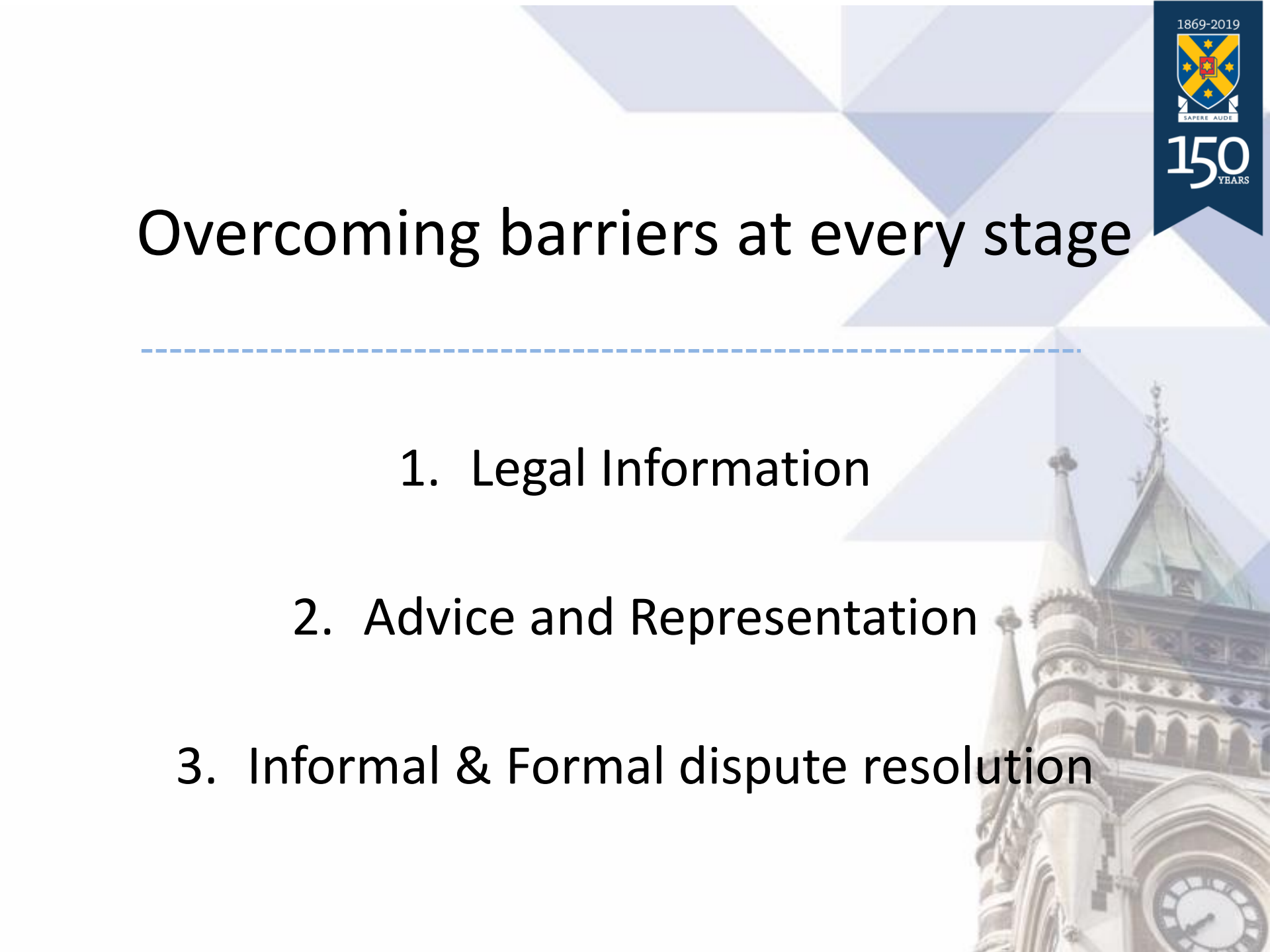


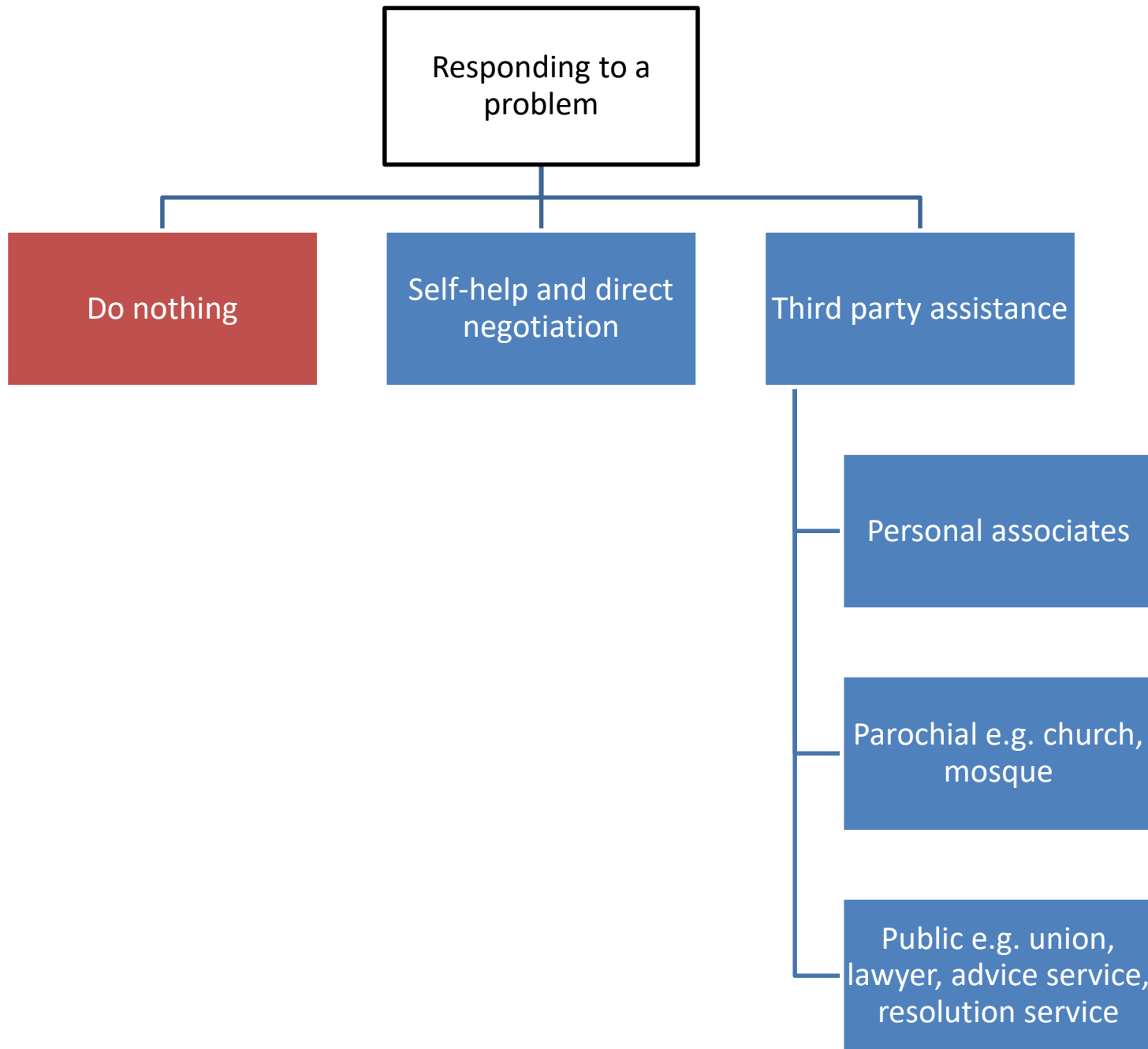
What works? How do we know? Lessons from the field

Dr Bridgette Toy-Cronin
Director, University of Otago Legal
Issues Centre



Overcoming barriers at every stage

1. Legal Information
 2. Advice and Representation
 3. Informal & Formal dispute resolution
- 
- The background of the slide features a large, light-colored image of a Gothic-style building, likely a university hall or library, with a prominent clock tower and spires. The image is partially obscured by a large, semi-transparent blue geometric pattern consisting of overlapping triangles.



IT'S NOT
Just
ABOUT
THE MONEY
& KNOWING
YOUR RIGHTS

SHAME

POWER

FEAR

FRUSTRATION

GRATITUDE

(Rebecca Sandefur 2012)

How do we encourage people to mobilise the law?

1. Provide accessible legal information
2. Provide advice and representation

NB monitoring compliance (e.g. inspectors) avoids the need for individuals to mobilise the law themselves

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Legal Information

What works?



What works?



1. Aggressive grassroots education on rights & duties
2. Broader education so that private & parochial third parties can push towards public third party assistance
3. Good quality “just in time” information

Good legal information



- Gives process information, not just substance
- Is smartphone readable
- Written to a reading age max 14 years
- Uses lots of white space
- Uses visual imagery - pictures, diagrams, cartoons
- Uses active voice & present tense
- Presents the main idea and then the exceptions
- Uses examples and analogies

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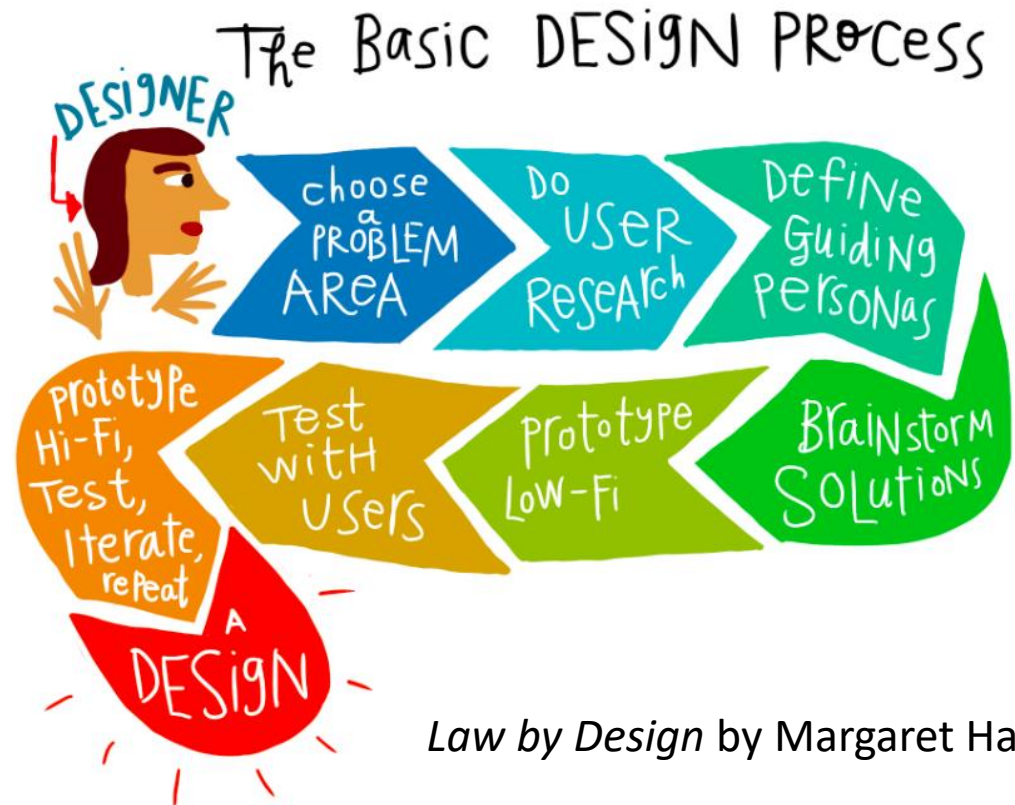
Legal Information

How do we know if it works?



Test it!

Design-based thinking has given us a great tool kit for testing



Law by Design by Margaret Hagan

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Advice and Representation

What works?



Getting people through the door – what works?

- They need to recognise that it is a problem they can and want to do something about
- Even if they do, they may not see it as “legal” so market as “advice” or “help” rather than “law”

How do we know if it is working?

- Take a baseline and measure again after intervention measures

Offering advice & representation – what works?

- Free and low cost advice
- Lower cost para-professionals (but elsewhere they are regulated!)
- Unbundled assistance is better than self-representation

How do we know it works?

- Decide what the goal is
- Satisfaction is easy to research, other goals are more difficult

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Informal & Formal Resolution

What works?





What does “working” mean?

- Trying to increase the number going through informal resolution?
- Is formal resolution regarded as “failure” or “breakdown”?

Getting people into resolution – what works ?

- Advice & representation
- New frontier is online dispute resolution & online courts but too early to say if it works



How do we know it works?



- Decide what you are measuring
- Decide whose perspective matters (who are your users? Whose views matter? How can they be balanced)
- Use a method to test it that matches the question

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Is it working?

Methods for Finding Out



First things first



- Lack of basic information which needs to be collected first:
 - Who is using your service?
 - Do they have anyone helping them?
- Take a baseline before you do your intervention
- Data collected for another purpose has limitations



Formulate a question

NOT – “Demonstrate that initiative-X is working”

BUT – “Examine the effects, *if any*, of initiative-X”

Ways to find out if its working

- Design thinking/user testing
- Randomised control trial
- Quasi-experimental evaluation (no random assignment but compare two groups)
- Survey
- Observation
- Interview
- Focus group
- Or a combination of any of the above



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