

The Public Understanding of Law Survey (PULS) Annotated Questionnaire

Nigel J. Balmer, Pascoe Pleasence, Hugh M. McDonald and Rebecca L. Sandefur



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The office of Victoria Law Foundation is on the traditional lands of the Wurundjeri people of the Kulin Nation. We acknowledge their history, culture and Elders both past and present.



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1. Introduction

The Public Understanding of Law Survey (PULS) Project

The Public Understanding of Law Survey (PULS) is a large-scale face-to-face survey exploring how people understand, experience and navigate law and everyday life problems with a legal dimension ('justiciable' problemsⁱⁱ). It is an innovative hybrid, marrying approaches from the growing number of legal need surveysⁱⁱⁱ with new thinking on the conceptualisation and measurement of legal capability.^{iv} It is designed to further our understanding how people understand and interact with the law and legal problems, and principally, to yield insights with practical access to justice application.

The PULS supports 'bottom-up' approaches to access to justice,^v a growing movement worldwide, which puts people's needs and capabilities at the centre of justice sector policy, design, regulation and reform.

PULS Methods

The PULS is being administered to a probability sample^{vi} of 6,000 respondents across the state of Victoria, Australia. The sample was constructed specifically and solely for the PULS.^{vii} Interviews are being conducted face-to-face, predominantly in respondents' homes,^{viii} though the questionnaire has been adapted to allow other modes of administration if respondents are uncomfortable with being interviewed in their home. We decided to conduct the PULS face-to-face to maximise coverage, engagement and response rates, allow a coherent sample frame,^{ix} enable a variety of question types, and to yield the highest quality data. Interviews last 40 minutes on average.^x Unlike some jurisdictions, including other parts of Australia, face-to-face interviewing is possible in Victoria due to the relatively small geographic area.

At the date of publication of this document, the PULS questionnaire is in the field, with fieldwork being conducted by Roy Morgan Research. Comprehensive methodological details will be set out in subsequent publications, including the PULS project technical report.

This document

This document sets out the full text and routing of the PULS questionnaire, along with commentary on the theoretical background to questions, rationale for their inclusion, details of technical development, references to relevant past studies, as well as PULS showcards.^{xi} Commentary is set out in up to four coloured boxes alongside key questions -

Theory

Sets out theoretical research relevant to questions and their development.

Rationale

Sets out the reason for questions inclusion. This might include how they relate or interact with other items, how they might further our understanding, how they have contributed to previous work, or why they adopt a particular form.

Technical

Sets out detail on how questions were developed, designed, or derived.

Background

Provides the key references for work which inspired the approach adopted and/or the source of questions used or adapted.

The VLF is committed to open science.^{xii} This involves making our research (including publications, data, methodology, instruments, and any other products) freely available and accessible as early as is practical. We encourage others working in the field to do the same. We are making the PULS questionnaire available in advance of receiving survey data for transparency and to enable others to benefit from the extensive development work undertaken to date. Researchers are encouraged to use the questionnaire in full or in part. We ask that if the questionnaire or any component questions are used, the PULS is cited as detailed at the outset of this document.

PULS questionnaire structure

Following a preamble to introduce interviewers and the PULS project, identify the household member to be interviewed, gain informed consent and share materials (including showcards) – the questionnaire has a comparatively simple^{xiii} linear structure and comprises five main sections:

- SECTION 1 (ID)** Initial demographics. This includes basic demographic questions and some additional items required for routing (e.g. business ownership and experience of bushfires). Standard forms of demographic questions were used where possible, adapted to best meet the specific needs of the PULS.
- SECTION 2 (A - F)** Legal knowledge and legal confidence. This includes 15 questions designed to test knowledge of legal rights across five key areas of civil law (three questions per area), followed by the General Legal Confidence (GLC) scale.^{xiv}
- SECTION 3 (L)** Legal Need. This comprises a short self-contained legal needs survey module, drawing on the OECD & Open Society Foundations (2019) technical guidance for the conduct of legal needs surveys, with adaptations to suit the PULS project objectives.
- SECTION 4 (AJ)** Attitudes to justice (AJ). This includes measures of five key aspects of legal capability; practical legal literacy, perceived relevance of law, narratives of law; perceived inaccessibility of lawyers and trust in lawyers.
- SECTION 5 (SD)** Supplementary demographics. This includes more detailed demographic questions, including measurement of psychological distress^{xv} and digital capability (for law). Again, standard forms of demographic questions were used where possible, adapted to best meet the specific needs of the PULS.

These sections are followed by concluding remarks, thanking respondents, giving prize draw details, asking for recontact permission and suggesting resources should they want further information. Respondents are also given a leaflet referring them to a website with answers to the Section 2 knowledge questions. The leaflet also provides further details of the PULS project and, importantly, sources of advice for problems such as those covered in the survey.

When deciding upon the structure of the questionnaire, particular attention was paid to the position of the legal need section (Section 3). Experiments have shown legal needs surveys to be susceptible to framing effects, with references to law tending to suppress reporting of justiciable problems. So, in addition to the preamble being designed to minimise legal framing, we considered it prudent to position the perceived relevance of law, narratives of law, inaccessibility of lawyers and trust in lawyers questions – which make frequent and explicit reference to law and lawyers – after the legal need section. Also in Section 4, for coherence and balance, are the similarly constructed practical legal literacy questions.

Despite their incorporating some references to law, we decided that the legal knowledge and GLC scale questions should precede the legal need section. In the case of legal knowledge, only some questions specifically mention law, and taken together, the questions provide a good indication of the nature and great breadth of subject matter of the PULS (i.e. civil law). The placement of similar questions at the start of *English and Welsh Civil and Social Justice Panel Survey (CSJPS)* was further justified on the basis of their being engaging, so helping retain interest in the more

taxing legal need section.^{xvi} In the case of the GLC scale, we were concerned that its utility would be lessened if the minds of respondents who have experienced problems were drawn to the single problem followed-up in Section 3. We considered this less of an issue for the Section 4 questions, while acknowledging that no arrangement would be perfect.

Neither the preamble (and associated protocols) nor concluding remarks are included in this document. The focus of this document is on substantive questions. Further details of the preamble and concluding remarks will be included in later technical reporting.

2. The PULS Questionnaire

SECTION 1: Initial Demographics (ID)

Rationale:

The PULS is restricted to those aged 18 or older at the time of interview. There are several reasons the survey is restricted to the adult population. The first concerns sample efficiency. People can only experience justiciable problems if exposed to the circumstances that can give rise to them.^{xvii} Surveys have routinely found that problems are reported least often by those in the youngest and oldest age groups. The second concerns problem specification. The nature of justiciable problems faced by the youngest (and oldest) respondents can be qualitatively different to those faced by the general population. As the problem descriptions in the questionnaire are optimised for inquiry into the general population, this limits utility in the case of young people. The third concerns responsibility. Responsibility for many problems faced by young people is shared or rests with parents. We consider that young people under the age of 18 are better studied through targeted and tailored surveys or other methods. However, it should be noted that the youngest PULS respondents will report some problems they experienced while under the age of 18, so providing some coverage of earlier years.

Technical:

In both Section 1 and Section 5, standard demographic questions have been used where possible, adapted, if necessary, to meet the particular needs of the PULS.

Background:

Australian Bureau of Statistics (ABS) question standards (various years) and other questionnaires and associated guidance.^{xviii}

ID1. What was your age at your last birthday?

NUMBER (range 18-99)

ID2. Do you, yourself, mainly speak a language other than English at home?

1. No
2. Yes

[IF ID2 = 2]

ID2a. What is the language other than English that you mainly speak at home?

1. Arabic (including Lebanese)
2. Cantonese
3. French
4. German
5. Greek
6. Hindi
7. Italian
8. Mandarin
9. Punjabi
10. Spanish
11. Vietnamese
12. Other (specify)

ID3. Do you speak English ... [READ OUT]

1. Very well
2. Well
3. Not well
4. Not at all

[ASK ALL]

Now I would like to ask you a few questions about your circumstances.

ID4. At present, do you own or rent your accommodation?

PROBE TO DETERMINE CORRECT CODE

1. Own it outright
2. Buying it with the help of a mortgage or loan
3. Pay part rent and part mortgage (shared equity)
4. Rent – public housing or other community or social housing
5. Rent from private landlord
6. Live here rent free
7. Other (specify)

ID5. And at any time since **[DATE]**, were you....

Rationale:

ID5a, ID5b and ID6 are routing questions designed to limit certain Section 3 questions to relevant people.

ID5a. A business owner....

1. Yes
2. No

ID5b. Or a landlord....

1. Yes
2. No

ID6. Was your work or home life affected by the bushfires in 2019/2020?

1. Yes
2. No

SECTION 2: Legal Knowledge and Legal Confidence (A - F)

Programming notes:

- Rotate sections A to E
- Ask section F after all applicable questions in A to E have been asked

Theory:

Content of substantive law (knowledge of rights) is a sub-domain within the 'knowledge' component of VLF's legal capability framework.^{xix}

Rationale:

Knowledge of rights, as well as being a core element of legal capability, is central to many community legal education initiatives around the world. It may also relate to problem experience and avoidance, problem resolving behaviour and expectations of legal services.

Technical:

Knowledge of rights is explored using three questions across five common problem types (A to E in Section 2). The problem types were selected to provide a spread of issues within some of the most common categories of justiciable problems. The approach draws upon the first wave of the *CSJPS*, which also asked knowledge questions before problem identification. However, the PULS asks individually specified questions rather than questions forming part of an extended narrative. Items in A to E are principally designed to provide a single broad measure of legal knowledge for each respondent. All items are presented to all respondents to facilitate consistent scoring. Items were designed in collaboration with subject matter legal experts in order to be unambiguous with an objective correct answer.^{xx} Answers, and the basis for answers, will be published in the VLF's website once fieldwork has concluded.^{xxi} The psychometric properties of the items are yet to be tested.

Background:

Denvir, C., Balmer, N.J., & Pleasence, P. (2013). When legal rights are not a reality: do individuals know their rights and how can we tell? *Journal of Social Welfare and Family Law*, 35(1), 139-160.

Pleasence, P., & Balmer, N.J. (2012). Ignorance in Bliss: Modelling Knowledge of Rights in Marriage and Cohabitation. *Law and Society Review*, 46(2), 297-333.

Pleasence, P., Balmer, N., & Denvir, C. (2017). Wrong about rights: Public knowledge of key areas of consumer, housing and employment law in England and Wales. *Modern Law Review*, 80(5), 836-859.

Pleasence, P., Balmer, N.J., Patel, A., Cleary, A., Huskinson, T., & Cotton, T. (2011). *Civil Justice in England and Wales: Report of Wave 1 of the English and Welsh Civil and Social Panel Survey*. Legal Services Commission and Ipsos-Mori.

I am now going to ask you some questions about people's legal rights. Don't worry if you don't know an answer. Just say so. This is common. I will give you a link to a website with the correct answers later.

Please refer to **Showcard 1** for these questions and just say the number of your answer

A Rented accommodation

[ASK ALL]

Ak1. Is a rental provider (i.e., a landlord) allowed to enter a renter's home to carry out routine repairs without first telling the renter?

1. Yes, definitely
2. Yes, probably
3. No, probably not
4. No, definitely not
5. Don't know

Ak2. If an air conditioner stops working after a renter moves into a new home, is the rental provider (i.e., landlord) legally obliged to repair it?

1. Yes, definitely
2. Yes, probably
3. No, probably not
4. No, definitely not
5. Don't know

Ak3. Can a rental provider say a renter can't keep a cat or a dog just because they don't want a pet in their property?

1. Yes, definitely
2. Yes, probably
3. No, probably not
4. No, definitely not
5. Don't know

B Neighbours

[ASK ALL]

Bk1. Do neighbours in built-up areas have the right (i.e., are they permitted) to play loud music after midnight?

1. Yes, definitely
2. Yes, probably
3. No, probably not
4. No, definitely not
5. Don't know

Bk2. Can you take legal or other formal action to make a neighbour clean up rubbish that is on their property and creating a fire hazard?

1. Yes, definitely
2. Yes, probably
3. No, probably not
4. No, definitely not
5. Don't know

Bk3. If a neighbour's child left a hose running all night in their house, flooding your house, would the neighbour be legally obliged to pay for any damage?

1. Yes, definitely
2. Yes, probably
3. No, probably not
4. No, definitely not
5. Don't know

C Consumer

[ASK ALL]

- Ck1. Does a furniture shop have to take back a dining table and provide you a refund if, on delivery, you decide you no longer want it?
1. Yes, definitely
 2. Yes, probably
 3. No, probably not
 4. No, definitely not
 5. Don't know
- Ck2. If you found a fault in a new \$2000 couch after 18 months, would you need an 'extended warranty' for the shop to have to repair it?
1. Yes, definitely
 2. Yes, probably
 3. No, probably not
 4. No, definitely not
 5. Don't know
- Ck3. If you agreed to pay a tradie \$400 to install blinds but they later invoiced you \$700 because essential repair work was also needed, would you have to pay for the additional work?
1. Yes, definitely
 2. Yes, probably
 3. No, probably not
 4. No, definitely not
 5. Don't know

D Employment

[ASK ALL]

- Dk1. Is a permanent employee at a company which has 45 employees covered by unfair dismissal laws after 7 months working there?
1. Yes, definitely
 2. Yes, probably
 3. No, probably not
 4. No, definitely not
 5. Don't know

Dk2. Is an employer allowed to consider employees' ages when making decisions about who to make redundant?

1. Yes, definitely
2. Yes, probably
3. No, probably not
4. No, definitely not
5. Don't know

Dk3. Is a company allowed to pay an adult casual employee \$15 an hour if that's all they can afford, and the employee agrees?

1. Yes, definitely
2. Yes, probably
3. No, probably not
4. No, definitely not
5. Don't know

E Family

[ASK ALL]

Ek1. If you were living with a partner you depended on financially for three years and they died suddenly without naming you in their will, would you have a good claim to some of their assets if you challenged the will?

1. Yes, definitely
2. Yes, probably
3. No, probably not
4. No, definitely not
5. Don't know

Ek2. After separation, if parents can't agree, is there a standard amount of time that a child must legally spend with each parent?

1. Yes, definitely
2. Yes, probably
3. No, probably not
4. No, definitely not
5. Don't know

Ek3. Does a parent still have to pay child support if the other parent won't let them see the child?

1. Yes, definitely
2. Yes, probably
3. No, probably not
4. No, definitely not
5. Don't know

F General Legal Confidence

Theory:

Confidence in being able to achieve specific component goals of justiciable problem resolution is a frequent sub-domain within the 'attributes' component of VLF's legal capability framework.^{xxii}

Rationale:

At its broadest, confidence in being able to bring about a fair outcome to a justiciable problem (legal self-efficacy^{xxiii}) is an important dimension of legal capability and has been found to link to problem resolving behaviour: the likelihood of people acting to resolve problems increases alongside legal self-efficacy. As is detailed in the legal capability framework, in resolving justiciable problems, confidence may be needed to challenge behaviour, initiate and progress processes, negotiate, advocate, etc. The General Legal Confidence (GLC) scale questions respondents about a dispute at different points of escalation to address various of these aspects of confidence within a single coherent scenario.

Technical:

Question F1 is a modified form of the GLC scale. The GLC scale was developed using modern psychometric modelling techniques (Rasch analysis), allowing comprehensive assessment of and confirmation of good psychometric properties. Originally developed in the United Kingdom, it was re-evaluated in an Australian context in the VLF's *Community Perceptions of Law Survey*.^{xxiv} The modified form used here differs slightly from the original version and was tested in both the UK and Australia. It involves removing 'and tensions were running high' from the first item and changing 'will not rest until justice is done' to 'will not compromise' in the second. The changes made the scale applicable to a broader range of justiciable problems.

Background:

Gramatikov, M.A., & Porter, R.B. (2011). Yes I Can: Subjective Legal Empowerment. *Georgetown Journal on Poverty Law and Policy*, 18(2), 169-199.

Plesence, P., & Balmer, N.J. (2014). *How People Resolve Legal Problems*. London: Legal Services Board.

Balmer, N.J., Plesence, P., Hagland, T., & McRae, C. (2019). *Law... What is it good for? How People see the Law, Lawyers and Courts in Australia*. Melbourne: Victoria Law Foundation.

Pleasence, P., & Balmer, N.J. (2019) Development of a General Legal Confidence Scale: A First Implementation of the Rasch Measurement Model in Empirical Legal Studies. *Journal of Empirical Legal Studies*, 16(1), 143-174.

[ASK ALL]

- F1. Thinking more generally about problems of the type we have been talking about, I'm now going to ask you a question about your general confidence about resolving such problems.

Please look at **Showcard 2** and select an answer for each question

If you found yourself facing a **significant legal dispute** of the types we have been discussing, **how confident are you that you could achieve an outcome that is fair, and you would be happy with**, in the following situations...?

IF NECESSARY SAY: "A significant dispute would mean something such as being unfairly sacked by your employer, injured where it was someone else's fault, involved in a dispute over money as part of a divorce, being kicked out of your home, or a serious dispute with a neighbour."

- F1a. The disagreement is substantial
 F1b. The other side says they 'will not compromise'
 F1c. The other side will only speak to you through their solicitor
 F1d. A notice from court says you must complete certain forms, including setting out your case
 F1e. The problem goes to court, a barrister represents the other side, and you are on your own
 F1f. The court makes a judgement against you, which you see as unfair. You are told you have a right to appeal
1. Very confident
 2. Quite confident
 3. Not very confident
 4. Not at all confident

SECTION 3: Legal Need (L)

Theory:

Historically, the focus of access to justice policy in advanced democracies such as Australia was on the accessibility and efficiency of courts (represented by the cost and duration of court processes). However, prominent findings of large-scale legal needs surveys conducted in the United States and United Kingdom in the 1980s and 1990s indicated that a substantial volume of justiciable problem resolution activity occurred outside of the purview of the formal justice system and often outside the 'shadow of the law'.^{xxv} The 2008 Legal Australia-Wide (LAW) survey found similarly. These findings helped bring about a seismic shift from a 'top down' to a 'bottom up' approach to access to justice policy, with the needs of the public now being central to national access to justice policy.^{xxvi} This is also reflected in the Productivity Commission report into access to justice arrangements and the Victorian Government's Access to Justice Review, and manifested through the setting up of structures such as the Victorian Legal Assistance Forum and objectives of Victoria Legal Aid to direct services to the people who need them most.

Rationale:

Legal needs surveys provide a picture of how people experience and deal with justiciable problems in practice. Legal capability is concerned with the knowledge, skills, attributes and resources necessary to appropriately deal with justiciable issues. The PULS moves beyond traditional legal needs surveys to enable exploration of how broad legal capability – beyond that manifested in the resolution of specific problems – relates to problem resolving behaviour, individually and generally. The legal need questions in the PULS remain core to exploring the public's experience of law but are no longer the sole focus.

Technical:

Legal need surveys have a long history, with the first being conducted in the United States in the 1930s. However, they have become common only in recent decades. Section 3 draws heavily on the model structure and short-form questionnaire set out in the OECD/OSF global guidance on the conduct of legal need surveys. The questionnaire therefore adopts the broad approach of Genn's landmark *Paths to Justice* survey in England and Wales, and benefits from the extensive development work and learning associated with various iterations of the *English and Welsh Civil and Social Justice Survey*, HiiL's *Justice Needs and Satisfaction Survey*^{xxvii}, and others.

Background:

Genn, H. (1999). *Paths to Justice: What People Do and Think About Going to Law*, Oxford: Hart.

OECD/Open Society Foundations. (2019). *Legal Needs Surveys and Access to Justice*. Paris: OECD Publishing.

Productivity Commission. (2014). *Access to Justice Arrangements*, (Inquiry Report No. 72). Canberra: Commonwealth of Australia.

Victorian Government. (2016). *Access to Justice Review*. Melbourne: Government of Victoria.

Now I am going to move on to some questions about everyday problems you may have experienced yourself.

- L1. I am going to read you a list of problems and disputes that people commonly experience in everyday life. In each case, please tell me whether or not you have personally experienced any such problem in the past two years, by which I mean a problem that started since [DATE] or started before then, but continued after this date.

Please only include problems you have had yourself, in Australia and in a private capacity, so not problems experienced overseas or by someone you work for or by a business you run. And do not include situations where you represented or helped somebody else with their problem.

Please only mention any particular problem once.

AS NECESSARY: Reassure respondent that all responses are confidential.

PROGRAMMING NOTE – Here and throughout the survey where “[DATE]” appears, insert in format [month year] two years prior to current date. That is, survey conducted in April 2021 would see “April 2019”.

Theory:

The central subject matter of legal needs surveys is the justiciable problem. As detailed above, justiciable problems are those which could be resolved through legal process, irrespective of whether such processes are used. Only by investigating the universe of justiciable problems is it possible to establish the extent to which people are able to obtain ‘access to justice’ and explore obstacles to and patterns of usage of legal services and legal processes.

Rationale:

Identification of the justiciable problems experienced by respondents to legal needs surveys is essential in order to explore responses to those problems.

Technical:

Questions L1A to L1J6 ask about a broad range of justiciable problems across ten categories: consumer, housing, family, injury, employment, government payments, fines, public services and business-related problems. As the OECD/OSF guidance on the conduct of legal need surveys indicates, various approaches have been taken to the design of problem identification questions. The most detailed surveys have asked respondents about more than 100 individually specified problem types. Others have asked about broad categories of problems, with varying numbers of examples provided to give an indication of scope. The objectives for the PULS require that the legal need section of the questionnaire be relatively short. So, drawing on the OECD/OSF guidance, we conducted an experiment to identify the optimal approach for efficient problem identification. The experiment randomised 1,000 survey respondents into different problem identification conditions, varying the way in which problems were presented, and the amount of detail/number of examples offered. Analysis explored the impact on problem prevalence, time taken, problems missed, and wording. L1A to L1J6 represent the optimal approach drawing on both OECD/OSF guidance and the results of the experiment. Problem types (and subcategories) included in L1A to L1J6 were guided by a number of previous legal need surveys.^{xxviii}

Background:

OECD/Open Society Foundations. (2019). *Legal Needs Surveys and Access to Justice*. Paris: OECD Publishing.

L1A. Since [DATE] have you experienced any problems or disputes to do with YOUR PURCHASE OF GOODS OR SERVICES – such as with defective goods or with:

- Retailers
- manufacturers
- tradespeople
- professionals
- travel, recreation or entertainment services
- or utility services?

1. Yes
2. No

L1A1. [If L1A = yes] [SHOWCARD] Looking at Showcard 3, which of these problems describe the problem[s] that you have experienced? Please say the number of all that apply.

[SHOWCARD 3 – multi response]

L1A2. [If L1A = yes] How many such problems have you experienced in the past two years? If a series of similar problems amount to a single larger problem, please count them as one problem.

Rationale:

L1A3 to L1A6 allow exploration of the connection between problem experience and crisis events, specifically the COVID-19 pandemic (L1A3 and L1A4) and Victorian bushfires (L1A5 and L1A6).

L1A3. [If L1A = yes] Was this problem / Were any of these problems caused or made worse by the COVID-19 pandemic? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1A4. [If L1A3 = 1 or 2 or 3 & L1A2 >1] How many of the problems were caused or made worse by the COVID-19 pandemic?

Number

Programming note – add logic check that value at L1A4 cannot exceed value at L1A2

L1A5. [If L1A = yes & any at ID6] Was this problem / Were any of these problems caused or made worse by bushfires? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1A6. [If L1A5 = 1 or 2 or 3 & L1A2 >1] How many of the problems were caused or made worse by bushfires?

Number

Programming note – add logic check that value at L1A6 cannot exceed value at L1A2

Programming note - For L1B and each subsequent analogous question (i.e. L1C, L1D etc.) insert preface 'Excluding anything you have already told me about' once at least one of L1A, L1B etc = 1.

L1B. Since [DATE] have you had any problems or disputes to do with HOUSING – such as:

- problems or disputes with a landlord or rental provider, concerning, for example:
 - poor maintenance
 - the terms of a lease
 - rent arrears
 - or eviction
- or problems concerning a strata or owners' corporation
- or with neighbours over, for example, excessive noise or threatening behaviour
- or concerning a conveyance or title, including rights of way
- or mortgage payments
- or becoming homeless?

1. Yes
2. No

L1B1. [If L1B = yes] [SHOWCARD] Looking at Showcard 4, which of these problems describe the problem[s] that you have experienced? Please say the number of all that apply.

[SHOWCARD 4 – multi response]

L1B2. [If L1B = yes] How many such problems have you experienced in the past two years? If a series of similar problems amount to a single larger problem, please count them as one problem.

Number

L1B3. [If L1B = yes] Was this problem / Were any of these problems caused or made worse by the COVID-19 pandemic? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1B4. [If L1B3 = 1 or 2 or 3 & L1B2 >1] How many of the problems were caused or made worse by the COVID-19 pandemic?

Number

Programming note – add logic check that value at L1B4 cannot exceed value at L1B2

L1B5. [If L1B = yes & any at ID6] Was this problem / Were any of these problems caused or made worse by bushfires? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1B6. [If L1B5 = 1 or 2 or 3 & L1B2 >1] How many of the problems were caused or made worse

by bushfires?

Number

Programming note – add logic check that value at L1B6 cannot exceed value at L1B2

L1C. Since [DATE] have you experienced any problems or disputes to do with FAMILY, such as;

- Divorce or separation
- access to or care arrangements for children
- child support payments
- disputes over property division
- a care and protection order or assessment by a child welfare authority
- guardianship or adoption
- inheritance
- or violence or harassment or financial abuse within the home?

AS NECESSARY: Reassure respondent that all responses are confidential.

AS NECESSARY SAY "Financial abuse means a family member or partner controls or exploits your money, financial information or assets."

1. Yes
2. No

L1C1. [If L1C = yes] [SHOWCARD] Looking at Showcard 5, which of these problems describe the problem[s] that you have experienced? Please say the number of all that apply.

[SHOWCARD 5 – multi response]

L1C2. [If L1C = yes] How many such problems have you experienced in the past two years? If a series of similar problems amount to a single larger problem, please count them as one problem.

Number

L1C3. [If L1C = yes] Was this problem / Were any of these problems caused or made worse by the COVID-19 pandemic? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1C4. [If L1C3 = 1 or 2 or 3 & L1C2 >1] How many of the problems were caused or made worse by the COVID-19 pandemic?

Number

Programming note – add logic check that value at L1C4 cannot exceed value at L1C2

L1C5. [If L1C = yes & any at ID6] Was this problem / Were any of these problems caused or made worse by bushfires? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1C6. [If L1C5 = 1 or 2 or 3 & L1C2 >1] How many of the problems were caused or made worse by bushfires?

Number

Programming note – add logic check that value at L1C6 cannot exceed value at L1C2

L1D. Since [DATE] have you had any problems or disputes to do with an INJURY:

- caused by someone else (including in a road accident)
- or an injury or illness caused by:
 - an accident at work
 - working conditions
 - or negligent or wrong medical treatment (including dental and other healthcare treatment)?

1. Yes
2. No

L1D1. [If L1D = yes] [SHOWCARD] Looking at Showcard 6, which of these problems describe the problem[s] that you have experienced? Please say the number of all that apply.

[SHOWCARD 6 – multi response]

L1D2. [If L1D = yes] How many such problems have you experienced in the past two years? If a series of similar problems amount to a single larger problem, please count them as one problem.

Number

L1D3. [If L1D = yes] Was this problem / Were any of these problems caused or made worse by the COVID-19 pandemic? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1D4. [If L1D3 = 1 or 2 or 3 & L1D2 >1] How many of the problems were caused or made worse by the COVID-19 pandemic?

Number

Programming note – add logic check that value at L1D4 cannot exceed value at L1D2

L1D5. [If L1D = yes & any at ID6] Was this problem / Were any of these problems caused or made worse by bushfires? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1D6. [If L1D5 = 1 or 2 or 3 & L1D2 >1] How many of the problems were caused or made worse by bushfires?

Number

Programming note – add logic check that value at L1D6 cannot exceed value at L1D2

L1E. Since [DATE] have you experienced any problems or disputes with AN EMPLOYER OR WORK COLLEAGUE, such as

- under- or non-payment of wages or superannuation
- poor conditions
- denial of employment rights
- harassment or bullying
- threat of being sacked or made redundant
- or unfair rejection for a job or promotion.

1. Yes
2. No

L1E1. [If L1E = yes] [SHOWCARD] Looking at Showcard 7, which of these problems describe the problem[s] that you have experienced? Please say the number of all that apply.

[SHOWCARD 7 – multi response]

L1E2. [If L1E = yes] How many such problems have you experienced in the past two years? If a series of similar problems amount to a single larger problem, please count them as one problem.

Number

L1E3. [If L1E = yes] Was this problem / Were any of these problems caused or made worse by the COVID-19 pandemic? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1E4. [If L1E3 = 1 or 2 or 3 & L1E2 >1] How many of the problems were caused or made worse by the COVID-19 pandemic?

Number

Programming note – add logic check that value at L1E4 cannot exceed value at L1E2

L1E5. [If L1E = yes & any at ID6] Was this problem / Were any of these problems caused or made worse by bushfires? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1E6. [If L1E5 = 1 or 2 or 3 & L1E2 >1] How many of the problems were caused or made worse by bushfires?

Number

Programming note – add logic check that value at L1E6 cannot exceed value at L1E2

L1F. Since [DATE] have you had any problems or disputes to do with GOVERNMENT PAYMENTS – such as disputes concerning your:

- entitlement to
- the amount of
- suspension of
- or registration for government payments or concessions (including pensions)?

AS NECESSARY SAY "This could include payments and concessions for a whole range of things including those from Centrelink and those relating to your study, pension, care, children, health, unemployment and income."

1. Yes
2. No

L1F1. [If L1F = yes] [SHOWCARD] Looking at Showcard 8, which of these problems describe the problem[s] that you have experienced? Please say the number of all that apply.

[SHOWCARD 8 – multi response]

L1F2. [If L1F = yes] How many such problems have you experienced in the past two years? If a series of similar problems amount to a single larger problem, please count them as one problem.

Number

L1F3. [If L1F = yes] Was this problem / Were any of these problems caused or made worse by the COVID-19 pandemic? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1F4. [If L1F3 = 1 or 2 or 3 & L1F2 >1] How many of the problems were caused or made worse by the COVID-19 pandemic?

Number

Programming note – add logic check that value at L1F4 cannot exceed value at L1F2

L1F5. [If L1F = yes & any at ID6] Was this problem/ Were any of these problems caused or made worse by bushfires? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1F6. [If L1F5 = 1 or 2 or 3 & L1F2 >1] How many of the problems were caused or made worse by bushfires?

Number

Programming note – add logic check that value at L1F6 cannot exceed value at L1F2

L1G. Since [DATE] have you received a FINE, PENALTY NOTICE OR INFRINGEMENT NOTICE, for any reason, which you disputed, thought was incorrect or had difficulty paying?

1. Yes
2. No

L1G1. [If L1G = yes] [SHOWCARD] Looking at Showcard 9, which of these describe the fines you received? Please say the number of all that apply.

[SHOWCARD 9 – multi response]

L1G2. [If L1G = yes] In the past 2 years, how many fines have you disputed, thought were incorrect or had difficulty paying?

Number

L1G3. [If L1G = yes] Was this fine / Were any of these fines caused or made worse by the COVID-19 pandemic? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1G4. [If L1G3 = 1 or 2 or 3 & L1G2 >1] How many of the fines were caused or made worse by the COVID-19 pandemic?

Number

Programming note – add logic check that value at L1G4 cannot exceed value at L1G2

L1G5. [If L1G = yes & any at ID6] Was this fine / Were any of these fines caused or made worse by bushfires? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1G6. [If L1G5 = 1 or 2 or 3 & L1G2 >1] How many of these fines were caused or made worse by bushfires?

Number

Programming note – add logic check that value at L1G6 cannot exceed value at L1G2

L1H. Since [DATE] have you had any problems or disputes to do with GOVERNMENT AND PUBLIC SERVICES – such as problems to do with:

- obtaining access to or being excluded from healthcare services or education
- problems with citizenship or residency status
- disputes concerning tax assessment and payments
- or disputes with other government bodies (e.g. about amenities, building works or town planning)?

1. Yes
2. No

L1H1. [If L1H = yes] [SHOWCARD] Looking at Showcard 10, which of these problems describe the problem[s] that you have experienced? Please say the number of all that apply.

[SHOWCARD 10 – multi response]

L1H2. [If L1H = yes] How many such problems have you experienced in the past two years? [If > 1 problems] If a series of similar problems amount to a single larger problem, please count them as one problem.

Number

L1H3. [If L1H = yes] Was this problem / Were any of these problems caused or made worse by the COVID-19 pandemic? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1H4. [If L1H3 = 1 or 2 or 3 & L1H2 >1] How many of the problems were caused or made worse by the COVID-19 pandemic?

Number

Programming note – add logic check that value at L1H4 cannot exceed value at L1H2

L1H5. [If L1H = yes & any at ID6] Was this problem / Were any of these problems caused or made worse by bushfires? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1H6. [If L1H5 = 1 or 2 or 3 & L1H2 >1] How many of the problems were caused or made worse by bushfires?

Number

Programming note – add logic check that value at L1H6 cannot exceed value at L1H2

- L11. Excluding anything you have already told me about, since [DATE], have you experienced any problems or disputes to do with DEBT OR MONEY, concerning, for example:
- being unable to pay money you owe
 - action by someone you owe money for non-payment (including harassment)
 - the prospect of bankruptcy
 - refusal of insurance claims
 - problems with credit ratings
 - problems collecting money owed to you
 - or poor financial advice?
1. Yes
 2. No
- L111. [If L11 = yes] [SHOWCARD] Looking at Showcard 11, which of these problems describe the problem[s] that you have experienced? Please say the number of all that apply.
- [SHOWCARD 11 – multi response]
- L112. [If L11 = yes] How many such problems have you experienced in the past two years? [If > 1 problems] If a series of similar problems amount to a single larger problem, please count them as one problem.
- Number
- L113. [If L11 = yes] Was this problem / Were any of these problems caused or made worse by the COVID-19 pandemic? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)
1. Yes – caused
 2. Yes – made worse
 3. Yes – both caused and made worse
 4. No
- L114. [If L113 = 1 or 2 or 3 & L112 >1] How many of the problems were caused or made worse by the COVID-19 pandemic?
- Number
- Programming note – add logic check that value at L114 cannot exceed value at L112
- L115. [If L11 = yes & any at ID6] Was this problem / Were any of these problems caused or made worse by bushfires? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)
1. Yes – caused
 2. Yes – made worse
 3. Yes – both caused and made worse
 4. No

L1I6. [If L1I5 = 1 or 2 or 3 & L1I2 >1] How many of the problems were caused or made worse by bushfires?

Number

Programming note – add logic check that value at L1I6 cannot exceed value at L1I2

L1J. [If ID5a = yes (business owner)] Now thinking about issues which do concern your business. Since [DATE] has your business had any problems or disputes to do with:

- Contracts
- invoicing
- business premises
- employees
- taxation
- or regulation?

1. Yes

2. No

L1JB. [ID5b = yes] Now thinking about your investment property. Since [DATE] have you had any problem or disputes to do with mortgage default, planning permission, title or tenants?

1. Yes

2. No

L1J1. [If L1J = yes] [SHOWCARD] Looking at Showcard 12, which of these problems describe the problem[s] that you have experienced in relation to your business? Please say the number of all that apply.

[SHOWCARD 12 – multi response]

L1J2. [If L1J = yes or L1JB = yes] How many problems relating to (a business you run or an investment property) have you experienced in the past two years? Please count problems of the same type, where the other party remains the same, as one problem.

Number

Programming note -

- If L1J = yes and L1JB = no, display "a business you run"
- If L1J = no and L1JB = yes, display "an investment property"
- If L1J = yes and L1JB = yes, display "a business you run or an investment property"

L1J3. [If L1J = yes or L1JB = yes] Was this problem / Were any of these problems caused or made worse by the COVID-19 pandemic? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1J4. [If L1J3 = 1 or 2 or 3 & L1J2 >1] How many of the problems were caused or made worse by the COVID-19 pandemic?

Number

Programming note – add logic check that value at L1J4 cannot exceed value at L1J2

L1J5. [(If L1J = yes or L1JB = yes) & any at ID6] Was this problem / Were any of these problems caused or made worse by bushfires? (IF "YES", PROBE TO IDENTIFY CORRECT CODE)

1. Yes – caused
2. Yes – made worse
3. Yes – both caused and made worse
4. No

L1J6. [If L1J5 = 1 or 2 or 3 & L1J2 >1] How many of the problems were caused or made worse by bushfires?

Number

Programming note – add logic check that value at L1J6 cannot exceed value at L1J2

[Randomly select 1 problem from the pool of identified problems. For the selected problem, ask L2a to L18]

Rationale:

Collecting detailed information for all problems would result in impractically long interviews for those with multiple problems. As a result, where respondents have multiple problems, a protocol for problem selection is required.

Technical:

The PULS follows up a single problem for those with multiple problems, drawing upon the protocol for problem selection set out in the OECD/OSF guidance. The choice of 'second most recent' problem for those with multiple problems within a selected problem type category follows both OECD/OSF guidance and the approach of Genn's original Paths to Justice survey. In particular, second most recent problem is selected (where applicable) in preference to the most recent because of the increased likelihood that sufficient time would have elapsed for resolution to have been achieved.^{xxix}

Background:

Genn, H. (1999). *Paths to Justice: What People Do and Think About Going to Law*, Oxford: Hart.

OECD/Open Society Foundations. (2019). *Legal Needs Surveys and Access to Justice*. Paris: OECD Publishing.

Problem Selection Programming Logic

Look at responses at (as applicable) L1A2, L1B2, L1C2, L1D2, L1E2, L1F2, L1G2, L1I2, L1J2

If 1 problem nominated at 1 of these questions, and no problems mentioned at any other of these questions, preface L2 with....

"Earlier you said that you experienced a problem in the last two years relating to [problem category]"

If more than one problem nominated at one of these questions, and no other problems mentioned at any other of these questions, preface L2 with...

"Earlier you said that you had experienced [insert number of problems in category] problems in the last two years relating to [problem category].

I'd now like to ask a few questions about a specific one of these problems. Could you please think about the second-most recent of these problems?

IF NECESSARY SAY: To do this, please think about the order in which these [number of problems] problems first occurred, and then focus on the second-most recent problem in that sequence.

Do you now have a specific problem in mind?

If one or more problems at two or more of these questions, program randomly selects a category from the questions where at least one problem experienced. Chance of selection of any category is to be based on the number of problems experienced in that category. For example, if Category A has 2 problems and Category B has 4 problems, Category B should be twice as likely to be selected as Category A

If only 1 problem in selected category, preface L2 with

"Earlier you said that you experienced a problem in the last two years relating to [problem category]"

If more than one problem in selected category, display

"Earlier you said that you had experienced [insert number of problems in category] problems in the last two years relating to [problem category]. I'd now like to ask a few questions about a specific one of these problems. Could you please think about the second-most recent of these problems?"

IF NECESSARY, SAY: "To do this, please think about the order in which these [number of problems] problems first occurred, and then focus on the second-most recent problem in that sequence."

"Do you now have a specific problem in mind?"

If no problems mentioned at any of these questions, go to L19

I am now going to ask you some questions about this problem.

- L2. Looking at Showcard (display number of showcard of selected category). Which of these items describe what was the problem about? Please mention all that apply.

[SHOWCARD (3-12) from category of selected problem – multi response]

If only 1 problem in the category from which the problem was selected, then do not ask L2. Instead, auto code response from L1X1 at L2.

Rationale:

Detailed exploration of response to problems and problem outcome is a core component of legal need surveys, and critical to understanding paths to justice.

Technical:

Questions L2 to L18 ask about experience of a single problem in greater detail and draw heavily from the OECD/OSF guidance on the conduct of legal need surveys. Questions L2a, questions L8 to L12 and L16 are directly imported from the OECD/OSF short-form questionnaire. Question L3 is a more concise form of the OECD/OSF short-form questionnaire's 'problem characterisation' question, focusing only on whether a problem was initially regarded as legal. Questions L4 to L7, L13 to L15 and L16 are slightly amended forms of the OECD/OSF short-form questionnaire's questions, for efficiency and to reflect administration in Victoria. Only questions L11a and L11b – which ask about how 'happy' respondents are with the current situation – and questions L19 and L20 – which record whether respondents obtained any legal services (including, specifically, Victoria Legal Aid, The Victorian Aboriginal Legal Service or a Community Legal Centre) or were involved in any court/tribunal processes during the survey reference period, independently of the prior legal need questioning – were not derived from the OECD/OSF short-form questionnaire.

The OECD/OSF guidance on the conduct of legal need surveys provides a conceptual framework and logic tree for proxy measurement of legal need and unmet legal need using questions from the OECD/OSF short-form questionnaire. All relevant questions are included in the PULS. Questions L16 and L18 provide details of problem duration. Questions L2a provides indication of severity. Question L14a provides indication of legal knowledge. Question L14d provides indication of legal confidence. Question L12 provides indication of process fairness. Question L4 provides details of expert help. Question L14c provides indication of adequacy of help received. **Together these questions can provide indication of legal need and whether it is met.**^{xxx} The PULS data supplement this with substantial additional insight into legal capability, allowing for refinement of the OECD/OSF approach to proxy measurement of legal need.

Background:

OECD/Open Society Foundations. (2019). *Legal Needs Surveys and Access to Justice*. Paris: OECD Publishing.

- L2a. For the next question, consider a scale of 1 to 10, where 1 represents the least serious type of problem you could face and 10 represents the most serious.

To provide some examples, a score of 9 might be becoming homeless and ending up sleeping rough, and a score of 2 might be purchasing a moderately expensive electrical item that proves to be faulty.

On a scale of 1-10, how serious was this problem at the time?

[ASK ALL WHO WERE SELECTED TO ANSWER L2]

L2b. When the problem first began, would you have described it as a legal problem?

1. Yes
2. No

[ASK ALL WHO WERE SELECTED TO ANSWER L2]

L3. Did you obtain any information from any of the following sources to help you better understand or resolve the problem? READ OUT

L3a. A website or "app"

L3b. A leaflet, book or other printed material

1. Yes
2. No
3. Don't know

L4. Looking at Showcard 13. ([If L3=Yes] "Apart from the information you have just told me about") Did you, or someone acting on your behalf, **obtain information, advice or representation** from any of these people or organisations to help you better understand or resolve this problem?

Please say the number of all that apply, but exclude any help provided by the other party.

[Showcard 13 – multi response]

L4b [Multi]

Ask if not code 2-19 at L4

[If code 98 at L4, ask] Why didn't you obtain information or advice from any of these people or organisations?

[If only code 1 at L4, ask] Apart from family or friends, why didn't you obtain information or advice from any of these people or organisations?

(Code relevant response/s but do not read list to respondent)

No need

1. No dispute / the other side was right
2. Problem resolved itself
3. Didn't need advice/knew enough myself
4. Didn't warrant the effort or expense

Couldn't get help

5. Couldn't afford advice
6. Didn't know where to get advice/couldn't find advice
7. Advisors too difficult to access

Would have made things worse

8. Would have damaged relationship with other side

9. Would have been too stressful

10. Was scared of what the other side might do

Would not have helped

11. Would have made no difference to the outcome

12. Couldn't win against this person or organisation

13. Have tried advice before and not found it useful

14. Other (specify)

[ASK ALL WHO WERE SELECTED TO ANSWER L2]

L5. Did any of the following things happen as part of this problem or sorting it out? When I say "you" here, I mean you or somebody acting on your behalf.

[ASK EACH SEPARATELY]

L5a. You communicated with the other party

L5b. A court or tribunal was involved

L5c. An Ombudsman or other regulator/or enforcement authority was contacted or involved (e.g. the ACCC, ASIC or Consumer Affairs Victoria, FairWork)

L5d. You participated in formal mediation, conciliation or arbitration (e.g. family mediation, Fair Work Commission conciliation, dispute settlement)

L5e. An Aboriginal-led decision-making meeting was used (AS NECESSARY e.g. Koori Court, Aboriginal Family Led Decision-Making Meeting, Nam Malagambu)

L5f. A religious authority was involved

L5g. A community leader or organisation was involved

L5h. Somebody contacted the police (or other prosecution authority)

L5i. An internal appeal or formal complaint was made

1. Yes

2. No

[If code 1 at L5a]

L6a. You said that you communicated with the other party. Who initiated this communication?

[READ OUT RESPONSE CODES IF NECESSARY]

1. You (the respondent)

2. The other party

3. The third party responsible for the process

4. Another third party

[If code 1 at L5b]

L6b. You said that a court or tribunal was involved. Who initially took this action or got these organisations involved? [READ OUT RESPONSE CODES IF NECESSARY]

1. You (the respondent)
2. The other party
3. The third party responsible for the process
4. Another third party

L7b. [If L5b = 1 & L6b = 2,3 or 4] Did you respond to, communicate with, or attend the court?

1. Yes
2. No

[If code 1 at L5c]

L6c. You said that an ombudsman or other regulator or enforcement authority was contacted or involved. Who initially took this action or got these organisations involved? [READ OUT RESPONSE CODES IF NECESSARY]

1. You (the respondent)
2. The other party
3. The third party responsible for the process
4. Another third party

L7c. [If L5c = 1 & L6c = 2,3 or 4] Did you respond to or communicate with the ombudsman, regulator or enforcement authority?

1. Yes
2. No

[If code 1 at L5d]

L6d. You said you participated in formal mediation, conciliation or arbitration. Who initially took this action or got these people or organisations involved? [READ OUT RESPONSE CODES IF NECESSARY]

1. You (the respondent)
2. The other party
3. The third party responsible for the process
4. Another third party

L7d. [If L5d = 1 & L6d = 2,3 or 4] Can I just check, did you actively participate in mediation, conciliation or arbitration?

1. Yes
2. No

[If code 1 at L5e]

L6e. You said that an Aboriginal-led decision-making meeting was used. Who initially took this action or arranged this meeting? [READ OUT RESPONSE CODES IF NECESSARY]

1. You (the respondent)
2. The other party
3. The third party responsible for the process
4. Another third party

L7e. [If L5e = 1 & L6e = 2,3 or 4] Did you respond to communicate with or attend the Aboriginal-led decision-making meeting?

[If code 1 at L5f]

L6f. You said a religious authority was involved. Who initially took this action or got these people or organisations involved? [READ OUT RESPONSE CODES IF NECESSARY]

1. You (the respondent)
2. The other party
3. The third party responsible for the process
4. Another third party

L7f. [If L5f = 1 & L6f = 2,3 or 4] Did you respond to or communicate with the religious authority?

1. Yes
2. No

[If code 1 at L5g]

L6g. You said a community leader or organisation was involved. Who initially took this action or got these people or organisations involved? [READ OUT RESPONSE CODES IF NECESSARY]

1. You (the respondent)
2. The other party
3. The third party responsible for the process
4. Another third party

L7g. [If L5g = 1 & L6g = 2,3 or 4] Did you respond to or communicate with the community leader or organisation?

1. Yes
2. No

[If code 1 at L5h]

L6h. You said the police were involved. Who initially took this action or got the police involved?
[READ OUT RESPONSE CODES IF NECESSARY]

1. You (the respondent)
2. The other party
3. The third party responsible for the process
4. Another third party

L7h. [If L5h = 1 & L6h = 2,3 or 4] Did you respond to or communicate with the police?

1. Yes
2. No

[If code 1 at L5i]

L6i. You said an internal appeal or formal complaint was made. Who initiated this internal appeal or formal complaint? [READ OUT RESPONSE CODES IF NECESSARY]

1. You (the respondent)
2. The other party
3. The third party responsible for the process
4. Another third party

L7i. [If L5i = 1 & L6i = 2,3 or 4] Did you respond to the internal appeal or formal complaint?

1. Yes
2. No

[ASK ALL WHO WERE SELECTED TO ANSWER L2]

L8. Did you, or somebody acting on your behalf, do anything else to help you better understand or resolve the problem, such as obtain or organise evidence, or make an insurance claim

1. Yes
2. No

L9. Is the problem ongoing or done with? By "done with" I mean that the problem either has been resolved or that it persists, but you and everybody else have given up all efforts to resolve it further. [READ OUT]

1. Ongoing
2. Too early to say
3. Done with – problem persists, but all have given up trying to resolve it further
4. Done with – problem resolved

- L10. [If L9 = 4] Looking at Showcard 14, which of these statements best reflects how the problem outcome was ultimately brought about? Please just say the number.

The problem outcome was ultimately brought about by ...

[SHOWCARD 14 – ONE ANSWER]

1. A court (or tribunal) judgment
2. A decision or intervention by another formal authority
3. Mediation, conciliation or arbitration
4. Action by another third party
5. Agreement between you and the other party
6. The other party independently doing what you wanted
7. You independently doing what the other party wanted
8. The problem sorting itself out
9. You moving away from the problem (e.g. moving home, changing job)

- L11. [If L9=3,4] Do you feel the outcome of this problem was basically fair to everybody concerned? [READ OUT IF NECESSARY]

1. Fair to everybody concerned
2. Not fair to everybody concerned

- L11a. [If L9=1,2] Are you happy with how things are going so far (as you try to resolve the problem)?

1. Yes, entirely
2. Yes, in part
3. No, not really
4. No, not at all

- L11b. [If L9=3,4] And were you happy with the outcome? [READ OUT]

1. Yes, entirely
2. Yes, in part
3. No, not really
4. No, not at all

- L12. [If L9=3,4] Regardless of the outcome of this problem, do you feel the process through which the outcome was reached was basically fair or not fair to everybody concerned? [READ OUT IF NECESSARY]

1. Fair to everybody concerned
2. Not fair to everybody concerned

L13. [If L9=3,4] Did you (or family or friends) have to pay for lawyer or other adviser fees in relation to this problem? This excludes indirect payments – such as insurance premiums or membership subscriptions

1. Yes
2. No

L13a. [If L13 = Yes] Approximately how much did you have to pay for lawyer and other advisor fees? (AUD)

[ASK ALL WHO WERE SELECTED TO ANSWER L2]

L14. To what extent do you agree or disagree with the following statements about the problem? Please say whether you strongly agree, agree, disagree or strongly disagree

L14a. [If L9=1,2] I understand my legal rights and responsibilities [If L9=3,4] I understood or came to understand my legal rights and responsibilities

L14b. [If L9=1,2] I know where to get good information and advice about resolving the problem [If L9=3,4] I knew or came to know where to get good information and advice about resolving the problem

L14c. [If L9=1,2] I have been able to get all the expert help needed [If L9=3,4] I was able to get all the expert help I needed

L14d. [If L9=1,2] I am confident I will achieve a fair outcome [If L9=3,4] I was confident I could achieve a fair outcome

1. Strongly agree
2. Agree
3. Disagree
4. Strongly disagree

L15. Did you experience any of the following as part of or as a result of this problem? [READ OUT]

L15a. Ill-health or injury

L15b. Stress

L15c. Damage to a family relationship

L15d. Being harassed, threatened or assaulted

L15f. Loss of employment

L15g. Having to move home

L15i. Loss of confidence

1. Yes
2. No

[ASK ALL WHO WERE SELECTED TO ANSWER AT L2]

L16. Roughly what month and year did the problem start?

AS NECESSARY SAY: Your best estimate will be fine

(MONTH/YEAR)

Can't say

L17. [If L9=3] And when did you and everybody else give up all actions to try to resolve the problem?

AS NECESSARY SAY: Your best estimate will be fine

(MONTH/YEAR)

Can't say

L18. [If L9=4] And when did it end?

AS NECESSARY SAY: Your best estimate will be fine

(MONTH/YEAR)

Can't say

[ASK ALL]

L19 Now thinking about anything that has happened in the last two years (IF problem selected for L2-L18 block 'and not just in relation to the problem we have been discussing', since [DATE] have you obtained any help from any of the following

L19a. A lawyer you paid for

L19b. A lawyer that was free

L19c. Victoria Legal Aid

L19d. A Community Legal Centre

L19e. The Victorian Aboriginal Legal Service

1. Yes

2. No

L20 And have you been involved in any court or tribunal process or hearing at any time since [DATE]?

1. Yes

2. No

SECTION 4: Attitudes to Justice (AJ)

PRACTICAL LEGAL LITERACY

Theory:

Practical legal literacy concerns the capability to obtain, understand and navigate information and services needed to deal with everyday justiciable issues. It draws from health literacy^{xxxii} and functional literacy,^{xxxiii} and includes questions intended to address various of the legal capability skills and attributes detailed in the VLF's legal capability framework,^{xxxiii} i.e., reading ability/comprehension, ability to write/complete forms, verbal communication/comprehension, system navigation and problem solving. As with short health literacy measures^{xxxiv} the focus is on developing an efficient measure of legal literacy useful in practical settings.

Rationale:

The practical legal literacy items aim to yield a single useful measure that is viable to administer in service settings. Legal literacy items could assist in decisions regarding appropriate forms or levels of information, advice or assistance. More generally, they allow legal literacy to be assessed and compared to other (psychometric) measures of legal capability and justiciable problem experience.

Technical:

The practical legal literacy questions are derived from Chew et al.'s (2004) Short Literacy Survey (SLS) and Haun et al.'s (2012) BRIEF health literacy screening tool. The first three items correspond to those in the SLS, and the first four items to the BRIEF tool. Together, these four items were described by Haun et al. (2014) as capturing 'literacy', 'confidence (self-efficacy)', 'interaction', and 'comprehension', using Sørensen et al.'s (2012) definitions. The fifth item reflects Haun et al.'s (2014) idea of navigation and the sixth relates to problem solving. Unlike the health scales, the preamble avoids specifically legal contexts or interactions, since these will be unfamiliar to many. Instead, the items reference 'banks, the council, doctors, Centrelink, or government departments' – places familiar to most (and where justiciable problems can be situated).

Background:

Chew, L.D., Bradley, K.A., & Boyko, E.J. (2004). Brief questions to identify patients with inadequate health literacy. *Family Medicine* 36(8), 588-594.

Haun, J., Luther, S., Dodd, V., & Donaldson, P. (2012). Measurement variation across health literacy assessments: implications for assessment selection in research and practice. *Journal of Health Communication*, 17(3), 141-159.

Haun, J.N., Valerio, M.A., McCormack, L.A., Sørensen, K., & Paasche-Orlow, M.K. (2014). Health Literacy Measurement: An Inventory and Descriptive Summary of 51 Instruments. *Journal of Health Communication*, 19(2), 302-333.

AJ1. Please refer to **Showcard 15** and select a number for each question

In general, thinking about dealing with organisations such as banks, the council, doctors, Centrelink, or government departments

How often do you... [READ OUT]

- AJ1a. have someone help you read letters, brochures or information from such organisations?
- AJ1b. have difficulty filling out forms for them by yourself?
- AJ1c. find it difficult to understand written information from them?
- AJ1d. find it difficult to understand what they say to you when discussing matters in person?
- AJ1e. have difficulty finding the right person to speak to within such organisations?
- AJ1f. have difficulty raising problems with such organisations?

- 1. Always
- 2. Often
- 3. Sometimes
- 4. Never
- 5. Don't know (not on showcard)

PERCEIVED RELEVANCE OF LAW

Theory:

Recognising the relevance of law (identifying justiciable problems as having a legal dimension, and framing issues/situations in legal terms) is a sub-domain within the skills component at the 'recognition of issues' stage of the VLF's legal capability framework.^{xxxv}

Rationale:

Perceiving the potential relevance of law (and so being able to frame problems as 'legal') is a core element of legal capability associated with strategy and advice seeking behaviour. L2b explored legal framing (specifically, legal characterisation) in the context of a specific experienced problem, allowing replication of previous analyses.^{xxxvi} AJ2 items advance this work by measuring respondents' perceived relevance of law (The Law Scale), in addition to earlier recording of problem characterisation and independently of problem experience.

Technical:

The scale was developed using modern psychometric methods (Rasch analysis) and *Community Perceptions of Law Survey* data.^{xxxvii} An initial item pool of 60 problem descriptions^{xxxviii} was reduced to the final scale of eight problem descriptions included in AJ2 with good psychometric properties.^{xxxix} Full technical LAW Scale details, further psychometric properties, and scoring protocol will be set out in a subsequent paper.^{xl}

Background:

Balmer, N.J., Pleasence, P., Hagland, T., & McRae, C. (2019). *Law... What is it good for? How People see the Law, Lawyers and Courts in Australia*. Melbourne: Victoria Law Foundation.

Pleasence, P., & Balmer, N.J. (2014). *How People Resolve Legal Problems*. London: Legal Services Board.

Pleasence, P., Balmer, N.J., & Reimers, S. (2010). Horses for Courses? Advice Seeking and the Stratification of Legal Services, in *The Future of Legal Services, Emerging Thinking*. London: Legal Service Board

Pleasence, P., Balmer, N.J., & Reimers, S. (2011). What Really Drives Advice Seeking Behaviour? Looking Beyond the Subject of Legal Disputes. *Onati Socio-Legal Series*, 1(6), 1-21.

AJ2. Now please refer to **Showcard 16** and again choose a number for each question

I am going to describe some disputes that people sometimes face in their everyday life.
You may feel that you would be unlikely to be in some of these situations, but...

Thinking about the following problems, to what extent do you think **the law is relevant** to these situations...? (random order)

- AJ2a. You asked your neighbours to stop their excessive noise at night, but nothing has changed
- AJ2b. You are a month behind with your mortgage and unable to pay. The bank sends a default notice saying you have 30 days to pay or you will lose your home
- AJ2c. Centrelink are demanding \$100 for overpaid benefits. You think they have made a mistake
- AJ2d. You think your employer is underpaying you for the hours you have worked. They disagree
- AJ2e. Your asthma is being aggravated by mould caused by a leaking window in your rented home. Your landlord won't repair it.
- AJ2f. You have been incorrectly overcharged for your electricity for 4 months in a row
- AJ2g. You are behind with, and unable to pay, your credit card bill
- AJ2h. Without telling you, your ex-spouse / partner arranges to take your children on a holiday on dates they would normally be with you

- 1. Very relevant
- 2. Quite relevant
- 3. Not very relevant
- 4. Not at all relevant
- 5. Don't know (not on showcard)

NARRATIVES OF LAW

Theory:

From more than 400 people of diverse backgrounds in the United States, Ewick and Silbey's (1998) qualitative study of people's accounts of law identified three overarching and competing narratives of law (i.e. how people construct legality in daily life). In one, law is imagined as 'majestic'; objective, disinterested and distant from ordinary life. In another, law is 'played' a game to serve the interest and values of players. In the last, law is understood as arbitrary and capricious; a product of unequal power.

Rationale:

How people construct legality frames approaches to justiciable problem resolution and can be expected to influence decisions to act, service use and choice of dispute resolution process. PULS provides a first opportunity to explore how narratives of law influence real world patterns of problem resolution, building upon a seminal theoretical framework.

Technical:

AJ3 items were developed by presenting 1,047 survey respondents with 48 items designed to test Ewick and Silbey's narratives quantitatively,^{xii} relating to 'magisterial and remote', 'game you can play' and 'arbitrary and to be actively resisted' narratives (16 items each). Following factor analysis, the 48 items were reduced to a final 12, which covered four domains (or narratives), based on factor loadings. AJ3a to AJ3c capture the idea of law being 'remote' (as distinct from 'magisterial and remote'), AJ3d to AJ3f of the law as 'arbitrary and to be actively resisted', AJ3g to AJ3i the law as 'practical and a means to get what you want' (absent in core Ewick and Silbey narratives) and AJ3j to AJ3k the law as a 'game you can play'.

Background:

Ewick, P., & Silbey, S. S. (1998). *The common place of law: Stories from everyday life*. Chicago: University of Chicago Press.

- AJ3. And looking at **Showcard 17**, some questions on how you see the law in general. We are not concerned with crime, but with law relating to the types of issues we have been talking about up to now. Again, just choose a number for each question

(IF NECESSARY - such as being unfairly sacked by your employer, injured where it was someone else's fault, involved in a dispute over money as part of a divorce, being kicked out of your home, or a serious dispute with a neighbour).

To what extent do you agree or disagree that, in this country, law is ...

(options should be presented randomly, without any headings/framing)

- AJ3a. Distant to my life
- AJ3b. Remote (i.e. not connected or related to me)
- AJ3c. Out of reach
- AJ3d. Something to fight against
- AJ3e. Something to resist
- AJ3f. The last place I would turn for help
- AJ3g. A way to get what I deserve
- AJ3h. Good for resolving problems
- AJ3i. Something I can use to get what I want
- AJ3j. Something you can manipulate
- AJ3k. Like a game you can play if you know the rules
- AJ3l. A competition

- 1. Strongly agree
- 2. Agree
- 3. Disagree
- 4. Strongly disagree
- 5. Don't know (not on showcard)

INACCESSIBILITY OF LAWYERS

Theory:

'Attitudes to lawyers' is a subdomain within the attributes component at the 'information/assistance' stage of the VLF's legal capability framework.^{xlii} The Perceived Inaccessibility of Lawyers (PIL) Scale was developed as part of the VLF's *Law... What is it Good For?* study. Perceptions of inaccessibility were shown to relate to past experiences of lawyers. There was also evidence that some demographic groups see lawyers as being less accessible.

Rationale:

How people perceive lawyers can be expected to relate to problem resolving behaviour and whether and where they access legal advice. Understanding which groups perceive lawyers as 'inaccessible' and how this relates to action has implications for how and where legal services are designed and delivered.

Technical:

The VLF's *Community Perceptions of Law Survey*^{xliii} presented respondents with 40 items focussed on personal views on accessibility/inaccessibility of lawyers. Established approaches to scale development and modern psychometric methods were used to convert this item pool into the 10 item PIL Scale (set out at AJ4). The PIL Scale had good psychometric properties, with the scoring protocol described in Balmer et al., (2021a).^{xliv}

Background:

Balmer, N.J., Pleasence, P., Hagland, T., & Denvir, C. (2021a). *The Perceived Inaccessibility of Lawyers (PIL) Scale: Measuring Legal Capability*. Melbourne: Victoria Law Foundation.

Balmer, N.J., Pleasence, P., Hagland, T., & McRae, C. (2019) *Law... What is it good for? How People see the Law, Lawyers and Courts in Australia*. Melbourne: Victoria Law Foundation.

3AJ4. Using the same **Showcard 17**, the following questions are about your general impression of lawyers in Victoria.

Again, we are not concerned with crime, but with law relating to the types of issues we have been talking about up to now (IF NECESSARY – such as being unfairly sacked by your employer, injured where it was someone else's fault, involved in a dispute over money as part of a divorce, being kicked out of your home, or a serious dispute with a neighbour).

Thinking about issues like this, to what extent do you agree or disagree that

Lawyers in Victoria...? (Randomise order)

- AJ4a. Are not people I'd be happy to use
- AJ4b. Are the last people I would ever go to for help
- AJ4c. Are not interested in the issues I face
- AJ4d. Are not concerned with real people's lives
- AJ4e. Are unapproachable
- AJ4f. Are not geared up for ordinary people to use
- AJ4g. Are slow
- AJ4h. Are not worth the hassle
- AJ4i. Don't take people like me seriously
- AJ4j. Take too long to deal with issues

- 1. Strongly agree
- 2. Agree
- 3. Disagree
- 4. Strongly disagree
- 5. Don't know (not on showcard)

TRUST IN LAWYERS

Theory:

As the introduction to the OECD's (2017) guidelines on measuring trust notes, "trust in institutions ... underpins a successful society," and such trust "requires ... that they operate consistently with a set of values that reflect citizens' expectations of integrity and fairness." Legal professionals are key players in the institutions of justice, yet the Roy Morgan Image of Professions Survey 2021 found that only 26% of the Australian public rate lawyers as 'high' or 'very high' for ethics and honesty (less than a third as many as for doctors). The figure has decreased markedly over the past half century. This picture is similar to that in the United States, where Galanter (2005), in his inventive chronicling of lawyer jokes, has described a now "jaundiced view" of lawyers and civil justice, "condemned as pathological and destructive, producing untold harm." He points to contemporary perceptions of the destructive nature of lawyers being multi-dimensional, with lawyers seen as prone to lying, fermenting strife, acting as 'competitive hired guns' and being greedy.

Separate to broad public trust in lawyers, clients routinely provide very positive accounts of their own lawyers. For example, the English and Welsh Legal Services Consumer Panel (2021) reported high levels of client satisfaction and perceptions of lawyer professionalism across ten years of surveys.

As for inaccessibility of lawyers items above, 'trust in lawyers' relates to the 'attitudes to lawyers' subdomain within the attributes component at the 'information/assistance' stage of the VLF's legal capability framework.^{xiv}

Rationale:

Just as people's characterisation of justiciable problems influences problem resolving behaviour, so people's perception of lawyers – along with their narratives of law – may influence advice seeking behaviour.

Technical:

Reflecting important distinctions between the value of lawyers to individual clients and to society more broadly, and between competitiveness and ethical behaviour, AJ5 items were designed to investigate trust in lawyers from a variety of perspectives. While informed by the literature on trust and the public perception of lawyers, AJ5 items are focused on trust and perception as mediated through the perspective of clients; centring on client interest, client finance, lawyer skill and lawyer/client commonality of purpose.

Background:

OECD. (2017). *OECD Guidelines on Measuring Trust*. Paris: OECD Publishing.

And again using **Showcard 17**, how much do you agree or disagree with the following statements?

AJ5. If I used a lawyer, I would trust them to.... (Randomise order)

AJ5a. Act in my best interests

AJ5b. Not overcharge me

AJ5c. Be knowledgeable and skilled in their work

And I would expect them to.... (Randomise order)

AJ5d. Act ethically and within the law

AJ5e. Exploit loopholes in the law

AJ5f. Break the rules if needed

1. Strongly agree

2. Agree

3. Disagree

4. Strongly disagree

5. Don't know (not on showcard)

AJ5g. If you got bad quality service from a lawyer, who could you complain to, apart from to the lawyer themselves?

OPEN

98. Don't know

SECTION 5: Supplementary Demographics (SD)

And now some questions to confirm that we have spoken with a wide range of people.

ETHNICITY AND NATIONALITY

[ASK ALL]

SD1. In which country were you born?

1. Australia
2. UK (Interviewer note: England, Scotland, Wales, Northern Ireland)
3. New Zealand
4. China
5. India
6. Italy
7. Vietnam
8. Philippines
9. South Africa
10. Malaysia
11. Germany
12. Other (Specify)

[IF SD1 ≠ Australia]

SD1a. In what year did you first come to Australia to live for 6 months or more – even if you have spent time abroad since? (Obtain best estimate if respondent is unsure)

YEAR

[ASK ALL]

SD2. Are you of Aboriginal and/or Torres Strait Islander origin?

IF NECESSARY SAY: A person of Aboriginal and/or Torres Strait Islander origin identifies as such and is accepted as such by the community with which he or she is associated

1. Yes
2. No
3. Prefer not to say

GENDER, SEX, SEXUALITY AND FAMILY STRUCTURE

The next few questions may be considered sensitive. Your responses will, of course, remain confidential, but you can choose not to answer if you prefer.

Rationale:

The PULS collects data on both sex (SD3) and gender (SD4), since understanding both (and their interaction) may enhance understanding of the factors associated with experience of, and response to justiciable problems.^{xlvi}

SD3. What was your sex recorded at birth?

1. Male
2. Female
3. Another term (please specify)
4. Prefer not to answer

SD4. How do you describe your gender?

1. Man or male
2. Woman or female
3. Non-binary
4. Another term (specify)
5. Prefer not to answer

SD5. And how would you describe your sexual orientation?

1. Straight (heterosexual)
2. Gay or lesbian
3. Bisexual
4. Another term (specify)
5. Prefer not to answer

SD6. Which of the following best describes your relationship status? [READ OUT]

1. Married (or in a registered marriage or civil union)
2. De facto (or living together as a couple)
3. Single
4. Other (specify)

[ASK ALL]

SD7. How many children do you have under the age of 18 who usually live with you? Please include biological, foster, step, adopted children, relative or kinship care.

ENTER NUMBER (RANGE 1-50).

Or

None

[ASK IF HAS CHILDREN AT SD7]

SD7a. And how old are they? WRITE IN BELOW THE AGE IN YEARS OF EACH CHILD, INCLUDING SEPARATE CHILDREN OF THE SAME AGE

[WRITE IN]

[ASK ALL]

SD8. Apart from in your work, do you provide day-to-day care for any elderly or disabled adults?

1. Yes
2. No

[If SD6 = 3 & SD7 = 0]

SD9. And just to check, do you live alone?

1. Yes
2. No

EMPLOYMENT

SD10. Looking at **Showcard 18**, which of these descriptions best reflects your circumstances? Please just say the number [SHOWCARD]

1. Working full-time (38 or more hours a week)
2. Working part-time
3. Working occasionally
4. Not working and in education
5. Not working and looking for work
6. Not working due to health or disability
7. Retired
8. Not working in formal employment, but looking after the home, children or having other caring responsibilities
9. Not working for another reason (specify)

[IF SD10 = 1,2 or 3]

SD10a. Which best describes your main work activity, is it...[READ OUT]

1. Paid job with regular hours, for an employer
2. For your own business
3. Casual, on demand or as part of the gig economy
4. As an unpaid volunteer

[IF SD10 = 1,2 or 3]

SD10b. What is your job or occupation title?

[Obtain full title. Try to avoid one-word answers. For example, shipping clerk, not just clerk. Dairy farmer, not just farmer and builder's labourer, not just labourer]

OPEN

[IF SD10 = 3]

SD10c. Are you currently not working and looking for work?

1. Yes
2. No

[IF SD10 = 5,6 or SD10c = 1]

SD10d. How long have you currently been out of work?

RECORD ANSWER IN WEEKS OR MONTHS OR YEARS AND MONTHS

[IF SD10 = 4-9]

SD10e. Were you in the workforce at any time between March 2020 and today?

1. Yes
2. No

Rationale:

SD11 allows exploration of the connection between problem experience and the COVID-19 pandemic.

SD11. And as a result of COVID-19 did you....READ OUT

[Only display codes a,b,c,d if SD10 = 1-3 or SD10e = 1. Auto code SD11 as 2 if SD10 = 4-9 and SD10e = 2]

SD11a. Lose your job

SD11b. Work fewer hours or have less income

SD11c. Receive government payments because of COVID's impact on your work

[IF ID5a =1] SD11d. See your business (that you own or manage) slow or stop completely

SD11e. Find your physical health got worse

SD11f. Find your mental health got worse

SD11g. Have significant difficulty meeting additional home school or childcare responsibilities

1. Yes
2. No

EDUCATION

SD12. What is the highest level of education you have completed? [READ OUT IF NECESSARY]

1. Year 9/Form 3 or below
2. Year 10/Form 4/Intermediate
3. Year 11/Form 5/Leaving
4. Year 12/Form 6/C/VCE/Matriculation
5. Trade/Vocational Certificate (Cert I-IV)
6. Diploma/Advanced Diploma
7. Bachelor Degree (including with Honours)
8. Postgraduate Award

INTERNET USE

Theory:

Digital capabilities have been broadly defined as those which “equip someone to live, learn and work in a digital society.”^{xlvi} Digital literacy is a domain within the skills component at the various stages of the VLF’s legal capability framework.^{xlvi}

Rationale:

With the expansion of online legal information and assistance services and increased use of digital filing and remote hearings in Victorian courts and tribunals, it has become increasingly important to understand the extent to which those with legal needs are able to access, engage with and benefit from digital legal services.

Technical:

Typically, a functional approach has been taken to measurement of digital capability, with respondents asked to indicate their competence and level of use of digital practices and applications. There has commonly been a focus on information seeking/management, communicating, creating, problem solving and transacting. Drawing on the approach of GoOnUK’s Basic Digital Skills Assessment questions,^{xlix} and refined by Pleasence and Denvir in the context of the legal needs of small businesses, SD14 asks respondents whether they have or could undertake a range of online skills/tasks of differing nature and complexity “designed to be analogous to those involved in dealing with justiciable issues.”

Background:

Pleasence, P., & Denvir, C. (2021). *The Legal Services Board's Small Business Legal Needs Survey: Researching Legal Capability, Legal Need and the Impact of Covid-19 and Exiting the European Union*. London: Legal Services Board.

[ASK ALL]

And regarding internet use....

SD13. Over the last four weeks, how often have you used the internet? This includes for work or study and in your free time. [READ OUT]

1. Every day
2. Less often than every day
3. Not at all

SD14. And have you ever used the internet to do the following? [IF 'NO' PROBE TO ESTABLISH IF COULD DO THIS]

[RANDOMISE ORDER OF STATEMENTS]

SD14a. Pay a bill using online banking

SD14b. Send an email

SD14c. Make a video call on a computer or laptop using, Skype, Zoom or something similar

SD14d. Find specific information (e.g. your eligibility for government payments)

SD14e. Set up 2-step ID verification (also known as two-factor authentication)

SD14f. Do your tax return, claim a Centrelink benefit or similar

SD14g. Save an online document onto your computer

SD14h. Take a photo of your drivers' licence or another form of ID and upload it to a government website

1. Yes – have done this
2. No – but could
3. No – and could not
4. Don't know what this is

ILLNESS/DISABILITY

I would now like to ask you a few questions about your health and satisfaction with life.

SD15. Overall, how satisfied are you with life as a whole these days, on a 0–10 scale where 0 is "Not at all" and 10 is "Completely"?

0-10 scale

SD16. Do you have any long-term health condition, impairment or disability that restricts you in your everyday activities, and has lasted or is likely to last, for 6 months or more?

1. Yes
2. No

[IF SD16 = 1]

SD16a. During the last 12 months, how much did your condition restrict your daily activities, such as your communication, mobility or self-care? Was it... [READ OUT]

1. Not at all
2. Mildly
3. Moderately
4. Severely
5. Extremely

Theory:

Psychological distress/mental illness has been shown to be among the factors most powerfully associated with justiciable problem experience across numerous legal needs surveys. The strength of the relationship has led to a worldwide move towards co-located/integrated health/justice services (e.g. the work of Health Justice Australia).

Rationale:

Measurement of psychological distress/mental illness is a core element of modern legal needs surveys, given its powerful relationship to capability, justiciable problem experience and problem resolving behaviour.

Technical:

SD17 sets out the K-6 inventory (Kessler et al., 2003, 2010), a measure of psychological distress intended to be used as a quick tool to assess risk for serious mental illness in the general population.¹

Background:

Kessler, R. C., Barker, P. R., Colpe, L. J., Epstein, J. F., Gfroerer, J. C., Hiripi, E., Howes, M.J., Normand, S.L., Manderscheid, R. W., Walters, E. E., & Zaslavsky, A. M. (2003). Screening for serious mental illness in the general population. *Archives of General Psychiatry* 60(2), 184-189.

Kessler, R. C., Green, J. G., Gruber, M. J., Sampson, N. A., Bromet, E., Cuitan, M., Furukawa, T. A., Gureje, O., Hinkov, H., Hu, C., Lara, C., Lee, S., Mneimneh, Z., Myer, L., Oakley-Browne, M., Posada-Villa, J., Sagar, R., Viana, M. C., & Zaslavsky, A. M. (2010). Screening for Serious Mental Illness in the General Population with the K6 screening scale: Results from the WHO World Mental Health (WMH) Survey Initiative. *International Journal of Methods in Psychiatric Research*, 19(1), 4-22.

[ASK ALL]

SD17. **Looking at Showcard 19.** The next questions ask about how you have been feeling during the **past 30 days**. For each question, please say the number that best describes how often you had this feeling.

During the past 30 days, about how often did you feel ...

- SD17a. Nervous
- SD17b. Hopeless
- SD17c. Restless or fidgety
- SD17d. So depressed that nothing could cheer you up
- SD17e. That everything was an effort
- SD17f. Worthless

[SHOWCARD 19]

1. All of the time
2. Most of the time
3. Some of the time
4. A little of the time
5. None of the time

INCOME

I would now like to ask you some questions about income

SD18. Do you receive any government payments specifically because of low or no income. For example, unemployment benefits (Newstart or JobSeeker), age pension, disability pensions, family tax benefit, parenting payment, carer payment or youth and student allowances?

1. Yes
2. No

Technical:

Income bands are gross household income quintiles for Victoria, available from household income and wealth data released by the ABS.ⁱⁱ Quintiles were chosen over deciles (and actual gross income) to limit cognitive burden and question sensitivity.

I'm now going to ask you about your income. I only need to know an approximate amount. Remember, everything you tell me is confidential and will only be used for research purposes.

SD19. Looking at **Showcard 20**. Including your own income, what is your gross HOUSEHOLD income BEFORE tax from all sources? Please just say the number.

[SHOWCARD 20]

1. \$0 to \$769 per week / \$0 to \$39,988 per year
2. \$770 to \$1,357 per week / \$39,989 to \$70,564 per year
3. \$1,358 to \$2,121 per week / \$70,565 to \$110,292 per year
4. \$2,122 to \$3,178 per week / \$110,293 to \$165,256 per year
5. \$3,179 or more per week / \$165,256 or more per year
6. Prefer not to say (not on SHOWCARD)

Technical:

A single financial stress indicator. Adapted from the 'unable to heat home' item from common sets of indicators (e.g. Australian Household Expenditure Survey, 2015-2016ⁱⁱⁱ) with 'inability to cool your home' added.

SD20. Over the last 12 months, have you gone without meals or been unable to heat or cool your home because of a shortage of money?

1. Yes
2. No

3. PULS Questionnaire Showcards

SHOWCARD 1

Please just say the number of your answer

1. Yes, definitely
2. Yes, probably
3. No, probably not
4. No, definitely not
5. Don't know

SHOWCARD 2

Please just say the number of your answer

1. Very confident
2. Quite confident
3. Not very confident
4. Not at all confident

SHOWCARD 3 – GOODS AND SERVICES

Problems or disputes concerning **defective goods**:

1. Defective household or personal items (e.g. electrical goods, white goods, clothing, household items) .
2. Defective cars, motorcycles, boats, etc.
3. Defects in a new home you bought

Problems or disputes concerning **substandard service** from:

4. Tradespeople (e.g. plumbers, electricians, painters, builders, mechanics)
5. Professionals (e.g. accountants, lawyers, architects)
6. Travel, recreation and entertainment services (e.g. airlines, holidays, restaurants, entertainment venues)
7. Utility services (e.g. water, electricity, gas, phone, Internet)
8. Insurance companies
9. A superannuation provider

Or

10. Being sold an incorrectly described or unnecessary product by a financial services provider
11. Incorrect charges / fees / billing for goods or services
12. Other (specify)

SHOWCARD 4 – HOUSING

Problem or disputes with **neighbours**, to do with:

1. Fences, trees, or building work
2. Noise, litter, pets, or other antisocial behaviour
3. Boundaries or rights of way or access to your property (including passage of services, such as water or electricity, over other people's land)

Problems or disputes with **housing you own**, to do with:

4. A contract of sale / settlement
5. A loan (e.g. about mortgage repayment, default or repossession)
6. A strata or owners' corporation or common property
7. Planning permission / building regulations
8. Living in a retirement village (e.g. about fees, facilities or your contract)

Problems or disputes with **housing you rent**, to do with:

9. A rental agreement
10. A bond
11. Rent payments
12. Eviction (including threat of eviction)
13. Repairs, maintenance or security
14. Harassment by a landlord
15. A strata or owners' corporation or common property
16. Transfer of tenancy or sub-letting
17. Living in a retirement village (e.g. about fees, facilities or your contract)

Other problems or disputes concerning housing, to do with:

18. Living in a nursing home, group or residential care facility (e.g. about fees, facilities, security, privacy or your contract)
19. Other (SPECIFY)

SHOWCARD 5 – FAMILY

Problem or disputes with:

1. The division of money or property following divorce or separation
2. Spouse or partner maintenance (excluding child support)
3. Child support payments
4. Custody, residence, access or contact issues concerning a child under 18
5. A care protection order or assessment by a child welfare authority
6. Fostering, adoption or legal guardianship
7. A power of attorney
8. A will or deceased estate (e.g. about your entitlements, probate or being an executor or trustee of a deceased estate)
9. A family member or partner controlling or exploiting your money, financial information or assets
10. Other (SPECIFY)

SHOWCARD 6 – INJURY

1. An injury or health problem resulting from negligent or wrong medical or dental treatment
2. An injury at work or health problem resulting from poor working conditions
3. An injury caused by a motor vehicle accident
4. Any other injury or health problem caused by someone else
5. Being accused of injuring or harming someone else in a motor vehicle accident
6. Being accused of injuring or harming someone else **not in** a motor vehicle accident
7. Other (SPECIFY)

SHOWCARD 7 – EMPLOYMENT

1. Being unfairly rejected for a job interview or passed over for a job / promotion / raise
2. Being subjected to unfair disciplinary procedures
3. Being sacked or made redundant (or threatened with the sack / redundancy)
4. Not getting paid (or a pension you were entitled to)
5. Unsatisfactory or dangerous working conditions
6. Harassment, bullying, victimisation or mistreatment at work
7. A grievance not being taken seriously or adequately dealt with
8. Problems concerning other rights at work (e.g. about pay, hours, leave, your contract, superannuation or union membership)
9. Changes to your terms and conditions of employment that made things worse
10. Other (SPECIFY)

SHOWCARD 8 – GOVERNMENT PAYMENTS

Problems or disputes with government payments or concessions, to do with:

1. Your eligibility for payments or concessions
2. The amount of payments or concessions
3. Payments or concessions being stopped
4. Being told you were claiming payments or concessions you should not have
5. Your eligibility for payments or concessions being reviewed
6. Other (specify)

SHOWCARD 9 – FINES

1. A fine while driving or parking
2. A fine while on public transport
3. A fine for breaking COVID public health restrictions (e.g. not wearing a mask)
4. A fine relating to your home (e.g. unapproved building work, failure to maintain property)
5. An on-the-spot fine/penalty notice (e.g. for crossing the road illegally or breaking road rules while cycling)
6. A fine from a court
7. Other (SPECIFY)

SHOWCARD 10 – GOVERNMENT AND PUBLIC SERVICES

Problem or disputes with:

1. Tax assessment
2. A freedom of information request
3. Citizenship, residency, immigration or refugee status for you, a family member or partner
4. Your local council / government (e.g. about services, amenities, or town planning)
5. Access to healthcare services
6. Access to education services
7. Access to, or quality of, disability or care services (e.g. community care, respite, independent living, support or rehabilitation services)
8. Access to, or quality of, disability aids, equipment or facilities? (e.g. disabled parking permits, wheelchair access, home modifications, aids or equipment to assist with daily living)
9. Other (SPECIFY)

SHOWCARD 11 – DEBT OR MONEY

Problems or disputes with:

1. A loan or hire purchase agreement (or guaranteeing someone else's loan)
2. A creditor taking or threatening action against you over an unpaid bill or debt
3. Harassment by a creditor
4. Severe difficulties paying money you owe
5. Bankruptcy or the prospect of bankruptcy
6. Collecting money owed to you
7. Your credit rating or credit being refused
8. Poor financial advice
9. Refusal of insurance claims
10. Other (SPECIFY)

SHOWCARD 12 – BUSINESS

Problems or disputes with:

1. **Trading** (i.e. unsatisfactory goods/services, late delivery, late or no/partial payment, contract problems)
2. **Insolvency** (i.e. inability to pay debts)
3. **Tax**
4. **Premises** (i.e. rent or mortgage arrears, issues with landlords, eviction/repossession, boundaries/rights of way, conveyancing)
5. **Business structure** (i.e. technicalities of business start-up, disputes with partners or investors, merger, sale or dissolution)
6. **Staff** (i.e. dismissal, misconduct, injury, complaints, employee rights)
7. **Regulation** (i.e. licencing, inspections, compliance, health and safety)
8. **Intellectual property**
9. **Other** (specify)

SHOWCARD 13

1. **Family, friends or acquaintances** (excluding people whose job is to advise on problems such as these; please mention these people in their professional capacity)

Legal and advice services

2. A private lawyer
3. A Community Legal Centre
4. Legal Aid
5. An Aboriginal Legal Service
6. Another legal or advice service (specify)

Dispute resolution bodies

7. A court, or tribunal (e.g. VCAT)
8. An ombudsman
9. The police

Government and council

10. A government department or authority
11. Your local council
12. Your MP

Organisations linked to your work

13. Your employer
14. A trade union

Professional and health services

15. A doctor or health professional
16. A social worker or welfare service
17. A financial service or professional

Community organisations

18. A community, neighbourhood, religious or charitable organisation (specify)

Other

19. Any other person or organisation (specify)

98. None

SHOWCARD 14

1. A court (or tribunal) judgment
2. A decision or intervention by another formal authority
3. Mediation, conciliation or arbitration
4. Action by another third party
5. Agreement between you and the other party
6. The other party independently doing what you wanted
7. You independently doing what the other party wanted
8. The problem sorting itself out
9. You moving away from the problem (e.g. moving home, changing job)

SHOWCARD 15

Please just say the number of your answer

1. Always
2. Often
3. Sometimes
4. Never

SHOWCARD 16

Please just say the number of your answer

1. Very relevant
2. Quite relevant
3. Not very relevant
4. Not at all relevant

SHOWCARD 17

Please just say the number of your answer

1. Strongly disagree
2. Disagree
3. Agree
4. Strongly agree

SHOWCARD 18

1. Working full-time (38 or more hours a week)
2. Working part-time
3. Working occasionally
4. Not working and in education
5. Not working and looking for work
6. Not working due to health or disability
7. Retired
8. Not working in formal employment, but looking after the home, children or having other caring responsibilities
9. Not working for another reason (specify)

SHOWCARD 19

1. All of the time
2. Most of the time
3. Some of the time
4. A little of the time
5. None of the time

SHOWCARD 20

1. \$0 to \$769 per week / \$0 to \$39,988 per year
2. \$770 to \$1,357 per week / \$39,989 to \$70,564 per year
3. \$1,358 to \$2,121 per week / \$70,565 to \$110,292 per year
4. \$2,122 to \$3,178 per week / \$110,293 to \$165,256 per year
5. \$3,179 or more per week / \$165,256 or more per year

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Endnotes

- i <https://www.lsbcc.vic.gov.au/grants-and-funding/public-purpose-fund>
- ii Genn (1999).
- iii OECD/Open Society Foundations (2019).
- iv Legal capability is a multidimensional and multifaceted concept, with distinct components across all aspects of the experience of justiciable problems. In simple terms, it can be thought of as the *knowledge, skills, attributes and resources you might need to deal with everyday legal problems*. Further discussion of legal capability, as well as the legal capability framework referenced in this document can be found in Balmer et al., (2019). The framework is set out on pages 60-61.
- v Pleasence and Balmer (2019a).
- vi Probability sampling is a critical element of the PULS approach. Probability sampling means that all adults in Victoria living at residential addresses have a chance to be included in our sample – and that we know what that chance is. This sets it apart from non-probability approaches where some in the population have no chance of selection, which means you have only partial information about the relationship between your sample and the population. Probability sampling is typically more difficult and expensive but is important in ensuring the data allow us to generalise our findings across the Victorian adult population. Sometimes non-probability approaches (like opt-in online panels or those using quota, convenience and purposive sampling) claim to be ‘representative’. However, looking like the population of interest (e.g. on the basis of similar demographics) is not the same as being representative. While people using non-probability approaches often generalise their findings to their population of interest, it is rarely appropriate to do so (for more, see Baker et al., (2010); Groves et al., (2009); Battaglia, (2008)). The PULS sample is also a bespoke probability sample, tailored to the project research questions and policy needs.
- vii Victoria is Australia’s second smallest state by area and its most densely populated. It has a population of around 6.6 million people, with the majority of these in Greater Melbourne. The PULS involved sampling 300 SA1’s (Statistical Area Level 1) across the state with 20 respondents per SA1. The PULS sampling frame also involved oversampling regional and rural areas to provide greater scope for geographic analyses. Full technical details will be set out in the project technical report.
- viii Respondents are given the option of a telephone interview where they are unwilling to participate face-to-face. This was a response to possible reluctance to participate in a face-to-face interview in light of the ongoing COVID-19 pandemic. However, in all cases, respondents had access to a showcard booklet guiding them through more complex questions. No interviews were conducted without respondents having access to showcards, which were viewed as critical to comparability across modes.

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- ix Telephone approaches can be difficult and/or expensive to geographically restrict to a jurisdiction such as Victoria, and there are ongoing discussions around the limitations of mobile only random digit dialling, dual-frame random digit dialling, other approaches, as well as questions of coverage and weighting (e.g. see Baffour et al., 2016, Fahimi, 2014 and AAPOR's cell phone task force at <https://www.aapor.org/Education-Resources/Reports/Cell-Phone-Task-Force-Report.aspx> (accessed 27/04/2022)). Online approaches using probability sampling (such as Life in Australia, which was used in Balmer et al., (2019) - <https://www.srcentre.com.au/our-research/life-in-australia-study> (accessed 27/04/2022)) require face-to-face or telephone approaches to yield a probability sample and form a panel before shifting online for subsequent surveys. Consequently cumulative response rates are low.
- x For example, see Sykes & Collins (1988), Bowling (2005), Groves et al. (2009).
- xi PULS showcards are provided to each respondent as a booklet. They were also made available online. Their primary purpose of showcards is to reduce survey measurement error (for further information, see Flizik (2008)).
- xii UNESCO (2021).
- xiii For example, when compared to a solely legal need focussed survey of a similar length (e.g. Pleasence et al., 2011).
- xiv Pleasence and Balmer (2019b).
- xv Kessler et al., (2003; 2010).
- xvi There was evidence from the CSJPS that these type of questions – being relevant to all and not dependent on problem experience – were well received by respondents, increasing engagement in the survey.
- xvii As Pleasence et al. (2004, p.13) explain, "The most common problems arise from circumstances routinely experienced across the adult population. Consumer problems arise from transactions for goods and services. Problems with noisy or anti-social neighbours arise where people live in proximity. Money and debt problems arise from financial dealings. Employment problems arise from being employed. Rare problems, on the other hand, arise from circumstances that people experience much less frequently. Immigration problems arise from people changing their country of abode, residence status or citizenship. Mental health problems arise from people suffering or appear to suffer from mental illness. Clinical negligence problems arise from people receiving clinical treatment." So, many problems types are rare, or even not possible, among those under the age of 18.

- xviii ABS standards can be found at <https://www.abs.gov.au/statistics/standards> (accessed 26/04/2022). For example, ABS Standard questions included ID1 (ABS Age Standard, 2014), ID2, ID2a and ID3 (ABS Language Standards, 2016), ID2a with the exception of French and German), SD1 (ABS Country of Birth Standard, 2016), SD1a (ABS Year of Arrival Standard, 2019, with a timeframe reduced from one year to six months), SD2 (ABS Indigenous Status Standard, 2014), SD3, SD4 and SD5 (ABS Standard for Sex, Gender and Sexual Orientation Variables 2020), and SD10b (ABS Occupation Standard, 2018). Elsewhere, questions drawn from other questionnaires and/or guidance included SD7, which was adapted from ABS National Health Survey (2020-21) and English Housing Survey (2017-18) items, as was ID4. SD10 was derived from the English and Welsh Civil and Social Justice Survey (Pleasence et al., 2011), and SD12 from the ABS National Health Survey (2020-21) and Census (2021). SD15 comes from OECD's (2013) guidance on measuring subjective wellbeing, SD16 is adapted from an item in the ABS Survey of Disability, Ageing and Carers (2019), and SD16a can be found in the LAW Survey questionnaire (Courmarelos et al., 2012). A number of other items were informed by previous questionnaires and associated guidance, but were designed specifically for requirements of the PULS.
- xix The full legal capability framework can be found on pages 60-61 of Balmer et al., (2019).
- xx Determining the 'correct' answers to knowledge items like those in Section 2 is not a trivial exercise. Legally trained VLF researchers developed and reviewed a larger pool of 24 items. They then consulted subject experts including those at Dispute Settlement Centre of Victoria, JobWatch, Victoria Legal Aid and Consumer Action Law Centre to explore the wording of questions, what the correct answer was, and if there was no clear correct answer, whether wording could be altered to create a correct answer. The final set of 15 questions were designed to provide a spread of issues within common problem categories, items with a correct answer, and a relatively brief and engaging opening to the questionnaire.
- xxi <https://victorialawfoundation.org.au/research/>. The answers are not published until fieldwork concludes in case a prospective respondent (e.g. who has received a fieldworker calling card but has not yet been interviewed) searches online PULS content and finds answers to Section 2 items prior to an interview.
- xxii The full legal capability framework is set out on pages 60-61 of Balmer et al., (2019).
- xxiii Legal self-efficacy has also been termed 'subjective legal empowerment' (Gramatikov and Porter, 2011).
- xxiv The survey used to produce the Balmer et al., (2019) report as well as to develop items and scales for inclusion in the PULS. It included the GLC Scale which allowed it to be validated in Australia.
- xxv As Mnookin & Kornhauser (1979) famously referred to law framed negotiation beyond the courtroom.

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- xxvi See National Legal Assistance Partnership (<https://www.ag.gov.au/legal-system/legal-assistance-services/national-legal-assistance-partnership-2020-25>) and National Strategic Framework for Legal Assistance (<https://www.ag.gov.au/legal-system/legal-assistance-services/national-strategic-framework-legal-assistance>).
 - xxvii See <https://www.hiil.org/what-we-do/measuring-justice/>.
 - xxviii In particular, scope was defined with reference to Coumarelos et al., (2012), though surveys in other jurisdictions were also drawn upon such as Cleary & Huskinson (2012), Pleasence et al., (2011), and other questionnaires referred to in OECD/Open Society Foundations (2019).
 - xxix See OECD/Open Society Foundations (2019) for detailed discussion of problem selection, including problems associated with approaches such as selecting solely concluded, or most serious problems.
 - xxx A logic tree setting out the questions required for proxy measurement of legal need and unmet legal need can be found in OECD/Open Society Foundations (2019), p. 89.
 - xxxi E.g. Nielsen-Bohlman et al., (2004).
 - xxxii E.g. Kirsch & Gurhrie (1977). Pleasence et al., (2014) also discusses a functional approach legal literacy.
 - xxxiii See pages 60-61 of Balmer et al., (2019).
 - xxxiv e.g. Haun et al., (2012; 2014)
 - xxxv The full legal capability framework can be found on pages 60-61 of Balmer et al., (2019).
 - xxxvi I.e. analysis of problem characterisation and its relationship to advice seeking in Pleasence and Balmer (2014).
 - xxxvii The survey was used to produce the Balmer et al., (2019) report as well as to develop items and scales for inclusion in the PULS. These included items relating to the perceived relevance of law, though Balmer et al., (2019) did not assess the psychometric properties of these items as part of their report.
 - xxxviii As set out in Table 6 of Balmer et al., (2019).
 - xxxix The Rasch model for the final eight problem descriptions (items) had a nonsignificant item trait interaction ($X^2_{48} = 62.42$, $p = 0.079$ (a p-value greater than the Bonferroni adjusted value of 0.00625 for 8 items)) indicated overall fit to the Rasch model. Item (fit residual standard deviation = 1.31) and person (fit residual standard deviation = 1.19) were both acceptable. The person separation index of 0.81 suggested good internal consistency and ability to discriminate between respondents with differing perceptions of law relevance.
 - xl Those wishing to use the scale in advance of a technical publication should contact the authors for guidance on use, properties, scoring and interpretation.
 - xli Further reference to this study will be made in subsequent PULS reporting, though those interested should contact the authors.
 - xlii The full legal capability framework can be found on pages 60-61 of Balmer et al., (2019).

- xliii The survey was used to produce the Balmer et al., (2019) report as well as to develop items and scales for inclusion in the PULS. These included the Perceived Inaccessibility of Lawyers (PIL) Scale (Balmer et al., 2021a) and Perceived Inaccessibility of Courts (PIC) Scale (Balmer et al., 2021b). The former was included in the PULS, with other items prioritised over inclusion of the PIC Scale.
- xliv Scoring protocol is set out in Table 9 of Balmer et al., (2019). The Rasch model fitted had a nonsignificant item trait interaction ($X^2_{40} = 59.67$, $p = 0.023$ (a p-value greater than the Bonferroni adjusted value of 0.005 for 10 items)) indicated overall fit to the Rasch model. Item (fit residual standard deviation = 1.20) and person (fit residual standard deviation = 1.44) were both acceptable. The person separation index of 0.86 suggested very good internal consistency and ability to discriminate between respondents with differing levels of perceived accessibility. Full technical details will be set out in a forthcoming paper, though those requiring further details should contact the authors.
- xlvi The full legal capability framework is on 60-61 of Balmer et al., (2019).
- xlvi See also Sullivan (2020) for a discussion of why surveys should not conflate sex and gender.
- xlvii Jisc, What Is Digital Capability?, Available from <https://digitalcapability.jisc.ac.uk/what-is-digital-capability/> (accessed 20 April 2022).
- xlviii See pages 60-61 of Balmer et al., (2019) for the full legal capability framework.
- xlix Ipsos Mori (2015).
- I Respondents scoring 13 to 24 on the K6 can be classified as having a serious mental illness and those scoring 0 to 12 are not (Kessler et al., 2003).
- li 2017-2018 data available (released July 2019) at <https://www.abs.gov.au/statistics/economy/finance/household-income-and-wealth-australia/latest-release#data-download> (accessed 20 April 2022). State and territory data can be downloaded from data cube 13 - <https://www.abs.gov.au/statistics/economy/finance/household-income-and-wealth-australia/2017-18/States%20and%20Territories.xlsx> (accessed 20 April 2022).
- lii <https://www.abs.gov.au/statistics/economy/finance/household-expenditure-survey-australia-summary-results/latest-release#financial-stress-and-spending>. The PULS did not have space to include multiple financial stress indicators. However, for reference, the ABS specified two types of financial stress indicators: financial stress experiences (9 indicators) and missing out experiences (6 indicators). A household can be said to be in financial stress if they experience four or more indicators of financial stress within a 12-month period.

