

**Review of Unmet Legal Needs  
in the Auckland Area  
Quantitative and Qualitative  
Research Report**

***Prepared for:***  
**Legal Services Agency**

***Prepared by:***



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**CONFIDENTIAL**

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## 1.0 Background

Under the Legal Services Act 2000, the Legal Services Agency promotes access to justice by (amongst other things) supporting community legal services by funding community law centres, education and research.

According to the Act, community law centres provide legal advice, legal representation, legal information and law related education and undertake law reform and advocacy work on behalf of the community they service.

The Legal Services Agency is currently undertaking a review of unmet legal needs in the Auckland area. NFO CM Research was commissioned to undertake quantitative (survey) research and qualitative (focus groups) research to inform this review.

*“It is intended that the findings form a key part of the overall plan to assess unmet legal needs in New Zealand and to develop a strategy to prioritise future development of community legal services.”*

**[www.lsa.govt.nz](http://www.lsa.govt.nz)**

The overall questions that the research was required to answer were:

- What are the communities of interest?
- What are their legal needs?
- What are their priorities?
- Where are the gaps?

## **2.0**

# **Research Purpose and Questions**

## 2.0 Research Purpose and Questions

### 2.1 The Quantitative Study

The purpose of the quantitative study was to identify communities of interest and unmet legal needs in the Auckland area.

It was intended that this information would identify the key issues for more indepth discussion in subsequent focus groups.

The quantitative phase provided the opportunity for a wide range of stakeholders to participate in the review (the list of those who completed survey forms appears in the Appendices).

### 2.2 The Qualitative Study

The purpose of the qualitative study was to explore in depth those areas which had been identified from the survey research as warranting further investigation.

The research questions to be addressed were:

#### **Focus on Communities**

- Who are the communities to be serviced?
- What are their wants and needs for legal services?
- What legal needs are not being met?

#### **Focus on Service Delivery**

- What are the geographical areas to be serviced?
- How should the services be configured?
- Where should the services be placed?
- What are the best ways for the LSA to deliver information, law-related education and support to community organisations?

## **3.0 Research Approach**

## **3.0 Research Approach**

### **3.1 Two Stage Approach**

A two stage research approach was used to meet the Legal Service Agency's information needs; an initial quantitative study followed by qualitative research.

### **3.2 Quantitative Method**

#### **Sample**

The quantitative sample comprised the five community law centres and 33 community organisations in the Auckland area.

The sample was decided by the Legal Services Agency which provided NFO CM Research with the contact details.

#### **Questionnaire Development**

Two questionnaires were developed - one for community law centres and one for community organisations.

The questionnaires were developed by NFO CM Research in consultation with the Legal Services Agency.

The Legal Services Agency provided definitions of legal representation, legal advice, legal information and law related education. These were appended to the questionnaires.

The draft questionnaires were discussed with community law centre staff on 14 September 2001 at a meeting set up by the Legal Services Agency.

#### **Questionnaire Administration**

Following a letter sent out by the Legal Services Agency introducing the survey, 35 questionnaires were mailed on 20 September, with a further three mailed by 24 September to organisations the LSA subsequently decided should be included. The return date for questionnaires was 8 October 2001. By this date 37% of the questionnaires had been received.

Reminder phone calls were undertaken and the final response for completed questionnaires was 66% (n=25).

An additional 3 questionnaires were returned unanswered by people who felt the survey was not relevant to them.

### **3.3 Qualitative Method**

Using the lists supplied for the survey, telephone contact was made with community law centres and community organisations to recruit participants for the focus groups.

Five focus groups were set up - one for community law centre staff and four for representatives from community organisations

Three groups were held in central Auckland at NFOCM in Ellerslie and two were held at community centres - one in West Auckland and one on the North Shore.

In total, 15 people participated in the four groups for community organisations and 7 people participated in the community law centre group.

The discussion guide used was written in consultation with the LSA. It mainly contained open ended questions. Projective techniques were used to enable participants to creatively imagine future services for Auckland communities.

The groups were conducted on the 12 and 13 November and the duration was two to two and a half hours.

Participants received a \$20 petrol voucher to thank them for their time and acknowledge their costs in participating.

With participants' prior consent, the groups were audio-taped and these were transcribed for use in analysis. Notes were also taken in most groups.

## **4.0**

# **Summary of Findings**

## 4.0 Summary of Findings

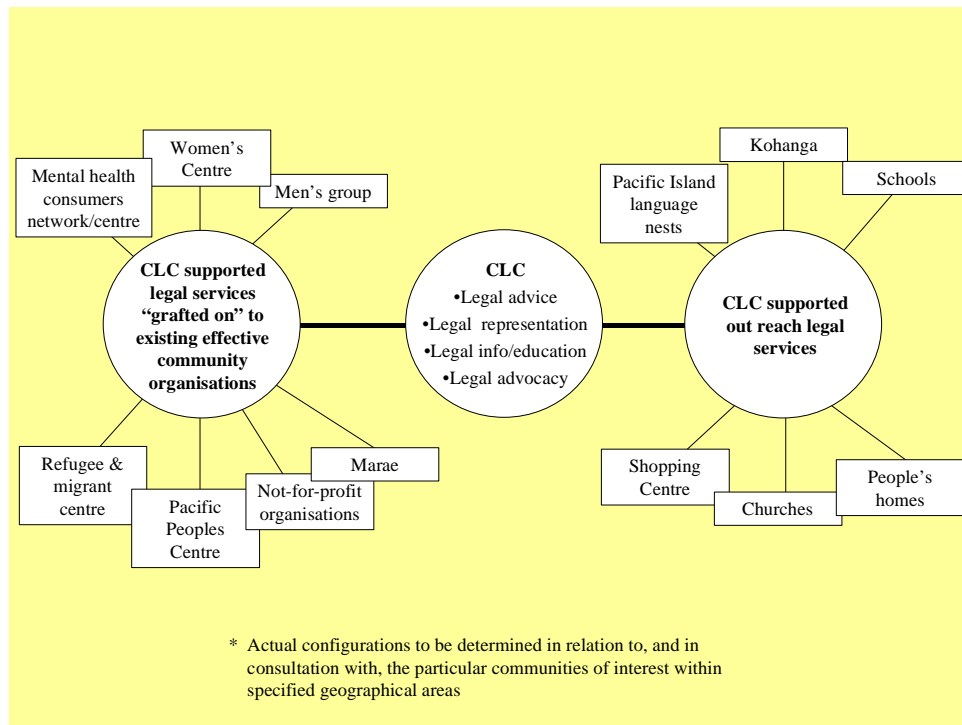
### 4.1 Focus on Communities

- The communities have low-income and low-skills in common.
- They encompass a range of ethnicities including Maori and Pacific Peoples; new immigrants; young and older people; small business people; not-for-profit organisations.
- They are people of both genders - men and women. Although family issues may present as women's and children's issues, in practice the satisfactory resolution of these issues requires that men are also involved.
- They are challenged in attempting to cope with the logistics and complexities of life as consumers in a large urban environment.
- Employment, income, family and consumer pressures place increasing demands on them.
- They generally have very little understanding of their legal rights and obligations.
- These people are increasingly challenged by 'experts' as they attempt to sort out their own issues (e.g obtain entitlements).
- These vulnerable groups have a range of unmet legal needs but the core needs tend to be centred around debt/consumer/guarantor problems; family law issues; appeals on benefits and entitlements; and tenancy matters.
- In thinking specifically about Maori, based on comments from participants, it may have been more appropriate and useful to have provided a separate forum of community organisation representatives to discuss Maori needs.
- The greatest barriers for communities in accessing legal services were perceived to be the complexity of the legal system and processes; cost/affordability of using legal services and the low- income status of users.

## 4.2 Focus on Service Delivery

- Community law centres offered the full range of services namely, legal representation, advice, information and law related education. Community organisations tended to focus more on information and advice services with representation least likely to be offered.
- Key legal needs not being met were advice and representation (as well as information, education and advocacy).
- Community groups were polarised as to the absolute priorities as they were concerned about both a proactive (education) focus and a reactive (advice and representation) focus to meet unmet needs.
- The lack of funding for legal advocacy services was noted by some participants.
- Lack of resources was the main reason given for advice and representation needs being less well met. Specifically, 'lack of resources' encompassed too few community law centres, legal areas not covered by legal aid and too few legal practitioners in community law centres.
- "Just in case" law related education and information is needed. This can be delivered as 'one-to-many'. Generally it is best provided through community channels such as radio and newspapers. In some situations it may be best delivered individually by opinion leaders/respected ones within communities.
- There is a role for communication specialists with relevant community experience to produce law-related education materials.
- "" legal advice, advocacy and representation should be quality and provided by experienced lawyers, paralegals and community workers on a one-to-one basis.
- Communities see opportunities for lawyers in private practice who have a social conscience to play a greater part in meeting these unmet needs.
- Based on information about the substantial gaps in Auckland's geographical coverage for community law services, and the views of those working with vulnerable groups, it appears that unmet needs are very significant.
- Even where services are provided, barriers to access contribute to many people not having their needs met.
- The geographical areas to be serviced encompass central Auckland, West Auckland, the North Shore and 'southern' South Auckland.

- Services should be placed in areas of the greatest socio-economic deprivation according to the Deprivation Index<sup>(1)</sup>
- Legal services provision needs to be multi-faceted and should be configured as community law centres, outreach services and 'grafted' services (as shown below).



- Legal service provision should include both delivery of services and referral to other agencies using well developed networks.
- This is necessary to meet the unmet legal needs of the most vulnerable groups in an increasingly complex society.
- Community law centres and community organisations perceived the most important future role of the Legal Services Agency to be the funding of legal representation and advice followed by the funding of law related education and information.
- The idea of an LSA website to provide information and law-related education to support the work of community law centres and community organisations received some support but this needs to be investigated more fully than time allowed in the groups.

<sup>(1)</sup> Crampton, P., Salmond, C., & Kirkpatrick, R. (2000). *Degrees of deprivation in New Zealand: an atlas of socio-economic difference*. Auckland: David Bateman Limited

## **5.0**

# **The Quantitative Study**

## 5.0 The Quantitative Study

### 5.1 Legal Services Currently Offered

All community law centres offered the full range of services. Community organisations tended to focus more on the information and advice services with representation least likely to be offered.



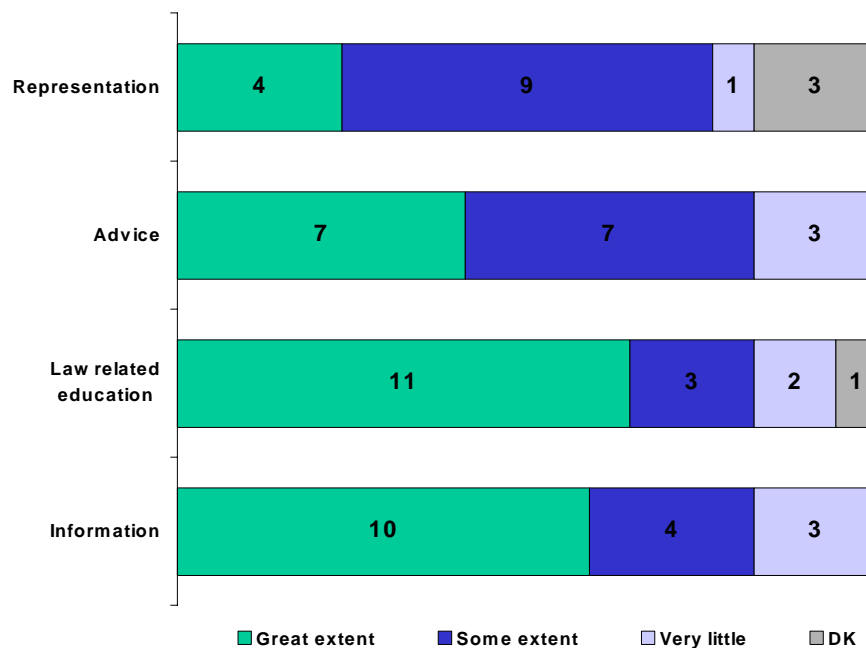
## 5.2 Extent To Which CLCs were Currently Meeting Community Needs For Legal Services (as perceived by community organisations)

Community organisations perceived that community law centres were very successful in meeting needs for law related education and information, but were less successful in meeting needs for advice and representation.

Lack of resources was the main reason given for advice and representation needs being less well met. Too few community law centres with resulting gaps in geographical coverage, legal areas where there are needs not covered by legal aid, and too few legal practitioners in community law centres were the key areas of concern.

Specifically the central city, Waitakere, and the North Shore were listed as areas where a community law centre was needed.

**Extent To Which CLCs were Currently Meeting Community Needs For Legal Services (as perceived by community organisations)**



### 5.3 Services Provided and Communities of Interest

All community law centres reported serving all sections of the community with the range of legal services. Children and small businesses were least likely to be using the services.

The services provided by community organisations tended to relate mainly to advice and information. In terms of reaching different communities of interest, the following groups were most likely to make use of the services namely women, Maori, Pacific Peoples, other ethnic groups, older people, single parents, employed people on low incomes and unemployed people and other beneficiaries.

#### Community Law Centres - Services Used and Communities of Interest

	Legal Representation n=	Legal Advice n=	Law Related Education n=	Legal Information n=
Women	4	5	5	5
Maori	5	5	5	5
Pacific Peoples	5	5	4	5
Other ethnic groups	5	5	4	5
Young people	4	5	5	5
Children	2	2	2	2
Older people	3	5	4	5
Rural communities	4	4	3	4
People with disabilities	5	5	4	5
Prisoners	4	4	3	3
Single Parents	4	5	5	5

#### Community Law Centres - Services Used and Communities of Interest

Mental health consumers	4	4	3	4
Migrants and refugees	3	4	4	4
Employed people on low incomes	4	5	5	5
Unemployed people and other people on income support	4	5	5	5
Small businesses	1	2	2	3
Community organisations	3	5	5	5
People in institutions (e.g rest homes, hospitals)	1	1	1	1
Transgender and gay people	1	1	1	1
Street people	1	1	1	1
Community groups (e.g ADHD Support group)		1	1	1
Quasi-government organisations such as Commission for Children, Human Rights Commission and Ombudsman		1	1	1

Base: n=5

Other than community law centres, private practitioners, Citizens Advice Bureaux, Peoples Centres, Women's Refuges and Iwi Organisations were the organisations most likely to be providing legal services in the community. Private practitioners were providing legal representation, advice and information. Women's Refuges and iwi organisations were providing mainly information.

### Providers of Legal Services in the Community

	Legal Representation n=	Legal Advice n=	Law Related Education n=	Legal Information n=
Private Practitioners	19	18	6	15
Citizens Advice Bureaux	1	16	8	18
Community Law Centres	11	14	14	14
People's Centres	6	15	11	16
Womens Refuge	-	6	5	12
Iwi organisations	2	3	4	8
Schools	-	-	4	3
Businesses	2	1	-	2
Urban Maori	1	1	1	1
Budgeting Services	1	1	-	1
Employers' and Manufacturers' Association	1	1	1	1
Churches	-	-	1	-
Quasi government (eg HRC, Ombudsman)	-	1	1	1
Family Centres	1	1	-	2
Maori Warden	-	-	-	1
Council for Civil Liberties	-	1	-	-

Base: n=25

## 5.4 Identifying and Prioritising Unmet Needs

There was quite a diversity of key unmet legal needs as perceived by community law centres with gaps identified in all four services areas. In terms of communities of interest, women, Maori, Pacific Peoples and other ethnic groups were identified as priorities for services, particularly legal representation services. There was also a priority need for young people in terms of legal information.

**Communities of Interest Perceived by CLCs to Have Unmet Needs<sup>1</sup>**

	Legal Representation n=	Legal Advice n=	Law Related Education n=	Legal Information n=
Women	3	3	4	3
Maori	4	3	4	4
Pacific Peoples	4	3	4	4
Other ethnic groups	4	3	4	4
Young people	4	3	4	4
Children	3	2	3	3
Older people	3	3	3	4
Rural communities	4	3	4	4
People with disabilities	4	3	4	4
Prisoners	3	3	3	4
Single Parents	3	3	3	4
Mental health consumers	4	3	3	3
Migrants and refugees	3	3	4	4
Employed people on low incomes	4	3	3	3
Unemployed people and other beneficiaries	3	3	2	3
Small businesses	2	3	1	1
Community organisations	3	4	3	2
People in institutions (eg rest homes)	1	1	1	1

**Base: n=5**

<sup>1</sup> Note: priority services for communities of interest are denoted by circles

Community organisations identified a wider range of perceived unmet needs than did community law centres. This may reflect the diversity of these organisations. The priority needs were regarded as being less in areas of legal information and more in areas of representation, advice and education.

**Communities of Interest Perceived by Community Organisations to Have Unmet Needs - Incidence and Priority<sup>1</sup>**

	Legal Representation n=	Legal Advice n=	Law Related Education n=	Legal Information n=
Women	10	11	7	12
Maori	10	10	11	10
Pacific Peoples	11	10	10	10
Other ethnic groups	9	10	10	10
Young people	4	3	6	5
Children	4	4	5	5
Older people	7	7	5	6
Rural communities	5	6	6	7
People with disabilities	8	7	7	8
Prisoners	5	4	6	5
Single Parents	10	11	6	11
Mental health consumers	8	11	10	9
Migrants and refugees	10	13	11	12
Employed people on low incomes	12	9	8	11
Unemployed people and other beneficiaries	7	11	10	13
Small businesses	4	6	5	6
Community organisations	7	8	6	7

**Base: n=20**

<sup>1</sup> Note: priority services for communities of interest are denoted by circles

## 5.5 Barriers to Accessing Legal Services

With regard to 'communication/system', 'complexity of the legal system and process' was the greatest perceived barrier to accessing legal services. In terms of economic barriers, both cost/affordability of using legal services and the low income/unemployment status of users were both perceived as significant barriers. For cultural barriers, language and cultural difficulties were important, whereas for physical barriers it was distance from available services that participants identified. The main psychological barrier was Whakama followed by lack of confidence, low expectations and low self esteem.

### Perceived Ten Greatest Barriers To Accessing Legal Services

	Responses from CLCs n=	Responses from Community Organisations n=
Communication/System		
Complexity of legal system and process	3	14
Lack of knowledge and/or understanding of services, systems and processes	2	7
Lack of information and education about individual and collective rights	2	7
Inability to identify if have a legal problem	3	5
Language problems (verbal/written)	3	4
Economic		
Cost/affordability of using legal services and/or perceived cost of services	3	16
Low income/unemployment/beneficiaries	2	13
Cultural		
Language and cultural difficulties - need for interpreters	3	7
Service not culturally appropriate	1	5

### Perceived Ten Greatest Barriers To Accessing Legal Services

<b>Physical</b>		
Distance from available services	1	7
<b>Psychological</b>		
Whakama (shy, anxious and uncomfortable in seeking advice and asking questions)	3	6
Lack of confidence, low expectations and self esteem	1	5
Fatalism, denial	2	4
Difficulty or reluctance to navigate official systems, courts etc.	2	3
Lack of trust in system - perceived injustice of system	2	3
Lack of comprehension and responsibility	2	3
<b>Base: n=</b>	<b>5</b>	<b>20</b>

## 5.6 Perceived Roles for the Legal Services Agency

Community law centres clearly perceived the role of the Legal Services Agency to be as a funder for all four areas of legal services. However, in examining the priority ranking of these services, funding for legal advice and representation emerged as the most important areas.

	Yes, Involvement n=	LSA Importance
Legal representation: Funder	17	1st =
Legal representation: Service Provider	8	
Legal advice: Funder	16	1st =
Legal advice: Service Provider	4	
Law related education: Funder	17	2nd=
Law related education: Service Provider	7	
Legal information: Funder	17	2nd=
Legal information: Service Provider	6	
<b>Base: n=20</b>		

Community organisations perceived the Legal Services Agency's involvement as a funder to be its most important role with funding for legal advice and legal representation regarded as the most important areas, followed by funding for legal information and law related education.

	Yes, LSA Involvement n=
Legal representation: Funder	4
Legal representation: Service Provider	1
Legal advice: Funder	5
Legal advice: Service Provider	-
Law related education: Funder	5
Law related education: Service Provider	2
Legal information: Funder	5
Legal information: Service Provider	3
<b>Base: n=5</b>	

## **6.0**

# **The Qualitative Study**

## 6.0 The Qualitative Study

### 6.1 Auckland Context

Community law centres and representatives from community organisations provided insight into the communities that need to be serviced. Two main factors about Auckland set the background to the needs that have developed in this part of New Zealand. These are:

- Fragmentation of Auckland communities.
- Complexity of living in Auckland.

#### **Auckland's Fragmented Communities**

Community organisations described a multiplicity of different types of people in Auckland, with a multiplicity of interests, needs and ways of doing things.

Auckland is not a collective society but a kaleidoscope of multitudes that includes a great range of ethnic diversity and family types.

Communities are likely to be segregated based on income levels and ethnicity.

#### **Complexity of Living in Auckland**

Community law centres and community representatives spoke of Auckland as being a demanding place to live for the following reasons:

- Unskilled/naïve people swamped with information they cannot make sense of.
- Unskilled/naïve people needing assistance to navigate complex systems and processes.
- People are demanding due to the complexity and multiplicity of issues facing them.
- Auckland is the most expensive place to live in New Zealand.
- Saving is difficult and there appear to be growing debt issues for people.
- The Auckland infrastructure and systems to support livelihood are complex and are often technology driven (low skilled people, especially with technology).
- Increasingly, people are being faced with 'experts' on the other side when accessing entitlements or challenging decisions.

Needs for legal services for communities should be viewed against the background of the diversity of Auckland and complexity and costs of life in Auckland.

Needs are driven by all factors, and diversity, complexity and costs will shape and influence service delivery.

## 6.2 Focus on Communities

### Who are the Communities to be Serviced?

Overall the community to be serviced was described as low-income people generally with low skill levels regarding legal rights and responsibilities. Low income people broadly consist of two types:

- People receiving income support (Domestic purposes benefit, unemployment benefit, sickness benefit) or on government superannuation (some matters can be covered by legal aid)
- 'Working poor' - employed people on low incomes who get by week to week (often just above the threshold for legal aid).

The distinction between employed and unemployed is becoming less marked with people on low incomes going back and forth between casual employment, part-time employment and income support.

*"But what is happening is there is just this huge gap and a lot of them can't afford lawyers themselves but they aren't eligible for legal aid. They may be working but can't afford a lawyer."*

### Specific Communities

Under the broad umbrella of low income, specific Auckland communities who have unmet legal needs were:

- Maori communities
- Maori youth in particular
- Pacific and Asian communities
- New immigrants to New Zealand (usually with English as a secondary language)

*"People can't read the papers being served on them."*

- Women were seen as disadvantaged when 'partner relationships' break down and as single parents.
- Men were seen as disadvantaged because there are no special services targeted to males. Often their ex partner is on income support and they are not. Because they are earning just above the threshold they do not qualify for legal aid but they cannot afford a lawyer. Men were described as 'lost' in the system, not knowing where to go and what to do. They were perceived as needing help to 'sort out' their lives, e.g. gain access to their children or deal with protection orders.
- Prisoners or ex-prisoners have no services set up for them. Prisoners cannot get legal aid on appeal. They also tend to have family and ACC problems that they cannot get help for.
- Youth - all matters for youth including first time drug use, truancy and traffic issues.
- Older people - mention was made of changing cultural norms for Pacific Peoples and Maori in caring for the old and the ageing population. A need was identified for advice to be available for all ethnicities on property rights when entering a rest home.

*"Our older people get their quarter of an hour at the community law centre and they are just starting to understand and that's it. We see disasters where the older people are ripped off because they can't afford to pay for good professional advice or representation and they might end up signing their house over."*

- Mental health consumers.
- Not for profit groups - organisations need someone to assist or advocate for them, e.g. when there are changes in the law they may need assistance to interpret these.
- Small business people, e.g. when businesses fail or are under threat of failure.

## **What do Communities Want and Need?**

### ***Legal Needs Identification***

The main areas of legal need for communities were:

- Civil including debt and consumer problems. This includes the need for advice before signing hire purchase agreements, advice before taking out a loan or acting as a guarantor, the implications of signing for credit, and debt issues such as being served with papers saying they owe money.

*"People are often being serviced with papers they don't know what to do with, so don't do anything."*

*“So the need is to identify areas where these people can go to and get advice before they go and buy their cars or get some information out like on a radio channel.”*

*“If they guarantee their cousin's, sister's, or partner's car purchase, they will have to sell their house to pay for it. We see this a lot.”*

- Appeals on benefits and entitlements, dealing with “experts” at WINZ, ACC, Housing NZ. These have a direct affect on wellbeing and income and people need to be able to challenge their entitlements e.g. challenging the decision to take people off ACC and put them on an invalid's benefit is a technical process requiring medical evidence, and assistance is required to put a case together.

*“If people were able to get advice to ensure they got the income they were entitled to and their rights, then some of the consequence that happens for these people and their families through inadequate income would be substantially reduced. This could help other problems such as health.”*

*“We are dealing with some complex administrative law issues and with ACC the corporation is now being represented by a solicitor at the review. The areas are very complex legally, and some poor mug is trying to represent themselves.”*

*“We have been travelling to Wanganui, Tauranga, Whangarei and Kerikeri to take ACC reviews because there are just no lawyers in those areas who appear to have the expertise or the interest to do that work.”*

- Tenancy - knowing rights and responsibilities under the Residential Tenancy Act including rights with landlords and being a flatmate. When dealing with the Tenancy Tribunal, people are often up against ‘experts’ such as real estate people or insurance company people and do not know how to proceed.

*“People are supposed to be able to present their case themselves at the Tenancy Tribunal but the adjudicators are quite demanding and expect everything to be done according to the correct procedures. There are very few adjudicators who will just listen to a person's simple presentation of the wrongs they have experienced.”*

- Family law issues, e.g. separation, child custody, access to children, domestic violence, dissolutions, and protection orders.

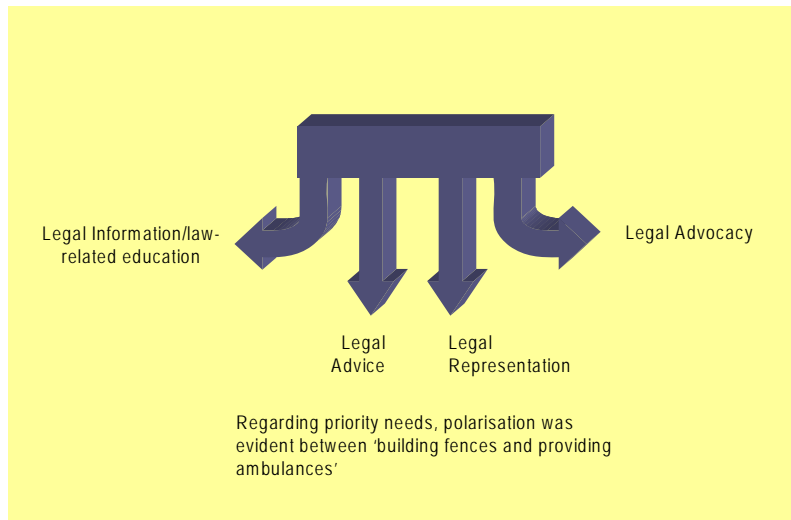
*“People on low incomes don't really get the representation they should. Legal aid is supposedly available for family issues but it is a question of finding local practitioners who are willing to take on these cases.”*

- Criminal and traffic law, including first time cannabis possession, traffic offences, limited licences, appeals by prisoners, disputes with police as well as criminal matters such as dishonesty.

- Immigration issues, e.g. settling into life in New Zealand.
- Environmental/resource management rights, e.g. when neighbours are building or in resolution of boundary disputes.

### Gaps in Legal Services/Unmet Legal Needs

The main gaps in legal services/unmet legal needs are summarised below.



### Legal Advice

Community representatives and community law centres pointed to the important need for advice when individuals had specific matters to deal with, particularly at the beginning of a legal process or problem.

- Many felt the greatest unmet need was here. In addition to workplace demands, community workers were often approached when they were not at work about these matters. Citizens' Advice Bureaux were seen as attempting to meet this need, but they are very limited in what they can do - 15 minute appointments, with lawyers available only one night a week, and long waiting lists to see them.

Community law centres meet this need for legal advice but there is a barrier in that they are not able to meet all needs because of a lack of resource. It was recognised that the issues facing people are complex.

*"It is important to have advice and assistance that is not 15 minutes in length and with the right people who they can trust."*

Key areas where advice was required were seen as being:

- Civil and debt - there was very low awareness of rights and responsibilities under the Consumer Guarantees Act or the Credit Contracts Act. Community representatives asked for clear warnings on hire purchase agreements, a cooling off period for people purchasing on hire purchase and getting the message out that "before you sign a contract to purchase or act as a guarantor, get advice".
- The law as it affects new immigrants
- Tenancy
- Family law areas.

*"A protection order might be served. It gets put in a drawer as they don't know what to do with it and then they go and visit their ex partner to try and "make-up" and they get arrested."*

- Entitlements

*"From time to time we have talked about our ACC advocacy service on talkback radio or had a small article in the community newspaper and the response to that has been this huge influx of people that we can't meet because we do not have the resources to do so, so by and large contact is by word of mouth because we just would not cope with the potential workload that is out there if we went out and promoted the services that we do."*

Overall, community representatives were asking for a legal service where they could refer people and where people could be given clear advice about their situation.

*"People referred to our elder abuse service need legal advice and that is hard to get."*

*“I am new to our organisation and there was a bit in the community newspaper about me and it said I have a law degree and we were inundated with people coming to see the free lawyer and we had to advise that I don’t have a practising certificate and I can’t go out there and represent you or give legal advice as such. I can only give general advice.”*

*“For Maori they need access to quality legal advice in a way that they will hear it.”*

### **Who is Currently Giving Advice?**

Non lawyers (e.g. immigration consultants) do give legal advice but if it is wrong there is no comeback.

Most participants acknowledged that who gave advice depended on the services people were associated with. ‘Advisors’ could be any of the following:

- Immigration consultants
- Health workers
- Social workers
- Community workers backed by lawyers.

There was support for the idea of paralegals and advocates who are not legally trained in giving advice operating within the quality controls of a law practice to provide specialised advice (e.g advice on Social Security Act).

Lawyers in the focus groups generally had clear knowledge of what was and was not covered by legal aid.

- Some others knew where to find this information out, while others were confused.
- Most acknowledged they try to pass legal aid work to private practitioners.

### **Legal Representation**

In terms of prioritising needs, community representatives often felt that it was difficult to separate representation from the need for legal advice as they were often stages of the same process.

There is an unmet need for representation that falls outside legal aid areas or for people who are poor but just above the legal aid thresholds.

Participants suggested that legal aid thresholds have not been reviewed for ten years.

The issues were the lack of representation, the prohibitive cost of it (if not legally aided) and the capability or the quality/lack of specialist expertise of those available.

*“A lawyer might say they can do an ACC case but it might also involve WINZ and they do not know about that. So then the person has to go somewhere else.”*

### **Why Community Law Centres Are Seen as Not Meeting Representation Needs**

Often they have lawyers with under five years experience. There is a need is for lawyers with 10 or more years experience so that specialist expertise is available. It was acknowledged that community law centres may be restricted by the local Law Society.

*“Legal needs for advice and representation are not being met because the Law Society puts restrictions on what community law centres can do to protect the work of its members.”*

*“Some community law centres can’t do High Court work, others can’t do Family Court work and have to refer this to family court lawyers even though many family court lawyers won’t take it unless it is easy legal aid work. There are different restrictions in different areas. It depends on what the local Law Society wants to protect.”*

Community law centres need to ration their services because of a lack of resource.

*“You will spend your time giving 15 minutes of advice and then sending someone who actually needs representation down the road to a lawyer who is charging \$200 an hour.”*

### **Legal Information**

Individuals knowing their rights and responsibilities in general was seen as a key unmet need.

This was regarded as a worthwhile need to meet because knowledge can be passed on to larger numbers of people.

Knowledge would also act as a preventative, preventing people entering undesirable contracts or getting into trouble.

*“Legal information, I think you could reduce hugely the ongoing effects if people got good information and in a language they can understand and it was easily accessible ... so they could sort out all their options and they can sort out what to do.”*

*“Give the information to the wise ones in the Maori community and they can refer people on.”*

The key priorities for legal information were:

- Signing contracts and the area of consumer law - what not to do and what to do.
- Giving people an idea of when they would need legal advice and when not.

*“We see young people whose flats have fallen over - there is a head tenant and there are flatmates and they have gone into the bond and one skips off with the bond money. Young people should be taught to be careful what you sign.”*

*“We get small businesses that are having trouble with consumer law. They do not understand what the rights of the consumer are and think that once they have sold something that is that, they don't have to give guarantees of any kind.”*

## **Legal Advocacy**

Communities often did not have services for advocacy with ACC, WINZ, Immigration, Housing NZ, etc.

*“Legal Services Board won't pay advocacy.”*

*“We get quite a few small business people who run into trouble who are desperately trying to get assistance from WINZ without much luck because their business has gone to the wall and they are having hard times and they have gone and tried to get some and basically got turned away, we can't help, our job isn't to subsidise a failing business.”*

*“At one level is if a person goes along to WINZ about their entitlement on their own they get all sorts of information whereas if I go with them, it is a different story. If I ring Housing NZ, ok it is dealt with.”*

*“I feel the only thing that will change WINZ and ACC not advising people correctly about their entitlements will be if there is a strong network of advocates out there in the community so that when someone in a government agency does get wrong it is drawn to their attention rather than the same mistakes and the same misinformation getting repeated time and time again.”*

Legal advocates may also be able to help people prepare so that when they see a lawyer they know what questions to ask.

*“People want to talk to someone about their problems.”*

*“There is a need for advocates who are comfortable with mental health consumers who may be unattractive and have social difficulties.”*

### 6.3 Geographical Areas To Be Serviced

Participants were asked to consider what geographical areas should be serviced. They proposed that:

- Services should be provided in geographical locations with the greatest levels of socio-economic deprivation.
- These areas should be determined using the Deprivation Index<sup>(1)</sup>.
- Broad areas with no community law centre were identified with the biggest gap in service provision, namely West Auckland, the North Shore and ‘southern’ South Auckland.
- The specific areas of West Auckland mentioned were:
  - Avondale
  - Mt Roskill
  - Waitakere
  - New Lynn/Henderson.
- Other low socio-economic geographical areas identified as lacking community supported legal services, and thereby having unmet legal needs because of people’s inability to pay market rates, were:
  - Manurewa/Clendon
  - Papakura and Pukekohe
  - Glen Innes/Panmure
  - North Shore
  - Rodney
  - Central Auckland - Mt Albert, Sandringham
  - Mount Wellington and Onehunga.

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– <sup>(1)</sup> (Crampton, P., Salmond, C., & Kirkpatrick, R. (2000). *Degrees of deprivation in New Zealand: an atlas of socio-economic difference*. Auckland: David Bateman Limited.

- There was some discussion on the location of the Grey Lynn Neighbourhood Law Office. This was felt to be increasingly inappropriate as the area had become “gentrified” in recent times and no longer housed people with the lowest incomes.

For this reason, apparently a review undertaken two years ago of community law centres for the then Legal Services Board had recommended that this centre be relocated.

In theory, this Law Office also provides services to the North Shore but it was felt that was not happening in practice.

*“The North Shore is supposedly serviced by Grey Lynn, they haven’t got a public face on the North Shore, and for anybody to get from the Shore to Grey Lynn is an impossibility any way because of where they are positioned.”*

## 6.4 Configuration of Services

Along with socio-economic status of the geographical area, areas of need should also be considered when configuring the services.

The specific focus should reflect characteristics of local communities, e.g., if the community had a Maori focus, or a refugee and migrant focus, the legal services would encompass that focus.

Pacific communities should be considered at the level of the specific Pacific Peoples, such as Samoan, or Tongan rather than at the more general Pacific Peoples level.

Services should take into account people’s need to belong to, and be accepted by, the particular group/s with whom they identify e.g inclusive of whanau/extended family needs.

Services should be delivered in a way that is appropriate for specific groups and should take their unique experiences of life into account e.g marae or kohanga based.

Organisations identified their communities as having needs based on:

- Ethnicity – being Maori, Pacific or Asian. There is a Treaty obligation to provide for Māori. It was felt that Pacific Peoples were diffident about using a Citizens' Advice Bureau (CAB) and that they needed places where their cultural practices were acknowledged.
- Length of residence – being a new immigrant to New Zealand and with English as a second language.
- Gender – being male or female, including single parent status.

- Prisoner status - people who have been convicted do not get legal aid for appeals. They lack legal advice on how to place an appeal. They may have matrimonial and ACC problems and can't see a lawyer for these.
- Age – being a young person (existing service model is Youth Law) also Maori youth and being an older person.
- Income – whether they received income support (relates to legal aid thresholds).
- Mental health status – mental health consumers were felt to be in particular need of an advocate to assist them.

## 6.5 Models for Service Delivery

The ideas put forward by participants for service delivery have been conceptualised into three models as follows:

- Additional community law centres
- Outreach Services
- 'Grafted' community legal services.

It is likely that these models would need to be adapted and adopted in various ways to achieve the coverage necessary to meet the identified unmet legal needs and reflect the diversity of the Auckland region.

### ***Additional Community Law Centres***

The first model is for additional community law centres in geographical areas of the greatest socio-economic deprivation, as confirmed by the Deprivation Index.

The specific communities catered for would be based on the characteristics outlined above.

Geographically, such centres would cover a wide area and use of the centre would be by self-identification and self-referral or referral by community organisations (Nga Ture Kaitiaki Community Law Centre is an example of such a centre currently operating).

Proximity to public transport and ease of access in using public transport (i.e. located near a transit hub) should be taken into account in planning the location of new centres.

The benefits of this model are as follows:

- The potential to be “seamless” by bringing together service providers with a range of skills including community workers, paralegal people and lawyers with appropriate levels of expertise, to work in teams to support clients according to client needs

- The potential to meet the needs of staff by providing them with a collegial support base to counter the effects over time of providing services for people who are often very stressed
- An infrastructure for an information and support network as community law centres across a region, or nationally, develop links for mutually beneficial relationships.

*“In a perfect world the LSA has to look after its good soldiers, who get tired and they get burnt out.”*

*“I don’t see that those are going to be moulded in one set form . . . because if you have them all the same that would be wrong. You are much better to go with what is developed so far which is a great divergence between community law centres, the ones that are more case oriented, ones that have the student connections, specialist centres like Youth Law and some of the Maori centres. Each of those models is what is going to work best in those areas. I see a great importance on diversity but also linkage between the community and the community law centres.”*

The limitation of the additional community law centres model is that even if access to public transport is taken into account in planning the location of centres, potential users who do not live near the centre can be disadvantaged because of difficulties with transport. Therefore, to meet unmet legal needs, this model should be to be supplemented by an “outreach” or “grafting on” legal service described below.

*“Community law centres must be grounded in the community – then from there have outreach and LSA keeping an eye on what’s working and what isn’t.”*

### **Outreach Services**

This model takes legal services into the community through outreach services provided by “mobile workers” attached to a community law centre.

The “mobile workers” would include community workers, lawyers and paralegal workers. They would have back-up support from, and access to, their “parent” centre but they would provide “front-end” legal services clinics in the recognition that some people will not be able to come to community law centres.

The clinics would be provided at regular advertised times in schools, churches, community centres, marae, kohanga, and possibly people’s homes, or they may be provided from a bus/other mobile services located appropriately to target particular groups.

The service would be used to provide assistance with individual cases (e.g. resolve family law issues prior to these proceeding to court).

Generally, outreach services could be used for education purposes on individual rights and obligations for the most pressing legal issues such as promoting good practice with contract law – using the message ‘never sign a contract without checking with us first’.

The benefit of this model are that it provides services in people's own territories and own environments with the potential to 'catch' the most marginalised people.

Outreach services for Maori - it was suggested that an appropriate model for Maori could be outreach services to people's homes. This might involve a lawyer and an appropriate community worker. This model was compared to the Parents as First Teachers (PAFT) programme (<http://www.ecdu.govt.nz/parenting/paft.html>)

PAFT is a parent education initiative where community workers visit the homes of families on the programme on a regular basis to provide free practical guidance and support regarding the parenting of young children

The PAFT model for Maori, Ahuru Mowai, involves local iwi receiving government funding through a service contract arrangement with the Early Childhood Development Unit, the government agency administering the programme, which purchases an agreed number of "cases" to be provided to an agreed standard.

*"Work with families in their homes, have a community support worker working with a lawyer going into homes and the community worker linked to a wider team."*

Separately from this, there was also mention of devolution as an appropriate model for Maori, but time did not permit this to be explored in more detail in the focus groups.

Another suggestion regarding Maori was for hapu to choose the wise or educated ones in their community as community advisers. These advisers would then work with a lawyer so that when something requiring legal services happens to the individual or family, the advisers are able to refer people for assistance.

### **'Grafted' Community Legal Services**

The third model is for legal services to be funded and integrated with, or grafted on to, existing or newly developed services for community groups such as a Maori trust; Citizens' Advice Bureaux (CABs); a women's centre; a men's centre; a migrant centre/services; a centre/service for mental health consumers; a Pacific Peoples' Centre (or specifically, for instance, a Samoan Centre).

This would involve community consultation as to the best ways of providing legal services through such community organisations.

*"Can't get one model that fits all. It's got to be community for community."*

*"It has to be community for community. If we try and implement what would work for you on the Shore it probably wouldn't work here."*

The benefits of this model are as follows:

- People may be already using the centre/community organisation for their other needs or they will identify with the centre as being for people like them, and thus be more

likely to use it for unmet legal needs. As such this model has the potential to overcome barriers to access, as well as meet unmet legal needs.

- Workers at the centre will already have areas of expertise relating to the particular community and, within protocols to protect client confidentiality, expertise could be shared with legal services staff to add greater value for clients. Again this model would be most beneficial if a range of legal service specialists including community workers, paralegal people and lawyers could be accessed.

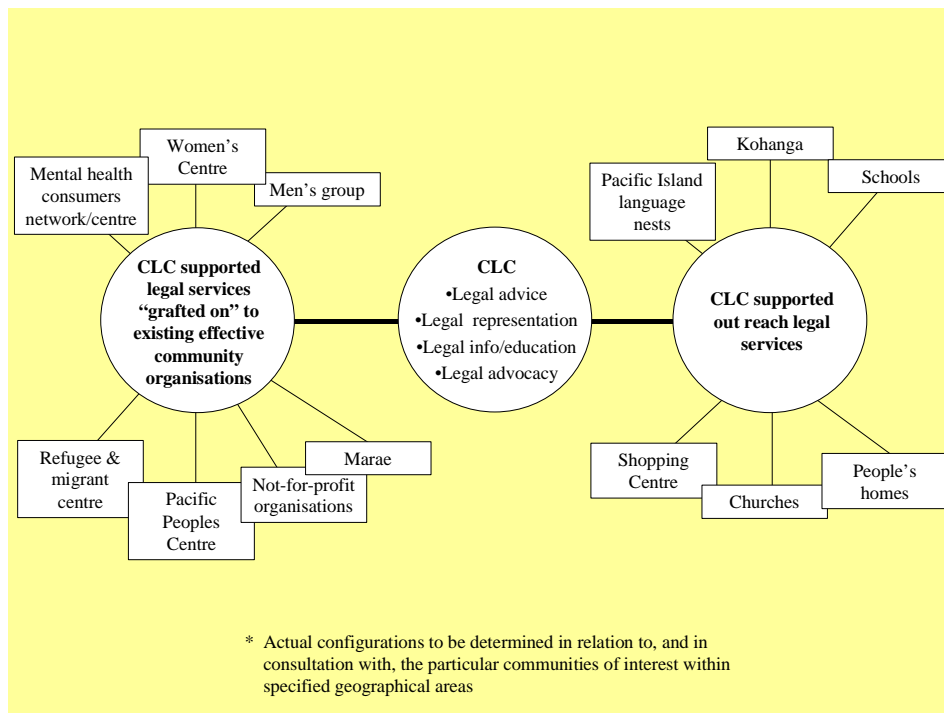
*“The situation where they can have 15 minutes of free advice [in an unfamiliar environment] doesn’t work as we have to build up trust.”*

*“Legal services need a holistic approach and customised for people using that service.”*

*“Are some groups more effective than others? Find out and base funding on this – resource on this basis rather than get a new shoe. Use the good models that are out there.”*

## 6.6 Proposed Service Delivery Model Diagram

The following diagram shows the proposed service delivery model for meeting unmet legal needs in the Auckland region\*.



### Implementing The Proposed Service Delivery Model

#### *Community Law Centres Boards*

For the community law centre model, there was discussion on the composition of the Board.

It was not clear whether this was an advisory Board or a governing Board, but in any case it was suggested that the Board comprise local community members who represented the diversity of the community and understood the community needs and how these could be targeted, e.g., understanding that outreach services for Pacific communities would need to utilise church groups.

#### *The Role of Lawyers*

It was seen as important legal advice be provided only by lawyers.

There was a perceived difficulty in accessing quality lawyers for community law services. Quality was seen to encompass length and breadth of legal experience and appropriate levels of expertise for specialist areas of law such as aspects of family, consumer and contract law.

Access to quality advice provides experienced people who can “fix the problem”. Lawyers who have 10 years or more experience, not people with under five years experience. This is an existing problem for community law centres.

*“Shouldn’t we be looking at the people who have got the expertise and giving them the opportunity to say, hey we can do more.”*

*“In South Auckland a lot of lawyers are prepared to give time but how do we pick up on this?”*

*“The top guns have the knowledge in giving advice and representation, they have life experience.”*

Suggestions were made as to how the pool of available lawyers could be increased and strengthened. For example, lawyers in an area could work together and donate say a morning a month.

Referrals to “list” lawyers in private practice who might make a certain number of hours available per month at reduced/no fee or through legal aid.

Support by law firms for particular community organisations and community law centres. The benchmark would be the law firm Russell McVeagh and their support for the Mangere Community Law Centre.

It was felt that the time devoted by lawyers to this community service should be subtracted from lawyers’ budget targets in their firms otherwise the commitment would collapse.

Finding the right person was important – there is resistance to dealing with someone who is arrogant or culturally insensitive. Lawyers need training and the ability to sort through the issues for these people. This needs to be done carefully. Lawyers need to be able to respond to the practical problems that low income people have.

### **The Role of Paralegals**

Some work could be done by paralegals or lay advocates as long as there were good quality controls in place.

*“The money should be channelled towards some of our [Māori] people who are not lawyers but who have that knowledge to share with our people in a very user friendly way.”*

People who already deal with low income people caught up in the legal process such as the police, WINZ and court officials could be upskilled.

Justices of the Peace may be able to advise people of their rights and responsibilities.

## **What are the Best Ways for the Legal Services Agency to Deliver Information, Law Related Education, and Support?**

The qualitative research was required to consider this question in relation to delivery to community organisations. Focus group participants also felt it was important to consider to delivery to end users.

### ***Community Organisations***

Generally, videos, pamphlets, newsletters and website information were only felt to be useful tools for community workers (as opposed to end-users), with exception of the Youth Law website which is targeted to a particularly computer literate end-user age group.

There was limited support for a touch screen service for end users with basic information on areas of the law most likely to affect them.

There was also limited support for the idea of an 0800 number to direct people to the appropriate avenue, either an advocate or an organisation or for legal information advice which could be used by community organisations and end users.

Website - a website from Legal Services Agency could be useful for community organisations/service providers if it was kept up to date, did not divert funding away from community law centres and staffing and had good links to other relevant websites.

The usefulness of a website was felt to be dependent on the sophistication of the organisations and the extent to which they had access to computers. It appears many grassroots organisations do not have access to computers.

*“It depends on the sophistication of the community organisations. Many do not have computers.”*

Free online access to Butterworths or Brookers legal services through the Legal Services Agency website was suggested by a community organisation.

Community organisations needed access to law changes which would affect their clients - e.g recent changes to the Matrimonial Property Act.

The website should also contain an easily downloadable application form for legal aid and links to websites that contain statutes and related information.

*“Technology in itself will not provide a magic bullet. It could be part of a solution.”*

*“Will it work for Pacific community workers? – most information is handed on orally. It may not work. It would be useful but would not meet the needs of community organisations who represent the poorest. What would work better are things that enable oral communications.”*

### ***End Users***

Discussions identified two distinct points at which people need information and law-related education, namely 'just in case' ('one-to-many' proactive situations) and 'just in time' ('one-to-one' situations reacting to a specific legal problem).

- 'Just in case' information for end users

Participants identified an education need for people to obtain information about their rights and responsibilities/obligations regarding aspects of the law with consumer and contract law, and family law as priorities.

The best time for people to obtain this education was before problems arose (e.g. before a contract was signed, an item purchased, or family breakdown occurred).

The issue was how to make people receptive to information at this proactive stage and get them to engage with it.

- 'Just in case' information for end users

Pamphlets, and online information were felt to be a "waste of time" in attempts to reach most low-income people unless they were used to support face-to-face interactions.

*"Lots of people do not have access to computers."*

*"People need information in a way that is appropriate for them – in their own language or in a way that they can access it."*

*"There is no point in having lots of pamphlets with lots of information, as they don't read it."*

Community radio, community newspapers and personal contact on a small group basis were felt the best ways of reaching these hard-to-reach groups.

*"They don't read pamphlets, they listen to speakers."*

*"Speakers on relevant issues."*

For Maori the one-to-one model from PAFT, Ahuru Mowai, was also identified.

There was a need for a communications person skilled in writing for radio, television and print media.

*"Having things like the community papers and the Maori papers, a legal column on legal advice would be ideal."*

*"Need ways to deliver information that they can have available when they have the need. e.g Youth Law's pocket guide Your Rights on the Road."*

- 'Just in time' information for end users

There was a need for specific information for immediate legal problems.

People's need for information is contextual. When it came down to the immediate legal problem people were facing, they needed to access information at the time of need.

It was felt they generally did not engage with such information in advance.

'Just in time' information was needed in ways that they can assimilate. There are huge barriers to reading information.

*"It has to be face to face. For the people I have helped represent and particularly for women it has to be face to face, it has got to be oral because you are dealing with people."*

*"My general impression dealing with people I work with is that they want word of mouth information."*

*"They want you to sit down with them and explain in simple language what this means."*

# Questionnaires



## Review of Auckland Community Law Centre Services and Coverage

### *Questionnaire for Community Law Centres*

The Legal Services Agency is currently reviewing Auckland Community Law Centres and the region's unmet legal needs.

The primary purpose of this survey is to obtain the collective views of your Community Law Centre on the extent to which you think legal services are meeting the needs of your community. The findings will contribute to future planning for service development in your community. **Please provide one collective response from staff and management at your Community Law Centre.**

The survey is being conducted by NFO CM Research and your organisation's individual response will not be identified to the Legal Services Agency in any way. (The questionnaire is numbered only to enable NFO CM to identify non respondents so they can be reminded about responding).

The attached paper provides Explanatory Information including Definitions of Legal Services, Delivery of Services, Unmet Legal Needs and Communities of Interest. We ask you to refer to these explanations when answering the questionnaire.

If you wish to discuss any aspects of the Review, please contact Andrew Lawson at Mangere Community Law Centre (email: [mclc@xtra.co.nz](mailto:mclc@xtra.co.nz), Phone 09 5257219 Fax 09 5257210), or Pamela Burns (email: [pamela.burns@lsa.govt.nz](mailto:pamela.burns@lsa.govt.nz) Phone (04) 495 5939). For any matters relating to this survey form, please contact Anna Chalmers at NFO CM Research (email: [annac2@nfocm.co.nz](mailto:annac2@nfocm.co.nz) Phone (04) 499 3183).

Please post the completed questionnaire to NFO CM Research in the enclosed reply paid envelope by **8 October (or sooner if possible)**.

Thank you for responding.

Q1 Which geographical areas does your Community Law Centre cover?  
Please describe this geographical area below:

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Q2 Which of the following services does your Community Law Centre currently offer? Please tick all boxes that apply.

- Legal representation
- Legal advice
- Law related education
- Legal information

Q3 Which of the following communities of interest **make any use of** your organisation for the legal services below? Please tick all boxes that apply. (Individuals may be in more than one group e.g. Maori young people. In such cases, tick both boxes).

<b>Communities</b>	<b>Legal representation</b>	<b>Legal advice</b>	<b>Law related education</b>	<b>Legal information</b>
Women	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maori	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pacific Peoples	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other ethnic groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Young people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rural communities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
People with disabilities (excluding mental health consumers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prisoners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Single parents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mental health consumers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Migrants and refugees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Employed people on low incomes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unemployed people and people receiving other forms of income support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Small businesses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community organisations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, please specify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please comment if you wish

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Q4 Is the information you have given in question 3 based on:  
(Tick both if applicable)

- (i)  Statistics/data collected
- (ii)  Anecdotal information

If you have ticked 4(i) please send a copy of the forms you use with this completed questionnaire.

Q5 Who else in your community provides the following services? Please tick all boxes that apply.

	<b>Legal representation</b>	<b>Legal advice</b>	<b>Law related education</b>	<b>Legal information</b>
Citizens Advice Bureaux (CABS)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Private Practitioners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Iwi Organisations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Businesses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Women's Refuge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Community Law Centres	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Peoples' Centres	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, please specify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please comment if you wish

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Q6 Which if any of the following communities of interest do you feel have **unmet needs** for the services below? Please tick all boxes that apply.

Communities	Legal representation	Legal advice	Law related education	Legal information
Women	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maori	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pacific Peoples	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other ethnic groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Young people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rural communities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
People with disabilities (excluding mental health consumers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prisoners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Single parents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mental health consumers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Migrants and refugees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Employed people on low incomes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unemployed people and people receiving other forms of income support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Small businesses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community organisations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, please specify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please comment if you wish

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Q7 For each community of interest, please refer to the services ticked in Q9 and rank these from the most needed to the least needed. Use 1= the service most needed and 4= the service least needed.

An example is provided below:

<b>Q6</b>	<b>Legal representation</b>	<b>Legal advice</b>	<b>Law related education</b>	<b>Legal information</b>
Women	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Q7</b>	<b>Legal representation</b>	<b>Legal advice</b>	<b>Law related education</b>	<b>Legal information</b>
Women	<input type="checkbox"/> 1	<input type="checkbox"/>	<input type="checkbox"/> 2	<input type="checkbox"/>

<b>Communities</b>	<b>Legal representation</b>	<b>Legal advice</b>	<b>Law related education</b>	<b>Legal information</b>
Women	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maori	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pacific Peoples	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other ethnic groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Young people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rural communities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
People with disabilities (excluding mental health consumers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prisoners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Single parents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mental health consumers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Migrants and refugees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Employed people on low incomes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unemployed people and people receiving other forms of income support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Small businesses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community organisations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q8 What prevents unmet legal needs being satisfied in your community/area?  
 Please select all significant barriers to accessing legal services, then go back  
 and select the ten greatest barriers overall (i.e. over the 3 pages).

	<b>All significant barriers</b>	<b>Ten greatest barriers</b>
<b><u>Communication/Systems</u></b>		
Complexity of legal system and processes	<input type="checkbox"/>	<input type="checkbox"/>
Lack of publicity and promotion of service (free service) - media coverage	<input type="checkbox"/>	<input type="checkbox"/>
Lack of knowledge and/or understanding of services, systems and processes - information, brochures etc. education such as workshops, special seminars, community group meetings etc.	<input type="checkbox"/>	<input type="checkbox"/>
Lack access to written material which is appropriate and understandable	<input type="checkbox"/>	<input type="checkbox"/>
Inability to identify if have a legal problem - lack of knowledge, education and information, who to approach	<input type="checkbox"/>	<input type="checkbox"/>
Lack of information and education about individual and collective rights	<input type="checkbox"/>	<input type="checkbox"/>
Lack of understanding of how lawyers work with clients and who to approach	<input type="checkbox"/>	<input type="checkbox"/>
Language problems (verbal/written)	<input type="checkbox"/>	<input type="checkbox"/>
Complexity of legal aid forms	<input type="checkbox"/>	<input type="checkbox"/>
Confusion in roles of different agencies	<input type="checkbox"/>	<input type="checkbox"/>
Inaccurate or out-of-date information	<input type="checkbox"/>	<input type="checkbox"/>
Other, please specify _____	<input type="checkbox"/>	<input type="checkbox"/>
<b><u>Economic</u></b>		
Cost/affordability of using legal services and/or perceived cost of services	<input type="checkbox"/>	<input type="checkbox"/>
Low income/unemployment/beneficiaries	<input type="checkbox"/>	<input type="checkbox"/>
Cost of public transport/cost of petrol and private transport	<input type="checkbox"/>	<input type="checkbox"/>
Childcare costs	<input type="checkbox"/>	<input type="checkbox"/>
Other, please specify _____	<input type="checkbox"/>	<input type="checkbox"/>

**Cultural**

- |   |                          |                          |
|---|--------------------------|--------------------------|
| Language and cultural difficulties; need for interpreters | <input type="checkbox"/> | <input type="checkbox"/> |
| Service not culturally appropriate                        | <input type="checkbox"/> | <input type="checkbox"/> |
| Lack of Maori Lawyers                                     | <input type="checkbox"/> | <input type="checkbox"/> |
| Lack of Pacific lawyers                                   | <input type="checkbox"/> | <input type="checkbox"/> |
| Lack of Women lawyers                                     | <input type="checkbox"/> | <input type="checkbox"/> |
| Poor contacts and networks                                | <input type="checkbox"/> | <input type="checkbox"/> |
| Other, please specify                                     | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   | <input type="checkbox"/> | <input type="checkbox"/> |

**Physical**

- |   |                          |                          |
|---|--------------------------|--------------------------|
| Distance from available services  | <input type="checkbox"/> | <input type="checkbox"/> |
| Geographical location, rural communities                                | <input type="checkbox"/> | <input type="checkbox"/> |
| Lack of public/private transport  | <input type="checkbox"/> | <input type="checkbox"/> |
| Hours CLCs open   | <input type="checkbox"/> | <input type="checkbox"/> |
| Distance from government agencies and other services                    | <input type="checkbox"/> | <input type="checkbox"/> |
| Loss of other services which formerly provided<br>assistance and advice | <input type="checkbox"/> | <input type="checkbox"/> |
| Inadequate facilities   | <input type="checkbox"/> | <input type="checkbox"/> |
| Housebound, clients in institutions                                     | <input type="checkbox"/> | <input type="checkbox"/> |
| Disabilities  | <input type="checkbox"/> | <input type="checkbox"/> |
| Other, please specify   | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   | <input type="checkbox"/> | <input type="checkbox"/> |

**Psychological**

- |   |                          |                          |
|---|--------------------------|--------------------------|
| Whakama (shy, anxious and uncomfortable in seeking legal advice and asking questions) | <input type="checkbox"/> | <input type="checkbox"/> |
| Bad experience with lawyer in the past  | <input type="checkbox"/> | <input type="checkbox"/> |
| Fatalism, denial  | <input type="checkbox"/> | <input type="checkbox"/> |
| Lack of confidence, low expectations and self esteem                                  | <input type="checkbox"/> | <input type="checkbox"/> |
| Lack of trust in the system - perceived injustice of system                           | <input type="checkbox"/> | <input type="checkbox"/> |
| Difficulty or reluctance to navigate official systems, courts etc                     | <input type="checkbox"/> | <input type="checkbox"/> |
| Poor contacts and networks, social isolation  | <input type="checkbox"/> | <input type="checkbox"/> |
| Conflict in dealing with family and legal issues                                      | <input type="checkbox"/> | <input type="checkbox"/> |
| Number of legal problems faced simultaneously   | <input type="checkbox"/> | <input type="checkbox"/> |
| Lack of comprehension and responsibility  | <input type="checkbox"/> | <input type="checkbox"/> |
| Unable to articulate needs  | <input type="checkbox"/> | <input type="checkbox"/> |
| Other, please specify   | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   | <input type="checkbox"/> | <input type="checkbox"/> |

Q9 Do you have systems to assess the quality of the legal services you provide?

Yes

No

If yes please describe below.

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Q10 How, if at all, do you think legal services in your area/community could be improved without increased funding from the Legal Services Agency or central government?

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Q11 In which of the following services and in what capacity (i.e. funder; service provider) do you believe the Legal Services Agency should be involved?

Please tick the boxes in column C that apply and then rank these ticked items in column D.

In ranking, use 1= the most important area for Legal Services Agency involvement and then use numbers in descending order so the last number used = the least important area for Legal Services Agency involvement.

<b>A</b> <u>Service</u>	<b>B</b> <u>Capacity</u>	<b>C</b> <u>LSA involvement</u> (Tick box if 'yes')	<b>D</b> Use items ticked in column C and rank in order of importance (use 1= most important area for LSA involvement)
Legal representation (eg under legal aid)	Funder	<input type="checkbox"/>	<input type="checkbox"/>
Legal representation (eg under legal aid)	Service provider	<input type="checkbox"/>	<input type="checkbox"/>
Legal advice	Funder	<input type="checkbox"/>	<input type="checkbox"/>
Legal advice	Service provider	<input type="checkbox"/>	<input type="checkbox"/>
Law related education	Funder	<input type="checkbox"/>	<input type="checkbox"/>
Law related education	Service provider	<input type="checkbox"/>	<input type="checkbox"/>
Legal information	Funder	<input type="checkbox"/>	<input type="checkbox"/>
Legal information	Service provider	<input type="checkbox"/>	<input type="checkbox"/>





## Review of Auckland Community Law Centre Services and Coverage

### *Questionnaire for community groups/organisations/and private practitioners*

The Legal Services Agency is currently reviewing Auckland Community Law Centres and the region's unmet legal needs.

The primary purpose of this survey is to obtain the collective views of your organisation on the extent to which you think legal services are meeting the needs of your community. The findings will contribute to future planning for service development in your community. **Please provide one collective response from staff at your organisation.**

The survey is being conducted by NFO CM Research and your organisation's responses will not be identified to the Legal Services Agency in any way. (The questionnaire is numbered only to enable NFO CM to identify non respondents so they can be reminded about responding).

The attached paper provides Explanatory Information including Definitions of Legal Services, Delivery of Services, Unmet Legal Needs and Communities of Interest. We ask you to refer to these explanations when answering the questionnaire.

If you wish to discuss any aspects of the Review, please contact Andrew Lawson at Mangere Community Law Centre (email: [mclc@xtra.co.nz](mailto:mclc@xtra.co.nz), Phone 09 5257219 Fax 09 5257210), or Pamela Burns (email: [pamela.burns@lsa.govt.nz](mailto:pamela.burns@lsa.govt.nz) Phone (04) 495 5939). For any matters relating to this survey form, please contact Anna Chalmers at NFO CM Research (email: [annac2@nfocm.co.nz](mailto:annac2@nfocm.co.nz) Phone (04) 499 3183).

Please post the completed questionnaire to NFO CM Research in the enclosed reply paid envelope by **8 October (or sooner if possible)**.

Thank you for responding.

Q1 Which of the following services does your organisation currently offer? Please tick all boxes that apply.

- Legal representation
- Legal advice
- Law related education
- Legal information

Please comment if you wish. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

Q2 Which of the following communities of interest **make any use of** organisation for the legal services below? Please tick all boxes that apply. (Individuals may be in more than one group e.g. Maori, young people. In such cases, tick both boxes).

<b>Communities</b>	<b>Legal representation</b>	<b>Legal advice</b>	<b>Law related education</b>	<b>Legal information</b>
Women	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maori	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pacific Peoples	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other ethnic groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Young people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rural communities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
People with disabilities (excluding mental health consumers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prisoners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Single parents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mental health consumers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Migrants and refugees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Employed people on low incomes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unemployed people and people receiving other forms of income support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Small businesses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community organisations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, please specify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please comment if you wish

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Q3 What legal needs do people/groups who use your services have? Please describe below (continue on the other side of this page if necessary).

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Q4 If you refer people/groups elsewhere for legal services, please identify below the agencies/individuals you refer people to.

Legal Service	Agencies	Individuals (e.g. lawyer, employment consultant, immigrant consultant M.P) Please specify
Legal representation		
Legal advice		
Law related education		
Legal information		

Q5 Who else in your community provides the following services? Please tick all boxes that apply.

	<b>Legal representation</b>	<b>Legal advice</b>	<b>Law related education</b>	<b>Legal information</b>
Citizens Advice Bureaux (CABS)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Private Practitioners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Iwi Organisations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Businesses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Women's Refuge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community Law Centres	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Peoples' Centres	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, please specify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please comment if you wish

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Q6 To what extent do you feel Community Law Centres are currently meeting community needs for legal services?

		Legal Representation	Legal advice	Law related education	Legal information
(i)	To a great extent	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(ii)	To some extent	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(iii)	Very little	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(iv)	Don't know	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(v)	Not applicable	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please comment if you wish \_\_\_\_\_

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Q7 Which of the following communities of interest do you feel have **unmet needs** for the services below? Please tick all boxes that apply.

<b>Communities</b>	<b>Legal representation</b>	<b>Legal advice</b>	<b>Law related education</b>	<b>Legal information</b>
Women	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maori	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pacific Peoples	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other ethnic groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Young people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rural communities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
People with disabilities (excluding mental health consumers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prisoners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Single parents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mental health consumers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Migrants and refugees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Employed people on low incomes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unemployed people and people receiving other forms of income support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Small businesses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community organisations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, please specify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please comment if you wish

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Q8 For each community of interest, please refer to the services ticked in Q7 and rank these from the most needed to the least needed. Use 1= the service most needed and 4= the service least needed.

An example is provided below:

Q7	Legal representation	Legal advice	Law related education	Legal information
Women	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Q8	Legal representation	Legal advice	Law related education	Legal information
Women	<input type="checkbox"/> 1	<input type="checkbox"/>	<input type="checkbox"/> 2	<input type="checkbox"/>

Communities	Legal representation	Legal advice	Law related education	Legal information
Women	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maori	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pacific Peoples	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other ethnic groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Young people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rural communities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
People with disabilities (excluding mental health consumers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prisoners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Single parents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mental health consumers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Migrants and refugees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Employed people on low incomes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unemployed people and people receiving other forms of income support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Small businesses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community organisations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, please specify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q9 What prevents unmet legal needs being satisfied in your community/area?  
Please select all significant barriers to accessing legal services, then go back and select the ten greatest barriers overall (i.e. over the 3 pages).

	<b>All significant barriers</b>	<b>Ten greatest barriers</b>
<b><u>Communication/Systems</u></b>		
Complexity of legal system and processes	<input type="checkbox"/>	<input type="checkbox"/>
Lack of publicity and promotion of service (free service) - media coverage	<input type="checkbox"/>	<input type="checkbox"/>
Lack of knowledge and/or understanding of services, systems and processes - information, brochures etc. education such as workshops, special seminars, community group meetings etc.	<input type="checkbox"/>	<input type="checkbox"/>
Lack access to written material which is appropriate and understandable	<input type="checkbox"/>	<input type="checkbox"/>
Inability to identify if have a legal problem - lack of knowledge, education and information, who to approach	<input type="checkbox"/>	<input type="checkbox"/>
Lack of information and education about individual and collective rights	<input type="checkbox"/>	<input type="checkbox"/>
Lack of understanding of how lawyers work with clients and who to approach	<input type="checkbox"/>	<input type="checkbox"/>
Language problems (verbal/written)	<input type="checkbox"/>	<input type="checkbox"/>
Complexity of legal aid forms	<input type="checkbox"/>	<input type="checkbox"/>
Confusion in roles of different agencies	<input type="checkbox"/>	<input type="checkbox"/>
Inaccurate or out-of-date information	<input type="checkbox"/>	<input type="checkbox"/>
Other, please specify	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
<b><u>Economic</u></b>		
Cost/affordability of using legal services and/or perceived cost of services	<input type="checkbox"/>	<input type="checkbox"/>
Low income/unemployment/beneficiaries	<input type="checkbox"/>	<input type="checkbox"/>
Cost of public transport/cost of petrol and private transport	<input type="checkbox"/>	<input type="checkbox"/>
Childcare costs	<input type="checkbox"/>	<input type="checkbox"/>
Other, please specify	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		

**Cultural**

- |   |                          |                          |
|---|--------------------------|--------------------------|
| Language and cultural difficulties; need for interpreters | <input type="checkbox"/> | <input type="checkbox"/> |
| Service not culturally appropriate                        | <input type="checkbox"/> | <input type="checkbox"/> |
| Lack of Maori Lawyers                                     | <input type="checkbox"/> | <input type="checkbox"/> |
| Lack of Pacific lawyers                                   | <input type="checkbox"/> | <input type="checkbox"/> |
| Lack of Women lawyers                                     | <input type="checkbox"/> | <input type="checkbox"/> |
| Poor contacts and networks                                | <input type="checkbox"/> | <input type="checkbox"/> |
| Other, please specify                                     | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   | <input type="checkbox"/> | <input type="checkbox"/> |

**Physical**

- |   |                          |                          |
|---|--------------------------|--------------------------|
| Distance from available services  | <input type="checkbox"/> | <input type="checkbox"/> |
| Geographical location, rural communities                                | <input type="checkbox"/> | <input type="checkbox"/> |
| Lack of public/private transport  | <input type="checkbox"/> | <input type="checkbox"/> |
| Hours CLCs open   | <input type="checkbox"/> | <input type="checkbox"/> |
| Distance from government agencies and other services                    | <input type="checkbox"/> | <input type="checkbox"/> |
| Loss of other services which formerly provided<br>assistance and advice | <input type="checkbox"/> | <input type="checkbox"/> |
| Inadequate facilities   | <input type="checkbox"/> | <input type="checkbox"/> |
| Housebound, clients in institutions                                     | <input type="checkbox"/> | <input type="checkbox"/> |
| Disabilities  | <input type="checkbox"/> | <input type="checkbox"/> |
| Other, please specify   | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   | <input type="checkbox"/> | <input type="checkbox"/> |

**Psychological**

- |   |                          |                          |
|---|--------------------------|--------------------------|
| Whakama (shy, anxious and uncomfortable in seeking legal advice and asking questions) | <input type="checkbox"/> | <input type="checkbox"/> |
| Bad experience with lawyer in the past  | <input type="checkbox"/> | <input type="checkbox"/> |
| Fatalism, denial  | <input type="checkbox"/> | <input type="checkbox"/> |
| Lack of confidence, low expectations and self esteem                                  | <input type="checkbox"/> | <input type="checkbox"/> |
| Lack of trust in the system - perceived injustice of system                           | <input type="checkbox"/> | <input type="checkbox"/> |
| Difficulty or reluctance to navigate official systems, courts etc                     | <input type="checkbox"/> | <input type="checkbox"/> |
| Poor contacts and networks, social isolation  | <input type="checkbox"/> | <input type="checkbox"/> |
| Conflict in dealing with family and legal issues                                      | <input type="checkbox"/> | <input type="checkbox"/> |
| Number of legal problems faced simultaneously   | <input type="checkbox"/> | <input type="checkbox"/> |
| Lack of comprehension and responsibility  | <input type="checkbox"/> | <input type="checkbox"/> |
| Unable to articulate needs  | <input type="checkbox"/> | <input type="checkbox"/> |
| Other, please specify   | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   | <input type="checkbox"/> | <input type="checkbox"/> |

Q10 How, if at all, do you think legal services in your area/community could be improved without increased funding from the Legal Services Agency or central government?

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Q11 In which of the following services and in what capacity (i.e. funder; service provider) do you believe the Legal Services Agency should be involved?

Please tick the boxes in column C and then rank these ticked items in column D.

In ranking, use 1= the most important area for Legal Services Agency involvement and then use numbers in descending order so the last number used = the least important area for Legal Services Agency involvement.

<u>A</u> <u>Service</u>	<u>B</u> <u>Capacity</u>	<u>C</u> <u>LSA involvement</u> (Tick box if 'yes')	<b>D</b> Use items ticked in column C and rank in order of importance (use 1= most important area for LSA involvement)
Legal representation (eg under legal aid)	Funder	<input type="checkbox"/>	<input type="checkbox"/>
Legal representation (eg under legal aid)	Service provider	<input type="checkbox"/>	<input type="checkbox"/>
Legal advice	Funder	<input type="checkbox"/>	<input type="checkbox"/>
Legal advice	Service provider	<input type="checkbox"/>	<input type="checkbox"/>
Law related education	Funder	<input type="checkbox"/>	<input type="checkbox"/>
Law related education	Service provider	<input type="checkbox"/>	<input type="checkbox"/>
Legal information	Funder	<input type="checkbox"/>	<input type="checkbox"/>
Legal information	Service provider	<input type="checkbox"/>	<input type="checkbox"/>



# Explanatory Information

## Definitions of legal services

In order to better understand the nature of unmet legal needs, the Agency has categorised the range of legal services referred to in the Legal Services Act 2000. We have sought to find a clear explanation of each type of legal service referred to in the Act:

- legal representation,
- legal advice,
- law related education,
- legal information.

Legal services have been defined using both the Shorter Oxford English Dictionary definitions and legal opinion sought by the Agency. The terms in the Act, defined in the context of the Act are:

### ***Legal information***

This is information about rights and responsibilities under a specific law or laws. Legal Information could be provided in a range of ways, such as in person, over the telephone, in electronic form, or as brochures, pamphlets and other similar materials.

For example, legal information could be available on:

- Individual, employment and education rights and responsibilities, accommodation and tenancy issues, properties, wills, power of attorney, estates and family trusts, debts and repossession etc.
- Eligibility criteria for legal aid.

### ***Law related education***

This means courses, seminars or classes for individuals and groups in the community on law related matters. This may include resources about rights and responsibilities, how a law works and its impact etc, which form part of an education package.

For example:

- Education of groups with specific interests and the general public on individual rights and responsibilities under a specific law or laws e.g. 'Youth and the Law' seminars for community groups involved with young people, or for young people themselves.

## **Legal advice**

A private process where a legal adviser provides a client with a legal opinion or suggests an appropriate action to the client who is seeking advice on specific matters.

For example:

- A lawyer advising a client about their will.

## **Legal representation**

A process where a legal adviser represents a client on a specific matter.

For example:

- A lawyer makes submissions, in person, on behalf of a defendant appearing in the District Court on criminal charges.
- Two parties and their lawyers meet to see whether agreement can be reached in a custody and access dispute.
- A lawyer advocates for clients' interests by letter or telephone.

## **Who delivers these services?**

Lawyers and non-lawyers can provide legal information and law related education to an individual, to a specific group or to the general public.

In general, only a lawyer will provide legal advice and legal representation. There are exceptions to this, such as when an employment consultant or an immigration consultant give their client advice or represent them on specific employment or immigration issues.

Community law centres and other community groups may also provide a range of advocacy services such as law reform and submissions on local and government issues.

## **Unmet Legal Need**

An unmet legal need is, *"...the absence of appropriate legal services, whatever the cause – legal, social or economic"*.<sup>1</sup> What will establish the presence of unmet legal needs is the identification of a gap in the provision of legal services when and where such legal services are appropriate or called for.

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<sup>1</sup> Davis and Ludbrook (NZLJ, Nov. 1978)

## **Communities of Interest**

The Legal Services Act 2000, s85 (2), requires that every community law centre must identify a particular community it intends primarily to serve. The community can be defined geographically, or by reference to some common interest or characteristic, or both. Examples of such communities of interest include, women, Maori, Pacific people, young people, people with disabilities, immigrants and refugees etc.

It is assumed that each of these communities will have specific unmet legal needs that can be met by the availability and accessibility of appropriate legal services.

For example, people with mental health disabilities may have specific legal needs regarding their rights under the "Mental Health (Compulsory Assessment and Treatment) Act 1992" that are not met by current information or advisory services. Another example may be that people with physical disabilities have specific legal needs regarding information and advice about their rights under the "Human Rights Act 1993", say in the area of employment.

The Agency believes there is a difference between unmet legal need and a barrier to access to existing services. It may be that in the area of disability, and for other specific communities of interest, we are also talking about barriers to access. The Agency may have a role to help community law centres and other providers in the justice system to understand and address these barriers.

10 September 2001, Legal Services Agency

# **Discussion Guide**

# Project Legal Services

## *Final Qualitative Discussion Guide*

### 1301006

This discussion guide allows for considerable freedom within the topic, questions are indicative only of subject matter to be covered and are not word for word descriptions of the moderator's questions.

#### Introduction

- Thank participants
- Explain use of audio and note-taker
- Assurance of confidentiality
- Timing – 2 hours maximum
- Purpose of research – To focus on the services that are and are not available to your communities. Focus of this session is about the **gaps** in services being delivered. Other research will cover off **barriers** to meeting services but don't necessarily want to cover this off today.
- Feedback from Legal Services Agency to participants
- Introduction of self and each other. Identify who has a current practising certificate/specific legal qualifications such as legal executive

#### Understanding Wants and Needs

I'd like you to talk through some experiences for your communities gaining legal services.

Are there steps in this process? If so lets identify what they are

Keep in mind whether we can group these experiences. Come up with "typical" experiences and not so typical experiences

#### ON WHITEBOARD

- First lets identify who is accessing services in your organisation
- Tell me about them –
- For each community of interest identified (Women, Maori etc) CHECK:
- What are they looking for? How come?
- FOR EACH OF THE BROAD AREAS: LEGAL REPRESENTATION, LEGAL ADVICE, LAW RELATED EDUCATION AND LEGAL INFORMATION CHECK:
- What frustrates them about gaining legal services?

#### Objectives

To gain a broad overview of legal needs and to understand the current process when accessing legal services

To uncover communities core needs and what services should there be

To identify the communities typically requiring legal services

To understand the nature of the relationship between organisations and the communities they service

- What does this mean?
- What satisfies them? What does this mean for them?
- Who is their first point of contact? Who do they see next? How come the process is like this.
- For LEGAL REPRESENTATION CHECK: What are the issues here? Other organisations have told us that CLC's are less successful in meeting needs here. Tell me a bit more about this.
  
- Imagine that some one from outside your area came to your organisation. They have never been in this area before and are unaware of all the issues for legal services for your communities.
  
- What would you specifically tell them that these communities need. How come?
- FOR EACH NEED IDENTIFIED PROBE:
- How come you mentioned that? Why is this important for this community.
- How currently do you feel this need is being delivered on.
- Where are the gaps?
- Where can we provide a fuller service?
  
- REFERRING TO ALL THE NEEDS WE HAVE IDENTIFIED FOR COMMUNITIES
- Imagine you were going away and that out of all the needs we have identified today I said to you that you could take ONE only with you.
- What would you take first.
- What next and next.

## **Understanding How Services Should be Configured**

## **Objective**

ASK PARTICIPANTS TO IMAGINE WHAT WOULD BE THE IDEAL WAY TO MEET THE NEEDS WE HAVE IDENTIFIED (IF APPROPRIATE BREAK INTO SMALL GROUPS FOR IDEA GENERATION)

To gain an understanding and check how organisations would ideally want services to be delivered for their communities

- CHECK
- What should services in your community be like? How come?
- What makes that the ideal solution for your communities you have identified. How come this is ideal for each community of interest
- Where should these services be located – geographical limitations of services
  
- For CLC's CHECK:
- What should CLC's be doing? How come?

To explore the role of organisations and CLC's in service delivery

- What should they be doing better?
- What should they be doing that they are not doing now.
- What should community organisations be doing. How come?
- How would this ideal change things for you. For communities. For CLC's.
- Check specifically for Auckland Central. How do you feel about the location of the Grey Lynn CLC
- For South and West Auckland check need for additional services to meet needs and how these should be set up – outreach, funding other organisations etc

## Legal Aid

IF NOT ALREADY COVERED

- Remember our person from out of town? What could you tell him/her about legal aid. CHECK specifically understanding of what is and is not covered by legal aid

## Legal Advice

- Remember our person from out of town? What could you tell him/her about legal advice. CHECK specifically understanding of what makes up legal advice
- Tell me about the delivery of legal advice. Who precisely is giving legal advice?
- IF NOT ALREADY COVERED:
- Can you summarise for me what **specific matters** communities seek advice on. How come these are important.

## Legal Information

- Remember our ideal world. What would be the ideal way to provide the legal information that your communities seek. (e.g. employment and education rights, accommodation and tenancy issues)
- For you to access?
- For your communities to access

I have here an idea for accessing legal information.

*The Legal Services Agency will provide an interactive website. Information could be down loaded off the site. Links will be provided to other sites such as Youth Law*

## Objectives

To uncover levels of knowledge about legal aid.

## Objective

To uncover a common understanding of what is meant by legal advice

To uncover who is currently delivering legal advice

To uncover specific needs for legal advice

## Objective

To understand the optimal way to deliver legal information

*or Treaty issues*

CHECK

- Appeal or otherwise of idea
- Improvements

### **What's on the Horizon?**

Let's think about the future for a while. What legal needs that communities have currently do you feel will be met in 5 years time? Will not be met in 5 years time.

- How will it have changed in 5 years
- How will it impact on your communities
- Anything else?

Anything we should have covered but we didn't.

### **Objective**

To act as a final check for needs and gaps in legal services.

To identify future opportunities for LSA

**THANK AND CLOSE**

# **Appendices**

# Appendix 1

## The Quantitative Study Respondents

### Community Law Centres, Community Organisations and Individuals Responding to the Questionnaire (n=25)

- Maungarongo ki Otago Law Centre
- Grey Lynn Neighbourhood Law Office
- Youthlaw Tino Rangatiratanga Taitamariki
- Nga Ture Kaitiaki Community Law Centre
- Mangere Community Law Centre
- Auckland Consumers' Network
- Ngaio Hanlon
- Piers Davies
- Otene and Ellis
- Te Whanau O Waipareira Trust
- Mangere Budgeting Services Trust
- Legal Information Service / Legal Information Centre, Newton
- Ministry of Consumer Affairs
- Domestic Violence Centre, Downtown Auckland
- Combined Beneficiaries Union
- North Shore Community of Social Services
- Auckland Council of Social Services
- Women's Centre, Grey Lynn
- Tenants' Protection Association
- Citizens' Advice Bureau, Northern Region
- Citizens' Advice Bureau, Glen Innes
- West Auckland District Council of Social Services
- Shakti Asian Women's Centre
- Homebuilders' Family Centre
- Youthline

# Appendix 2

## **The Qualitative Study Participants**

**There were 22 discussion group participants from 20 organisations - Community Law Centres (n=7), Community Organisations (n=15)**

- Maungarongo ki Otara Law Centre
- Grey Lynn Neighbourhood Law Office
- Youthlaw Tino Rangatiratanga Taitamariki
- Nga Ture Kaitiaki Community Law Centre
- Mangere Community Law Centre
- Auckland Consumers' Network
- Piers Davies
- Otene and Ellis
- Te Whanau O Waipareira Trust
- Combined Beneficiaries Union
- North Shore Community of Social Services
- Auckland Council of Social Services
- Tenants' Protection Association
- Citizens' Advice Bureau, Glen Innes
- Denny Kirkwood
- People's Centre
- Manukau Urban Maori Authority
- Age Concern
- West Auckland District Council of Social Services
- Auckland Women's Centre

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