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RESEARCH

Report:
Legal Aid NSW
Client Satisfaction Survey 2013
June 2013

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EXECUTIVE SUMMARY

As part of a series of client experience and satisfaction studies, 535 consenting clients who had received legal advice services from a solicitor at a Legal Aid NSW office, with or without additional minor legal assistance being provided, completed a Computer Assisted Telephone Interview (CATI) averaging around 17 minutes.

Legal Aid NSW recruited a total of 798 clients to participate in the survey. An oversample was obtained to ensure Taverner Research could successfully contact and interview 500+ clients as part of the survey. This year, the area of law, namely, Civil Law, Criminal Law, and Family Law was also identified for each advice allowing client satisfaction to be assessed for each area. 794 of the 798 clients who gave written consent to their contact details being provided to Taverner Research were called, with 535 clients successfully contacted and interviewed.

Results from the 535 clients interviewed are summarised in this report.

Recruiting and interviews were conducted and completed in the period from 25 March to 21 May 2013. The sample included 22 clients who indicated they would need the assistance of an interpreter to complete the survey or were found on contact to require such assistance. Almost no clients indicated that they would need assistance due to a disability, and none required a face to face interview although 19% indicated in the interview that they had special needs due to a disability.

95% of the sample were satisfied (rating 6-10 on a zero to 10 scale) with the service provided by clerical staff with only 1% dissatisfied (ratings of 0-4).

88% were satisfied with the service provided by the solicitor (rating 6-10 on a zero to 10 scale) with only 7% dissatisfied (ratings of 0-4).

60% considered the service from their solicitor was better than expected while 16% considered the service was worse than expected.

It was concluded from the detailed results that:

- Satisfaction with the service is high.
- Satisfaction with services provided by solicitors is not quite as high as satisfaction with the clerical staff, but both are over 85%.
- The main causes for dissatisfaction with the service from solicitors were:
 - Feeling the solicitor did not listen effectively.
 - Not being assisted to understand the legal problem.
 - Not being shown respect or sensitivity.

It must be kept in mind here that we have only the client's perspective on these cases. Given a fuller picture including the perspective of the solicitor involved, it might have been found that some clients had expectations that were unable to be met.

Clients with special needs were generally having those needs met.

Overall results in the 2013 survey were generally as good as or better than achieved in the 2011 survey.

In 2011 it was recommended that steps be taken to ensure clients with short time lines before a hearing received advice in time to be helpful, if at all possible. The 14% of clients who felt they had not received advice in time to meet critical deadlines accounted for one third of those dissatisfied with service from the solicitor, and half the very small number who were dissatisfied with the service from clerical staff. Keeping the number not seen in time as low as possible continues to be a priority issue.

It is recommended that:

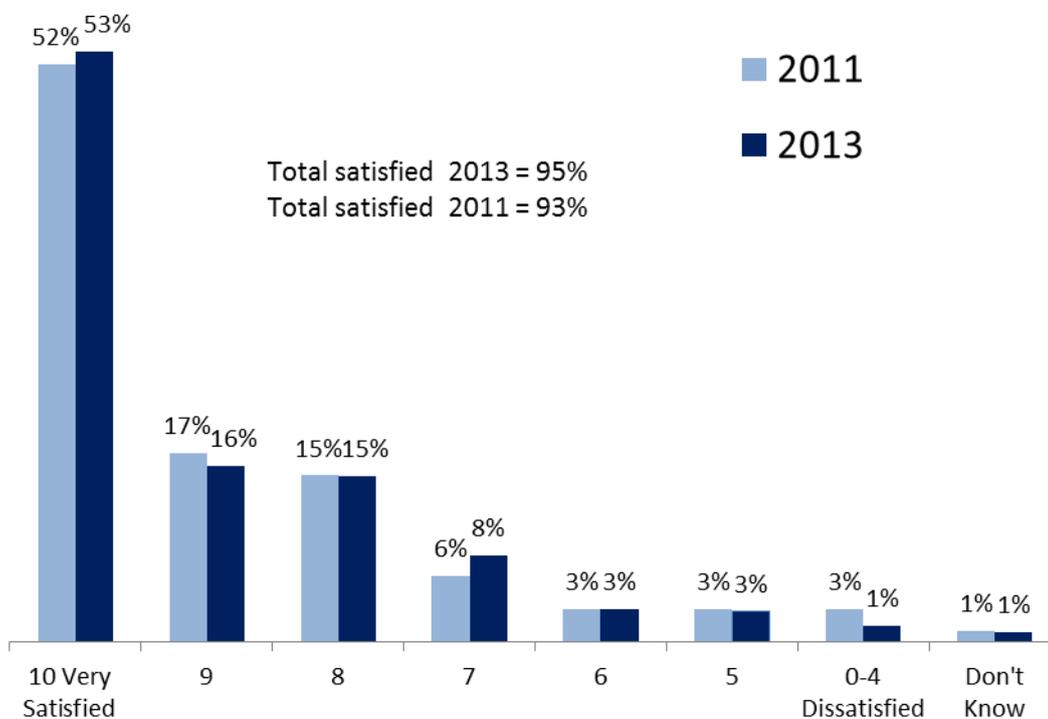
- Legal Aid NSW sustain the resources currently devoted to maintaining the high level of staff commitment, concern for client needs and respectful treatment of clients revealed by the survey results, and to keeping waiting times for service as short as possible.
- Further improvement in outcomes might be achieved by focussing particular attention on a range of specific issues identified that arise for client sub-groups. In particular, ensuring so far as possible that appointments fit within the client's time frame and that other specific needs are identified and met could raise the high level of satisfaction even further. More detailed suggestions are made at the end of the report.

CONDENSED REPORT

As part of a series of client satisfaction surveys, Legal Aid NSW commissioned Taverner Research to interview clients who had received a legal advice service (with or without minor assistance) about their experience of the service. This section of the report summarises the results, conclusions and implications.

1. Outcomes and Satisfaction

Satisfaction with clerical staff service (Q14)



In 2013:

- 95% were satisfied (rating 6-10 on a zero to 10 scale) with the service provided by clerical staff
- 53% were very satisfied (rating 10)
- 3% were dissatisfied (0-4)
- 4% gave other replies including ratings of 5 (3%) or being unable to give a rating (1%)
- The mean rating was 8.8

There were no significant changes from the results obtained in 2011.

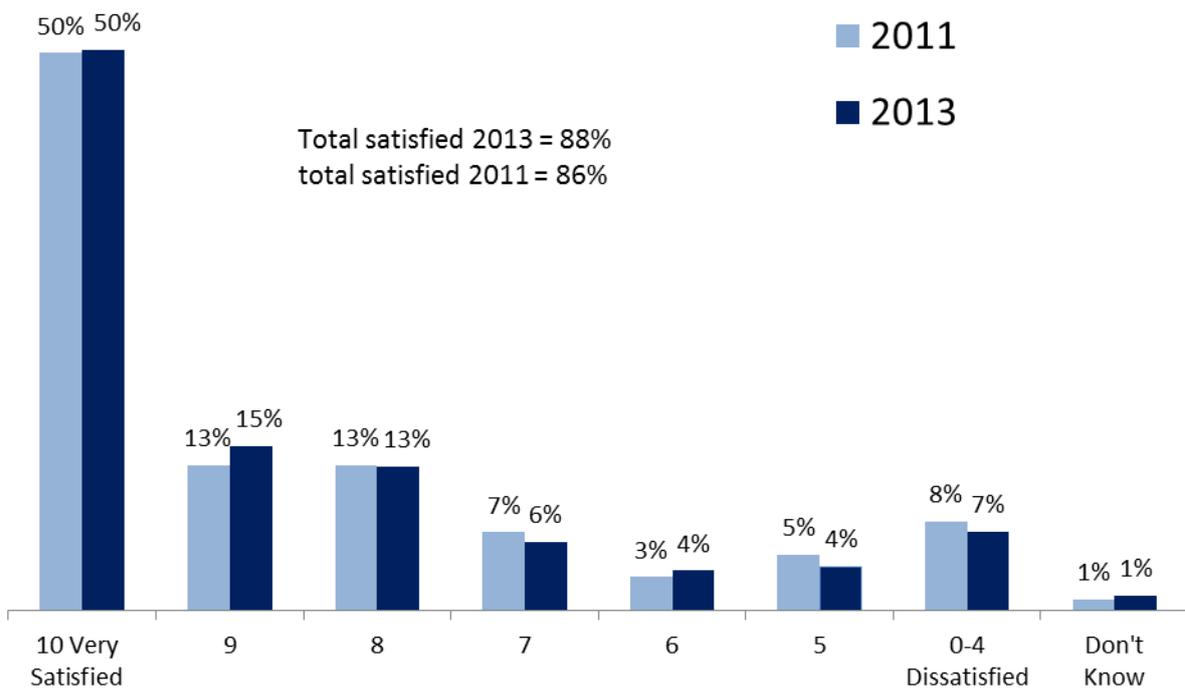
The eight who were dissatisfied in 2013 gave as reasons that the staff were felt to be unhelpful, client service was poor, that they were given

poor or incorrect information, or that staff did not give advice or guidance.

Ratings of four of the five specific aspects of the service given by clerical staff revealed very high satisfaction (94% to 95% satisfied) for those who felt able to give a rating. One item ('how well clerical staff helped the client understand the type of services legal Aid could provide) although still quite high (88%) was somewhat lower than the others. For two items, a substantial proportion felt that item did not apply to them or said they did not know how satisfied they were: 16% for how much staff helped them understand the type of services Legal Aid could provide, and 32% for ratings of the sensitivity and awareness staff showed to the client's culture and background.

There were no significant differences in specific ratings of clerical staff performance between those attending for different law types.

Satisfaction with solicitor's service (Q18)



In 2013:

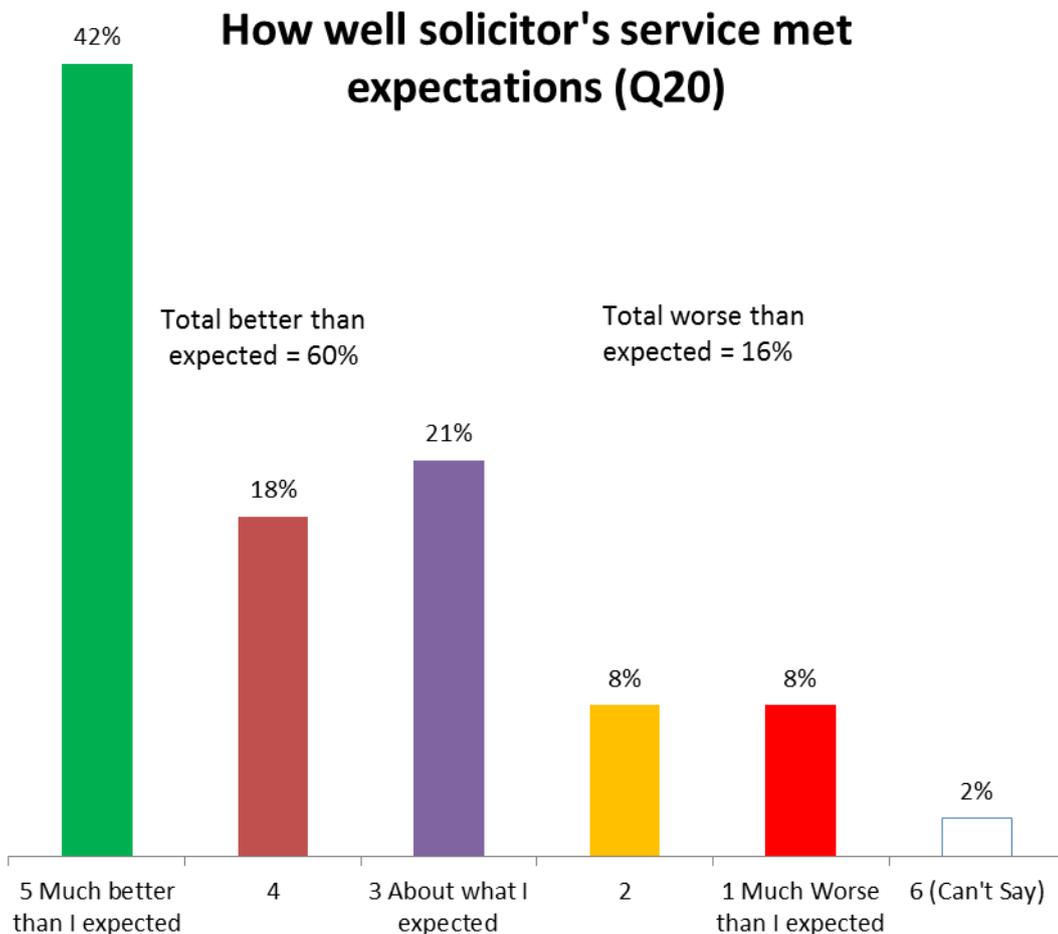
- 88% were satisfied with the service provided by the solicitor (rating 6-10 on a zero to 10 scale).
- 50% were Very satisfied (rating 10).
- 7% were dissatisfied (rating 0-4.)
- 5% gave other replies including ratings of 5 (4%) or being unable to give a rating (1%).

- The mean rating was 8.4.

There were no significant changes overall from the results obtained in 2011.

The more common reasons for dissatisfaction among the 38 who were dissatisfied in 2013 were feeling the solicitor did not listen (48%), did not treat the client with respect (58%), did not give assistance to understand their legal problem (50%), or did not show respect or treated the client insensitively (47%). A few reported that the solicitor gave incorrect or inaccurate advice or information (18%) or did not answer questions (18%), that the solicitor was rushed or the office appeared understaffed (13%), the solicitor did not act as promised (11%), or that the solicitor did not help with special needs (8%). Other points were each mentioned by only one or two dissatisfied clients.

Ratings of most of the specific aspects of the service provided by the solicitor showed quite similar distributions to overall satisfaction. The only aspect that had a mean rating below 8.4 was the solicitor's ability to help clients who had special needs due to disability (average rating 7.8). Even for this aspect, among the 21% who gave a rating on this item (with 79% saying it was not applicable to them or that they could not give a rating) only one in ten were actually dissatisfied.



When asked to assess how well the service from the solicitor met their expectations, 60% considered the service better than expected and 16% considered the service was worse than expected.

The more common reasons for saying the service was worse than expected included the advice given being hard to understand or incomplete (7% of the total sample, 44% of those who felt the service was worse than expected), feeling they had not been listened to or understood or that the solicitor was unhelpful or not interested (also 7% of the total sample and 44% of those who felt the service was worse than expected); that they were not eligible for the assistance sought (5% overall, 31% of those who felt the service was worse than expected); or feeling rushed (5% of the total sample, 31% of those who felt the service was worse than expected). Other replies were given by very few of those who felt the service was worse than expected.

For the 60% who were pleasantly surprised (i.e. felt the service was better than expected), the most common reasons given were that the solicitor was easy to understand (16% of the total sample, 27% of those who were pleasantly surprised) listened and/or understood and/or was interested (13% of the total sample, 22% of those who were pleasantly surprised) gave practical assistance or a helpful referral (12% and 20%) gave more useful advice than expected (11% and 18%), provided what was wanted (11% and 18%) explained options or told the client what to do (11% and 18%), treated the client well (including treated with respect, that the solicitor cared about them, or did not judge them – 10% and 17%). Speed, knowledge, achieving a good outcome, confirming the client's own ideas or intentions, and being given time and not rushed were also mentioned by a few.

Most (70%) reported that the interview improved their understanding of their legal problem and situation and 59% felt more confident in dealing with the problem. Almost half (48%) reported it reduced their level of stress or anxiety (although 16% did say it made this worse). Other areas were reported to be improved by 18-30%. Only the level of stress or anxiety was reported as being made worse by more than 10%.

Most (93%) would recommend the service to another person.

The overwhelming reason for not recommending the service among the 7% that would not do so was that they were dissatisfied with the service, mostly based on the communication with and performance of the solicitor.

2. Other Results

2.1. Pathways to the service

Legal Aid NSW was usually found directly by the client:

- 74% went to Legal Aid NSW without being referred including:
 - 60% who went directly to Legal Aid without consulting any other source of assistance.
 - Another 14% consulted another source of assistance but were not referred to Legal Aid NSW by that source.
- 14% were referred without any explanation of the services offered.
- 11% were referred with some explanation of the services offered.

A wide variety of sources were consulted by clients prior to approaching Legal Aid NSW. Of the 39% who said they had consulted other sources before contacting Legal Aid NSW, the more common sources consulted about the legal issue were:

Law Society or lawyers in private practice	33%
Government departments	23%
LawAccess NSW	18%
Community organisations	10%
Family or friends	8%

More details of these sources are provided in the full report. Overall, the 39% who had consulted elsewhere before contacting Legal Aid NSW was significantly less than the 51% who had done so in 2011.

Some (19%) had consulted more than one source.

2.2. Accessibility and barriers

Legal Aid NSW is committed to ensuring that the same quality of service is provided to all clients irrespective of their ability. The interview thus asked all respondents about perceived barriers to access, disability and whether this affected the service received, and other possible indicators of disadvantage (ethnic background, preferred language, and concerns about personal safety).

Only 8% reported they had problems gaining access to the service, and some of these were talking about difficulties in obtaining the service they had sought, rather than barriers to making contact and attending. The time spent waiting for an appointment and poor communication with the client were the most common specific difficulties but each was mentioned by under 5% of the total sample.

While 19% reported they had been frightened as a result of threatened or actual violence in a relationship, only 11% reported they were worried about their safety at home when they attended their Legal Aid NSW advice session; in total 23% were either worried about their safety

at home or about threatened or actual violence in a relationship, or both.

5% reported they were of Aboriginal and Torres Strait Islander background.

23% reported they spoke a language other than English at home.

4% of those interviewed (18% of those who spoke a language other than English at home) were interviewed by a bi-lingual interviewer fluent in their preferred language.

19% reported they had special needs due to a disability.

Most of these 104 clients reported either a physical (59% of the 104) or psychiatric (35%) disability; few reported other disability as shown below:

Type of disability reported	n=104
Physical disability	59%
Psychiatric disorder	35%
Intellectual disability	13%
Hearing	6%
Visual	3%
Other	2%

One in five of the 104 (20%, a total of 21 respondents) reported they had experienced some difficulty with Legal Aid NSW services as a result of their disability.

2.3. Application for grant of legal aid

57% had not applied for a grant of legal aid or had not yet made up their mind whether to do so; 20% had already applied, and 23% intended to do so.

27% of the 105 who had already applied for a grant of legal aid reported they did get the help they needed in filling the application.

72% reported that they did not need help.

1% reported they did not receive help that they needed.

39% of the 28 who said they had received help said this came from the solicitor and 29% from reception staff; another 11% received assistance from an unspecified source within Legal Aid; a few reported that they obtained help from a friend (18%) or other sources (18%)

Of the 307 who had not applied for a grant of legal aid and did not intend to do so, 32% said they only sought advice or did not need a grant, 18% said this was because they had been advised by the Legal Aid NSW solicitor that an application would not be successful, 14% were not aware that they might be eligible, 6% said they thought they would have little chance of approval, another 6% believed they were not eligible, 6% were not sure whether they would require assistance or not,

5% did not believe the Legal Aid NSW service would have the required expertise, 4% were referred elsewhere (including to mediation), 2% were able to arrange other representation that they could afford or to obtain free representation elsewhere. Less than 1% did not have time to obtain aid before their hearing and 2% gave other reasons that could not be classified.

2.4. Legal Aid NSW waiting times

Time spent waiting for an appointment varied widely but most (79%) were seen within two weeks 54% in the same week:

Same day	26%
Same week	28%
1-2 weeks	25%
2-3 weeks	11%
A month or more	8%
Could not say	1%

86% of clients said "Yes" but 14% said "No" when asked: "*Did you get advice in the time frame that you needed it, such as before a court deadline?*" Further analysis showed this to be a leading cause of dissatisfaction for the small number (8%) who were dissatisfied overall.

Those who said they did not obtain service in time were significantly less satisfied with service from the solicitor (mean 7.6, 28% very satisfied, 19% dissatisfied) than those who did obtain service in time (mean 8.7, 54% very satisfied, 5% dissatisfied); this accounted for one third of those dissatisfied with the service from the solicitor four of the eight clients who were dissatisfied with the clerical staff performance.

2.5. Representation and assistance

12% of the sample reported they had represented themselves in court or at a tribunal; most of these clients had apparently already had at least a first hearing by the time they were contacted to complete the survey.

Excluding those who had not yet been to court (23%) or did not expect they would go to a hearing (14%), 20% had represented themselves.

62% of those who either had represented themselves or were expecting to have a hearing (n=188) reported they had received assistance in representing themselves.

20% reported they had needed assistance that they did not receive, while 18% reported they did not need any assistance.

The types of assistance reported were:

General advice/information only	46%
Represented in court	21%
Letter sent on behalf of client	14%
Letter written for client to send	10%
Made phone call on client's behalf	6%
Given something to use in court	6%
Some other action	16%

Of those given assistance, 61% considered it helpful, with 34% believing it was too soon to say and 5% saying it was unhelpful.

More detail about how the assistance failed to help is given in the main report.

2.6. Information from Legal Aid NSW

23% received or picked up a Legal Aid NSW publication.

13% were referred to the Legal Aid NSW website for information.

69% received neither a Legal Aid NSW publication nor information from the Legal Aid NSW website.

2.7. Referrals from Legal Aid NSW

35% reported they were referred to other services by Legal Aid NSW.

The more common services reported by the 188 clients who were referred were:

Law Society or lawyers in private practice	43%
Dispute resolution/mediation	13%
Community organisations	11%
Another Legal Aid NSW office	8%
Government departments	7%
Court/tribunal	7%
Community Legal Centre	5%
Pro bono solicitor	4%

Other categories were endorsed by under 4% of those referred.

Of those referred to other services by Legal Aid NSW, 14% reported that someone at Legal Aid NSW made contact with the service to explain their situation or ask for assistance on their behalf.

13% of the 188 referred clients reported that contact was already made by the solicitor, and 41% reported that they had made contact themselves with a service they were referred to; 23% noted that they intended to do so; 11% said they did not intend to make contact and 12% were unsure whether they would do so.

2.8. Internet use

71% reported they had access to the internet at home, with another 10% having access away from home.

24% of those with internet access had used the Legal Aid NSW website to obtain information before making contact with Legal Aid.

Most of those who used the site found it easy to use (78%) and helpful (75%).

3. Conclusions and Recommendations

3.1. Conclusions

- Satisfaction with the service remains high.
- The clerical staff achieved remarkably high levels of satisfaction.
- The level of satisfaction with solicitor's services was also very high, especially considering the potential complexity of the required services and the limitations placed on the range of services that can be provided by solicitors.
- The main causes for dissatisfaction appear to be the limitations on the services that can be provided by Legal Aid NSW to clients.
- Clients with special needs are generally having those needs met, but there is room for improvement in this area.
- Unrealistic expectations about the level of assistance that can be provided before legal aid is granted or can be provided if aid is not granted seem to contribute to the levels of dissatisfaction reported.
- The specific sub-groups that account for most of those who were dissatisfied appear to be those who:
 - received a service after a hearing date or other critical deadline.
 - were dissatisfied with the actual response of the solicitor to the issue they sought advice about due to communication breakdowns, unmet expectations, perceived inaccuracy in facts the solicitor relied on or mistakes about the information provided.

3.2. Recommendations

1. Legal Aid NSW should sustain the resources currently devoted to maintaining the high level of staff commitment, concern for client needs and respectful treatment of clients revealed by the survey results.
2. Further improvement in outcomes might be achieved by focussing particular attention on:
 - a. Identifying hearing dates or other critical deadlines and ensuring appointments are scheduled if possible before these dates wherever possible.
 - b. Further clarifying in all public information about Legal Aid NSW services what guidelines or policies might limit the range of assistance that can be given to clients seeking legal aid, such as the allocation of time for advice sessions.
 - c. Providing additional resources for sessions with heavy bookings for the number of solicitors available.

- d. Continuing to meet the special requirements of those with physical, intellectual and psychiatric disabilities where these can be identified, with particular attention to establishing what assistance these clients need from Legal Aid NSW.
- e. Having reception staff check with clients with physical disability if they are in discomfort and then being empowered to move clients in physical discomfort ahead in the queue – although this risks creating dissatisfaction for other clients who then have to wait longer.
- f. Asking reception staff and solicitors to be even more alert to the need for assistance in filling out forms for clients with an intellectual disability, or for seeing such clients with a support person who can assist the client to understand the advice being given (however, these problems emerged with only two clients and one client respectively).
- g. Checking with any client who mentions personal safety concerns that the response given was helpful, and following through until the client reports that they have received appropriate help or do not require any further assistance.
- h. More actively probing (where appropriate) for such concerns with those attending and especially among those attending for Criminal Law matters; however, ensuring that appropriate action can then be taken would need to be given a very high priority; the client response would need to be followed up and further action taken if the client felt they had not been helped. To undertake such follow-up would obviously present a real challenge given the many pressures that staff are working under.
- i. Identifying cases where it appears that the client and the allocated solicitor are not communicating effectively and develop avenues to address these concerns to ensure enhanced client service.
- j. Routinely checking eligibility and need for a grant of legal aid. Although most clients who did not ask about eligibility appeared to have had good grounds for not doing so, it would be appropriate if eligibility were routinely checked during the advice interview even if the client does not raise the issue.

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