.7	**100.0**	**722**
	Total	6.2	93.8	**100.0**	**4113**
Indigenous status	Indigenous	5.8	94.2	**100.0**	**67**
	Other[R]	6.2	93.8	**100.0**	**4046**
	Total	6.2	93.8	**100.0**	**4113**
Disability status	Disability	7.2	92.8	**100.0**	**829***
	No disability[R]	5.9	94.1	**100.0**	**3284**
	Total	6.2	93.8	**100.0**	**4113**
Education	<Year 12	4.1	95.9	**100.0**	**1186***
	Year 12	5.0	95.0	**100.0**	**747***
	Post-school[R]	7.8	92.2	**100.0**	**2155**
	Total	6.2	93.8	**100.0**	**4087**
Employment status[a]	Unemployed	15.7	84.3	**100.0**	**458**
	Other	5.0	95.0	**100.0**	**3655**
	Total	6.2	93.8	**100.0**	**4113**
Family status	Single parent	12.5	87.5	**100.0**	**294***
	Other[R]	5.7	94.3	**100.0**	**3819**
	Total	6.2	93.8	**100.0**	**4113**
Housing type	Disadvantaged	7.2	92.8	**100.0**	**252**
	Other[R]	6.1	93.9	**100.0**	**3861**
	Total	6.2	93.8	**100.0**	**4113**
Main income	Government payment	4.5	95.5	**100.0**	**1107**
	Other[R]	6.8	93.2	**100.0**	**3006**
	Total	6.2	93.8	**100.0**	**4113**
Main language	Non-English	5.5	94.5	**100.0**	**371**
	English[R]	6.2	93.8	**100.0**	**3742**
	Total	6.2	93.8	**100.0**	**4113**
Remoteness[b]	Remote	2.5	97.5	**100.0**	**21**
	Regional	6.3	93.7	**100.0**	**1158**
	Major city[R]	6.2	93.8	**100.0**	**2934**
	Total	6.2	93.8	**100.0**	**4113**

R Reference category for this demographic variable in the regression.

***** Significant difference ($p<0.05$) between this category and the reference category for this demographic variable in the regression.

a The relationship between the employment status variable and the prevalence of employment problems was not examined in the regression due to too much overlap between this variable and the employment problem group. Being sacked or made redundant was included as a legal problem within the employment problem group, and would also have been likely to result in a period of unemployment, and, hence, membership within the unemployment demographic group.

b Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents for education and N=4113 respondents for other demographic variables. Education was missing for 26 respondents.

Table A3.21: Prevalence of family legal problems by each demographic variable, NSW

Demographic variable	*Category*	*Respondents with problems*	*Respondents without problems*	*All respondents*	
		%	*%*	*%*	*N*
Gender	Female	5.0	95.0	**100.0**	**2086**
	Male[R]	3.6	96.4	**100.0**	**2027**
	Total	4.3	95.7	**100.0**	**4113**
Age	15–17	1.5	98.5	**100.0**	**205**
	18–24	2.5	97.5	**100.0**	**483**
	25–34	6.0	94.0	**100.0**	**700***
	35–44	8.6	91.4	**100.0**	**724***
	45–54	3.9	96.1	**100.0**	**700**
	55–64	3.1	96.9	**100.0**	**580***
	65+[R]	1.5	98.5	**100.0**	**722**
	Total	4.3	95.7	**100.0**	**4113**
Indigenous status	Indigenous	6.5	93.5	**100.0**	**67**
	Other[R]	4.3	95.7	**100.0**	**4046**
	Total	4.3	95.7	**100.0**	**4113**
Disability status	Disability	5.8	94.2	**100.0**	**829**
	No disability[R]	3.9	96.1	**100.0**	**3284**
	Total	4.3	95.7	**100.0**	**4113**
Education	<Year 12	4.7	95.3	**100.0**	**1186**
	Year 12	4.6	95.4	**100.0**	**747**
	Post-school[R]	4.0	96.0	**100.0**	**2155**
	Total	4.3	95.7	**100.0**	**4087**
Employment status	Unemployed	7.4	92.6	**100.0**	**458**
	Other[R]	3.9	96.1	**100.0**	**3655**
	Total	4.3	95.7	**100.0**	**4113**
Family status	Single parent	31.1	68.9	**100.0**	**294***
	Other[R]	2.2	97.8	**100.0**	**3819**
	Total	4.3	95.7	**100.0**	**4113**
Housing type	Disadvantaged	12.7	87.3	**100.0**	**252***
	Other[R]	3.7	96.3	**100.0**	**3861**
	Total	4.3	95.7	**100.0**	**4113**
Main income	Government payment	7.0	93.0	**100.0**	**1107***
	Other[R]	3.3	96.7	**100.0**	**3006**
	Total	4.3	95.7	**100.0**	**4113**
Main language	Non-English	2.9	97.1	**100.0**	**371**
	English[R]	4.4	95.6	**100.0**	**3742**
	Total	4.3	95.7	**100.0**	**4113**
Remoteness[a]	Remote	8.0	92.0	**100.0**	**21**
	Regional	4.3	95.7	**100.0**	**1158**
	Major city[R]	4.3	95.7	**100.0**	**2934**
	Total	4.3	95.7	**100.0**	**4113**

R Reference category for this demographic variable in the regression.

***** Significant difference ($p<0.05$) between this category and the reference category for this demographic variable in the regression.

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents for education and N=4113 respondents for other demographic variables. Education was missing for 26 respondents.

Table A3.22: Prevalence of government legal problems by each demographic variable, NSW

Demographic variable	*Category*	*Respondents with problems*	*Respondents without problems*	*All respondents*	
		%	*%*	*%*	*N*
Gender	Female	9.7	90.3	**100.0**	**2086***
	Male[R]	11.7	88.3	**100.0**	**2027**
	Total	10.7	89.3	**100.0**	**4113**
Age	15–17	4.4	95.6	**100.0**	**205**
	18–24	13.2	86.8	**100.0**	**483***
	25–34	13.1	86.9	**100.0**	**700***
	35–44	12.3	87.7	**100.0**	**724***
	45–54	11.0	89.0	**100.0**	**700***
	55–64	10.5	89.5	**100.0**	**580***
	65+[R]	6.7	93.3	**100.0**	**722**
	Total	10.7	89.3	**100.0**	**4113**
Indigenous status	Indigenous	10.8	89.2	**100.0**	**67**
	Other[R]	10.7	89.3	**100.0**	**4046**
	Total	10.7	89.3	**100.0**	**4113**
Disability status	Disability	14.9	85.1	**100.0**	**829***
	No disability[R]	9.6	90.4	**100.0**	**3284**
	Total	10.7	89.3	**100.0**	**4113**
Education	<Year 12	8.9	91.1	**100.0**	**1186***
	Year 12	8.5	91.5	**100.0**	**747***
	Post-school[R]	12.5	87.5	**100.0**	**2155**
	Total	10.7	89.3	**100.0**	**4087**
Employment status	Unemployed	18.2	81.8	**100.0**	**458***
	Other[R]	9.7	90.3	**100.0**	**3655**
	Total	10.7	89.3	**100.0**	**4113**
Family status	Single parent	18.7	81.3	**100.0**	**294***
	Other[R]	10.1	89.9	**100.0**	**3819**
	Total	10.7	89.3	**100.0**	**4113**
Housing type	Disadvantaged	13.7	86.3	**100.0**	**252**
	Other[R]	10.5	89.5	**100.0**	**3861**
	Total	10.7	89.3	**100.0**	**4113**
Main income	Government payment	12.9	87.1	**100.0**	**1107***
	Other[R]	9.9	90.1	**100.0**	**3006**
	Total	10.7	89.3	**100.0**	**4113**
Main language	Non-English	7.6	92.4	**100.0**	**371***
	English[R]	11.0	89.0	**100.0**	**3742**
	Total	10.7	89.3	**100.0**	**4113**
Remoteness[a]	Remote	13.0	87.0	**100.0**	**21**
	Regional	10.5	89.5	**100.0**	**1158**
	Major city[R]	10.7	89.3	**100.0**	**2934**
	Total	10.7	89.3	**100.0**	**4113**

R Reference category for this demographic variable in the regression.

***** Significant difference ($p<0.05$) between this category and the reference category for this demographic variable in the regression.

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents for education and N=4113 respondents for other demographic variables. Education was missing for 26 respondents.

Table A3.23: Prevalence of health legal problems by each demographic variable, NSW

Demographic variable	*Category*	*Respondents with problems*	*Respondents without problems*	*All respondents*	
		%	*%*	*%*	*N*
Gender	Female	4.1	95.9	**100.0**	**2086**
	Male[R]	3.1	96.9	**100.0**	**2027**
	Total	3.6	96.4	**100.0**	**4113**
Age	15–17	0.6	99.4	**100.0**	**205**
	18–24	2.9	97.1	**100.0**	**483**
	25–34	2.6	97.4	**100.0**	**700**
	35–44	4.6	95.4	**100.0**	**724***
	45–54	3.6	96.4	**100.0**	**700**
	55–64	5.7	94.3	**100.0**	**580***
	65+[R]	3.1	96.9	**100.0**	**722**
	Total	3.6	96.4	**100.0**	**4113**
Indigenous status	Indigenous	12.5	87.5	**100.0**	**67***
	Other[R]	3.5	96.5	**100.0**	**4046**
	Total	3.6	96.4	**100.0**	**4113**
Disability status	Disability	11.7	88.3	**100.0**	**829***
	No disability[R]	1.6	98.4	**100.0**	**3284**
	Total	3.6	96.4	**100.0**	**4113**
Education	<Year 12	3.5	96.5	**100.0**	**1186***
	Year 12	2.3	97.7	**100.0**	**747***
	Post-school[R]	4.1	95.9	**100.0**	**2155**
	Total	3.6	96.4	**100.0**	**4087**
Employment status	Unemployed	4.9	95.1	**100.0**	**458**
	Other[R]	3.4	96.6	**100.0**	**3655**
	Total	3.6	96.4	**100.0**	**4113**
Family status	Single parent	6.6	93.4	**100.0**	**294**
	Other[R]	3.4	96.6	**100.0**	**3819**
	Total	3.6	96.4	**100.0**	**4113**
Housing type	Disadvantaged	11.9	88.1	**100.0**	**252***
	Other[R]	3.1	96.9	**100.0**	**3861**
	Total	3.6	96.4	**100.0**	**4113**
Main income	Government payment	5.7	94.3	**100.0**	**1107**
	Other[R]	2.8	97.2	**100.0**	**3006**
	Total	3.6	96.4	**100.0**	**4113**
Main language	Non-English	3.4	96.6	**100.0**	**371**
	English[R]	3.6	96.4	**100.0**	**3742**
	Total	3.6	96.4	**100.0**	**4113**
Remoteness[a]	Remote	5.3	94.7	**100.0**	**21**
	Regional	3.7	96.3	**100.0**	**1158**
	Major city[R]	3.6	96.4	**100.0**	**2934**
	Total	3.6	96.4	**100.0**	**4113**

R Reference category for this demographic variable in the regression.

***** Significant difference ($p<0.05$) between this category and the reference category for this demographic variable in the regression.

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents for education and N=4113 respondents for other demographic variables. Education was missing for 26 respondents.

Table A3.24: Prevalence of housing legal problems by each demographic variable, NSW

Demographic variable	*Category*	*Respondents with problems*	*Respondents without problems*	*All respondents*	
		%	*%*	*%*	*N*
Gender	Female	12.2	87.8	**100.0**	**2086**
	Male[R]	13.7	86.3	**100.0**	**2027**
	Total	13.0	87.0	**100.0**	**4113**
Age	15–17	8.6	91.4	**100.0**	**205**
	18–24	15.8	84.2	**100.0**	**483***
	25–34	16.6	83.4	**100.0**	**700***
	35–44	17.1	82.9	**100.0**	**724***
	45–54	12.5	87.5	**100.0**	**700***
	55–64	11.2	88.8	**100.0**	**580***
	65+[R]	6.5	93.5	**100.0**	**722**
	Total	13.0	87.0	**100.0**	**4113**
Indigenous status	Indigenous	13.7	86.3	**100.0**	**67**
	Other[R]	13.0	87.0	**100.0**	**4046**
	Total	13.0	87.0	**100.0**	**4113**
Disability status	Disability	17.8	82.2	**100.0**	**829***
	No disability[R]	11.8	88.2	**100.0**	**3284**
	Total	13.0	87.0	**100.0**	**4113**
Education	<Year 12	11.3	88.7	**100.0**	**1186**
	Year 12	11.2	88.8	**100.0**	**747***
	Post-school[R]	14.5	85.5	**100.0**	**2155**
	Total	13.0	87.0	**100.0**	**4087**
Employment status	Unemployed	19.8	80.2	**100.0**	**458***
	Other[R]	12.1	87.9	**100.0**	**3655**
	Total	13.0	87.0	**100.0**	**4113**
Family status	Single parent	18.4	81.6	**100.0**	**294**
	Other[R]	12.6	87.4	**100.0**	**3819**
	Total	13.0	87.0	**100.0**	**4113**
Housing type	Disadvantaged	24.6	75.4	**100.0**	**252***
	Other[R]	12.2	87.8	**100.0**	**3861**
	Total	13.0	87.0	**100.0**	**4113**
Main income	Government payment	13.0	87.0	**100.0**	**1107**
	Other[R]	13.0	87.0	**100.0**	**3006**
	Total	13.0	87.0	**100.0**	**4113**
Main language	Non-English	13.5	86.5	**100.0**	**371**
	English[R]	12.9	87.1	**100.0**	**3742**
	Total	13.0	87.0	**100.0**	**4113**
Remoteness[a]	Remote	7.6	92.4	**100.0**	**21**
	Regional	11.7	88.3	**100.0**	**1158**
	Major city[R]	13.5	86.5	**100.0**	**2934**
	Total	13.0	87.0	**100.0**	**4113**

R Reference category for this demographic variable in the regression.

***** Significant difference ($p<0.05$) between this category and the reference category for this demographic variable in the regression.

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents for education and N=4113 respondents for other demographic variables. Education was missing for 26 respondents.

Table A3.25: Prevalence of money legal problems by each demographic variable, NSW

Demographic variable	*Category*	*Respondents with problems*	*Respondents without problems*	*All respondents*	
		%	*%*	*%*	*N*
Gender	Female	5.1	94.9	**100.0**	**2086***
	Male[R]	6.8	93.2	**100.0**	**2027**
	Total	5.9	94.1	**100.0**	**4113**
Age	15–17	0.6	99.4	**100.0**	**205**
	18–24	3.0	97.0	**100.0**	**483**
	25–34	4.8	95.2	**100.0**	**700**
	35–44	8.4	91.6	**100.0**	**724***
	45–54	7.6	92.4	**100.0**	**700***
	55–64	9.4	90.6	**100.0**	**580***
	65+[R]	3.6	96.4	**100.0**	**722**
	Total	5.9	94.1	**100.0**	**4113**
Indigenous status	Indigenous	5.8	94.2	**100.0**	**67**
	Other[R]	5.9	94.1	**100.0**	**4046**
	Total	5.9	94.1	**100.0**	**4113**
Disability status	Disability	7.8	92.2	**100.0**	**829***
	No disability[R]	5.5	94.5	**100.0**	**3284**
	Total	5.9	94.1	**100.0**	**4113**
Education	<Year 12	3.8	96.2	**100.0**	**1186***
	Year 12	4.2	95.8	**100.0**	**747***
	Post-school[R]	7.7	92.3	**100.0**	**2155**
	Total	5.9	94.1	**100.0**	**4087**
Employment status	Unemployed	4.1	95.9	**100.0**	**458**
	Other[R]	6.2	93.8	**100.0**	**3655**
	Total	5.9	94.1	**100.0**	**4113**
Family status	Single parent	4.1	95.9	**100.0**	**294**
	Other[R]	6.1	93.9	**100.0**	**3819**
	Total	5.9	94.1	**100.0**	**4113**
Housing type	Disadvantaged	6.5	93.5	**100.0**	**252**
	Other[R]	5.9	94.1	**100.0**	**3861**
	Total	5.9	94.1	**100.0**	**4113**
Main income	Government payment	3.9	96.1	**100.0**	**1107***
	Other[R]	6.7	93.3	**100.0**	**3006**
	Total	5.9	94.1	**100.0**	**4113**
Main language	Non-English	3.0	97.0	**100.0**	**371***
	English[R]	6.2	93.8	**100.0**	**3742**
	Total	5.9	94.1	**100.0**	**4113**
Remoteness[a]	Remote	8.0	92.0	**100.0**	**21**
	Regional	5.9	94.1	**100.0**	**1158**
	Major city[R]	5.9	94.1	**100.0**	**2934**
	Total	5.9	94.1	**100.0**	**4113**

R Reference category for this demographic variable in the regression.

***** Significant difference ($p<0.05$) between this category and the reference category for this demographic variable in the regression.

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents for education and N=4113 respondents for other demographic variables. Education was missing for 26 respondents.

Table A3.26: Prevalence of personal injury legal problems by each demographic variable, NSW

Demographic variable	*Category*	*Respondents with problems*	*Respondents without problems*	*All respondents*	
		%	*%*	*%*	*N*
Gender	Female	6.3	93.7	**100.0**	**2086***
	Male[R]	9.1	90.9	**100.0**	**2027**
	Total	7.7	92.3	**100.0**	**4113**
Age	15–17	11.6	88.4	**100.0**	**205***
	18–24	13.1	86.9	**100.0**	**483***
	25–34	7.1	92.9	**100.0**	**700***
	35–44	8.2	91.8	**100.0**	**724***
	45–54	9.0	91.0	**100.0**	**700***
	55–64	8.0	92.0	**100.0**	**580***
	65+[R]	1.5	98.5	**100.0**	**722**
	Total	7.7	92.3	**100.0**	**4113**
Indigenous status	Indigenous	13.7	86.3	**100.0**	**67**
	Other[R]	7.6	92.4	**100.0**	**4046**
	Total	7.7	92.3	**100.0**	**4113**
Disability status	Disability	13.7	86.3	**100.0**	**829***
	No disability[R]	6.2	93.8	**100.0**	**3284**
	Total	7.7	92.3	**100.0**	**4113**
Education	<Year 12	7.7	92.3	**100.0**	**1186**
	Year 12	7.9	92.1	**100.0**	**747**
	Post-school[R]	7.7	92.3	**100.0**	**2155**
	Total	7.7	92.3	**100.0**	**4087**
Employment status	Unemployed	11.5	88.5	**100.0**	**458**
	Other[R]	7.2	92.8	**100.0**	**3655**
	Total	7.7	92.3	**100.0**	**4113**
Family status	Single parent	10.2	89.8	**100.0**	**294**
	Other[R]	7.5	92.5	**100.0**	**3819**
	Total	7.7	92.3	**100.0**	**4113**
Housing type	Disadvantaged	10.5	89.5	**100.0**	**252**
	Other[R]	7.5	92.5	**100.0**	**3861**
	Total	7.7	92.3	**100.0**	**4113**
Main income	Government payment	5.6	94.4	**100.0**	**1107***
	Other[R]	8.4	91.6	**100.0**	**3006**
	Total	7.7	92.3	**100.0**	**4113**
Main language	Non-English	5.6	94.4	**100.0**	**371**
	English[R]	7.9	92.1	**100.0**	**3742**
	Total	7.7	92.3	**100.0**	**4113**
Remoteness[a]	Remote	18.8	81.2	**100.0**	**21**
	Regional	7.9	92.1	**100.0**	**1158**
	Major city[R]	7.5	92.5	**100.0**	**2934**
	Total	7.7	92.3	**100.0**	**4113**

R Reference category for this demographic variable in the regression.

***** Significant difference ($p<0.05$) between this category and the reference category for this demographic variable in the regression.

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents for education and N=4113 respondents for other demographic variables. Education was missing for 26 respondents.

Table A3.27: Prevalence of rights legal problems by each demographic variable, NSW

Demographic variable	*Category*	*Respondents with problems*	*Respondents without problems*	*All respondents*	
		%	*%*	*%*	*N*
Gender	Female	6.1	93.9	**100.0**	**2086**
	Male[R]	6.4	93.6	**100.0**	**2027**
	Total	6.2	93.8	**100.0**	**4113**
Age	15–17	17.3	82.7	**100.0**	**205***
	18–24	8.0	92.0	**100.0**	**483***
	25–34	7.4	92.6	**100.0**	**700***
	35–44	8.9	91.1	**100.0**	**724***
	45–54	5.6	94.4	**100.0**	**700***
	55–64	3.3	96.7	**100.0**	**580***
	65+[R]	1.1	98.9	**100.0**	**722**
	Total	6.2	93.8	**100.0**	**4113**
Indigenous status	Indigenous	15.1	84.9	**100.0**	**67**
	Other[R]	6.1	93.9	**100.0**	**4046**
	Total	6.2	93.8	**100.0**	**4113**
Disability status	Disability	10.4	89.6	**100.0**	**829***
	No disability[R]	5.2	94.8	**100.0**	**3284**
	Total	6.2	93.8	**100.0**	**4113**
Education	<Year 12	7.7	92.3	**100.0**	**1186**
	Year 12	4.8	95.2	**100.0**	**747***
	Post-school[R]	6.0	94.0	**100.0**	**2155**
	Total	6.3	93.7	**100.0**	**4087**
Employment status	Unemployed	14.4	85.6	**100.0**	**458***
	Other[R]	5.2	94.8	**100.0**	**3655**
	Total	6.2	93.8	**100.0**	**4113**
Family status	Single parent	17.3	82.7	**100.0**	**294***
	Other[R]	5.4	94.6	**100.0**	**3819**
	Total	6.2	93.8	**100.0**	**4113**
Housing type	Disadvantaged	16.1	83.9	**100.0**	**252***
	Other[R]	5.6	94.4	**100.0**	**3861**
	Total	6.2	93.8	**100.0**	**4113**
Main income	Government payment	7.4	92.6	**100.0**	**1107**
	Other[R]	5.8	94.2	**100.0**	**3006**
	Total	6.2	93.8	**100.0**	**4113**
Main language	Non-English	6.0	94.0	**100.0**	**371**
	English[R]	6.3	93.7	**100.0**	**3742**
	Total	6.2	93.8	**100.0**	**4113**
Remoteness[a]	Remote	8.0	92.0	**100.0**	**21***
	Regional	7.8	92.2	**100.0**	**1158***
	Major city[R]	5.6	94.4	**100.0**	**2934**
	Total	6.2	93.8	**100.0**	**4113**

R Reference category for this demographic variable in the regression.

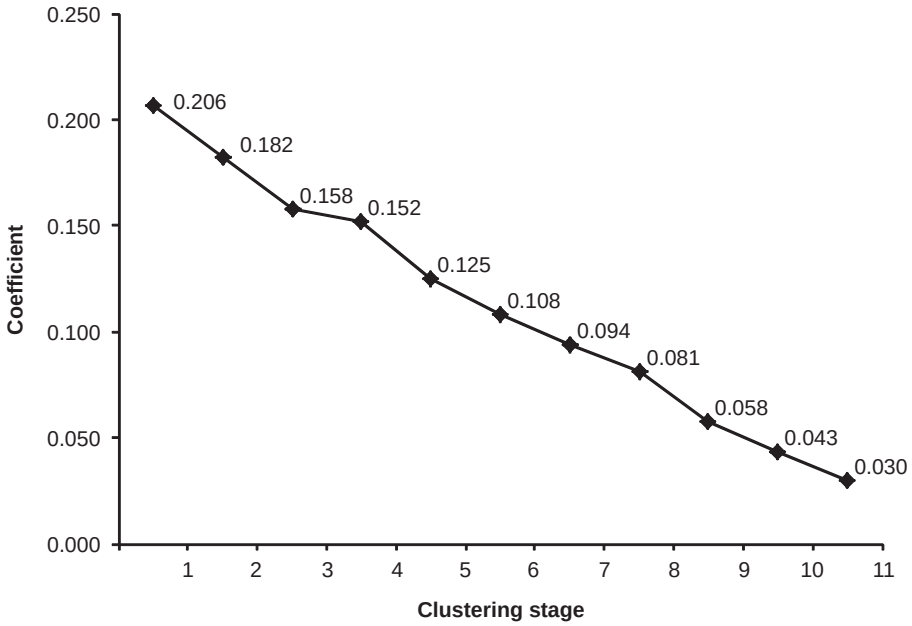
***** Significant difference ($p<0.05$) between this category and the reference category for this demographic variable in the regression.

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=4087 respondents for education and N=4113 respondents for other demographic variables. Education was missing for 26 respondents.

Appendix A4: nature of legal problems

Figure A4.1: Clustering of problem groups — fusion coefficients, NSW



Note: N=4113 respondents. The cluster analysis used complete linkage with jaccard scores.

Appendix A5: response to legal problems

Table A5.1: Regression results — number of action types, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Incident rate ratio (95% CI)*
FIXED EFFECTS					
Problem group	Accidents | mean	–0.416	0.054	**0.000**	0.7 (0.6–0.7)
	Consumer | mean	–0.179	0.029	**0.000**	0.8 (0.8–0.9)
	Credit/debt | mean	–0.065	0.060	0.281	0.9 (0.8–1.1)
	Crime | mean	–0.307	0.039	**0.000**	0.7 (0.7–0.8)
	Employment | mean	0.175	0.048	**0.000**	1.2 (1.1–1.3)
	Family | mean	0.489	0.039	**0.000**	1.6 (1.5–1.8)
	Government | mean	0.058	0.040	0.145	1.1 (1.0–1.1)
	Health | mean	0.032	0.066	0.625	1.0 (0.9–1.2)
	Housing | mean	0.130	0.035	**0.000**	1.1 (1.1–1.2)
	Money | mean	0.238	0.048	**0.000**	1.3 (1.2–1.4)
	Personal injury | mean	–0.178	0.049	**0.000**	0.8 (0.8–0.9)
	Rights | mean	0.022	0.055	0.680	1.0 (0.9–1.1)
Constant		0.467	0.016	**0.000**	

Note: N=3860 problems. Data were missing for 43 problems. P values for significant comparisons are presented in bold.

Table A5.2: Regression results — strategy in response to legal problems — taking action, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*	
FIXED EFFECTS						
Problem recency	7+ months | ≤6 months	0.293	0.099	**0.003**	1.3	(1.1–1.6)
Problem group	Accidents | mean	–0.692	0.158	**0.000**	0.5	(0.4–0.7)
	Consumer | mean	–0.167	0.117	0.153	0.8	(0.7–1.1)
	Credit/debt | mean	–0.581	0.175	**0.001**	0.6	(0.4–0.8)
	Crime | mean	–0.562	0.116	**0.000**	0.6	(0.5–0.7)
	Employment | mean	0.146	0.204	0.474	1.2	(0.8–1.7)
	Family | mean	1.313	0.341	**0.000**	3.7	(1.9–7.3)
	Government | mean	0.156	0.161	0.333	1.2	(0.9–1.6)
	Health | mean	–0.247	0.262	0.346	0.8	(0.5–1.3)
	Housing | mean	0.371	0.166	**0.025**	1.4	(1.0–2.0)
	Money | mean	0.647	0.275	**0.019**	1.9	(1.1–3.3)
	Personal injury | mean	–0.055	0.182	0.763	0.9	(0.7–1.4)
	Rights | mean	–0.330	0.186	0.076	0.7	(0.5–1.0)
Gender	Female | male	0.587	0.107	**0.000**	1.8	(1.5–2.2)
Age	15–17 | 65+	–0.002	0.310	0.995	1.0	(0.5–1.8)
	18–24 | 65+	0.136	0.241	0.573	1.1	(0.7–1.8)
	25–34 | 65+	0.426	0.237	0.072	1.5	(1.0–2.4)
	35–44 | 65+	0.251	0.229	0.273	1.3	(0.8–2.0)
	45–54 | 65+	0.436	0.236	0.065	1.5	(1.0–2.5)
	55–64 | 65+	0.341	0.244	0.162	1.4	(0.9–2.3)
Indigenous status	Indigenous | other	0.642	0.394	0.103	1.9	(0.9–4.1)
Disability status	Disability | no disability	0.252	0.134	0.060	1.3	(1.0–1.7)
Education	<Year 12 | post-school	–0.450	0.132	**0.001**	0.6	(0.5–0.8)
	Year 12 | post-school	–0.120	0.148	0.417	0.9	(0.7–1.2)
Employment status	Unemployed | other	–0.241	0.145	0.096	0.8	(0.6–1.0)
Family status	Single parent | other	–0.212	0.178	0.234	0.8	(0.6–1.1)
Housing type	Disadvantaged | other	0.282	0.211	0.181	1.3	(0.9–2.0)
Main income	Government payment | other	–0.039	0.138	0.777	1.0	(0.7–1.3)
Main language	Non-English | English	–0.574	0.182	**0.002**	0.6	(0.4–0.8)
Remoteness[a]	Remote/regional | major city	0.177	0.125	0.157	1.2	(0.9–1.5)
Constant		1.194	0.229	**0.000**		
RANDOM EFFECTS						
Person		0.789	0.120	**0.000**		

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=3847 problems. Data were missing for 56 problems. P values for significant comparisons are presented in bold.

Table A5.3: Regression results — strategy in response to legal problems — seeking advice, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*
FIXED EFFECTS					
Problem recency	7+ months | ≤6 months	0.480	0.090	**0.000**	1.6 (1.4–1.9)
Problem group	Accidents | mean	0.396	0.181	**0.029**	1.5 (1.0–2.1)
	Consumer | mean	–1.893	0.100	**0.000**	0.2 (0.1–0.2)
	Credit/debt | mean	–0.964	0.171	**0.000**	0.4 (0.3–0.5)
	Crime | mean	0.920	0.142	**0.000**	2.5 (1.9–3.3)
	Employment | mean	0.237	0.162	0.143	1.3 (0.9–1.7)
	Family | mean	0.694	0.206	**0.001**	2.0 (1.3–3.0)
	Government | mean	–0.934	0.124	**0.000**	0.4 (0.3–0.5)
	Health | mean	0.319	0.258	0.216	1.4 (0.8–2.3)
	Housing | mean	–0.596	0.114	**0.000**	0.6 (0.4–0.7)
	Money | mean	0.088	0.178	0.621	1.1 (0.8–1.5)
	Personal injury | mean	1.513	0.248	**0.000**	4.5 (2.8–7.4)
	Rights | mean	0.218	0.183	0.234	1.2 (0.9–1.8)
Gender	Female | male	0.065	0.090	0.470	1.1 (0.9–1.3)
Age	15–17 | 65+	–0.421	0.299	0.159	0.7 (0.4–1.2)
	18–24 | 65+	–0.179	0.215	0.405	0.8 (0.5–1.3)
	25–34 | 65+	0.069	0.200	0.730	1.1 (0.7–1.6)
	35–44 | 65+	0.214	0.193	0.268	1.2 (0.8–1.8)
	45–54 | 65+	0.444	0.199	**0.026**	1.6 (1.1–2.3)
	55–64 | 65+	0.620	0.201	**0.002**	1.9 (1.3–2.8)
Indigenous status	Indigenous | other	–0.502	0.300	0.094	0.6 (0.3–1.1)
Disability status	Disability | no disability	0.231	0.111	**0.037**	1.3 (1.0–1.6)
Education	<Year 12 | post-school	–0.221	0.120	0.066	0.8 (0.6–1.0)
	Year 12 | post-school	–0.067	0.125	0.592	0.9 (0.7–1.2)
Employment status	Unemployed | other	–0.285	0.140	**0.042**	0.8 (0.6–1.0)
Family status	Single parent | other	0.085	0.164	0.604	1.1 (0.8–1.5)
Housing type	Disadvantaged | other	0.017	0.174	0.922	1.0 (0.7–1.4)
Main income	Government payment | other	0.408	0.129	**0.002**	1.5 (1.2–1.9)
Main language	Non-English | English	–0.321	0.188	0.088	0.7 (0.5–1.0)
Remoteness[a]	Remote/regional | major city	0.087	0.103	0.398	1.1 (0.9–1.3)
Constant		0.406	0.195	**0.037**	
RANDOM EFFECTS					
Person		0.166	0.075	**0.027**	

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=3106 problems where took action. Data were missing for 55 problems. P values for significant comparisons are presented in bold.

Appendix A6: advice for legal problems

Table A6.1: Regression results — number of advisers, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Incident rate ratio (95% CI)*
FIXED EFFECTS					
Problem group	Accidents | mean	–0.817	0.164	**0.000**	0.4 (0.3–0.6)
	Consumer | mean	–0.410	0.110	**0.000**	0.7 (0.5–0.8)
	Credit/debt | mean	–0.142	0.171	0.404	0.9 (0.6–1.2)
	Crime | mean	–0.031	0.081	0.699	1.0 (0.8–1.1)
	Employment | mean	0.297	0.099	**0.003**	1.3 (1.1–1.6)
	Family | mean	0.543	0.092	**0.000**	1.7 (1.4–2.1)
	Government | mean	–0.075	0.119	0.532	0.9 (0.7–1.2)
	Health | mean	–0.009	0.169	0.957	1.0 (0.7–1.4)
	Housing | mean	–0.055	0.102	0.590	0.9 (0.8–1.2)
	Money | mean	0.089	0.102	0.381	1.1 (0.9–1.3)
	Personal injury | mean	0.417	0.091	**0.000**	1.5 (1.3–1.8)
	Rights | mean	0.193	0.115	0.092	1.2 (1.0–1.5)
Constant		0.479	0.041	**0.000**	

Note: N=1943 problems where sought advice. P values for significant comparisons are presented in bold.

Table A6.2: Free legal services provided by not-for-profit organisations, all jurisdictions

***ALSs*[a]**

ALSs provide comprehensive legal advice, representation and referrals to Aboriginal and Torres Strait Islander people, in culturally appropriate ways. These services are available within all states and territories and across city, regional and remote locations.

Legal information, advice and referral[b]
Free legal information, advice and referral are available. Some ALSs provide these services for a wide range of legal issues, while others target specific types of legal issues (e.g. women's issues, family violence).

Legal representation
Free legal representation is available for specified areas of law. Legal representation is typically available for criminal matters and for care and protection matters. Some ALSs provide legal representation for other civil and family matters. In some cases, payment for a private lawyer may be provided.

Further information
Aboriginal Legal Service (NSW/ACT) Limited <www.alsnswact.org.au>
Victorian Aboriginal Legal Service <www.vals.org.au>
Aboriginal and Torres Straight Islander Legal Service (Queensland) <www.atsils.com.au>
Aboriginal Legal Rights Movement Inc. <www.alrm.org.au>
Aboriginal Legal Service of Western Australia Inc. <www.als.org.au>
Tasmanian Aboriginal Centre Inc. <www.tacinc.com.au>
Northern Australian Aboriginal Justice Agency <www.naaja.org.au>
Central Australian Aboriginal Legal Aid Service Inc. <www.caalas.com.au>

***CLCs*[a]**

CLCs are independent not-for-profit community organisations that typically provide free legal services to disadvantaged people and communities. CLCs are located throughout Australia in city, regional and remote locations. Some CLCs provide 'generalist' services for a broad range of legal issues and demographic groups, in particular geographical areas. Others offer 'specialist' services in specific areas of law (e.g. credit/debt, welfare rights and tenancy) or for particular demographic groups (e.g. children and young people, women and older people).

Legal information, advice and referral[b]
CLCs provide free legal information, advice and referral to the people or communities they service. Some CLCs operate legal advice telephone hotlines. As independent organisations, CLCs set their own eligibility criteria for the provision of free or low-cost legal advice. For example, some CLCs use eligibility criteria based on area of law or socioeconomic disadvantage.

Legal representation
Legal representation is provided by some CLCs where clients satisfy any merit or funding criteria used by the individual centre.

Further information
National Association of CLCs <www.naclc.org.au>

Court services

Some courts offer free legal services to members of the general public, often in relation to court matters.

Legal information, advice and referral[b]
Free legal information, advice and referral are provided by some courts in some jurisdictions. Court staff may provide information and assistance with court procedures and the preparation of documents. For example, a unique feature of the court system in NSW is the long-established chamber service, where many local courts have a registrar or deputy registrar available to provide information and assistance to the public.

Legal representation
Legal representation is not provided.

Further information
<www.lawfoundation.net.au/judgments>

Table A6.2: Free legal services provided by not-for-profit organisations, all jurisdictions (cont.)

LawAccess NSW

LawAccess NSW is a free government telephone service that provides legal information, referral and, in some cases, advice. LawAccess NSW services are typically provided for NSW residents but are occasionally provided for other people when the matter concerns the laws of NSW. It acts as a legal triage hotline that canvasses a wide range of legal matters and often directs clients to specialist public legal services or private lawyers.

Legal information, advice and referral[b]
Free legal information and referral are available either over the telephone or via the LawAccess NSW website. Legal advice is provided in some cases where the matter is suitable for telephone advice and has high priority according to LawAccess NSW guidelines. For example, priority for legal advice is given for certain specified areas of law (e.g. criminal law, debt and credit, family law, domestic and family violence, wills, power of attorney, enduring guardianship, consumer law, neighbourhood disputes, fines and traffic offences, employment law and motor vehicle accidents), for particular disadvantaged groups (e.g. people living in regional, rural or remote areas, Indigenous people, people with a disability, and people from a culturally and linguistically diverse background) and for people with urgent legal problems (e.g. people who are distressed, at risk of harm, in custody or in prison, and people who have had difficulty obtaining assistance elsewhere).

Legal representation
Legal representation is not provided.

Further information
<www.lawaccess.nsw.gov.au>

Legal Aid[a]

Legal Aid provides legal services to the community, often with a focus on assisting socioeconomically disadvantaged people. Legal services are typically available for criminal, family and some civil law matters. Legal Aid provides services in all states/territories, across city, regional and remote areas.

Legal information, advice and referral[b]
Free legal information, advice and referrals are available. Legal Aid operates various telephone advice services and also provides face-to-face advice at Legal Aid offices or courts. Legal advice is usually not subject to strict eligibility criteria or means testing and generally does not require an application for a Legal Aid grant. However, a focus on disadvantaged people is often maintained by prioritising some types of legal matters for certain groups (e.g. criminal matters, especially for people in custody, people facing serious charges or young people facing charges; family breakdown matters, especially matters involving children; family violence; and some civil and rights matters, such as welfare rights, credit and debt, mental health, immigration, guardianship and veterans' matters). Generally, Legal Aid does not give legal advice for business matters, such as taxation or commercial law, buying property, superannuation law or intellectual property law.

Legal representation
Where ongoing legal assistance is required, a Legal Aid grant can be provided for legal representation, either from a Legal Aid lawyer or from a private or community lawyer. For most grants, clients need to satisfy means and merit tests. There are usually limits to the amount of representation provided, and clients often have to pay some money, depending on their income or personal assets. The merit test may take into account the nature of the matter, whether the case is likely to be won and whether a court ruling is likely to be of benefit to the public.

Further information
Legal Aid NSW <www.legalaid.nsw.gov.au>
Victoria Legal Aid <www.legalaid.vic.gov.au>
Legal Aid Queensland <www.legalaid.qld.gov.au>
Legal Services Commission of South Australia <www.lsc.sa.gov.au>
Legal Aid Western Australia <www.legalaid.wa.gov.au>
Legal Aid Commission of Tasmania <www.legalaid.tas.gov.au>
Northern Territory Legal Aid Commission <www.ntlac.nt.gov.au>
Legal Aid ACT <www.legalaidact.org.au>

a ALSs, CLCs and Legal Aid often provide services other than those listed above, such as community legal education, and family and other dispute resolution.

b Legal advice is provided by staff with legal training.

Appendix A7: finalisation of legal problems

Table A7.1: Regression results — finalisation status of legal problems, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*
FIXED EFFECTS					
Problem recency	7+ months | ≤6 months	0.259	0.078	**0.001**	1.3 (1.1–1.5)
Problem group	Accidents | mean	1.513	0.201	**0.000**	4.5 (3.1–6.7)
	Consumer | mean	0.279	0.090	**0.002**	1.3 (1.1–1.6)
	Credit/debt | mean	–0.622	0.152	**0.000**	0.5 (0.4–0.7)
	Crime | mean	0.487	0.105	**0.000**	1.6 (1.3–2.0)
	Employment | mean	–0.068	0.134	0.612	0.9 (0.7–1.2)
	Family | mean	–1.267	0.171	**0.000**	0.3 (0.2–0.4)
	Government | mean	–0.318	0.114	**0.005**	0.7 (0.6–0.9)
	Health | mean	–0.005	0.195	0.980	1.0 (0.7–1.5)
	Housing | mean	–0.262	0.104	**0.012**	0.8 (0.6–0.9)
	Money | mean	–0.413	0.146	**0.005**	0.7 (0.5–0.9)
	Personal injury | mean	0.465	0.138	**0.001**	1.6 (1.2–2.1)
	Rights | mean	0.210	0.152	0.167	1.2 (0.9–1.7)
Strategy	Sought advice | took no action	–0.971	0.114	**0.000**	0.4 (0.3–0.5)
	Handled without advice | took no action	–0.483	0.124	**0.000**	0.6 (0.5–0.8)
Gender	Female | male	0.001	0.081	0.990	1.0 (0.9–1.2)
Age	15–17 | 65+	1.256	0.285	**0.000**	3.5 (2.0–6.1)
	18–24 | 65+	1.088	0.188	**0.000**	3.0 (2.1–4.3)
	25–34 | 65+	0.471	0.170	**0.006**	1.6 (1.1–2.2)
	35–44 | 65+	0.175	0.165	0.289	1.2 (0.9–1.6)
	45–54 | 65+	0.180	0.166	0.278	1.2 (0.9–1.7)
	55–64 | 65+	0.180	0.175	0.304	1.2 (0.8–1.7)
Indigenous status	Indigenous | other	–0.198	0.334	0.553	0.8 (0.4–1.6)
Disability status	Disability | no disability	–0.299	0.097	**0.002**	0.7 (0.6–0.9)
Education	<Year 12 | post-school	–0.031	0.105	0.768	1.0 (0.8–1.2)
	Year 12 | post-school	0.037	0.118	0.754	1.0 (0.8–1.3)
Employment status	Unemployed | other	0.085	0.121	0.482	1.1 (0.9–1.4)
Family status	Single parent | other	0.043	0.137	0.754	1.0 (0.8–1.4)
Housing type	Disadvantaged | other	–0.014	0.152	0.927	1.0 (0.7–1.3)
Main income	Government payment | other	–0.324	0.111	**0.004**	0.7 (0.6–0.9)
Main language	Non-English | English	–0.560	0.158	**0.000**	0.6 (0.4–0.8)
Remoteness[a]	Remote/regional | major city	0.052	0.094	0.580	1.1 (0.9–1.3)
Constant		0.842	0.181	**0.000**	
RANDOM EFFECTS					
Person		0.367	0.059	**0.000**	

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=3844 problems. Data were missing for 59 problems. P values for significant comparisons are presented in bold.

Appendix A8: outcome of legal problems

Table A8.1: Regression results — favourability of outcome of legal problems, NSW

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*	
FIXED EFFECTS						
Problem group	Accidents | mean	0.585	0.172	**0.001**	1.8	(1.3–2.5)
	Consumer | mean	0.298	0.115	**0.010**	1.3	(1.1–1.7)
	Credit/debt | mean	–0.100	0.204	0.624	0.9	(0.6–1.3)
	Crime | mean	–0.431	0.116	**0.000**	0.6	(0.5–0.8)
	Employment | mean	–0.677	0.180	**0.000**	0.5	(0.4–0.7)
	Family | mean	0.217	0.318	0.495	1.2	(0.7–2.3)
	Government | mean	–0.494	0.155	**0.001**	0.6	(0.5–0.8)
	Health | mean	–0.645	0.264	**0.015**	0.5	(0.3–0.9)
	Housing | mean	0.744	0.167	**0.000**	2.1	(1.5–2.9)
	Money | mean	0.223	0.242	0.357	1.2	(0.8–2.0)
	Personal injury | mean	0.716	0.209	**0.001**	2.0	(1.4–3.1)
	Rights | mean	–0.437	0.182	**0.016**	0.6	(0.5–0.9)
Strategy	Sought advice | took no action	0.340	0.124	**0.006**	1.4	(1.1–1.8)
	Handled without advice | took no action	0.478	0.137	**0.000**	1.6	(1.2–2.1)
Gender	Female | male	0.183	0.101	0.070	1.2	(1.0–1.5)
Age	15–17 | 65+	0.468	0.322	0.146	1.6	(0.8–3.0)
	18–24 | 65+	0.053	0.242	0.827	1.1	(0.7–1.7)
	25–34 | 65+	0.252	0.241	0.296	1.3	(0.8–2.1)
	35–44 | 65+	0.124	0.236	0.599	1.1	(0.7–1.8)
	45–54 | 65+	0.167	0.244	0.494	1.2	(0.7–1.9)
	55–64 | 65+	0.191	0.250	0.445	1.2	(0.7–2.0)
Indigenous status	Indigenous | other	–0.319	0.346	0.357	0.7	(0.4–1.4)
Disability status	Disability | no disability	–0.116	0.129	0.369	0.9	(0.7–1.1)
Education	<Year 12 | post-school	–0.005	0.139	0.971	1.0	(0.8–1.3)
	Year 12 | post-school	–0.026	0.138	0.851	1.0	(0.7–1.3)
Employment status	Unemployed | other	–0.150	0.141	0.287	0.9	(0.7–1.1)
Family status	Single parent | other	0.158	0.174	0.364	1.2	(0.8–1.6)
Housing type	Disadvantaged | other	–0.171	0.207	0.409	0.8	(0.6–1.3)
Main income	Government payment | other	0.053	0.139	0.703	1.1	(0.8–1.4)
Main language	Non-English | English	–0.180	0.207	0.385	0.8	(0.6–1.3)
Remoteness[a]	Remote/regional | major city	0.283	0.124	**0.022**	1.3	(1.0–1.7)
Constant		0.151	0.244	0.536		
RANDOM EFFECTS						
Person		0.356	0.074	**0.000**		

a Due to insufficient numbers in remote areas, the regression compared a combined remote/regional category to the major city (reference) category.

Note: N=2314 finalised problems. Data were missing for 107 problems. P values for significant comparisons are presented in bold.

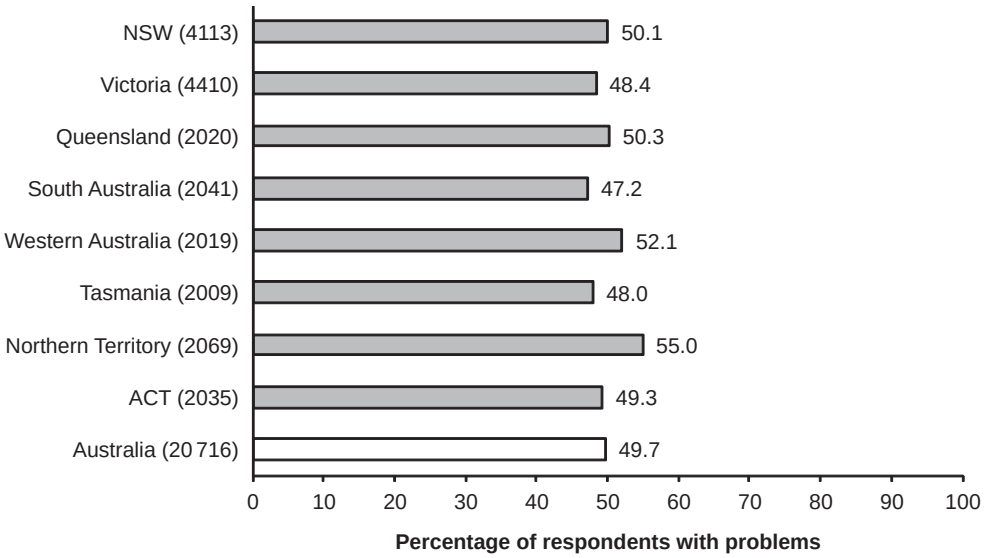
Appendix A9: findings in context

Table A9.1: Disadvantaged status of residential areas, each jurisdiction

Jurisdiction	*Population living in areas of high disadvantage*	*Population living in areas of high advantage*
	%	*%*
NSW	5.4	13.7
Victoria	3.6	5.7
Queensland	4.2	4.3
South Australia	9.7	1.1
Western Australia	2.8	6.1
Tasmania	14.6	0.3
Northern Territory	18.4	1.5
ACT	0.4	20.9
Australia	5.1	7.8

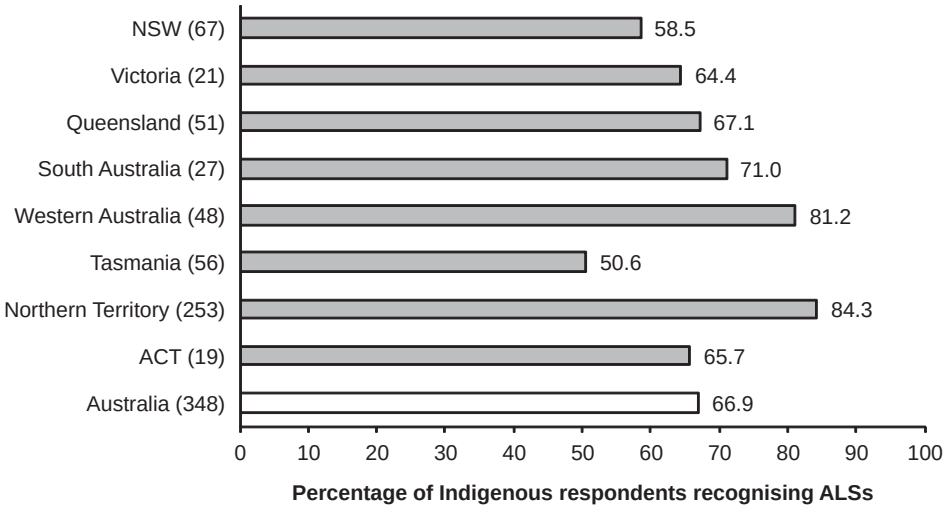
Note: Data were summarised from the ABS (2008c) publication on the SEIFA, using the Index of Relative Socio-Economic Advantage and Disadvantage. For the purposes of this table, an area of high disadvantage was defined as an area with a SEIFA score of less than 850, and an area of high advantage was defined as an area with a SEIFA score greater than 1150.

Figure A9.1: Prevalence of legal problems by jurisdiction



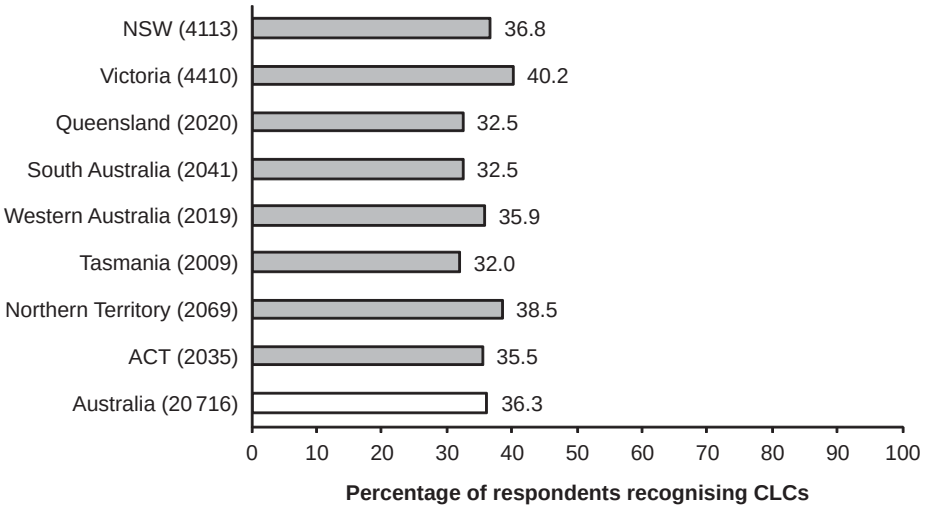
Note: N=20 716 respondents. χ^2=38.82, $F_{7,144629}$=5.35, p=0.000.

Figure A9.2: Cued recall of ALSs by jurisdiction



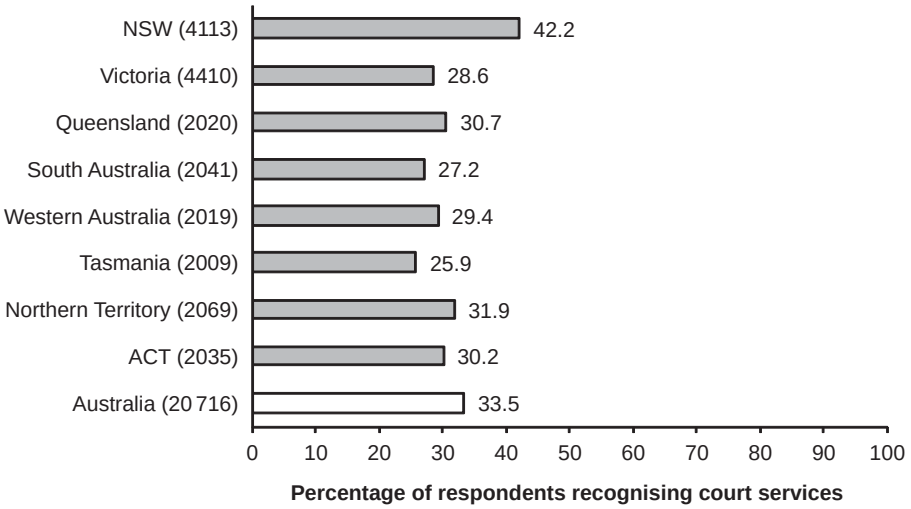
Note: N=348 Indigenous respondents for Australia. The Ns in each state/territory do not sum to the N for Australia due to weighting to correct for disproportionate sampling of states/territories in terms of Australian population proportions. In addition, weighting adjusted for the oversampling of Indigenous Victorians, resulting in 21 Indigenous Victorians in weighted numbers from the 128 interviews conducted with Indigenous Victorians (see Chapter 2, 'Method' section). χ^2=47.72, $F_{6,123225}$=6.55, p=0.000.

Figure A9.3: Cued recall of CLCs by jurisdiction



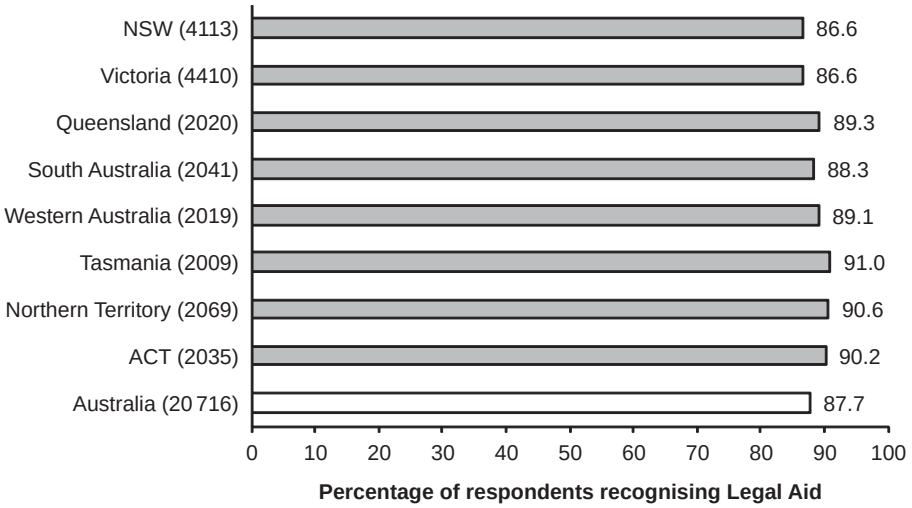
Note: N=20 716 respondents. χ^2=76.08, $F_{7,144622}$=10.451, p=0.000.

Figure A9.4: Cued recall of court services by jurisdiction



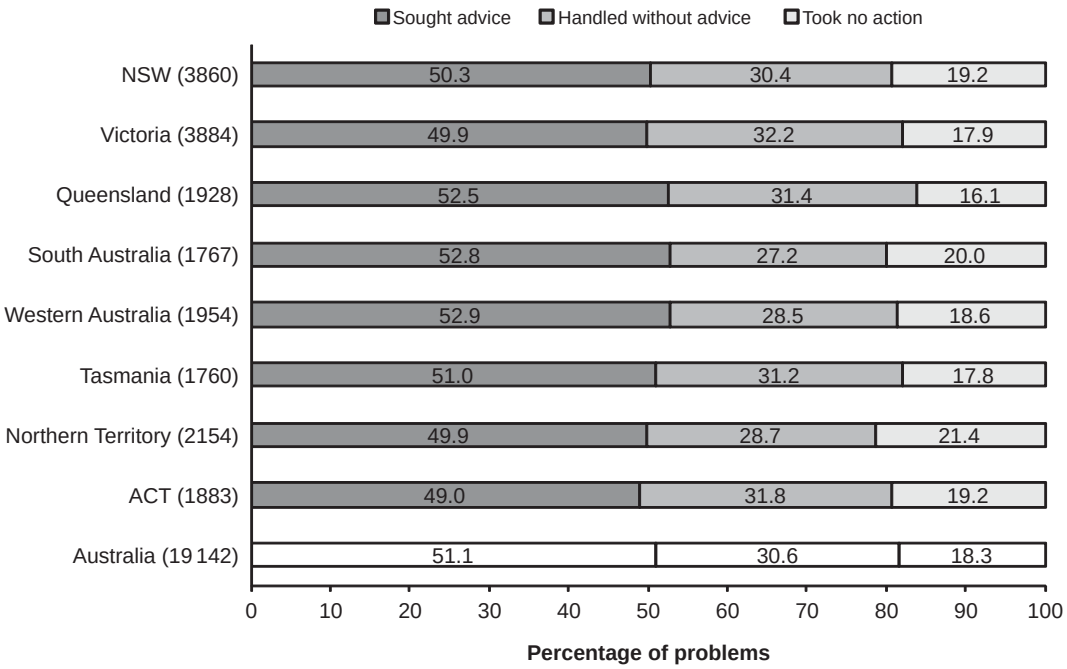
Note: N=20 716 respondents. χ^2=287.04, $F_{7,144615}$=39.37, p=0.000.

Figure A9.5: Cued recall of Legal Aid by jurisdiction



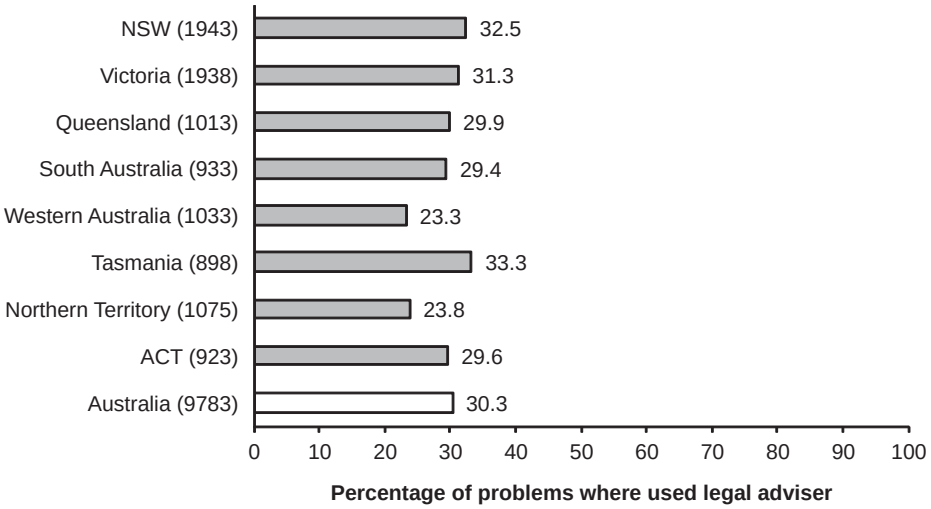
Note: N=20 716 respondents. χ^2=59.49, $F_{7,144619}$=8.13, p=0.000.

Figure A9.6: Strategy in response to legal problems by jurisdiction



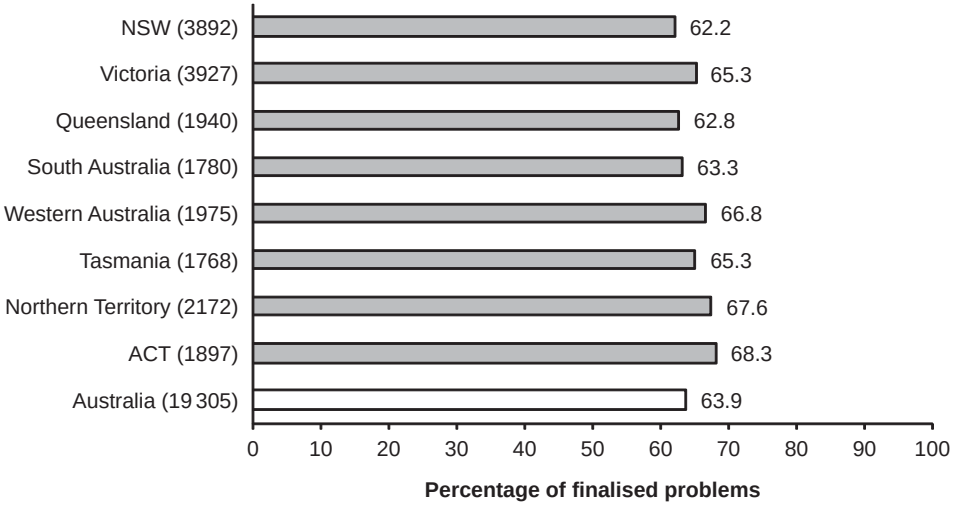
Note: N=19 142 problems. The Ns in each state/territory do not sum to the N for Australia due to weighting to correct for disproportionate sampling of states/territories in terms of Australian population proportions. Data were missing for 246 problems for Australia. Taking action (i.e. sought advice or handled without advice versus took no action): χ^2=24.31, $F_{7,71839}$=2.88, p=0.005. Seeking advice (i.e. sought advice versus handled without advice): χ^2=18.71, $F_{7,63025}$=2.24, p=0.028.

Figure A9.7: Use of legal advisers by jurisdiction



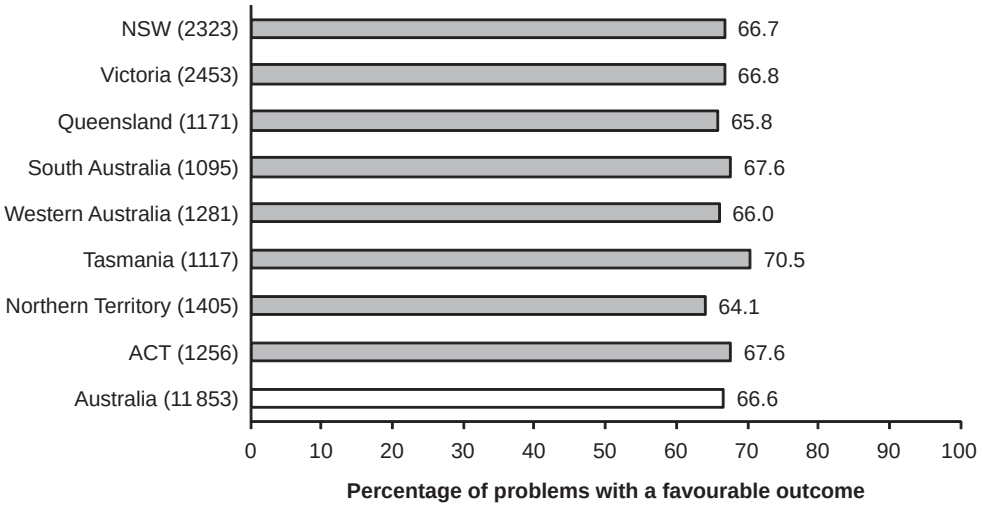
Note: N=9783 problems where sought advice. The Ns in each state/territory do not sum to the N for Australia due to weighting to correct for disproportionate sampling of states/territories in terms of Australian population proportions. χ^2=53.69, $F_{7,72123}$=6.04, p=0.000.

Figure A9.8: Finalisation status of legal problems by jurisdiction



Note: N=19 305 problems. The Ns in each state/territory do not sum to the N for Australia due to weighting to correct for disproportionate sampling of states/territories in terms of Australian population proportions. Data were missing for 82 problems for Australia. χ^2=38.17, $F_{7,71877}$=4.30, p=0.000.

Figure A9.9: Favourability of outcome of legal problems by jurisdiction



Note: N=11 853 finalised problems. The Ns in each state/territory do not sum to the N for Australia due to weighting to correct for disproportionate sampling of states/territories in terms of Australian population proportions. Data were missing for 474 problems for Australia. χ^2=13.02, $F_{7,71995}$=1.59, p=0.134.

Table A9.2: Regression results — prevalence of legal problems overall including state/territory as a predictor, Australia

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*	
FIXED EFFECTS						
Gender	Female | male	–0.104	0.029	**0.000**	0.9	(0.9–1.0)
Age	15–17 | 65+	0.709	0.083	**0.000**	2.0	(1.7–2.4)
	18–24 | 65+	1.040	0.064	**0.000**	2.8	(2.5–3.2)
	25–34 | 65+	0.973	0.059	**0.000**	2.6	(2.4–3.0)
	35–44 | 65+	1.028	0.058	**0.000**	2.8	(2.5–3.1)
	45–54 | 65+	0.879	0.057	**0.000**	2.4	(2.2–2.7)
	55–64 | 65+	0.584	0.058	**0.000**	1.8	(1.6–2.0)
Indigenous status	Indigenous | other	0.015	0.089	0.866	1.0	(0.9–1.2)
Disability status	Disability | no disability	0.806	0.040	**0.000**	2.2	(2.1–2.4)
Education	<Year 12 | post-school	–0.420	0.037	**0.000**	0.7	(0.6–0.7)
	Year 12 | post-school	–0.308	0.040	**0.000**	0.7	(0.7–0.8)
Employment status	Unemployed | other	0.446	0.053	**0.000**	1.6	(1.4–1.7)
Family status	Single parent | other	0.679	0.060	**0.000**	2.0	(1.8–2.2)
Housing type	Disadvantaged | other	0.228	0.062	**0.000**	1.3	(1.1–1.4)
Main income	Government payment | other	–0.089	0.042	**0.034**	0.9	(0.8–1.0)
Main language	Non-English | English	–0.423	0.064	**0.000**	0.7	(0.6–0.7)
Remoteness	Remote | major city	–0.178	0.076	**0.019**	0.8	(0.7–1.0)
	Regional | major city	–0.138	0.038	**0.000**	0.9	(0.8–0.9)
State/territory	NSW | mean	–0.005	0.033	0.880	1.0	(0.9–1.1)
	Victoria | mean	–0.048	0.032	0.134	1.0	(0.9–1.0)
	Queensland | mean	0.017	0.043	0.693	1.0	(0.9–1.1)
	South Australia | mean	–0.120	0.044	**0.006**	0.9	(0.8–1.0)
	Western Australia | mean	0.070	0.043	0.104	1.1	(1.0–1.2)
	Tasmania | mean	0.030	0.048	0.532	1.0	(0.9–1.1)
	Northern Territory | mean	0.204	0.051	**0.000**	1.2	(1.1–1.4)
	ACT | mean	–0.148	0.046	**0.001**	0.9	(0.8–0.9)
Constant		–0.665	0.055	**0.000**		

Note: N=20 585 respondents. Data were missing for 131 respondents. P values for significant comparisons are presented in bold.

Table A9.3: Regression results — strategy in response to legal problems — taking action including state/territory as a predictor, Australia

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*
FIXED EFFECTS					
Problem recency	7+ months | ≤6 months	0.287	0.040	**0.000**	1.3 (1.2–1.4)
Problem group	Accidents | mean	–0.531	0.066	**0.000**	0.6 (0.5–0.7)
	Consumer | mean	–0.094	0.046	**0.041**	0.9 (0.8–1.0)
	Credit/debt | mean	–0.328	0.076	**0.000**	0.7 (0.6–0.8)
	Crime | mean	–0.590	0.046	**0.000**	0.6 (0.5–0.6)
	Employment | mean	0.241	0.086	**0.005**	1.3 (1.1–1.5)
	Family | mean	0.796	0.111	**0.000**	2.2 (1.8–2.8)
	Government | mean	0.135	0.066	**0.041**	1.1 (1.0–1.3)
	Health | mean	–0.401	0.105	**0.000**	0.7 (0.5–0.8)
	Housing | mean	0.244	0.066	**0.000**	1.3 (1.1–1.5)
	Money | mean	0.957	0.121	**0.000**	2.6 (2.1–3.3)
	Personal injury | mean	–0.072	0.075	0.337	0.9 (0.8–1.1)
	Rights | mean	–0.357	0.076	**0.000**	0.7 (0.6–0.8)
Gender	Female | male	0.341	0.042	**0.000**	1.4 (1.3–1.5)
Age	15–17 | 65+	0.058	0.123	0.637	1.1 (0.8–1.3)
	18–24 | 65+	0.228	0.097	**0.019**	1.3 (1.0–1.5)
	25–34 | 65+	0.337	0.092	**0.000**	1.4 (1.2–1.7)
	35–44 | 65+	0.362	0.091	**0.000**	1.4 (1.2–1.7)
	45–54 | 65+	0.309	0.092	**0.001**	1.4 (1.1–1.6)
	55–64 | 65+	0.165	0.097	0.089	1.2 (1.0–1.4)
Indigenous status	Indigenous | other	–0.038	0.109	0.727	1.0 (0.8–1.2)
Disability status	Disability | no disability	0.301	0.053	**0.000**	1.4 (1.2–1.5)
Education	<Year 12 | post-school	–0.360	0.052	**0.000**	0.7 (0.6–0.8)
	Year 12 | post-school	–0.183	0.057	**0.001**	0.8 (0.7–0.9)
Employment status	Unemployed | other	–0.175	0.062	**0.005**	0.8 (0.7–0.9)
Family status	Single parent | other	–0.059	0.072	0.413	0.9 (0.8–1.1)
Housing type	Disadvantaged | other	0.124	0.079	0.117	1.1 (1.0–1.3)
Main income	Government payment | other	0.013	0.056	0.816	1.0 (0.9–1.1)
Main language	Non-English | English	–0.676	0.088	**0.000**	0.5 (0.4–0.6)
Remoteness	Remote | major city	0.035	0.107	0.744	1.0 (0.8–1.3)
	Regional | major city	0.086	0.057	0.131	1.1 (1.0–1.2)
State/territory	NSW | mean	–0.027	0.047	0.566	1.0 (0.9–1.1)
	Victoria | mean	0.114	0.047	**0.015**	1.1 (1.0–1.2)
	Queensland | mean	0.167	0.062	**0.007**	1.2 (1.0–1.3)
	South Australia | mean	–0.067	0.063	0.288	0.9 (0.8–1.1)
	Western Australia | mean	0.031	0.059	0.599	1.0 (0.9–1.2)
	Tasmania | mean	–0.018	0.072	0.803	1.0 (0.9–1.1)
	Northern Territory | mean	–0.158	0.071	**0.026**	0.9 (0.7–1.0)
	ACT | mean	–0.043	0.065	0.508	1.0 (0.8–1.1)
Constant		1.128	0.093	**0.000**	
RANDOM EFFECTS					
Person		0.070	0.012	**0.000**	

Note: N=19 056 problems. Data were missing for 332 problems. P values for significant comparisons are presented in bold.

Table A9.4: Regression results — strategy in response to legal problems — seeking advice including state/territory as a predictor, Australia

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*
FIXED EFFECTS					
Problem recency	7+ months | ≤6 months	0.470	0.040	**0.000**	1.6 (1.5–1.7)
Problem group	Accidents | mean	0.587	0.081	**0.000**	1.8 (1.5–2.1)
	Consumer | mean	–1.839	0.044	**0.000**	0.2 (0.1–0.2)
	Credit/debt | mean	–0.967	0.071	**0.000**	0.4 (0.3–0.4)
	Crime | mean	0.974	0.061	**0.000**	2.6 (2.4–3.0)
	Employment | mean	0.163	0.069	**0.018**	1.2 (1.0–1.3)
	Family | mean	0.566	0.085	**0.000**	1.8 (1.5–2.1)
	Government | mean	–0.909	0.054	**0.000**	0.4 (0.4–0.4)
	Health | mean	0.311	0.116	**0.007**	1.4 (1.1–1.7)
	Housing | mean	–0.463	0.052	**0.000**	0.6 (0.6–0.7)
	Money | mean	0.030	0.076	0.693	1.0 (0.9–1.2)
	Personal injury | mean	1.404	0.104	**0.000**	4.1 (3.3–5.0)
	Rights | mean	0.143	0.081	0.077	1.2 (1.0–1.4)
Gender	Female | male	0.148	0.040	**0.000**	1.2 (1.1–1.3)
Age	15–17 | 65+	–0.910	0.134	**0.000**	0.4 (0.3–0.5)
	18–24 | 65+	–0.502	0.098	**0.000**	0.6 (0.5–0.7)
	25–34 | 65+	–0.170	0.089	0.056	0.8 (0.7–1.0)
	35–44 | 65+	0.051	0.089	0.567	1.1 (0.9–1.3)
	45–54 | 65+	0.105	0.089	0.238	1.1 (0.9–1.3)
	55–64 | 65+	0.107	0.093	0.250	1.1 (0.9–1.3)
Indigenous status	Indigenous | other	–0.165	0.117	0.158	0.8 (0.7–1.1)
Disability status	Disability | no disability	0.202	0.049	**0.000**	1.2 (1.1–1.3)
Education	<Year 12 | post-school	–0.102	0.052	**0.050**	0.9 (0.8–1.0)
	Year 12 | post-school	–0.129	0.055	**0.019**	0.9 (0.8–1.0)
Employment status	Unemployed | other	–0.255	0.063	**0.000**	0.8 (0.7–0.9)
Family status	Single parent | other	0.152	0.072	**0.035**	1.2 (1.0–1.3)
Housing type	Disadvantaged | other	0.119	0.076	0.117	1.1 (1.0–1.3)
Main income	Government payment | other	0.058	0.056	0.300	1.1 (0.9–1.2)
Main language	Non-English | English	–0.337	0.108	**0.002**	0.7 (0.6–0.9)
Remoteness	Remote | major city	–0.007	0.098	0.943	1.0 (0.8–1.2)
	Regional | major city	0.031	0.053	0.559	1.0 (0.9–1.1)
State/territory	NSW | mean	0.001	0.045	0.982	1.0 (0.9–1.1)
	Victoria | mean	–0.056	0.044	0.203	0.9 (0.9–1.0)
	Queensland | mean	–0.015	0.059	0.799	1.0 (0.9–1.1)
	South Australia | mean	0.170	0.064	**0.008**	1.2 (1.0–1.3)
	Western Australia | mean	0.100	0.061	0.101	1.1 (1.0–1.2)
	Tasmania | mean	–0.069	0.068	0.310	0.9 (0.8–1.1)
	Northern Territory | mean	–0.029	0.068	0.670	1.0 (0.9–1.1)
	ACT | mean	–0.103	0.062	0.097	0.9 (0.8–1.0)
Constant		0.670	0.091	**0.000**	
RANDOM EFFECTS					
Person		0.029	0.009	**0.001**	

Note: N=15 579 problems where took action. Data were missing for 313 problems. P values for significant comparisons are presented in bold.

Table A9.5: Regression results — finalisation status of legal problems including state/territory as a predictor, Australia

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*
FIXED EFFECTS					
Problem recency	7+ months | ≤6 months	0.201	0.035	**0.000**	1.2 (1.1–1.3)
Problem group	Accidents | mean	1.444	0.086	**0.000**	4.2 (3.6–5.0)
	Consumer | mean	0.171	0.040	**0.000**	1.2 (1.1–1.3)
	Credit/debt | mean	–0.575	0.064	**0.000**	0.6 (0.5–0.6)
	Crime | mean	0.483	0.045	**0.000**	1.6 (1.5–1.8)
	Employment | mean	–0.010	0.063	0.874	1.0 (0.9–1.1)
	Family | mean	–0.911	0.066	**0.000**	0.4 (0.4–0.5)
	Government | mean	–0.453	0.050	**0.000**	0.6 (0.6–0.7)
	Health | mean	–0.033	0.093	0.723	1.0 (0.8–1.2)
	Housing | mean	–0.215	0.048	**0.000**	0.8 (0.7–0.9)
	Money | mean	–0.462	0.065	**0.000**	0.6 (0.6–0.7)
	Personal injury | mean	0.352	0.065	**0.000**	1.4 (1.3–1.6)
	Rights | mean	0.208	0.070	**0.003**	1.2 (1.1–1.4)
Strategy	Sought advice | took no action	–1.069	0.052	**0.000**	0.3 (0.3–0.4)
	Handled without advice | took no action	–0.552	0.056	**0.000**	0.6 (0.5–0.6)
Gender	Female | male	–0.033	0.036	0.359	1.0 (0.9–1.0)
Age	15–17 | 65+	0.794	0.120	**0.000**	2.2 (1.7–2.8)
	18–24 | 65+	0.552	0.085	**0.000**	1.7 (1.5–2.1)
	25–34 | 65+	0.237	0.077	**0.002**	1.3 (1.1–1.5)
	35–44 | 65+	0.070	0.076	0.357	1.1 (0.9–1.2)
	45–54 | 65+	–0.080	0.076	0.293	0.9 (0.8–1.1)
	55–64 | 65+	–0.015	0.081	0.853	1.0 (0.8–1.2)
Indigenous status	Indigenous | other	–0.177	0.101	0.080	0.8 (0.7–1.0)
Disability status	Disability | no disability	–0.199	0.042	**0.000**	0.8 (0.8–0.9)
Education	<Year 12 | post-school	–0.113	0.045	**0.012**	0.9 (0.8–1.0)
	Year 12 | post-school	0.027	0.049	0.582	1.0 (0.9–1.1)
Employment status	Unemployed | other	–0.016	0.055	0.771	1.0 (0.9–1.1)
Family status	Single parent | other	–0.155	0.060	**0.010**	0.9 (0.8–1.0)
Housing type	Disadvantaged | other	–0.153	0.065	**0.019**	0.9 (0.8–1.0)
Main income	Government payment | other	–0.124	0.049	**0.011**	0.9 (0.8–1.0)
Main language	Non-English | English	–0.309	0.088	**0.000**	0.7 (0.6–0.9)
Remoteness	Remote | major city	–0.062	0.090	0.491	0.9 (0.8–1.1)
	Regional | major city	–0.051	0.047	0.278	1.0 (0.9–1.0)
State/territory	NSW | mean	–0.155	0.039	**0.000**	0.9 (0.8–0.9)
	Victoria | mean	0.003	0.039	0.939	1.0 (0.9–1.1)
	Queensland | mean	–0.069	0.051	0.176	0.9 (0.8–1.0)
	South Australia | mean	–0.040	0.054	0.459	1.0 (0.9–1.1)
	Western Australia | mean	0.066	0.053	0.213	1.1 (1.0–1.2)
	Tasmania | mean	0.096	0.060	0.110	1.1 (1.0–1.2)
	Northern Territory | mean	0.081	0.061	0.184	1.1 (1.0–1.2)
	ACT | mean	0.016	0.056	0.775	1.0 (0.9–1.1)
Constant		1.326	0.087	**0.000**	
RANDOM EFFECTS					
Person		0.051	0.007	**0.000**	

Note: N=19 047 problems. Data were missing for 341 problems. P values for significant comparisons are presented in bold.

Table A9.6: Regression results — favourability of outcome of legal problems including state/territory as a predictor, Australia

Variable	*Categories compared*	*ß*	*SE*	*p*	*Odds ratio (95% CI)*
FIXED EFFECTS					
Problem group	Accidents | mean	0.631	0.074	**0.000**	1.9 (1.6–2.2)
	Consumer | mean	0.211	0.049	**0.000**	1.2 (1.1–1.4)
	Credit/debt | mean	–0.323	0.089	**0.000**	0.7 (0.6–0.9)
	Crime | mean	–0.451	0.049	**0.000**	0.6 (0.6–0.7)
	Employment | mean	–0.320	0.077	**0.000**	0.7 (0.6–0.8)
	Family | mean	0.225	0.115	0.050	1.3 (1.0–1.6)
	Government | mean	–0.409	0.066	**0.000**	0.7 (0.6–0.8)
	Health | mean	–0.357	0.116	**0.002**	0.7 (0.6–0.9)
	Housing | mean	0.401	0.069	**0.000**	1.5 (1.3–1.7)
	Money | mean	0.147	0.098	0.134	1.2 (1.0–1.4)
	Personal injury | mean	0.540	0.087	**0.000**	1.7 (1.4–2.0)
	Rights | mean	–0.294	0.079	**0.000**	0.7 (0.6–0.9)
Strategy	Sought advice | took no action	0.431	0.052	**0.000**	1.5 (1.4–1.7)
	Handled without advice | took no action	0.522	0.057	**0.000**	1.7 (1.5–1.9)
Gender	Female | male	0.046	0.043	0.285	1.0 (1.0–1.1)
Age	15–17 | 65+	0.276	0.135	**0.041**	1.3 (1.0–1.7)
	18–24 | 65+	–0.085	0.102	0.405	0.9 (0.8–1.1)
	25–34 | 65+	–0.084	0.099	0.396	0.9 (0.8–1.1)
	35–44 | 65+	–0.030	0.099	0.762	1.0 (0.8–1.2)
	45–54 | 65+	0.002	0.102	0.984	1.0 (0.8–1.2)
	55–64 | 65+	–0.041	0.105	0.696	1.0 (0.8–1.2)
Indigenous status	Indigenous | other	–0.014	0.124	0.910	1.0 (0.8–1.3)
Disability status	Disability | no disability	–0.068	0.053	0.199	0.9 (0.8–1.0)
Education	<Year 12 | post-school	–0.063	0.056	0.261	0.9 (0.8–1.0)
	Year 12 | post-school	–0.007	0.056	0.901	1.0 (0.9–1.1)
Employment status	Unemployed | other	–0.187	0.063	**0.003**	0.8 (0.7–0.9)
Family status	Single parent | other	0.123	0.078	0.115	1.1 (1.0–1.3)
Housing type	Disadvantaged | other	–0.011	0.084	0.896	1.0 (0.8–1.2)
Main income	Government payment | other	0.058	0.060	0.334	1.1 (0.9–1.2)
Main language	Non-English | English	0.102	0.108	0.345	1.1 (0.9–1.4)
Remoteness	Remote | major city	0.086	0.108	0.426	1.1 (0.9–1.3)
	Regional | major city	0.157	0.058	**0.007**	1.2 (1.0–1.3)
State/territory	NSW | mean	–0.014	0.049	0.775	1.0 (0.9–1.1)
	Victoria | mean	0.024	0.047	0.610	1.0 (0.9–1.1)
	Queensland | mean	–0.074	0.062	0.233	0.9 (0.8–1.0)
	South Australia | mean	0.067	0.066	0.310	1.1 (0.9–1.2)
	Western Australia | mean	0.021	0.061	0.731	1.0 (0.9–1.2)
	Tasmania | mean	0.046	0.074	0.534	1.0 (0.9–1.2)
	Northern Territory | mean	–0.139	0.072	0.054	0.9 (0.8–1.0)
	ACT | mean	0.069	0.066	0.296	1.1 (0.9–1.2)
Constant		0.341	0.104	**0.001**	
RANDOM EFFECTS					
Person		0.048	0.009	**0.000**	

Note: N=11 800 finalised problems. Data were missing for 527 problems. P values for significant comparisons are presented in bold.

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