



# Final grant report: Evaluation of Cancer Council Legal Referral Service

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| <b>Project title</b>                             | Evaluation of Cancer Council Legal Referral Service |
| <b>Grant recipient</b>                           | The Cancer Council NSW                              |
| <b>Project manager</b>                           | Paula Vallentine                                    |
| <b>Position</b>                                  | Manager, Direct Cancer Services                     |
| <b>Law and Justice Foundation awarded amount</b> | \$30,420.00   |
| <b>Grant period</b>                              | July 2011 – December 2012                           |
| <b>Date of this report</b>                       | November 2012                                       |

## Description of the project

***Describe the project in just enough detail so that anyone can understand the aim of the project, the target group and what strategies were undertaken to achieve the aim.***

The Cancer Council Legal Referral Service (LRS) assists cancer patients and carers to access legal services in circumstances where they would otherwise be unable to do so because of cost, illness or other barriers. The LRS facilitates the provision of free legal services by matching clients with its legal partners including law firms, individual solicitors and community legal centres. The range of services offered pro bono are: wills, enduring power of attorney, appointment of enduring guardian, early access to superannuation and related insurance/disability benefits, insurance, consumer credit, employment, tenancy, family law where the matter relates to the arrangements for the care of children or domestic violence, immigration, welfare rights and discrimination.

A program evaluation of the Cancer Council Legal Referral Service was undertaken during 2011 and 2012. The objective of the evaluation was to describe the experience of the service users (clients) and providers (legal partners), and make recommendations for service development and implementation. A mixed methods approach combining existing administrative datasets, a telephone survey of 43 clients, an online survey of 63 lawyers representing 46 legal partners, and in-depth interviews with two purposefully selected clients and the Pro Bono Manager was used to:

1. Describe the process of the CCNSW engaging legal partners to provide pro bono legal assistance
2. Describe the profile of the clients and legal partners of the LRS
3. Assess the utilisation and delivery of the service among clients and legal partners
4. Assess referred clients' legal outcomes
5. Assess clients' and lawyers' perceptions of the benefits of the service
6. Assess the acceptability of the service to clients and legal partners

## **The project – what happened?**

### ***How did the project come about?***

Cancer is a life-threatening and often life-changing diagnosis with significant physical, emotional, social and existential effects. Although the employment, insurance and economic issues facing patients with cancer have begun to be better understood, resources and services to assist cancer patients with these issues have been largely overlooked. In recognition of the need to expand the spectrum of services available to those affected by cancer to include legal assistance, the Cancer Council NSW (CCNSW) established a Legal Referral Service (LRS) in February 2010.

With the demand for the LRS growing rapidly, and the CCNSW committed to the delivery of quality cancer services, the CCNSW determined it was timely to conduct an evaluation of the service. Program evaluation should proceed in stages with the first year of a new service being devoted to process studies and performance monitoring to inform future development and implementation, before moving to studies that document program impact. Therefore, given the infancy of the LRS, the CCNSW contracted the University of Newcastle to undertake an evaluation of the utilisation, delivery, benefits and acceptability of the service to clients and legal partners.

### ***Briefly set out the project stages and what happened in each stage.***

Stage 1: Development of study methods and materials

- A Working Group consisting of representatives from the Law and Justice Foundation, Cancer Council NSW and University of Newcastle was established.
- Relevant literature, reports and questionnaires were retrieved and reviewed. Drawing on these, study materials including information letters, consent forms and questionnaires were developed via an iterative process of revision and feedback from the Working Group and pilot-testing with community members (n=7) and lawyers and/or law students (n=10).
- Approvals from the Human Research Ethics Committees of the University of Newcastle and Cancer Council NSW were obtained.
- Two telephone interviewers were recruited and trained in the computer administered telephone interview.

Stage 2a: Recruitment of clients to participate in evaluation

- CCNSW identified 295 eligible clients from its administrative database. Eligible clients were (1) adults diagnosed with cancer or adult caregivers of people with cancer, (2) referred to the LRS between 1st March 2011 and 30 November 2011, (3) English speaking residents of the state of NSW, (4) assessed by the staff of the CCNSW as meeting means test criteria and having a legal issue within the scope of the service (5) matched or waiting to be matched with a pro bono legal partner.
- CCNSW mailed out initial study information packs to eligible clients and reminder packs to those who had not responded after 3 weeks. Of the 134 responses received, 57 were subsequently deemed ineligible due to death (n=35), return to sender (n=20), subsequent receipt of financial planning services only (n=1) and conversion to a paying client (n=1). Of the 77 eligible clients who responded, 46 consented to participate.

Stage 2b: Recruitment of lawyers to participate in evaluation

- CCNSW identified 107 eligible law firms from its administrative database. Eligible legal partners were (1) lawyers practising at firms who were registered with the LRS to provide pro bono legal services as of November 2011, (2) had received at least one referral from the LRS for pro bono legal services.
- CCNSW emailed study information to eligible legal partners and a reminder email 2 weeks later. A total of 64 lawyers representing 47 legal partners responded (44%) and 63 lawyers representing 46 legal partners consented to participate.

#### Stage 3: Collection of data

- CCNSW extracted the following de-identified information from the LRS administrative database where available for (1) clients: patient/carer status, cancer type, prognosis (e.g. early stage or advanced), gender, age, ethnicity, postcode, specific legal issues faced, and source of referral and for (2) legal partners: postcode, areas of expertise, specified referral capacity, and number of referral matches accepted and declined.
- 43 clients who consented to participate in the evaluation completed a 15 to 20 minute structured telephone survey. At least 15 attempts were made to contact clients before declaring them lost to follow up. Two clients who were purposefully selected on the basis of the information obtained in the telephone-administered survey participated in a more in-depth 30 minute interview to elaborate on their experience of the service.
- 63 lawyers representing 46 legal partners and completed the on-line survey.
- A semi-structured telephone interview was conducted with the National Pro Bono Manager to explore the processes, problems and outcomes of engaging with and recruiting legal partners from NSW.

#### Stage 4: Analysis and reporting

- Simple descriptive statistics were calculated for each item and summarised in table format. Outcomes were cross-tabulated with participant characteristics and where possible, differences between groups were tested statistically ( $p < 0.05$ ) using the chi-square test. However, due to the small sample sizes and homogeneity of the responses, this was not always possible. In those instances where statistical testing could not be conducted, overall patterns in the data were described, and outcomes that deviate from these general observations are highlighted. Content analysis of in-depth interviews was undertaken and summarised as case studies.

#### ***Now that the project has concluded, how did the implementation and/or the outcome differ from what was originally intended?***

Every attempt was made to achieve the highest possible response rate in order to secure a representative sample of service users and providers. Unlike evaluations of other CCNSW information and support services, the clients of the LRS comprised a disadvantaged group who were extremely difficult to reach and persuade to participate in the evaluation. Following the mailing of initial and reminder invitations to clients, many were 'returned to sender' as clients were no longer at the last known address or were deceased due to advanced disease. In response, the UoN researchers sought ethics approval to extend the recruitment period. Subsequently, a second round of client recruitment was undertaken whereby the interval between referral to the service and the approach to participate in the evaluation was three months or less, thereby minimising the opportunity for clients to have moved or died. For those clients who consented to participate in the evaluation, at least 15 call

attempts were made over various days of the week and time of the day to administer the telephone questionnaire.

## Evaluation

### ***What questions did you ask to evaluate whether you had achieved your aim?***

- How does the CCNSW engage legal partners to provide pro bono legal assistance?
- What is the profile of the clients and legal partners of the LRS?
- How is the service used and delivered among clients and legal partners?
- What are referred clients' legal outcomes?
- What are the perceived benefits of the service?
- How acceptable is the service to clients and legal partners?

### ***What data was gathered?***

National Pro Bono Manager

- processes, problems and outcomes of engaging with and recruiting legal partners from NSW

Clients

- *personal characteristics* including age, education level, marital status, Aboriginal and Torres Strait Islander status, ethnicity, present employment situation, extent of support networks, and cancer diagnosis.
- *service use* including source of referral to the service, reasons for accessing the service, specific legal problem(s), impact of legal issue(s) on their life, and extent to which cancer contributed to the legal issue(s).
- *service implementation* including waiting time from notification of match to engagement with lawyer, mode of delivery of legal assistance, length of time spent travelling to appointments, understanding of information received, and legal services received for each identified legal issue.
- *outcome* of each specified legal issue including extent to which the issue was resolved, extent to which the client considered resolution to be in their favour, and the extent to which the client attributed resolution to the assistance received from the pro bono legal partner.
- *perceived benefits* of the service including compliance with cancer care, knowledge, and emotional and financial wellbeing.
- *satisfaction* with the service and the outcome of each identified legal matter.

Lawyers

- *personal characteristics* including gender, age, years of legal experience and previous experience providing pro bono services.
- *service implementation* including reasons for providing pro bono legal assistance for the CCNSW, mode of service delivery, frequency and length of time spent travelling to appointments, onward referral of clients to another provider.
- *perceived benefits* of the service to themselves and their clients.
- *satisfaction* with the service including referrals received, client outcomes, training and support, and recognition from the CCNSW.

## ***Did you achieve your aim? What did you find out?***

### Clients

- Of the 411 referrals received in the evaluation period, almost one-third (31%) did not progress to matching with pro bono legal partners because (i) the client declined the help of the service or the legal issue was resolved through the intake process (n=80) or (ii) they did not meet the means test criteria and converted to paying clients (n=60).
- The most common legal matters experienced by eligible clients referred during the evaluation period were power of attorney/enduring guardianship (57%), wills (50%), and superannuation (14%).
- The most common source of referral to the LRS was a social worker, psychologist or counsellor (56%).
- Over half (56%) of participants accessed the LRS rather than another type of legal service because they could not afford to pay for legal advice.
- The median waiting time between referral to the LRS and being contacted by a legal partner was 7 days.
- The majority of participant's legal issues (78%) were resolved at the time of the evaluation. Of the issues resolved, the majority had an outcome that was mostly or completely (84%) in the participant's favour.
- The majority of participants agreed that they got as much legal help as they needed (95%), that the help received reduced their worries (95%), made them feel empowered (87%) and increased their knowledge (84%).
- Overall, the majority of participants were satisfied with the legal assistance they received from their legal service provider (95%), the outcome of their legal issue (90%), the LRS (88%) and would recommend the service to other people in the future (88%).

### Legal partners

- Wills and estates was the most common area of expertise amongst legal partners, with 97% of registered legal partners having expertise in this area.
- The most common reason lawyers provided pro bono services for the CCNSW were to do something worthwhile or helpful for others (89%).
- No lawyers thought too many clients were referred to them for pro bono assistance. Almost all lawyers were satisfied (93%) with the legal matters referred to them.
- Approximately two-thirds of lawyers reported that they did not receive any training or support in relation to cancer facts or working with people affected by cancer. Three-quarters (75%) of lawyers were not aware of e-learning available on a dedicated internet site.
- Almost three-quarters (74%) of lawyers were interested in receiving periodic communication from the LRS. The preferred mode of this communication was by email (88%) on a quarterly (58%) or monthly (35%) basis.
- Formal recognition for the pro bono services they provide for the LRS was important to 43% of lawyers.
- No lawyers reported being dissatisfied with their experience of providing pro bono services for the LRS. No lawyers reported that they would not continue to provide pro bono assistance to the LRS.

## Conclusion and recommendations

### ***What is your conclusion?***

The evaluation findings demonstrated the successful formation and implementation of a LRS which is highly acceptable to both service users and service providers across NSW. The evaluation findings also revealed several areas for service improvement and development which may benefit disadvantaged people affected by cancer.

### ***What are your recommendations for improvements both for the intended audience of your project, and for the strategy you used to achieve your aim?***

Based on the findings of this evaluation, it is recommended that:

1. The LRS team is complimented on the establishment and implementation of a valuable service that is highly acceptable to clients and legal partners.
2. Disadvantaged and under-served cancer populations, including Aboriginal and Torres Strait Islander people as well as those in remote areas, are actively targeted for referral to the service.
3. Referral processes are reviewed and enhanced.
  - a) Booster sessions, using information technology such as skype, should be conducted with social workers, psychologists, counsellors and Helpline consultants regarding (i) existing legal resources available to members of the community and (ii) the criteria and documentation required for client referral to the LRS.
  - b) Transparent policies and procedures for matching referred clients who have the means to pay, with lawyers who provide assistance on a paid basis, should be documented and implemented.
4. Case closure processes are reviewed with a view to establishing an electronic system which tracks the timely progress and outcome of referral matches, identifies clients who did not receive all of the required assistance and need re-matching, and encourages feedback from clients and legal partners.
5. Strategies to nurture existing legal partnerships are initiated.
  - a) At least six-monthly email communications, circulated to all those involved in pro bono work, should be implemented which include, at minimum, booster training in cancer facts and interacting with people affected by cancer, promote relevant resources available to legal partners, and provide feedback on service utilisation.
  - b) Legal partners' contribution to the service should be acknowledged annually through gestures such as the CCNSW annual report, a letter or card from the CCNSW CEO, or a certificate of appreciation.