

# Seeking Legal Help Online Executive Summary

Understanding the ‘missing  
majority’

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# Acknowledgements

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Jo Szczepanska and Emma Blomkamp, for Justice Connect © 2020

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# Executive Summary

## Why Justice Connect commissioned this research

Online self-help resources can help people to solve common legal issues on their own. They are especially important for people who can neither afford a lawyer nor access free public or community legal assistance. In Australia this group is known as the 'missing middle'. With an ever-growing cohort of people in this 'justice gap', we have renamed it 'the missing majority'. As the missing majority progressively adopts technology, there are increasing opportunities to find new models of providing cost-efficient and effective free legal assistance at scale.

Justice Connect has already carried out user research on general interest in online resources, and a number of our projects now provide service access points in online settings as well as static and interactive self-help resources. Through this new research, Justice Connect is particularly interested in better understanding the opportunity to assist the missing majority through online resources – their potential as well as their limits.

Justice Connect was funded by the Victorian Law Foundation to undertake user research to better understand the attitudes and behaviours of people looking for and using legal self-help resources online to solve common civil law problems. This research aims to inform better design and deployment of digital self-help resources.

The research project was designed in early 2020, then revised in response to the COVID-19 pandemic so that all research activities were carried out remotely in July and August 2020 with 15 participants from Victoria, Australia. We recruited participants from priority groups with increased vulnerability to legal problems and often assumed to have lower capability or limited access to online resources. This includes recent migrants, people living with a disability, single parents, and people living in a regional, rural or remote community. We learned from a diverse range of people about what they found useful in online resources to help them begin to resolve legal problems related to debt, work, housing, and accessing courts remotely during the COVID-19 pandemic.

## Report purpose

This comprehensive human-centred report outlines the context, rationale, methodology and findings of this almost year-long research project. It describes the hypotheses, strategy, tactics and assumptions of the research design, as well as its outcomes in the form of insights, recommendations and design principles. These are illustrated with words and images directly from research participants. Copious quotes throughout this document ensure that readers never lose sight of the people at the heart of this project and ensure that participants' thoughts, needs and experiences are described in their own words. Visual diagrams, tables, illustrations and screenshots help to bring the research to life and provide specific examples of the methods used and actual experiences of people in the priority groups.



The report also references other literature on legal self-help. While some of this project's findings confirm those from similar research, the conclusions of this report also differ from existing research and assumptions. In particular, our research found that demographic features such as education level, language spoken, disability, location and migration status did not determine a person's likelihood to use online legal resources. More significant features were a person's level of legal knowledge, based on prior experience, and their sense of self-efficacy in resolving legal issues independently.

## An overview of the report

**Part One** introduces the context and approach of the research. It provides a rationale for the focus on certain priority groups and the types of legal problems and online self-help resources explored. It introduces the participants and describes the methods and resources used to better understand the journeys of people in the 'missing majority'.

**Part Two** presents the key insights from the research. People in the missing majority use online resources not only to understand and resolve their legal problems but also sometimes to help others. This research highlights the strengths and frustrations of this cohort, who tend to be highly capable and determined.

The research insights cover, in the following order:

### How people search for legal help online

A Google search is the first step in a help-seeker's attempt to resolve a legal problem on their own. While most people initially search by describing their problem in everyday terms, some search specifically for organisations to help them. The first set of insights describes the variety and mixed results of searching techniques used by participants in this research.

### What the self-help journey is like

The challenge of solving legal problems on your own is explored in the second set of insights. Legal jargon is confusing for most people who haven't studied law; the rules and procedures of the legal system can be opaque; and the process to understand and resolve an issue can be incredibly time-consuming. Even if help-seekers have interacted with the legal system before, and have a high level of English literacy and digital capability, they tend to find themselves in a highly stressful situation and are anxious about the outcome.

### How different resources can help and how resources are consumed

Help-seekers in the missing majority can identify which online legal self-help resources will work best and when they would use them. The third set of insights presents the results from a card sorting activity along with key themes to show how each type of resource had different ways of supporting the help-seeker. These insights draw on participants' own analyses and explanations of why they would select certain tools, when they would use them, and what combinations of resources would work best for them and their issue.

Our research participants had confidence in who to trust and what to avoid. If self-help became overwhelming, they would start looking for a professional to help them.



## How resources could be improved

The fourth set of insights covers some of the shortcomings of existing legal resources and the behaviour exhibited by people as they try to decipher and then apply new knowledge. These insights highlight issues of access, trust, accessibility, appropriateness and usefulness.

Unfortunately, for the missing majority, many of the legal resources they can access online today do not meet their expectations. Looking for practical knowledge to start the process of self-help, or at least to understand their options to make informed decisions, people are quickly overwhelmed by an avalanche of text and information. The missing majority becomes stuck when language is unclear, they don't have the 'evidence' they need to continue their journey, or resources do not work as they should.

Despite huge advances in digital technology and inclusion, many online legal resources remain limited in their design, mirroring segmented procedures, bureaucratic paperwork, and folded information handouts. Some people with disabilities cannot access or use online legal resources at all because the resources have not been designed with their needs in mind. Resources often also contain overly technical and complex language.

## How help-seekers define a legal problem

The fifth and final set of insights takes us back to the beginning of the self-help journey: the moment when a help-seeker determines they have a legal problem. These insights draw attention to the mental model and challenging circumstances of a diverse range of people who find themselves in need of legal information or assistance.

Overall, the stories from participants and examples from live searches and testing of resources highlight the differences and commonalities of searching for legal help and information online.

**Part Three** of the report presents a series of recommendations and design principles, offering guidelines for improving online legal self-help resources. The recommendations focus on how to involve people with lived experience and relevant professionals in funding, researching, designing, testing, implementing, promoting, and evaluating online self-help resources. Suggestions are tailored for this report's different target audiences: funders, service providers, and resource makers, in five main areas:

- Invest in information design and user experience
- Involve people with lived experience in making online resources
- Break down silos between sectors, organisations, communities, and self-help
- Establish communities of practice to support makers of online self-help resources
- Invest in consumer outreach, search engine optimisation, communications, and marketing

Listed in full below, the design principles offer research-informed, best practice guidelines for the development and deployment of online resources.



Part Three closes with acknowledgement of the gaps and limitations of this research and practical suggestions for future research to build on the findings presented here.

**The appendices** offer further details and examples of the research and recruitment design, including images of the actual materials used, pre-interview activity guide and interview questions, and example responses from participants representing each key archetype: the Cautious-Traditionalist and the confident Do-It-Yourself 'super searcher'.

## **An overview of design principles for online self-help resources**

We have developed a set of design principles for online self-help resources that provide a concise summary of learnings and offer research-informed, best practice guidelines for better design and deployment of digital self-help resources.

### **Good online self-help resources must:**

- be easy to find *first* by those who need them, when they need them
- have names that describe what they do
- set clear expectations
- be as easy to read as possible
- describe processes
- work equally well for everyone
- be current
- be quick to use
- connect to other resources and services
- build in extra support
- allow some people to speak to a human
- be designed with communities.

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