Public Understanding of Law Survey

Volume 2

Understanding and Capability

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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.

The PULS Volume 2:
Understanding and Capability

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

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1 See https://www.lsbc.vic.gov.au/grants-and-funding/public-purpose-fund.

Short Forms

CSJPS	Civil and Social Justice Panel Survey
DCL	Digital Capability for Law
GLC	General Legal Confidence
LAW	Perceived Relevance of Law
OECD	Organisation for Economic Cooperation and Development
OECD/OSF	Organisation for Economic Cooperation and Development/Open Society Foundations
PCA	Principal Components Analysis
PIL	Perceived Inaccessibility of Lawyers
PLL	Practical Legal Literacy
PULS	Public Understanding of Law Survey
SDG	Sustainable Development Goal
SLE	Subjective Legal Empowerment
SLS	Short Literacy Survey
UN	United Nations
UNDP	United Nations Development Programme
VLF	Victoria Law Foundation

Foreword

This is the second in three major reports drawing on the *Public Understanding of Law Survey* (PULS). Volume 2 focuses on exactly that: how do Victorians understand our law? It develops the concept of legal capability: the knowledge, attributes and resources you need to navigate our legal system.

The survey captures the views and experience of 6,008 Victorians randomly drawn from the population. In conjunction with the legal needs analysis in Volume 1, these findings offer the most comprehensive picture of the justiciable problems Victorians have and their capacity to address them.

That people need a basic awareness of law and rights and a measure of competence to resolve legal problems may seem self-evident, but until now we didn't have a benchmark on where Victorians were. Now we do.

What we see is that our ability to deal with everyday legal problems is clearly related to understanding and capability. Poor legal skills, low legal confidence and negative attitudes to law, limit people's ability to deal with problems, and consequently the prospects of a just resolution. We also see that lower capability is more prominent in people experiencing disadvantage, who, as we know from PULS Volume 1, also experience higher numbers of legal problems. This exacerbates inequality – more problems for people with less capacity to deal with them.

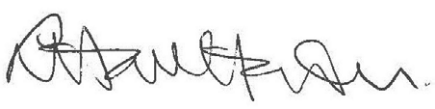
We know that nearly one in five Victorians (18%) have inadequate practical legal literacy (reading brochures, raising problems with an organisation). We know that over a quarter would need 'major support' to undertake online tasks relevant to problem resolution. These two data points alone should be central to policy and practice discussions as the sector moves increasingly to digital information sources and service delivery.

The social patterning evident in the demographic and geographic breakdown provides more detail. For example, young people have lower knowledge but higher trust; older people regard the law as less relevant to their lives, have lower legal literacy, and less regard for lawyers. These findings should invoke careful re/consideration of how we frame and deliver information to different groups, particularly in the context of an ageing population and other demographic projections.

For the first time, we have population level data on what the hurdles are in communication, information, and education. With that comes an invitation to act, which extends to all parts of our justice system, the private profession as much as legal assistance and institutions. In an environment where many legal service and resolution tasks may soon have an AI component, how we engage as people is increasingly important.

This report should be viewed as a trigger for further investigation. What is presented here is just a starting point, and we invite interested parties to explore further and pose their own questions of the dataset.

If we are to move to a justice system which works better for all Victorians, then decision-makers of all stripes need to redouble their efforts to understand who they serve, the needs and capabilities of those people, and how to effectively engage them. Meeting people where they are is key.



Lynne Haultain
Executive Director

PULS Volume 2: Themes and Directions

The *Public Understanding of Law Survey* (PULS) findings in this volume build on those reported in Volume 1. They provide the most significant effort to quantify legal capability to date, and unprecedented insight into levels and patterns of legal capability in Victoria.

The data show variable legal capability, unequal distribution of capability, and clear links to disadvantage. They place inequality of capability alongside the inequality of experience set out in Volume 1 as another layer in the inequality of justice.

Better understanding of legal capability, and consideration of where policy and practice might acknowledge and tailor to it, can help to reshape provision, optimise resources and ultimately democratise justice.

Legal understanding and capability

Legal capability matters. Poor legal skills, low legal confidence, and negative attitudes to law all limit people's ability to deal with justiciable problems[2] and consequently their prospects of a just resolution.

While none of us have perfect legal capability, some have more than others. Legal capability is not equally distributed, and like experience of justiciable problems, the evidence demonstrates it is tied to disadvantage. Inequality of capability adds another layer of inequality of justice, compounding the vulnerability to problems described in the first volume of the *Public Understanding of Law Survey* (PULS). The more extensive the inequality of capability, the greater the potential impact on fair and equal access to justice.

Policy and practice should pay heed to legal capability, its social patterning, and the implications of different types of surplus and deficit. Doing so plots a route to more effective, bottom-up provision, prioritising the needs and capabilities of the public.

Levels of legal capability

The term 'legal capability' is commonly used to refer to the array of knowledge, skills and attributes "required for an individual to have an effective opportunity to make a decision about whether and how to make use of the justice system",[3] though the concept extends to external factors that also bear on the individual's ability to navigate and use legal frameworks and achieve fair resolution of justiciable issues.

Legal capability has many dimensions, only a fraction of which can be explored through a single survey.[4] The PULS investigated a variety of legal skills (legal knowledge, recognition of the relevance of law, legal literacy and digital legal literacy), legal confidence, and attitudes to law (perceptions of lawyer accessibility, trust in lawyers and broad narratives of law). The PULS findings indicate considerable variation in levels of capability, both within and across these domains.

People are generally confident they can achieve fair outcomes to justiciable problems, provided they do not escalate. However, if they do, and particularly if the other party has better legal support, confidence levels can drop significantly.

While the PULS indicates relatively high levels of legal knowledge, people are nevertheless frequently ignorant of the law concerning everyday justiciable problems. Moreover, while many appreciate the relevance of law to such problems, a significant percentage do not.

People generally have reasonable practical ability to engage and interact with organisations and institutions relevant to the resolution of justiciable problems, though again the PULS pointed to a significant group (18% of respondents) having inadequate or low 'practical legal literacy'. Turning to 'digital legal literacy', 26% of respondents were found to require 'major support' in relation to undertaking common online tasks relevant to law.

When it comes to obtaining legal support, perceptions of the accessibility of Victorian lawyers are more positive than negative, though significant concerns are apparent. So, while PULS respondents tended to see lawyers as approachable, a majority regarded lawyers as taking too long to deal with issues. In relation to personal experience of lawyers (as opposed to lawyers in general), PULS respondents reported high levels of trust across dimensions, though there was somewhat less trust in lawyers not to overcharge for their work.

People's broader narratives of law (i.e. how they think of law in everyday life) can be complex and involve elements that appear to be in tension. People generally see law positively in terms of its practicality – as a way to resolve problems, though many also see law as remote or, more negatively still, something to resist. At least in part, the apparent contradictions in narratives likely reflect the diversity of law and the broad range of scenarios to which law is relevant.

2 Problems which raise legal issues (Genn, 1999).

3 Pleasence et al. (2014), pp.123–4.

4 For more on dimensions of legal capability, see Balmer et al. (2019), as well as the taxonomy of legal capability in Appendix 1.

The social patterning of legal capability

The PULS reveals distinct social patterning of legal capability. This can be observed both for specific aspects of capability and groups of related capabilities. Elements of social patterning were related to life experience – such as the youngest respondents having the lowest level of legal knowledge and the oldest respondents the lowest level of digital capability for law.

Composite scores were created to reflect, first, respondents' broad legal skills and confidence levels, and second, their general attitude to law and lawyers. Skills and confidence were highest among those in their thirties, those with the highest educational qualifications, First Nations people and carers. Skills and confidence were lowest among the youngest and oldest respondents, those with fewer educational qualifications, and those experiencing mental or financial distress. Attitudes were most positive among younger respondents and those living in outer regional and remote areas. They were most negative among older respondents, First Nations people, those with fewer educational qualifications and those facing severe mental and/or financial distress.

By looking at both composite scores together, a more nuanced picture of legal capability emerged, in which people could be described as skilled/confident and positive in attitude, unskilled/unconfident and negative in attitude, etc. Of particular policy concern are those people who have both low skills/confidence and a negative attitude. Such people might be expected to be both reluctant to engage with the legal system, and face difficulties in navigating and drawing benefit from it when they do. More commonly falling into this category are elderly people, those with lower than year 12 or equivalent qualifications, and those suffering severe mental and/or financial distress.

Legal capability and legal service delivery

Different types of capability deficit give rise to different legal policy and practice challenges. For example, negative attitudes to law, legal services or processes are a challenge to their reach. Even extensive physical outreach programs may struggle to engage with those who describe law as "the last place I would turn for help" (one of the components of the 'resist' narrative of law), in the absence of extensive community engagement and trust building efforts. Once engaged, those who are both skilled and confident may need little more than information and direction. Conversely, people with poor legal skills and/or low legal confidence challenge services and institutions to provide appropriate and effective levels of support. People-centred justice means recognising differences and responding accordingly, in form and intensity of service, in how decisions are made and communicated, and the extent to which complementary services are to be drawn on and coordinated. A policy of legal empowerment cannot only be a policy of empowering people to do it themselves. That is too great an ambition. Rather, it must amount to a policy of empowering through provision of appropriate levels of support to ensure fairness. One size does not fit all, and considering capability is key to a better, more tailored fit.

The need to tailor to capability is not the responsibility solely of publicly funded legal services. The challenge extends to private practice and how it engages the public, frames and designs services, and communicates with clients, as well as to the broader 'non-legal' advice services that were shown to make such a critical contribution in Volume 1 of the PULS. Nor is this challenge limited to different forms of support, but also to efficiently determining which level of support is appropriate in any given instance. Here, complementary and fit for purpose service data are essential (McDonald and Haultain, 2023), while the capability approaches developed in the PULS provide both a direction of travel and potential tools to facilitate capability-based triage.

Paths to legal capability and diverse paths to justice

Narrower PULS findings also point to the diversity of policy and practice responses necessary to improve access to justice. For example, the revelation that young people's relatively poor awareness of law in everyday life, low practical legal literacy and legal knowledge sits alongside a tendency towards positive attitudes to law and legal professionals, suggests an important role for curriculum development and outreach in educational settings. By contrast, the generally low levels of legal skills and confidence and the generally more negative attitudes of older respondents suggest the importance of reframing and tailoring services aimed at older people.

The PULS also indicates some population groups may develop capability through necessity, with particular legal skills and confidence relating to their distinct life circumstances and exposure to law. The nature of that capability and learning may require quite different policy and practice responses. So, those with caring responsibilities for adults, who (as detailed in Volume 1) are associated with elevated problem experience, have generally high levels of legal skills and confidence, and positive attitudes to law and legal professionals, may benefit most from services focused on the particular issues they are more likely to face. Meanwhile, First Nations people exhibited greater awareness of the legal dimensions of everyday life, knowledge of law and legal confidence, but not equivalent practical legal literacy skills, and quite negative attitudes towards law and legal professionals. Given relatively low numbers of First Nations respondents, further research is needed. Findings such as these, however, suggest a need for community engagement and reiterate the importance of initiatives aimed at building and maintaining trust, as well those enabling 'trust transfer' through collaboration.

Legal capability and institutional responsibility: bottom-up policy and top-down responsibility

Public and personal narratives of law, and attitudes to particular aspects of the legal system inevitably affect the use of legal services and processes. Past research, including development work for the PULS, indicates the two-way dynamic here, where personal experience of legal services and processes also have a bearing on attitudes.

Volume 3 of the PULS will explore in detail the complex relationship between legal capability and people's experience of and responses to justiciable problems. It is already evident however that if the goal of access to justice policy is to democratise justice, then attitudes to justice matter. Legal service providers and legal institutions (most obviously, courts and tribunals), have several responsibilities: to shape services to reach communities in need; ensure they are accessible; be sensitive to both needs and capabilities; and deliver diverse forms of service to match them.[5] In addition, they have a core responsibility to operate in a way that promotes trust and positive attitudes to the justice system. Perceptions of inaccessible or inadequate services, or inaccessible or unfair processes not only inhibit further use of those services and processes, but also feed a vicious cycle of worsening attitudes, corroding confidence in the rule of law.

The structures of the justice system are best developed from the bottom-up, but responsibility for the operation of a system able to respond to diverse needs, that facilitates access, and ensures quality of process and outcomes, sits at the top.

5 Explored in detail a decade ago in the 2014 Law and Justice Foundation of New South Wales report *Reshaping Legal Assistance Services*.

Report summary

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' problems). It is made up of a sample of 6,008 respondents across Victoria employing the best survey methods available to yield the highest quality data.

This is the first major legal needs survey in Australia since the Legal Australia-Wide Survey (Coumarelos et al., 2012) and draws upon and develops Pleasence, Balmer and Chapman's global guidance (OECD/OSF, 2019) and a rich history of legal needs surveys dating back to the 1930s. However, the *Public Understanding of Law Survey* (PULS) is much more than a legal needs survey. It is an innovative hybrid, marrying the latest legal needs survey approaches with new thinking on the conceptualisation and measurement of legal capability. It is designed to further our understanding of how people understand and interact with the law and legal problems, and how and why they take particular paths to justice. Principally, it is designed to yield insights with practical access to justice application by supporting 'bottom-up' approaches to access to justice (Pleasence and Balmer, 2019a), a growing movement worldwide, which puts people's needs and capabilities at the centre of justice sector policy, design, regulation and reform.

PULS reporting is comprised of three volumes.

In Volume 1 we reported on respondents' experience of justiciable problems,[6] described how people responded to problems, documented the nature and perceptions of outcomes, provided estimates of levels of met and unmet legal need in Victoria, and provided a baseline for United Nations (UN) Sustainable Development Goal (SDG) 16.3.3 for Victoria. We exposed inequalities in vulnerability to problem experience, use of legal services and the experience of unmet legal need. In doing so, data highlighted some shortfalls of the broad Victorian justice system.

In this second volume, we introduce the concept of legal capability and report on respondents' understanding of legal rights and responsibilities, confidence in being able to secure fair resolution of justiciable problems, practical legal literacy, perceptions of the relevance of law in everyday life, narratives of law (how people construct legality in everyday life), perceptions of lawyer accessibility, trust in lawyers, digital capability for law, and finally, relationships between these various aspects of legal capability.

The third volume of the PULS report will draw legal need and legal capability together to explore how their combination might enhance understanding of problem experience, problem resolving behaviour, outcomes, and legal need (met and unmet).

These reports provide a point of reference but are only a starting point. The PULS is a rich data resource that can be repurposed to answer a diverse array of research and policy questions. We will continue to use and encourage use of PULS data well into the future.

6 Justiciable problems have been defined by Genn (1999, p.12) as problems that raise legal issues, whether or not these are recognised by the parties and whether or not any action taken to resolve them involves legal professionals or processes.

Legal capability

Over the past decade, the term 'legal capability' has frequently been used as shorthand for the array of knowledge, skills and attributes "required for an individual to have an effective opportunity to make a decision about whether and how to make use of the justice system".[7] Drawing upon the theoretical context developed by Sen (1999), Nussbaum (2011) and others, we conceptualise legal capability, in its broadest sense, as the *freedom and ability to navigate and use the legal frameworks which regulate social behaviour and to achieve fair resolution of justiciable issues*.[8]

The PULS contained a series of question modules designed to assess levels of capability across a range of legal capability dimensions:

- Legal knowledge (the extent to which people know the content of everyday civil law)
- Legal confidence (people's confidence in being able to bring about fair outcomes to justiciable problems – a form of self-efficacy specific to the legal domain)
- Legal information literacy (people's capability to obtain, understand and navigate the information and services needed to deal with everyday justiciable issues)
- Recognition of the relevance of law (people's awareness of the relevance of law to everyday life)
- Attitude to law (people's narratives concerning the role and operation of law in everyday life)
- Attitude to lawyer accessibility (people's perceptions of the accessibility/inaccessibility of lawyers)
- Trust in lawyers (people's trust in lawyers across six dimensions of trust)
- Digital legal capability (people's capability to utilise digital legal services).

Prior research has indicated that each of these dimensions are relevant to people's ability to effectively use law, legal services and legal processes when necessary to secure just outcomes to justiciable problems.

While the PULS is unique among large social surveys in having a primary focus on legal capability, the methodology draws heavily on earlier investigations into capability and its measurement – in particular, questions that gauge various capability dimensions developed for legal needs surveys, broader innovations in psychometric measurement of legal capability, and development work undertaken specifically for the PULS.[9]

7 Pleasence et al. (2014), pp.123–4.

8 Owing to the methodological approach of the PULS, the focus is on internal capabilities (i.e. "trained or developed traits and abilities" Nussbaum (2011), p.21) as opposed to "external opportunities" (Nussbaum (2011), p.61) or the interaction between internal capabilities and external opportunities.

9 Principally Balmer et al. (2019).

Knowledge of rights

PULS respondents were asked a series of 15 questions to test their knowledge of legal rights across a range of civil law areas of relevance to everyday life. Respondents provided correct responses to just over 70% of the questions, rising to 77% when 'don't know' responses were excluded and 82% when questions respondents considered only 'probably' (as opposed to 'definitely') correct were excluded. Set against the 'chance' score of 50%, this suggests reasonable levels of legal knowledge across the Victorian population.

However, knowledge levels varied across questions and respondents. For example, around half the respondents correctly identified that a rental provider can't tell a renter that they can't keep a cat or a dog just because the rental provider doesn't want a pet in their property.[10] On the other hand more than 90% of respondents correctly identified that a rental provider isn't allowed to enter a renter's home to carry out routine repairs without first telling a renter.

In terms of social patterning, after taking account of other factors, those in middle-age tended to score higher than others, as did women, those whose main language spoken at home was English, people who provided day-to-day care for elderly or disabled adults, those with a long-term illness or disability and those living in outer regional and remote areas of Victoria.

Legal confidence

PULS respondents were asked the six questions (also referred to as 'items') that comprise the Australian version of the General Legal Confidence (GLC) scale, which presents an increasingly demanding legal scenario, and uses a Likert scale to assess a respondent's level of confidence in being able to "achieve an outcome that is fair, and [they] would be happy with".

Levels of confidence varied considerably across the six GLC items with problem severity and parity of circumstances between the parties. For example, while 63% of PULS respondents reported being confident in being able to achieve a fair outcome that they would be happy with for a 'substantial disagreement', this dropped to 26% where the disagreement involved going to court with a barrister representing the other side and the respondent representing themselves.

In terms of social patterning, after taking account of other factors, legal confidence was associated with age, increasing from younger to middle age groups, and declining in older age. Men were more confident than women. Aboriginal and Torres Strait Islander respondents were also more confident than others, as were those whose main language spoken at home wasn't English, those who provided day-to-day care for elderly or disabled adults, those with higher levels of mental distress, those with lower household incomes and those living in outer regional and remote areas of Victoria. Findings of higher relative legal confidence amongst cohorts, such as those with caring responsibilities for elderly or disabled adults, illustrate the idea of legal capability through necessity, where skills may be increased through engagement with law and through the accrual of a greater volume of rights and responsibilities stemming from life circumstances.

10 Note, that this was a relatively recent change to the law resulting from the commencement of the *Residential Tenancies Amendment Act 2018* on 29 March 2021. However, even without a change to the law, the correct percentage would have remained around 50%.

Practical legal literacy

PULS respondents were asked six questions focused on practical legal literacy. These drew heavily on tools developed in the health field,[11] and eschewed references to law, as people have relatively few dealings with legal services and so may have inaccurate preconceptions of their nature. The questions therefore referenced dealings with services analogous to legal services, such as banks, local councils, doctors and Centrelink. The questions concerned levels of difficulty experienced in relation to tasks ranging from 'reading letters, brochures or information' to 'raising problems' with the organisations mentioned. Reading letters, brochures or information from organisations was the item that respondents were most comfortable with. Respondents were least comfortable with finding the right person to speak to in organisations and raising problems with organisations. After accounting for other factors, Aboriginal or Torres Strait Islander respondents, those whose main language spoken at home wasn't English, those with the lowest educational qualifications, those reporting mental distress (and, to a lesser extent, those with a long-term illness or disability), and those suffering financial distress were associated with poorer practical legal literacy.

Relevance of law

PULS respondents were asked eight questions that comprise the Perceived Relevance of Law scale (LAW scale), developed using data from the 2019 *Community Perspectives of Law Survey*.[12] The questions asked about the extent to which respondents thought "the law is relevant" to eight situations involving justiciable issues, from noisy neighbours to wage theft. The pattern of responses to the LAW scale was broadly similar to that recorded through the Community Perspective of Law Survey, with the exception that PULS respondents saw law as relevant to the 'wage theft' item much more often. This is likely attributable to the high-profile campaigning and media attention given to the issue in the run up to the passing of the Wage Theft Act 2020 (Vic), passed after the 2019 survey but before the PULS was in the field.

With regard to social patterning, after taking account of other factors, consistent with findings for legal confidence, those in the middle age groups tended to most often see law as relevant. Men also tended to see law as relevant more than women. Also, those who provided day-to-day care for elderly or disabled adults tended to see law as more relevant than others, as did those with more educational qualifications, those in higher density population areas and those with a long-term illness or disability. However, higher levels of mental distress were associated with lower rates of perception of law as relevant.

11 In particular, Chew, Bradley and Boyko's (2004) Short Literacy Survey (SLS) and Haun et al.'s (2012) BRIEF health literacy screening tool.
12 Balmer et al. (2019).

Narratives of law

Twelve questions were asked to ascertain the extent to which respondents identified with each of four narratives of law (with three questions per narrative), based on Ewick and Silbey's (1998) seminal study of accounts of law in everyday life, and a recent Victorian study exploring these accounts quantitatively. The narratives sought to measure how different people see the nature and relevance of law to them and their lives, and the extent to which they characterised the law as: 'remote' (though not necessarily majestic); arbitrary and to be actively resisted ('resist' narrative): a 'game' that can be played; and, as a 'practical' means to obtain objectives. Overall, respondents were most likely to perceive the law as practical, and less likely to see it as a game, and particularly as remote or to be resisted.

The findings indicate that, rather than individual PULS respondents adhering to a particular narrative of law, people often adhere to elements of multiple narratives, implying both nuance and clear tensions in the complex individual narratives. For example, of more than one-third of people who considered law 'the last place I would turn for help' (Figure 7.1), many also considered law 'good for resolving problems', as well as agreeing with items in the game and remote narratives.

More negative characterisations of law tended to go together, with highly significant positive correlations between the 'resist' and 'game' narratives, the 'remote' and 'game' narratives and, particularly, the 'resist' and 'remote' narratives. Seeing the law as practical also correlated with some other narratives, though the relationship was weaker, with a highly significant, though much smaller, positive relationship between the 'practical' and 'game' narratives, as well as a significant small negative relationship between the 'practical' and 'remote' narratives. There was no evidence of any meaningful relationship between the 'practical' and 'resist' narratives.

As to the social patterning of narratives of law, the tendency to see law as remote was greatest for older respondents, those with fewest educational qualifications, those suffering from severe mental distress and those in financial distress. It was least among those in outer regional and remote areas. Although Aboriginal and Torres Strait Islander respondents most often saw law as something to resist, this was not a statistically significant difference. However, those whose main language spoken at home was a language other than English, those with the fewest educational qualifications, those suffering from severe mental distress and those in financial distress were all significantly more likely to see the law as something to resist. Conversely, those in outer regional and remote areas were least likely to see law as something to resist. The tendency to see law as a practical means to achieve objectives was greatest among younger respondents, those whose main language was a language other than English, those in outer regional and remote areas and those in the lowest household income. Aboriginal and Torres Strait Islanders saw law least often as a practical means to achieve objectives, although again this did not reach statistical significance. The tendency to see law as a game was greatest among men, LGBTIQ+ people, those suffering from severe mental distress and those in financial distress. It was least among those in outer regional and remote areas.

Perceived inaccessibility of lawyers

PULS respondents were asked 10 questions that comprise the Perceived Inaccessibility of Lawyers (PIL) scale, developed using data from the 2019 *Community Perspectives of Law Survey*. The questions asked about the extent to which they agreed with a series of statements about lawyers in Victoria relating to, for example, their attitude to clients, approachability, and speed of service. Older people, people whose main language spoken at home was not English, single parents and those in de facto relationships with children, people with fewer educational qualifications, people with a long-term illness or disability, those facing severe mental distress, and those in financial distress all had a greater tendency to see lawyers as less accessible than others. In contrast, carers, those in outer regional and remote areas and those with lower household incomes were less likely to see Victorian lawyers as inaccessible.

Trust in lawyers

PULS respondents were asked six questions about the extent to which, if they used a lawyer, they would trust and expect competence and behaviour of various types. The questions were specific to the lawyer client relationship, being focussed on respondents' own use/potential use of lawyers, rather than more abstract perceptions of the legal profession as a whole. They related to four dimensions of trust: benevolence, integrity, competence and predictability. Respondents were largely positive in their perceptions of each. More than 95% of respondents indicated they would trust lawyers to be knowledgeable and skilled in their work, with a similar percentage expecting them to act ethically and within the law. More than 90% also indicated they would trust lawyers to act in their best interests.

Just short of 90% had no expectation a lawyer they instructed would break the rules, even 'if needed', although there was a split in the extent to which respondents expected that a lawyer would exploit loopholes in the law, with 56% expecting them to (and just 13% strongly). Younger people, women, those who mainly spoke a language other than English at home, people living in certain family structures, those with adult caring responsibilities, those not in work, those with more educational qualifications, those living in outer regional and remote areas of Victoria, and those with lower household incomes were associated with statistically significantly higher trust scores than others. In contrast, those suffering a long-term illness or disability, mental distress or financial distress were associated with lower trust scores than others.

Digital legal capability

To investigate digital legal capability (or digital capability for law), PULS respondents were first asked about their frequency of use of the Internet and then asked eight questions to determine whether they have undertaken or could undertake a range of online tasks of differing nature and complexity "designed to be analogous to those involved in dealing with justiciable issues".[13] The majority of PULS respondents indicated that they used the Internet every day in the last four weeks (89%), with 399 (7%) using it less often than every day, and 285 (5%) not using the Internet at all. PULS respondents who were younger, spoke English as their main language at home, provided day-to-day care for elderly or disabled adults, were in work, lived in more urban areas and/or had higher household incomes, tended to have a higher level of digital legal capability than others.

13 Drawing on GoOnUK's (now DotEveryone) Basic Digital Skills Assessment questions (Ipsos Mori 2015), as refined by Pleasence and Denvir (2021), p.15.

Clustering dimensions of capability

The tasks of using law, legal services and legal processes, and of achieving fair resolution of justiciable issues, require clusters of different aspects of capability. Analysis was therefore undertaken to explore social patterning across the range of knowledge, skills and attributes described above, as well as the relationship between different legal capability measures. A form of composite capability measurement was also explored.

A number of distinct sociodemographic narratives of legal capability became evident from the PULS. For example, the youngest PULS respondents, overall, had relatively poor levels of legal knowledge, legal confidence and perception of relevance of law within everyday life, but tended to have relatively good practical legal literacy and be more positive in their outlook on law and lawyers than others. The oldest respondents also tended to have poor levels of legal knowledge, legal confidence and perceived relevance of law. However, they also tended to have relatively poor legal literacy and more negativity in their outlook on law and lawyers. Other distinct patterns included those associated with different levels of education, whether respondents had adult caring responsibilities, geography and mental and financial distress.

The majority of relationships between capabilities were significant. However, there were particularly strong significant positive relationships between perceiving the law as remote, something to resist, and perceiving the law as inaccessible. Conversely, the strongest negative relationships were between seeing the law as remote and trust in lawyers and perceived inaccessibility of lawyers.

Distinct sociodemographic narratives of legal capability also became evident from analysis of two composite measures of capability: one representing legal skills and confidence and the other attitudes to law. For example, reflecting the more detailed picture previously painted of the relationship between age and legal capability, the composite measures suggested legal skills/confidence are lowest among the youngest and oldest, but that attitudes more simply become more negative with age. But, both skills/confidence and positivity of attitudes increased with educational qualifications. Notably, people with adult caring responsibilities tended to have higher skills/confidence than others and also have more positive attitudes, with the same also being true of people in outer regional and remote areas. In contrast, those suffering severe mental and/or financial distress tended to have lower skills/confidence than others and also have more negative attitudes.

The composite measures suggest which social groups face the highest barriers in accessing (attitude) and/or using (skills/confidence) legal services and processes. Taken together, they therefore also reveal the social groups that require both additional engagement to access services and processes and make use of them. Most notably, the oldest PULS respondents, those with the fewest qualifications and those who had experienced severe mental or financial distress fell into this category.

1. Introduction

This chapter introduces Volume 2 of the report of the *Public Understanding of Law Survey* (PULS). It discusses the concept of legal capability and details how the PULS has built on and extended the evidence base. It then sets out the structure of this volume.

New insights

In Volume 1 of the report of the *Public Understanding of Law Survey* (PULS) we set out the background and purpose of the survey, defined the concepts we sought to operationalise within it, detailed the survey methodology and explained the structure and content of the questionnaire. We then reported on respondents' experience of justiciable problems,[14] described patterns of problem resolution behaviour, documented the nature and perceptions of outcomes, provided estimates of levels of met and unmet legal need in Victoria, and provided a baseline for United Nations (UN) Sustainable Development Goal (SDG) 16.3.3 for Victoria. We exposed inequalities in vulnerability to problem experience, use of legal services and the experience of unmet legal need. We also highlighted some shortfalls of the broad Victorian justice system.

In this second volume, we introduce and discuss the concept of legal capability, explain how the PULS provides unprecedented insight into levels and patterns of legal capability in Victoria and recap the PULS survey methodology. We then report on respondents' understanding of legal rights and responsibilities, confidence in being able to secure fair resolution of justiciable problems, practical legal literacy (the capability to obtain, understand and navigate information and services needed to deal with justiciable issues), perceptions of the relevance of law in everyday life, narratives of law (how people construct legality in everyday life), perceptions of lawyer accessibility, trust in lawyers, digital legal capability (the capabilities that "equip someone to live, learn and work in a digital society"[15] and are relevant to law) and, finally, relationships between these various different aspects of legal capability.

14 Justiciable problems have been defined by Hazel Genn (1999, p.12) as problems that raise legal issues, whether or not these are recognised by the parties and whether or not any action taken to resolve them involves legal professionals or processes.

15 Jisc, *What Is Digital Capability?*, Available from https://digitalcapability.jisc.ac.uk/what-is-digital-capability/ (accessed 12 September 2023).

Legal capability

In 1976, Galanter argued that "lack of capability of parties poses the most fundamental barrier to access [to law]".[16] Party capability, he said, was comprised of "a range of personal capacities which can be summed up in the term 'competence': ability to perceive grievance, information about availability of remedies, psychic readiness to utilise them, ability to manage claims competently, seek and utilise appropriate help, etc."[17]

More recently – first in the field of community legal education (Jones, 2010; Parle, 2009; Collard et al., 2011), then in the context of empirical study of dispute resolution behaviour (e.g. Pleasence et al., 2014) – the array of knowledge, skills and attributes "required for an individual to have an effective opportunity to make a decision about whether and how to make use of the justice system" have come to be referred to as 'legal capability'.[18]

Adoption of the term legal capability has been accompanied by some efforts to conceptualise legal capability as an aspect of economist Sen's idea of capability as "the substantive freedom to achieve alternative functioning combinations (or, less formally put, the freedom to achieve various lifestyles)".[19] Sen's concept of capability lies at the heart of the hugely influential capability approach to human development, which shifted the focus of development economics "from national income accounting to people-centred policies", and redefined the purpose of development as being "to enlarge people's choices in all fields – economic, political, cultural".[20] This change of focus is manifest in the series of United Nations Development Program (UNDP) human development reports, starting in 1990.[21]

Elaborating on the concept of capability, Nussbaum (2011) explained that capabilities "are not just abilities residing inside a person but also the freedoms or opportunities created by a combination of personal abilities and the political, social, and economic environment".[22] She drew a distinction between internal capabilities (characterised as "trained or developed traits and abilities"), external opportunity and combined capabilities with the last of these equating to Sen's 'substantive freedom'.[23]

Distinguishing between internal capability dimensions and combined or composite capabilities is critical, as "the distinction corresponds to overlapping but distinct" societal tasks: to produce internal capabilities and provide avenues "through which people actually have the opportunity to function in accordance with those capabilities".[24] In the context of access to justice, these avenues of opportunity are represented most obviously by legal frameworks, institutions of justice and legal services. However, the UN Handbook on Governance Statistics taxonomy of access to justice includes as a dimension of access to justice the more general favourability of the environment (which includes such things as IT and transport infrastructure, security and structural inequality).[25]

16 Galanter (1976), p.225.
17 Galanter (1976), p.231.
18 Pleasence et al. (2014), pp.123–4.
19 Sen (1999), p.75. In Pleasence and Balmer's (2019a) article *Justice and the Capability to Function in Society*, the authors framed the entire experience of justiciable problems in terms of capability.
20 ul Haq (1995), p.xvii.
21 UNDP (1990).
22 Nussbaum (2011), pp.20–21.
23 Nussbaum (2011, p.21) explained further that this was to "be distinguished from innate equipment," which refers to the potential that people are born with, and which is also described as 'basic capabilities'.
24 Nussbaum (2011), p.21.
25 Governance Statistics Praia City Group (2020).

A further distinction must also be made between capabilities and functionings. Sen clarified the distinction in the Tanner Lectures in Cambridge in 1985:

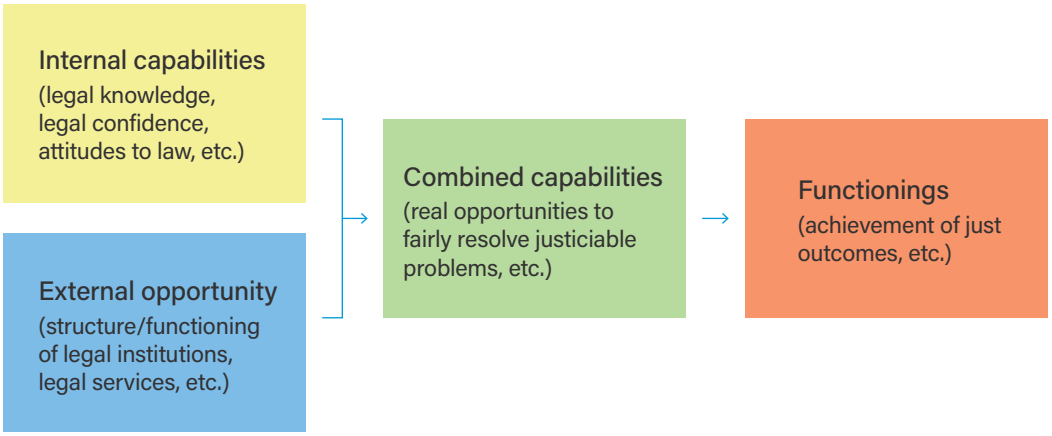
> "A functioning is an achievement, whereas a capability is the ability to achieve. Functionings are, in a sense, more directly related to living conditions, since they are different aspects of living conditions. Capabilities, in contrast, are notions of freedom, in the positive sense: what real opportunities you have regarding the life you may lead."[26]

Habbig and Robeyns (2022) have defined legal capability, conceptualised in accordance with the capability approach, in the context of access to justice, as:

> "...the genuine or real opportunities someone has to get access to justice. These include both the formal and the informal possibilities which can be employed to access a legal system or solve legal problems and that are embedded in a system guaranteeing fairness and rightness".[27]

Adapting the illustration of legal capability they provided, Figure 1 summarises the conceptual components of legal capability within the capability approach.

Figure 1.1 Legal capability within the capability approach



26 Sen (1987), p.36.
27 Habbig and Robeyns (2022), p.10.

Habbig and Robeyns (2022) also highlighted the importance of considering all of internal capabilities, external opportunity and combined capabilities in access to justice policy and research. This is clearly so. However, the English and Welsh *Civil and Social Justice Panel Survey* (CSJPS) findings concerning the relationship between legal characterisation, legal service supply levels and demand for legal services[28] and, separately, the 2004 *Civil and Social Justice Survey* (CSJS) findings concerning the geography of advice seeking, suggest a wicked complexity in the interaction between different capabilities that matches the complexity of the 'wicked problems' of social policy.[29]

Thus, in the broadest terms, we can conceptualise legal capability as the freedom and ability to navigate and utilise the legal frameworks which regulate social behaviour and to achieve fair resolution of justiciable issues.

Of course, the nature of survey research largely limits its utility to the investigation of internal capabilities and the relationship between these and functionings. Thus, the legal capability taxonomy developed for the PULS, although expressly including environmental dimensions (and making explicit reference to the availability of services and processes), is primarily focused on personal knowledge, skills and attributes – personal capabilities – unlike, say, the broader UN taxonomy of access to justice.[30]

While recognising the broader conceptual context of the PULS, references we make to legal capability are therefore generally to internal legal capabilities.

28 Pleasence et al. (2011).
29 On the definition of 'wicked problems', see Churchman (1967).
30 See further Balmer et al. (2019).

Legal consciousness

Halliday (2019) has observed that legal consciousness "has been a meaningful concept for a broad range of socio-legal researchers from the diverse intellectual backgrounds that together constitute the law and society field".[31] He suggested there have been "at least four broad approaches to sociolegal research for which the concept of legal consciousness has been important: (1) a critical approach, (2) an interpretive approach, (3) a comparative cultural approach and (4) a law-in-action approach".

As well as there being different approaches to legal consciousness research, a recent systematic review of 156 articles concluded that the literature provides no "universal and broadly accepted definition" of legal consciousness, the term having "gone through a significant development, which gradually broadened and blurred its meaning".[32] The term has, the review authors argued, become a general one which encompasses "not only the knowledge of the legal system but also the ways ordinary people think of, talk about, and understand law in their everyday lives". So, while researchers discuss the same term, they "measure completely different constructs".[33]

The review identified six separate components of legal consciousness: general knowledge, skills, specific knowledge, attitudes, trust, and identity) and offered a universal definition for future use:

> "Legal consciousness is a complex of law-related knowledge, skills, attitudes, beliefs, and values of an individual, whereby the mutual relationship between the individual and law is being created, deepened, and developed within the context of specific society and legal system providing such system with the necessary authority and legitimacy for the regulation of human behaviour."[34]

Evidently, many aspects of legal capability can be situated within this conceptualisation of legal consciousness. We do not use the term in these reports, but the PULS findings are clearly of great relevance to the legal consciousness literature.

31 Halliday (2019), p.860.
32 Horak et al. (2021), p.10.
33 Horak et al. (2021), p.10.
34 Horak et al. (2021), p.15.

Building on the evidence base

Although it is increasingly recognised that "legal capability is central to how people handle their justice problems, measures of capability have only recently begun to be included in surveys".[35] Moreover, measures used to date have been relatively unsophisticated.

Just over a decade ago, in response to prolonged lack of success in properly explaining problem resolving behaviour (in marked contrast to successes in explaining patterns of problem incidence), legal needs surveys started to take more interest in people's legal capabilities. Pivotal to this was exploratory survey research findings (subsequently backed up by the findings of the CSJPS[36]) that, after having controlled for problem type, problem characterisation had "a highly significant impact on advisor choice," with problems characterised as legal strongly associated with lawyer use.[37] Problem characterisation questions soon became standard within legal needs surveys. The PULS, accordingly, included a simple form of such a question.

The explanatory success of problem characterisation led to initiatives to develop further measures of legal capability. Central to these was the Legal Education Foundation funded effort to develop *standardised* measures of capability, focused on legal confidence (a domain specific form of self-efficacy[38]). This led to the realisation of five functioning standardised measures with reasonable psychometric properties, one of which – the General Legal Confidence (GLC) scale – was refined and again successfully tested in the *Community Perspectives of Law Survey*.[39] The refined form of the GLC scale was then included in the PULS.

The *Community Perspectives of Law Survey*, in turn, gave rise to additional standardised measures: the Perceived Relevance of Law scale (LAW scale), which focuses on people's general tendency to characterise problems as legal, and Perceived Inaccessibility of Lawyers (PIL) scale. Both of these were also included in the PULS.

In addition to the *Community Perspectives of Law Survey*, we also conducted a short survey to quantitatively explore the narratives of law described in Ewick and Silbey's (1998) *The Common Place of Law*.[40] Whether people see themselves as being before the law, with the law or against the law will frame their approach to justiciable problem resolution and can be expected to influence decisions to act, to seek help, to engage with processes and colour perceptions of outcomes.

1,047 survey respondents were presented with 48 statements (or 'items') (16 corresponding to each narrative), to try to establish a coherent set of questions to address people's constructions of legality. Following factor analysis, we were able to reduce the 48 items to 12 items – although factor loadings suggested four domains (narratives of law), rather than three. These reflected the perception of law as variously being remote (though not magisterial), as being arbitrary and to be actively resisted, as being practical and a means to achieve ends, and as being a game. The 12 items featured in PULS.

35 Pleasence and Balmer (2019a), p.145.
36 Pleasence and Balmer (2014); Pleasence, Balmer and Denvir (2015).
37 Pleasence et al. (2011), p.1.
38 Legal self-efficacy has also been termed 'subjective legal empowerment' (Gramatikov and Porter, 2011).
39 Balmer et al. (2019).
40 Further reference to this study will be made in subsequent PULS reporting. In the meantime, those interested in the details of the survey should contact the authors.

This volume

Many aspects of legal capability are generic, and legal needs surveys have long collected data concerning people's language skills, general level of education and income. The PULS similarly collected a broad range of basic socio-demographic information about respondents relevant to capability.

The PULS put a particular focus on digital literacy/capability and mental health. In the case of the former, we were able to draw on recent development work for the English and Welsh Legal Services Board. This involved reviewing approaches to digital capability measurement with a view to creating a set of questions to holistically address "[digital] tasks that are specific to the legal domain".[41]

The PULS also focused on mental health. Since the 2001 CSJS demonstrated a strong link between justiciable problem experience and morbidity,[42] various health measures have been incorporated into legal needs surveys. Given the especially strong links found between justiciable problem and psychiatric morbidity, the PULS included the K-6 inventory,[43] a measure of psychological distress intended to be used as a quick tool to assess risk for serious mental illness in the general population.

This volume is comprised of a further 10 chapters. Chapter 2 recaps the PULS methodology relevant to the subject matter of this volume. Chapter 3 set out findings concerning legal knowledge. Chapter 4 sets out findings concerning legal confidence. Chapter 5 sets out findings concerning practical legal literacy. Chapter 6 sets out findings concerning perceptions of the relevance of law. Chapter 7 sets out findings concerning narratives of law. Chapter 8 sets out findings concerning perceptions of lawyer accessibility. Chapter 9 sets out findings concerning trust in law. Chapter 10 sets out findings concerning digital capability. Finally, Chapter 11 explores the relationship between the different aspects of legal capability covered by Chapters 2 to 10, developing and analysing composite measures of capability.

Volume 3 of the PULS will draw on the full PULS dataset to explore how legal capability relates to the experience of justiciable problems and legal need.

41 Pleasence and Denvir (2021), p.15.
42 Pleasence, Buck and Balmer et al. (2004).
43 Kessler et al. (2003, 2010).

2. Methodology

This chapter recaps the methodology of the *Public Understanding of Law Survey* (PULS) as it relates to the subject matter of this volume. Further details of the PULS methodology can be found in Volume 1 of the PULS, and in the technical report and annotated questionnaire published separately by the Victoria Law Foundation (VLF).

Origins

The findings in this report are from the *Public Understanding of Law Survey* (PULS). The PULS was a large-scale face-to-face survey designed to explore how people understand, experience and navigate justiciable problems. It combined a core legal need survey module with modules focused on the knowledge, skills, attributes and resources people require in order to achieve fair resolution of justiciable problems.

The legal need survey module incorporated into the PULS was based on the short-form model questionnaire included in the Organisation for Economic Cooperation and Development/Open Society Foundations (OECD/OSF) global guidance on the conduct of legal needs surveys. The legal capability focused modules incorporated the General Legal Confidence (GLC) scale[44] and further measures developed through a multi-year program of conceptual and empirical development work designed to underpin the PULS. This included the conduct of the *Community Perspectives of Law Survey*[45] and a survey to explore potential items for use in questions addressing people's narratives of law, as described in Ewick and Silbey's (1998) *The Common Place of Law*.

44 Balmer and Pleasence (2018); Pleasence and Balmer (2019b).
45 Balmer et al. (2019).

PULS Methods

The PULS was administered to a probability sample[46] of 6,008 adult respondents across the state of Victoria. The PULS sample was constructed specifically and solely for the PULS.[47] Interviews were mostly conducted face-to-face in respondents' homes, using a questionnaire and showcards framed in plain, everyday language and terminology.[48] However, COVID-19 concerns led us to adapt the questionnaire for telephone interviews for respondents uncomfortable being interviewed in their home (established on first contact at respondents' homes).[49] All respondents had access to the survey's showcards, and telephone respondents were further provided with a showcard booklet guiding them through more complex questions; this step was critical to ensure equivalence across survey delivery modes. In the end, 5,271 respondents were interviewed face-to-face and 737 on the telephone. The PULS survey fieldwork was conducted between February 16th 2022 and March 16th 2023. Interviews lasted 43.5 minutes on average (40.7 minutes for face-to-face interviews and 47.1 for telephone interviews).[50]

46 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.

47 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 are available in the project technical report (Roy Morgan, 2023).

48 The PULS questionnaire and showcards used during interview (Balmer et al., 2022) were informed by the OECD/OSF (2019) global guidance on legal needs surveys. The questionnaire and accompanying showcards were designed using principles of plain language communication cognitively tested for comprehension, as detailed in the project technical report (Roy Morgan, 2023). Note that the PULS used generic, community terms for many legal services and processes, such as the category of 'a Community Legal Centre' for use of any community legal centre, rather than asking the name of specific community legal centres. Given some respondents may have reported problems within the two-year survey timeframe that they experienced in other jurisdictions, and may have involved legal assistance and processes interstate, generic names were also used for legal aid and Aboriginal and Torres Strait Islander legal services. This means that rather than the names 'Victoria Legal Aid', the 'Victorian Aboriginal Legal Service', and Victoria's family violence prevention legal service 'Djirra', in following-up problems, the PULS recorded use of 'Legal Aid' and 'an Aboriginal Legal Service'. Note that questions L19c and L19e asked all respondents whether they had obtained any help from Victoria Legal Aid and the Victorian Aboriginal Legal Service, respectively (Balmer et al., 2022, p.44). It should also be noted that because of sensitivities involved in experience of family violence and face-to-face interviewing, the decision was made to record experience of 'violence or harassment or financial abuse within the home', only at the screening question for family problems (L1C) and not at the accompanying Showcard 5 that measures family problems at more detailed subcategories (Balmer et al., 2022, p.24). Note further, however, that in the problem follow-up questions respondents were asked about adverse impacts of problems, including 'Being harassed, threatened or assaulted' (L15d) (Balmer et al., 2022, p.43). This ensured that respondents were able to disclose experience of family violence and financial abuse but did not have to specifically disclose it to the interviewer.

49 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.

50 A total of 31,685 households were approached during fieldwork, this included 6,008 completed interviews, 10,309 refusals by household, 2,027 refusals by the selected household respondent, 1,771 terminations mid-interview, 657 contacts without an appointment, 290 where language barriers could not be overcome, 267 appointments with a call back but no interview secured, 42 classified as unable to take part due to capability issues, 17 suspected or paused, and 3 where the interviewer knew the household residents. This summed to a total of 21,391 eligible addresses. There were also 10,304 ineligible addresses, including 5,453 without contact after three attempts, 3,088 without answer/nobody at home, 633 with a locked gate, vicious dog etc., 385 where the respondent was away for the fieldwork period, 224 without a permanent resident, 218 vacant residences, 201 where the building was not a dwelling, and 102 where access was not possible because of COVID-19. An overall response rate of 28.1% was the total number of completed interviews as a proportion of the in-scope contacts. The PULS technical report contains further details as well as alternative response rate formulations.

There were several reasons for restricting the PULS to the adult population. The first concerned sample efficiency. People can only experience justiciable problems if exposed to the circumstances that can give rise to them.[51] Surveys have routinely found that problems are reported least often by those in the youngest and oldest age groups. The second concerned 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 were optimised for inquiry into the general population, this limited utility in the case of young people. The third concerned responsibility. Responsibility for many problems faced by young people is shared or rests with parents. We considered that young people under the age of 18 are better studied through targeted and tailored surveys or other methods.[52]

Analyses were weighted to adjust the survey data to make it more representative of the adult population of Victoria (person-level weighting) or make followed-up justiciable problems representative of problems reported by the adult population of Victoria (problem-level weighting).[53]

Further methodological detail can be found in the project technical report (Roy Morgan, 2023) and the annotated questionnaire (Balmer et al., 2022).

51 As Pleasence, Buck and Balmer 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 problem types are rare, or even not possible, among those under the age of 18.

52 However, it should be noted that the youngest PULS respondents reported some problems they experienced while under the age of 18, so providing some coverage of earlier years.

53 The weighting methods and procedures are set out in detail in the PULS technical report (Roy Morgan, 2023).

PULS questionnaire structure

A full explanation of the structure of the PULS questionnaire is included in Volume 1 of the PULS. In summary, it had a comparatively simple[54] linear structure and contained 7 modules.

PREAMBLE: Introduction to PULS, identification of respondent, informed consent, provision of showcards.

SECTION 1 (ID): Basic demographics and items required for routing.

SECTION 2 (A–F): Legal knowledge and legal confidence.

SECTION 3 (L): Legal Need (experience of justiciable problems, impact of problems, information/help seeking, dispute resolution processes, problem outcomes, problem characterisation, problem specific legal capability, links to COVID-19 and/or bushfires).

SECTION 4 (AJ): Attitudes to justice (practical legal literacy, perceived relevance of law, narratives of law, perceived inaccessibility of lawyers and trust in lawyers).

SECTION 5 (SD): Supplementary demographics.

CONCLUSION: Thanks, prize draw details, recontact permission, resources for further information.

Prior to concluding interviews, respondents were given a link to a website with answers to the legal knowledge questions. They were also provided with further details of the PULS project and, importantly, sources of advice for problems such as those addressed in the survey.

54 For example, when compared to a solely legal need focussed survey of a similar length (e.g. Pleasence et al., 2011).

PULS questionnaire content

A full account of the content of the PULS questionnaire is included in Volume 1 of the PULS as well as in the annotated PULS questionnaire (Balmer et al., 2022). In this section, we provide a summary of the questions focused on legal capability.

Referring to the PULS question numbers as set out in the annotated PULS questionnaire (Balmer et al., 2022), Table 2.1 sets out the dimensions of legal capability addressed in the PULS. The capabilities included in Table 2.1 are the relevant sub-sample of those included in the taxonomy of legal capability in *Law... What is it Good For?* (Balmer et al., 2019), which is reproduced in Appendix 1 of this volume.

Table 2.1. Aspects of legal capability addressed through the PULS

Stage	Knowledge	Skills	Attributes	Resources
Recognition of issues	Content of law **Ak1-Ek3, L14a**	Recognise relevance of law **AJ2, L2b**	Attitude to law **AJ3**	
Information/assistance	Limitations **AJ1e**	Information literacy **AJ1a-d, SD12**	Attitude to lawyers **AJ4**	Money **SD18-20**
	Sources of help **L14b**	Digital literacy **SD13, SD14**	Trust in lawyers **AJ5**	Social capital **SD6, SD10**
Resolution	Limitations **AJ1e**	Communication **AJ1a-d**	Confidence in outcome **F1, L14d**	Money **SD18-20**
		Dispute resolution **AJ1f**	Health **SD16-17**	Social capital **SD6, SD10**

Legal knowledge

General legal knowledge[55] was explored through 15 questions designed to test knowledge of legal rights across five key areas of civil law (three questions per area). The areas were selected to provide a spread of issues within some of the most common categories of justiciable problem: rented accommodation; neighbours; consumer; employment; and family. The questions were designed to provide a single broad measure of legal knowledge for each respondent. Thus, all items were presented to all respondents. Items were designed in collaboration with subject matter legal experts in order to ensure they were unambiguous and had an objective correct answer.[56] Answers and explanations can be found in Appendix 3.

55 Legal knowledge related to problems followed up in detail through the legal need module, were explored separately.

56 Determining the 'correct' answers to knowledge items like those in the PULS is not a trivial exercise. Legally trained VLF researchers developed and reviewed a larger pool of 24 items. They then consulted subject experts at Dispute Settlement Centre of Victoria, JobWatch, Victoria Legal Aid and Consumer Action Law Centre to explore the wording of questions, correct answers 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.

Legal confidence

At its broadest, legal confidence is confidence in being able to bring about a fair outcome to a justiciable problem. It is thus a domain specific form of self-efficacy.[57] To measure legal confidence in the round, the PULS adopted a modified form of the GLC scale.[58] The GLC includes questions about a dispute at different points of escalation, to address different aspects of confidence within a single coherent scenario. 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 *Community Perceptions of Law Survey*.[59]

Practical legal literacy

Practical legal literacy concerns the capability to obtain, understand and navigate information and services needed to deal with everyday justiciable issues. The PULS practical legal literacy questions were derived from Chew, Bradley and Boyko's (2004) *Short Literacy Survey* (SLS) and Huan et al.'s (2012) BRIEF health literacy screening tool. Unlike the health scales, the PULS questions avoided specifically legal contexts and interactions, as these would have been unfamiliar to many. Instead, the questions reference 'banks, the council, doctors, Centrelink, or government departments' – places familiar to most, where justiciable problems can be situated, and which are akin to legal contexts and interactions.

Perceived relevance of law

Expanding out from legal needs survey questions investigating characterisation of problem experience, which was found to have "a highly significant impact on advisor choice".[60] The *Community Perceptions of Law Survey* explored people's general tendency to see the law in 60 different hypothetical situations they were presented with.[61] Analysis, using established approaches to scale development and modern psychometric methods (Rasch analysis), reduced the 'item pool' of 60 problem descriptions to eight problem descriptions that function as a scale of this tendency with good psychometric properties: the Perceived Relevance of Law scale (LAW scale).[62]

Narratives of law

Ewick and Silbey's (1998) seminal qualitative study of how people construct legality in daily life, *The Common Place of Law*, identified three overarching and competing narratives of law, whereby people see themselves as being either before the law, with the law or against the law. The PULS narratives of law questions were developed though a preliminary survey to test Ewick and Silbey's narratives quantitatively.[63] 1,047 survey respondents were presented with 48 statements (or 'items') (16 corresponding to each narrative). Following factor analysis, the 48 items were reduced to the final 12 that are included in the PULS.

57 Legal self-efficacy has also been termed 'subjective legal empowerment' (Gramatikov and Porter, 2011).

58 Pleasence and Balmer (2019b).

59 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.

60 Pleasence et al. (2011), p.1.

61 As set out in Table 6 of Balmer et al. (2019).

62 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.

63 Further reference to this study will be made in subsequent PULS reporting, though those interested should contact the authors.

Inaccessibility of lawyers

The PULS survey includes the Perceived Inaccessibility of Lawyers (PIL) scale, developed through the *Community Perceptions of Law Survey*. In that survey, respondents were presented with 40 statements (or 'items') concerning lawyer accessibility. Established approaches to scale development and modern psychometric methods (Rasch analysis) were used to reduce this item pool to 10 items that function as a scale with good psychometric properties.

Trust in lawyers

As with narratives of law and perceptions of lawyer accessibility, people's perceptions of the trustworthiness of lawyers might be expected to influence advice seeking behaviour. The PULS trust in lawyers questions were designed to investigate trust from a variety of perspectives. While informed by the literature on trust and the public perception of lawyers, the 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.

Capability related demographics questions

Within the PULS demographics modules, a number of questions were asked that are relevant to legal capability, including standard questions concerning age, language skills, education level, income, etc. Standard forms of demographic questions were used where possible, adapted to best meet the specific needs of the PULS.

Extended questioning was employed in relation to digital legal capability and psychological distress/mental illness. In relation to digital capability, the PULS drew on the approach of GoOnUK's Basic Digital Skills Assessment questions,[64] refined by the English and Welsh Legal Services Board in the context of the legal needs of small businesses, and asked 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".[65]

In relation to psychological distress/mental illness, the PULS included the K-6 inventory,[66] a measure of psychological distress intended to be used as a quick tool to assess risk for serious mental illness in the general population.

64 Ipsos Mori (2015).
65 Pleasence and Denvir (2021), p.15.
66 Kessler et al. (2003, 2010).

3. Public Understanding of the Content of Law

This chapter sets out *Public Understanding of Law Survey* (PULS) findings concerning the Victorian public's understanding of the content of Victorian civil law. It draws on responses to a set of 15 questions asking about aspects of 5 areas of law; property rental, neighbours, consumer transactions, employment and family. The chapter concludes by setting out the social patterning of errors in legal understanding.

Background

A significant body of past research points to a "substantial knowledge deficit" when it comes to public understanding of the content of the law.[67] This knowledge deficit has also been shown to be uneven across different laws, areas of law and population groups. Casebourne et al.'s (2006) investigation of employee awareness of United Kingdom employment rights found that people generally have a better understanding of broader legal principles than the intricacies of the law. It also demonstrated that knowledge levels vary between different areas of law and different populations. This is partly down to the extent to which law is relevant to people's individual lives. Individuals are less motivated to acquire knowledge that does not directly impact them. For example, Casebourne et al. found that individuals with dependent children were "understandably" more likely than others to possess substantial knowledge about the parental right to request flexible working. Pleasence, Balmer and Denvir (2017) similarly found that employees generally knew more than others about employment law. However, they also found that levels of knowledge were higher in relation to housing and employment law than in relation to consumer law, despite consumer law being something of broad general relevance.

This last finding points to other important factors that influence people's beliefs about the content of the law. It is clear that factual errors concerning the law are far from randomly distributed across populations. Ignorance is systematic in nature. Beliefs about the law, as Lewis, Tennant and Taylor (2009) argued, "are learned in a social context".[68] Social norms, expectations and practice all influence beliefs. This explains why, for example, Pleasence and Balmer (2012) found a "symmetry of error in people's beliefs about [English and Welsh] marriage and cohabitation law, where beliefs about both cohabitation and marriage law err from their (often opposing) correct legal positions to rest more closely in line with social attitudes".[69] A small majority (52%) of people wrongly believed a financially dependent cohabitee would have a good claim for financial support after 10 years. Fourteen per cent of people wrongly thought a cohabitee would inherit if their partner died intestate, and 47% of people wrongly believed that a cohabiting father who has not met the formal requirements for parental responsibility would have the right to decide upon important medical treatment. Yet, in symmetry with this, just over one-third (35%) of people thought a financially dependent spouse would not have a good legal claim for financial support after 10 years of marriage. Forty-eight per cent wrongly believed that that a spouse would not automatically inherit an intestate spouse's property, and 36% of people wrongly believed that a married father would not have a right to decide upon important medical treatment.

67 Pleasence, Balmer and Denvir (2017), p.837. See further, for example, Baker and Emery (1993); Barlow et al. (2005); Cortese (1966); Darley, Sanderson and LaMantia (1996); Denvir, Balmer and Pleasence (2013); Ellickson (1991); Kim (1999); Militello Schimmel and Eberwein (2009); Parle (2009); Panades et al. (2007); Pleasence and Balmer (2012); Pleasence, Balmer and Denvir (2017); Sarat (1975); Saunders (1975); Tilse et al. (2019); Williams and Hall (1972); van Rooij (2021).

68 Lewis, Tennant and Taylor (2009), p.107.

69 Pleasence and Balmer (2012), p.323.

Returning to consumer law, Pleasence, Balmer and Denvir (2017) found that, when it came to knowledge of consumer rights, people actually underperformed chance; this means that they performed less well than had they simply provided random answers. But the answers were not random. Rather, they reflected norms of experience in the world of consumer transactions. As Pleasence, Balmer and Denvir commented, "beliefs about consumer law, while strikingly wrong, are also strikingly in line with retail practice, where cancellations of orders for late (or even on-time) delivery are routinely accepted, refunds are consistently provided for 'mistake' purchases and defective products are ordinarily replaced with new ones".[70] Curiously, Pleasence, Balmer and Denvir (2017) also found that people who had faced consumer problems were most confident in their knowledge on related law than were those who faced other types of justiciable problem.

These systematic bases for error in beliefs about the content of law mean that legal reality and the public's perception of the content of law can both be coherent, while also being distinct.

There is also evidence legal knowledge deficits are lower among those with an interest in or experience of law. Baker and Emery (1993) found students about to start a family law course demonstrated slightly better knowledge of divorce law, compared to the general public, and those who completed the course exhibited even higher levels of knowledge. However, even these students' perceptions were found to be significantly inaccurate!

In terms of demographics, age seems to be associated with legal knowledge, with 'middle-aged' people generally showing higher knowledge levels (Pleasence, Balmer and Denvir, 2017).

Beyond the content of the law, research on litigants in person has revealed that people have trouble "identifying facts relevant to [their] case", "understanding evidential requirements" and "understanding the nature of proceedings".[71] Low awareness of not-for-profit legal assistance services, including Aboriginal and Torres Strait Islander legal services, community legal centres, court-based services, and legal aid commissions, has also been shown to be both positively associated with disadvantage, and inaction in response to experience of justiciable problems.[72] Studies have also shown health and education professionals to have knowledge deficits in relation to areas of law relevant to their practice (van Rooij, 2021). Also, studies have pointed to similar knowledge deficits in the context of criminal process and in relation to criminal process and levels of crime (e.g. Roberts et al., 2022).

Once erroneous beliefs emerge, they can be difficult to dislodge. Ellickson (1991) and Kim (1999) both drew on cognitive dissonance theory in trying to explain why beliefs about laws concerning cattle trespass and employment persisted in the face of contradictory evidence. Kim found that a fairness norm "overshadow[ed] the influence of most . . . experiential factors",[73] while Ellickson (1991) memorably found that, even after repeated experiences of insurance companies and courts following different principles, the ranchers of Shasta County held firm in the belief that, in the event of road collisions in 'open range', "the motorist buys the cow".[74]

70 Pleasence, Balmer and Denvir (2017), p.855.
71 Williams (2011), p.5.
72 See, McDonald and People (2014); McDonald and Wei (2016).
73 Kim (1999), pp.447–8.
74 Ellickson (1991), p.115.

PULS methodology for measurement of understanding of the content of law

Respondents to the *Public Understanding of Law Survey* (PULS) were asked a series of 15 questions designed to test their knowledge of a variety of legal rights across five areas of civil law (three questions per area). The areas were selected to represent a range of common categories of everyday justiciable problem: rented accommodation; neighbours; consumer; employment; and family. The questions, along with the correct answers (highlighted in green), are set out in Table 3.1. In the remainder of this section we set out new findings on public understanding of the content of law in Victoria and set out the social patterning of legal knowledge.

PULS findings on public understanding of the content of law

Knowledge of legal rights

Overall, respondents provided correct responses to just over 70% of the legal knowledge questions (equating to between 10 and 11 of the 15 questions) in the PULS. 'Don't know' responses were provided for just under 10% of questions, meaning that the percentage of correct responses rose to 77% when only firm responses were included.

As shown in Table 3.1, firm responses could be offered as either 'definite' or 'probable', to indicate two levels of certainty on the part of respondents. Definite responses were more common than the probable responses, with just under 60% of all firm responses falling into the former category. When respondents were 'definite' in their responses, they were correct 82% of the time (meaning almost one in five definite responses was erroneous). When respondents were less certain of their firm responses, they were correct 69% of the time.

Table 3.1. Knowledge of the content of the law: overall pattern of responses, (correct responses are shaded in green in the table, with a darker green where respondents were also confident in their response)

Knowledge of rights question	Yes, definitely		Yes, probably		No, probably not		No, definitely not		Don't know	
	N	%	N	%	N	%	N	%	N	%
Is a rental provider allowed to enter a renter's home to carry out routine repairs without first telling the renter?	149	2.5%	140	2.3%	633	10.5%	4972	82.8%	114	1.9%
If an air conditioner stops working after a renter moves into a new home, is the rental provider legally obliged to repair it?	4151	69.1%	1297	21.6%	229	3.8%	121	2.0%	210	3.5%
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?	1446	24.1%	1187	19.8%	965	16.1%	2025	33.7%	384	6.4%
Do neighbours in built-up areas have the right to play loud music after midnight?	198	3.3%	398	6.6%	1152	19.2%	4112	68.4%	148	2.5%
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?	2392	39.8%	2170	36.1%	662	11.0%	320	5.3%	464	7.7%
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?	2779	46.3%	2279	37.9%	364	6.1%	110	1.8%	475	7.9%
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?	708	11.8%	1137	18.9%	1852	30.8%	1763	29.4%	548	9.1%
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?	1349	22.5%	2137	35.6%	1064	17.7%	827	13.8%	630	10.5%
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?	517	8.6%	1273	21.2%	1652	27.5%	2125	35.4%	440	7.3%
Is a permanent employee at a company which has 45 employees covered by unfair dismissal laws after 7 months working there?	2048	34.1%	1604	26.7%	460	7.7%	548	9.1%	1348	22.4%
Is an employer allowed to consider employees' ages when making decisions about who to make redundant?	227	3.8%	526	8.8%	1031	17.2%	3815	63.5%	408	6.8%
Is a company allowed to pay an adult casual employee $15 an hour if that's all they can afford and the employee agrees?	341	5.7%	706	11.8%	977	16.3%	3636	60.5%	348	5.8%
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?	2160	35.9%	2286	38.1%	478	8.0%	277	4.6%	807	13.4%
After separation, if parents can't agree, is there a standard amount of time that a child must legally spend with each parent?	1070	17.8%	1466	24.4%	959	16.0%	1057	17.6%	1456	24.2%
Does a parent still have to pay child support if the other parent won't let them see the child?	2430	40.4%	1716	28.6%	467	7.8%	666	11.1%	729	12.1%

Table 3.2. Overall percentage of correct responses for knowledge of the content of the law questions

Knowledge of rights question	Correct (definitely and probably combined)	
	N	%
Is a rental provider allowed to enter a renter's home to carry out routine repairs without first telling the renter?	5605	93.3%
If an air conditioner stops working after a renter moves in to a new home, is the rental provider legally obliged to repair it?	5449	90.7%
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?	2990	49.8%
Do neighbours in built-up areas have the right to play loud music after midnight?	5264	87.6%
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?	4562	75.9%
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?	5058	84.2%
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?	3615	60.2%
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?	1891	31.5%
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?	3778	62.9%
Is a permanent employee at a company which has 45 employees covered by unfair dismissal laws after 7 months working there?	3652	60.8%
Is an employer allowed to consider employees' ages when making decisions about who to make redundant?	4846	80.7%
Is a company allowed to pay an adult casual employee $15 an hour if that's all they can afford and the employee agrees?	4613	76.8%
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?	4446	74.0%
After separation, if parents can't agree, is there a standard amount of time that a child must legally spend with each parent?	2016	33.6%
Does a parent still have to pay child support if the other parent won't let them see the child?	4146	69.0%

There was significant variation in the percentage of 'definite' responses and 'probable' responses that were correct across the 15 questions and, as is shown in Table 3.2, in the combined percentage of correct responses. In the case of the question concerning whether, in the absence of agreement, there is a standard amount of time that a child must legally spend with each parent, fewer than half of respondents who were definite in their responses were correct (with only one-third of respondents correct in all). Also, fewer than half of respondents correctly identified that a rental provider can't say a renter can't keep a cat or a dog just because the rental provider doesn't want a pet in their property. In contrast, more than 90% of respondents correctly identified that a rental provider isn't allowed to enter a renter's home to carry out routine repairs without first telling the renter. More than 90% of respondents also correctly identified that a rental provider is legally obliged to repair an air conditioner that stops working after a renter moves into their new home.

Overall knowledge of legal rights by area of law

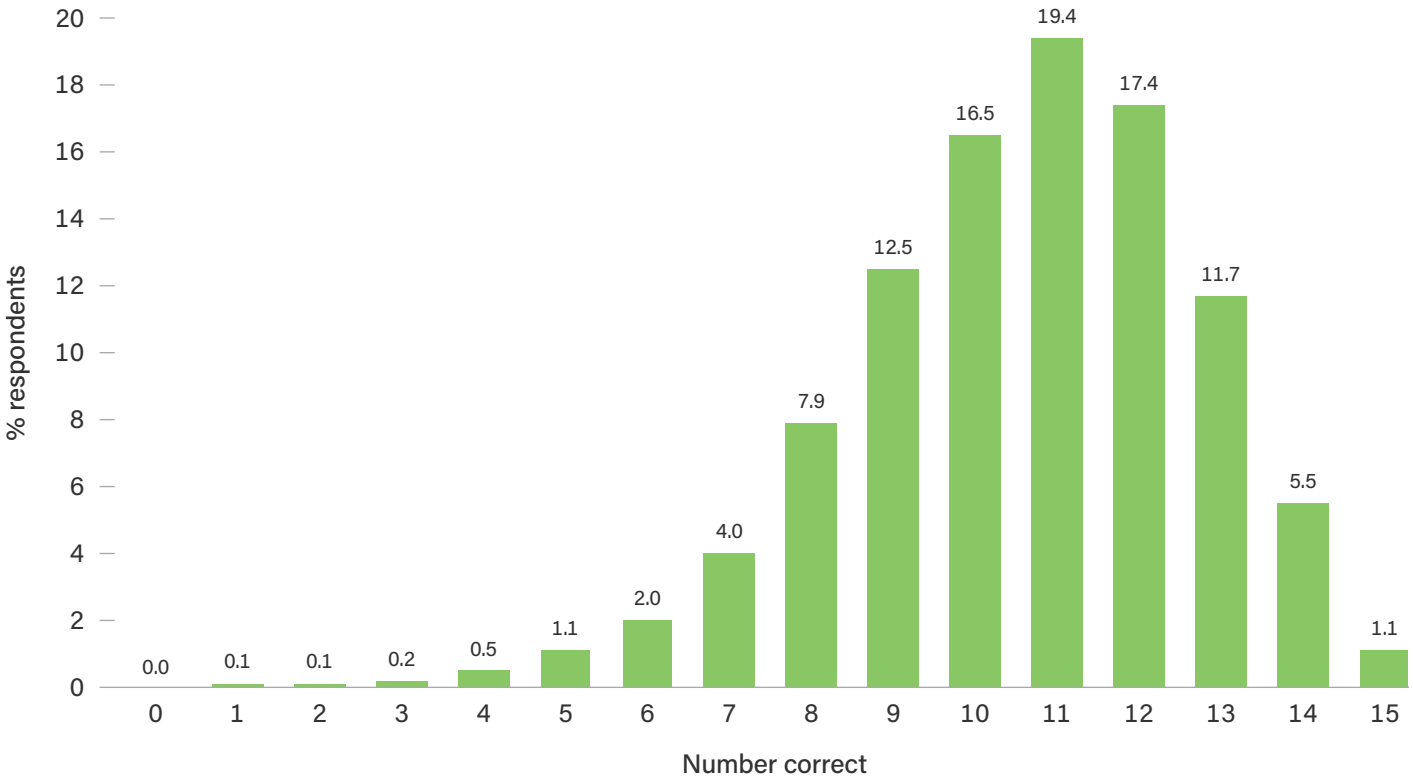
Looking separately at the five areas the legal knowledge questions related to, PULS respondents were most knowledgeable about the issues concerning neighbours (with an average of 83% of responses being correct) and least knowledgeable about family law (with an average of just 59% of responses being correct). However, in the latter case there was a high degree of uncertainty, with 17% of responses for family law issues falling into the 'don't know' category. If 'don't know' responses are excluded, then PULS respondents were least accurate in their beliefs about consumer law. Just 6% of responses to questions concerning consumer law fell into the 'don't know' category, indicating relatively high levels of confidence in this area. This ties in neatly with the findings from England and Wales discussed above – although the PULS respondents managed to beat chance when it came to accuracy of response!

Overall, it is clear that public knowledge of law varies between areas of law and specific issues. It is also evident from the above that a small number of questions is insufficient to provide clear indication of knowledge levels within individual areas of law. The remainder of this chapter therefore focuses on respondents' overall success in responding to the legal knowledge questions and describes the social patterning of general legal knowledge.

Individual levels of knowledge of rights

Figure 3.1. shows the number of correct responses that individual PULS respondents provided to the legal knowledge questions

Figure 3.1 Number of correct responses provided by individual PULS respondents



As can be seen from Figure 3.1, the most common (modal) number of correct responses was 11. The mean number of correct responses was 10.6. As would be expected, given the binary nature of the legal knowledge questions, very few people provided no or only a few correct responses.

Figure 3.2. Number of correct and confident (i.e. 'definite') responses provided by individual PULS respondents

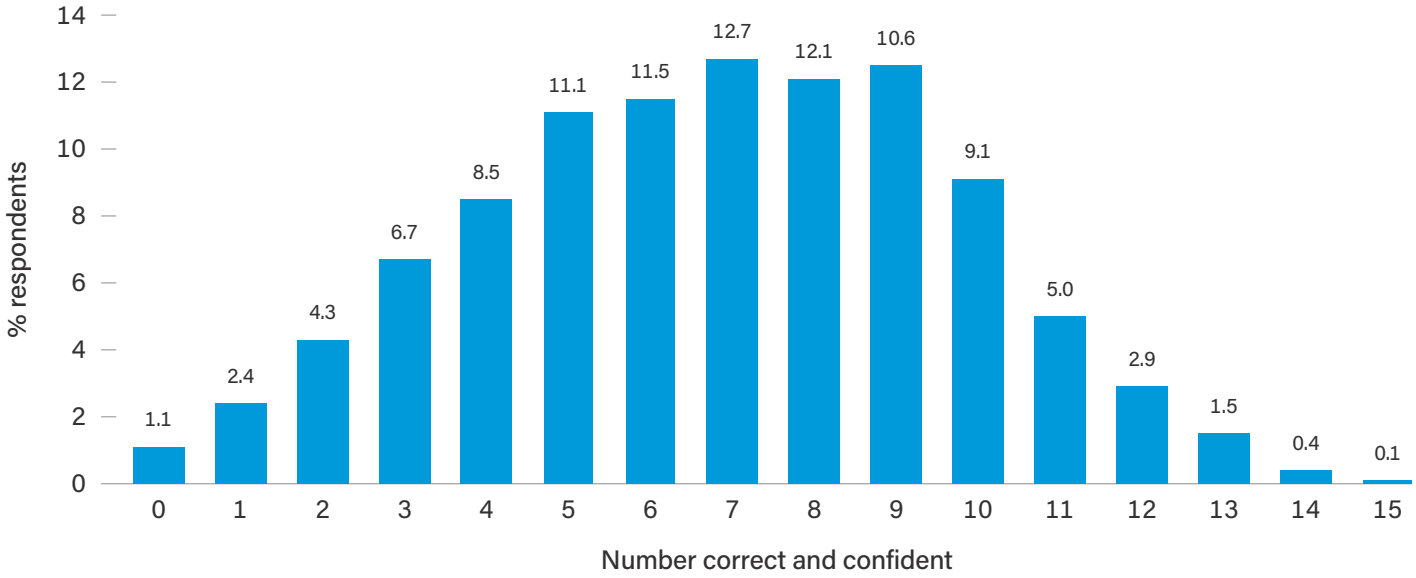


Figure 3.2 shows the number of responses that were both correct and confident (i.e. 'definite') that individual PULS respondents provided to the knowledge questions. Figure 3.2 shows that the most common (modal) number of such responses was 7. The mean number of such responses was 6.8. As would be expected given the demanding nature of the task of providing 'definite' responses to the legal knowledge questions, just 15% of respondents answered more than 10 questions correctly and with confidence.

Figure 3.3. Number of 'don't know' responses provided by individual PULS respondents

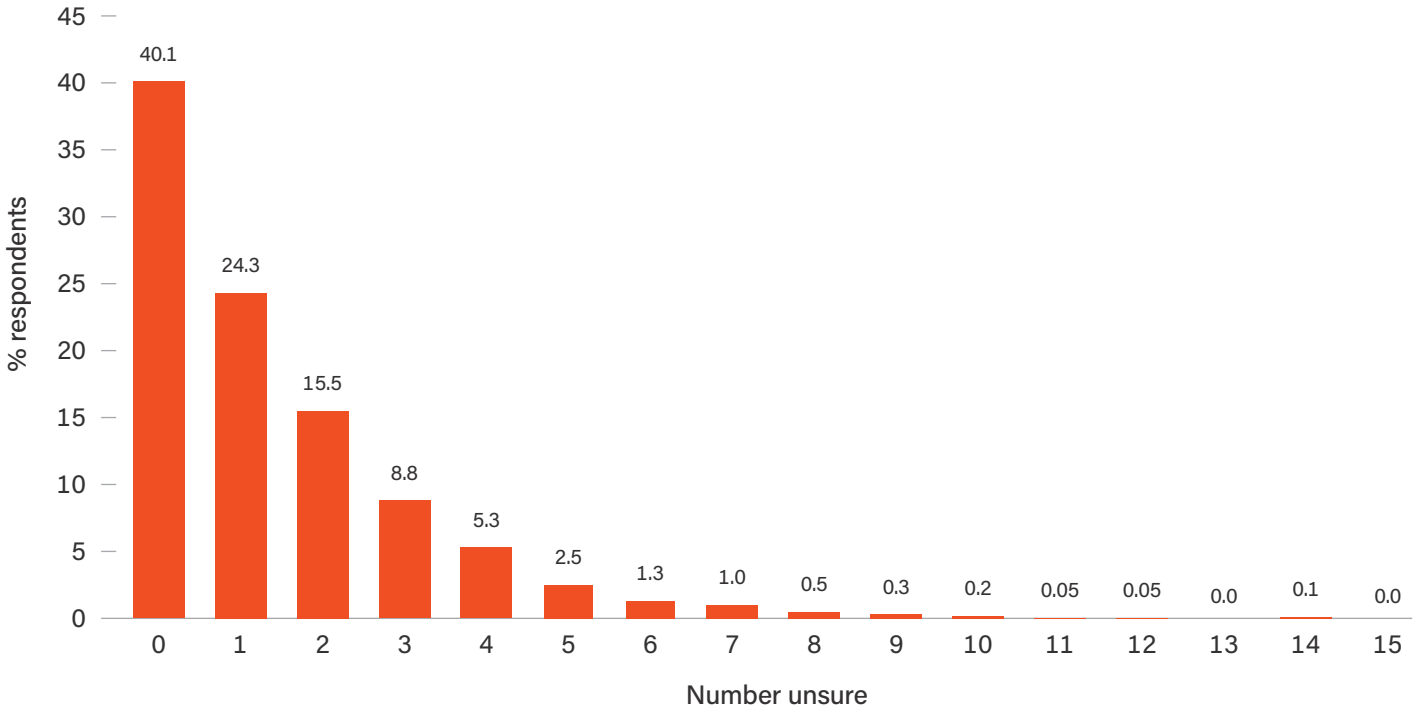


Figure 3.3 shows the number of 'don't know' responses provided by individual PULS respondents. Figure 3.3 shows that the modal number of such responses was 0, indicating that relatively few people felt unable to provide firm answers to questions. The mean number of such responses was 1.4.

The social patterning of general knowledge of rights

To enable exploration of the social patterning of legal knowledge, the number of legal knowledge questions individual PULS respondents answered both correctly and with confidence was used as a simple measure of general knowledge of rights.[75] While the 15 knowledge questions could not be combined into a standardised scale with good psychometric properties, such as the General Legal Confidence (GLC) scale, their combination nevertheless provided an useful indication of how general knowledge of legal rights might be socially patterned. Overall, 45% of responses were correct and provided with confidence.

Binomial regression was used to model the number of correct and confident responses provided by individual respondents, controlling for the range of social, demographic and geographic predictors detailed in Table 3.3.[76] Table 3.3 also sets out the marginal mean number of correct and confident answers derived from the model for each demographic characteristic. Detailed statistical output from the model is set out in Table A2.1.

75 Exploratory analysis was conducted to assess the extent to which a knowledge scale could be developed with acceptable psychometric properties (using Rasch analysis). However, this indicated significant item misfit, with further psychometric analysis (possibly extending to multiple dimensions) and possibly a larger item pool needed to achieve good psychometric properties.

76 Variables included mirrored those used in multivariate models of justiciable problem prevalence, number of problems, and response to problems in Balmer et al. (2023).

Table 3.3. Marginal mean number of correct and confident answers to the knowledge of the content of law questions derived from the binomial regression model in Appendix Table A2.1. Values are coloured from low (red) to high (green)

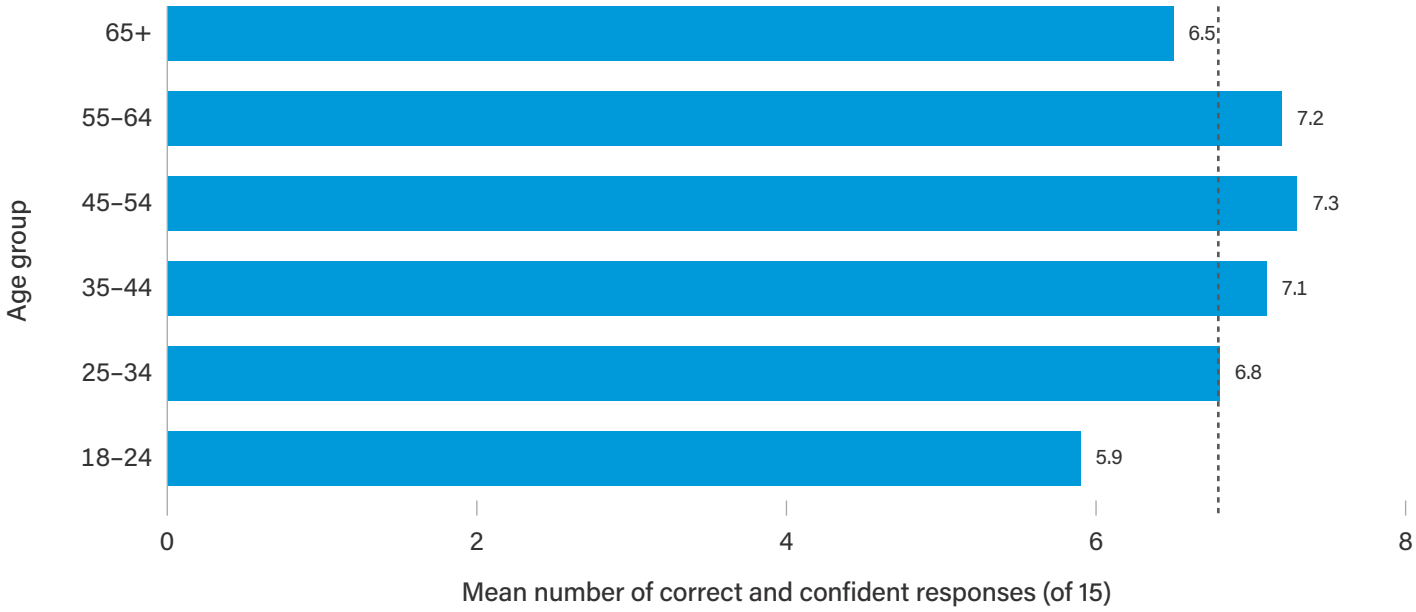
Variable	Level	Marginal mean
Overall		6.79
Age group	18-24	5.86
	25-34	6.83
	35-44	7.09
	45-54	7.27
	55-64	7.22
	65+	6.54
	Refused	5.96
Sex at birth	Male	6.66
	Female	6.92
Sexual orientation	Straight (heterosexual)	6.80
	Gay, lesbian, bisexual, other term	6.91
	Prefer not to say	5.87
Aboriginal or Torres Strait Islander	No	6.78
	Yes	7.39
Main language spoken at home	English	6.93
	Other	6.50
Family status	Married, children	6.69
	Married, no children	6.83
	De facto, children	7.06
	De facto, no children	7.02
	Single, children	6.90
	Single, no children	6.70
Carer	No	6.71
	Yes	7.43
In work	Yes	6.86
	No	6.68
Highest education	Lower than year 12 or equivalent	6.72
	Year 12 or equivalent	6.33
	Trade/vocational certs/diplomas	7.04
	Degree or higher	6.81

Variable	Level	Marginal mean
Geography	Major Cities	6.65
	Inner Regional	7.11
	Outer Regional and Remote	7.95
Long-term illness or disability	No	6.71
	Yes	7.09
Mental distress (K6)	None or low	6.84
	Moderate	6.68
	Severe	6.88
Gross annual household income	Quintile 1 – $0 to $39,988	6.78
	Quintile 2 – $39,989 to $70,564	6.90
	Quintile 3 – $70,565 to $110,292	6.88
	Quintile 4 – $110,293 to $165,256	6.68
	Quintile 5 – $165,256 or more	6.80
	Prefer not to say	6.68
Unable to eat, heat or cool home	No	6.81
	Yes	6.43

The regression model indicated that knowledge of legal rights was significantly associated with age, sex, main language spoken at home, caring responsibilities, disability status, and geography (see Table A2.1).

There was a highly significant relationship between legal knowledge and age.[77] Consistent with prior research, and illustrated by Figure 3.4, middle-age was associated with greater knowledge of rights. The oldest and (in particular) youngest PULS respondents were associated with lower knowledge scores. Compared to those aged from 45–54 years old, those aged 18–24 correctly and confidently answered 1.4 items fewer items on average.

Figure 3.4. Mean number of correct and confident responses (out of 15) by age group having controlled for other variables



Women had significantly higher legal knowledge scores than men (answering 0.3 more questions correctly and confidently on average).[78] Those who provided day-to-day care for elderly or disabled adults (0.7 more correct and confident responses on average)[79] and those with a long-term illness or disability (0.4 more correctly and confident responses on average)[80] were also associated with greater legal knowledge.

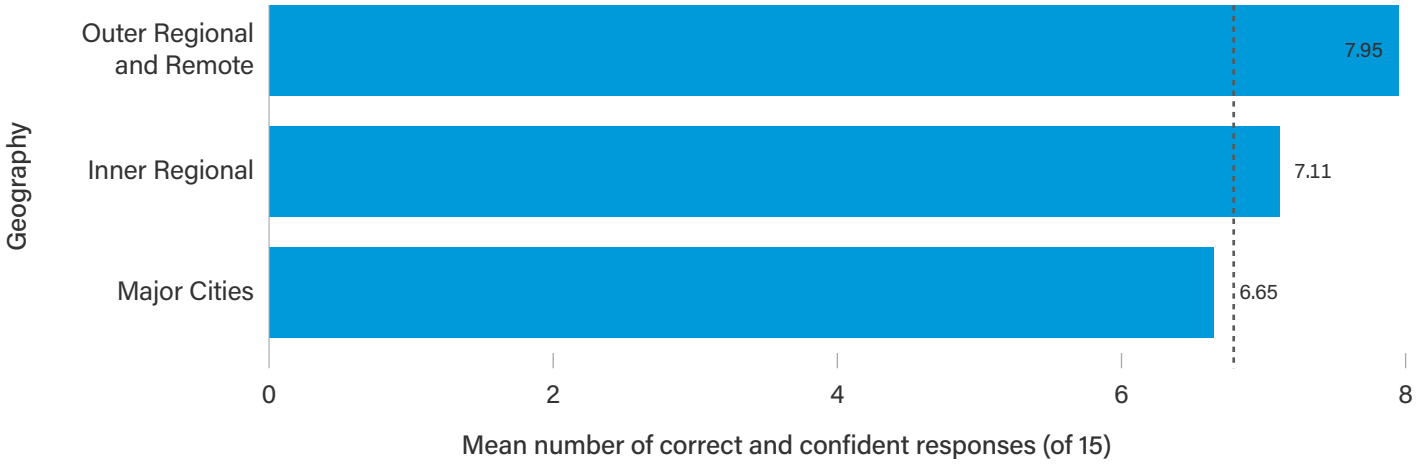
Aboriginal and Torres Strait Islander respondents also had somewhat higher knowledge scores, though the difference fell short of statistical significance (0.6 more correct and confident responses on average, compared to other respondents).[81] Conversely, those who mainly spoke a language other than English at home answered significantly fewer knowledge questions correctly and confidently compared to other respondents (0.4 fewer on average).[82]

77 Testing the age group model terms together; $\chi^2_6 = 90.77$, $p < 0.001$.
78 Testing the sex model term; $\chi^2_1 = 15.34$, $p < 0.001$.
79 Testing the carer model term; $\chi^2_1 = 30.31$, $p < 0.001$.
80 Testing the long-term illness or disability model term; $\chi^2_1 = 12.58$, $p < 0.001$.
81 Testing the Aboriginal and Torres Strait Islander model term; $\chi^2_1 = 2.96$, $p = 0.085$.
82 Testing the language model term; $\chi^2_1 = 9.53$, $p = 0.002$.

There was variation in knowledge scores by highest educational qualification achieved,[83] with respondents whose highest qualifications were trade, vocational certificates or diplomas associated with higher scores, and those whose highest qualifications were year 12 or equivalent with lower scores. However, there was no clear overall relationship between knowledge scores and education level.

Finally, as illustrated in Figure 3.5, there was significant variation in knowledge levels by geography, with particularly high knowledge scores for those in outer regional and remote areas, as compared to those living in cities.[84]

Figure 3.5. Mean number of correct and confident responses (out of 15) by geography having controlled for other variables



There was little evidence of a significant relationship between knowledge of rights and family status, sexual orientation, whether or not respondents were in work,[85] mental distress (based on the K6 scale), income, or whether or not respondents had difficulty eating, heating or cooling their homes in the past 12 months because of a shortage of money.

83 Testing the highest educational qualifications model terms; $\chi^2_3 = 22.83$, $p < 0.002$.

84 Testing the geography model terms together; $\chi^2_2 = 67.77$, $p < 0.001$.

85 Removing age and inserting a more comprehensive work variable did highlight some differences in knowledge, with the highest knowledge among full-time workers (7.1 correct on average) and lowest among those who were retired (6.3 correct on average).

4. Legal Confidence

This chapter sets out *Public Understanding of Law Survey* (PULS) findings concerning legal confidence, i.e. the confidence to achieve a fair and satisfactory outcome to justiciable problems. It draws on a series of six questions that make up the General Legal Confidence (GLC) scale, a standardised measure of legal confidence with good psychometric properties. The GLC was first developed in England and Wales, but has since been validated in Australia using data from the *Community Perspectives of Law Survey*.

Background

The role of legal confidence in justiciable problems resolution behaviour has become of increasing interest to empirical access to justice scholars (Pleasence and Balmer 2019b). Initial interest grew out of recognition that psychological and emotional factors, and particularly confidence and self-efficacy, are important drivers of behaviour and outcomes across a range of domains.[86]

Building on Bandura's (1997) concept of self-efficacy – centred on people's beliefs in their "capabilities to organise and execute the courses of action required to produce given attainments"[87] – Gramatikov and Porter (2011) coined the term 'subjective legal empowerment' (SLE) to refer to "the subjective self-belief that a person possesses … [in their] ability to mobilise the necessary resources, competencies, and energies to solve particular problems of a legal nature".[88]

Gramatikov and Porter (2011) first explored SLE through a series of small-scale surveys in Azerbaijan, Mali, Rwanda, Egypt and Bangladesh. They used a sequence of simple questions asking respondents to imagine problems of various types and how likely they thought it was that they would be able to reach solutions to them. They found differences in levels of SLE between countries, problem types and the demographic characteristics of respondents (e.g. men had higher SLE levels than women), though the size and convenience nature of their surveys did not allow for confidence in these results. However, they did broadly note that "the populations that were sampled felt that they were not very likely to solve the problems".[89]

To allow further analysis and methodological development, SLE questions were later included in the 2012 *English and Welsh Civil and Social Justice Panel Survey* (CSJPS) (as well as then routinely incorporated into HiiL's Justice Needs and Satisfaction Surveys). The 2012 English and Welsh survey indicated that SLE levels were broadly similar across different areas of law, though they were found to be lower in the case of business disputes, "with which a substantial proportion of the population will be unfamiliar".[90] The 2012 survey findings also suggested that, as people's SLE scores increase, inaction when facing justiciable problems decreases.

86 See, in particular, Nelson and Furst (1972); Bandura (1977); Strecher et al. (1986); Gist (1987); Grembowski et al. (1993); Dawes, Horan and Hackett (2000); Pleasence et al. (2014).
87 Bandura (1997), p.3.
88 Gramatikov and Porter (2011), p.169.
89 Gramatikov and Porter (2011), p.180.
90 Pleasence, Balmer and Denvir (2015), p.121.

The 2012 English and Welsh survey also looked at links between SLE scores and real-world justiciable problem experience. It was found that the experience of problems was associated with lower SLE scores, with each problem experienced was associated with further reduced SLE. This led to the observation that "legal problems are more problematic than people imagine".[91] However, the picture was not as simple as this might suggest. Not all problem experience was associated with the same reduction in SLE scores. Lower scores were particularly associated with problems respondents had done nothing to resolve, that involved disagreements, had led to unsatisfactory outcomes or about which respondents had poor knowledge of their rights. On the other hand, "if respondents had experienced problems about which they felt they knew their rights", then scores tended to be higher.[92] Controlling for other factors, several associations were found between SLE scores and demographic characteristics. The oldest respondents tended to have the lowest scores, although scores were particularly low for young people not in education, employment or training. People reporting poor health also tended to have slightly lower scores, as also did recent migrants to the UK, although the same was not true of people who spoke a language other than English in their homes.

In light of the findings from the 2012 survey, the UK's Legal Education Foundation supported development of a standardised measure of legal confidence employing modern psychometric methods. This effort culminated in the creation of the General Legal Confidence (GLC) scale (Balmer and Pleasence, 2018; Pleasence and Balmer, 2019b). The scale employs a series of Likert scale-based confidence questions asking about "an increasingly demanding legal scenario".[93]

As with SLE scores, experience of justiciable problems was found to link to GLC scores (Balmer and Pleasence, 2018; Pleasence and Balmer, 2019b). People who considered that they had dealt with problems well tended to score higher, while those who considered they had dealt with problems poorly tended to score lower. Likewise, those who considered problem outcomes to be fair tended to score higher, while those who considered them unfair tended to score lower. Similarly, those reporting previous lawyer use tended to score higher if satisfied with the help received, but lower if dissatisfied.

Beyond respondents' personal experience of problems and legal services, accounts that people have heard from others have also been found to influence GLC scores, although to a somewhat lesser extent. Positive reports of lawyers, courts and tribunals from friends, relatives or colleagues were associated with higher scores. Negative reports were associated with lower scores (Balmer and Pleasence, 2018; Pleasence and Balmer, 2019b).

Turning to demographics, women were found to have lower GLC scores than men, as were people who had nobody "to rely on when faced with problems".[94]

The GLC scale has since been validated, in a slightly adapted form, in Australia.[95] This chapter sets out levels of general legal confidence across the Victorian population. It then examines social patterning of GLC scores.

91 Pleasence, Balmer and Denvir (2015), p.124.
92 Pleasence, Balmer and Denvir (2015), p.129.
93 Pleasence and Balmer (2019b), p.143.
94 Balmer and Pleasence (2018), p.1.
95 See further Balmer et al. (2019).

PULS methodology for measurement of general legal confidence

The *Public Understanding of Law Survey* (PULS) included the Australian version of the GLC scale. The scale presents respondents with an increasingly demanding legal scenario and uses a Likert scale to assess a respondents' level of confidence in being able to "achieve an outcome that is fair, and [they] would be happy with".[96] The scale includes six items in total. Responses to these six items can be converted to GLC scores, with a potential range of between 0 and 100, using the methods detailed by Pleasence and Balmer (2019b). The higher the GLC score, the greater the general legal confidence. The six GLC items are set out in Table 4.1.

96 With responses of 'very confident' assigned a score of 3, 'quite confident' a score of 2, 'not very confident' a score of 1 and 'not confident at all' a score of 0.

PULS findings on general legal confidence

Table 4.1 details overall levels of confidence for each of the six GLC items.[97] As can be seen, levels of confidence (as indicated by the Likert scale responses) varied considerably across the six GLC scale items. A healthy majority (63%) of PULS respondents reported being (quite or very) confident in being able to achieve an outcome that is fair, and they would be happy with, for a significant legal dispute about which disagreement is substantial. However, just 26% were similarly confident when such a dispute was described as going to court, with a barrister representing the other side, but the respondent representing themselves.

The change in confidence levels is not a simple linear one across the six items. Taken together, however, the six items provide a robust account of a person's overall level of general confidence in the legal sphere.

Table 4.1. Responses to the six GLC items. The preamble reads '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…?'

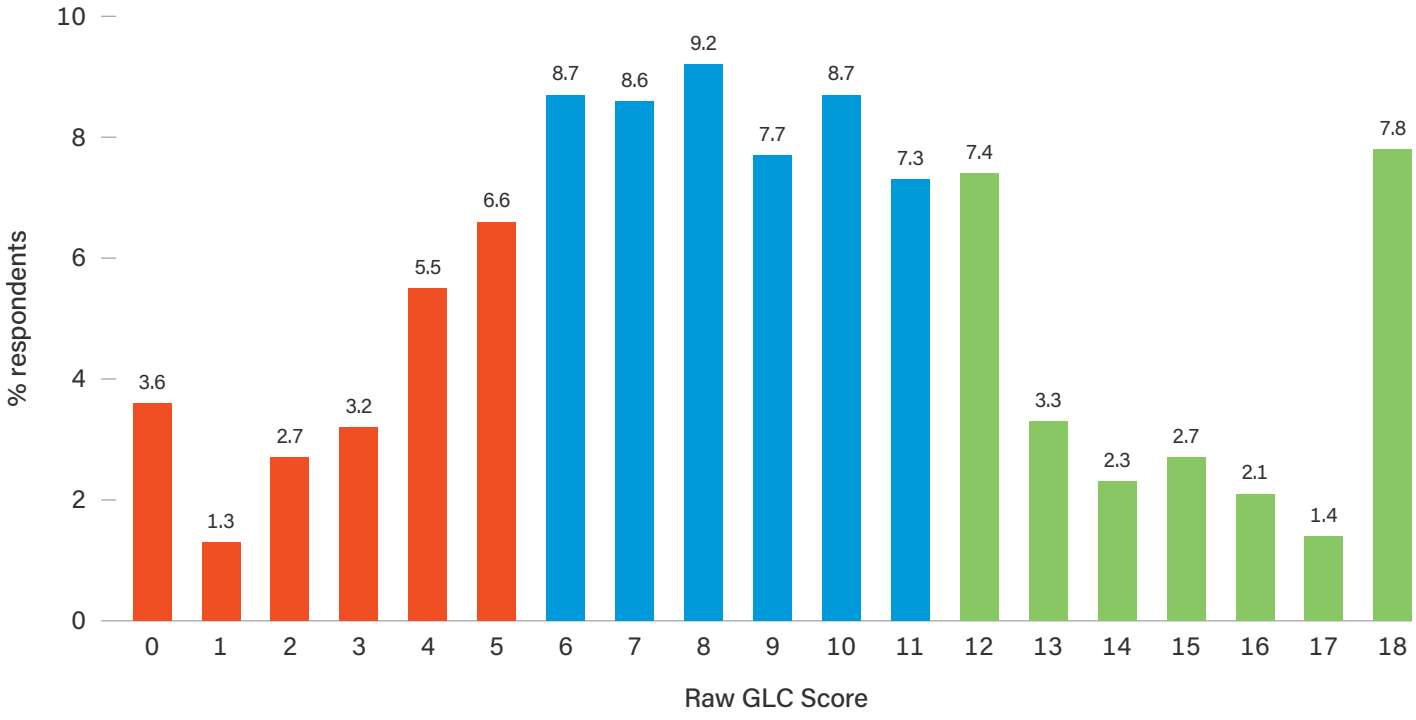
Confidence Item	Not at all confident		Not very confident		Quite confident		Very confident	
	N	%	N	%	N	%	N	%
The disagreement is substantial	446	7.4%	1774	29.5%	2558	42.6%	1230	20.5%
The other side says they 'will not compromise'	851	14.2%	2145	35.7%	1984	33.0%	1028	17.1%
The other side will only speak to you through their solicitor	866	14.4%	1835	30.5%	2207	36.7%	1100	18.3%
A notice from court says you must complete certain forms, including setting out your case	684	11.4%	1600	26.6%	2430	40.5%	1293	21.5%
The problem goes to court, a barrister represents the other side, and you are on your own	2447	40.7%	1969	32.8%	947	15.8%	645	10.7%
The court makes a judgement against you, which you see as unfair. You are told you have a right to appeal	1298	21.6%	2093	34.8%	1666	27.7%	951	15.8%

97 Note, that the preamble to the GLC items reads '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…?' 'Of the types we have been discussing' takes advantage of the fact respondents had just answered a series of legal knowledge questions across five relevant areas of law. A generic form of the scale (assuming no prior questions to guide respondents) can be found in Pleasence and Balmer (2019b). The preamble is also preceded by a short statement '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' and clarification regarding what constitutes a 'significant dispute' (derived from Pleasence and Balmer (2019b) was used by interviewers if necessary. The clarification was '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.'

Once converted to standardised scores of between 0 and 100, across all 6,008 respondents the mean GLC score was 52.[98] GLC scores were used as the basis for defining three GLC strata, corresponding to low, medium and high categories of GLC.[99] Of the 6,008 respondents, 1,375 (23%) were categorised as having low confidence, 3,015 (50%) medium confidence, and 1,617 (27%) high confidence.

Figure 4.1 shows the distribution of raw GLC scores, which ranged from 0 to 18, as well as GLC strata, with low confidence coloured red, medium confidence blue, and high confidence green. A raw score of 18 indicates that a respondent indicated they felt very confident in relation to all six GLC items. As can be seen, almost eight per cent of PULS respondents had a raw score of 18.

Figure 4.1. Raw GLC scores, with 'low' confidence coded red, 'medium' confidence blue, and 'high' confidence green



98 Standard deviation of 23.6, minimum of 1 and maximum of 100. The median GLC score was 51.5, with an interquartile range of 28.8.

99 In Pleasence and Balmer (2019b) this involved coding GLC scores from 0-36 as 'low', 37-58 as 'medium', and 59-100 as 'high' confidence, with the intention of assigning around 23 % of respondents to 'low', 54 to 'medium' and 23 to 'high' confidence groups (see Linacre (2013) and Pleasence and Balmer (2019b) for further details). In the present study this yielded 22.9% 'low', 42.9% 'medium' and 34.2% 'high' confidence. The slightly higher percentage in the 'high' confidence group may reflect minor wording changes designed to make the GLC scale applicable in a broader range of contexts (see further Balmer et al., (2022)). As a consequence, strata were adjusted so respondents with raw scores of 11 (GLC scores of 61.9) belonged to the 'medium' rather than 'high' confidence group. These adjusted strata were used throughout the report.

The social patterning of GLC scores

Generalised linear regression and multinomial logistic regression were used to explore the relationship between GLC scores and strata, respectively, and the range of social, demographic and geographic predictors included in Table 4.2.[100] Detailed statistical output is set out in Tables A2.2 and A2.3. Descriptions of statistical significance in the following text are drawn from both models, with details provided in footnotes and Tables A2.2 and A2.3.

Marginal mean GLC scores (derived from the generalised linear regression model, so controlling for other model variables) for different socio-demographic groups are shown in Table 4.2, while GLC strata (derived from the multinomial logistic regression model, so controlling for other model variables) are shown by socio-demographic group in Table 4.3.[101]

Table 4.2. Mean GLC score by social and demographic characteristics, derived from the statistical model in Appendix Table A2.2. Values are coloured from low (red) to high (green)

Variable	Level	Marginal mean
All		52.0
Age group	18-24	49.3
	25-34	57.0
	35-44	54.1
	45-54	52.1
	55-64	50.0
	65+	46.9
	Refused	59.7
Sex at birth	Male	53.8
	Female	50.4
Sexual orientation	Straight (heterosexual)	52.0
	Gay, lesbian, bisexual, other term	54.4
	Prefer not to say	47.2
Aboriginal or Torres Strait Islander	No	51.9
	Yes	59.8
Main language spoken	English	51.3
	Other	53.5

100 Variables included mirrored those used in multivariate models of justiciable problem prevalence, number of problems, and response to problems in Volume 1 of this report.

101 Known as margins (or predictive margins, adjusted predictions, and recycled predictions). These are statistics calculated from predictions of a previously fitted model at fixed values of some covariates and averaging or otherwise integrating over the remaining covariates. This has the net effect of allowing you to look at how a variable such as sex relates to score or strata having controlled for other differences in the characteristics of male and female respondents (e.g. their age, work, family status, health etc.).

Variable	Level	Marginal mean
Family status	Married, children	50.5
	Married, no children	53.7
	De facto, children	50.4
	De facto, no children	50.3
	Single, children	51.1
	Single, no children	52.5
Carer	No	50.8
	Yes	60.9
In work	Yes	52.3
	No	51.6
Highest education	Lower than year 12 or equivalent	50.1
	Year 12 or equivalent	49.3
	Trade/vocational certs/diplomas	53.5
	Degree or higher	52.7
Geography	Major Cities	52.5
	Inner Regional	50.1
	Outer Regional and Remote	51.7
Long-term illness or disability	No	52.3
	Yes	51.1
Mental distress (K6)	None or low	53.1
	Moderate	50.6
	Severe	46.8
Gross annual household income	Quintile 1 – $0 to $39,988	54.8
	Quintile 2 – $39,989 to $70,564	53.8
	Quintile 3 – $70,565 to $110,292	52.4
	Quintile 4 – $110,293 to $165,256	49.4
	Quintile 5 – $165,256 or more	48.6
	Prefer not to say	51.7
Unable to eat, heat or cool home	No	52.1
	Yes	49.4

Table 4.3. Predicted GLC strata by social and demographic characteristics, derived from the statistical model in Appendix Table A2.3

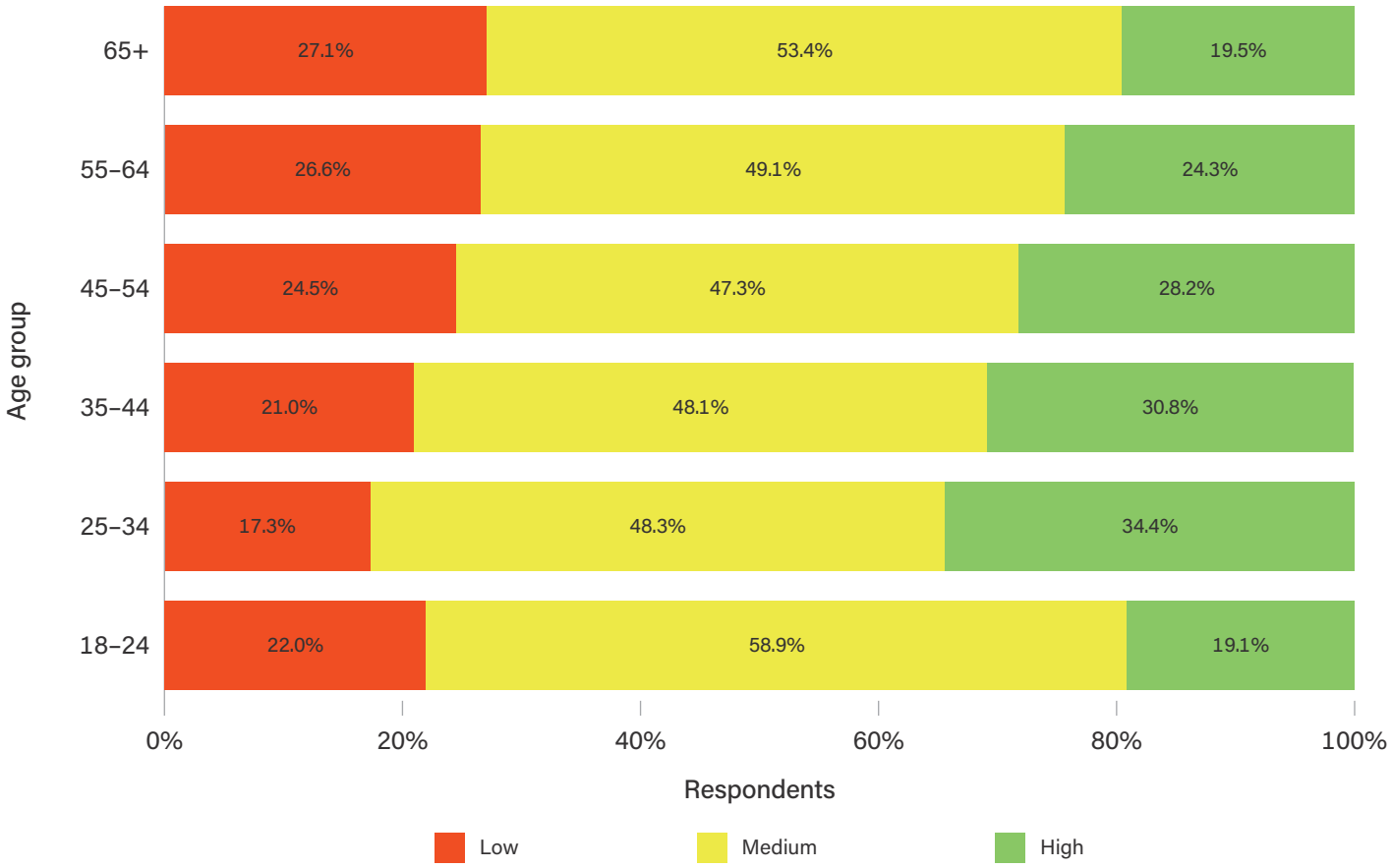
Variable	Level	Low	Medium	High
All		22.9%	50.2%	26.9%
Age group	18-24	22.0%	58.9%	19.1%
	25-34	17.3%	48.3%	34.4%
	35-44	21.0%	48.1%	30.8%
	45-54	24.5%	47.3%	28.2%
	55-64	26.6%	49.1%	24.3%
	65+	27.1%	53.4%	19.5%
	Refused	16.5%	42.7%	40.8%
Sex at birth	Male	20.5%	50.4%	29.2%
	Female	25.2%	50.2%	24.7%
Sexual orientation	Straight (heterosexual)	23.0%	50.2%	26.9%
	Gay, lesbian, bisexual, other term	19.5%	51.9%	28.7%
	Prefer not to say	27.6%	51.2%	21.1%
Aboriginal or Torres Strait Islander	No	23.0%	50.4%	26.6%
	Yes	18.2%	37.9%	43.9%
Main language spoken	English	23.9%	50.6%	25.6%
	Other	20.7%	49.9%	29.5%
Family status	Married, children	24.1%	52.3%	23.6%
	Married, no children	19.4%	52.2%	28.4%
	De facto, children	25.4%	49.4%	25.2%
	De facto, no children	26.7%	50.0%	23.4%
	Single, children	21.8%	51.4%	26.8%
	Single, no children	24.4%	45.9%	29.7%
Carer	No	23.5%	51.9%	24.7%
	Yes	19.2%	38.7%	42.1%
Work	Yes	21.8%	51.0%	27.1%
	No	24.7%	48.9%	26.4%
Highest education	Lower than year 12 or equivalent	25.9%	48.5%	25.6%
	Year 12 or equivalent	25.8%	50.4%	23.7%
	Trade/vocational certs/diplomas	20.7%	51.5%	27.7%
	Degree or higher	22.0%	50.3%	27.7%

Variable	Level	Low	Medium	High
Geography	Major Cities	22.4%	51.0%	26.6%
	Inner Regional	23.6%	51.1%	25.3%
	Outer Regional and Remote	28.7%	33.0%	38.2%
Long-term illness or disability	No	23.0%	50.0%	27.1%
	Yes	22.8%	51.1%	26.1%
Mental distress (K6)	None or low	21.2%	49.9%	28.8%
	Moderate	25.4%	50.6%	24.0%
	Severe	29.3%	51.7%	18.9%
Gross annual household income	Quintile 1 – $0 to $39,988	22.7%	44.5%	32.8%
	Quintile 2 – $39,989 to $70,564	22.0%	49.1%	29.0%
	Quintile 3 – $70,565 to $110,292	23.5%	49.2%	27.3%
	Quintile 4 – $110,293 to $165,256	24.1%	53.2%	22.7%
	Quintile 5 – $165,256 or more	24.6%	54.7%	20.7%
	Prefer not to say	20.8%	51.6%	27.6%
Unable to eat, heat or cool home	No	22.8%	50.2%	27.0%
	Yes	26.4%	50.6%	22.9%

The regression modelling indicated that GLC scores were associated with age, sex, whether respondents were Aboriginal and Torres Strait Islander, main language spoken at home, family status, caring responsibilities, mental distress, income and geography.

As is illustrated in Figure 4.2, there was a highly significant relationship between GLC score and age, with the youngest and oldest PULS respondents being associated with the lowest general legal confidence.[102] While the youngest respondents were least likely to have high legal confidence, the oldest respondents were the most likely to have low legal confidence.

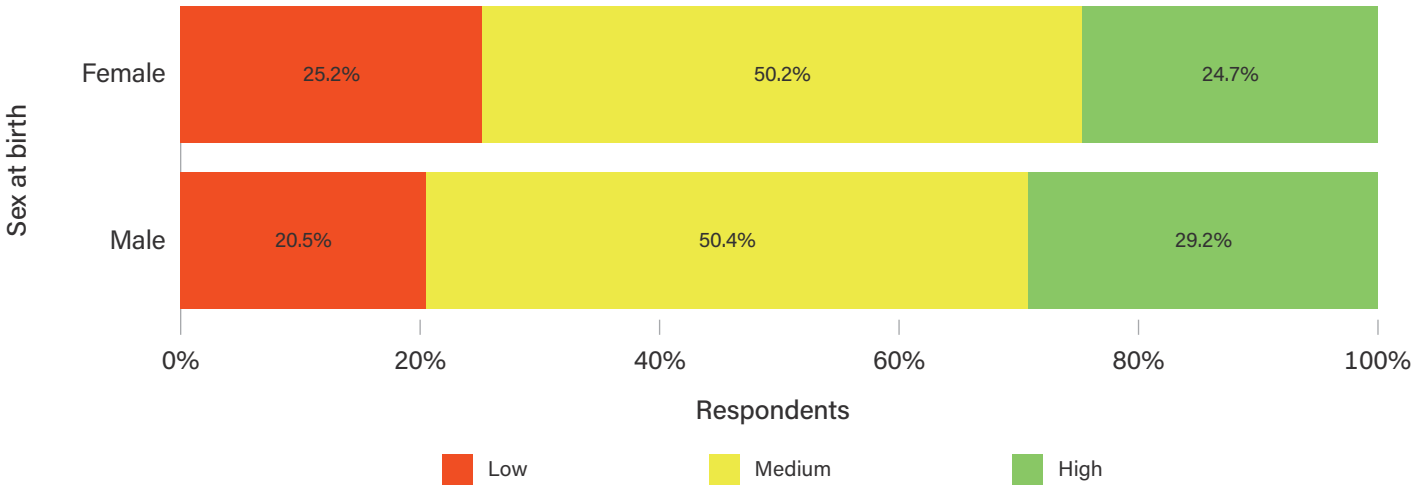
Figure 4.2. Percentage of each age group falling into 'low', 'medium' and 'high' GLC strata having controlled for other variables



102 Testing the age group model terms together; $\chi^2_{12} = 72.66$, $p < 0.001$.

In line with the earlier findings in England and Wales, there was also a highly significant relationship between GLC score and respondents' sex, with women tending to report lower legal confidence scores than men. As illustrated by Figure 4.3, once other variables were controlled for, a higher percentage of men fell in the high confidence stratum and a lower percentage in the low confidence stratum. There was little difference evident in the medium stratum.[103] In absolute terms, this translated to an average difference in GLC score between men and women of 3.4.[104]

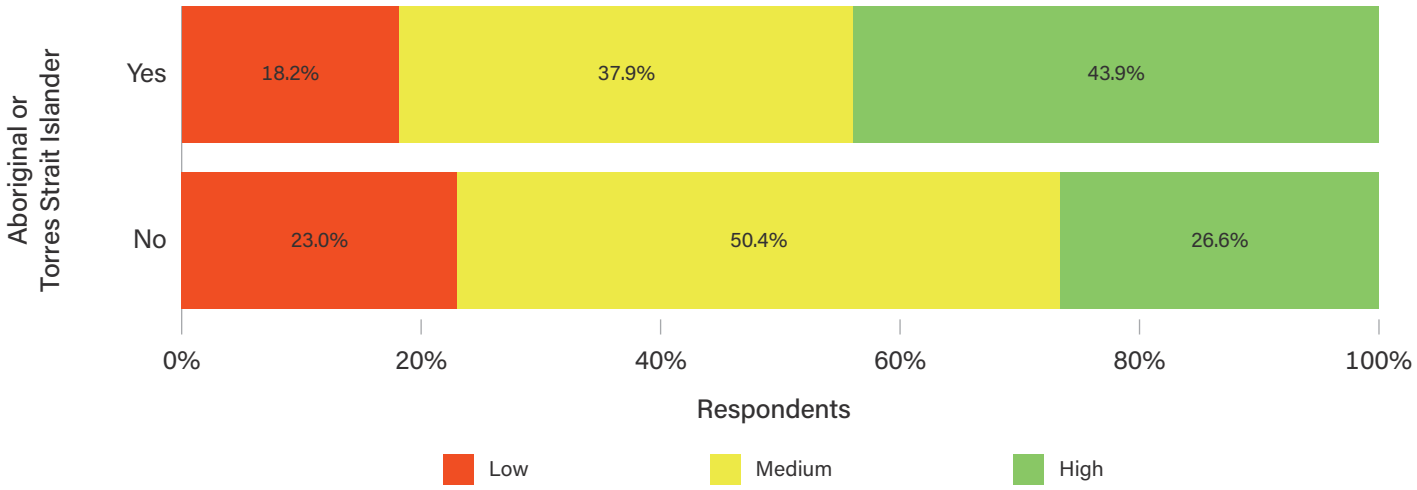
Figure 4.3. Percentage of male and female respondents falling into 'low', 'medium' and 'high' GLC strata having controlled for other variables



103 Testing the sex model terms; $\chi^2_2 = 18.94$, $p < 0.001$.
104 Again, a significant difference; $z = -4.82$, $p < 0.001$.

Despite there being only a modest number of Aboriginal and Torres Strait Islander PULS respondents, there was a statistically significant relationship between GLC scores and whether respondents were Aboriginal or Torres Strait Islanders.[105] Aboriginal and Torres Strait Islander respondents reported significantly higher legal confidence than other respondents, corresponding to an increase of 7.9 in GLC score, with differences also apparent when looking at GLC strata. This is illustrated in Figure 4.4. In particular, Aboriginal and Torres Strait Islander respondents were more likely to have high general legal confidence, as opposed to medium confidence, when compared to other respondents.[106]

Figure 4.4. Percentage of indigenous and non-indigenous respondents falling into 'low', 'medium' and 'high' GLC strata having controlled for other variables

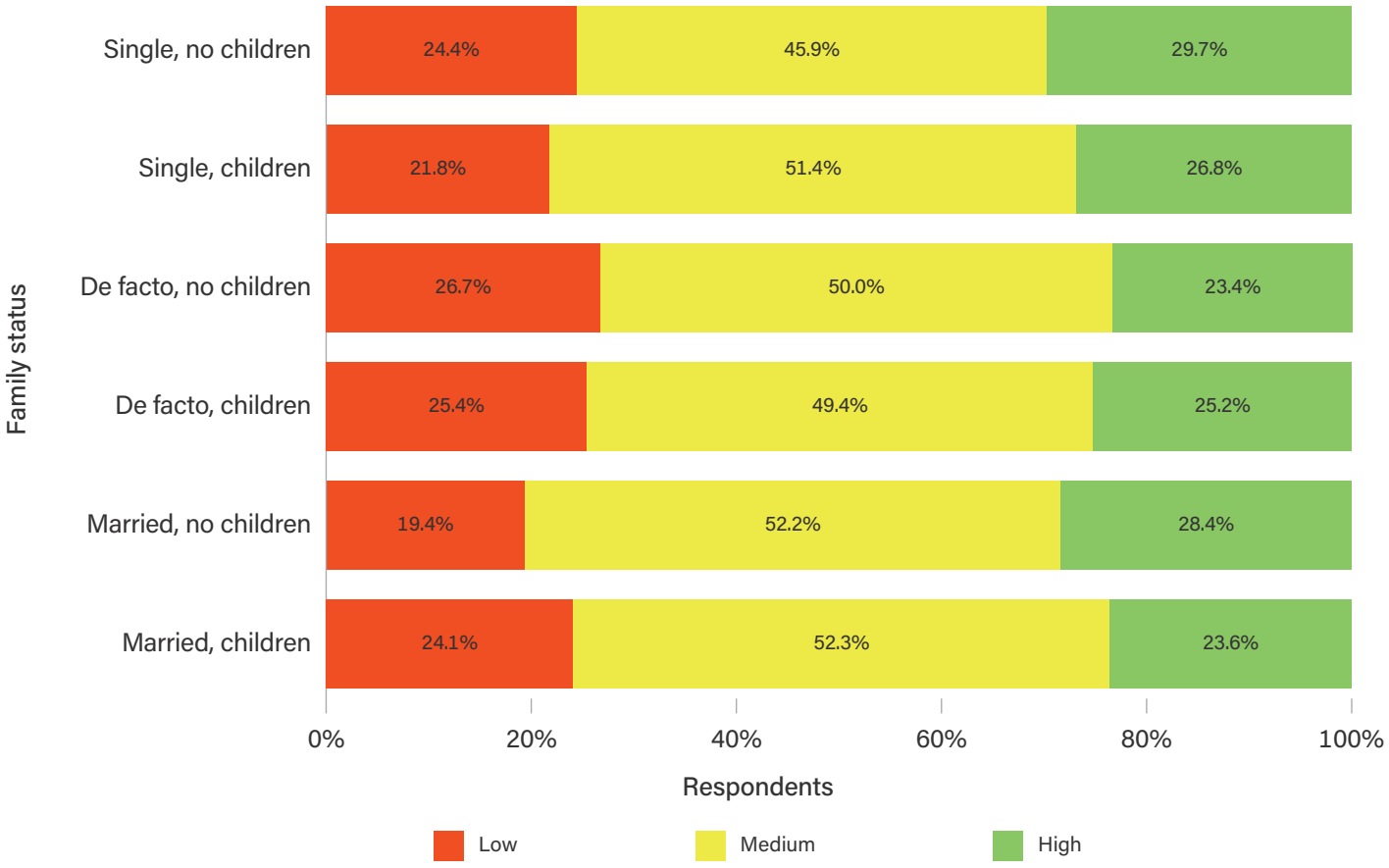


105 Testing the Aboriginal or Torres Strait Islander terms; $\chi^2_2 = 9.96$, $p = 0.007$.

106 Reflected by a statistically significant 'high' term (compared to the 'medium' base outcome) for Aboriginal and Torres Strait Islander respondents; relative risk ratio = 2.31, $z = 2.89$, $p = 0.004$.

As illustrated by Figure 4.5, there was also a significant relationship between GLC score and family structure.[107] Married respondents without children and single respondents without children were most likely to fall in the high confidence stratum. In absolute terms, the highest GLC scores were associated with those who were married without children, particularly when compared to married couples with children or respondents in de facto relationships (in which cases, the average difference was just over 3).

Figure 4.5. Percentage falling into 'low', 'medium' and 'high' GLC strata by family structure, having controlled for other variables

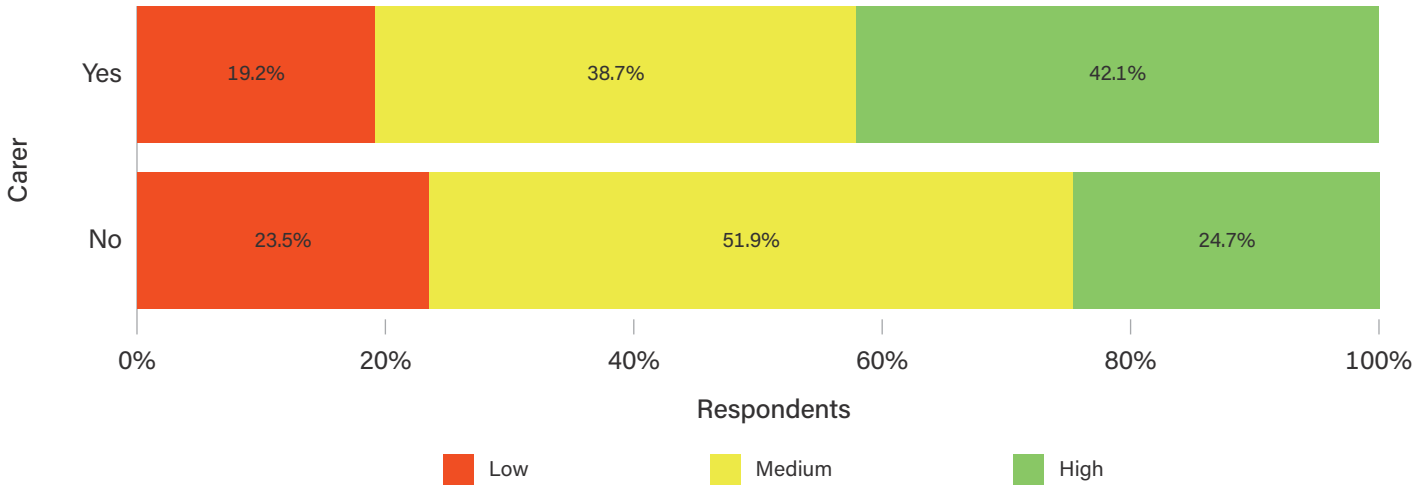


The relationship between GLC strata and main language spoken at home also reached statistical significance.[108] In particular, those who spoke a language other than English were somewhat more likely to belong to the high confidence stratum. This equated to an increase in absolute GLC score of 2.2 for non-English speakers, again a significant difference.[109]

107 Testing the family terms together; $\chi^2_{10} = 26.46$, $p = 0.003$.
108 Testing the language terms; $\chi^2_2 = 7.13$, $p = 0.028$.
109 $Z = 2.51$, $p = 0.012$.

Those who provided day-to-day care for elderly or disabled adults were also associated with significantly higher GLC scores (10.2 higher on average than other respondents). Figure 4.6 illustrates the highly statistically significant relationship between whether or not respondents had caring responsibilities and GLC strata.[110] This was principally a function of those with caring responsibilities having a far greater propensity to fall in the high confidence stratum.[111]

Figure 4.6. Percentage of those with or without day-to-day caring responsibilities for elderly or disabled adults falling into 'low', 'medium' and 'high' GLC strata, having controlled for other variables

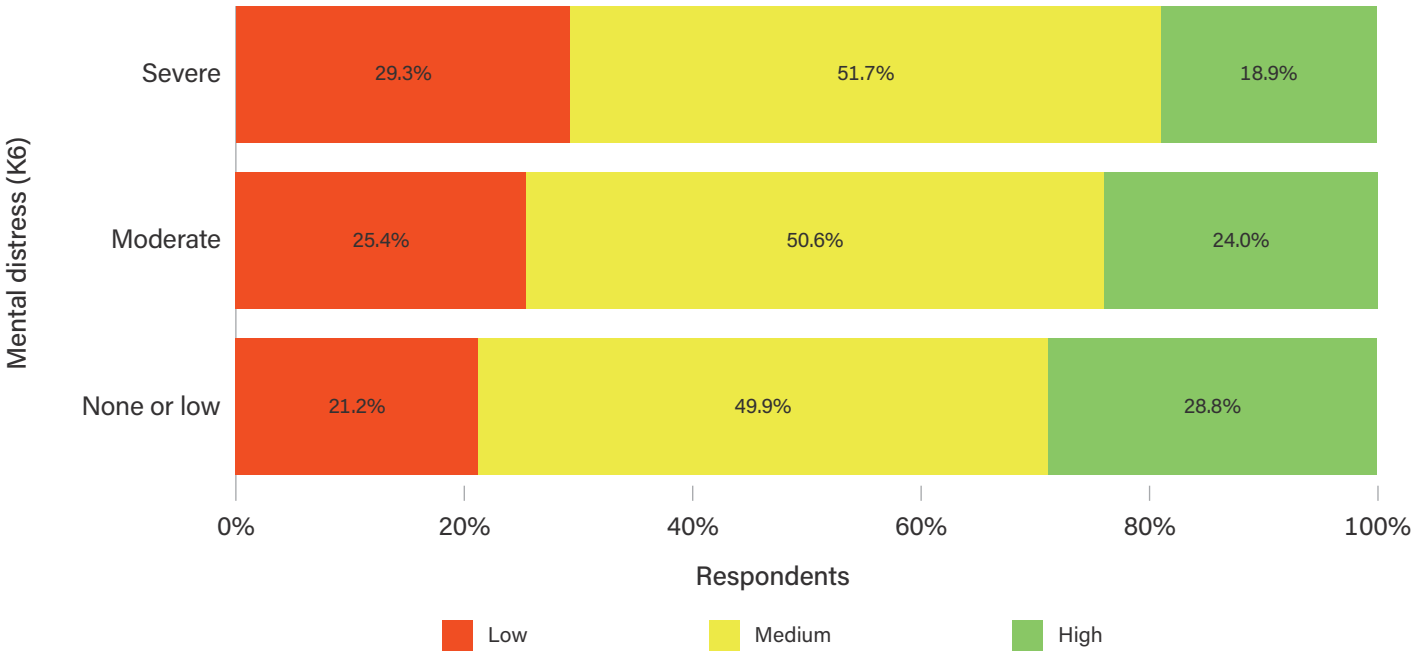


110 Testing the carer terms; $\chi^2_2 = 69.10$, $p < 0.001$.

111 Testing the high confidence term (compared to medium confidence) for carers; relative risk ratio = 2.37, $z = 7.86$, $p < 0.001$.

As illustrated by Figure 4.7, there was also a highly significant relationship between GLC score and mental distress.[112] Increasingly severe mental distress was associated with a higher propensity to fall in the low confidence stratum and lower propensity to fall in the high confidence stratum. In absolute terms, there was an average difference of 6.4 between respondents with severe mental distress and those with no or low mental distress.

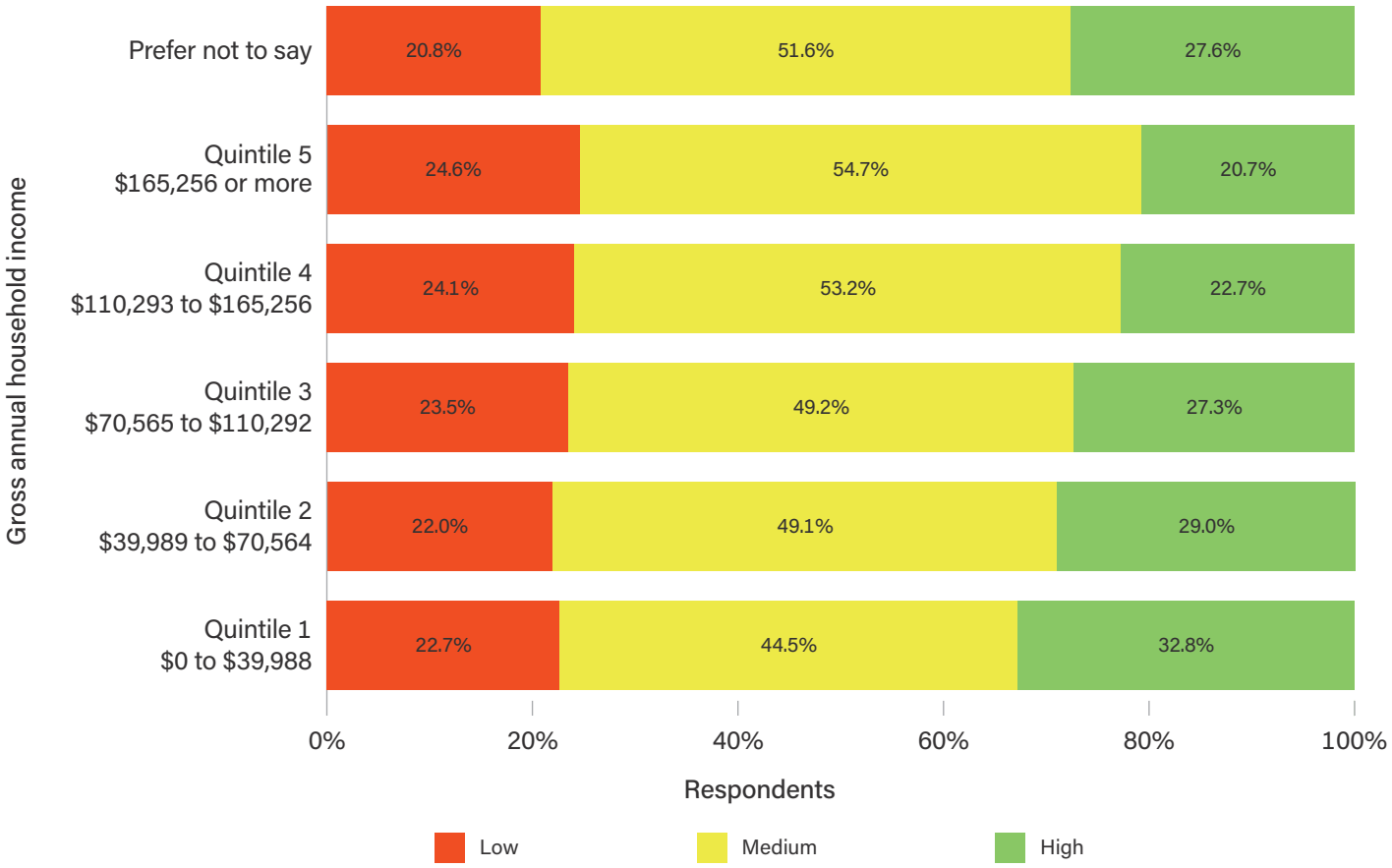
Figure 4.7. Percentage into 'low', 'medium' and 'high' GLC strata by mental distress, having controlled for other variables



112 Testing the mental distress model terms; $\chi^2_4 = 21.47$, $p < 0.001$.

As illustrated by Figure 4.8, there was also an interesting relationship between GLC score and income, with higher income PULS respondents less likely to fall in the high confidence stratum.[113] On average, those in income quintile 5 had a GLC score that was 6.4 lower than those in income quintile 1.[114]

Figure 4.8. Percentage falling into 'low', 'medium' and 'high' GLC strata by household income quintile, having controlled for other variables

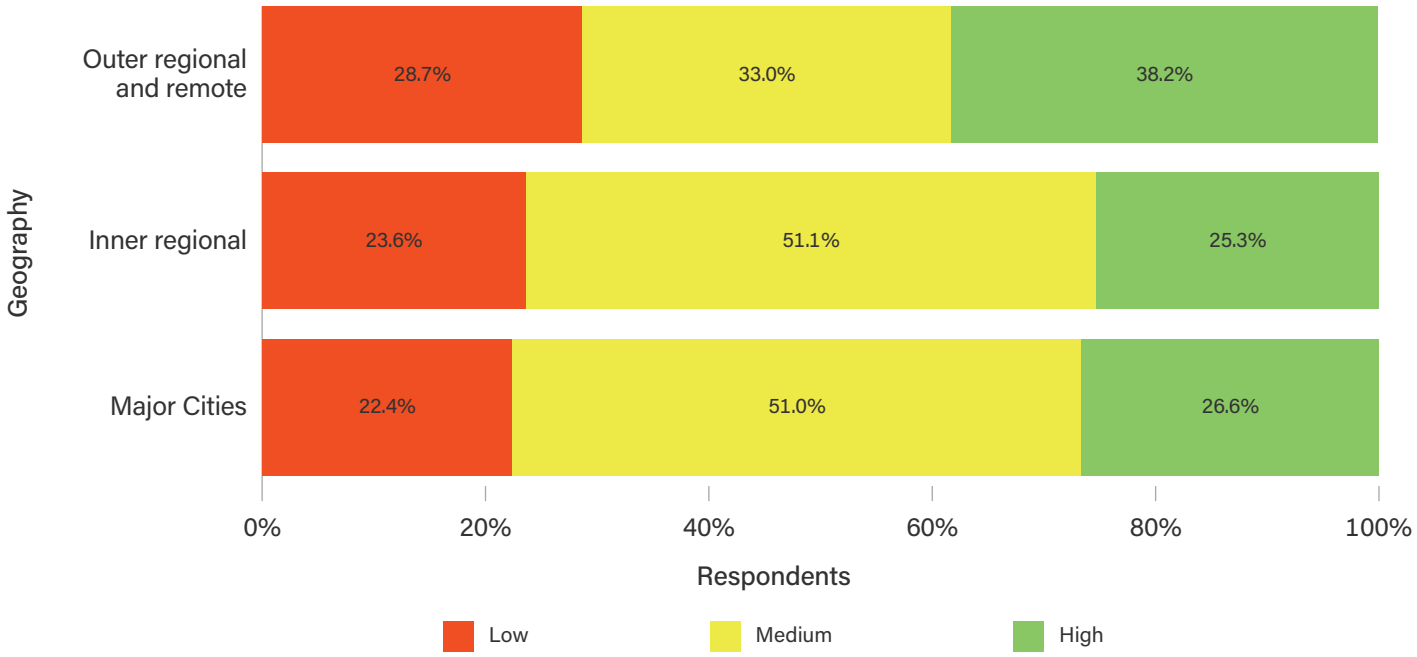


Differences in GLC strata by highest educational qualifications fell just short of statistical significance,[115] though differences reached statistical significance for absolute GLC score.[116] GLC scores were, on average, around three higher for those with degrees and those with trade, vocational certificates or diplomas, when compared those with only year 12 or equivalent, or below year 12 qualifications.

113 Testing the income terms; $\chi^2_2 = 25.98$, $p = 0.004$.
114 A highly significant difference; $z = -4.10$, $p < 0.001$.
115 Testing the highest educational qualification terms; $\chi^2_6 = 11.75$, $p = 0.068$.
116 Testing the highest educational qualification terms; $\chi^2_3 = 16.16$, $p = 0.001$.

Finally, there was some evidence of a relationship between GLC strata and geography,[117] with those in outer regional and remote areas more likely fall into both the low and (particularly) high confidence stratum. As shown in Figure 4.9, relatively fewer outer regional and remote area respondents fell in the medium stratum.[118]

Figure 4.9. Percentage falling into 'low', 'medium' and 'high' GLC strata by respondents' geography, having controlled for other variables



After accounting for other variables, there was no evidence of any relationship between GLC strata and sexual orientation; whether or not respondents were working;[119] whether or not respondents reported a long-term illness or disability; and whether respondents had difficulties in the past twelve months eating, heating or cooling their homes because of a shortage of money.

117 Testing the geography terms together; $\chi^2_4 = 35.93$, $p < 0.001$.

118 Turning to absolute GLC scores, inner regional respondents had the lowest score, and 2.4 less than those in major cities on average, a significant difference; $Z = -3.00$, $p = 0.003$.

119 This does not tell the full story for the relationship between work and general legal confidence. The binary working vs not working variable was used in the model due to the multicollinearity associated with including both age group and broader work groups, since they are inevitably related. If age group is removed from an absolute GLC score model and broader work groups included, differences are highly significant; $\chi^2_7 = 68.19$, $p < 0.001$. Calculating marginal means (i.e. controlling for other variables apart from age group), mean GLC was 55.1 for those working full-time, 50.1 for those working part-time or occasionally, 60.0 for those in education, 50.0 for those seeking work, 52.3 for those not working because of health, 49.3 for those looking after the home or family, 53.3 for those not working for some other reason, and 47.1 for those who were retired.

5. Practical Legal Literacy

This chapter sets out *Public Understanding of Law Survey* (PULS) findings concerning the Victorian public's ability to obtain, understand and navigate information and services needed to deal with everyday justiciable issues. It draws on a series of six questions that addressed practical aspects of engagement and interaction with organisations relevant to the resolution of justiciable problems. The questions drew on tools developed in the health sector.

Background

Practical legal literacy concerns the ability to obtain, understand and navigate information and services needed to deal with everyday justiciable issues. Within the *Public Understanding of Law Survey* (PULS), the focus of questions addressing practical legal literacy was on practical aspects of engagement and interaction with organisations and institutions relevant to the resolution of justiciable problems.

PULS methodology for measurement of practical legal literacy

The PULS questions drew heavily on tools developed for health studies, particularly, Chew, Bradley and Boyko's (2004) *Short Literacy Survey* (SLS) and Haun et al.'s (2012) BRIEF health literacy screening tool. However, as people have fewer dealings with legal than health services and may have inaccurate preconceptions of their nature, unlike the health literacy tools the PULS questions avoided reference to law, legal services or legal institutions. This is in keeping with the justiciable problem legal needs survey methods pioneered by Genn (1999) and further developed by Pleasence and Balmer that does not assume understanding of or use of law.[120] Instead, as can be seen from Table 5.1, the questions referenced analogous use of 'banks, the council, doctors, Centrelink, or government departments'. These comprise places familiar to most, similar in form and operation to legal services and where justiciable problems can be situated.

The first three PULS questions corresponded to those in the SLS, and the first four items to the BRIEF tool. Together, these four questions 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 questions reflected Haun et al.'s (2014) idea of navigation and the sixth related to problem solving.

As detailed in the annotated PULS questionnaire, the practical legal literacy questions were aimed at yielding a single useful measure that is viable to administer in service settings.[121] 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.

Unlike the short-form health literacy scales from which they were derived (Chew, Bradley and Boyko, 2004; Haun et al., 2012, 2014), the practical legal literacy items did not have a longer instrument available for use in validation and to determine cut-off points.[122] For the purpose of analysis, 'never' responses were assigned a score of zero, 'sometimes' a score of one, 'often' a score of two and 'always' a score of three. Summing across the six items produced a score from 0 to 18, with higher scores indicating greater difficulty with practical legal literacy. A score of 0 equated to somebody who never faced difficulties in relation to any item. A score of 18 equated to somebody who always faced difficulties with every item. Scores were also grouped into four Practical Legal Literacy (PLL) strata, with those scoring zero categorised as 'adequate literacy (no issues)' one to five as 'adequate literacy (some issues)', six to eight as 'marginal literacy' and nine or above as 'inadequate literacy'.[123] The following section relates PULS PLL scores and strata to PULS respondents' characteristics.[124]

120 See further OECD/OSF (2019).

121 Balmer et al. (2022), p.45.

122 e.g. The Short Test of Functional Health Literacy in Adults (S-TOFHLA) in the case of Chew, Bradley and Boyko (2004) and Haun et al.'s (2012) short scales (Baker et al., 1999).

123 In practice, the 'adequate (some issues)' group had an average PLL score of 2.7 (e.g. responding 'sometimes' to around three items and 'never' to three items, the 'marginal' group an average score of 6.7 (e.g. just less than responding 'sometimes' to five items and 'often' to one item), and the 'inadequate' group an average score of 11.7 (e.g. just less than responding 'often' to all items) Use of 'adequate', 'marginal' and 'inadequate' mirror the terms used in Haun et al., (2012). Note, that efforts could be made to subject practical legal literacy items to scale development and Rasch analysis as for other legal capability scales included in the PULS. However, they were not designed to facilitate scale development (e.g. they did not begin with a large item pool and sought to directly capture ability to or engage with discrete literacy tasks, rather than uncover a single latent trait).

124 Note, that additional validation (e.g. comparing the items to a more detailed (legal) literacy instrument, as well as its utility in a practical advice setting) would aid in gauging its effectiveness in capturing adequate or inadequate literacy, and refining cut-off points.

PULS findings on practical legal literacy

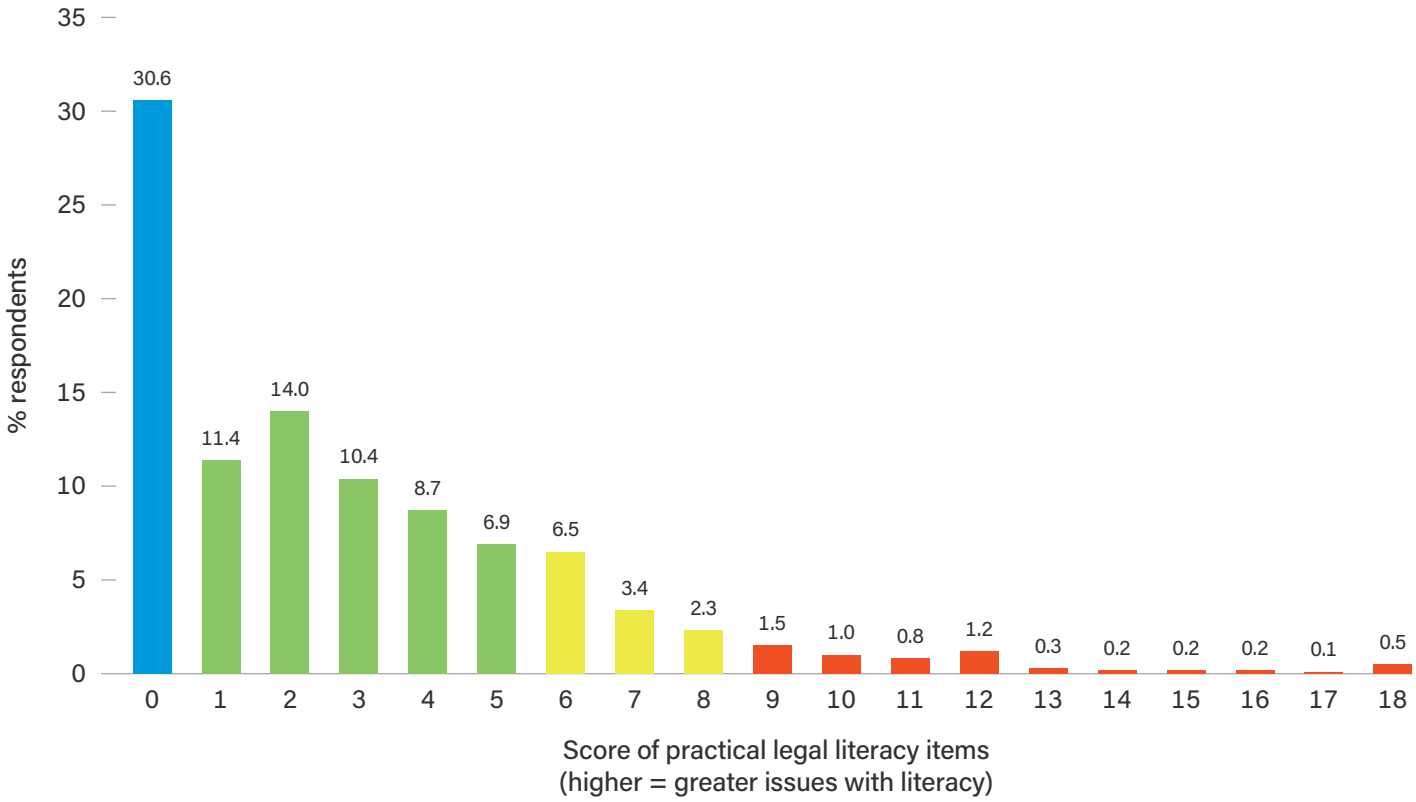
Table 5.1 sets out responses to the six practical legal literacy items. For all but one item (concerning finding the right person to speak to within organisations), the majority of PULS respondents indicated they never had difficulties or needed assistance. Reading letters, brochures or information from organisations was the item that respondents were most comfortable with. Finding the right person to speak to in organisations and raising problems with organisations were the items that respondents were least comfortable with.

Table 5.1. Responses to the six practical legal literacy items. The preamble reads 'In general, thinking about dealing with organisations such as banks, the council, doctors, Centrelink, or government departments, how often do you...'

Practical legal literacy question	Always		Often		Sometimes		Never	
	N	%	N	%	N	%	N	%
...have someone help you read letters, brochures or information from such organisations	107	1.8%	233	3.9%	904	15.1%	4745	79.2%
...have difficulty filling out forms for them by yourself	166	2.8%	223	3.7%	1206	20.1%	4403	73.4%
...find it difficult to understand written information from them	140	2.3%	261	4.4%	1656	27.6%	3937	65.7%
...find it difficult to understand what they say to you when discussing matters in person	98	1.6%	261	4.4%	1593	26.7%	4024	67.3%
...have difficulty finding the right person to speak to within such organisations	262	4.4%	851	14.2%	2397	40.1%	2463	41.2%
...have difficulty raising problems with such organisations	195	3.3%	558	9.4%	1974	33.1%	3234	54.3%

Across all 6,008 PULS respondents, the mean PLL score was 2.9.[125] Figure 5.1 illustrates the distribution of PLL scores. 1,803 (30.6 %) respondents fell into the 'adequate literacy (no issues)' group (coded as blue in Figure 5.1), 3,020 (51.3 %) in the 'adequate literacy (some issues)' group (coded as green), 712 (12.1%) in the 'marginal literacy' group (coded as yellow), and 351 (6.0 %) in the 'inadequate literacy' group (coded as red).

Figure 5.1. Scores on the practical legal literacy items, with higher scores indicating greater issues with literacy, and the 'adequate (no issues)' practical legal literacy group in blue, 'adequate (some issues)' in green, 'marginal' in yellow and 'inadequate' in red



125 Standard deviation of 3.2, minimum of 0 and maximum of 18. The median PLL score was 2.0, with an interquartile range of 4.0.

The social patterning of practical legal literacy

Generalised linear regression and multinomial logistic regression were used to explore the relationship between PLL scores and strata, respectively, and the range of social, demographic and geographic predictors included in Table 5.2.[126] In the case of the multinomial logistic regression model, the focus was predominantly on the 'inadequate' literacy model terms. Detailed statistical output is set out in Tables A2.4 and A2.5. Descriptions of statistical significance in the following text are drawn from both models. Detailed statistical output is set out in Tables A2.4 and A2.5.

Marginal mean PLL scores (derived from the generalised linear regression model, so controlling for other model variables) for different socio-demographic groups are shown in Table 5.2, while PLL strata (derived from the multinomial logistic regression model, so controlling for other model variables) are shown by socio-demographic group in Table 5.3.[127]

Table 5.2. Mean PLL score by social and demographic characteristics, derived from the statistical model in Appendix Table A2.4. Values are coloured from low (green) to high (red) with higher values indicating greater issues (difficulty) with literacy

Variable	Level	Marginal mean
Overall		2.90
Age group	18-24	2.58
	25-34	2.57
	35-44	2.77
	45-54	3.15
	55-64	3.09
	65+	3.30
	Refused	2.17
Sex at birth	Male	2.89
	Female	2.90
Sexual orientation	Straight (heterosexual)	2.88
	Gay, lesbian, bisexual, other term	3.12
	Prefer not to say	3.35
Aboriginal or Torres Strait Islander	No	2.88
	Yes	3.70

126 Variables included mirrored those used in multivariate models of justiciable problem prevalence, number of problems, and response to problems in Volume 1 of this report.

127 Known as margins (or predictive margins, adjusted predictions, and recycled predictions). These are statistics calculated from predictions of a previously fitted model at fixed values of some covariates and averaging or otherwise integrating over the remaining covariates. This has the net effect of allowing you to look at how a variable such as sex relates to LAW Scale score or strata having controlled for other differences in the characteristics of male and female respondents (e.g. their age, work, family status, health etc).

Variable	Level	Marginal mean
Main language spoken	English	2.69
	Other	3.40
Family status	Married, children	2.93
	Married, no children	2.88
	De facto, children	3.36
	De facto, no children	2.81
	Single, children	2.99
	Single, no children	2.83
Carer	No	2.96
	Yes	2.49
In work	Yes	2.82
	No	3.01
Highest education	Lower than year 12 or equivalent	3.59
	Year 12 or equivalent	3.28
	Trade/vocational certs/diplomas	2.99
	Degree or higher	2.42
Geography	Major Cities	2.98
	Inner Regional	2.92
	Outer Regional and Remote	1.43
Long-term illness or disability	No	2.74
	Yes	3.36
Mental distress (K6)	None or low	2.48
	Moderate	3.50
	Severe	4.34
Gross annual household income	Quintile 1 – $0 to $39,988	2.86
	Quintile 2 – $39,989 to $70,564	2.72
	Quintile 3 – $70,565 to $110,292	2.99
	Quintile 4 – $110,293 to $165,256	2.86
	Quintile 5 – $165,256 or more	2.92
	Prefer not to say	3.12
Unable to eat, heat or cool home	No	2.86
	Yes	3.69

Table 5.3. Predicted practical legal literacy group by social and demographic characteristics, derived from the statistical model in Appendix Table A2.5. Columns are coloured individually from high (blue) to low (white) values

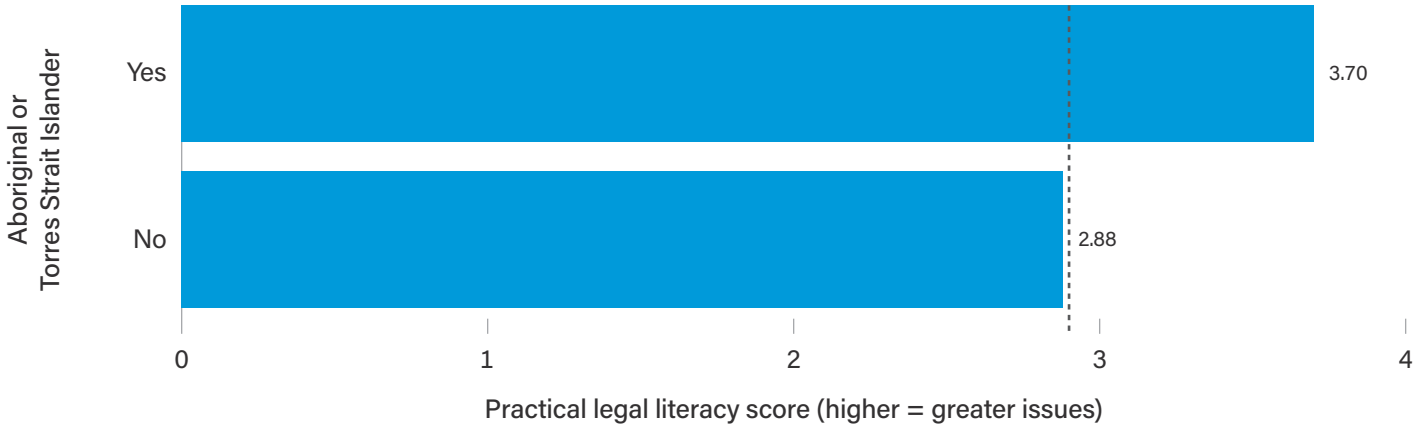
Variable	Level	Adequate (no issues)	Adequate (some issues)	Marginal	Inadequate
Overall		30.6%	51.3%	12.1%	6.0%
Age group	18-24	33.4%	50.4%	11.8%	4.4%
	25-34	39.2%	45.0%	10.1%	5.7%
	35-44	32.6%	50.6%	11.1%	5.7%
	45-54	26.4%	52.8%	14.9%	5.9%
	55-64	24.9%	55.3%	13.8%	5.9%
	65+	23.9%	55.7%	12.9%	7.5%
	Refused	43.2%	44.5%	8.8%	3.5%
Sex at birth	Male	30.7%	50.8%	12.5%	6.0%
	Female	30.6%	51.7%	11.8%	5.9%
Sexual orientation	Straight (heterosexual)	30.8%	51.3%	12.1%	5.9%
	Gay, lesbian, bisexual, other term	29.4%	48.8%	14.5%	7.4%
	Prefer not to say	25.8%	57.8%	5.6%	10.8%
Aboriginal or Torres Strait Islander	No	30.7%	51.3%	12.2%	5.8%
	Yes	30.1%	48.5%	8.2%	13.2%
Main language spoken	English	29.7%	54.6%	11.1%	4.6%
	Other	32.2%	43.3%	14.4%	10.1%
Family status	Married, children	29.0%	52.0%	13.2%	5.8%
	Married, no children	32.3%	49.8%	11.7%	6.2%
	De facto, children	23.3%	54.7%	14.7%	7.2%
	De facto, no children	30.6%	51.7%	14.1%	3.6%
	Single, children	30.8%	50.3%	11.7%	7.2%
	Single, no children	31.7%	51.5%	11.0%	5.8%
Carer	No	29.6%	51.9%	12.4%	6.1%
	Yes	38.1%	46.6%	10.1%	5.1%
Work	Yes	30.7%	52.2%	11.9%	5.3%
	No	30.8%	49.9%	12.6%	6.7%
Highest education	Lower than year 12 or equivalent	26.2%	49.3%	13.6%	10.8%
	Year 12 or equivalent	27.1%	51.5%	14.6%	6.8%
	Trade/vocational certs/diplomas	31.4%	49.8%	12.8%	6.0%
	Degree or higher	33.1%	53.5%	10.4%	3.1%
Geography	Major Cities	28.8%	52.7%	12.6%	6.0%
	Inner Regional	31.5%	50.4%	11.5%	6.6%
	Outer Regional and Remote	61.8%	29.2%	6.4%	2.7%

Variable	Level	Adequate (no issues)	Adequate (some issues)	Marginal	Inadequate
Long-term illness or disability	No	32.9%	49.9%	11.8%	5.3%
	Yes	21.9%	57.2%	13.5%	7.5%
Mental distress (K6)	None or low	34.6%	51.6%	9.4%	4.4%
	Moderate	24.3%	51.8%	16.2%	7.7%
	Severe	16.4%	49.5%	22.7%	11.4%
Gross annual household income	Quintile 1 – $0 to $39,988	37.4%	43.3%	13.3%	6.0%
	Quintile 2 – $39,989 to $70,564	33.4%	49.2%	12.1%	5.3%
	Quintile 3 – $70,565 to $110,292	29.0%	52.8%	10.8%	7.5%
	Quintile 4 – $110,293 to $165,256	27.1%	56.1%	12.5%	4.3%
	Quintile 5 – $165,256 or more	25.6%	60.4%	9.6%	4.5%
	Prefer not to say	31.5%	47.2%	14.1%	7.1%
Unable to eat, heat or cool home	No	31.0%	51.2%	12.1%	5.7%
	Yes	18.5%	57.0%	14.7%	9.8%

The regression modelling indicated that Aboriginal or Torres Strait Islander respondents, those whose main language was a language other than English, those with least educational qualifications, those reporting mental distress (and, to a lesser extent, those with a long term illness or disability), and those suffering financial distress were associated with worse (higher) PLL scores as well as being significantly more likely to fall within the 'inadequate literacy' stratum.

As illustrated by Figure 5.2, Aboriginal and Torres Strait Islander respondents reported significantly more issues with practical legal literacy,[128] and were far more likely to belong to the 'inadequate literacy' stratum.[129] Having controlled for other social and demographic characteristics, 13.2% of Aboriginal and Torres Strait Islander respondents fell within the 'inadequate' stratum, compared to 5.8% of other respondents (Table 5.3).

Figure 5.2. Mean PLL score (higher scores indicating greater issues with literacy) by whether or not respondents were Aboriginal or Torres Strait Islanders, having controlled for other variables



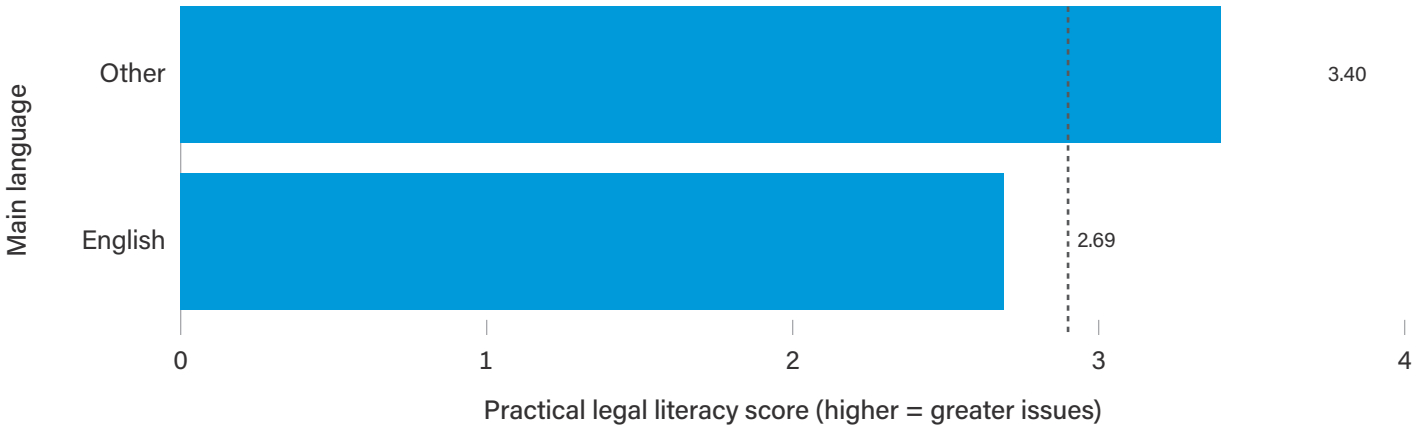
128 Testing the language term in the practical legal literacy generalised linear model; $\chi^2_1 = 29.20$, $p < 0.001$.

129 Testing the 'inadequate' language term (compared to the 'adequate (some issues)' reference category) in the multinomial logistic regression model; $\chi^2_1 = 36.18$, $p < 0.001$.

As illustrated by Figure 5.3, respondents whose main language was not English also reported significantly more issues with practical legal literacy.[130] This was most clearly evidenced by the huge contrast between the percentage of respondents with the highest level of qualifications who fell within the 'inadequate literacy' stratum.

Respondents whose main language was not English were also significantly more likely to fall within the 'inadequate literacy' stratum.[131] Controlling for other variables, 10.1% of those whose main language was not English fell within the 'inadequate' stratum, compared to 4.6% of other respondents (Table 5.3).

Figure 5.3. Mean PLL score (higher scores indicating greater issues with literacy) by the main language spoken by respondents, having controlled for other variables

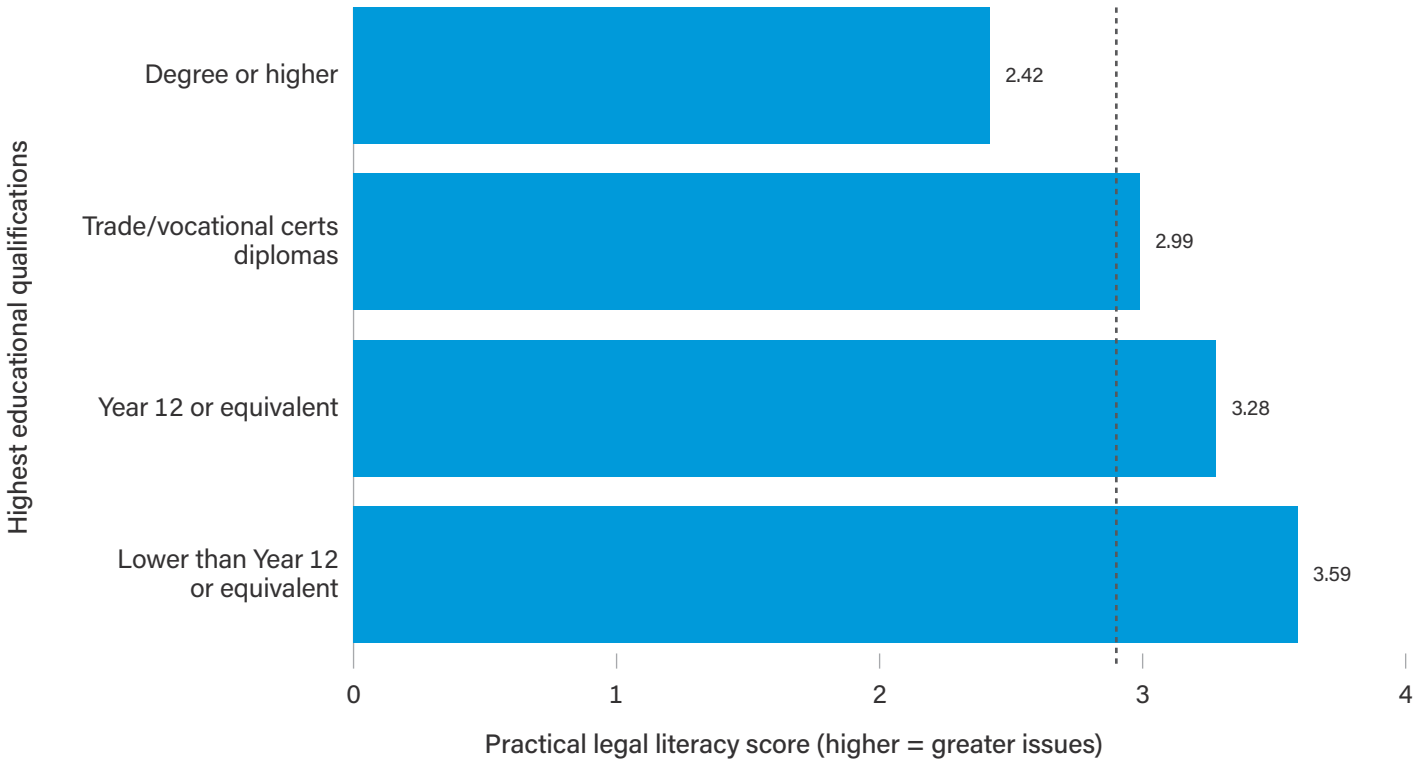


130 Testing the language terms in the practical legal literacy generalised linear model; $\chi^2_1 = 29.20$, $p < 0.001$.

131 Testing the 'inadequate' language terms (compared to the 'adequate (some issues)' reference category) in the multinomial logistic regression model; $\chi^2_1 = 36.18$, $p < 0.001$.

As illustrated in Figure, 5.4, issues with practical legal literacy decreased markedly as respondents' highest level of educational qualification increased.[132] There was also a significant relationship between highest qualification and the likelihood respondents fell within the 'inadequate literacy' stratum.[133] The greatest contrast was between those with lower than year 12 or equivalent qualifications and those with a degree or higher qualification (Table 5.3). Controlling for other variables, 10.8% of those with lower than year 12 or equivalent qualifications fell within the 'inadequate' stratum, compared to 3.1% of other respondents.

Figure 5.4. Mean practical legal literacy score (higher scores indicating greater issues with literacy) by highest educational qualifications, having controlled for other variables



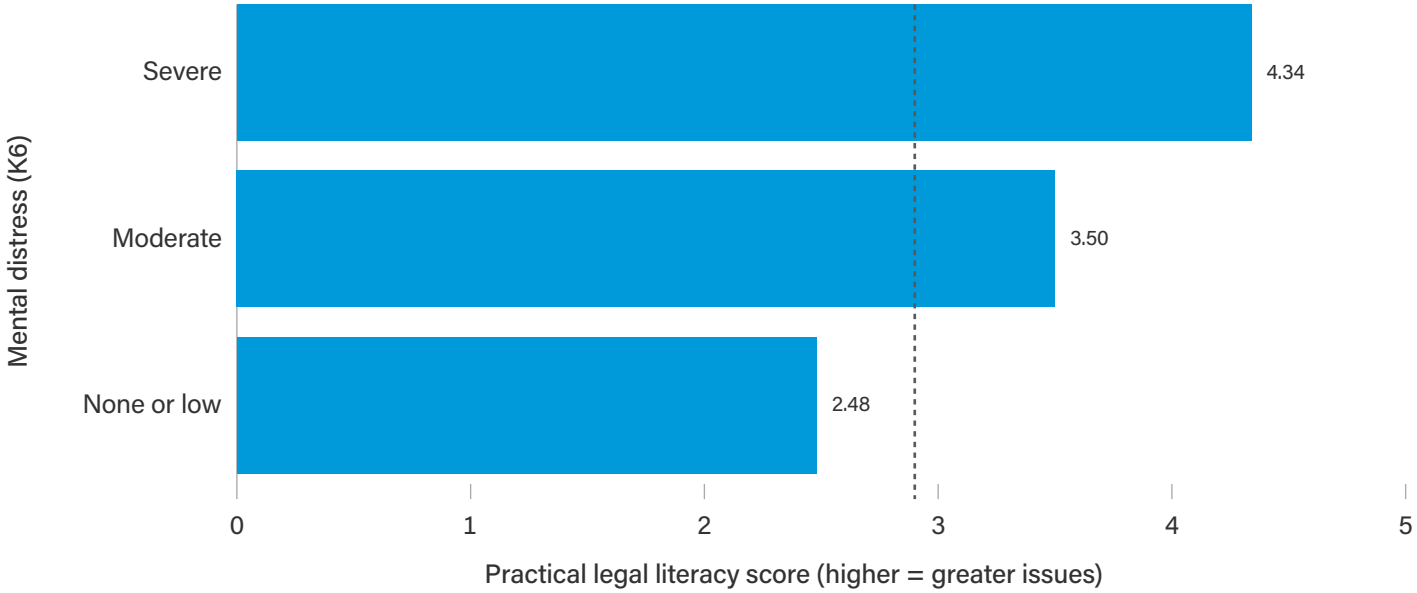
132 Testing the highest educational qualifications in the practical legal literacy generalised linear model; $\chi^2_3 = 63.03$, $p < 0.001$.

133 Testing the 'inadequate' educational qualifications terms (compared to the 'adequate (some issues)' reference category) in the multinomial logistic regression model; $\chi^2_3 = 39.56$, $p < 0.001$.

As illustrated by Figure 5.5, the relationship between mental distress (based on the K6 scale) and practical legal literacy was highly statistically significant.[134] After controlling for other variables, PULS respondents with moderate and (particularly) severe mental distress reported far more issues with practical legal literacy that those with no or low mental distress. Consequently, a far higher percentage of those in the 'severe' mental distress group fell within the 'inadequate literacy' stratum than those in either the 'moderate' or (particularly) 'none or low' mental distress groups.

Controlling for other variables, 11.4% of those in the 'severe' mental distress group fell within the 'inadequate' stratum, compared to 7.7% of those in the 'moderate' and 4.4% of those in the 'none or low' mental distress groups. Conversely, while just 16.4% of those in the 'severe' mental distress group fell within the 'adequate (no issues)' stratum, the figure was 34.6% for those in the 'none or low' mental distress group.

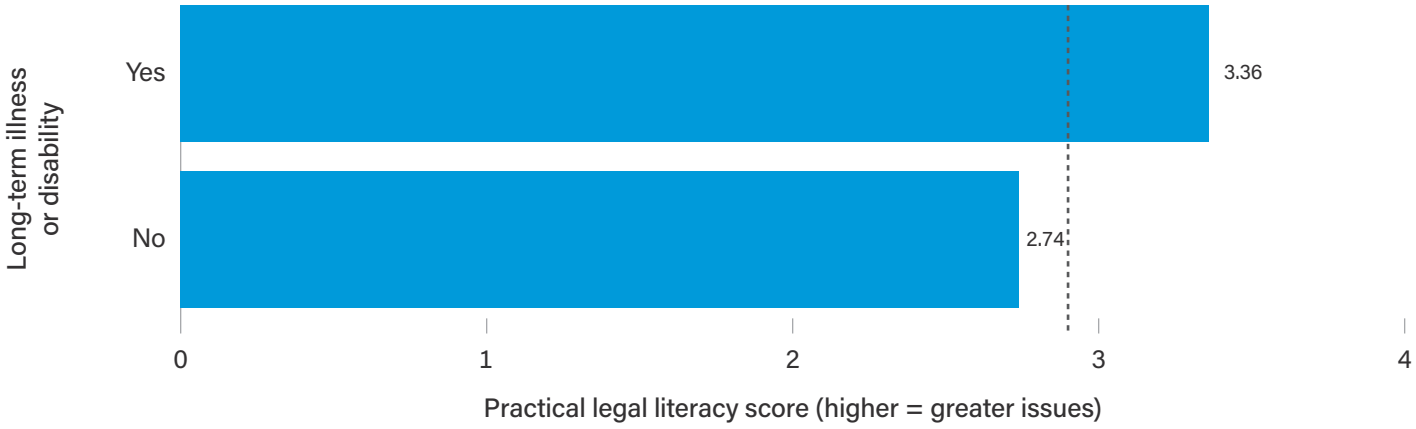
Figure 5.5. Mean PLL score (higher scores indicating greater issues with literacy) by mental distress (based on the K6 scale), having controlled for other variables



134 Testing the mental distress terms in the absolute practical legal literacy generalised linear model; $\chi^2_2 = 117.28$, $p < 0.001$. In the multinomial logistic regression model, testing the 'inadequate' mental distress terms (compared to the 'adequate (some issues)' reference category); $\chi^2_2 = 23.72$, $p < 0.001$.

Linked to this, respondents who reported a long-term illness or disability also reported more issues with practical legal literacy, compared to others (Figure 5.6).[135] This was principally a result of those with a long-term illness or disability being less likely to be in the 'adequate (no issues)' practical legal literacy group (21.9%, compared to 32.9%) and comparatively more likely to be in the 'adequate (some issues)' group (57.2%, compared to 49.9%) than others (Table 5.3).[136]

Figure 5.6. Mean PLL score (higher scores indicating greater issues with literacy) by long-term illness or disability, having controlled for other variables

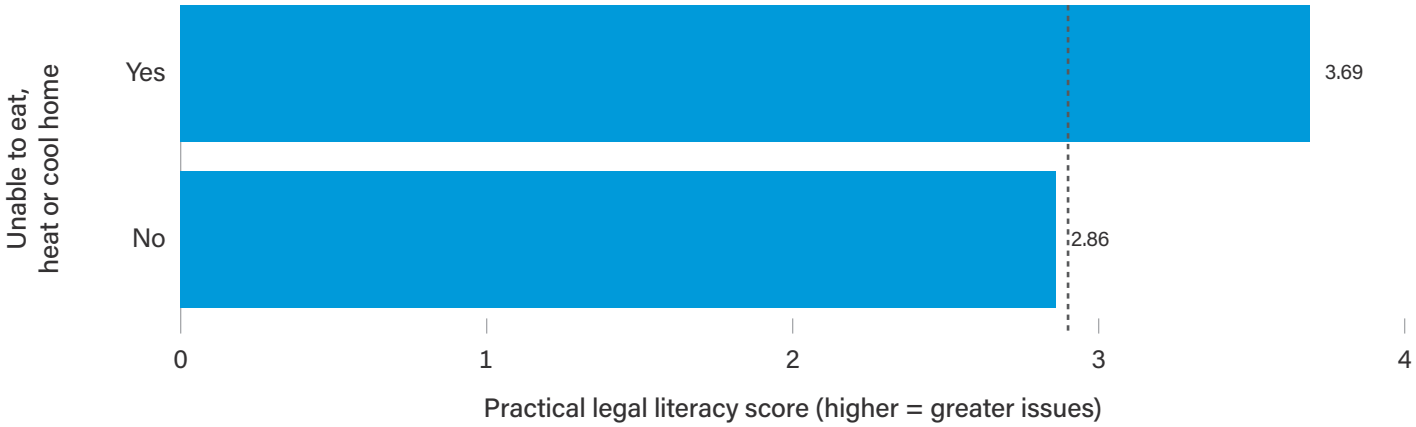


135 Testing the long-term illness or disability term in the practical legal literacy generalised linear model; $\chi^2_1 = 30.14$, $p < 0.001$.

136 Testing the 'adequate (no issues)' long-term illness or disability term (compared to the 'adequate (some issues)' reference category) in the multinomial logistic regression model; $\chi^2_1 = 34.42$, $p < 0.001$.

As illustrated by Figure 5.7, respondents who reported they had been unable to eat, heat or cool their homes in the past twelve months because of a shortage of money (an indicator of financial distress) reported significantly more issues with practical legal literacy than others. They were also somewhat more likely to fall within the 'inadequate literacy' stratum, rather than the 'adequate (some issues)' reference category,[137] and significantly less likely to fall within the 'adequate (no issues)' stratum.[138] Having controlled for other social and demographic characteristics, 9.8% of those reporting financial distress fell within the 'inadequate' stratum, compared to 5.7% of other respondents. Conversely, only 18.5% fell within the 'adequate (no issues)' stratum, compared to 31.0% of other respondents (Table 5.3).

Figure 5.7. Mean PLL score (higher scores indicating greater issues with literacy) by financial distress, having controlled for other variables

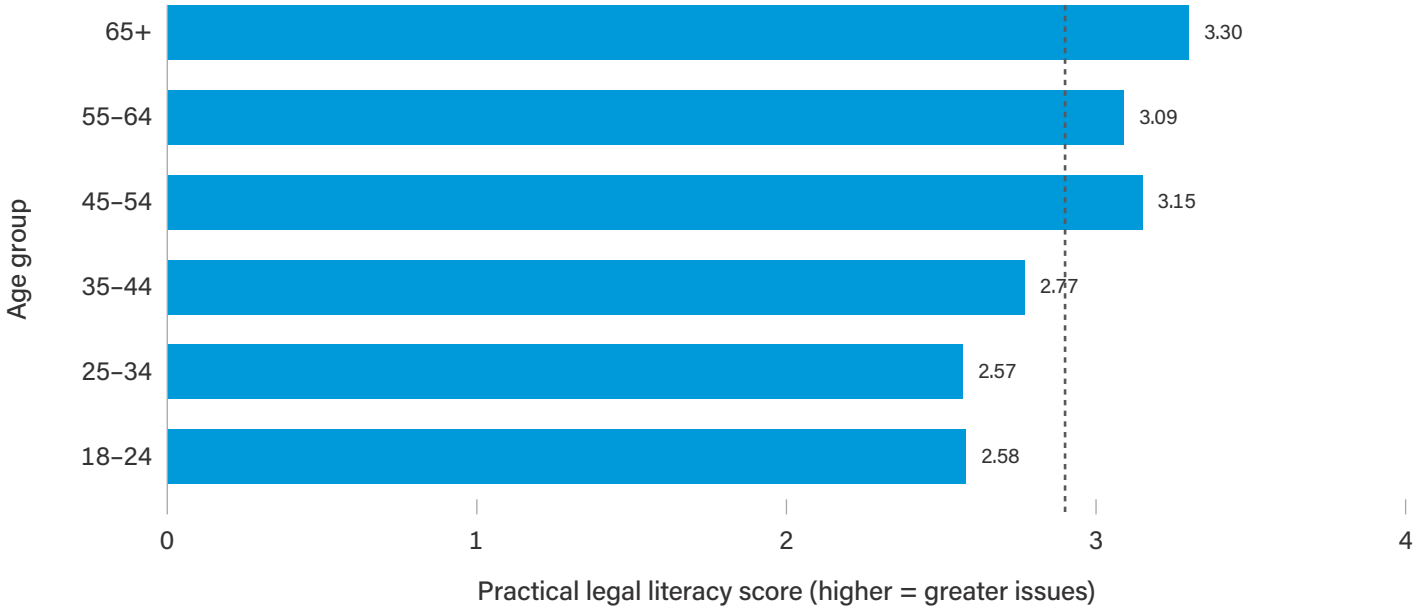


137 Testing the 'inadequate' financial distress term (compared to the 'adequate (some issues)' reference category) in the multinomial logistic regression model fell marginally short of statistical significance; $\chi^2_1 = 3.32$, $p = 0.068$, partly since those in financial distress had a relatively high percentage in the reference category, but far fewer in the 'adequate (no issues)' category.

138 A significant difference, testing the 'adequate (no issues)' financial distress term (compared to the 'adequate (some issues)' reference category) in the multinomial logistic regression model; $\chi^2_1 = 6.53$, $p = 0.011$.

Looking at other factors, there was also a significant relationship between age group and PLL score.[139] In broad terms, PLL scores worsened (i.e. became higher) with age. As is illustrated by Figure 5.8, those in the 18–24 and 25–34 year old age groups were associated with the best scores, while those aged 65 or older with the worst scores.[140] Interestingly, this did not translate to a broad significant relationship between age and tendency to fall within the 'inadequate' or 'marginal' PLL strata.[141] Rather, younger age groups were significantly less likely to fall within the 'adequate (no issues)' stratum[142] and, in simple terms, as age increased, so did the tendency to report issues with practical legal literacy, though not necessarily in a manner sufficient to see people move between strata.

Figure 5.8. Mean PLL score (higher scores indicating greater issues with literacy) by age group, having controlled for other variables



139 Testing the age terms together in the practical legal literacy generalised linear model; $\chi^2_6 = 29.44$, $p < 0.001$.

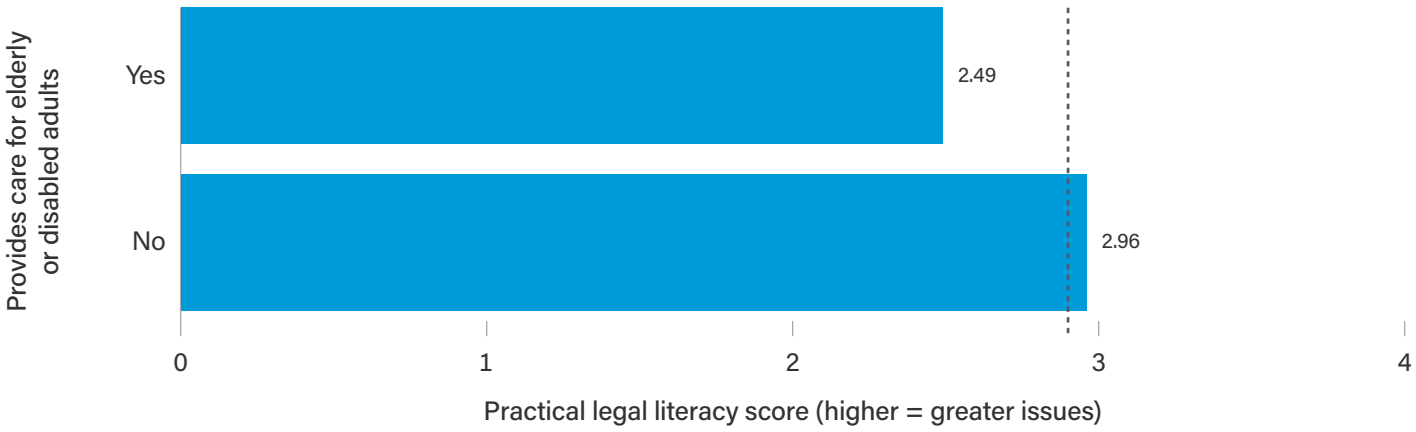
140 A significant difference when compared to the 18–24 year old reference category; $\chi^2_1 = 8.40$, $p = 0.004$.

141 Testing the age terms together for 'inadequate' practical legal literacy group (compared to the 'adequate (some issues)'; $\chi^2_5 = 2.83$, $p = 0.73$ (excluding the 'refused' age group). Testing the age terms together for 'marginal' practical legal literacy group (compared to the 'adequate (some issues)'; $\chi^2_5 = 3.09$, $p = 0.69$ (again excluding the 'refused' age group).

142 Testing the age terms together for 'adequate (no issues)' practical legal literacy group (compared to the 'adequate (some issues)'; $\chi^2_5 = 39.31$, $p < 0.001$ (excluding the 'refused' age group).

As is illustrated by Figure 5.9, those with day-to-day caring responsibilities for elderly and/or disabled adults also reported significantly fewer issues with practical legal literacy.[143] Again, this was mainly a function of those with caring responsibilities being more likely to fall within the 'adequate (no issues)' group (38.1%, compared to 29.6%) (Table 5.3).[144]

Figure 5.9. Mean PLL score (higher scores indicating greater issues with literacy) by whether or not respondents had day-to-day caring responsibilities for elderly or disabled adults, having controlled for other variables

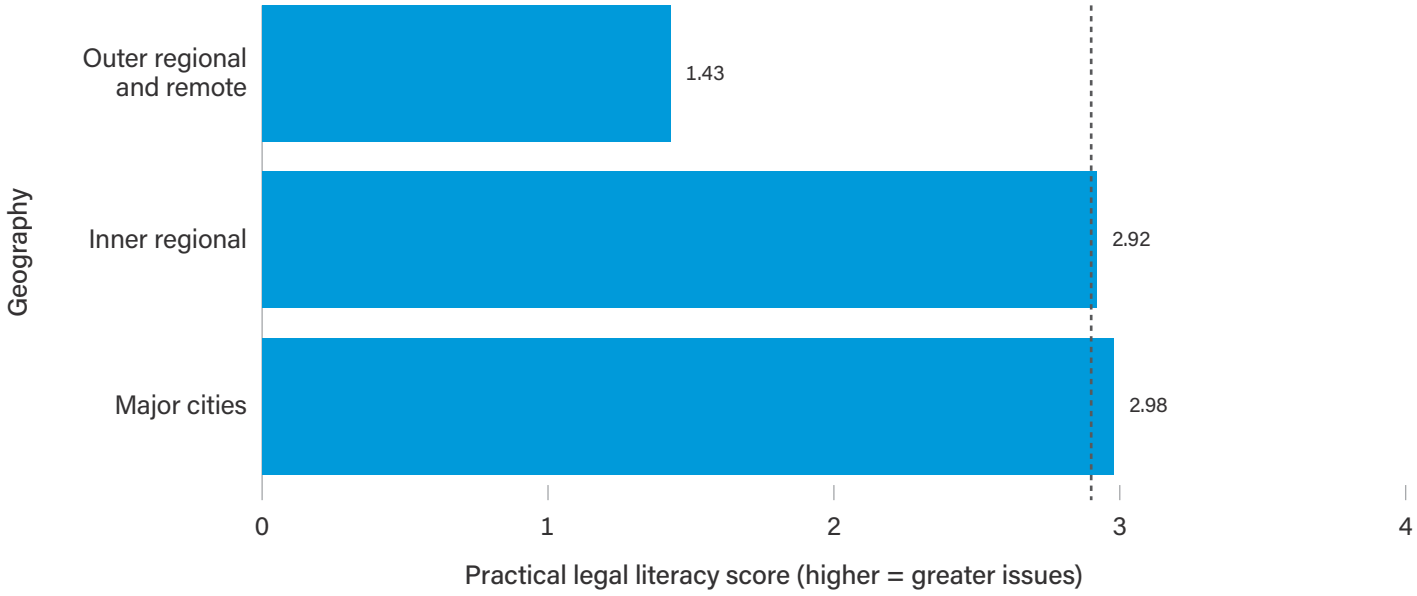


143 Testing the carer term in the practical legal literacy generalised linear model; $\chi^2_1 = 11.32$, $p < 0.001$.

144 Testing the carer term for 'adequate (no issues)' practical legal literacy group (compared to the 'adequate (some issues)' in the multinomial model; $\chi^2_1 = 13.54$, $p < 0.001$ (excluding the 'refused' age group).

Finally, as is illustrated by Figure 5.10, having controlled for other variables, those in outer regional and remote areas reported significantly fewer issues with practical legal literacy than those in inner regional areas or major cities.[145] In particular, those in outer regional and remote areas were far more likely to fall within the 'adequate (no issues)' stratum (61.8%, compared to around 30% for other groups (Table 5.3).

Figure 5.10. Mean PLL score (higher scores indicating greater issues with literacy) by respondents' geography, having controlled for other variables



There was little evidence of a significant relationship between practical legal literacy and sex at birth,[146] sexual orientation, family status, binary work status (working vs, not working)[147] or income.

145 Testing the geography terms together in the practical legal literacy generalised linear model; $\chi^2_2 = 56.55$, $p < 0.001$.

146 Or gender if it is substituted in the statistical models for sex at birth.

147 Note, however, that if binary work status and age group are removed from the generalised linear model in Table A2.4 and replaced with a broader eight category work variable, there is a highly significant relationship between practical legal literacy and work status, testing the work terms; $\chi^2_7 = 53.51$, $p < 0.001$. Controlling for other variables, the marginal mean PLL scores (high equating to greater literacy issues) were 2.54 for those working full-time, 3.12 for part-time, 1.81 for those not working but in education, 3.29 for those seeking work, 2.96 for those not working because of their health, 3.53 for those not working but looking after the home or family, 3.87 for those not working for some other reason and 3.37 for those who were retired.

6. The Perceived Relevance of Law

This chapter sets out *Public Understanding of Law Survey* (PULS) findings concerning the Victorian public's propensity to frame justiciable problems as legal. It draws on responses to a standardised measure of perceived relevance of law (the LAW scale) drawing on questions first used in the *Community Perceptions of Law Survey*.
The chapter sets out the responses to these questions, compares them to responses in the earlier survey, and then sets out the social patterning of responses.

Background

In their seminal paper on the transformation and emergence of disputes, Felstiner, Abel and Sarat (1980) described how, in order for people to seek redress for a problem, they must first 'name' it, that is, recognise that a problem exists. The model they provided, while basic, has provided a useful starting point for thinking and the empirical study of disputes over many years. This chapter explores one aspect of naming, which can be termed 'framing' (e.g. Merry, 1990).

There are many ways justiciable problems can be understood. Merry (1990), for example, observed that different forms of solution naturally follow from mediation processes depending upon whether 'moral', 'legal' or 'therapeutic' narratives and frames are adopted for the problems at hand.[148] For example, in the specific context of climate-induced population displacement, Arnall, Hilson and McKinnon (2019) noted how different forms of dispute resolution naturally follow on from 'legal', as opposed to (say) 'security' or 'humanitarian' framing of the problem.

Focusing on legal framing, the subject of this chapter, Murayama (2010) found that whether Japanese people see problems as 'related to law' is linked to whether they subsequently make use of lawyers. Building on this, Pleasence and Balmer's (2014) analysis of English and Welsh *Civil and Social Justice Panel Survey* (CSJPS) data found that legal framing is strongly associated with lawyer use.[149] Justiciable problems "characterised as legal" (among a variety of options including 'moral', 'bad luck', 'private' and 'social') were significantly more likely to result in advice being obtained from a lawyer than problems framed in other ways. Statistical modelling indicated that legal characterisation increased lawyer use from seven per cent to 19%.[150] Revisiting this in the first volume of the *Public Understanding of Law Survey* (PULS), where problems were not thought of as legal, 14% used legal advice, increasing to 35% where problems were characterised as legal.[151]

Moving beyond whether problems were considered 'legal' to the extent to which the law was thought of as 'relevant', the *Community Perceptions of Law Survey* found that, on average, respondents perceived law as "relevant" or "very relevant" to 44 of 60 scenarios (and as "very relevant" in 23). Similar to England and Wales, law was most often seen as relevant to problems concerning personal injury and ancillary to relationship breakdown, but was far less often seen as relevant to problems concerning education. Also similarly, respondents more often saw law as relevant and lawyers more important in relation to the more serious versions of problem pairs.[152]

148 Merry (1990), p.4.

149 Pleasence and Balmer (2014), p.31.

150 See Pleasence and Balmer (2014).

151 Some studies have more expansively explored how often people frame justiciable problems, including factors related to legal (or other forms of) framing. In one study, Pleasence et al. (2011) presented survey respondents with random sets of problem descriptions drawn from a pool of 95 justiciable problems. Some justiciable problems were much more likely to be described as legal than others, which was also observed in the first volume of the PULS. They also found that the likelihood that selecting "obtaining legal advice" as a response increased alongside the severity of problems. This was the case for problem types both most and least commonly framed as legal. A similar story emerged from the 2019 Australian *Community Perceptions of Law Survey*.

152 For example, where the amount at stake or consequences were randomised. Interestingly, although perceptions of legal relevance and lawyer importance correlated strongly, there were some (generally less serious) problems for which perceptions of legal relevance were much more common than perceptions of lawyer importance and some (generally more serious) problems for which the reverse was the case.

The social patterning of legal framing was also explored through the *Community Perceptions of Law Survey*. It was found that women were more likely than men to see law as relevant to problems and, even more so, lawyers as important – though it is important to recognise that this is particularly relevant in relation to issues where perceptions are gendered, such as in the case of intimate partner violence (e.g. Carlisle et al 2022). People living in capital cities and those with a mental illness were also more likely to see both law as relevant to problems and lawyers as important. People with the highest level of education (compared to those with the lowest) and those who spoke English in their home (compared to those who did not) were also both more likely to see law as relevant to problems.[153]

This chapter progresses these analyses by constructing and applying a new psychometric scale which quantifies the extent to which people perceive the law as relevant to justiciable issues common in everyday life.[154] In doing so, it moves beyond dependence on individual items, a focus on variation across problem types, and reliance on actual problem experience to apply a more general psychometric measure and explore how scores vary on the basis of respondents' characteristics.

PULS methodology for measurement of perceived relevance of law

The PULS included the Perceived Relevance of Law scale (LAW scale), which was developed using data from the 2019 *Community Perspectives of Law Survey*, using the same methods as those used for the development of the GLC scale, featured in Chapter 4. The LAW scale has been found to have good psychometric properties.[155]

The LAW scale works by asking respondents about the extent to which they "think the law is relevant" to eight justiciable problem scenarios (items). The eight items are set out in Table 6.1. They are varied in nature and cover aspects of life and law concerning housing, government payments, employment, utilities, debt and family.

LAW scale scores were calculated by summing responses to the eight LAW scale items, with responses of 'very relevant' assigned a score of three, 'quite relevant' a score of two, 'not very relevant' a score of one and 'not relevant at all' a score of zero. These raw scores were then converted to LAW scale scores with a potential range of between 0 and 100. The higher the score, the greater the likelihood of a person seeing law as being relevant to an everyday situation.

153 However, in these cases, lawyers were seen as being less important.

154 Independently of actual problem experience.

155 The Rasch model for the final eight problem descriptions (items) had a nonsignificant item trait interaction ($\chi^2_{48} = 62.42$, $p = 0.079$ (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.

PULS findings on the relevance of law

Table 6.1 sets out responses to the eight individual LAW scale items. As can be seen, there was variation in the extent to which PULS respondents considered law as relevant to the different items. However, it is also noteworthy that law was seen relevant much more often than it was not.

As can be seen from Table 6.1, law was least likely to be seen as relevant to being behind with, and unable to pay, a credit card bill. Thirty-six per cent of PULS respondents saw law as very relevant to this item, with a further 34% seeing it as quite relevant (70% in total) in the case of this item. In contrast, 67% of respondents saw law as very relevant to a disagreement with an employer concerning underpayment for hours worked, with a further 24% seeing law as quite relevant (more than 90% in total). Similarly, 65% of respondents saw law as very relevant to an illness being aggravated by a defect in rented housing that a renter won't repair, with a further 24% seeing law as quite relevant to this item (89% in total).

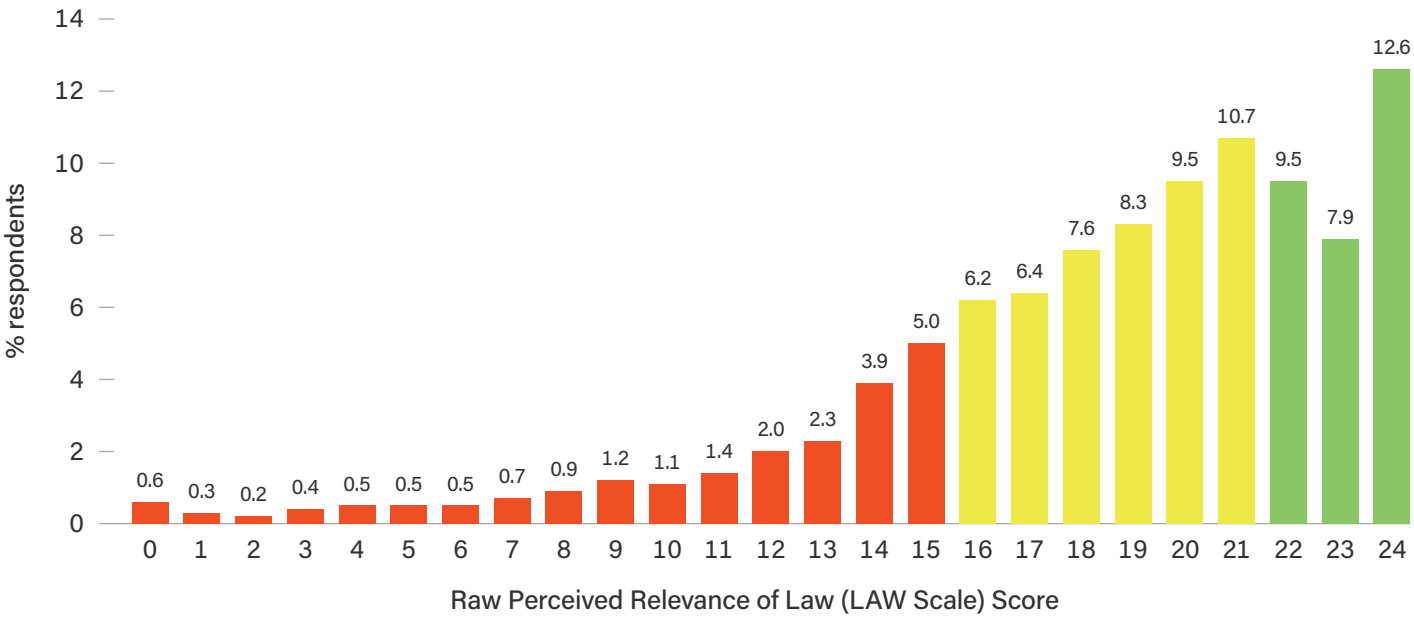
Table 6.1. Responses to the eight items that make up the LAW scale. The preamble reads 'Thinking about the following problems, to what extent do you think the law is relevant to these situations…?'

Perceived relevance of law item	Very relevant		Quite relevant		Not very relevant		Not at all relevant	
	N	%	N	%	N	%	N	%
You asked your neighbours to stop their excessive noise at night, but nothing has changed	2738	46.4%	2264	38.3%	605	10.2%	299	5.1%
The bank sends a default notice saying you have 30 days to pay or you will lose your home	3164	55.0%	1719	29.9%	491	8.5%	378	6.6%
Centrelink are demanding $100 for overpaid benefits. You think they have made a mistake	2398	41.9%	2135	37.4%	705	12.3%	478	8.4%
You think your employer is underpaying you for the hours you have worked. They disagree	3955	67.1%	1438	24.4%	278	4.7%	221	3.8%
Your asthma is being aggravated by mould caused by a leaking window in your rented home. Your landlord won't repair it	3810	64.8%	1402	23.8%	398	6.8%	274	4.7%
You have been incorrectly overcharged for your electricity for 4 months in a row	3243	55.4%	1742	29.7%	486	8.3%	388	6.6%
You are behind with, and unable to pay, your credit card bill	2047	35.7%	1942	33.9%	1048	18.3%	694	12.1%
Without telling you, your ex-spouse/partner arranges to take your children on a holiday on dates they would normally be with you	3069	54.0%	1583	27.9%	550	9.7%	477	8.4%

The pattern of responses to the LAW scale items in the PULS was broadly similar to that recorded through the *Community Perspective of Law Survey*. However, there was a notable difference between the two surveys in responses to the item concerning underpayment by an employer, or 'wage theft' as it has become known. Law was much more often seen as relevant by PULS respondents. Although there were some methodological differences between the surveys, it seems likely that this is attributable to the high profile campaigning and media attention given to the issue in the run up to the passing of the Wage Theft Act 2020 (Vic) (between the dates of the two surveys).

Across all 6,008 respondents, the mean LAW scale score was around 69.[156] To assist interpretation of the findings, LAW scale scores were also converted into three strata, corresponding to low, medium and high levels of perception of law as relevant to everyday situations.[157] In all, 1,370 of 5,992 PULS respondents (23%) were categorised as falling within the 'low' perceived relevance of law stratum, 2,988 (50%) within the 'medium' stratum and 1,633 (27%) within the 'high' stratum.[158] Figure 6.1 shows the distribution of raw perceived relevance of law scores (which ranged from 0 to 24), as well as LAW scale strata, with 'low' perceived relevance of law coded red, 'medium' perceived relevance of law coded yellow, and 'high' perceived relevance of law coded green.

Figure 6.1. Raw LAW scale scores, with 'low' level of perceived relevance of law coded red, 'medium' level yellow, and 'high' level green



156 Standard deviation of 18.1, minimum of 1 and maximum of 100. The median GLC score was 67.7, with an interquartile range of 23.0.
157 As shown in Figure 6.1, raw LAW scores up to 15 corresponded to 'low', 16 to 21 as 'medium' and 22 to 24 as 'high'.
158 16 respondents did not respond to any of the perceived relevance of law items, other than specifying they were unsure.

The social patterning of perceived relevance of law

Generalised linear regression and multinomial logistic regression were used to explore the relationship between LAW scale scores and LAW scale strata, respectively, and the range of social, demographic and geographic predictors included in Table 6.2.[159] Detailed statistical output is set out in Tables A2.6 and A2.7. Descriptions of statistical significance in the following text are drawn from both models.

Marginal mean LAW scale scores (derived from the generalised linear regression model, so controlling for other model variables) for different socio-demographic groups are shown in Table 6.2, while LAW scale strata (derived from the multinomial logistic regression model, so controlling for other model variables) are shown by socio-demographic group in Table 6.3.[160]

Table 6.2. Mean LAW scale score by social and demographic characteristics, derived from the statistical model in Appendix Table A2.6. Scores vary from highest (green) to lowest (red) with higher scores more likely to perceive the law as relevant

Variable	Level	Marginal mean
Overall		69.1
Age group	18-24	67.9
	25-34	69.7
	35-44	71.8
	45-54	70.7
	55-64	68.5
	65+	66.7
	Refused	66.2
Sex at birth	Male	68.4
	Female	69.8
Sexual orientation	Straight (heterosexual)	69.2
	Gay, lesbian, bisexual, other term	68.2
	Prefer not to say	62.6
Aboriginal or Torres Strait Islander	No	69.1
	Yes	72.1
Main language spoken	English	69.6
	Other	68.0

159 Variables included mirrored those used in multivariate models of justiciable problem prevalence, number of problems, and response to problems in Volume 1 of this report.

160 Known as margins (or predictive margins, adjusted predictions, and recycled predictions). These are statistics calculated from predictions of a previously fitted model at fixed values of some covariates and averaging or otherwise integrating over the remaining covariates. This has the net effect of allowing you to look at how a variable such as sex relates to LAW Scale score or strata having controlled for other differences in the characteristics of male and female respondents (e.g. their age, work, family status, health etc).

Variable	Level	Marginal mean
Family status	Married, children	68.0
	Married, no children	69.9
	De facto, children	69.2
	De facto, no children	69.8
	Single, children	68.3
	Single, no children	69.1
Carer	No	68.8
	Yes	71.5
In work	Yes	69.1
	No	69.1
Highest education	Lower than year 12 or equivalent	66.2
	Year 12 or equivalent	67.0
	Trade/vocational certs/diplomas	70.0
	Degree or higher	70.4
Geography	Major Cities	69.8
	Inner Regional	68.4
	Outer Regional and Remote	59.8
Long-term illness or disability	No	68.7
	Yes	70.3
Mental distress (K6)	None or low	69.1
	Moderate	69.7
	Severe	65.5
Gross annual household income	Quintile 1 – $0 to $39,988	68.7
	Quintile 2 – $39,989 to $70,564	69.5
	Quintile 3 – $70,565 to $110,292	70.3
	Quintile 4 – $110,293 to $165,256	67.7
	Quintile 5 – $165,256 or more	70.7
	Prefer not to say	67.3
Unable to eat, heat or cool home	No	69.1
	Yes	69.0

Table 6.3. LAW scale strata (low, medium or high perceived relevance of law) by social and demographic characteristics, derived from the statistical model in Appendix Table A2.7. Values are coloured from lowest (green) to highest (red) for the low column and lowest (red) to highest (green) for the high column

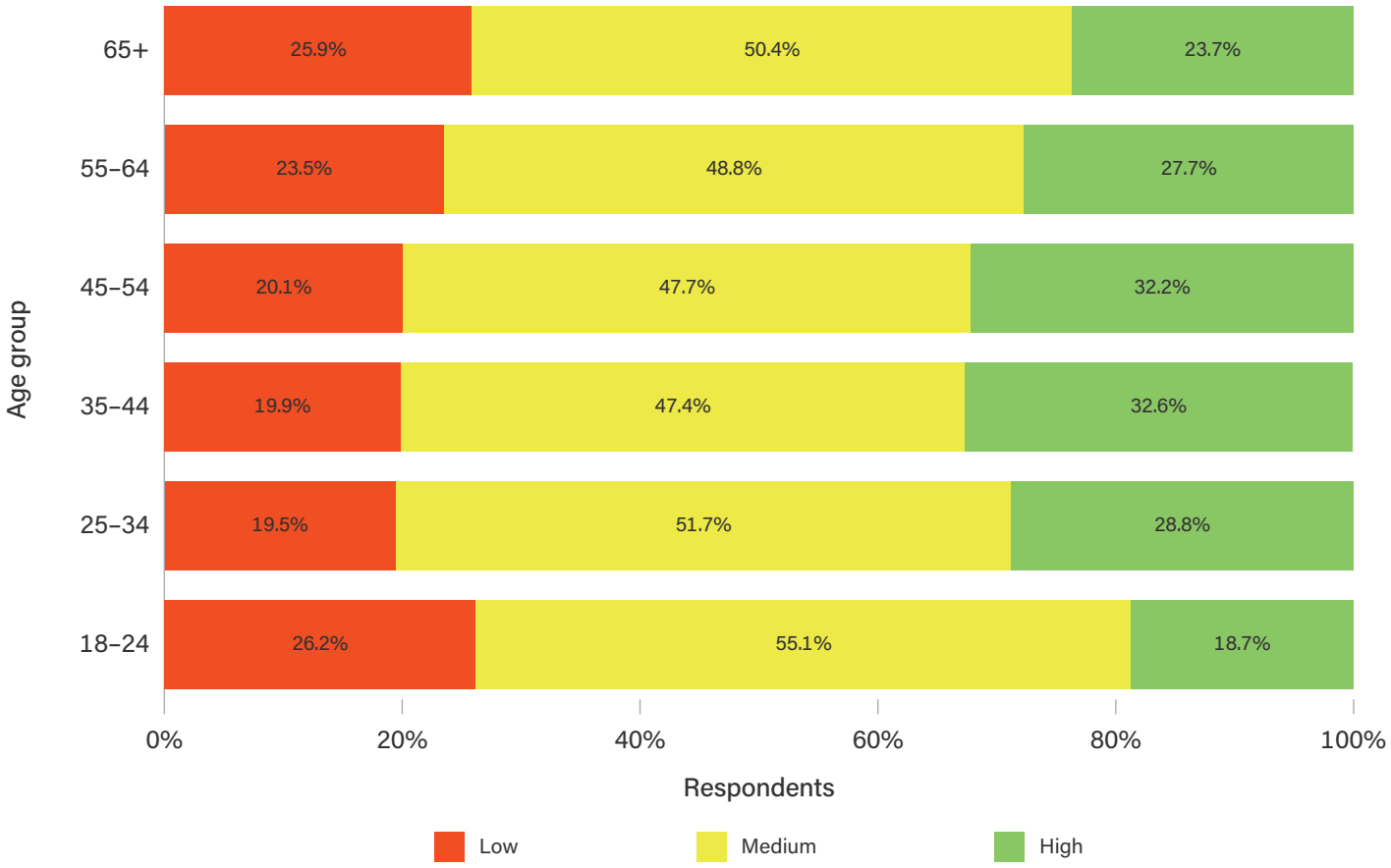
Variable	Level	Perceived Relevance of Law		
		Low	Medium	High
All		22.7%	49.9%	27.3%
Age group	18-24	26.2%	55.1%	18.7%
	25-34	19.5%	51.7%	28.8%
	35-44	19.9%	47.4%	32.6%
	45-54	20.1%	47.7%	32.2%
	55-64	23.5%	48.8%	27.7%
	65+	25.9%	50.4%	23.7%
	Refused	29.8%	51.6%	18.6%
Sex at birth	Male	25.1%	48.4%	26.5%
	Female	20.6%	51.3%	28.1%
Sexual orientation	Straight (heterosexual)	22.6%	50.1%	27.4%
	Gay, lesbian, bisexual, other term	25.0%	45.9%	29.1%
	Prefer not to say	31.1%	49.9%	19.0%
Aboriginal or Torres Strait Islander	No	22.8%	50.0%	27.2%
	Yes	18.3%	47.9%	33.9%
Main language spoken	English	21.6%	50.2%	28.2%
	Other	25.2%	49.2%	25.6%
Family status	Married, children	24.5%	49.8%	25.7%
	Married, no children	20.9%	51.3%	27.7%
	De facto, children	22.7%	48.1%	29.2%
	De facto, no children	23.2%	48.3%	28.4%
	Single, children	23.1%	49.7%	27.2%
	Single, no children	23.1%	49.2%	27.7%
Carer	No	22.9%	50.5%	26.6%
	Yes	21.4%	46.2%	32.4%
Work	Yes	22.7%	48.9%	28.4%
	No	22.9%	51.9%	25.2%

Variable	Level	Perceived Relevance of Law		
		Low	Medium	High
Highest education	Lower than year 12 or equivalent	25.9%	51.4%	22.7%
	Year 12 or equivalent	25.7%	52.0%	22.3%
	Trade/vocational certs/diplomas	21.1%	51.0%	27.9%
	Degree or higher	21.5%	48.4%	30.1%
Geography	Major Cities	21.0%	50.3%	28.7%
	Inner Regional	25.1%	49.9%	25.0%
	Outer Regional and Remote	44.4%	43.3%	12.3%
Long-term illness or disability	No	23.4%	50.0%	26.5%
	Yes	20.6%	49.4%	30.0%
Mental distress (K6)	None or low	23.1%	49.2%	27.8%
	Moderate	20.8%	51.7%	27.5%
	Severe	29.3%	49.5%	21.2%
Gross annual household income	Quintile 1 – $0 to $39,988	25.1%	44.8%	30.1%
	Quintile 2 – $39,989 to $70,564	22.8%	49.6%	27.7%
	Quintile 3 – $70,565 to $110,292	19.4%	52.0%	28.6%
	Quintile 4 – $110,293 to $165,256	21.4%	55.6%	23.0%
	Quintile 5 – $165,256 or more	18.1%	53.7%	28.2%
	Prefer not to say	28.8%	45.4%	25.7%
Unable to eat, heat or cool home	No	22.8%	49.8%	27.4%
	Yes	20.8%	54.7%	24.5%

The regression modelling indicated that, after other factors were accounted for, there were statistically significant associations between perceived relevance of law and age, main language spoken at home, caring responsibilities, educational qualifications, geography, long-term illness or disability, mental distress and income.

Mirroring the social patterning of experience of justiciable problems detailed in Volume 1 of this report, there was a highly significant relationship between age group and both LAW scale score and LAW scale strata.[161] LAW scale scores peaked among those aged 35–44, with the lowest scores associated with the youngest and oldest respondents (Table 6.2). The relationship between age and LAW scale strata is illustrated in Figure 6.2. As can again be seen, law is perceived as less relevant to everyday life by younger and older respondents, and more relevant by those in middle age.

Figure 6.2. Percentage of each age group falling into 'low', 'medium' and 'high' LAW scale strata having controlled for other variables



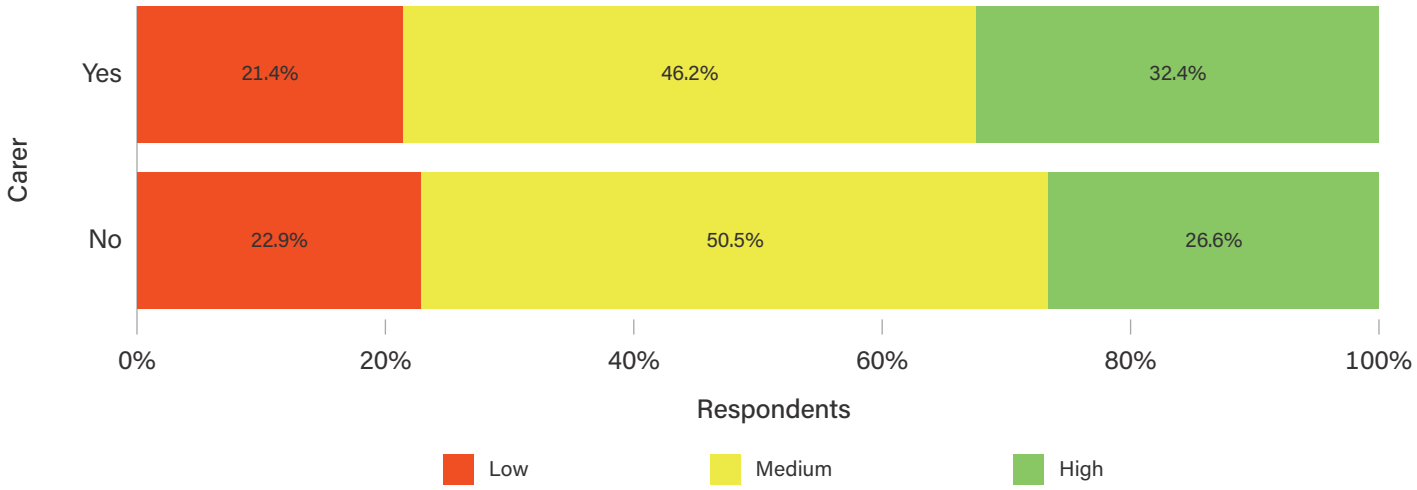
161 Testing the age terms together in the LAW Scale score generalised linear model; $\chi^2_6 = 31.62$, $p < 0.001$. Testing the age terms in the LAW Scale strata multinomial logistic regression; $\chi^2_{12} = 40.22$, $p < 0.001$.

There was also a significant difference in both LAW scale scores and LAW scale strata by sex.[162] As evident in Table 6.3, women had a greater tendency to fall in the 'low' relevance stratum.

Those whose main language at home was other than English also perceived the law to be somewhat less relevant to everyday life than other respondents (Tables 6.2 and 6.3).[163] In contrast, Aboriginal and Torres Strait Islander respondents registered the highest LAW scale scores (Table 6.2), but this was not statistically significant, perhaps owing to the relatively small number of First Nations PULS respondents. A larger sample of First Nations people would be required to investigate this further.

Those with day-to-day caring responsibilities for elderly or disabled adults saw the law as significantly more relevant to everyday life events than others,[164] with higher LAW scale scores and a higher percentage falling in the 'high' relevance stratum (32% compared to 27%) (Figure 6.3).

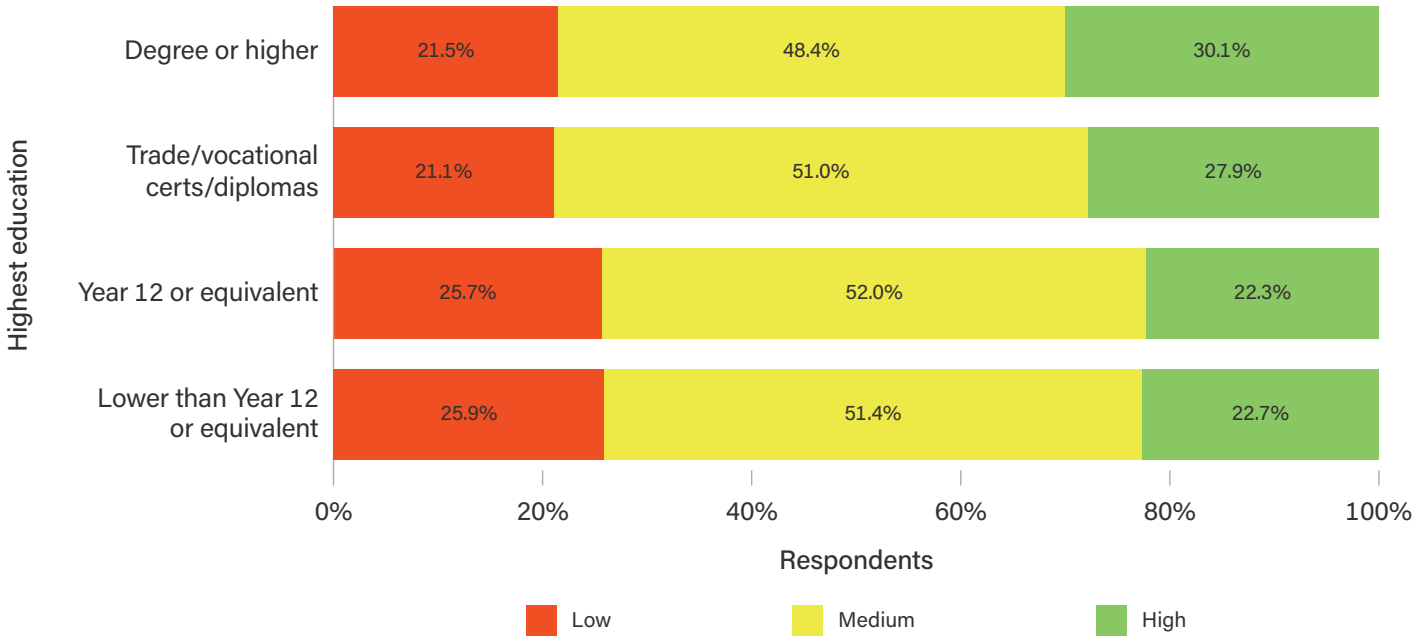
Figure 6.3. Percentage falling into 'low', 'medium' and 'high' LAW scale strata by whether or not respondents had day-to-day caring responsibilities for elderly or disabled adults and having controlled for other variables



162 For the LAW Scale score model; $\chi^2_1 = 7.03$, $p = 0.008$. For the LAW Scale strata model; $\chi^2_2 = 12.38$, $p = 0.002$.
163 For LAW Scale score; 5.53, $p = 0.020$.
164 A difference of 2.7 in absolute LAW scale score, testing the carer model term; $\chi^2_1 = 10.20$, $p = 0.001$.

There were also statistically significant differences in the perceived relevance of law by respondents' highest educational qualifications. Law was perceived as more relevant as respondents' educational qualifications increased. [165] As can be seen from Table 6.2, at the extremes, PULS respondents with a 'degree or higher' qualification had LAW scale scores averaging 4.2 above those of respondents whose highest qualifications were 'lower than year 12 or equivalent' (Table 6.2). Figure 6.4. illustrates the significant relationship between LAW scale strata and educational qualifications.[166]

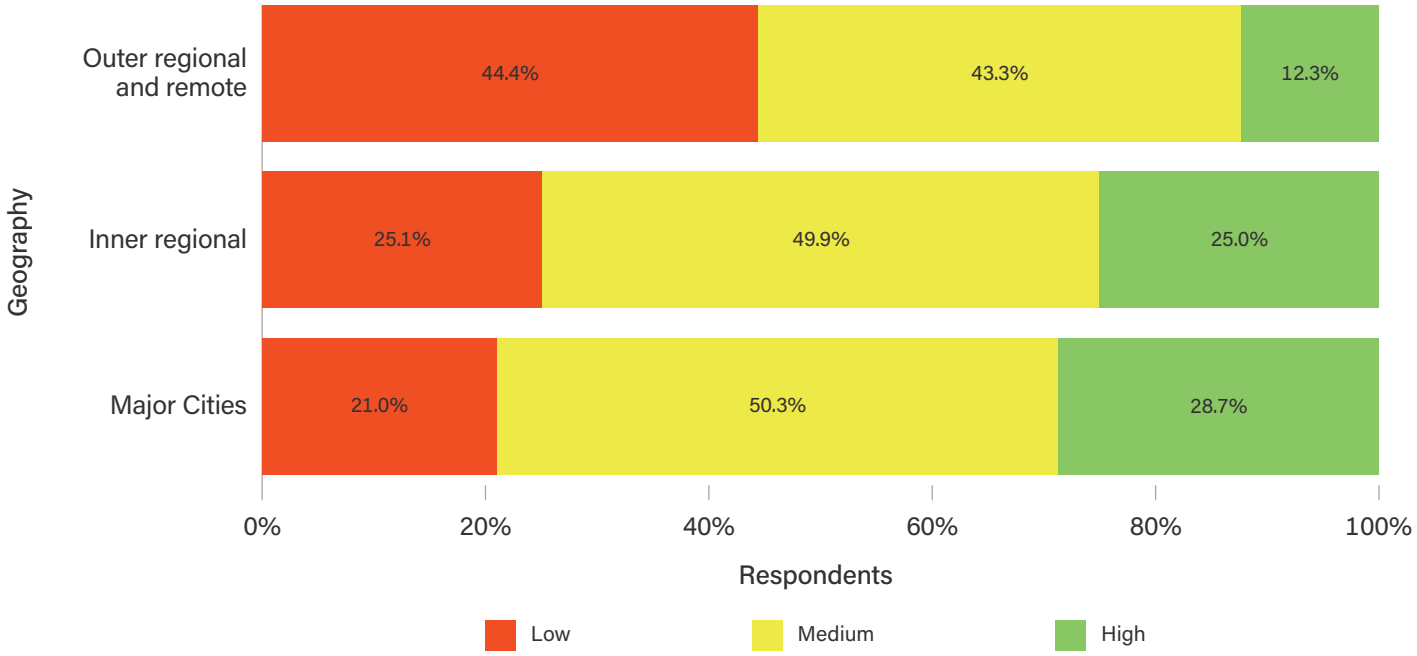
Figure 6.4. Percentage falling into 'low', 'medium' and 'high' LAW scale strata by highest educational qualification and having controlled for other variables



165 Testing the highest educational qualifications terms in the LAW scale score generalised linear model; $\chi^2_3 = 34.07$, $p < 0.001$.
166 Testing the highest educational qualifications terms in the LAW scale strata multinomial logistic regression; $\chi^2_6 = 22.34$, $p < 0.001$.

There were also large and highly significant differences in both LAW scale scores[167] and LAW scale strata[168] between geographic areas. In the case of LAW scale scores, those in major cities were associated with an average LAW scale score 10 times higher than those in outer regional and remote areas (Table 6.2). Figure 6.5 illustrates differences in LAW scale strata by geography. While there were some differences between those in major cities and those in inner regional areas, with the latter tending to see the law as somewhat less relevant, the main difference was that those in outer regional and remote areas very much tended to see the law as less relevant to their daily lives.

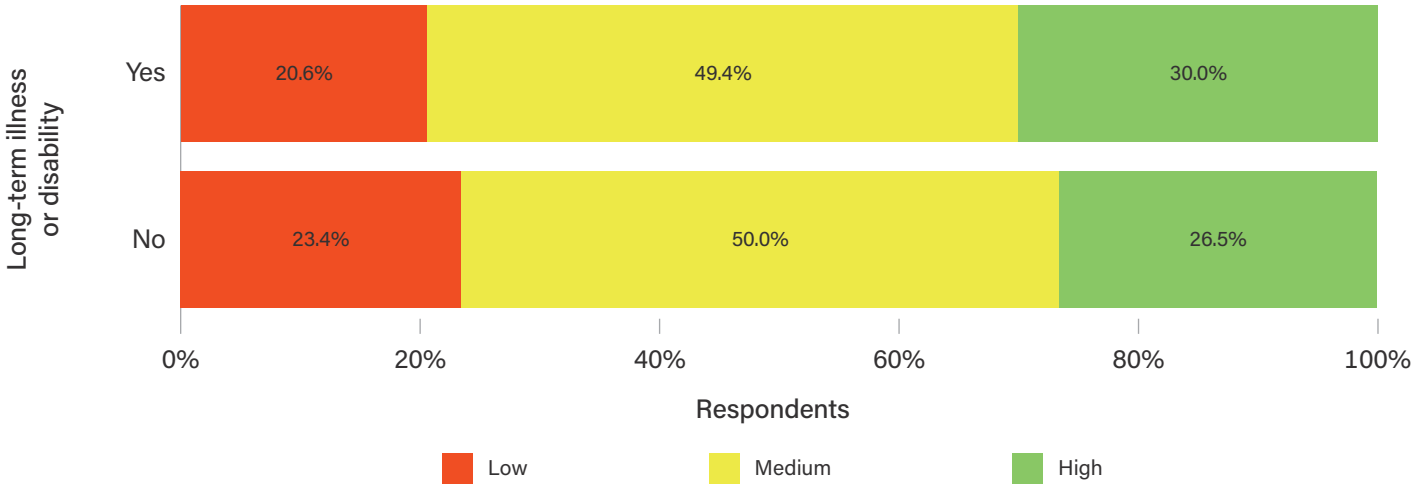
Figure 6.5. Percentage falling into 'low', 'medium' and 'high' LAW scale strata by geography and having controlled for other variables



167 Testing the geography terms together in the LAW Scale score generalised linear model; $\chi^2_2 = 79.15$, $p < 0.001$.
168 Testing the geography terms in the LAW Scale strata model; $\chi^2_4 = 77.65$, $p < 0.001$.

Those reporting a long-term illness or disability perceived the law as more relevant than others, although differences in absolute LAW scale score only just reached statistical significance.[169] More significantly, a higher percentage of those reporting a long-term illness or disability fell within the 'high' law relevance stratum, and a lower percentage within the 'low' law relevance stratum (Figure 6.6).[170] However, the contrary was true of those reporting severe mental distress (based on the K6 scale), who reported significantly lower LAW scale scores[171] (Table 6.2), with a higher percentage in the 'low' law relevance stratum and lower percentage in the 'high' law relevance stratum when compared to others (Figure 6.7).[172]

Figure 6.6. Percentage falling into 'low', 'medium' and 'high' LAW scale strata by whether or not respondents reported a long-term illness or disability and having controlled for other variables



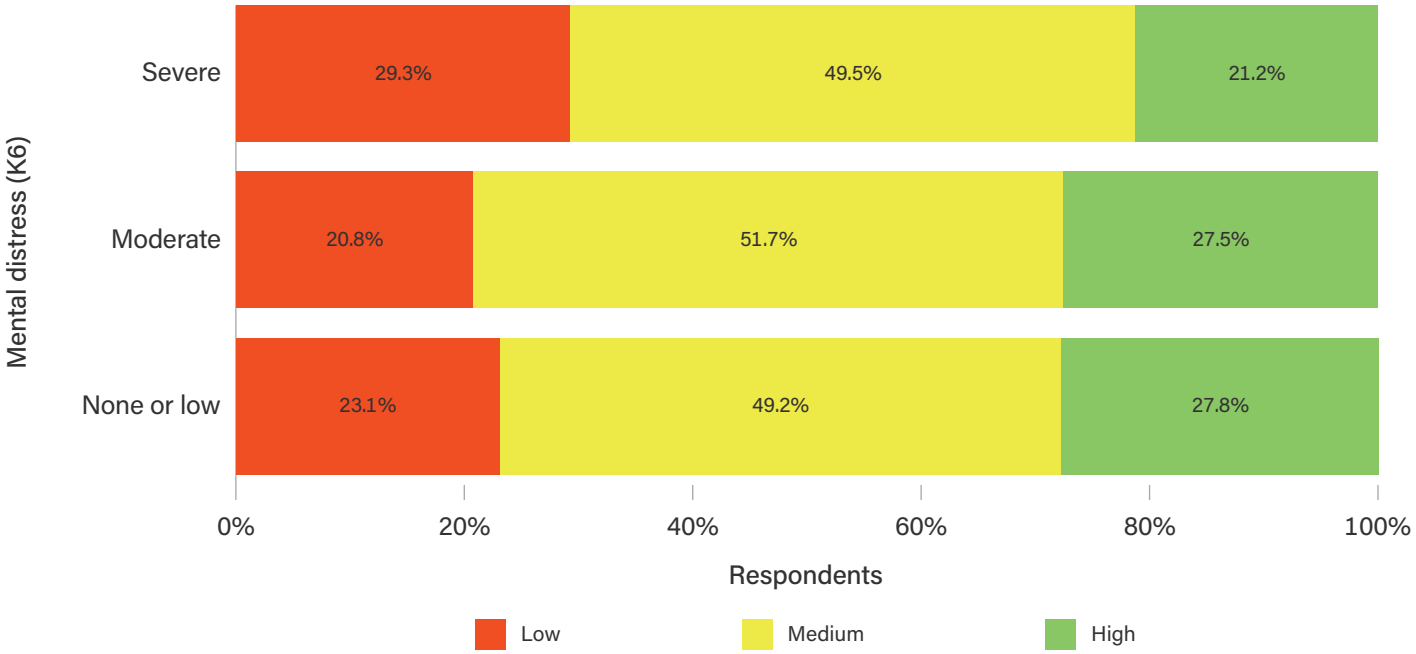
169 $\chi^2_1 = 6.20$, $p = 0.047$.

170 Testing the long-term illness or disability terms in the LAW Scale strata model; $\chi^2_2 = 6.10$, $p = 0.047$.

171 Testing the mental distress terms in the LAW Scale score model; $\chi^2_2 = 9.75$, $p = 0.008$.

172 Testing the mental distress terms in the LAW Scale strata model; $\chi^2_4 = 9.98$, $p = 0.041$.

Figure 6.7. Percentage falling into 'low', 'medium' and 'high' LAW scale strata by mental distress (based on the K6 scale) and having controlled for other variables



Elsewhere, there were significant differences in perceived relevance of law by respondents' income quintile.[173] As indicated by Figure 6.3, the highest income respondents were less likely to fall in the 'low' legal relevance stratum than others, while the lowest income respondents were less likely to fall in the 'medium' stratum and more likely to fall in both the 'low' and 'high' relevance strata. The unclear broad relationship between income and LAW scale strata was reflected in an unclear relationship between income and LAW scale scores, though differences between income groups were statistically significant.[174]

There was little evidence of differences in perceived relevance of law on the basis of sexual orientation, family status, whether or not respondents were working or respondents' financial distress.

173 For strata; $\chi^2_{10} = 34.98$, $p < 0.001$.
174 $\chi^2_5 = 18.13$, $p = 0.003$.

7. Narratives of Law

This chapter sets out *Public Understanding of Law Survey* (PULS) findings concerning the way in which the Victorian public thinks of law in their everyday lives, and the narratives with which they characterise it. Drawing on the theoretical and empirical foundations of Ewick and Silbey's (1998) seminal legal consciousness research and recent research in Victoria, this chapter explores the extent to which the Victorian public see law as remote, arbitrary, a game and/or a practical tool to obtain sought for resolutions to justiciable problems.

Background

How people conceptualise legality and view the institutions and actors of the legal system frames approaches to justiciable problem experience and resolution. This is an aspect of legal consciousness, a multi-faceted concept that has been used to refer not just to knowledge of law and the legal system, "but also the ways ordinary people think of, talk about, and understand law in their everyday lives".[175] Such conceptualisation can be expected to influence decisions to act to resolve justiciable problems, use of legal services and choices around the use of dispute resolution processes.[176]

At the most general level, such conceptualisation and framing amounts to people's broad narratives of law, and how it operates within their everyday lives. Ewick and Silbey's (1998) seminal investigation of accounts of law in everyday life within a group of more than 400 diverse US residents[177] identified three overarching and competing narratives of law. In the first, law is characterised as being 'majestic'. It has distance from ordinary life, but operates "by known and fixed rules in carefully delimited spheres".[178] In the second, law is played as 'a game'. It comprises "a terrain for tactical encounters through which people marshal a variety of social resources to achieve strategic goals".[179] In the third, law is "understood to be arbitrary and capricious".[180] It is a product of unequal power.

As part of the developmental work for the *Public Understanding of Law Survey* (PULS), a survey was conducted in which 1,047 people were asked 48 questions designed to explore association with Ewick and Silbey's narratives.[181] The objective was to develop measures for the PULS that linked to these narratives. The results of Principal Components Analysis (PCA) suggested four latent narratives, rather than three.[182] The four narratives can be characterised as that law is remote (though not necessarily majestic), arbitrary and to be actively resisted, a game that can be played and distinct from these, a practical means to obtain objectives.

PULS methodology for determination of level of agreement with distinct narratives of law

To measure the extent to which PULS respondents agreed with the four narratives of law, respondents were asked about the level of their agreement with 12 statements (items) that best reflected them. Each narrative was represented by three items. The 12 statements and their associated narratives are set out in Table 7.1.

175 Horak et al. (2021), p.10.

176 All of which will be explored in detail in the third volume of the PULS.

177 Which Halliday (2019) has described as falling within the 'critical approach' to socio-legal legal consciousness research and "the most empirically and theoretically rich" study in its field, p.862.

178 Ewick and Silbey (1998), p.28.

179 Ewick and Silbey (1998), p.28.

180 Ewick and Silbey (1998), p.28.

181 The 48 questions comprised statements concerning the law. Level of agreement with statements was recorded via a Likert scale. Statements included that the law is 'a false promise', 'out of reach', 'doesn't take people like me seriously', 'about playing tricks', 'a mystery', 'a competition', 'unfair', 'just for lawyers', 'hard to use', 'unobtainable', 'all talk', 'intimidating', 'a tool for the powerful', 'unpredictable', 'about winners and losers', 'unaffordable', 'remote (i.e. not connected or related to me)', 'like a game you can play if you know the rules', 'something you can manipulate', 'a puzzle to solve', 'not for people like me', 'difficult to understand', 'full of loopholes', 'an arms race', 'applied to people without good reasons', 'distant to my life', 'best avoided', 'imposing', 'something to resist', 'the last place I would turn for help', 'something to fight against', 'more work for lawyers', 'arbitrary', 'the foundations of society', 'powerful', 'structured – involving rules', 'useful if you understand it', 'protection', 'authoritative', 'about real people's lives', 'good for resolving problems', 'commanding', 'easy to understand', 'a way to get what I deserve', 'something I can use to get what I want', 'predictable', 'decisive', 'indiscriminate'.

182 The four narrative solution was not the only one indicated, but it represented the best-fitting and most coherent. As is evident from the previous footnote, it must also be recognised that there is some inherent ambiguity around some of the phrases. However, as the results set out in this chapter make clear, there is also ambiguity in people's personal narratives, in that they can contain contradictory elements.

PULS findings on narratives of law

Table 7.1 sets out the full pattern of responses to the twelve items, grouped into the four broad narratives described above (i.e. law as remote (remote), law as arbitrary and to be actively resisted (resist), law as a game you can play (game) and law as a practical means to obtain objectives (practical)).[183] Overall, agreement (agree or strongly agree) was most common for the 'practical' item 'good for resolving problems' (with 85% agreement), and least common for the 'resist' item 'something to resist' (with 79% disagreement).

Table 7.1. Responses to the twelve narratives of law items. The preamble reads 'Law in this country is…'

Narrative	Item	Strongly disagree		Disagree		Agree		Strongly agree	
		N	%	N	%	N	%	N	%
Remote	Distant to my life	1055	18.7%	2480	43.9%	1740	30.8%	372	6.6%
	Remote (i.e. not connected or related to me)	1297	22.9%	2688	47.4%	1360	24.0%	328	5.8%
	Out of reach	1079	19.0%	2430	42.7%	1730	30.4%	450	7.9%
Resist	Something to fight against	1177	21.1%	2959	53.1%	1136	20.4%	297	5.3%
	Something to resist	1322	24.0%	3003	54.5%	957	17.3%	232	4.2%
	The last place I would turn for help	1190	20.5%	2366	40.7%	1612	27.7%	641	11.0%
Practical	A way to get what I deserve	406	7.2%	1546	27.4%	2832	50.1%	868	15.4%
	Good for resolving problems	192	3.3%	677	11.7%	3537	60.8%	1409	24.2%
	Something I can use to get what I want	671	12.1%	2056	37.2%	2384	43.2%	412	7.5%
Game	Something you can manipulate	1039	18.7%	2029	36.5%	1900	34.2%	584	10.5%
	Like a game you can play if you know the rules	702	12.6%	1294	23.3%	2361	42.5%	1194	21.5%
	A competition	763	14.2%	2174	40.5%	1808	33.7%	624	11.6%

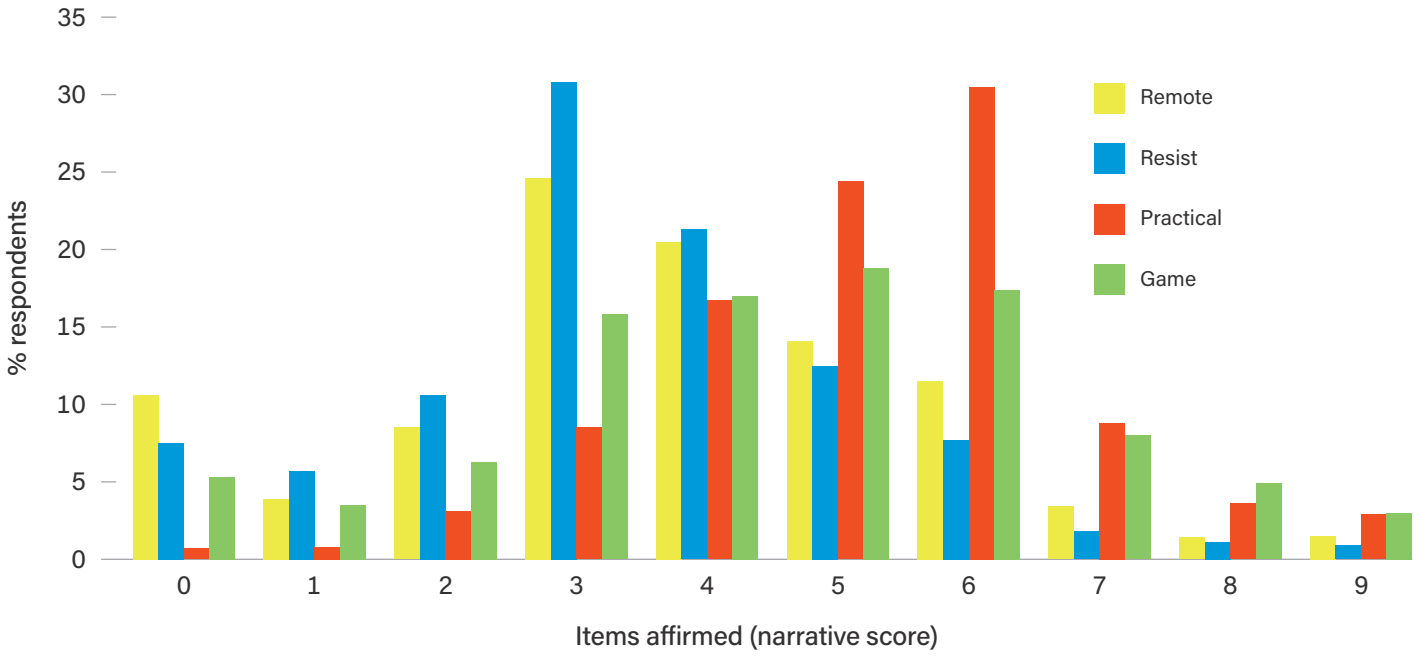
Broadly, respondents were most likely to agree with items relating to the practical nature of law (67% across all three items) and less likely to agree with items characterising the law as a game (51% across all three items), remote (35% across all three items) and, particularly, to be resisted (29% across all three items).

This is illustrated further in Figure 7.1, which sets out the pattern of overall agreement with the items representing each of the four narratives.[184] To compile this figure, the responses for each item were summed for each narrative – assigning a score of zero to 'strongly disagree', one to 'disagree', two to 'agree' and three to 'strongly agree' – resulting in a range of scores between zero and nine for each narrative. A score of nine equates to strong agreement with all three narrative items. A score of zero equates to strong disagreement with all three narrative items.

183 Table 7.1 includes only responses on the strongly disagree to strongly agree Likert scale, excluding don't know responses. Following the order of items in Table 7.1, number of don't know responses were 361, 335, 319, 439, 494, 199, 355, 193, 485, 456, 458, and 639 respectively.

184 For example, just over 30% scored three on the 'resist' narrative items. If they chose 'disagree' for each of the resist items, this would equate to a score of three. Equally, if they strongly disagreed with one item, disagreed with one, and agreed with one, this would also result in a score of three.

Figure 7.1. Percentage of respondents affirming items for each of the four narratives (assigning a score of zero to strongly disagree, through to three for strongly agree)



The relationship between narratives of law

As is suggested by Table 7.1 and Figure 7.1, rather than individual PULS respondents adhering to a particular narrative of law, people often adhered to elements of multiple narratives, with both nuance and clear tensions in the complex individual narratives implied. For example, of the more than one-third of people who considered law 'the last place I would turn for help' (Table 7.1), many of them also often considered law 'good for resolving problems', as well as agreeing with items in the game and remote narratives.

To explore the relationship between narratives of law and the social patterning of narratives of law, the 0 to 9 scores used in Figure 7.1 were also converted to a scale from 0 to 100.[185] Again, the higher the scores, the more respondents agreed with particular narratives.

The mean scale scores were 38.1 for the resist narrative, 40.5 for the remote narrative, 50.3 for the game narrative, and 57.9 for the practical narrative.[186]

185 By coding 'strongly disagree' as 0, 'disagree' as 1, 'agree' as 2 and 'strongly agree' as 3, summing items for each narrative (resulting in a score from zero to nine), dividing by nine and multiplying by 100. Scores were restricted to cases where respondents provided a strongly disagree to strongly agree response to each of the three items for each narrative (see note on the number of don't know responses above).

186 For the law as something to resist, the median was 33.3, standard deviation was 19.6 and interquartile range was 11.1. For the law as remote, the median was 44.4, standard deviation was 22.3 and interquartile range was 22.2. For the law as something to resist, the median was 55.6, standard deviation was 17.5 and interquartile range was 22.2. For the law as something to resist, the median was 55.6, standard deviation was 23.4 and interquartile range was 33.3.

Table 7.2 shows the correlation between narratives using Spearman's (non-parametric) correlation, which measures the strength and direction of the relationship between variables. Correlation coefficients can vary from minus one (a perfect negative relationship)[187] to plus one (a perfect positive relationship). Table 7.2 also indicates statistically significant correlations where a single asterisk indicates a correlation (two-tailed) that is significant at the 0.05 level and two asterisks a correlation that is significant at the 0.01 level.

As is evident from Table 7.2, there was a highly significant positive correlation between the resist and game narratives, the remote and game narratives and, particularly, the resist and remote narratives. There was also a highly significant, though much smaller, positive relationship between the practical and game narratives, as well as a significant small negative relationship between the practical and remote narratives. However, there was no evidence of any meaningful relationship between the practical and resist narratives.

Table 7.2. Correlation between narratives of law scores. Values are coloured from lowest (red) to highest (green)

Narrative (law as...)	Remote	Something to resist	Practical	A game
Remote	-	0.428**	-0.168**	0.367**
Something to resist		-	-0.01	0.297**
Practical			-	0.123**
A game				-

The social patterning of narratives of law

Fractional regression was used to explore the relationship between scale scores for each of the four narratives of law and the range of social, demographic and geographic variables included in Table 7.3. Four fractional regression models were initially fitted, one for each narrative. Detailed statistical output is set out in Tables A2.8 to A2.11.[188]

Mean scale scores for each narrative, equivalent to percentages of agreement with the narrative items (and derived from the models in Tables A2.8 to A2.11), are set out in Table 7.3.[189] These mean scores are now raw scores, but scores which control for all the other variables included in the models.

187 Minus one in a Spearman's correlation indicates a perfect monotonic negative relationship; the variables move in opposite directions, but not necessarily at a constant rate. Plus one indicated a perfect monotonic positive relationship.

188 Variables included mirrored those used in multivariate models of justiciable problem prevalence, number of problems, and response to problems in Balmer et al. (2023).

189 In comparing the four models, it is worth noting that there was greatest demographic variation (and a greater proportion of variance explained) for the 'remote' model (McFadden's pseudo $R^2 = 0.0122$, followed by the 'game' model (0.0094) and the 'resist' model (0.0076). Demographic variation was far less for the 'practical' model, with a very low pseudo R^2 (0.0025).

Table 7.3. Mean score for the law as 'remote', something to 'resist', something 'practical', and a 'game' by social and demographic characteristics, derived from the statistical models in Appendix Tables A2.8 to A2.11. Columns are coloured individually from high (blue) to low (white) values

		Mean			
		Remote	Resist	Practical	Game
Overall		40.5%	38.1%	57.9%	50.3%
Age group	18-24	35.1%	36.1%	59.3%	46.9%
	25-34	35.3%	37.7%	60.0%	49.8%
	35-44	37.9%	38.8%	58.8%	51.1%
	45-54	41.2%	38.8%	57.9%	50.6%
	55-64	44.4%	38.5%	56.2%	51.9%
	65+	47.2%	37.2%	55.9%	50.0%
	Refused	38.0%	43.7%	58.1%	50.7%
Sex at birth	Male	40.2%	39.5%	58.4%	52.8%
	Female	40.7%	36.7%	57.5%	47.6%
Sexual orientation	Straight (heterosexual)	40.3%	38.0%	57.9%	50.1%
	Gay, lesbian, bisexual, other term	42.0%	39.3%	57.5%	53.7%
	Prefer not to say	49.0%	42.0%	58.1%	49.0%
Aboriginal or Torres Strait Islander	No	40.5%	38.0%	58.0%	50.3%
	Yes	40.7%	42.4%	54.5%	46.4%
Main language spoken	English	40.7%	36.9%	57.0%	51.1%
	Other	39.9%	41.2%	60.3%	48.0%
Family status	Married, children	40.4%	38.0%	58.2%	48.2%
	Married, no children	39.4%	38.2%	58.5%	50.5%
	De facto, children	41.1%	37.4%	56.9%	50.5%
	De facto, no children	42.2%	38.9%	58.2%	53.3%
	Single, children	42.4%	36.6%	57.4%	51.4%
	Single, no children	40.6%	38.2%	57.2%	50.2%
Carer	No	41.0%	38.4%	57.9%	50.1%
	Yes	36.4%	36.1%	58.0%	51.1%
Work	Yes	41.0%	37.7%	57.8%	49.8%
	No	39.4%	38.9%	58.2%	51.1%
Highest education	Lower than year 12 or equivalent	44.6%	41.2%	56.8%	50.4%
	Year 12 or equivalent	42.0%	38.9%	59.2%	50.1%
	Trade/vocational certs/diplomas	40.7%	37.4%	57.7%	50.9%
	Degree or higher	38.2%	37.0%	58.1%	49.8%
Geography	Major Cities	40.9%	38.4%	58.1%	51.2%
	Inner Regional	40.8%	38.3%	56.7%	49.6%
	Outer Regional and Remote	31.6%	32.4%	59.9%	36.9%

		Mean			
		Remote	Resist	Practical	Game
Long-term illness or disability	No	39.8%	38.2%	58.0%	49.6%
	Yes	42.5%	37.8%	57.8%	52.3%
Mental distress (K6)	None or low	39.1%	37.2%	58.2%	48.7%
	Moderate	42.1%	38.7%	57.6%	52.6%
	Severe	47.8%	45.5%	57.0%	55.6%
Gross annual household income	Quintile 1 – $0 to $39,988	38.7%	40.2%	59.7%	50.9%
	Quintile 2 – $39,989 to $70,564	39.4%	38.3%	58.1%	49.6%
	Quintile 3 – $70,565 to $110,292	40.8%	38.5%	57.0%	49.0%
	Quintile 4 – $110,293 to $165,256	42.8%	37.6%	58.1%	51.2%
	Quintile 5 – $165,256 or more	40.1%	34.0%	57.5%	49.8%
	Prefer not to say	41.9%	39.9%	57.0%	51.4%
Unable to eat, heat or cool home	No	40.3%	37.9%	58.0%	50.1%
	Yes	45.1%	42.8%	56.0%	53.7%

As can be seen from Table 7.3, the tendency to see law as remote was greatest for older respondents, those with fewest educational qualifications, those suffering from severe mental distress and those in financial distress. It was least among those in outer regional and remote areas.

The tendency to see law as something to resist was greatest among Aboriginal and Torres Strait Islander respondents (although, as is detailed below, this was not a statistically significant difference), those whose main language spoken at home was a language other than English, those with the fewest educational qualifications, those suffering from severe mental distress and those in financial distress.[190] It was least among those in outer regional and remote areas.

The tendency to see law as a practical means to achieve objectives was greatest among younger respondents, those whose main language was a language other than English, those in outer regional and remote areas and those in the lowest income quintile. Aboriginal and Torres Strait Islander respondents were the group who saw law as a practical means to achieve objectives least often, although again this difference was not statistically significant.

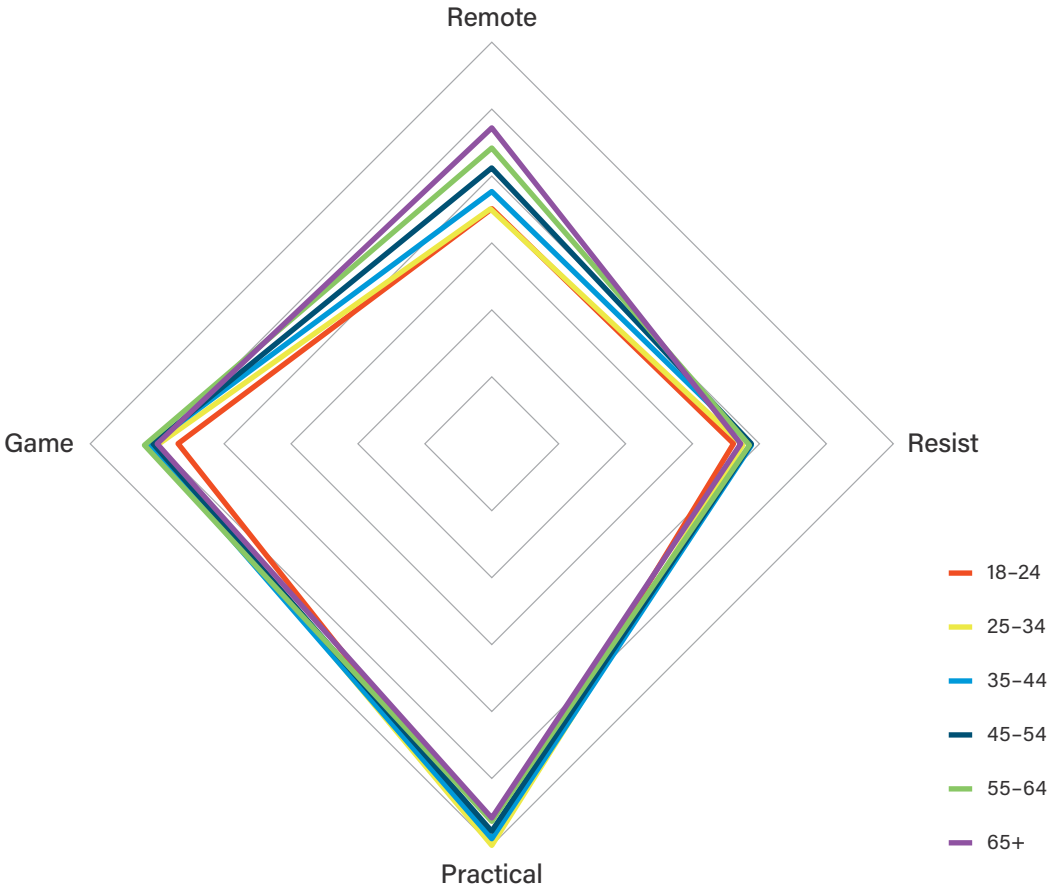
The tendency to see law as a game was greatest among men, LGBTIQ+ people, those suffering from severe mental distress and those in financial distress. It was least among those in outer regional and remote areas.

190 The resist narrative was also notably elevated among some groups of respondents who refused or preferred not to provide demographic data for some variables.

Looking at this social patterning in more detail, there were statistically significant differences in the extent to which different age groups adhered to the different narratives of law. Mean scores for each narrative by age group, derived from the statistical models in Tables A2.8 to A2.11, are illustrated in Figure 7.2. These mean scores control for other variables included in the models.

The greatest difference was in the extent to which different age groups saw law as remote,[191] with older respondents significantly more likely to see law this way. Overall, 47% of those aged 65 or older saw law as remote, compared to only 35% of those aged 18–24. In contrast, somewhat higher percentage of younger respondents saw law as practical.[192]

Figure 7.2. Mean percentage of items agreed with by narrative of law and age (controlling for other variables)



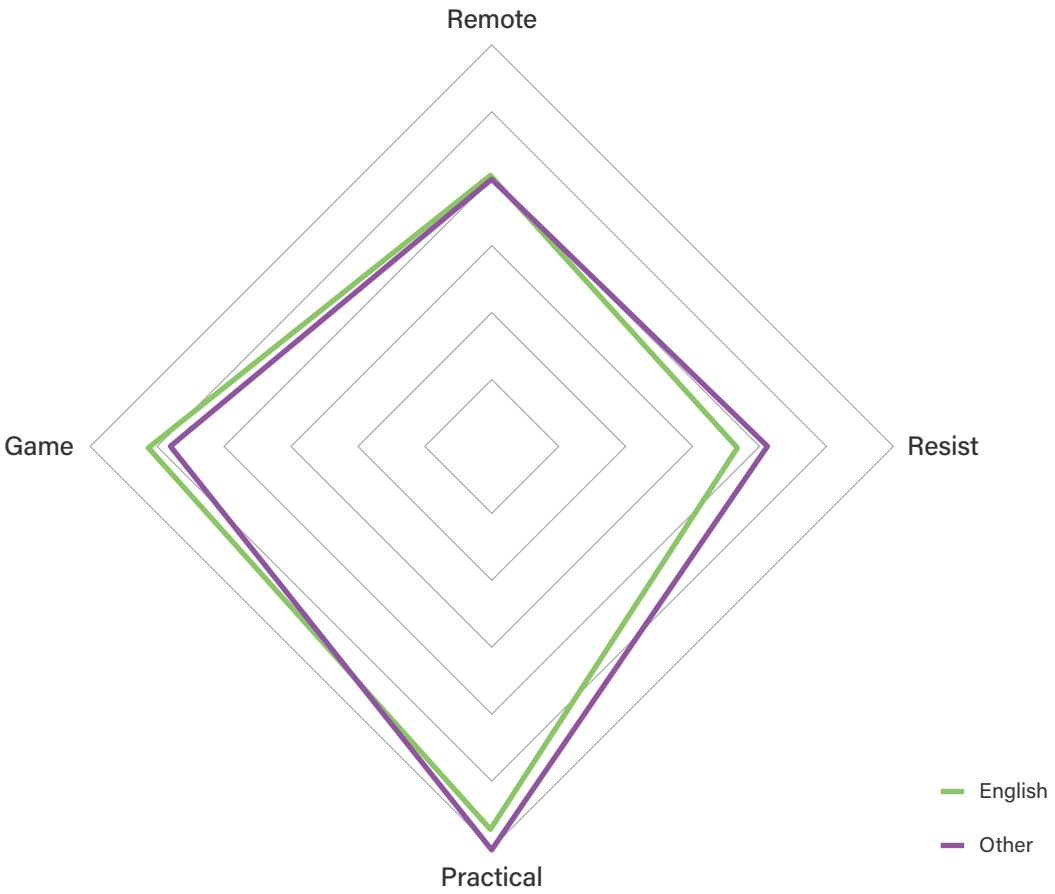
There were also statistically significant differences in the adoption of different narratives by main language. Mean scores for each narrative by main language, derived from the statistical

191 Testing the age terms together in the law as remote model; $\chi^2_6 = 86.45$, $p < 0.001$.
192 Testing the age terms together; $\chi^2_6 = 17.61$, $p = 0.007$.

models in Tables A2.8 to A2.11, are illustrated in Figure 7.3. These mean scores control for other variables included in the models.

As suggested by Figure 7.3, there were statistically significant differences in levels of adherence to the resist,[193] practical,[194] and game[195] narratives by main language. Respondents' whose main language was not English were more likely to see the law as something to resist, more likely to see the law as practical, but less likely to see the law as a game.

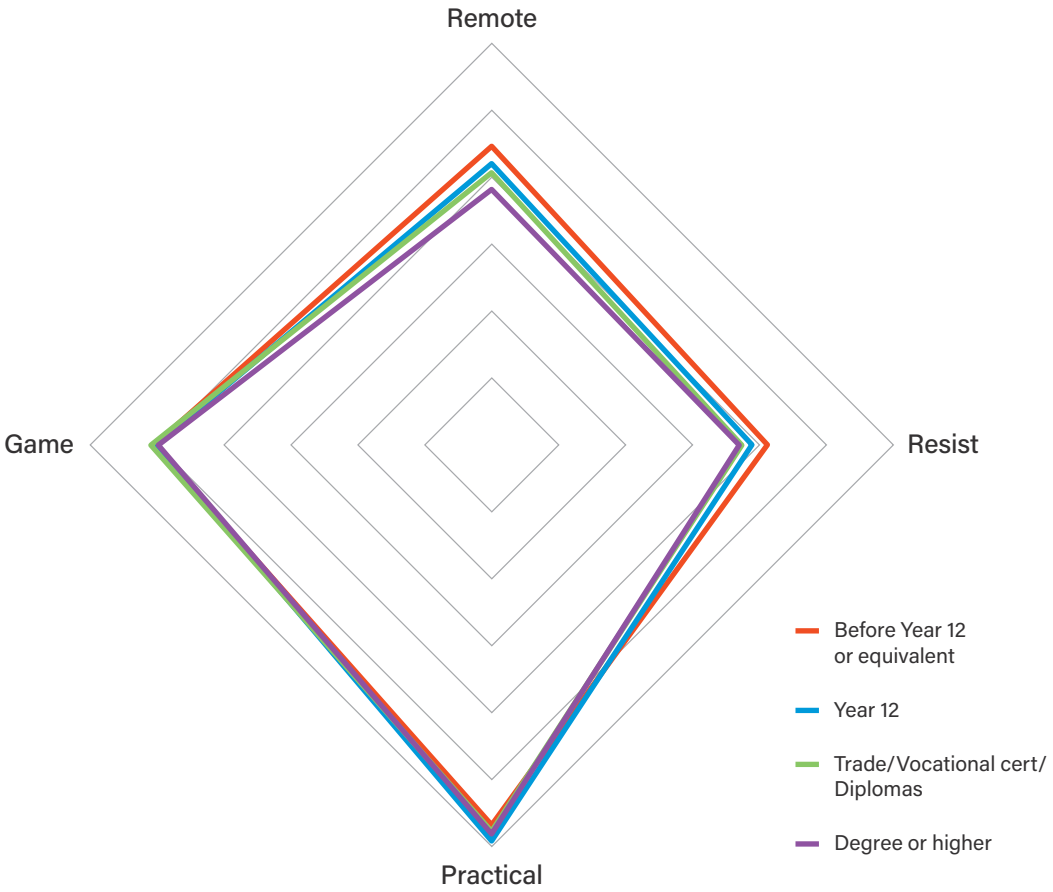
Figure 7.3. Mean percentage of items agreed with by whether or not English was respondents' main language (controlling for other variables)



193 $\chi^2_1 = 29.76$, $p < 0.001$.
194 $\chi^2_1 = 21.74$, $p < 0.001$.
195 $\chi^2_1 = 10.87$, $p = 0.001$.

There were also significant differences in perceptions of law associated with the level of respondents' highest educational qualifications. This was particularly so in the case of the remote narrative,[196] but also in the case of the resist narrative.[197] As illustrated in Figure 7.4, those with higher educational qualifications were less likely to see the law as either remote or something to resist.

Figure 7.4. Mean percentage of items agreed with by highest educational qualifications (controlling for other variables)



There were also statistically significant differences in the way in which respondents living in different geographic locations viewed the law. There were highly significant differences in the extent to which respondents living in different geographic locations adhered to the remote, resist and game narratives,[198] while differences in relation to the practical narrative just reached statistical significance.[199]

196 Testing the highest educational qualifications terms in the law as remote model; $\chi^2_3 = 39.47$, $p < 0.001$.

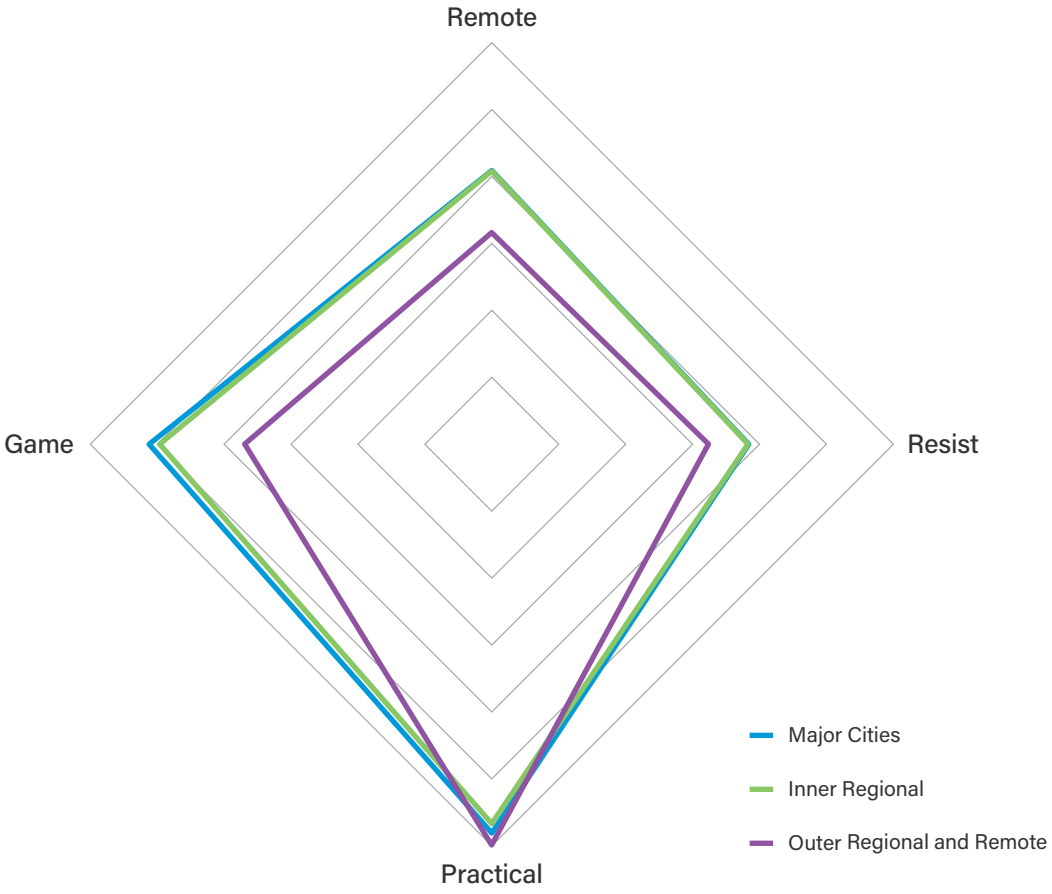
197 Testing the highest educational qualifications terms in the law as something to resist model; $\chi^2_3 = 22.58$, $p < 0.001$.

198 Testing the geography terms in the law as remote model; $\chi^2_2 = 22.39$, $p < 0.001$, in the law as something to resist model; $\chi^2_2 = 13.10$, $p = 0.001$, and in the law as a game model; $\chi^2_2 = 42.84$, $p < 0.001$.

199 Testing the geography terms in the law as practical model; $\chi^2_2 = 6.05$, $p = 0.049$.

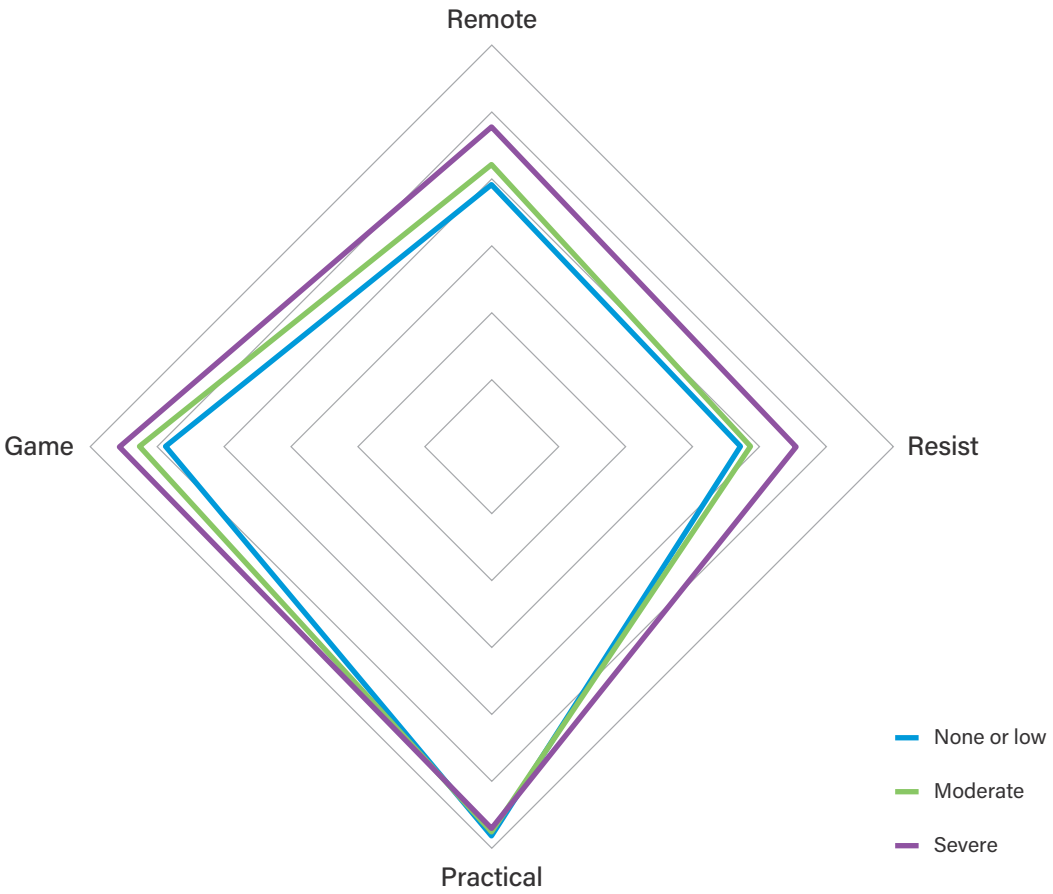
As can be seen from Table 7.3 and in Figure 7.5, this was primarily a consequence of those in outer regional and remote areas being far less likely to see the law as remote, something to resist, or a game, while also being slightly more likely to see the law as practical (particularly contrasted with those in inner regional areas).

Figure 7.5. Mean percentage of items agreed by geography (controlling for other variables)



There were also differences in how respondents perceived the law by their general health and, particularly, their mental health. Those with a long-term illness or disability were significantly more likely to see the law as remote[200] or as a game[201] (Table 7.3). Differences were even greater between respondents reporting different levels of mental distress. While there was little relationship between mental distress and tendency to see the law as practical, those reporting mental distress (and particularly severe mental distress) were significantly more likely to see the law as remote, something to resist, and a game.[202] These differences are set out in Figure 7.6.

Figure 7.6. Mean percentage of items agreed with by level of mental distress based on the K6 scale (controlling for other variables)



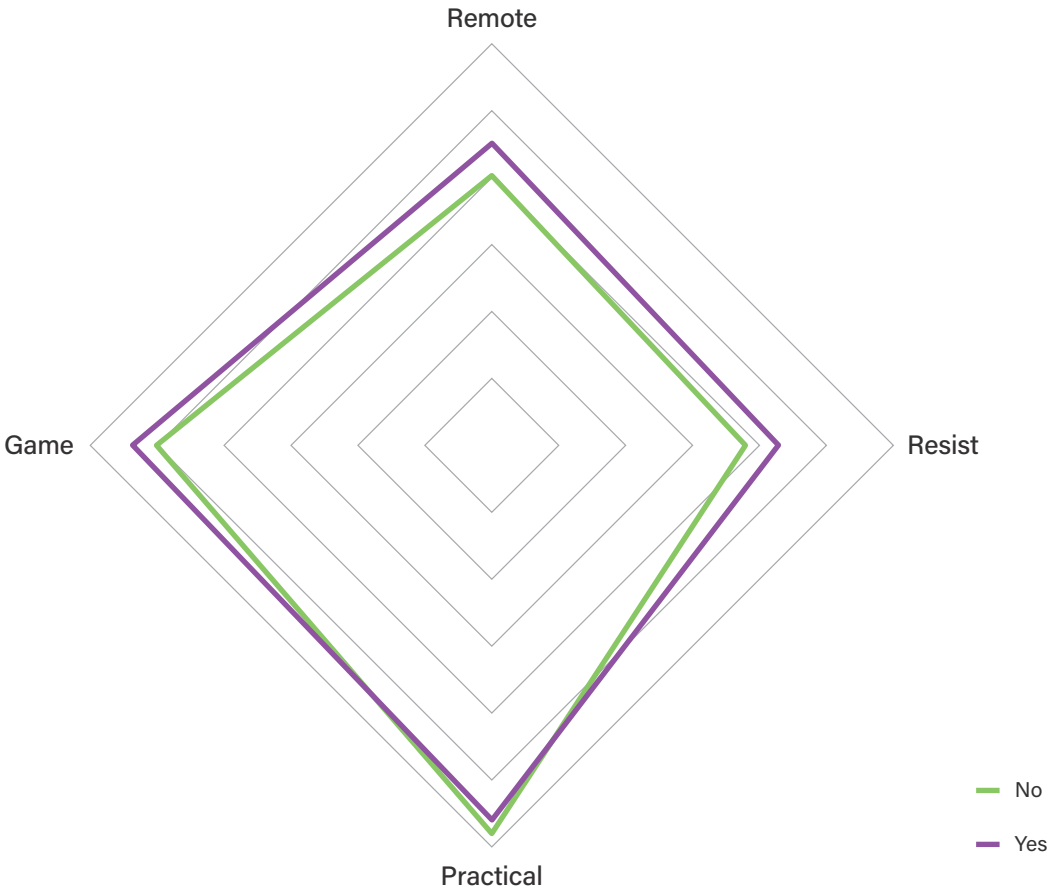
200 $\chi^2_1 = 10.56$, $p = 0.001$.

201 $\chi^2_1 = 9.09$, $p = 0.003$.

202 Testing the mental distress terms in the law as remote model; $\chi^2_2 = 37.57$, $p < 0.001$, in the law as something to resist model; $\chi^2_2 = 36.35$, $p = 0.001$, and in the law as a game model; $\chi^2_2 = 31.64$, $p < 0.001$.

Financial distress was also related to narratives of law, with those who had been unable to eat, heat or cool their homes at some point in the past year because of a shortage of money associated with a similar pattern of narratives to those reporting mental distress. In particular, those who experienced financial distress were significantly more likely than others to see the law as remote[203] or as something to resist.[204] This is illustrated in Figure 7.7.

Figure 7.7. Mean percentage of items agreed to by financial distress (difficult eating, heating or cooling their homes in the past year because of a shortage of money) (controlling for other variables)



203 $\chi^2_1 = 5.41$, $p = 0.020$.
204 $\chi^2_1 = 7.37$, $p = 0.007$.

The PULS data also indicated some differences in narrative of law by household income, particularly in relation to the resist narrative.[205] As income increased, the perception of the law as something to resist decreased. Highest income (fifth quintile) respondents were least likely to see the law as something to resist.

There were also some statistically significant differences by respondents' sex, with women significantly less likely than men to see the law as something to resist[206] or as a game.[207]

Similarly, there was some evidence of those with day-to-day caring responsibilities for elderly or disabled adults being less likely to see the law as something to resist[208] and particularly less likely to see he law as remote.[209]

Differences by respondents' sexual orientation were relatively modest and predominantly non-significant. There was also relatively little evidence of significant differences in how respondents in different family compositions perceived the law, and little or no difference by whether or not respondents were working, having controlled for other variables. However, when the binary working vs. not working variable was replaced by a categorical work variable[210] in the narratives models, significant differences were apparent, particularly in perceptions of the law as remote,[211] and the law as practical.[212]

Although work status did not emerge as a key variable in the initial modelling, further modelling was undertaken to look at the relationship between narratives of law and the more detailed respondents' work status categories captured by the PULS.[213] This involved removing the age variable and replacing the binary work status variable with an eight-category work status variable.

Mirroring the findings relating to age set out in Figure 7.3, retired respondents were found to be the most likely to see law as remote. Those in education were least likely to do so. Those in education were also most likely than others to view the law as practical.

Table 7.4. Mean narrative scores by expanded respondent work status, derived from the revised models. Columns are coloured individually from high (blue) to low (white) values

Work status	Remote	Resist	Practical	Game
Working – Full-time	38.5%	37.6%	58.0%	49.2%
Working – Part-time or occasional	42.3%	38.3%	58.4%	50.8%
Not working – Education	32.1%	36.0%	63.4%	50.8%
Not working – seeking work	38.8%	41.6%	58.6%	51.2%
Not working – health	36.6%	40.1%	61.3%	52.1%
Not working – home/family/caring	39.5%	40.5%	57.4%	51.4%
Not working – other	41.8%	44.3%	60.1%	51.8%
Not working – retired	45.2%	37.8%	55.9%	51.1%

Finally, the differences in the pattern associated with Aboriginal or Torres Strait Islander respondents that can be seen in Table 7.3 fell short of statistical significance (Tables A2.8-A2.11). This may reflect the relatively small number of Aboriginal or Torres Strait Islander respondents to the PULS. These findings nonetheless suggest that perceptions of law among First Nations communities merit further study through a larger dedicated sample.

205 Testing the highest educational qualifications terms in the law as remote model; $\chi^2_5 = 13.89$, $p = 0.016$, and in the law as something to resist model; Testing the age terms together; $\chi^2_6 = 17.61$, $p = 0.007$.
206 $\chi^2_1 = 20.99$, $p < 0.001$.
207 $\chi^2_1 = 49.41$, $p < 0.001$.
208 $\chi^2_1 = 4.44$, $p = 0.035$.
209 $\chi^2_1 = 14.12$, $p < 0.001$.
210 Also removing age group from the models to avoid issues with multicollinearity.
211 Testing the work terms in an adapted model; $\chi^2_7 = 25.76$, $p < 0.001$.
212 Testing the work terms in an adapted model; $\chi^2_7 = 24.38$, $p < 0.001$.
213 As in other chapters, this involved replacing the binary work variable and the age variable with the more detailed work variable used in Table 7.4. Age group had to be removed due to its close relationship to categories of the detailed work variable, in particular the crossover between older respondents and the retired work category).

8. The Perceived Accessibility of Lawyers

This chapter sets out *Public Understanding of Law Survey* (PULS) findings concerning the Victorian public's perceptions of lawyer accessibility, as measured through the Perceived Inaccessibility of Lawyers (PIL) scale, developed through the Victoria Law Foundation's (VLF's) *Community Perspectives of Law Survey*.

Background

Attitudes to the accessibility of lawyers was investigated through the Victoria Law Foundation's (VLF's) *Community Perspectives of Law Survey*.[214] Data from that survey was used to develop the Perceived Inaccessibility of Lawyers (PIL) scale, a standardised measure of perception of lawyer accessibility exhibiting good psychometric properties.

Analysis of factors associated with PIL scale scores, using *Community Perspectives of Law Survey* data found a number of experiential and demographic factors to be associated with the perceived inaccessibility of lawyers in Victoria. For example, perceptions of inaccessibility related to past experiences of lawyers. Negative experiences of lawyers or courts, while less common than positive experiences, were associated with perceptions of lawyers being less accessible. Similarly, exposure to negative accounts of lawyers or courts from friends, family or colleagues was associated with perceptions of lawyers being less accessible. The *Community Perspectives of Law Survey* also found evidence that some demographic groups see lawyers as being less accessible than others. For example, those with a severe mental illness (based on the K6 measure) regarded lawyers "as significantly less accessible".[215] The same was also true of people whose first language was a language other than English and people who had less than basic digital/online skills.

As was noted in the commentary on the *Public Understanding of Law Survey* (PULS) questionnaire (Balmer et al., 2022), "how people perceive lawyers can be expected to relate to problem resolving behaviour and whether and where they access legal advice".[216] As a consequence, understanding which population groups tend to perceive lawyers as 'inaccessible' is important to marketing and delivery of legal services in Victoria.

PULS methodology for determination of PIL scale scores

Within the PULS, attitudes to the accessibility of lawyers were measured using the PIL scale, which was developed using data from the VLF's *Community Perspectives of Law Survey*.

The PIL scale asks respondents about the extent to which they agree or disagree (on a four-point Likert scale) with each of the series of 10 statements (items) about lawyers in Victoria set out in Table 8.1.

PIL scale scores were calculated using the methods set out in Balmer et al. (2021). This involved summing responses to the ten inaccessibility of lawyers items, assigning a score of zero to 'strongly disagree', one to 'disagree', two to 'agree' and three to 'strongly agree', resulting in an overall score from 0 to 30. These raw scores were then converted to PIL scale scores, with a potential range from 0 to 100. Higher scores indicate greater perceived inaccessibility.

214 'Attitudes to lawyers' is a subdomain within the attributes component at the 'information/ assistance' stage of the VLF's legal capability framework (Balmer et al. 2019). Attitudes to the accessibility of lawyers is a further subdomain of this.

215 Balmer et al. (2019), p.39.

216 Balmer et al. (2022), p.50.

PULS findings on perceptions of the inaccessibility of lawyers

Table 8.1 sets out responses to the items which make up the PIL scale for instances in which definite responses were provided (i.e. excluding 'don't know' responses[217]). There was significant variation in the extent to which respondents agreed or disagreed with individual items. For example, respondents who provided a definite answer most often agreed with the idea that lawyers in Victoria 'take too long to deal with issues' (60%) and 'are slow' (52%), although there was some uncertainty around these items which led to around one in five respondents offering a 'don't know' response. In contrast, 76% of respondents who provided a definite answer disagreed with the proposition that Victorian lawyers 'are unapproachable', and 75% with the notions that Victorian lawyers 'don't take people like me seriously' or 'are not interested in the issues I face'. Overall, the perceptions of the accessibility of Victorian lawyers were more positive than negative, though significant percentages still had concerns (Table 8.1).

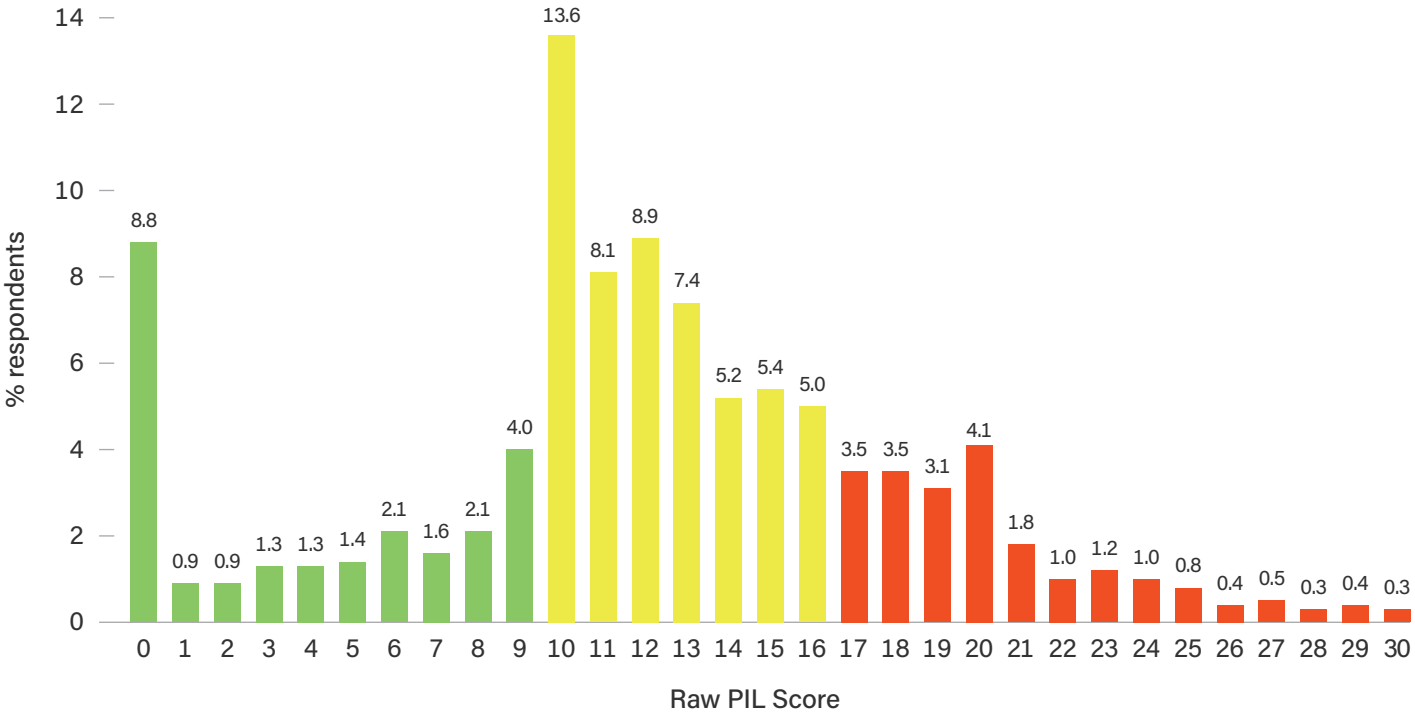
Table 8.1. Responses to the ten items making up the PIL scale. The preamble reads 'Lawyers in Victoria...?'

	Strongly agree		Agree		Disagree		Strongly disagree	
	N	%	N	%	N	%	N	%
Are not people I'd be happy to use	314	5.6%	1184	21.2%	3052	54.5%	1048	18.7%
Are the last people I would ever go to for help	559	9.7%	1317	22.9%	2747	47.8%	1127	19.6%
Are not interested in the issues I face	230	4.4%	1054	20.2%	2994	57.3%	948	18.1%
Are not concerned with real people's lives	336	6.3%	1263	23.7%	2785	52.2%	950	17.8%
Are unapproachable	191	3.5%	1100	20.4%	3115	57.8%	983	18.2%
Are not geared up for ordinary people to use	478	8.8%	1778	32.8%	2355	43.4%	816	15.0%
Are slow	500	10.5%	2004	41.9%	1610	33.7%	663	13.9%
Are not worth the hassle	364	6.7%	1468	27.0%	2719	50.0%	887	16.3%
Don't take people like me seriously	254	4.9%	1009	19.5%	2854	55.3%	1048	20.3%
Take too long to deal with issues	610	12.6%	2282	47.0%	1385	28.5%	577	11.9%

217 There was also a reasonable volume of 'don't know' responses, which varied by item. There were 411 for 'are not people I'd be happy to use', 258 for 'are the last people I would ever go to for help', 783 for 'are not interested in the issues I face', 674 for 'are not concerned with real people's lives', 619 for 'are unapproachable', 581 for 'are not geared up for ordinary people to use', 1,231 for 'are slow', 570 for 'are not worth the hassle', 844 for 'don't take people like me seriously', and 1,155 for 'take too long to deal with issues'.

The mean PIL score was 44.7.[218] Scores were also converted into three strata, corresponding to low, medium and high perceived inaccessibility.[219] 1,343 of 5,884[220] (23%) were categorised as 'low' perceived inaccessibility, 3,187 (54%) 'medium' perceived inaccessibility, and 1,355 (23%) 'high' perceived inaccessibility. Figure 8.1 illustrates the distribution of raw PIL scores, which ranged from 0 to 30,[221] as well as PIL strata, with 'low' perceived inaccessibility coded green, 'medium' perceived inaccessibility yellow, and 'high' perceived inaccessibility red.[222]

Figure 8.1. Raw PIL scores, with 'low' perceived inaccessibility coloured green, 'medium' perceived inaccessibility yellow, and 'high' perceived inaccessibility red



218 For 5,884 respondents responding to at least one inaccessibility item. Some respondents answered that they were unsure for one or more item (see above). In these cases, scores were derived from the subset of items that they responded to using Rumm2030 software. The standard deviation was 18.9, minimum 0 and maximum of 100. The median PIL score was 45.0, with an interquartile range of 20.6.

219 Rather than using the strata splits set out in Balmer et al. (2021), constructing strata for the PULS involved splitting scores into three strata which corresponded as closely as possible to the desired percentage at each strata set out in Linacre (2013). Scores up to 35.2 were considered 'low', over 35.2 up to 58.2 'medium', and above 58.3 to 100 as 'high' perceived inaccessibility.

220 124 respondents were 'unsure' in response to all PIL items.

221 For example, the four per cent scoring nine could achieve this score by disagreeing with nine items (which would score one per item) and strongly disagreeing with one item (scoring zero).

222 Output in Figure S is restricted to those responding one the four-point Likert scale to all ten items.

The social patterning of the perceived inaccessibility of lawyers

To establish the social patterning of the perceived inaccessibility of lawyers, statistical analysis was undertaken to explore the relationship between PIL scores and strata, respectively, and the range of social, demographic and geographic predictors included in Table 8.2.[223] In the case of PIL scores, a generalised linear model was fitted. In the case of the strata respondents fell within, a multinomial logistic regression model was fitted. Descriptions of statistical significance in the following text are drawn from both models. Detailed statistical output is set out in Tables A2.12 and A2.13.

Table 8.2 displays mean PIL scores derived from the generalised linear model, while Table 8.3 shows percentages of each demographic group predicted to fall within each PIL stratum. In both tables, means/percentages control for the other socio-demographic characteristics included in the models.[224]

Table 8.2. Mean PIL score by social and demographic characteristics, derived from the statistical model in Appendix Table A2.12. Values are coloured from lowest (green) to highest (red)

Variable	Level	Marginal mean
Overall		44.7
Age group	18-24	40.2
	25-34	39.5
	35-44	43.1
	45-54	46.2
	55-64	48.8
	65+	49.3
	Refused	44.9
Sex at birth	Male	45.2
	Female	44.3
Sexual orientation	Straight (heterosexual)	44.7
	Gay, lesbian, bisexual, other term	44.9
	Prefer not to say	46.5
Aboriginal or Torres Strait Islander	No	44.7
	Yes	48.8

223 Variables included mirrored those used in multivariate models of justiciable problem prevalence, number of problems, and response to problems in Balmer et al. (2023).

224 These are known as margins (also referred to as predictive margins, adjusted predictions, and recycled predictions) and are statistics calculated from predictions of a previously fitted model at fixed values of some covariates and averaging or otherwise integrating over the remaining covariates. This has the net effect of allowing you to look at how a variable such as sex relates to PIL having controlled for other differences in the characteristics of male and female respondents (e.g. their age, work, family status, health etc).

Variable	Level	Marginal mean
Main language spoken	English	43.4
	Other	47.7
Family status	Married, children	45.1
	Married, no children	43.1
	De facto, children	48.8
	De facto, no children	46.1
	Single, children	48.5
	Single, no children	44.3
Carer	No	45.6
	Yes	38.9
In work	Yes	44.7
	No	44.9
Highest education	Lower than year 12 or equivalent	47.6
	Year 12 or equivalent	48.2
	Trade/vocational certs/diplomas	44
	Degree or higher	43
Geography	Major Cities	44.9
	Inner Regional	45.7
	Outer Regional and Remote	38.8
Long-term illness or disability	No	43.9
	Yes	47.4
Mental distress (K6)	None or low	43.7
	Moderate	45.6
	Severe	52.9
Gross annual household income	Quintile 1 – $0 to $39,988	42.9
	Quintile 2 – $39,989 to $70,564	43
	Quintile 3 – $70,565 to $110,292	44.3
	Quintile 4 – $110,293 to $165,256	47.4
	Quintile 5 – $165,256 or more	45.6
	Prefer not to say	46.4
Unable to eat, heat or cool home	No	44.5
	Yes	50.5

Table 8.3. PIL strata by social and demographic characteristics, derived from the statistical model in Appendix Table A2.13. Values are coloured from lowest (red) to highest (green) for the low column and lowest (green) to highest (red) for the high column

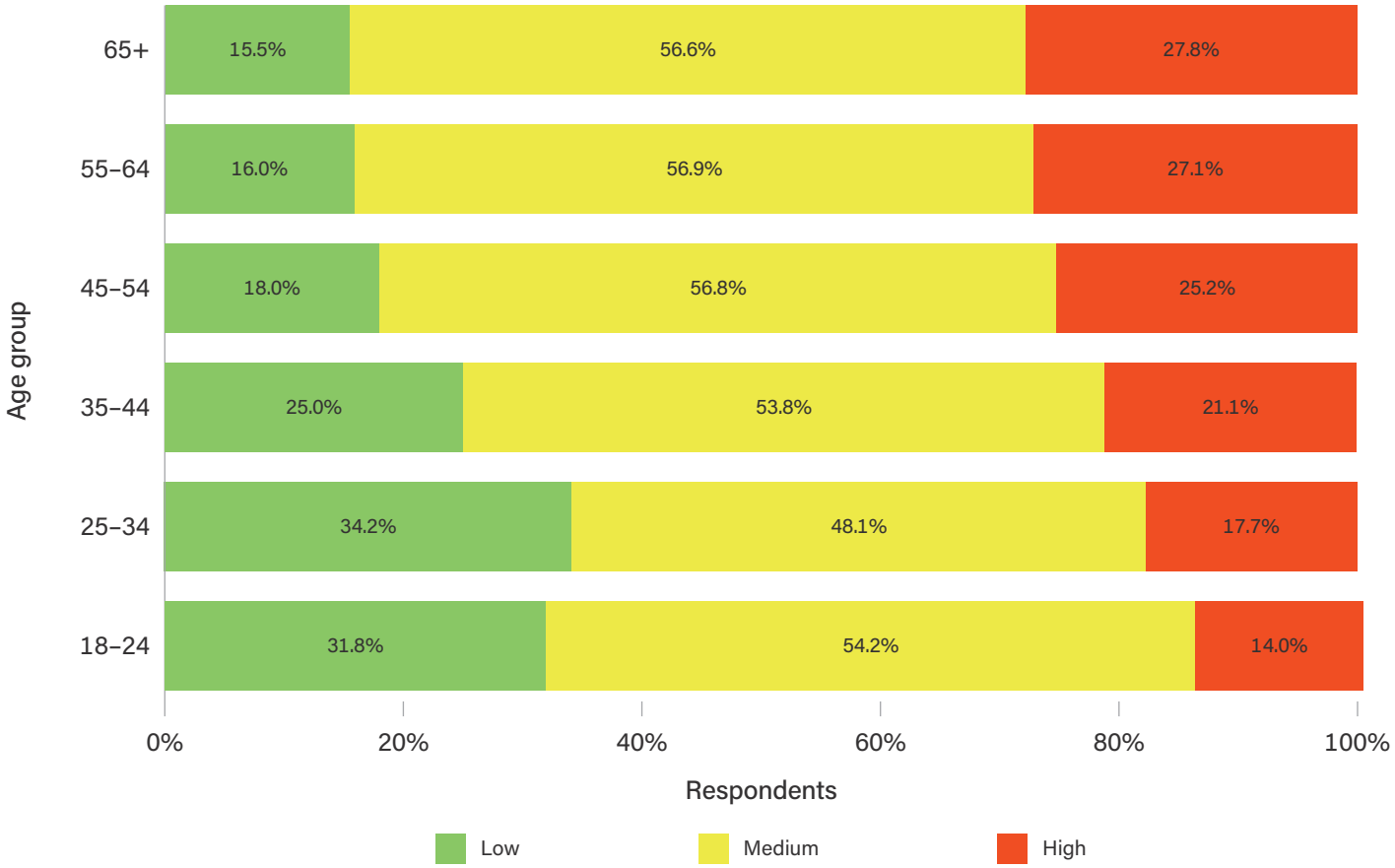
Variable	Level	PIL Strata		
		Low	Medium	High
Overall		22.8%	54.2%	23.0%
Age group	18-24	31.8%	54.2%	14.0%
	25-34	34.2%	48.1%	17.7%
	35-44	25.0%	53.8%	21.1%
	45-54	18.0%	56.8%	25.2%
	55-64	16.0%	56.9%	27.1%
	65+	15.5%	56.6%	27.8%
	Refused	24.4%	38.4%	37.1%
Sex at birth	Male	22.3%	53.1%	24.6%
	Female	23.2%	55.1%	21.7%
Sexual orientation	Straight (heterosexual)	22.9%	54.1%	23.1%
	Gay, lesbian, bisexual, other term	20.9%	53.9%	25.1%
	Prefer not to say	19.5%	61.8%	18.7%
Aboriginal or Torres Strait Islander	No	22.8%	54.2%	23.0%
	Yes	18.8%	51.0%	30.1%
Main language spoken	English	24.8%	55.4%	19.8%
	Other	18.5%	50.1%	31.4%
Family status	Married, children	22.2%	56.4%	21.3%
	Married, no children	25.2%	54.5%	20.3%
	De facto, children	13.0%	62.1%	24.9%
	De facto, no children	21.4%	52.2%	26.4%
	Single, children	18.2%	49.6%	32.2%
	Single, no children	24.0%	51.5%	24.6%
Carer	No	20.8%	55.8%	23.4%
	Yes	37.2%	41.8%	21.1%
Work	Yes	23.0%	54.6%	22.4%
	No	22.3%	53.5%	24.2%

Variable	Level	PIL Strata		
		Low	Medium	High
Highest education	Lower than year 12 or equivalent	19.1%	52.8%	28.1%
	Year 12 or equivalent	18.4%	54.9%	26.7%
	Trade/vocational certs/diplomas	24.8%	51.2%	24.0%
	Degree or higher	24.3%	56.5%	19.2%
Geography	Major Cities	21.6%	55.4%	23.0%
	Inner Regional	22.6%	53.5%	23.9%
	Outer Regional and Remote	44.4%	34.2%	21.5%
Long-term illness or disability	No	23.8%	53.9%	22.3%
	Yes	18.9%	55.5%	25.6%
Mental distress (K6)	None or low	24.1%	54.9%	21.0%
	Moderate	21.5%	54.0%	24.6%
	Severe	12.7%	47.5%	39.8%
Gross annual household income	Quintile 1 – $0 to $39,988	28.0%	49.1%	22.9%
	Quintile 2 – $39,989 to $70,564	25.2%	51.9%	23.0%
	Quintile 3 – $70,565 to $110,292	22.2%	56.2%	21.7%
	Quintile 4 – $110,293 to $165,256	18.5%	56.4%	25.1%
	Quintile 5 – $165,256 or more	22.5%	55.6%	22.0%
	Prefer not to say	19.4%	56.5%	24.2%
Unable to eat, heat or cool home	No	23.0%	54.4%	22.6%
	Yes	15.8%	49.8%	34.4%

As is evident from Tables 8.2 and 8.3, a number of commonly vulnerable social and demographic groups were more likely to see Victorian lawyers as less accessible than were others. Older people, people whose main language was not English, single parents and those in de facto relationships with children, people with fewer educational qualifications, people with a long-term illness or disability, those facing severe mental distress, and those in financial distress all had a greater tendency to see lawyers as less accessible than were others. In contrast, carers, those in outer regional and remote areas and those on lower incomes were less likely to see Victorian lawyers as inaccessible.

The relationship between age group and both PIL score and PIL strata were statistically significant.[225] Respondents became increasingly likely to perceive Victorian lawyers as inaccessible as their age increased, with a difference of 9.1 in the mean PIL scale scores of the youngest and oldest respondents once other factors were accounted for. Figure 8.2 illustrates the percentage of respondents in each age group falling within each PIL strata.

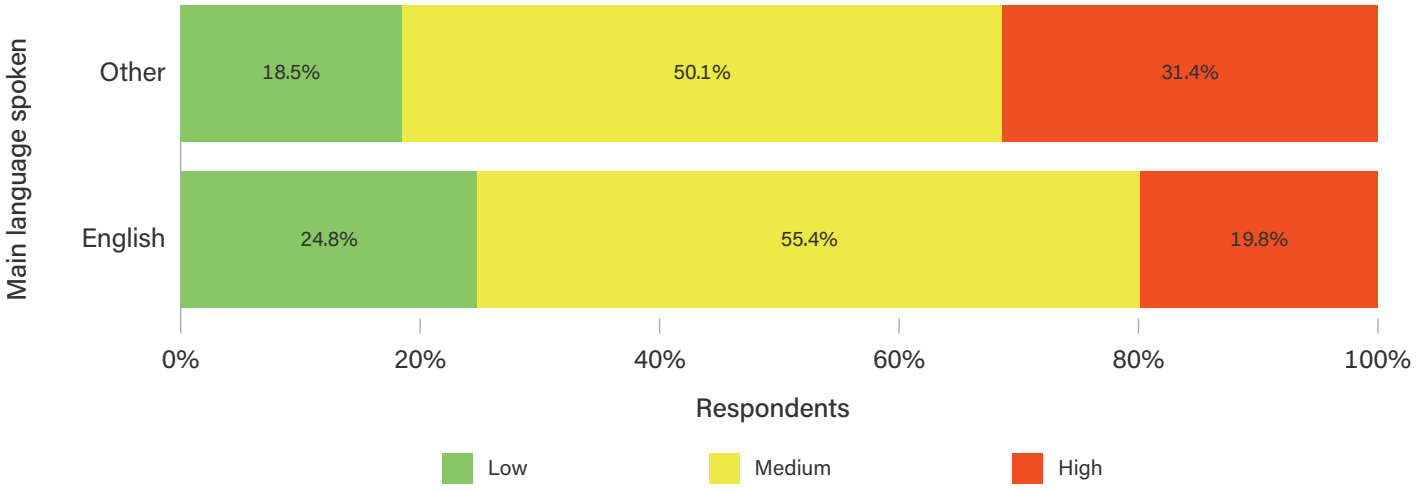
Figure 8.2. Percentage falling into 'low', 'medium' and 'high' PIL strata by respondents' age group, having controlled for other variables



225 Testing the age group terms together in the PIL score generalised linear model; $\chi^2_6 = 94.57$, $p < 0.001$ and in the multinomial logistic regression; $\chi^2_{12} = 123.55$, $p < 0.001$.

Those whose main language was not English were also significantly more likely to see lawyers as inaccessible, with this reflected in both LAW scale scores and the make up of LAW strata.[226] Once other factors were accounted for, the difference between the mean PIL scores of those whose main language was English and those who mainly spoke another language was 4.3. The likelihood of falling within different PIL strata by main language is illustrated in Figure 8.3.

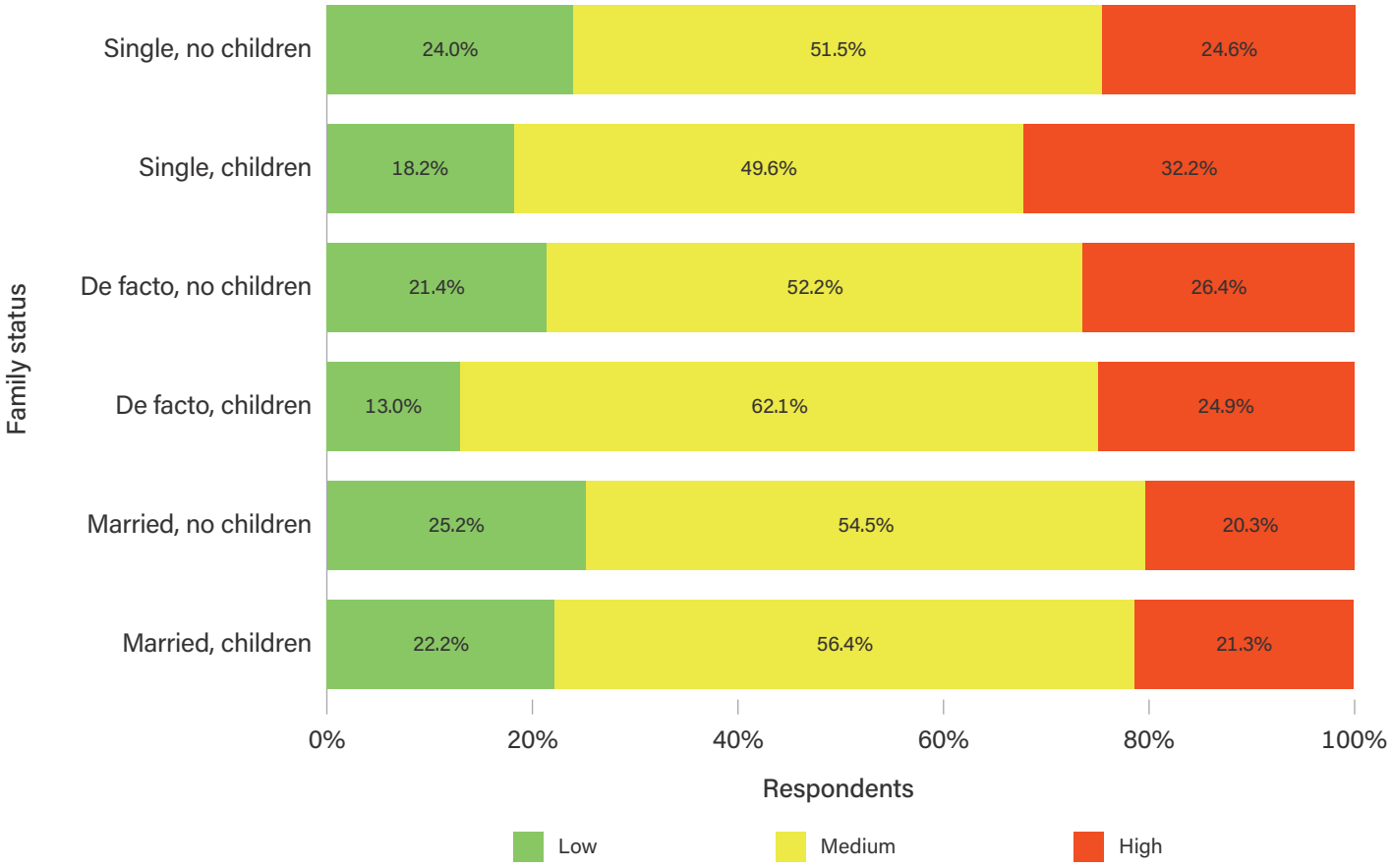
Figure 8.3. Percentage falling into 'low', 'medium' and 'high' PIL strata by whether or not respondents' main language was English, having controlled for other variables



226 Testing the language term in the PIL score generalised linear model; $\chi^2_1 = 32.04$, $p < 0.001$. Testing the language terms in the PIL strata multinomial logistic regression; $\chi^2_2 = 53.59$, $p < 0.001$.

There were also statistically significant differences in the way in which the inaccessibility of lawyers was perceived by respondents' family status.[227] As can be seen from Table 8.2, the highest PIL scores were associated with single parents and de facto respondents with children. As is illustrated in Figure 8.4, single parents were most likely to fall in the high PIL stratum, while de facto respondents with children were least likely to fall within the low PIL stratum, once other variables were accounted for.

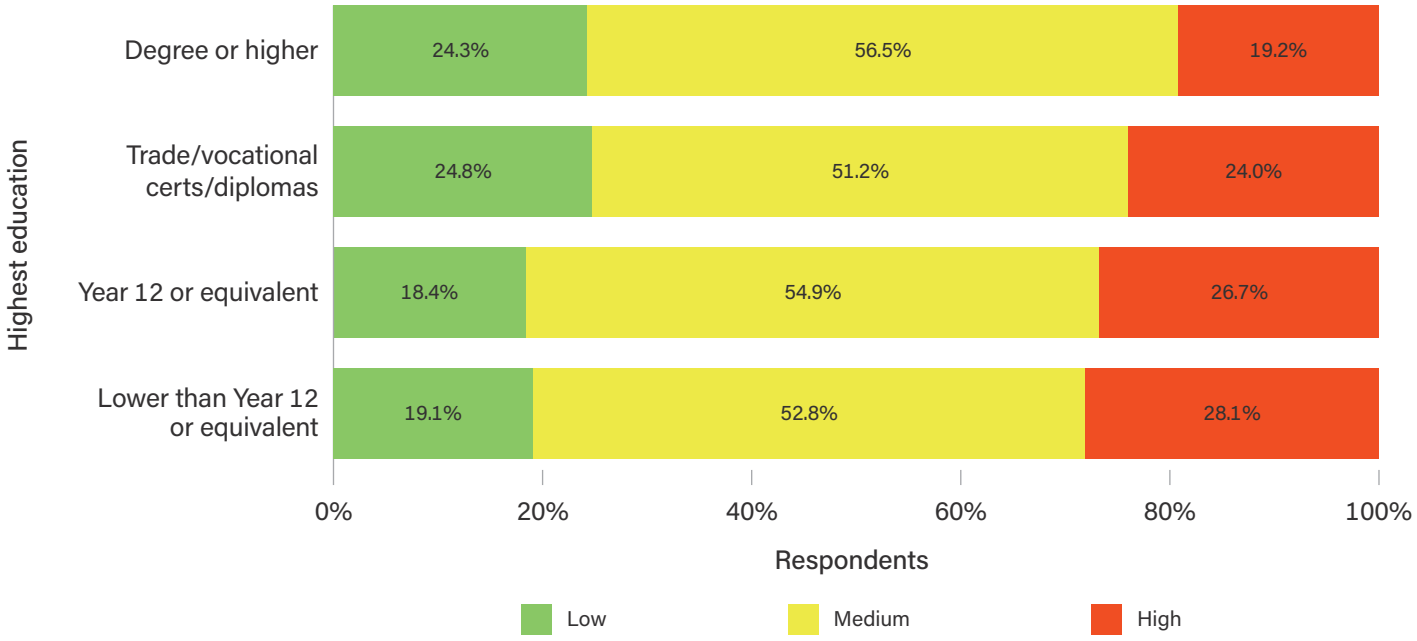
Figure 8.4. Percentage falling into 'low', 'medium' and 'high' PIL strata by respondents' family composition, having controlled for other variables



227 Testing the family composition terms together in the PIL score generalised linear model; $\chi^2_5 = 25.58$, $p < 0.001$ and in the multinomial logistic regression; $\chi^2_{10} = 33.61$, $p < 0.001$.

Respondents' highest educational qualifications also related to both PIL score and PIL strata, with perceived inaccessibility generally decreasing as the level of respondents' qualifications increased.[228] There was a difference of 4.6 in the mean PIL scale scores of those with the lowest and highest levels of qualifications once other variables were accounted for. Figure 8.5 illustrates the relationship between education and PIL strata, controlling for other variables.

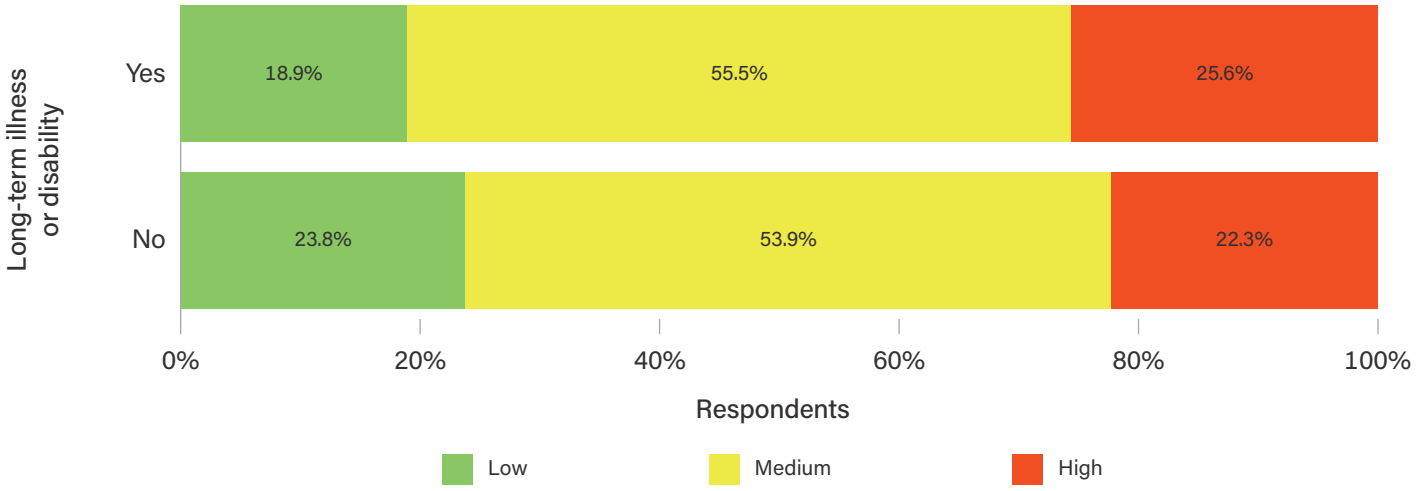
Figure 8.5. Percentage falling into 'low', 'medium' and 'high' PIL strata by respondents' highest educational qualifications, having controlled for other variables



228 Testing the highest educational qualifications terms together in the PIL score generalised linear model; $\chi^2_3 = 49.93$, $p < 0.001$ and in the multinomial logistic regression; $\chi^2_6 = 37.38$, $p < 0.001$.

Those reporting a long-term illness or disability also perceived lawyers to be significantly less accessible than others.[229] As can be seen from Table 8.2, there was a difference of 3.3 in the mean PIL scores of those with and without a long-term illness or disability. Figure 8.6 illustrates the relationship between long-term illness or disability and PIL strata, controlling for other variables.

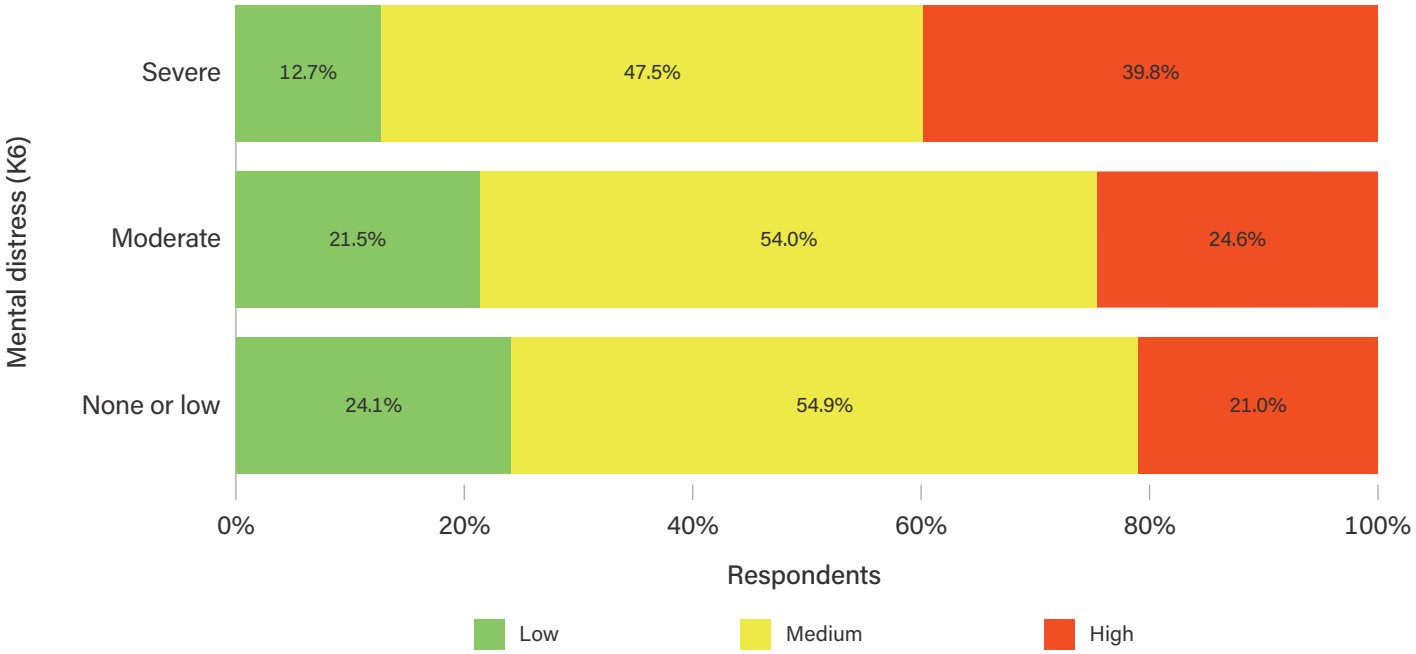
Figure 8.6. Percentage falling into 'low', 'medium' and 'high' PIL strata by whether or not respondents reported a long-term illness or disability, having controlled for other variables



229 Testing the long-term illness or disability term in the PIL score generalised linear model; $\chi^2_1 = 28.52$, $p < 0.001$. Testing the long-term illness or disability terms in the PIL strata multinomial logistic regression; $\chi^2_2 = 11.89$, $p = 0.003$.

The relationship between PIL score and mental distress (measured using the K6 scale) was stronger still.[230] Here, the difference in mean PIL score between those with no or low mental distress and those with severe mental distress was 9.2, once other variables were accounted for (Table 8.2). As is illustrated by Figure 8.7, respondents reporting severe mental distress were much less likely to belong to the 'low' and much more likely to belong to the 'high' inaccessibility stratum.

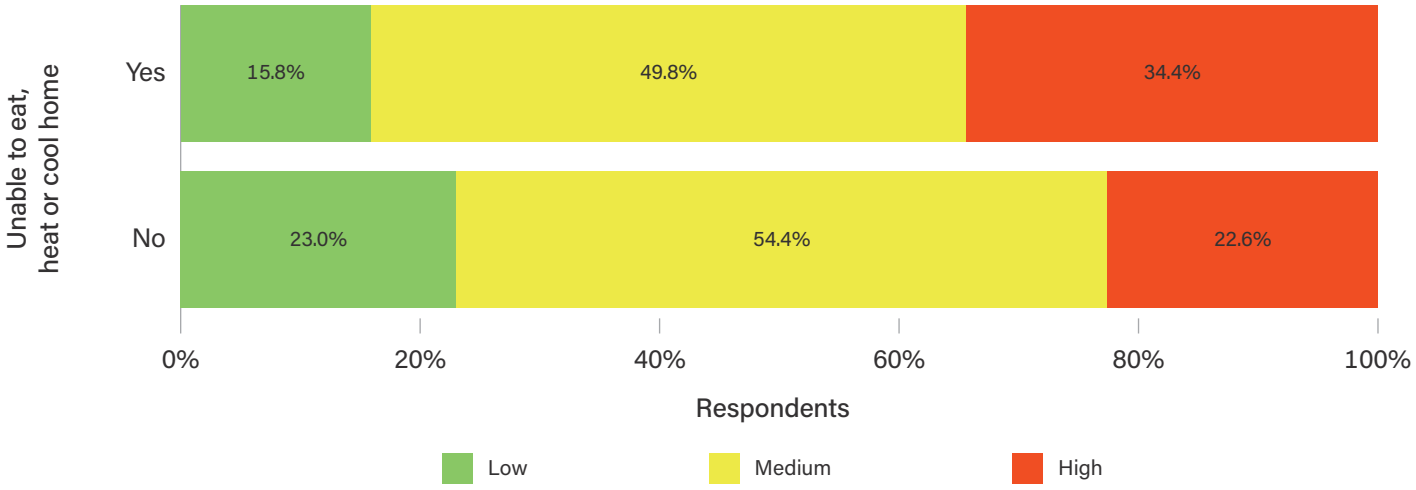
Figure 8.7. Percentage falling into 'low', 'medium' and 'high' PIL strata by respondents' mental distress (based on the K6 scale), having controlled for other variables



230 Testing the mental distress terms together in the PIL score generalised linear model; $\chi^2_2 = 41.11$, $p < 0.001$ and PIL strata multinomial logistic regression; $\chi^2_4 = 37.93$, $p < 0.001$.

Those reporting financial distress (i.e. those unable to eat, heat or cool their homes in the past year because of a shortage of money) were also statistically significantly more likely to perceive lawyers in Victoria as inaccessible.[231] The difference in mean PIL score between those with and without financial distress was six, once other variables were accounted for (Table 8.2). As is illustrated by Figure 8.8, fewer people who had experienced financial distress fell in the low inaccessibility stratum, while far more fell within the high stratum.

Figure 8.8. Percentage falling into 'low', 'medium' and 'high' PIL strata by respondents' financial distress, having controlled for other variables

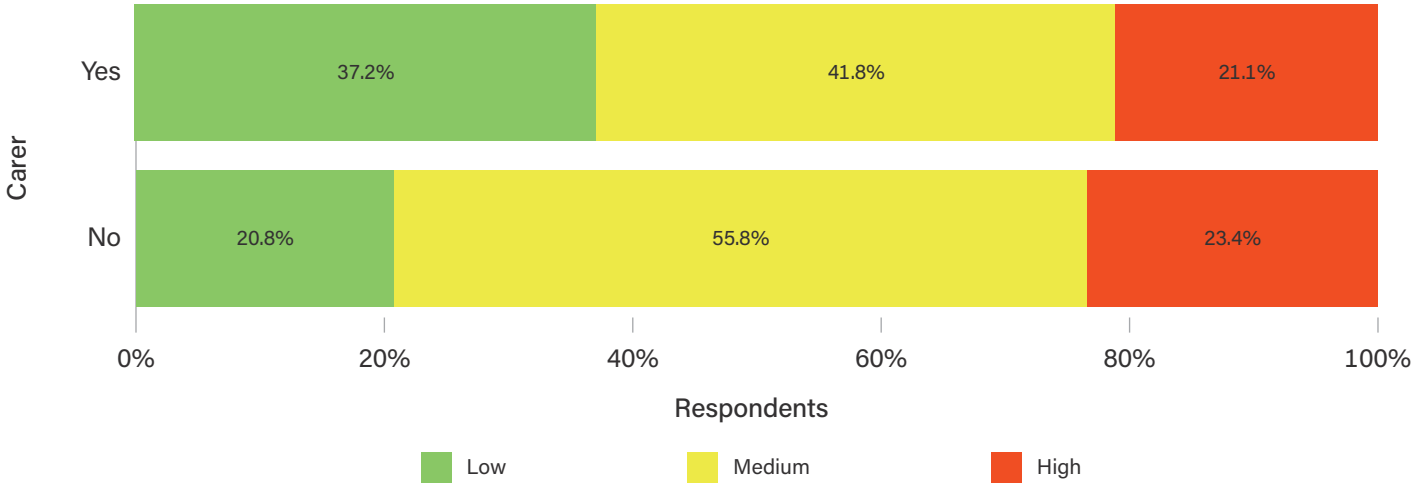


231 Testing the financial distress term in the PIL score generalised linear model; $\chi^2_1 = 36.17$, $p < 0.001$. Testing the two financial terms together in the PIL strata multinomial logistic regression; $\chi^2_2 = 68.29$, $p < 0.001$.

In contrast to the preceding findings, those with day-to-day caring responsibilities for elderly or disabled adults had a significantly greater tendency to perceive lawyers in Victoria as more accessible than others.[232] The difference in mean PIL scores between those with and without caring responsibilities was 6.7, once other variables were accounted for (Table 8.2).

Also, as is illustrated by Figure 8.9, PULS respondents who had caring responsibilities were much more likely to fall within the low perceived accessibility stratum.

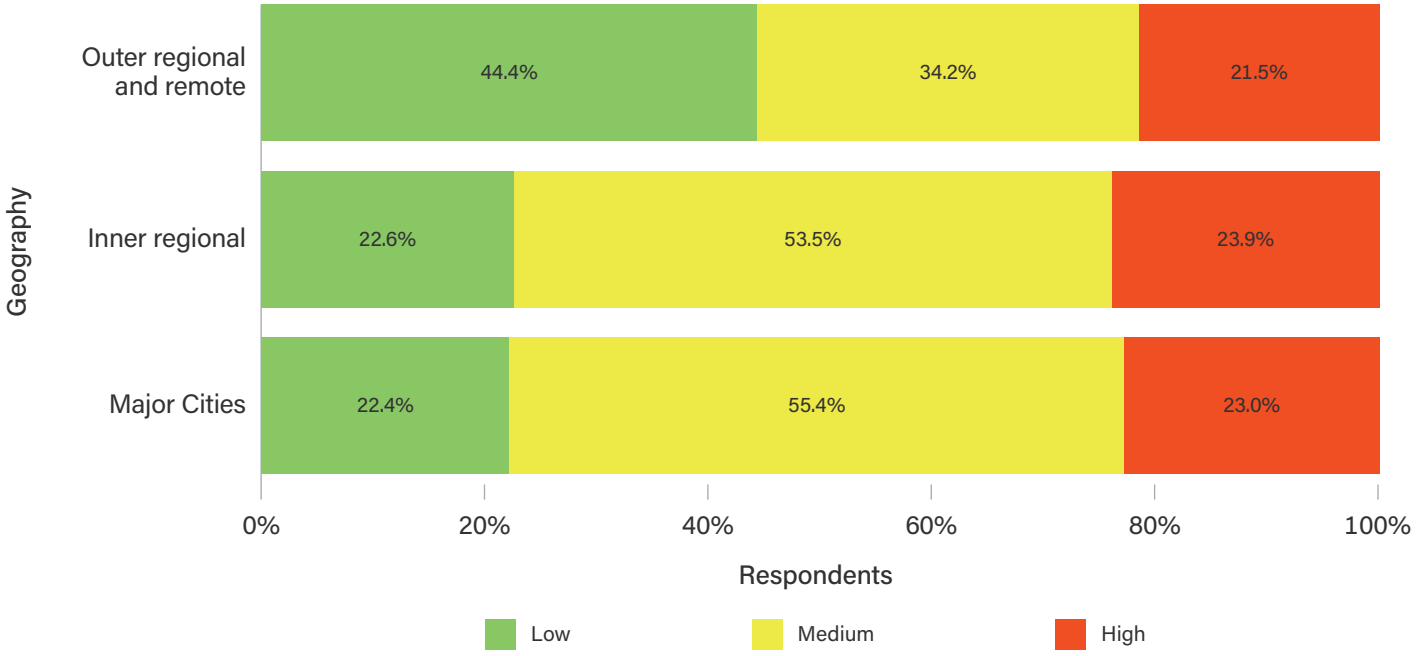
Figure 8.9. Percentage falling into 'low', 'medium' and 'high' PIL strata by whether or not respondents had day-to-day caring responsibilities for elderly or disabled adults, having controlled for other variables



232 Testing the carer term in the PIL score generalised linear model; $\chi^2_1 = 36.17$, $p < 0.001$. Testing the carer terms together in the PIL strata multinomial logistic regression; $\chi^2_2 = 68.29$, $p < 0.001$.

Despite having a tendency to see less law in their lives, and their often greater physical remoteness from service centres, PULS respondents who lived in outer regional and remote areas of Victoria were much less likely to perceive lawyers as inaccessible, both in terms of PIL scale scores and the make up of PIL strata.[233] As can be seen in Table 8.2, those in outer regional and remote areas had a significantly lower mean PIL score than those in both major cities (a difference of 6.1) and inner regional areas (a difference of 6.9), once other variables were accounted for. Figure 8.10 illustrates the far greater likelihood than others of those in outer regional and remote areas falling in the low PIL stratum, largely at the expense of the likelihood of them falling in the 'medium' stratum – although they were also slightly less likely to fall in the high stratum.

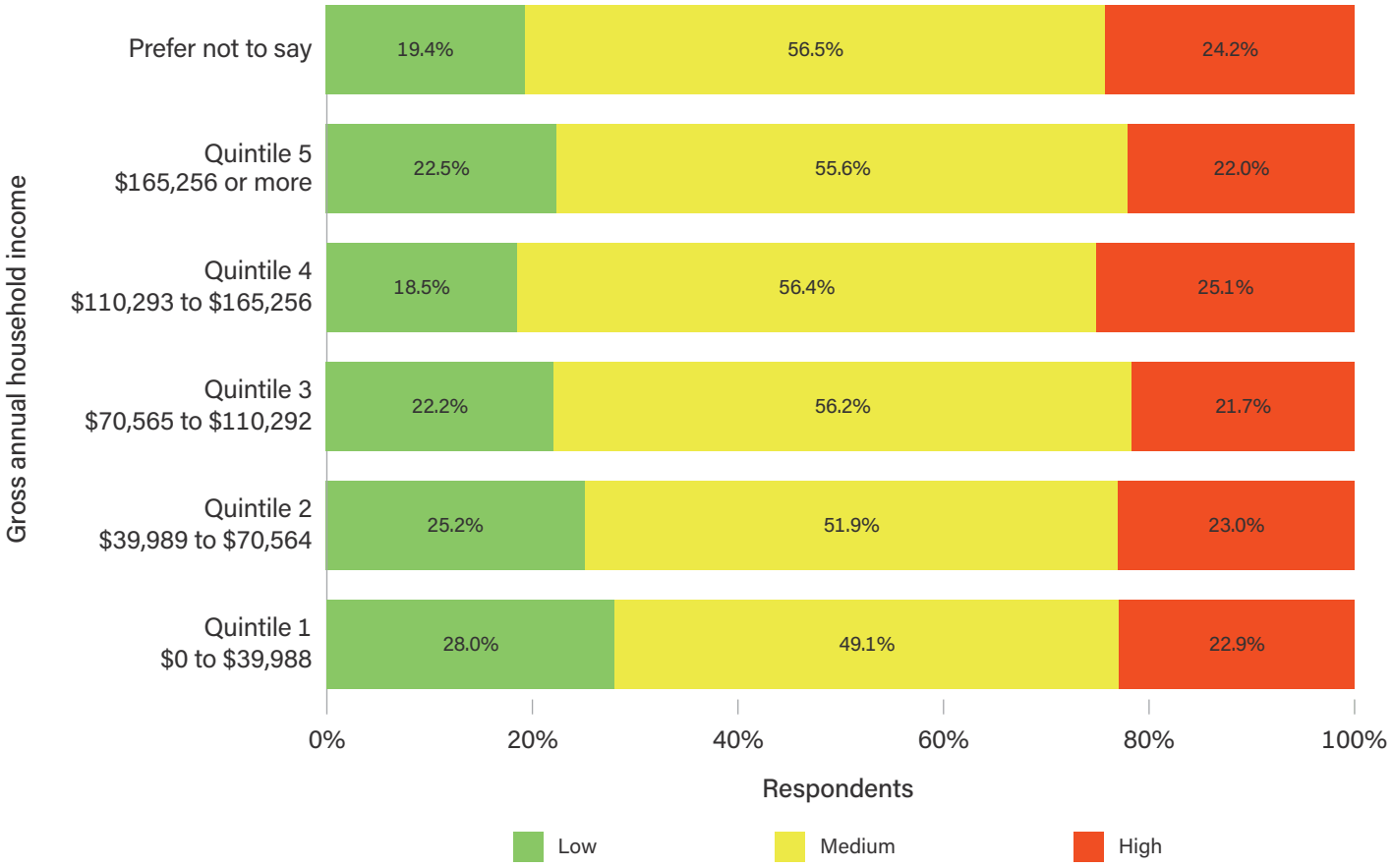
Figure 8.10. Percentage falling into 'low', 'medium' and 'high' PIL strata by respondents' geographic location, having controlled for other variables



233 Testing the geography terms in the PIL score generalised linear model; $\chi^2_2 = 23.52$, $p < 0.001$ and in the multinomial logistic regression; $\chi^2_4 = 68.45$, $p < 0.001$.

Finally, there were significant differences in PIL score and strata between different income quintiles,[234] principally as a result of the percentage of respondents falling in the low inaccessibility stratum generally decreasing as income increased (Figure 8.11).

Figure 8.11. Percentage falling into 'low', 'medium' and 'high' PIL strata by respondents' income quintile, having controlled for other variables



There were no statistically significant differences in PIL scores or the composition of PIL strata by respondents' sex, sexual orientation, whether or not they were Aboriginal or Torres Strait Islander, or whether or not they were working.[235]

234 Testing the income quintile terms in the PIL score generalised linear model; $\chi^2_6 = 94.57$, $p < 0.001$ and in the multinomial logistic regression; $\chi^2_{12} = 123.55$, $p < 0.001$.

235 In the case of work, however, if the binary (working/not working) variable is replaced by a more detailed work variable in the generalised linear model in Table A2.8, and age group is removed to avoid issues with multicollinearity, significant differences between work and PIL score emerge (testing the work terms together; $\chi^2_7 = 75.57$, $p < 0.001$). Those not working but in education saw lawyers as most accessible (PIL score of 36.5), followed by those in full-time employment (42.2), those seeking work (44.3), those not working because of health (44.7), those in part-time or occasional employment (46.7), those not working and looking after the home or family (47.8), retired respondents (48.7) and those not working for some other reason (49.0).

9. Trust in Lawyers

This chapter reviews the concept of trust in the context of lawyers and the justice system more broadly. It then sets out the *Public Understanding of Law Survey* (PULS) findings concerning the Victorian public's trust in lawyers, as measured through a series of six questions designed to address a variety of trust dimensions.

Background

Echoing Rhode's (2015) observation in *The Trouble With Lawyers*, that American lawyers rank "just above insurance sales agents" in public ratings of honesty and ethical standards,[236] the 2021 *Roy Morgan Image of Professions Survey* found that just 26% of the Australian public rate lawyers as 'high' or 'very high' for ethics and honesty, less than a third of the percentage for doctors.[237] The figure has decreased markedly over the past half century. However, studies such as the Roy Morgan survey or Ipsos *Global Trust in Professions* survey[238] while informative, represent perceptions, which are often not informed by experience.[239] Set against these findings, clients routinely provide very positive accounts of their own lawyers. For example, the English and Welsh Legal Services Consumer Panel (2021) has reported high levels of client satisfaction and perceptions of lawyer professionalism across ten years of surveys, as have many legal needs surveys conducted across the globe (e.g. YouGov, 2020).

Measurement of trust is complicated by the fact it is "inherently intangible".[240] It is also multidimensional. Beyond a broad general understanding of trust as the holding of "a positive perception about the actions of an individual or an organisation",[241] the concept is generally now taken to comprise four high level dimensions: benevolence, integrity, competence and predictability (McKnight and Chervany, 2001). Positive perceptions of these allow an individual to "accept vulnerability" towards another individual or organisation.[242] McKnight and Chervany define the four core dimensions in the following terms:

> "*Benevolence* means caring and being motivated to act in one's interest rather than acting opportunistically. *Integrity* means making good faith agreements, telling the truth and fulfilling promises. *Competence* means having the ability or power to do for one what one needs done. *Predictability* means actions (good or bad) that are consistent enough to be forecastable in a given situation".[243]

Trust can also relate to individual lawyers, lawyers in general, the institutions that make up and regulate lawyers and those who lead those institutions. Thus, further dimensions of trust include 'interpersonal' trust, 'institutional' trust and 'political' trust.[244]

236 Rhode (2015), p.1.
237 In a US context, such sentiments were reflected in Galanter's (2005) innovative study of lawyer jokes, which pointed to a "jaundiced view" of lawyers "condemned as pathological and destructive, producing untold harm" (p.9). Galanter (2005) points to modern-day 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.
238 https://www.ipsos.com/sites/default/files/ct/news/documents/2019-09/global-trust-in-professions-trust-worthiness-index-2019.pdf
239 Since only a subset of respondents will have experience of using legal services themselves.
240 OECD (2017a), p.37.
241 OECD (2017b), p.16.
242 Rousseau et al. (1998), p.395.
243 McKnight and Chervany (2001), p.31.
244 OECD (2017a), p.39.

Trust in lawyers falls within the 'attitudes to lawyers' subdomain within the 'attributes' component at the 'information/assistance' stage of the legal capability framework outlined in Balmer et al. (2019).

In relation to information and advice seeking, trust in lawyers is important, as in the same way as people's characterisation of justiciable problems influences problem resolving behaviour, so people's perception of and trust in lawyers will influence advice seeking behaviour. As Lelievre (2017) maintained about justice institutions more broadly, "citizens who trust justice institutions will more likely address their legal problem and resort to its protection mechanism to enforce their right to public services".[245] This is similar to other profession centred institutions, such as in the health sector. As Shaughnessy et al.'s (2023) review of the concept of trust in the context of early primary care practice observed, "healthcare professionals and patients know well when they experience trust in a healthcare interaction and system; they can rely on the healthcare team to be at the service and committed to promoting well-being".[246]

Moreover, as the introduction to the Organisation for Economic Cooperation and Development's (OECD's) (2017a) 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".[247] Legal professionals are key players in the institutions of justice.

Trust in lawyers is likely to be influenced by a broad range of factors, from personal experience to informal accounts to media representations (both factual and fictional). As Lelievre (2017) stated, "the role of exogenous drivers such as media and the wider historical context of a country are also essential for understanding the relationship between perceived and actual citizens' trust with the justice services".[248]

PULS methodology for measurement of level of trust in lawyers

Trust in lawyers was captured in the *Public Understanding of Law Survey* (PULS) using a series of six questions asking about the extent to which, if they used a lawyer, they would trust and expect competence and behaviour of various types. The questions were specific to the lawyer/client relationship, being focussed on respondents' own use/potential use of lawyers, rather than more abstract perceptions of the legal profession as a whole.[249] The approach taken recognised that trust is a multidimensional concept (and the limitations of single-item trust measures)[250] and sought to separately address a range of different dimensions.

As is detailed in Figure 9.1, the individual items addressed concerned the extent to which respondents would trust a lawyer to act in their best interests, not overcharge them, be knowledgeable and skilled in their work, and the extent to which they would expect them to act ethically and within the law, exploit loopholes in the law, and break the rules if needed. The first item goes directly to the trust dimension of benevolence. The second, fourth, fifth and sixth centre on integrity. The third relates to competence. They all relate, in some way, to predictability.

245 Lelievre (2017), p.144.
246 Shaughnessy et al. (2023), p.2.
247 OECD (2017a), p.26.
248 Lelievre (2017), p.142.
249 Seeking to focus respondents on more relevant personal needs and experience, and away from a focus on popular culture/representations (e.g. Asimow (1999), Galanter (2005)) or high-profile events (e.g. Royal Commission into the Management of Police Informants (2020).
250 e.g. OECD (2017a).

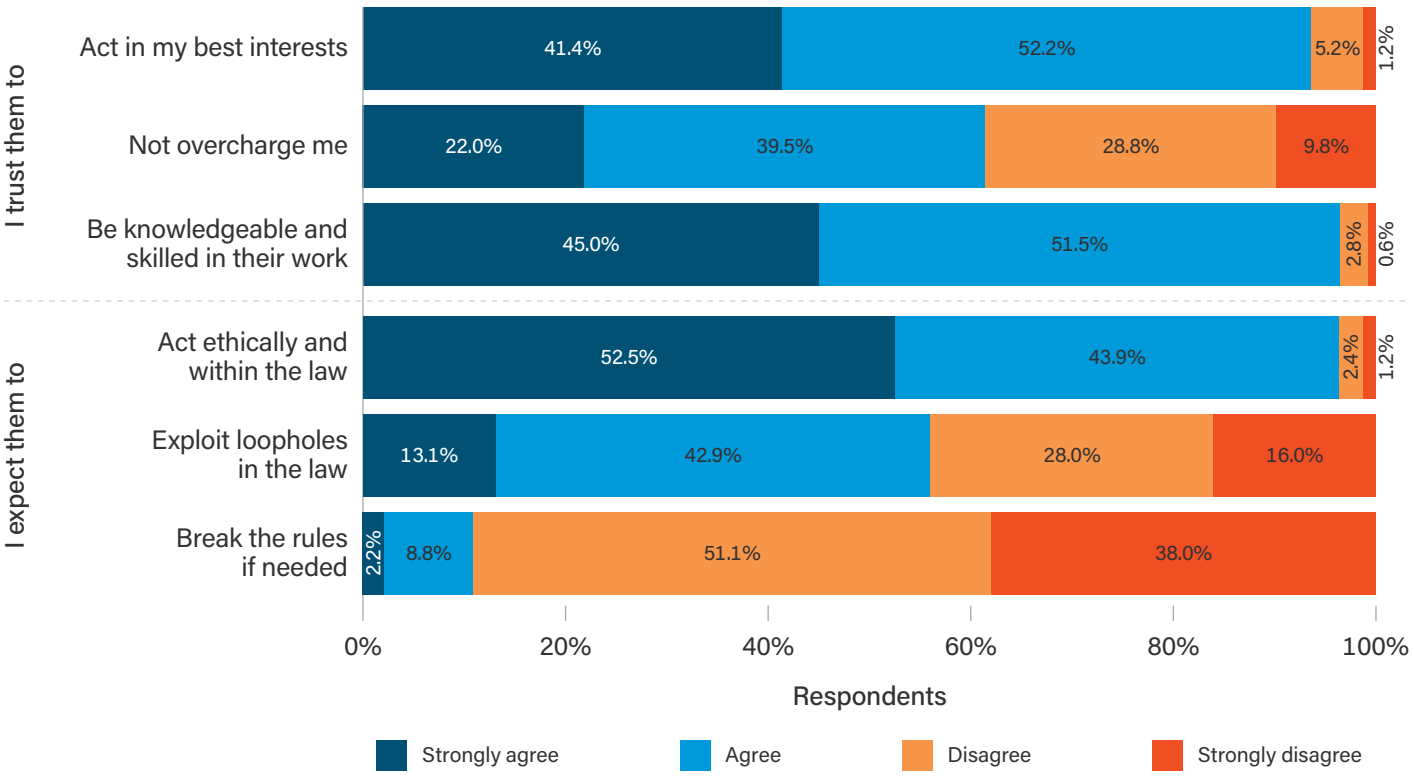
PULS findings on trust in lawyers

Overall response patterns for each of the six trust items included in the PULS are set out in Figure 9.1.[251] As can be seen, despite the generally poor regard in which lawyers are held, PULS respondents were fundamentally positive in their perceptions of lawyers' benevolence, integrity, competence and predictability, as defined above.

For four of the six items, there was near unanimity in response. More than 95% of respondents indicated they would trust lawyers to be knowledgeable and skilled in their work, with a similar percentage expecting them to act ethically and within the law. More than 90% also indicated they would trust lawyers to act in their best interests. Just short of 90% had no expectation a lawyer they instructed would break the rules, even 'if needed', although there was a split in the extent to which respondents expected that a lawyer would exploit loopholes in the law, with 56% expecting them to (and just 13% strongly).

Against this very positive picture, there was less trust in lawyers not to overcharge for their work, with 39% of respondents disagreeing that lawyers could be trusted in this way (though just 10% disagreed strongly).

Figure 9.1. The extent to which PULS respondents trusted lawyers in Victoria



251 The Figure (and analysis in this section) excludes a small percentage of 'don't know' responses which varied by question. Overall, 123 (2.0%) of respondents did not know if they would trust lawyers to act in their best interests, 351 (5.8%) not to overcharge them (the highest percentage uncertain), and 78 (1.3%) to be knowledgeable and skilled in their work. 72 (1.2%) of respondents did not know if they would expect lawyers to act ethically and within the law, 312 (5.2%) exploit loopholes in the law, and 168 (2.8%) break the rules if needed.

The social patterning of trust in lawyers

To explore the social patterning of trust in lawyers, responses to the six PULS trust items were combined into a single trust in lawyers score. While the items could not be combined into a standardised scale with good psychometric properties, such as the General Legal Confidence (GLC) scale, their combination nevertheless provided an initial indication of how broad trust in personal lawyers (as distinct from lawyers in general) might be socially patterned.[252] Summing responses across the six trust items, with higher scores indicating greater trust, resulted in a mean trust score of 12.8.[253]

A generalised linear model was fitted to establish the relationship between trust in lawyers scores and the range of social, demographic and geographic predictors included in Table 9.1.[254] Detailed statistical output is set out in Tables A2.14. As previously, this allowed examination of the relationship between trust and individual social and demographic characteristics, while simultaneously controlling for other variables included in the model.

Table 9.1. Mean trust scores derived from the generalised linear model, controlling for other socio-demographic characteristics included in the models. Values are coloured from lowest (red) to highest (green)

Variable	Level	Marginal mean
Overall		12.75
Age group	18-24	13.35
	25-34	13.24
	35-44	12.92
	45-54	12.60
	55-64	12.16
	65+	12.13
	Refused	13.73
Sex at birth	Male	12.56
	Female	12.94
Sexual orientation	Straight (heterosexual)	12.75
	Gay, lesbian, bisexual, other term	13.00
	Prefer not to say	12.14
Aboriginal or Torres Strait Islander	No	12.77
	Yes	12.20

252 This approach involved summing responses to the six trust items, resulting in a score from 0 to eighteen. Higher scores indicated greater trust in lawyers. Testing the psychometric properties of the trust items using Rasch analysis indicated significant departure from the Rasch model and significant item misfit, including evidence of disordered thresholds and redundant items. Producing a standardised trust measure would need to begin with a larger item pool. There is also merit to exploring determinants of responses to individual trust items, in particular those relating to cost, which will be the focus of future analyses.

253 Standard deviation of 2.9, median of 12.0 and interquartile range of 4.0.

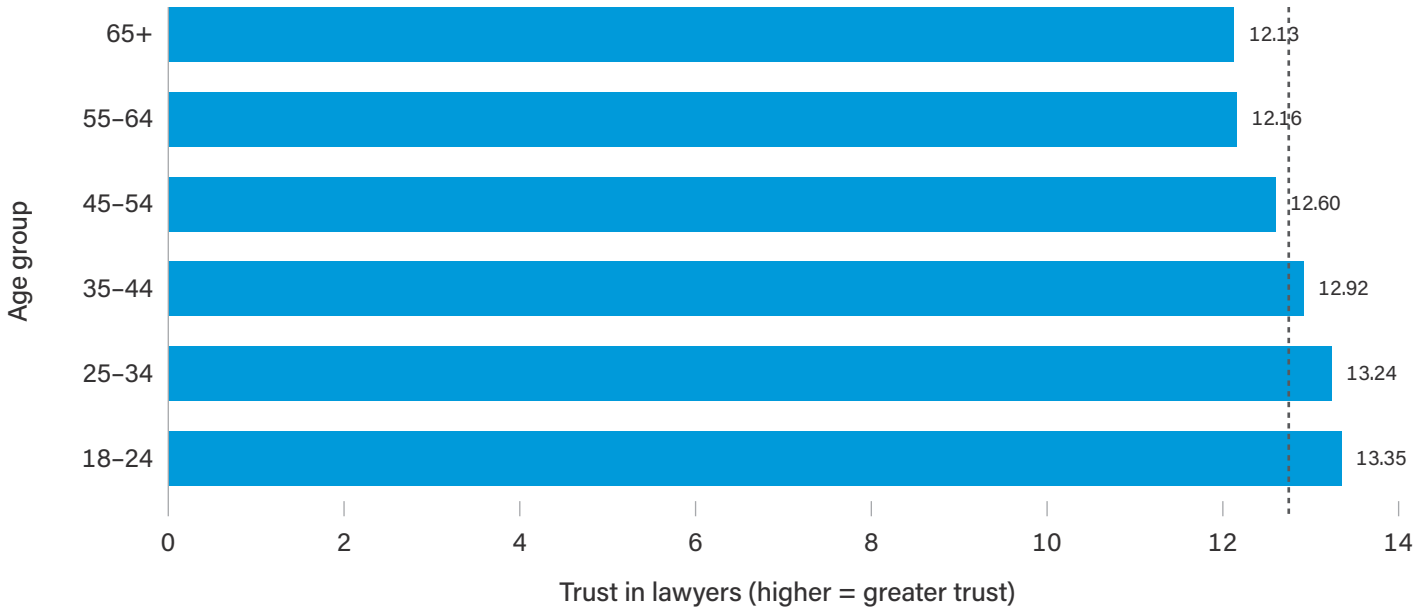
254 Variables included mirrored those used in multivariate models of justiciable problem prevalence, number of problems, and response to problems in Balmer et al. (2023). The table sets out margins (also referred to as predictive margins, adjusted predictions, and recycled predictions). These are statistics calculated from predictions of a previously fitted model at fixed values of some covariates and averaging or otherwise integrating over the remaining covariates. This has the net effect of allowing you to look at how a variable such as sex relates to trust in lawyers scores having controlled for other differences in the characteristics of male and female respondents (e.g. their age, work, family status, health etc).

Variable	Level	Marginal mean
Main language spoken	English	12.66
	Other	12.99
Family status	Married, children	12.77
	Married, no children	12.96
	De facto, children	11.84
	De facto, no children	12.45
	Single, children	12.36
	Single, no children	12.85
Carer	No	12.66
	Yes	13.45
In work	Yes	12.64
	No	12.97
Highest education	Lower than year 12 or equivalent	12.42
	Year 12 or equivalent	12.27
	Trade/vocational certs/diplomas	12.90
	Degree or higher	12.95
Geography	Major Cities	12.78
	Inner Regional	12.40
	Outer Regional and Remote	14.01
Long-term illness or disability	No	12.86
	Yes	12.41
Mental distress (K6)	None or low	12.99
	Moderate	12.45
	Severe	11.59
Gross annual household income	Quintile 1 – $0 to $39,988	13.26
	Quintile 2 – $39,989 to $70,564	12.96
	Quintile 3 – $70,565 to $110,292	12.90
	Quintile 4 – $110,293 to $165,256	12.38
	Quintile 5 – $165,256 or more	12.41
	Prefer not to say	12.37
Unable to eat, heat or cool home	No	12.79
	Yes	11.89

As is evident from Table 9.1, a number of sociodemographic groups tended to exhibit greater trust in personal lawyers than others. Younger people, women, those who mainly spoke a language other than English at home, people living in certain family structures, those with adult caring responsibilities, those not in work, those with more educational qualifications, those living in outer regional and remote areas of Victoria, and those with lower incomes were associated with statistically significantly higher trust scores than others. In contrast, those suffering a long-term illness or disability, mental distress or financial distress were associated with lower trust scores than others.

There was a statistically significant relationship between age and the extent to which respondents trusted personal lawyers.[255] As can be seen from Figure 9.2, trust scores were highest among the youngest PULS respondents, with scores falling as age increased. The difference in average trust score between youngest and oldest respondents equated to just over 1.2.

Figure 9.2. Trust in lawyers scores by respondents' age group, controlling for other variables (the dotted line represents overall mean trust)

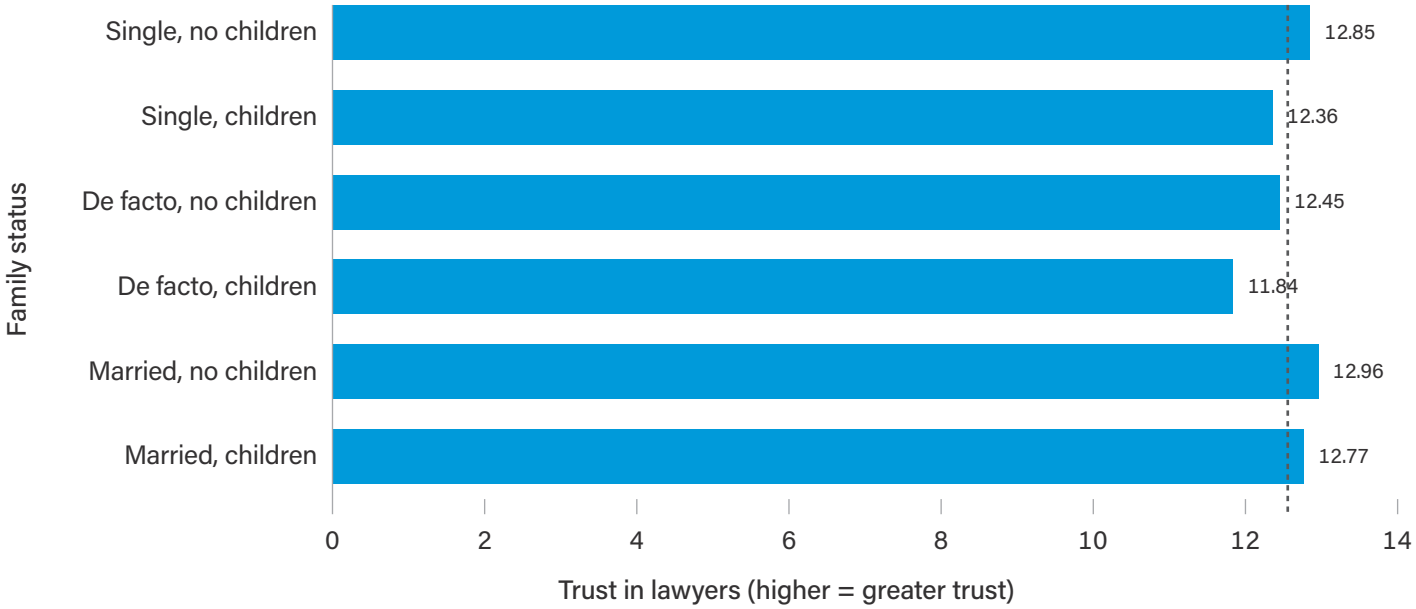


255 Testing the age terms in the model together; $\chi^2_6 = 69.72$, $p < 0.001$.

While absolute differences between male and female respondents were relatively modest, with women's trust scores around 0.4 higher than those of men (Table 9.1), differences were statistically significant.[256] Similarly, there was a statistically significant relationship between the main language respondents spoke at home and trust in personal lawyers. Again, as can be seen from Table 9.1, those whose main home language was not English had trust scores just over 0.3 higher than those whose main home language was English.[257]

There was a highly significant relationship between respondents' family status and trust in personal lawyers.[258] As can be seen from Figure 9.3, trust scores were lowest among respondents in de facto relationships with children, particularly when contrasted with married respondents without children. The difference in scores in this case was just over 1.1.

Figure 9.3. Trust in lawyers scores by respondents' family status, controlling for other variables (the dotted line represents overall mean trust)



256 Testing the female model term (compared to male respondents); $\chi^2_1 = 17.84$, $p < 0.001$. Testing the not working model term (compared to those who were working); $\chi^2_1 = 7.35$, $p = 0.007$.
257 Testing the main home language other than English model term (compared to main home language being English); $\chi^2_1 = 7.93$, $p = 0.005$.
258 Testing the family status model terms together; $\chi^2_5 = 38.21$, $p < 0.001$.

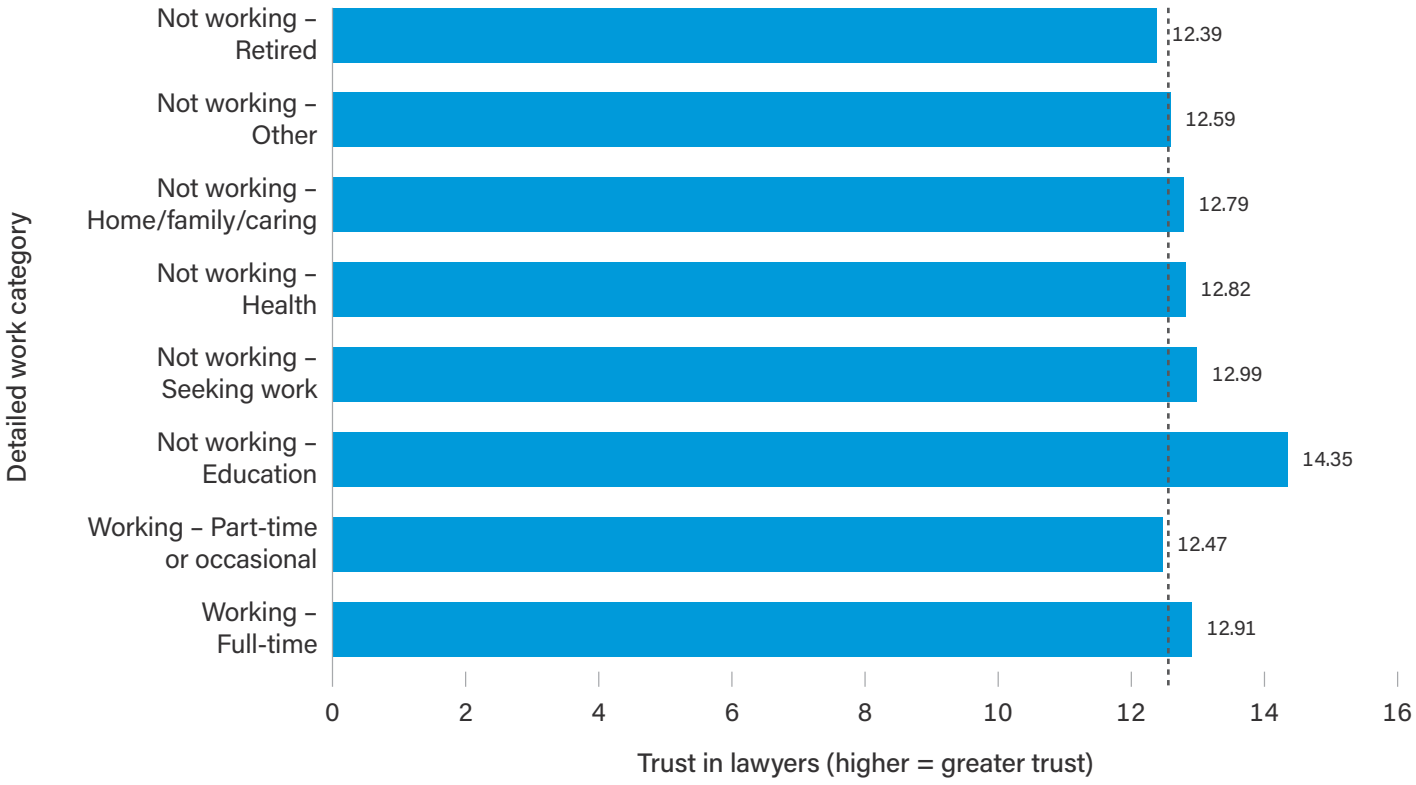
Respondents with day-to-day caring responsibilities for elderly or disabled adults also had significantly higher trust in lawyers than other respondents.[259] As can be seen from Figure 9.4, this equated to a difference in trust score of around 0.8.

Figure 9.4. Trust in lawyers scores by whether or not respondents had day-to-day caring responsibilities for elderly or disabled adults, and controlling for other variables (the dotted line represents overall mean trust)

259 Testing the carer term; $\chi^2_1 = 25.92$, $p < 0.001$.

Those who were not in work had significantly higher trust scores than those in work. However, looking more closely – by removing age group from the model and replacing the binary work variable with a work variable with much more detailed categories[260] – the statistical significance of the relationship between work status and trust increased further.[261] Figure 9.5 illustrates the relationship between work status and the extent of trust in personal lawyers. Trust in lawyers was lowest among retired respondents and far higher among those not working but in education (mirroring age findings in Figure 9.2 above).

Figure 9.5. Trust in lawyers scores by respondents' detailed work status, controlling for other variables (the dotted line represents overall mean trust)

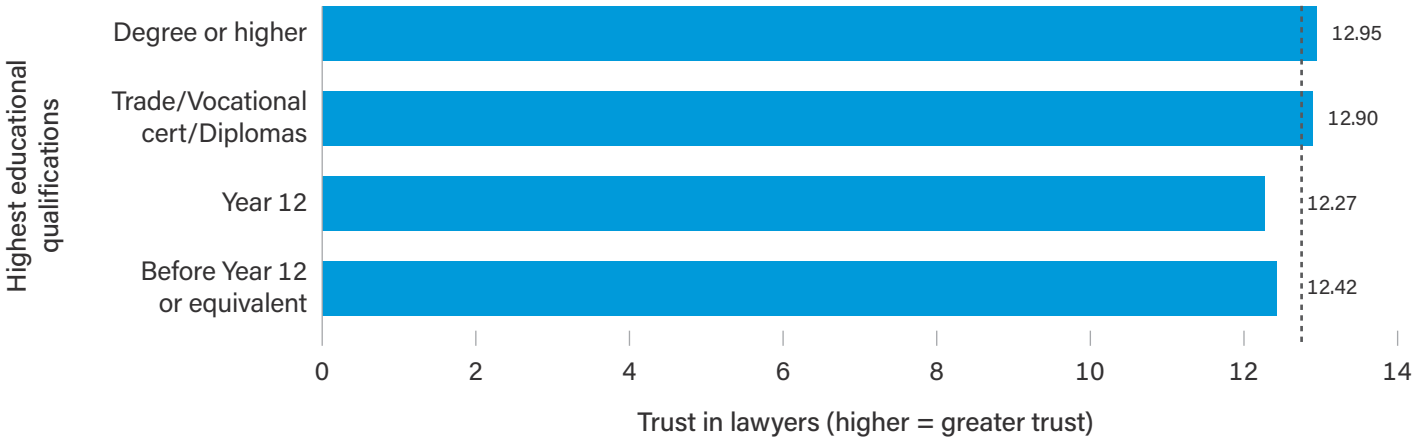


260 Age group had to be removed from the model in order to add the more detailed work variable to avoid issues with multicollinearity, since age is so strongly related to certain work groups (such as being retired).

261 Testing the work terms together; $\chi^2_7 = 45.85$, $p < 0.001$. Note, that the more detailed variable categorised respondents as working – full time, working – part time or occasionally, not working – education, not working – seeking work, not working – health, not working – home/family/caring, not working – other, and not working – retired.

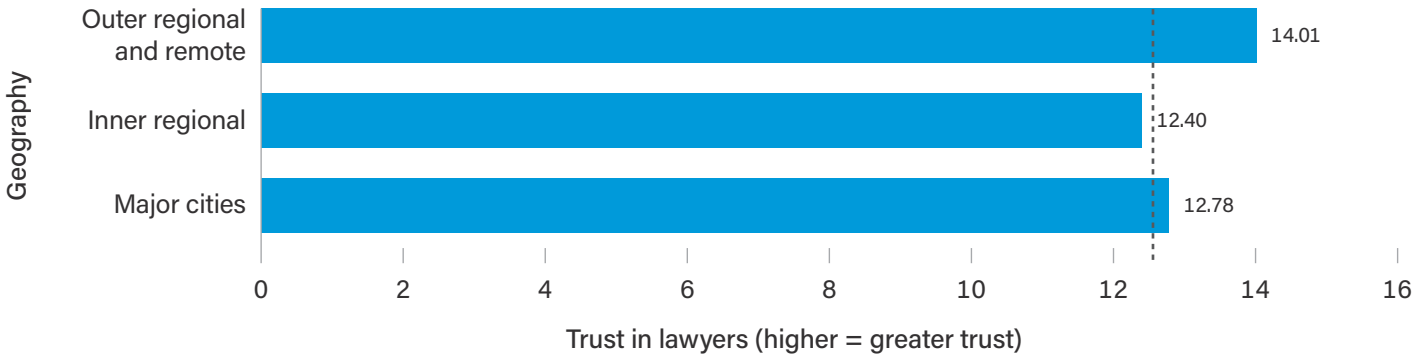
Differences in levels of trust in personal lawyers by respondents' highest educational qualifications were also highly statistically significant.[262] As can be seen from Figure 9.6, those whose highest qualifications were no higher than Year 12 reported lower trust scores than those with trade or vocational certificates, diplomas or degrees. Differences in trust score were greatest when comparing those who reached year 12 to those with degrees, at around 0.7.

Figure 9.6. Trust in lawyers scores by respondents' highest educational qualifications, controlling for other variables (the dotted line represents overall mean trust)



There was also a strong and highly significant relationship between geography and trust in personal lawyers.[263] As shown by Figure 9.7, trust scores were particularly high among those living in outer regional and remote areas. Having controlled for other variables, those in outer regional and remote areas had the single highest trust score of all social and demographic groups included in the model (Table 9.1).

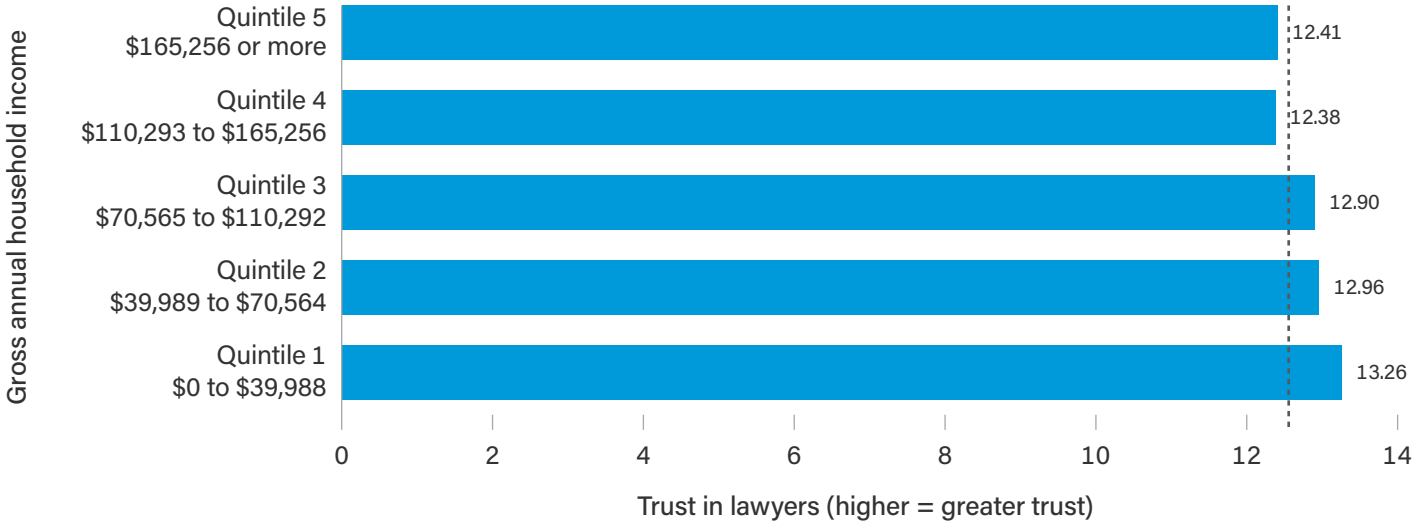
Figure 9.7. Trust in lawyers scores by geography, controlling for other variables (the dotted line represents overall mean trust)



262 Testing the educational qualifications terms simultaneously; $\chi^2_3 = 35.44$, $p < 0.001$.
263 Testing the geography terms simultaneously; $\chi^2_2 = 66.20$, $p < 0.001$.

A statistically significant relationship between respondents' gross household income and trust in personal lawyers was clear.[264] As can be seen from Figure 9.8, when controlling for other variables, trust scores were highest for the lowest household income respondents, with trust falling as income increased.

Figure 9.8. Trust in lawyers scores by respondents' gross annual household income, and controlling for other variables (the dotted line represents overall mean trust)

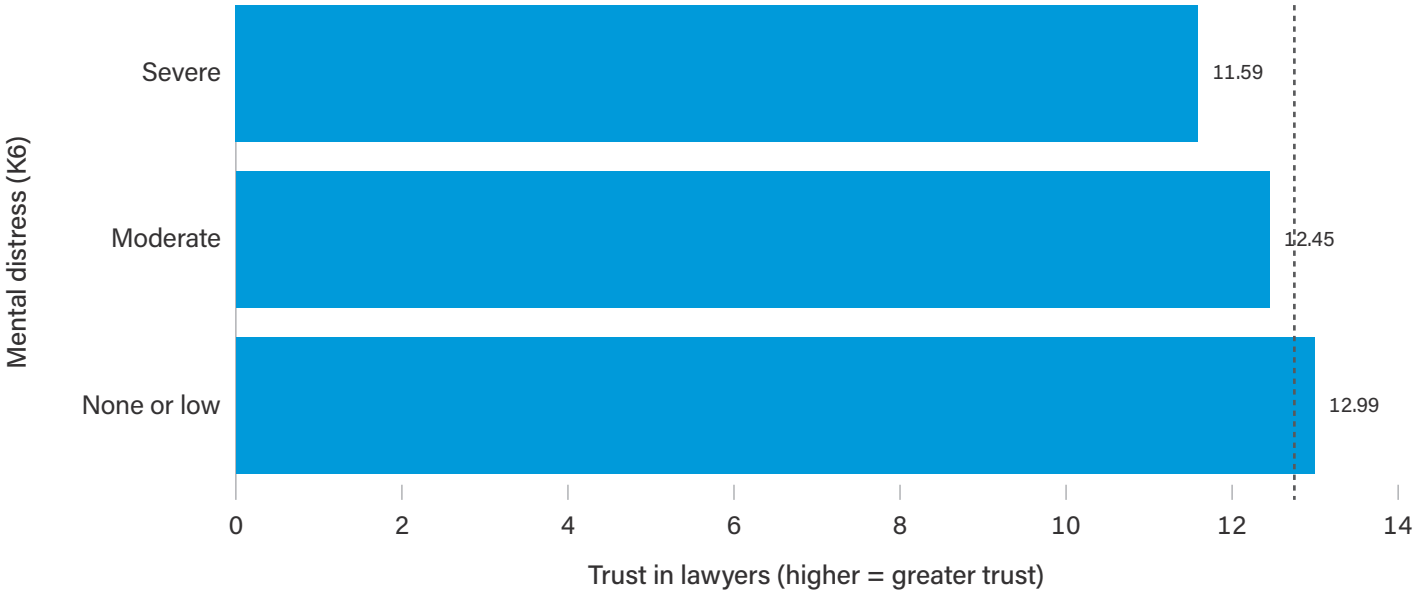


Ill-health or disability, mental distress and financial distress were all strongly related to lower levels of trust in personal lawyers. PULS respondents who reported a long-term illness and disability were significantly less likely to trust lawyers than others,[265] with the difference in trust score equating to just under half a point (12.4 compared to 12.9).

264 Testing the income terms together; $\chi^2_5 = 43.01$, $p < 0.001$.
265 Testing the long-term illness or disability term in the model; $\chi^2_1 = 18.37$, $p < 0.001$.

Differences in trust by respondents' mental distress (based on the K6 scale) were larger still and highly statistically significant.[266] As shown in Figure 9.9, those with no or low mental distress had the highest trust scores. Those with moderate mental distress scored over half a point lower, while those with severe mental distress scored almost one and a half points lower. Having controlled for the other variables included, those reporting severe mental distress had the lowest trust in lawyers of any social or demographic group.

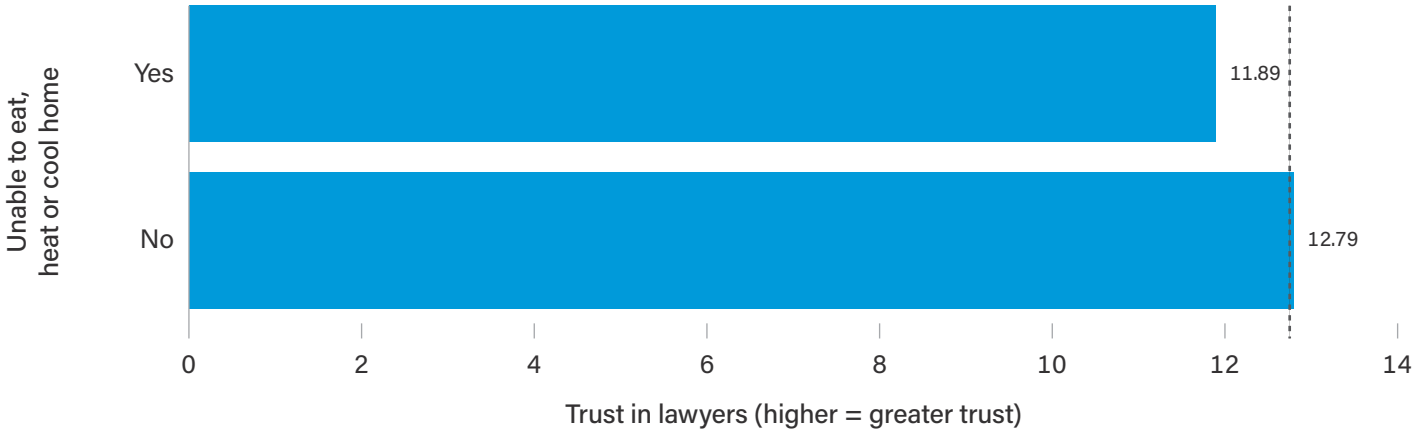
Figure 9.9. Trust in lawyers scores by respondents' mental distress (based on the K6 scale), and controlling for other variables (the dotted line represents overall mean trust)



266 Testing the mental distress terms together; $\chi^2_2 = 50.66$, $p < 0.001$.

Respondents who had experienced financial distress (i.e. who had been unable to eat, heat or cool their home in the past 12 months because of a shortage of money) also had significantly lower trust scores (Figure 9.10).[267]

Figure 9.10. Trust in lawyers scores by whether or not respondents were unable to eat, heat or cool their homes in the past 12 months because of a shortage of money, and controlling for other variables (the dotted line represents overall mean trust)



While First Nations respondents appeared to have somewhat lower trust in lawyers (a difference of just under 0.6 in trust scores compared to other respondents), this difference fell short of statistical significance.[268]

There was no clear evidence of any relationship between respondents' sexual orientation and their trust in lawyers.

267 Testing the financial distress term in the model; $\chi^2_1 = 12.36$, $p < 0.001$.
268 Testing the Aboriginal or Torres Strait Islander model term; $\chi^2_1 = 1.95$, $p = 0.16$.

10. Digital Legal Capability

This chapter sets out *Public Understanding of Law Survey* (PULS) findings concerning the Victorian public's digital legal capability, particularly in relation to legal information, services and processes. The PULS asked first about frequency of internet use, then experience/proficiency in relation to eight online tasks of differing nature and complexity, and designed to be analogous to tasks involved in dealing with justiciable issues (Pleasence and Denvir 2021).

Background

In broad terms, digital capabilities comprise those capabilities which "equip someone to live, learn and work in a digital society".[269] As digital technologies, services and information sources have become increasingly central to everyday life, so has the importance of these capabilities.

Global and national policies now explicitly advance the objective of increasing the public's digital capability. United Nations (UN) Sustainable Development Goal (SDG) indicator 4.4.1 lays down the challenge of increasing the "proportion of youth and adults with information and communications technology skills".[270] This global goal is supported by the Australian Digital Capability Framework (Commonwealth of Australia, 2022) – based on the European Commission's Digital Competency Framework for Citizens (DigiComp, 2.1) (Carretero Gomez, Vuorikari and Punie, 2017) – which sets out over 400 'learning outcomes', within eight proficiency levels, across 21 'components of digital capability', within five 'digital focus areas': information and data literacy, communication and collaboration, digital content creation, protection and safety, and technical proficiency and problem-solving.

The importance of digital capability is as evident in the legal sphere than any other. Online legal services continue to grow in Victoria, as does the sophistication of one-to-many (OTM) online legal services. The use of digital filing and remote hearings in Victorian courts and tribunals is also now widespread. As Pleasence and Denvir (2021) observed, reflecting on similar changes in England and Wales, "particularly since the onset of the Covid-19 pandemic, digital capability is often required to successfully navigate the law and interact with the justice system".[271]

From a policy and practice perspective, it is increasingly important to understand the extent to which people with legal needs can access, engage with and benefit from the digital legal resources, services and processes that are now available (as well as determine how OTM legal services should best be regulated (Pakula 2022)).

Digital legal capabilities are most obviously evident within the skills component of the VLF's legal capability framework, though they also feature within the knowledge, attribute, resource and environment dimensions.[272]

269 Jisc, What Is Digital Capability?, Available from https://digitalcapability.jisc.ac.uk/what-is-digital-capability/ (accessed 12 September 2023).
270 https://sdgs.un.org/goals/goal4 (accessed on 12 September 2023).
271 Pleasence and Denvir (2021), p.9.
272 See further Balmer et al. (2019).

When it comes to the measurement of general digital capability, a functional approach has generally been taken, with people "asked to indicate their use of technology in relation to a range of applications (general or Internet-specific)".[273] There has typically been a focus on information seeking/management, communicating, creating, problem solving and transacting.

Drawing on the approach of GoOnUK's (now DotEveryone) Basic Digital Skills Assessment questions (Ipsos Mori, 2015), as refined by Pleasence and Denvir (2021) in the context of the legal needs of small businesses, the *Public Understanding of Law Survey* (PULS) asked respondents whether they have undertaken or could undertake a range of online tasks of differing nature and complexity "designed to be analogous to those involved in dealing with justiciable issues".[274] It was important to the design of the PULS that the digital legal capability questions tied closely to the specific capabilities relevant to addressing justiciable issues and accessing and effectively engaging with legal information sources, services and processes.

Within the PULS, respondents were also asked about the frequency of their internet use. Frequency of use is, on its own, a proxy of digital capability. As Pleasence and Denvir (2021) noted, individuals' access to the internet "can be ascertained via a single question, either framed with reference to frequency of use or points of access".[275] The form of question they proposed, framed in terms of frequency of use, negated the need to ask about points of access "since it is implicit that those who are accessing the Internet regularly will have at least one access point". A frequency of use question was used in the PULS.

Respondents were asked about their use of the Internet in the past four weeks, before a sequence of eight items presenting them with the sort of tasks that could be required to deal with a problem digitally from start to finish. As with practical legal literacy items in Chapter 5, items avoided reference to law, legal services or legal institutions reflecting likely unfamiliarity. Instead, they referred to banking, tax, Centrelink benefits and government websites which will be familiar to most, and where comparable tasks might be required in a legal setting. In each case, respondents could indicate whether they had done the task, could do the task, could not do the task, or did not know what the task was. Full details of the digital legal capability questions used in PULS are set out in Balmer et al. (2022).

273 Pleasence and Denvir (2021), p.10.
274 Pleasence and Denvir (2021), p.15.
275 Pleasence and Denvir (2021), p.11.

PULS findings on digital legal capability

The majority of PULS respondents indicated that they used the Internet every day in the last four weeks (5,324 of 6,008, 88.6%), with 399 (6.6%) using it less often than every day, and 285 (4.7%) not using the Internet at all. Table 10.1 shows the digital legal capability tasks presented to respondents and the number and percentage who had done, could do, could not do, and were not familiar with each task.

Table 10.1. Responses to the eight digital capability for law tasks. The preamble follows a question on general use of the internet and reads 'and have you ever used the Internet to do any of the following...?' Values are coloured from lowest (red) to highest (green) for the 'yes – have done this' column

Task	Yes – have done this		No – but could		No – and could not		Don't know what this is	
	N	%	N	%	N	%	N	%
Pay bill using online banking	5166	86.0%	302	5.0%	482	8.0%	58	1.0%
Send an email	5598	93.2%	68	1.1%	293	4.9%	49	0.8%
Make video call on computer or laptop	5121	85.2%	292	4.9%	521	8.7%	74	1.2%
Find specific information	5347	89.0%	229	3.8%	360	6.0%	72	1.2%
Set up 2-step ID verification	4496	74.8%	461	7.7%	579	9.6%	473	7.9%
Do tax return, claim a Centrelink benefit or similar	3936	65.5%	1062	17.7%	917	15.3%	92	1.5%
Save online document onto computer	5257	87.5%	174	2.9%	491	8.2%	85	1.4%
Take a photo of your drivers' licence / other ID and upload it to a government website	4748	79.0%	549	9.1%	640	10.6%	71	1.2%

The social patterning of digital capability for law

To explore the social patterning of digital legal capability, responses to the eight PULS digital capability tasks were coded into three groups. Where respondents had done all of the tasks in Table 10.1, they were coded as 'no support' required in order to interact with law and legal problems digitally.[276] Where they had or could do all of the tasks (but had not done all of them), they were coded as 'minor support'. Where they were unable to complete at least one task or did not know what at least one task was, they were coded as 'major support'. This resulted in 52.6 % of respondents in the no support group, 21.6 % in the minor support group and 25.8 % in the major support group.

276 At least from a technical digital perspective. This is not to say that they had the other capabilities and/or support required to successfully address problems.

Multinomial logistic regression was used to explore the relationship between digital capability group and a range of social, demographic and geographic predictors. The percentage of respondents in each digital capability group derived from the model is shown in Table 10.2, with detailed statistical output in Table A2.15. As explained above, this allowed examination of the relationship between digital capability and individual social and demographic characteristics, while simultaneously controlling for other variables included in the model.

A fourth group was also created, comprising those who indicated they could not perform or were unfamiliar with all tasks (i.e. belonging to the final two columns in Table 10.1 for all items). There were 245 (of 6,008) PULS respondents (4.1%) in this group of 'digitally excluded' people. This group could not be included in the statistical model, since some demographic groups had no respondents in it (e.g. 18–24-year-olds). Table 10.3 shows the percentage of each social and demographic group in the 'digitally excluded' group. It does not simultaneously control for other variables/characteristics (i.e. it is made up of simple bivariate relationships/ cross-tabulations, and does not, for example, control for age when looking at a variable like education).

Table 10.2. Predicted digital capability group (support required) by social and demographic characteristics, derived from the statistical model in Appendix Table A2.15. Columns are coloured individually from high (blue) to low (white) values

Variable	Level	No	Minor support	Major support
All		52.6%	21.6%	25.8%
Age group	18-24	57.0%	30.1%	12.9%
	25-34	69.9%	17.5%	12.6%
	35-44	66.6%	17.4%	16.0%
	45-54	51.2%	24.3%	24.6%
	55-64	40.5%	27.2%	32.3%
	65+	32.9%	22.8%	44.2%
	Refused	46.5%	22.2%	31.3%
Sex at birth	Male	52.1%	22.1%	25.8%
	Female	53.2%	21.0%	25.8%
Sexual orientation	Straight (heterosexual)	52.7%	21.5%	25.8%
	Gay, lesbian, bisexual, other term	55.5%	24.6%	19.8%
	Prefer not to say	41.6%	24.7%	33.6%
Aboriginal or Torres Strait Islander	No	52.7%	21.5%	25.8%
	Yes	51.0%	23.7%	25.3%

Variable	Level	No	Minor support	Major support
Main language spoken	English	56.1%	21.0%	22.9%
	Other	44.9%	21.8%	33.3%
Family status	Married, children	55.6%	21.4%	23.1%
	Married, no children	50.9%	23.3%	25.8%
	De facto, children	54.5%	17.9%	27.6%
	De facto, no children	52.4%	22.5%	25.1%
	Single, children	56.8%	21.7%	21.4%
	Single, no children	50.9%	20.6%	28.5%
Carer	No	51.6%	21.9%	26.5%
	Yes	59.6%	18.9%	21.4%
Work	Yes	55.8%	21.0%	23.2%
	No	46.5%	24.4%	29.1%
Highest education	Lower than year 12 or equivalent	35.3%	22.2%	42.6%
	Year 12 or equivalent	45.0%	26.0%	29.0%
	Trade/vocational certs/diplomas	53.1%	22.8%	24.1%
	Degree or higher	62.0%	20.9%	17.1%
Geography	Major Cities	53.5%	22.0%	24.5%
	Inner Regional	51.0%	19.9%	29.1%
	Outer Regional and Remote	45.5%	23.2%	31.3%
Long-term illness or disability	No	53.3%	21.6%	25.1%
	Yes	50.6%	21.9%	27.5%
Mental distress (K6)	None or low	52.7%	22.2%	25.1%
	Moderate	52.6%	20.8%	26.7%
	Severe	52.6%	17.4%	30.0%
Gross annual household income	Quintile 1 – $0 to $39,988	52.9%	16.9%	30.2%
	Quintile 2 – $39,989 to $70,564	49.7%	21.8%	28.5%
	Quintile 3 – $70,565 to $110,292	55.1%	21.6%	23.4%
	Quintile 4 – $110,293 to $165,256	54.5%	26.1%	19.4%
	Quintile 5 – $165,256 or more	60.5%	24.9%	14.6%
	Prefer not to say	46.8%	24.2%	29.0%
Unable to eat, heat or cool home	No	52.5%	21.5%	26.0%
	Yes	54.3%	23.9%	21.7%

Table 10.3. Percentage of each social and demographic group who could be categorised as 'digitally excluded' (i.e. they could not perform or were unfamiliar with all tasks listed in Table 10.1). Note, that this table shows simple descriptive bivariate relationships and is not derived from a statistical model. Values are coloured from lowest (green) to highest (red)

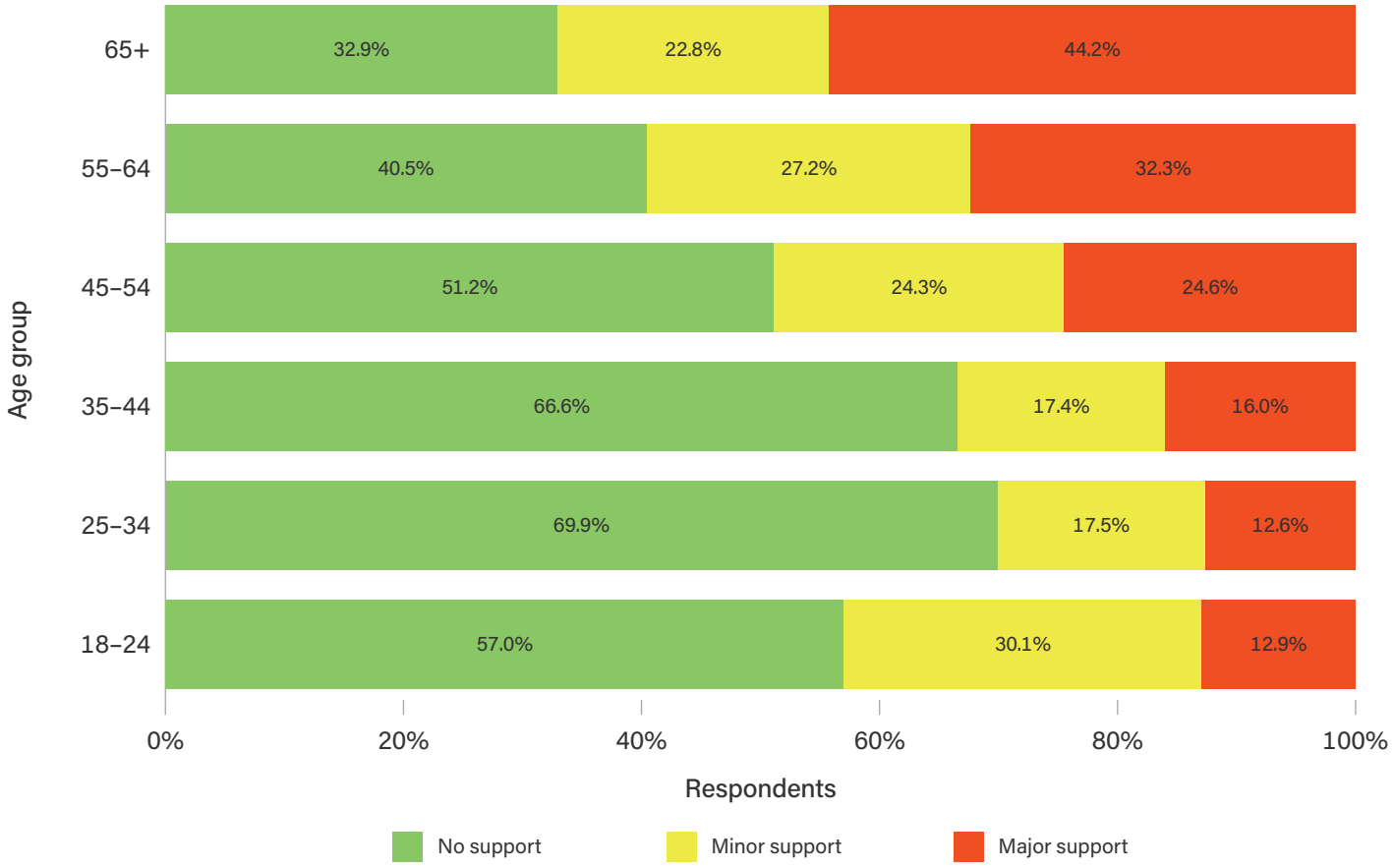
Variable	Level	N	%
All		245	4.1%
Age group	18-24	0	0.0%
	25-34	1	0.1%
	35-44	6	0.6%
	45-54	6	0.7%
	55-64	19	2.4%
	65+	210	16.7%
	Refused	3	1.0%
Sex at birth	Male	97	3.3%
	Female	148	4.8%
Sexual orientation	Straight (heterosexual)	238	4.1%
	Gay, lesbian, bisexual, other term	1	0.7%
	Prefer not to say	6	6.3%
Aboriginal or Torres Strait Islander	No	241	4.1%
	Yes	3	2.9%
Main language spoken	English	182	4.4%
	Other	62	3.3%
Family status	Married, children	6	0.4%
	Married, no children	100	5.6%
	De facto, children	0	0.0%
	De facto, no children	3	0.6%
	Single, children	6	1.7%
	Single, no children	129	7.7%
Carer	No	217	4.1%
	Yes	28	3.7%
Work	Yes	20	0.5%
	No	225	10.7%

Variable	Level	N	%
Highest education	Lower than year 12 or equivalent	170	16.7%
	Year 12 or equivalent	25	3.2%
	Trade/vocational certs/diplomas	40	2.4%
	Degree or higher	10	0.4%
Geography	Major Cities	151	3.3%
	Inner Regional	71	6.3%
	Outer Regional and Remote	23	9.1%
Long-term illness or disability	No	123	2.7%
	Yes	122	8.8%
Mental distress (K6)	None or low	174	4.5%
	Moderate	58	3.2%
	Severe	13	4.1%
Gross annual household income	Quintile 1 – $0 to $39,988	135	12.2%
	Quintile 2 – $39,989 to $70,564	48	4.0%
	Quintile 3 – $70,565 to $110,292	9	0.8%
	Quintile 4 – $110,293 to $165,256	4	0.4%
	Quintile 5 – $165,256 or more	0	0.0%
	Prefer not to say	49	5.6%
Unable to eat, heat or cool home	No	230	4.0%
	Yes	15	7.4%

Several social and demographic variables were strongly related to respondents' digital legal capability and likely support needs if seeking to address a justiciable problem digitally. PULS respondents who were younger, spoke English as their main language at home, provided day-to-day care for elderly or disabled adults, were in work, lived in more urban areas and/or had higher household incomes tended to have a higher level of digital legal literacy than others.

There was a very strong and highly significant relationship between age and digital legal capability[277] as set out in Figure 10.1. Not surprisingly, the percentage in the major support group increased with age, from just over 10% of the youngest age groups, to over 40 % for those aged 65 or older. Those aged 65 or older also had by far the highest percentage (16.7%) in the 'digitally excluded' group, as shown in Table 10.3. Interestingly, while 18–24 year olds had a low percentage in the 'major support' group, they had the highest percentage of any age group in the 'minor support' group, indicating a confidence in their ability to complete tasks, without necessarily the experience of having completed them.

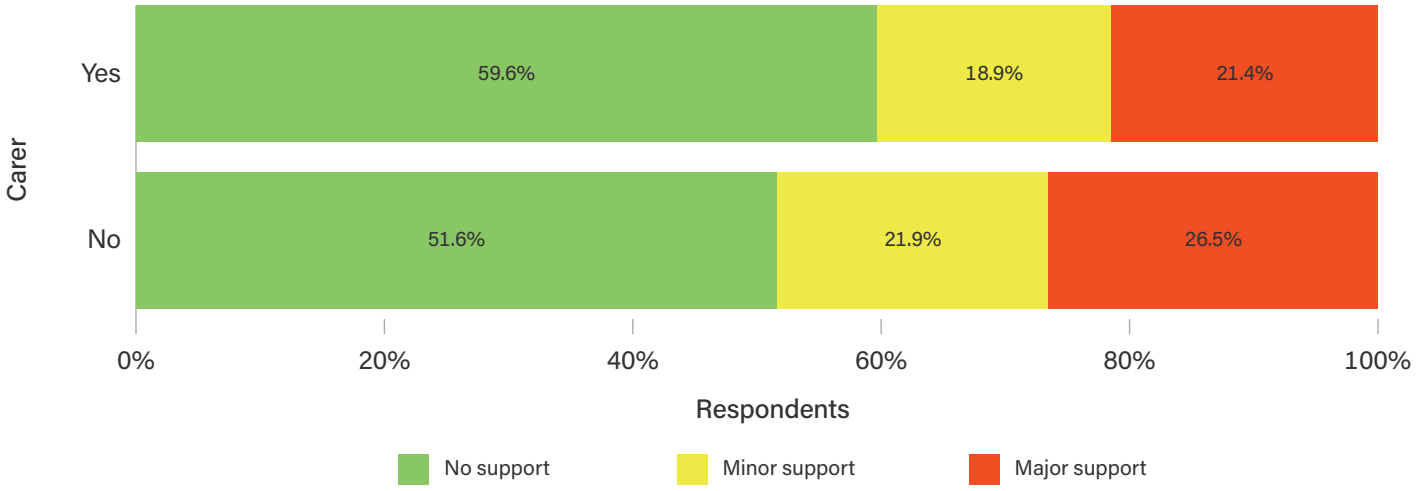
Figure 10.1. Percentage of each age group falling into each digital capability group having controlled for other variables



277 Simultaneously testing the age terms in the statistical model; $x^2_{12} = 291.53$, $p < 0.001$.

Those with caring responsibilities for elderly or disabled adults were characterised by significantly higher digital legal capability than other respondents.[278] As shown in Figure 10.2, having controlled for other characteristics, those with caring responsibilities had a higher percentage in the 'no support' and lower percentage in the 'major support' categories.

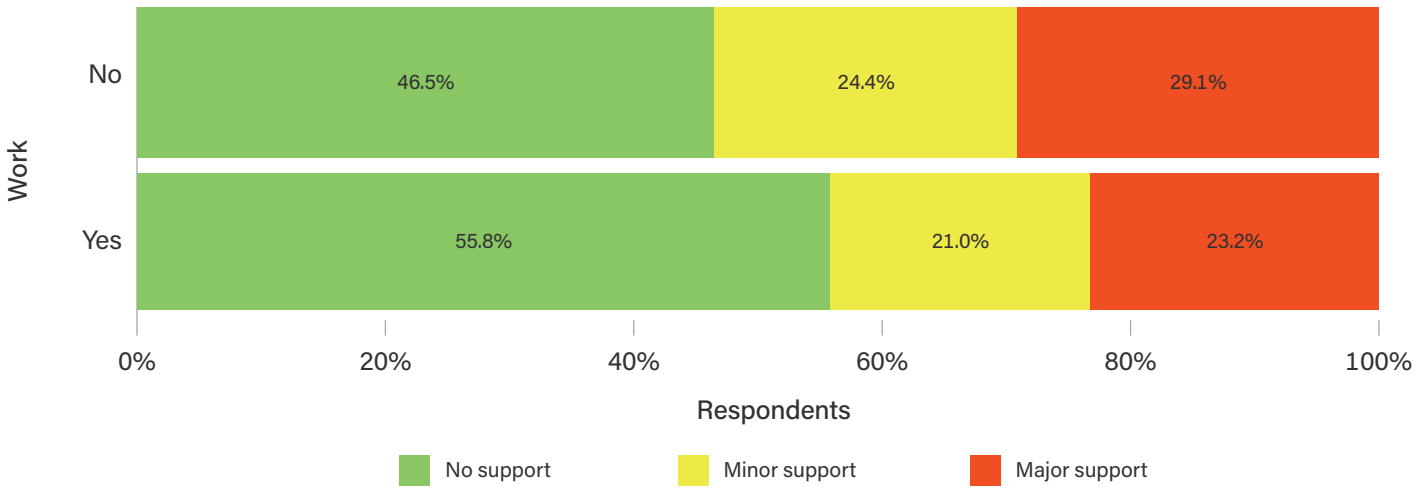
Figure 10.2. Percentage in each digital capability group by whether or not respondents provided day-to-day care for elderly or disabled adults, having controlled for other variables



278 Testing the carer model terms; $\chi^2_2 = 18.51$, $p < 0.001$.

There was also a highly significant relationship between whether or not respondents were in work and their digital legal capability, controlling for other factors.[279] Those in work had a lower percentage in the 'major support' category and a far higher percentage in the 'no support category' (Figure 10.3). While it does not control for other characteristics, Table 10.2 shows that those not in work account for the vast majority of those who were digitally excluded (225 of 245).

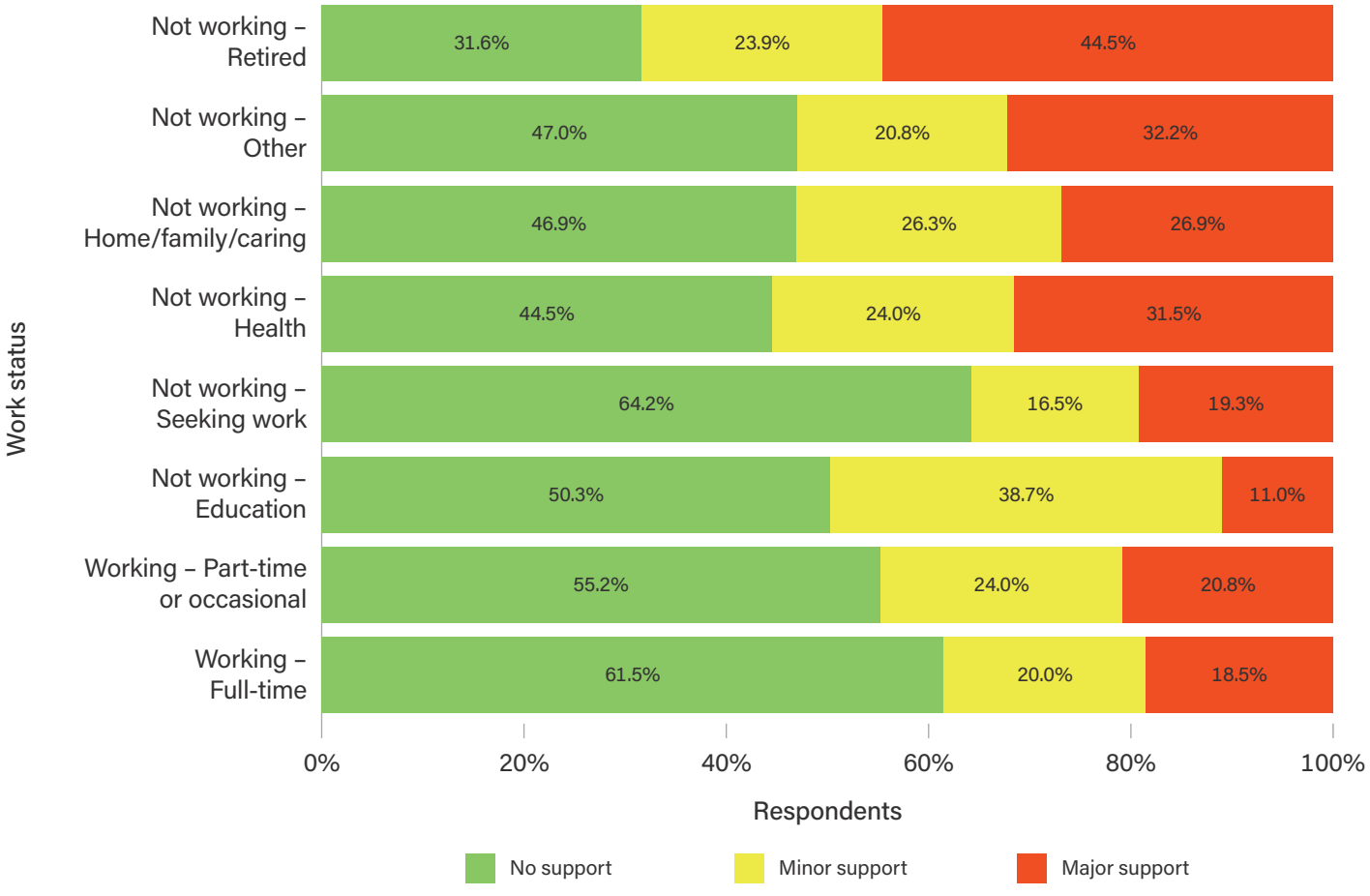
Figure 10.3. Percentage of those working and those not working in each digital capability group, having controlled for other variables



279 Testing the work model terms; $\chi^2_2 = 29.11$, $p < 0.001$.

To explore this relationship more closely, age group was removed from the model and the binary work variable replaced by a more detailed work variable (Figure 10.4).[280] This indicated a highly statistically significant relationship between detailed work category and digital legal capability.[281] Unsurprisingly, given the removal of age group from the model, retired respondents were associated with the highest percentage in the 'major support' group and lowest percentage in the 'no support' group. Elsewhere, those in full-time employment and interestingly, those seeking work had a particularly high percentage in the 'no support' group, while those in education had a very low percentage in the 'major support', and very high percentage in the 'minor support group'. It is worth noting that 64% of those in education were aged 18–24 years old, a group also characterised by a higher percentage in the 'minor support' group (see Figure 10.1).

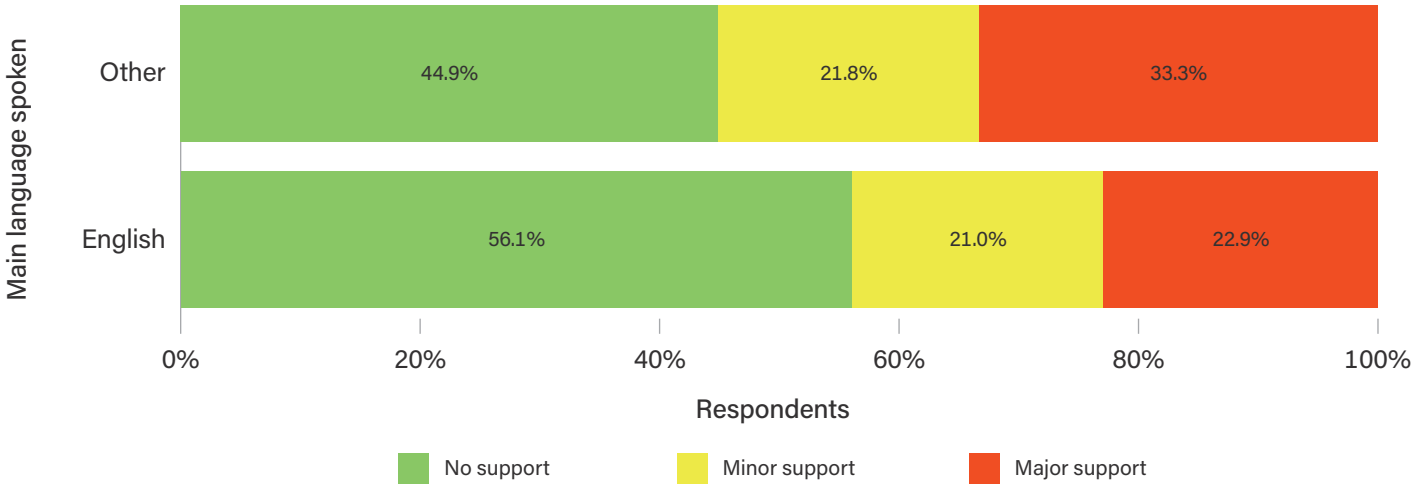
Figure 10.4. Percentage of each detailed work group in each digital capability group, having controlled for other variables



280 Age had to be removed from the model to add the detailed work category because of the powerful relationship between age group and some work categories (such as being retired).
281 Testing the detailed work model terms simultaneously; $x^2_{14} = 277.78$, $p < 0.001$.

Respondents who mainly spoke a language other than English at home had significantly lower digital legal capability than those who mainly spoke English,[282] with a higher percentage in the 'major support' group and lower percentage in the 'no support group' (Figure 10.5). However, as can be seen from Table 10.3, differences in percentages in the 'digitally excluded group' were relatively modest.

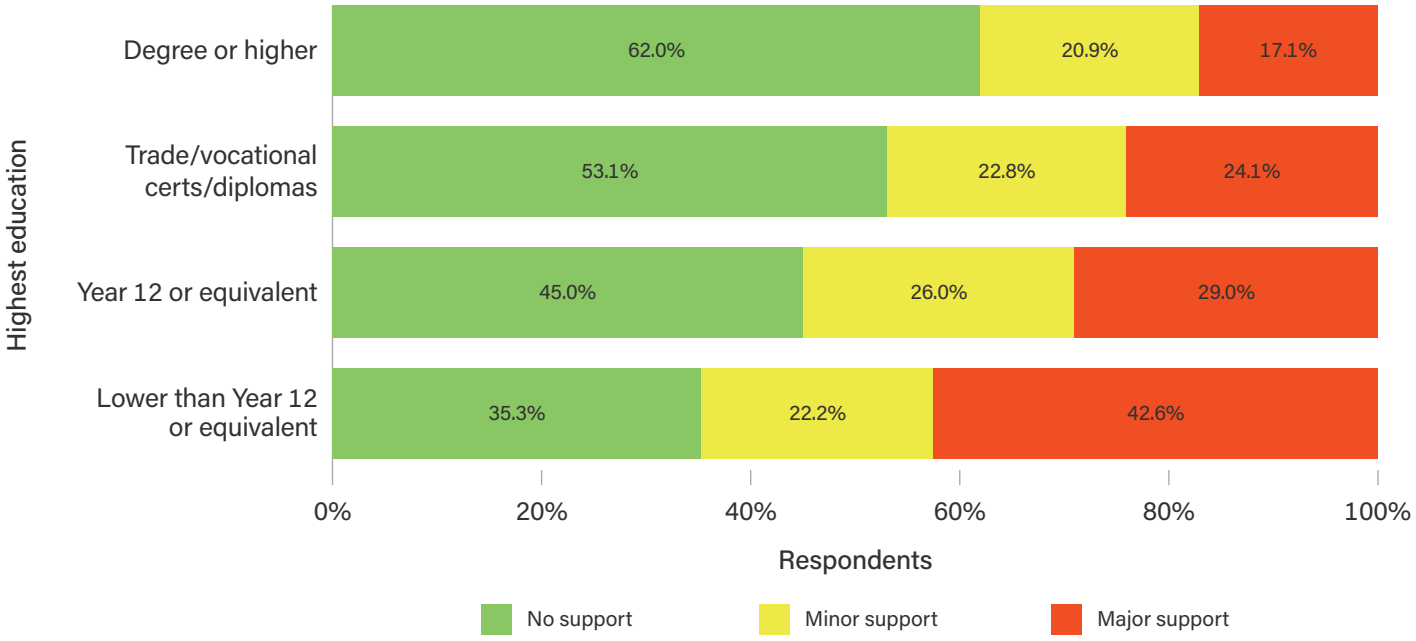
Figure 10.5. Percentage in each digital capability group by main language spoken by respondents, having controlled for other variables



282 Testing the language model terms together; $\chi^2_2 = 62.98$, $p < 0.001$.

There was also a highly significant relationship between a respondent's highest educational qualifications and their digital legal capability (Figure 10.6).[283] As highest educational qualifications increased, so did the percentage in the 'no support' group, while the percentage in the 'major support' group dramatically decreased. Percentage in the 'minor support' group remained relatively consistent across educational qualifications. Referring to Table 10.3, percentage in the 'digitally excluded' group was also far higher among those whose highest qualifications were 'lower than year 12 or equivalent' (16.7%), though this relationship does not control for the other characteristics of this group (such as their age).[284]

Figure 10.6. Percentage in each digital capability group by highest education qualifications, having controlled for other variables

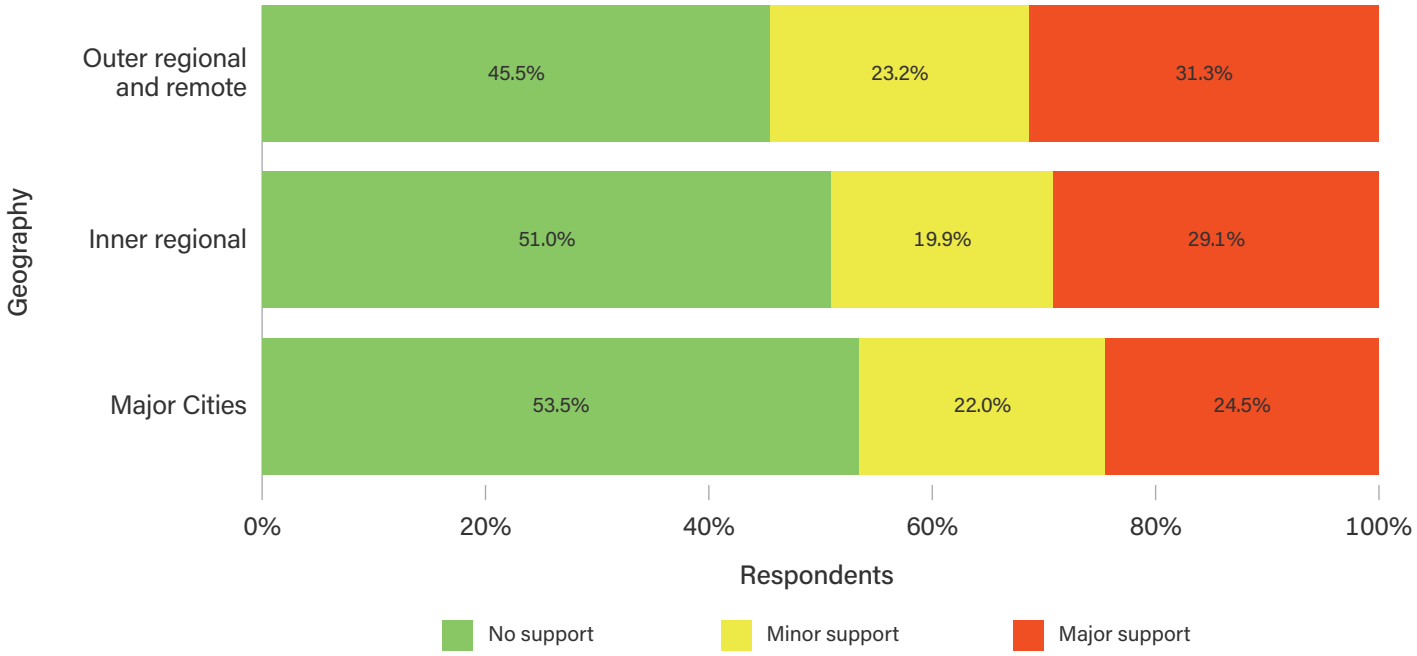


283 Testing the highest educational qualifications terms together in the statistical model; $\chi^2_6 = 242.18$, $p < 0.001$.

284 With those aged 65 or over having by far the highest percentage of any age group in the 'lower than year 12 or equivalent' highest educational qualifications group (35.9%).

There were also some differences in digital legal capability by respondents' geography.[285] As can be seen from Figure 10.7, digital legal capability generally decreased with rurality, with the highest percentage in the 'major support' category and lowest percentage in the 'no support' category among those in outer regional and remote areas. Percentage of respondents who were digitally excluded also increased with increasing rurality/remoteness as shown in Table 10.3.

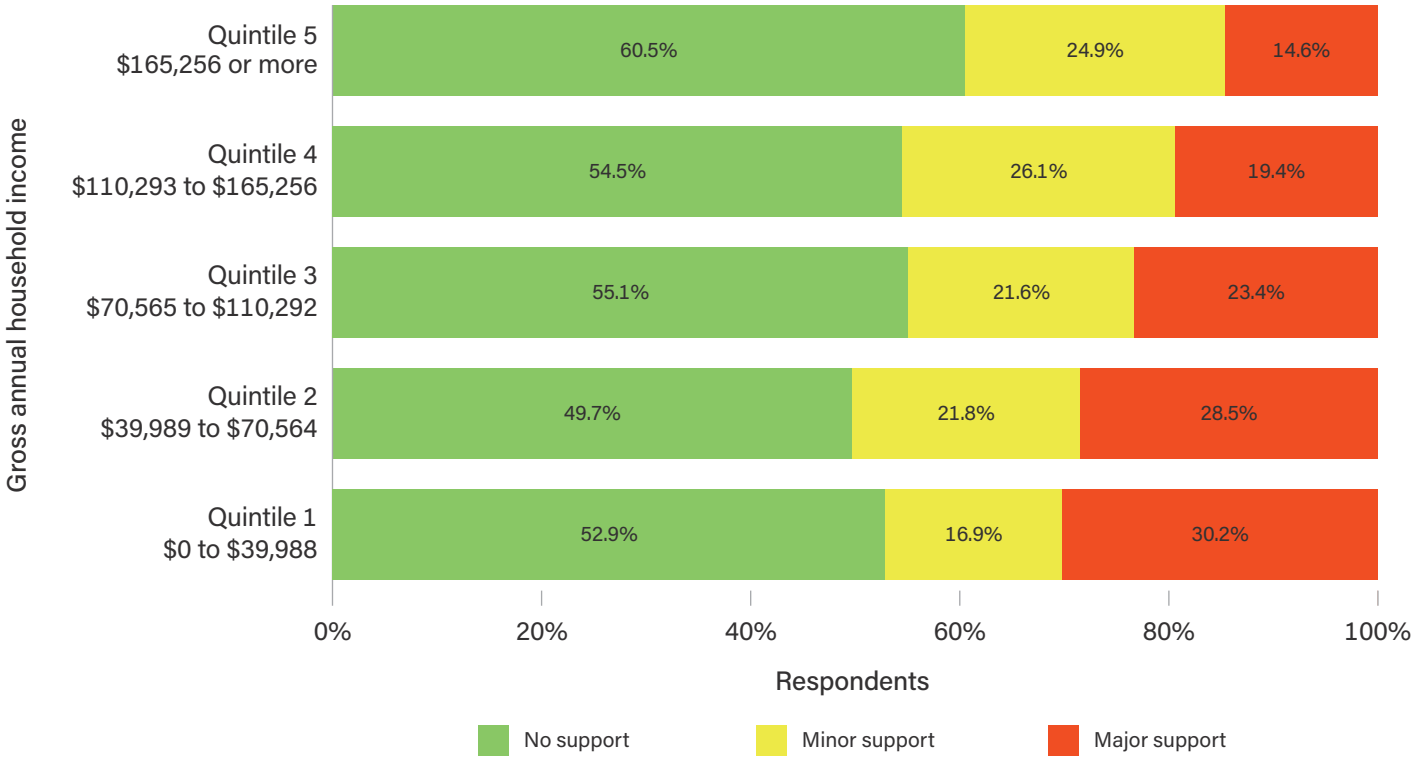
Figure 10.7. Percentage in each digital capability group by respondents' geographic location



285 Testing the geography terms together; $\chi^2_4 = 19.11$, $p < 0.001$.

Respondents' gross annual household income was also related to digital legal capability,[286] as illustrated in Figure 10.8. In broad terms, as income increased, digital legal capability increased and the percentage in the 'major support' group decreased. While it only illustrates simple bivariate relationships, Table 10.3 shows that the percentage in the 'digitally excluded' group was also by far highest amongst those with the lowest household income (12.2% among those in the first income quintile).

Figure 10.8. Percentage in each digital capability group by respondents' gross household income, having controlled for other variables



Elsewhere, despite some individual statistically significant effects, the overall relationship[287] between digital legal capability and long-term illness or disability, mental distress, financial distress (i.e. whether or not respondents were unable to eat, heat or cool homes in the past twelve months because of a shortage of money), family status, Aboriginal or Torres Strait Islander status, sexual orientation and sex at birth all fell short of statistical significance.

286 Testing the income model terms together; $\chi^2_{10} = 65.72$, $p < 0.001$.
287 i.e. testing model terms together.

11. The Relationship Between Different Capabilities

This chapter explores how the different measures of legal capability discussed in the preceding chapters relate to each other.

Background

As discussed in Chapter 1, legal capability can be conceptualised as the freedom and ability to navigate and utilise the legal frameworks which regulate social behaviour, and to achieve fair resolution of justiciable issues. At the heart of legal capability is therefore the array of knowledge, skills and attributes (as well as the resources, infrastructure and broader environment) necessary to achieve this. These are set out in the taxonomy of legal capability in Appendix 1.

The *Public Understanding of Law Survey* (PULS) has provided a unique insight into the level and patterning of, particularly, a range of the 'internal capabilities' (as distinct from the 'external opportunities' and 'combined capabilities' that Nussbaum (2011) defined in refining the capability approach to development (Sen, 1999)).

The individual chapters in this volume of the PULS report have looked at a number of these in detail and in turn. However, these individual items of individual knowledge, skill and attributes cannot, in isolation, amount to legal capability – even internal legal capability. The tasks of utilising law, legal services and legal processes, and of achieving fair resolution of justiciable issues, require clusters of internal capabilities (as well as external opportunities). Therefore, in this chapter, we explore social patterning across the range of knowledge, skills and attributes detailed in previous chapters. We also explore the relationship between different legal capability measures, suggest an approach to composite legal capability measurement and explore the social patterning of composite capabilities.

Legal capability in the round

The social patterning of legal capability: the bigger picture

Table 11.1 sets out the social patterning of each of the items of individual knowledge, skill and attributes discussed in the previous eight chapters. Scores are derived from statistical models referenced in the previous chapters and set out in Appendix 2. For knowledge of the content of the law, scores are the number of correct and confident items, with higher values (green) indicating greater knowledge. The next column shows the General Legal Confidence (GLC) score, with higher scores (green) indicating greater confidence. Practical Legal Literacy (PLL) scores were the extent to which respondents had difficulties with a range of common literacy tasks, with higher scores (red) indicating greater difficulties. Perceived Relevance of Law scale (LAW scale) scores were higher (green) where respondents saw the law as more relevant in common problem scenarios. Higher Perceived Inaccessibility of Lawyers (PIL) scale scores (red) indicated greater perceived inaccessibility of lawyers, while higher trust scores (green) indicated greater overall trust in lawyers. Digital Capability for Law (DCL) was represented by the percentage who had completed all the digital tasks set out in the digital capability for law items, with higher values (green) indicating greater digital capability. Narratives of law columns showed the extent to which the law was seen as remote, something to resist, something practical, and a game. Higher values meant respondents were more likely to see the law in such a way. For the law as remote, something to resist and a game, lower values were coloured green and higher values red (treating them as negative narratives for the purposes of the table). For the law as practical, higher values were coloured green reflecting a more positive narrative. As shown in Table 11.1, there was evidence of tendencies for higher and lower capability with social groups as well as several distinct sociodemographic narratives of legal capability.

Table 11.1. Capability and legal narrative scores by social and demographic characteristics (derived from model outputs in Appendix 2). Colouring is described in the text above

Variable	Level	Capability measure										
									Narrative of law			
		Knowledge	GLC	PLL	LAW	PIL	Trust	DCL	Remote	Resist	Practical	Game
Overall		6.79	52.0	2.90	69.1	44.7	12.75	52.6%	40.5%	38.1%	57.9%	50.3%
Age group	18-24	5.86	49.3	2.58	67.9	40.2	13.35	58.3%	35.1%	36.1%	59.3%	46.9%
	25-34	6.83	57.0	2.57	69.7	39.5	13.24	69.6%	35.3%	37.7%	60.0%	49.8%
	35-44	7.09	54.1	2.77	71.8	43.1	12.92	66.3%	37.9%	38.8%	58.8%	51.1%
	45-54	7.27	52.1	3.15	70.7	46.2	12.60	51.2%	41.2%	38.8%	57.9%	50.6%
	55-64	7.22	50.0	3.09	68.5	48.8	12.16	40.5%	44.4%	38.5%	56.2%	51.9%
	65+	6.54	46.9	3.30	66.7	49.3	12.13	31.4%	47.2%	37.2%	55.9%	50.0%
	Refused	5.96	59.7	2.17	66.2	44.9	13.73	46.5%	38.0%	43.7%	58.1%	50.7%
Sex at birth	Male	6.66	53.8	2.89	68.4	45.2	12.56	52.2%	40.2%	39.5%	58.4%	52.8%
	Female	6.92	50.4	2.90	69.8	44.3	12.94	53.1%	40.7%	36.7%	57.5%	47.6%
Sexual orientation	Straight (heterosexual)	6.80	52.0	2.88	69.2	44.7	12.75	52.7%	40.3%	38.0%	57.9%	50.1%
	Gay, lesbian, bisexual, other term	6.91	54.4	3.12	68.2	44.9	13.00	55.2%	42.0%	39.3%	57.5%	53.7%
	Prefer not to say	5.87	47.2	3.35	62.6	46.5	12.14	41.8%	49.0%	42.0%	58.1%	49.0%
Aboriginal or Torres Strait Islander	No	6.78	51.9	2.88	69.1	44.7	12.77	52.6%	40.5%	38.0%	58.0%	50.3%
	Yes	7.39	59.8	3.70	72.1	48.8	12.20	52.0%	40.7%	42.4%	54.5%	46.4%
Main language spoken at home	English	6.93	51.3	2.69	69.6	43.4	12.66	56.2%	40.7%	36.9%	57.0%	51.1%
	Other	6.50	53.5	3.40	68.0	47.7	12.99	45.1%	39.9%	41.2%	60.3%	48.0%
Family status	Married, children	6.69	50.5	2.93	68.0	45.1	12.77	55.4%	40.4%	38.0%	58.2%	48.2%
	Married, no children	6.83	53.7	2.88	69.9	43.1	12.96	51.3%	39.4%	38.2%	58.5%	50.5%
	De facto, children	7.06	50.4	3.36	69.2	48.8	11.84	55.1%	41.1%	37.4%	56.9%	50.5%
	De facto, no children	7.02	50.3	2.81	69.8	46.1	12.45	52.1%	42.2%	38.9%	58.2%	53.3%
	Single, children	6.90	51.1	2.99	68.3	48.5	12.36	57.0%	42.4%	36.6%	57.4%	51.4%
	Single, no children	6.70	52.5	2.83	69.1	44.3	12.85	50.5%	40.6%	38.2%	57.2%	50.2%

Variable	Level	Capability measure										
									Narrative of law			
		Knowledge	GLC	PLL	LAW	PIL	Trust	DCL	Remote	Resist	Practical	Game
Carer	No	6.71	50.8	2.96	68.8	45.6	12.66	51.6%	41.0%	38.4%	57.9%	50.1%
	Yes	7.43	60.9	2.49	71.5	38.9	13.45	59.7%	36.4%	36.1%	58.0%	51.1%
In work	Yes	6.86	52.3	2.82	69.1	44.7	12.64	55.8%	41.0%	37.7%	57.8%	49.8%
	No	6.68	51.6	3.01	69.1	44.9	12.97	46.3%	39.4%	38.9%	58.2%	51.1%
Highest education	Lower than year 12 or equivalent	6.72	50.1	3.59	66.2	47.6	12.42	33.4%	44.6%	41.2%	56.8%	50.4%
	Year 12 or equivalent	6.33	49.3	3.28	67.0	48.2	12.27	44.9%	42.0%	38.9%	59.2%	50.1%
	Trade/vocational certs/diplomas	7.04	53.5	2.99	70.0	44.0	12.90	53.1%	40.7%	37.4%	57.7%	50.9%
	Degree or higher	6.81	52.7	2.42	70.4	43.0	12.95	61.8%	38.2%	37.0%	58.1%	49.8%
Geography	Major Cities	6.65	52.5	2.98	69.8	44.9	12.78	53.4%	40.9%	38.4%	58.1%	51.2%
	Inner Regional	7.11	50.1	2.92	68.4	45.7	12.40	51.0%	40.8%	38.3%	56.7%	49.6%
	Outer Regional and Remote	7.95	51.7	1.43	59.8	38.8	14.01	45.5%	31.6%	32.4%	59.9%	36.9%
Long-term illness or disability	No	6.71	52.3	2.74	68.7	43.9	12.86	53.3%	39.8%	38.2%	58.0%	49.6%
	Yes	7.09	51.1	3.36	70.3	47.4	12.41	50.3%	42.5%	37.8%	57.8%	52.3%
Mental distress (K6)	None or low	6.84	53.1	2.48	69.1	43.7	12.99	52.7%	39.1%	37.2%	58.2%	48.7%
	Moderate	6.68	50.6	3.50	69.7	45.6	12.45	52.5%	42.1%	38.7%	57.6%	52.6%
	Severe	6.88	46.8	4.34	65.5	52.9	11.59	52.3%	47.8%	45.5%	57.0%	55.6%
Gross annual household income	Quintile 1 – $0 to $39,988	6.78	54.8	2.86	68.7	42.9	13.26	52.0%	38.7%	40.2%	59.7%	50.9%
	Quintile 2 – $39,989 to $70,564	6.90	53.8	2.72	69.5	43.0	12.96	49.8%	39.4%	38.3%	58.1%	49.6%
	Quintile 3 – $70,565 to $110,292	6.88	52.4	2.99	70.3	44.3	12.90	55.1%	40.8%	38.5%	57.0%	49.0%
	Quintile 4 – $110,293 to $165,256	6.68	49.4	2.86	67.7	47.4	12.38	53.8%	42.8%	37.6%	58.1%	51.2%
	Quintile 5 – $165,256 or more	6.80	48.6	2.92	70.7	45.6	12.41	59.0%	40.1%	34.0%	57.5%	49.8%
	Prefer not to say	6.68	51.7	3.12	67.3	46.4	12.37	46.8%	41.9%	39.9%	57.0%	51.4%
Unable to eat, heat or cool home	No	6.81	52.1	2.86	69.1	44.5	12.79	52.5%	40.3%	37.9%	58.0%	50.1%
	Yes	6.43	49.4	3.69	69.0	50.5	11.89	55.4%	45.1%	42.8%	56.0%	53.7%

Looking first at age, the youngest PULS respondents, while tending to have relatively poor levels of legal knowledge, legal confidence and perception of relevance of law within everyday life, also tended to have relatively good practical legal literacy and be more positive in their outlook on law and lawyers than others. They were among those most likely to see lawyers as accessible, to trust personal lawyers and to view law as a practical means to achieving objectives. They tended not to see the law as remote, as something to resist or as a game. The oldest respondents also tended to have poor levels of legal knowledge, legal confidence and perceived relevance of law. However, the oldest also tended to have relatively poor legal literacy and tended towards negativity in their outlook on law and lawyers. They were among the least likely to see lawyers as accessible, to trust personal lawyers and to view law as a practical means to achieving objectives. They also tended to more often see the law as remote or as a game (though not as something to resist). In contrast to both young and old, those in middle age were among the most likely to see law in their everyday life, reflecting their greater exposure to and reporting of justiciable problems. Reflecting their greater need, those in middle age groups also tended to have higher levels of legal knowledge and legal confidence, although legal confidence fell away gradually as age increased, as did practical legal literacy, positivity towards lawyer accessibility, trust in personal lawyers and the perception of law as a practical means to achieving objectives. As people aged, law tended to become seen as more remote.

Finally on age, digital literacy was evidently high among youngest PULS respondents, though it peaked for people in their late 20s and 30s, before falling off sharply among the oldest respondents.

Respondents whose main language was not English tended to have lower levels of legal knowledge, practical legal literacy, digital literacy and perception of the relevance of law within everyday life. Yet, despite this, they also tended to have slightly higher legal confidence and were among the most likely to see law as a practical means to achieving objectives. Though, in tension with this, they were also slightly more likely to see law as something to resist.

This is a very different picture to that suggested by Table 11.1 for Aboriginal or Torres Strait Islander respondents. Although it should be noted that distinct legal capability pattern for Aboriginal or Torres Strait Islander respondents suggested by Table 11.1 is largely lacking in statistical significance. Where findings were significant – in the case of legal confidence and practical legal literacy – they were in line with those for respondents whose main language was not English. However, as has been suggested in previous chapters, further investigation is warranted by the atypical response pattern evident in Table 11.1.

Those providing day-to-day care for elderly or disabled adults were also associated with an atypical response pattern, though this time underpinned by statistical significance. Carers tended to have higher legal confidence, better legal knowledge, greater practical legal and digital literacy, and be more likely to perceive law in everyday life. They were also more likely to regard lawyers as accessible and trust personal lawyers. They were also associated with relatively positive legal narratives, being less likely than others to see law as remote or something to resist and marginally more likely than others to see law as practical or a game.

As with age, different patterns of legal capability were associated with different levels of respondents' highest educational qualifications. As the level of qualifications increased, so did practical legal literacy, digital literacy and perception of the relevance of law to everyday life. Those with trade, vocational or higher education qualifications also tended to have better legal knowledge, greater legal confidence, greater trust in personal lawyers and see lawyers as more accessible. Reflecting this, those with higher levels of educational qualifications were less likely to see law as remote or something to resist. However, there was no clear pattern in respect of the practical and game narratives of law.

Geography also had a substantial bearing on patterns of legal capability in the round, primarily as a result of the highly distinctive pattern of legal capability associated with respondents who lived in outer regional and remote areas. Despite tending not to perceive law as relevant in everyday life, outer regional and remote respondents had the highest level of legal knowledge, the highest level of practical legal literacy (though not digital literacy), were the most trusting of personal lawyers and among those who saw law as most accessible. They were also strongly associated with the practical narrative of law, and were the least likely to see law as remote, something to resist or a game.

Those who reported suffering severe mental distress (as measured by the K6 scale) were also associated with a highly distinctive pattern of legal capability. This included having the lowest levels of legal confidence, perhaps as a result of having the lowest level of practical legal literacy, the lowest level of trust in personal lawyers and being the least likely to see lawyers as accessible. When it came to narratives of law, those with severe mental distress were the most likely to see law as a game and something to resist. They were also among the most likely to see law as remote, and were slightly less likely than others to see law as a practical means to achieving objectives.

A similar, though somewhat less marked, pattern of legal capability was also observed for those in financial distress (i.e. those unable to eat, heat or cool their homes in the past year because of a shortage of money). They, too, were associated with relatively low levels of legal confidence, practical legal literacy, trust in personal lawyers and perception of lawyers as being accessible. This was compounded by lower than average legal knowledge. Similarities continued into narratives of law, with those suffering financial distress more likely to see law as a game, remote and something to resist. They were also less likely than others to have adopted the practical narrative of law.

Those who reported a long-term illness or disability also had a similar pattern of legal capability to those reporting severe mental distress. However, this time the pattern was much more muted relative to others. Also, there were two notable differences in the patterns. Those with a long-term illness or disability were slightly more likely than others to perceive the relevance of law to everyday life. They were also average in their propensity to adopt the resist narrative of law.

Finally, there were distinct patterns of legal capability associated with those in different household income quintiles, although not patterns that might have been confidently predicted. As income increased, respondents became less likely to trust personal lawyers, less likely to regard lawyers as accessible (with the exception of those in the highest quintile, though even they were less likely to do so than those in the lowest quintile) and less legally confident. Those in the highest income quintile were also less likely than those in the lowest quintile to adopt the practical narrative of law and more likely to adopt the remote narrative. However, somewhat reassuringly from an analytical perspective, and as might be expected, those in the highest income decile were associated with relatively high digital literacy and were relatively unlikely to see law as something to resist.

Elsewhere, there was relatively little difference in the broad pattern of capability between male and female PULS respondents, heterosexual and LGBTIQ+ respondents, respondents in different family types, or respondents in or out of work.

The relationship between different domains of legal capability

Table 11.2 shows the relationship between different legal capability measures included in the PULS.[288] The table presents Pearson correlation coefficients,[289] which can vary between minus one (a perfect negative relationship) and plus one (a perfect positive relationship). The table also indicates where the relationship between a pair of capability measures was statistically significant. A single asterisk indicates a correlation (two-tailed) that is significant at the 0.05 level and two asterisks a correlation that is significant at the 0.01 level. As can be seen, the majority of relationships between capabilities were significant. Based on the absolute size of the correlation coefficients, there were particularly strong positive relationships between perceiving the law as remote, perceiving the law as something to resist, and perceiving lawyers as inaccessible. Conversely, the strongest negative relationships were between seeing the law as remote and trust in lawyers, and between perceived inaccessibility of lawyers and trust in lawyers.

Table 11.2. Relationship between legal capability measures included in the PULS. Values are coloured from lowest (red) to highest (green)

Capability	Know.	GLC	PLL	LAW	Remote	Resist	Practical	Game	PIL	Trust	DCL
Knowledge (Know.)	-										
General Legal Confidence (GLC)	0.22**	-									
Practical Legal Literacy (PLL)	-0.14**	-0.26**	-								
Relevance of Law (LAW)	0.24**	0.16**	-0.06**	--							
Law as remote (Remote)	-0.13**	-0.27**	0.23**	-0.15**	-						
Law as something to resist (Resist)	-0.08**	-0.06**	0.15**	-0.15**	0.45**	-					
Law as practical (Practical)	0.04**	0.20**	-0.06**	0.14**	-0.19**	-0.01	-				
Law as a game (Game)	-0.03	-0.03	0.13**	0.03*	0.38**	0.32**	0.11**	-			
Inaccessibility of Lawyers (PIL)	-0.15**	-0.36**	0.30**	-0.20**	0.53**	0.45**	-0.20**	0.29**	-		
Trust in lawyers (Trust)	0.12**	0.25**	-0.22**	0.12**	-0.40**	-0.23**	0.15**	-0.28**	-0.47**	-	
Digital Capability for Law (DCL)	0.11**	0.14**	-0.25**	0.17**	-0.18**	-0.09**	0.05**	-0.01	-0.17**	0.07**	-

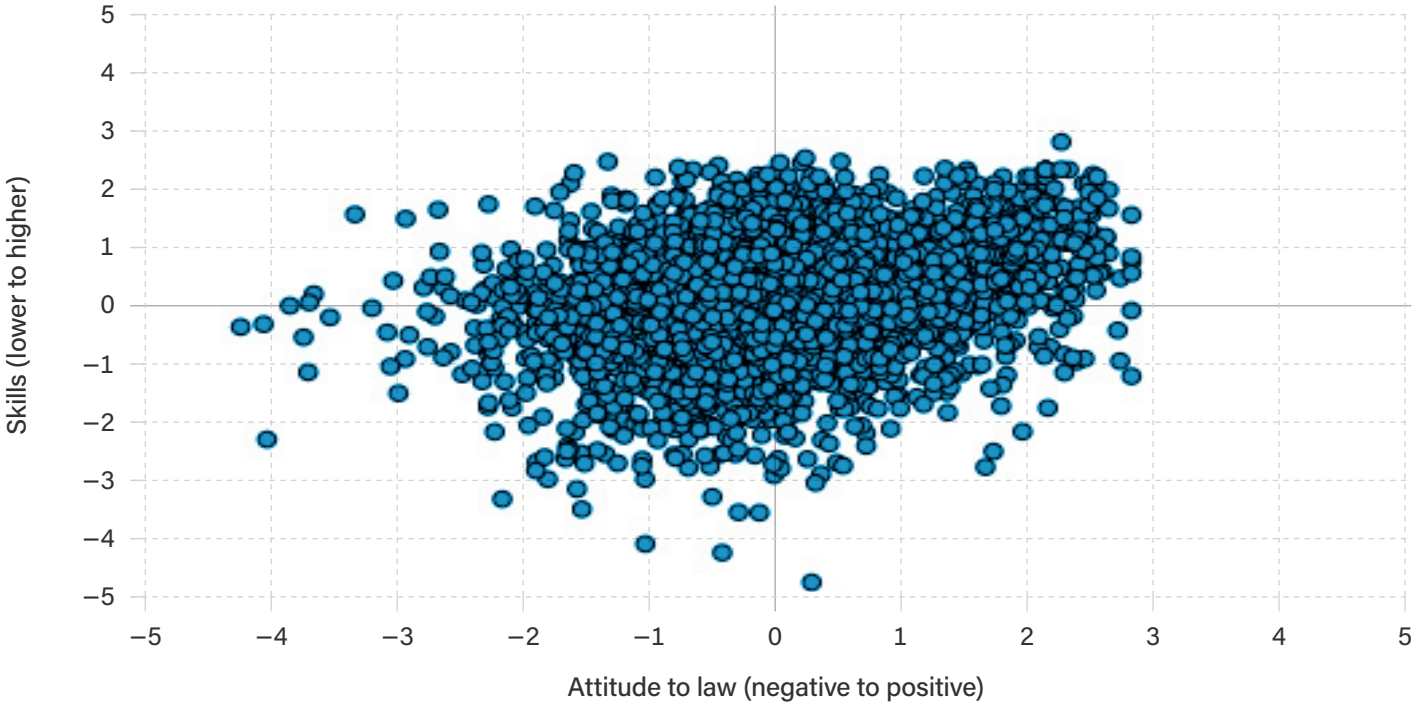
288 To allow easy comparison of measures, all of the capabilities in Table 11.2 were on a continuous scale, rather than using strata, or whether or not respondents met a specific threshold. For GLC, PIL and LAW, this used scale score (0–100). Narratives of law retained the 0–100 scores used in chapter 7. Knowledge was the percentage of items where respondents were correct and confident, while PLL and Trust used the scores adopted in chapters 5 and 9 respectively. For the digital capability measure, a continuous measure was created, which was a different to the categorical measure used in Chapter 10. This involved assigning a score of 0 where respondents could not do a task or did not know what it was, one where they could do a task and two where they had completed a task, before summing across tasks and converting scores to a 0–100 scale.

289 A simple statistical measure that quantifies the strength and direction of a linear relationship between two continuous variables. Note, that using Spearman's correlation which does not assume a linear relationship, but rather measures the strength and direction of a monotonic association, which can be either increasing or decreasing, produces a very similar result.

An overall measure of legal capability

In order to construct composite legal capability measures, the eleven domains of capability shown in Table 11.2 above were categorised as skills and confidence (GLC, Knowledge of Law, LAW, DCL, PLL) or attitudes (Narratives of Law: remote, a game, something to resist, and practical; PIL; Trust in Lawyers). These two broad categorisations were informed both by an initial Principal Components Analysis (PCA)[290] of all eleven capabilities which pointed towards a skills/attitudes split (see Table A2.17) and by the different policy and practice challenges that might be associated with skills vs. attitudes (as described in 'Themes and Directions'). Two further PCA's were then used to form two composite measures, one of skills and confidence (lower to higher skills) and one of attitudes to law (more negative to more positive attitudes). This involved extracting factor scores from the PCA placing respondents on the composite 'skills and confidence' and 'attitudes to law' components. Figure 11.1 shows PULS respondents placed on the composite measures. Both scores were broadly centred around 0, with the mean skills and confidence score 0.08,[291] and the mean attitudes to law score -0.03.[292]

Figure 11.1. PULS respondents scores on the composite skills and attitudes legal capability composite measures



290 Principal Components Analysis (PCA) is a multivariate statistical technique used to transform a set of correlated variables into a new set of uncorrelated variables, called principal components (in this case one skills component and one attitudes to law component). Scores from PCA can be saved for each factor/component which place each respondent on the skills and attitudes to law composite measure based on their responses to the different capability domains that make up the composite measures. All skills domains loaded strongly onto the skills composite component and all attitudes domains loaded strongly onto the attitudes component, with the exception of the 'law as practical' which was excluded. Detailed PCA statistical output is set out in the statistical appendix and Tables A2.17, A2.18 and A2.19.

291 Standard deviation of 0.88, median of 0.07 and interquartile range of 1.10.

292 Standard deviation of 0.96, median of -0.07 and interquartile range of 1.15. For the composite skill measure, scores were calculated for nearly all PULS respondents (5,870 of 6,008). For the composite attitude measure, scores could be computed for most respondents (4,032 of 6,008), with the lower number largely a consequence of respondents having difficulty responding to the narratives of law items on the Likert scale, with items characterised by a relatively large number/percentage of don't know responses. Where skills and attitude variables were combined into a single categorical variable (see below), categories were available for 3,978 respondents.

On the basis of their scores on the 'skills and confidence' and 'attitudes to law' composite measures (and whether they fell above or below the mean on each measure), each individual was also categorised as having 'higher skill/confidence, more positive attitudes' (26.8% of respondents), 'higher skill/confidence, more negative attitudes' (22.8% of respondents), 'lower skill/confidence, more positive attitudes' (18.0% of respondents) or 'lower skill/confidence, more negative attitudes' (32.4% of respondents).

The social patterning of the composite measures of skills and attitudes to law

To establish the social patterning of composite measures of skills and confidence and attitudes to law, statistical analysis was undertaken to explore the relationship between composite skills and confidence score, composite attitudes to law score, and the combined skills/attitudes quadrant respondents fell in to. The two composite measures are as described above, while determining the combined skills/attitudes quadrant involved assessing whether each respondent fell above or below the mean on the skills and attitudes composite measures, and combining these categorisations into 'higher skill, more positive attitudes', 'higher skill, more negative attitudes', 'lower skill, more positive attitudes' and 'lower skill, more negative attitudes'.

For the two composite measures, Table 11.3 sets out the mean scores for each social and demographic group, while controlling for other characteristics. [293] They are derived from the generalised linear models in Tables A2.20 and A2.21. For the combined skills/attitudes quadrant, Table 11.4 illustrates the percentage of each social and demographic group falling into each quadrant, while again controlling for other characteristics. The output is derived from the multinomial logistic regression model in Table A2.22.

293 As previously, these are known as margins (also referred to as predictive margins, adjusted predictions, and recycled predictions) and are statistics calculated from predictions of a previously fitted model at fixed values of some covariates and averaging or otherwise integrating over the remaining covariates. This has the net effect of allowing you to look at how a variable such as sex relates to skills score, attitudes to law score, or skills/attitudes quadrant having controlled for other differences in the characteristics of male and female respondents (e.g. their age, work, family status, health etc).

Table 11.3. Mean composite skills and attitudes to law scores by social and demographic characteristics, derived from the statistical models in Appendix Table A2.20 and A2.21. Values are coloured from lowest (red) to highest (green) by column

Variable	Level	Skills	Attitudes
All		0.076	-0.031
Age group	18-24	-0.008	0.271
	25-34	0.220	0.109
	35-44	0.197	-0.045
	45-54	0.107	-0.108
	55-64	-0.012	-0.160
	65+	-0.374	-0.133
	Refused	0.043	-0.064
Sex at birth	Male	0.021	-0.114
	Female	0.007	0.051
Sexual orientation	Straight (heterosexual)	0.018	-0.031
	Gay, lesbian, bisexual, other term	0.053	0.011
	Prefer not to say	-0.402	-0.273
Aboriginal or Torres Strait Islander	No	0.011	-0.027
	Yes	0.201	-0.281
Main language spoken	English	0.073	-0.015
	Other	-0.114	-0.080
Family status	Married, children	-0.033	0.009
	Married, no children	0.074	-0.008
	De facto, children	0.029	-0.133
	De facto, no children	0.034	-0.115
	Single, children	0.020	-0.069
	Single, no children	-0.022	-0.034
Carer	No	-0.034	-0.045
	Yes	0.347	0.072
Work	Yes	0.060	-0.018
	No	-0.072	-0.060
Highest education	Lower than year 12 or equivalent	-0.357	-0.184
	Year 12 or equivalent	-0.184	-0.134
	Trade/vocational certs/diplomas	0.096	-0.027
	Degree or higher	0.169	0.060

Variable	Level	Skills	Attitudes
Geography	Major Cities	0.012	-0.067
	Inner Regional	-0.003	-0.048
	Outer Regional and Remote	0.124	0.614
Long-term illness or disability	No	0.028	-0.010
	Yes	-0.032	-0.100
Mental distress (K6)	None or low	0.079	0.065
	Moderate	-0.078	-0.143
	Severe	-0.268	-0.549
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-0.034
	Quintile 2 – $39,989 to $70,564	0.089	-0.018
	Quintile 3 – $70,565 to $110,292	0.064	-0.026
	Quintile 4 – $110,293 to $165,256	-0.047	-0.067
	Quintile 5 – $165,256 or more	0.002	0.069
	Prefer not to say	-0.063	-0.157
Unable to eat, heat or cool home	No	0.021	-0.020
	Yes	-0.171	-0.366

Table 11.4. Predicted skills/attitudes to law quadrant (based on whether respondents fell above or below the mean on the skills and attitudes measures in Table 11.3) by social and demographic characteristics, derived from the statistical models in Appendix Table A2.22. Columns are coloured individually from high (blue) to low (white) values

Variable	Level	Lower skill, more negative attitude	Higher skill, more negative attitude	Lower skill, more positive attitude	Higher skill, more positive attitude
All		32.4%	22.8%	18.0%	26.8%
Age group	18-24	31.6%	11.8%	31.4%	25.3%
	25-34	33.0%	21.3%	14.2%	31.6%
	35-44	30.7%	24.9%	14.3%	30.1%
	45-54	30.3%	27.2%	14.4%	28.1%
	55-64	30.8%	26.7%	17.8%	24.7%
	65+	35.4%	21.8%	21.9%	20.8%
	Refused	42.3%	17.9%	14.7%	25.1%
Sex at birth	Male	34.9%	23.7%	16.7%	24.7%
	Female	30.0%	21.7%	19.5%	28.9%
Sexual orientation	Straight (heterosexual)	32.5%	22.9%	17.9%	26.8%
	Gay, lesbian, bisexual, other term	29.0%	20.1%	22.7%	28.2%
	Prefer not to say	45.7%	13.4%	19.7%	21.2%

Variable	Level	Lower skill, more negative attitude	Higher skill, more negative attitude	Lower skill, more positive attitude	Higher skill, more positive attitude
Aboriginal or Torres Strait Islander	No	32.5%	22.6%	18.2%	26.8%
	Yes	32.4%	32.0%	10.6%	25.1%
Main language spoken	English	31.1%	22.9%	18.5%	27.5%
	Other	36.3%	22.3%	16.8%	24.6%
Family status	Married, children	32.5%	22.0%	19.6%	25.8%
	Married, no children	33.0%	21.9%	18.2%	26.9%
	De facto, children	36.2%	20.7%	17.6%	25.5%
	De facto, no children	33.6%	23.9%	13.6%	28.9%
	Single, children	29.2%	33.7%	14.1%	22.9%
	Single, no children	31.4%	21.8%	19.1%	27.7%
Carer	No	32.8%	22.5%	18.4%	26.4%
	Yes	30.0%	24.7%	15.1%	30.1%
Work	Yes	31.3%	24.2%	16.8%	27.7%
	No	34.8%	19.9%	20.8%	24.5%
Highest education	Lower than year 12 or equivalent	38.8%	24.7%	17.9%	18.6%
	Year 12 or equivalent	35.5%	22.8%	19.8%	21.9%
	Trade/vocational certs/diplomas	31.6%	22.9%	17.7%	27.8%
	Degree or higher	29.5%	22.2%	17.8%	30.5%
Geography	Major Cities	34.1%	22.9%	17.5%	25.6%
	Inner Regional	30.5%	24.1%	18.5%	26.9%
	Outer Regional and Remote	15.9%	14.0%	24.0%	46.1%
Long-term illness or disability	No	31.4%	22.4%	19.0%	27.2%
	Yes	35.4%	24.1%	15.3%	25.2%
Mental distress (K6)	None or low	29.2%	22.5%	17.8%	30.5%
	Moderate	36.7%	22.2%	19.5%	21.7%
	Severe	46.2%	31.3%	12.9%	9.5%
Gross annual household income	Quintile 1 – $0 to $39,988	39.0%	18.1%	18.7%	24.2%
	Quintile 2 – $39,989 to $70,564	35.0%	20.4%	17.5%	27.2%
	Quintile 3 – $70,565 to $110,292	32.8%	22.6%	17.8%	26.7%
	Quintile 4 – $110,293 to $165,256	28.4%	27.7%	18.2%	25.7%
	Quintile 5 – $165,256 or more	24.8%	22.7%	22.3%	30.2%
	Prefer not to say	33.9%	26.9%	14.2%	24.9%
Unable to eat, heat or cool home	No	32.0%	22.8%	18.3%	26.8%
	Yes	44.2%	21.6%	9.0%	25.2%

Figure 11.2 uses values from Table 11.3 to illustrate how individual social and demographic groups can be placed on skills and attitudes axes using their mean scores on the two composite measures. It shows a subset of social and demographic groups with some of the more extreme skills and attitudes scores.

Figure 11.2. Composite skills and attitudes to law scores (from Table 11.3) associated with a selection of social demographic groups

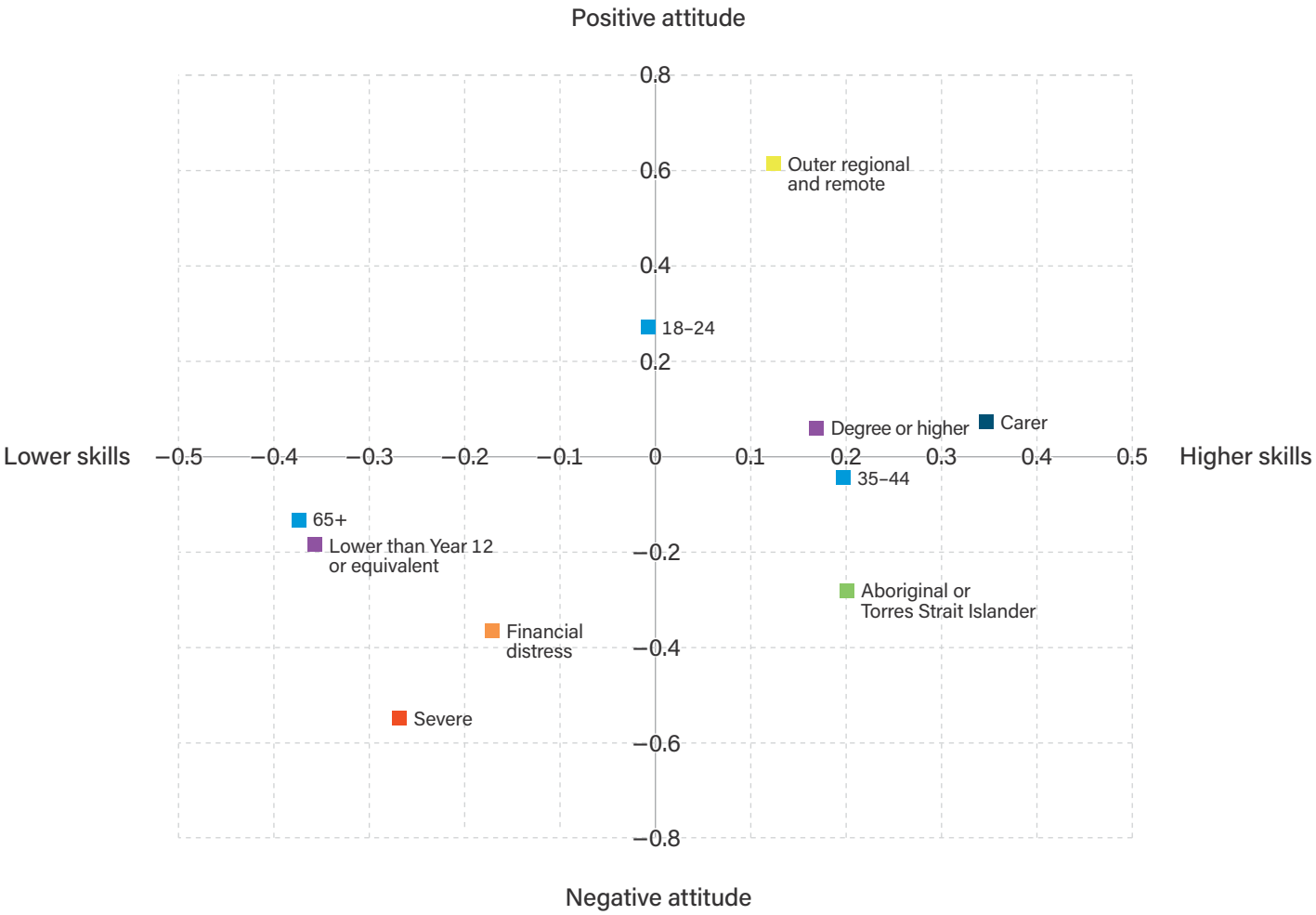
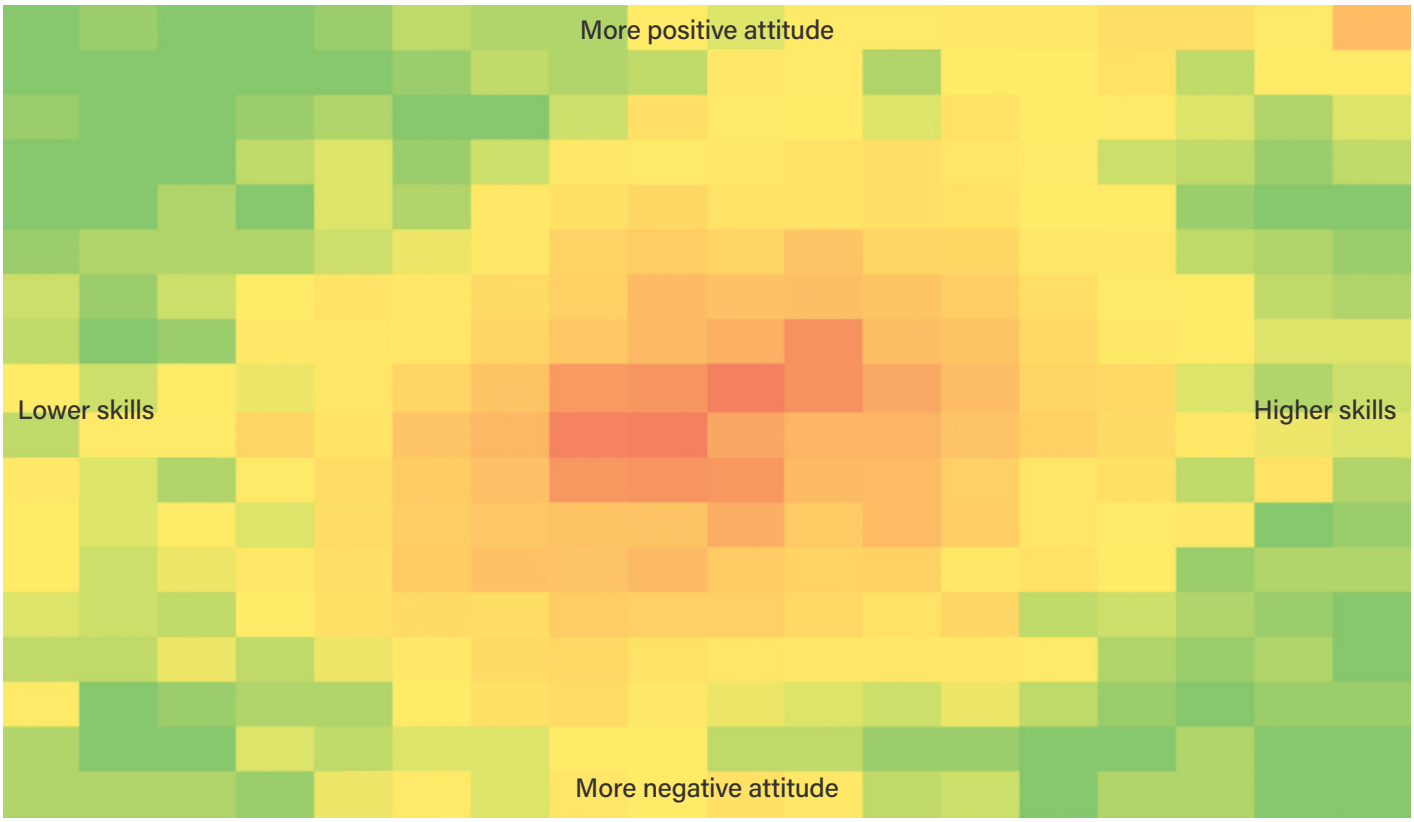


Figure 11.3 shows the relationship between skills and attitudes to law for all PULS respondents where both could be measured. The axes are placed at 0 on the skills and attitudes composite measures respectively, with each coloured box representing a shift of 0.25. For example, the box to the right and above the intersection of the axes represents those with both skills and attitude scores between 0 and 0.25. The boxes are coloured to illustrate how common representation was among each of the skills/attitudes ranges, and in doing so illustrate the positive relationship between skills and attitudes.

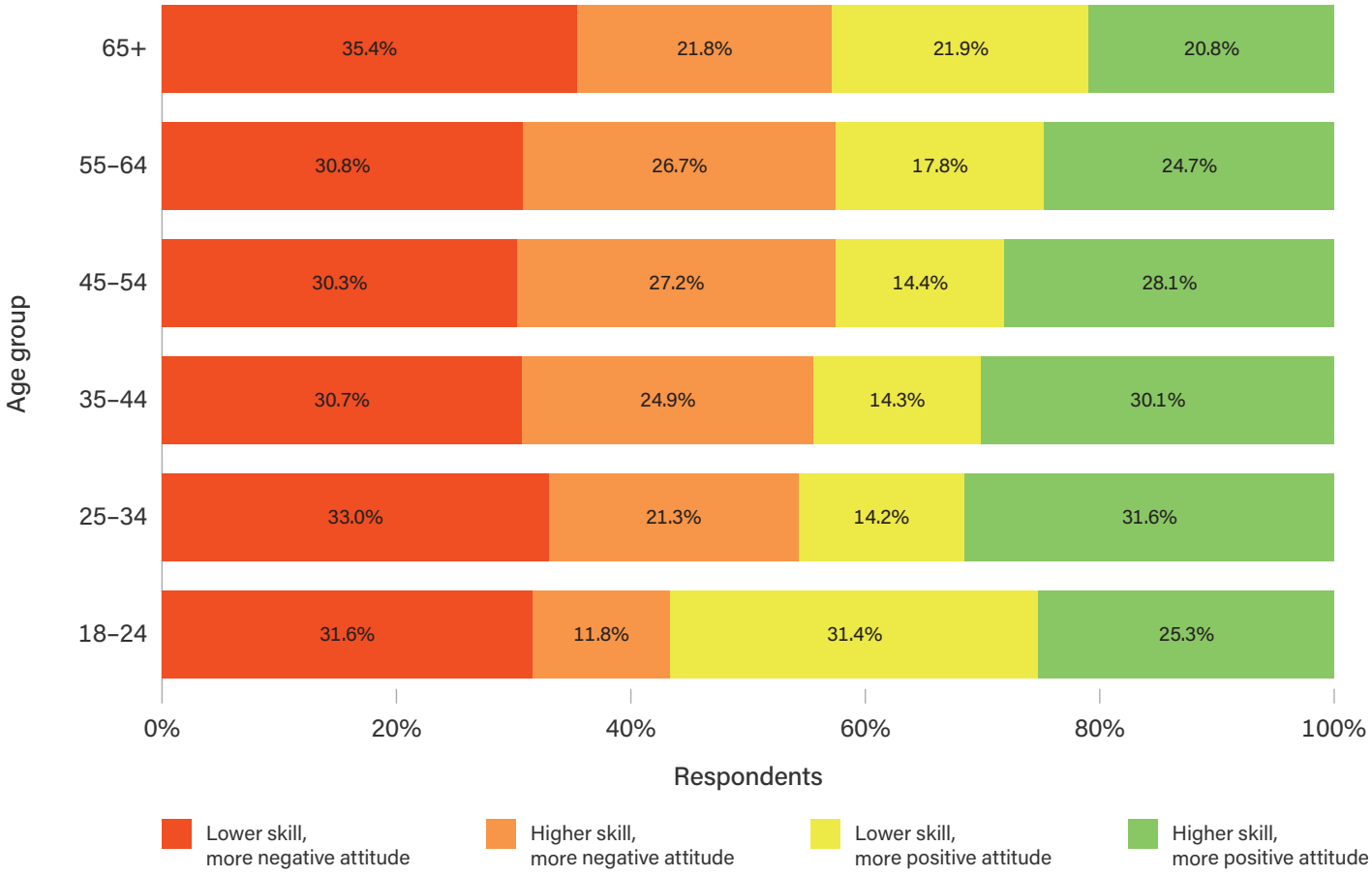
Figure 11.3. The relative frequencies of different combinations of skills and attitudes based on individual scores on the skills and attitudes composite measures. Squares (skills/attitudes ranges) are coloured red (higher) to green (lower) based on the number of respondents they contain



A broad range of social and demographic variables were related to the two legal capability domains, both when considered as individual skills and attitudes measures (Table 11.3) or when categorising skills and attitudes for each individual into four quadrants (as shown in Table 11.4).

There was a powerful relationship between composite legal capability measures and age group.[294] As shown in Table 11.3, skills peaked for those aged 24–44 and were markedly lower for those aged 65 or older. Attitudes to law also varied significantly by age group,[295] with attitudes most positive among the youngest respondents (18–24 year olds) and generally becoming increasingly negative with age. Turning to skill/attitude quadrant (i.e. combining and categorising skill and attitude score for each individual) also indicated a highly significant relationship to age group,[296] as illustrated in Figure 11.4. Of particular note was the particularly high percentage among 18–24-year-olds in the 'lower skill, more positive attitude' group. Beyond 18–24 year olds, the percentage in the 'high skill, more positive attitude' group tended to fall with age.

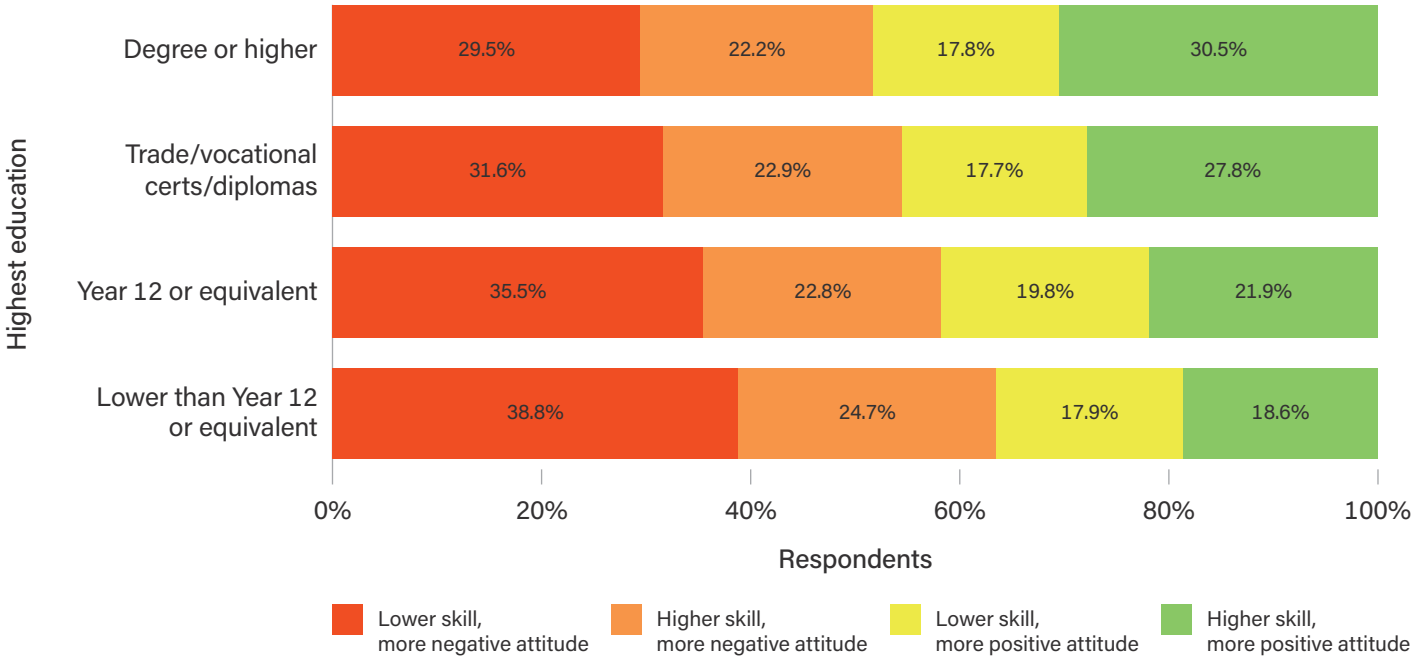
Figure 11.4. Combined skills and attitudes to law associated with different age groups, controlling for other variables



294 Testing the age terms in the skills model; $\chi^2_6 = 99.31$, $p < 0.001$.
295 Testing the age terms in the attitudes to law model; $\chi^2_6 = 36.86$, $p < 0.001$.
296 Testing the age terms in the combined skills/attitudes quadrant model; $\chi^2_{18} = 61.68$, $p < 0.001$.

There was also a highly significant relationship between both attitudes to law,[297] and particularly skills[298] and respondents' highest educational qualifications. As can be seen in Table 11.3, attitudes to law were more negative among, and skills far lower those with the lowest educational qualifications. Both increased with qualifications, though the increase was more pronounced for skills, which were particularly high among those with degrees (or higher). Figure 11.5 combines attitudes and skills for each individual into four quadrants, with the 'lower skill, more negative attitude' group making up a smaller percentage and the 'higher skill, more positive attitude' making up a higher percentage as educational qualifications increased. The relationship between educational qualifications and the skills/attitudes quadrant into which respondents fell was also highly statistically significant.[299]

Figure 11.5. Combined skills and attitudes to law associated with respondents' highest educational qualifications, controlling for other variables

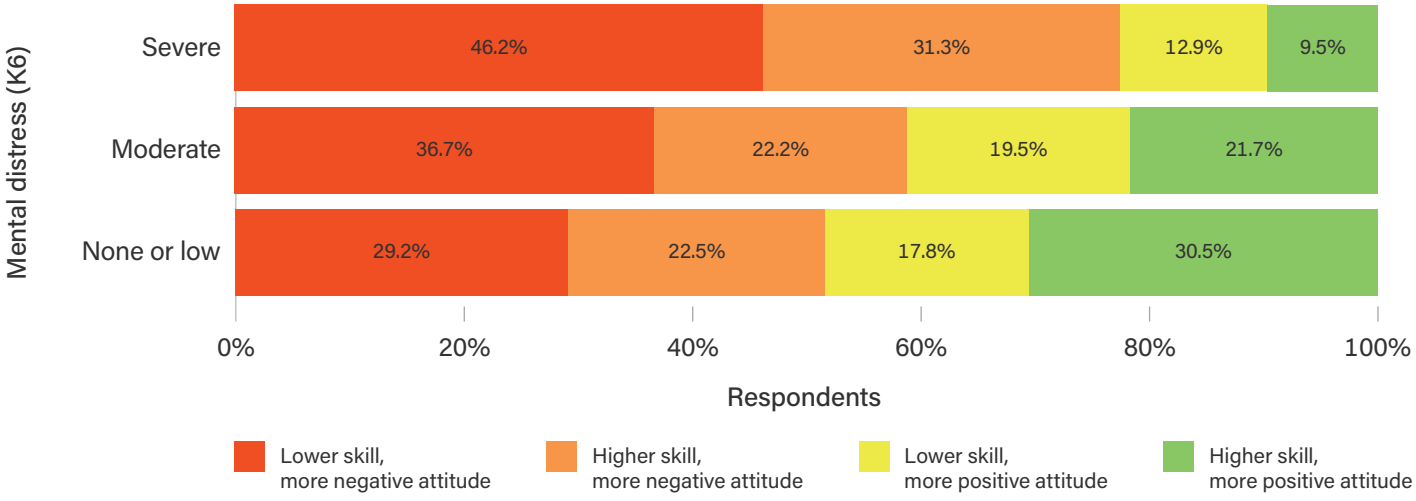


297 Testing the educational qualification terms together in the attitudes to law model; $\chi^2_3 = 28.60$, $p < 0.001$.
298 Testing the educational qualification terms together in the skill model; $\chi^2_3 = 142.64$, $p < 0.001$.
299 Testing the educational qualification terms together; $\chi^2_9 = 33.53$, $p < 0.001$.

Perhaps the single most powerful determinant of skill and attitudes to law was respondents' mental distress, based on the K6 scale. Mental distress, and particularly severe mental distress was associated with significantly lower skills scores on the composite skills measure and significantly more negative attitudes to law, as illustrated in Table 11.3.[300] The relationship between mental distress and combined skills and attitudes quadrant was not surprisingly also highly statistically significant.[301] As can be seen in Figure 11.6, compared to those with no or low mental distress, moderate mental distress was associated with a higher percentage in the 'lower skill, more negative attitude' group and lower percentage in the 'higher skill, more positive attitude' group. Meanwhile, those reporting severe mental distress were characterised in particular by a tendency towards more negative attitudes to law. They had a higher percentage in the 'higher skill, more negative attitude group', a far higher percentage in the 'lower skill, more negative attitude' group, a lower percentage in the 'lower skill, more positive attitude group', and a far, far lower percentage in the 'higher skill, more positive attitude' group (Figure 11.6).

The relationship between skills, attitudes to law and physical ill-health was less strong. The relationship between long-term illness or disability and skills fell short of statistical significance, and while long-term illness or disability was associated with significantly more negative attitudes to law,[302] as shown in Table 11.3, differences were far less pronounced than for mental distress. There was evidence of a significant difference in the quadrant respondents fell into on the combined skills/attitudes measure,[303] as can be seen in Table 11.5. In simple terms, reinforcing the findings above, those reporting a long-term illness or disability had a higher percentage in the two more negative attitudes to law quadrants, and a lower percentage in the two more positive attitudes to law quadrants.

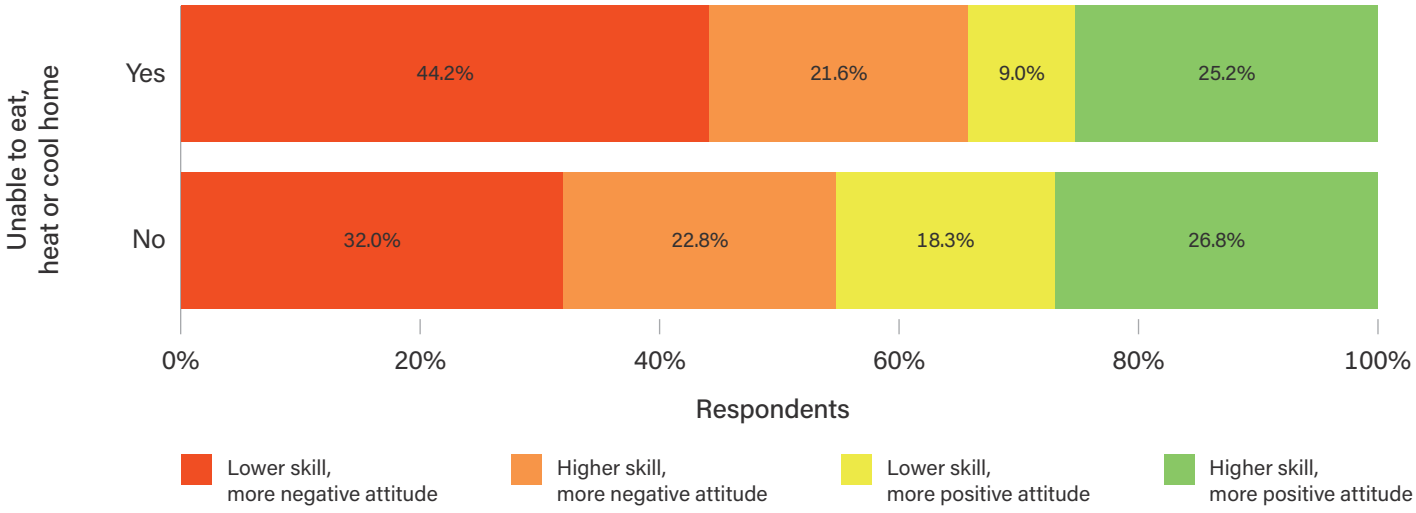
Figure 11.6. Combined skills and attitudes to law associated with different levels of mental distress (based on the K6 scale), controlling for other variables



300 Testing the mental distress terms together in the skills and attitudes models were both highly significant; $\chi^2_2 = 35.87$, $p < 0.001$ and $\chi^2_2 = 84.62$, $p < 0.001$ respectively.
301 Testing the mental distress terms simultaneously; $\chi^2_6 = 61.06$, $p < 0.001$.
302 $\chi^2_1 = 5.22$, $p = 0.022$.
303 Testing the long-term illness or disability terms together; $\chi^2_3 = 8.70$, $p = 0.034$.

In addition to mental distress, financial distress also related significantly to both skills, and particularly attitudes to law[304] as set out in Table 11.3. Being in financial distress (i.e. unable to eat, heat or cool your home in the past twelve months because of a shortage of money) was associated with significant lower skills on the composite measure, and highly significantly more negative attitudes to law. Having combined the skills and attitudes for each individual into quadrants, the relationship with financial distress remained statistically significant,[305] and controlling for other characteristics, resulted in the output in Figure 11.7. As shown, those reporting financial distress had a higher percentage in the 'lower skill, more negative attitude' group and a far lower percentage in the 'lower skill, more positive attitude' group.

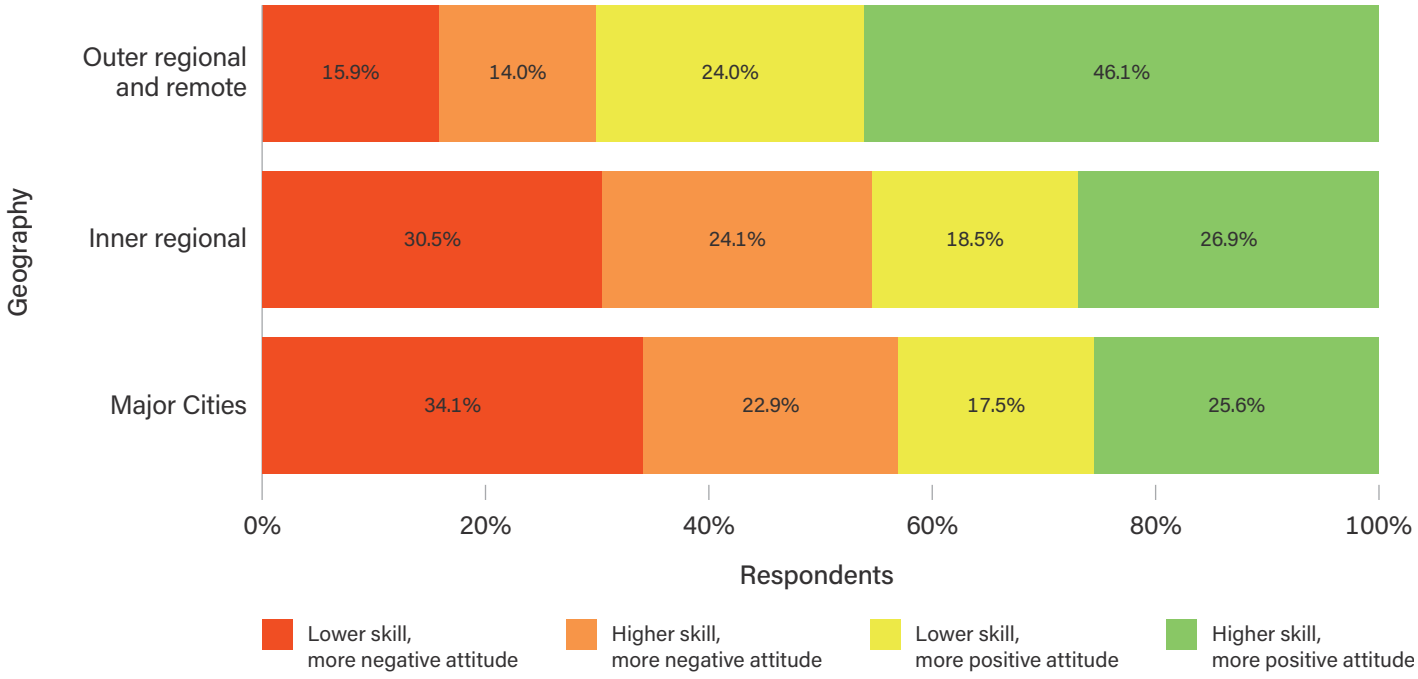
Figure 11.7. Combined skills and attitudes to law by whether or not respondents had been unable to eat, heat or cool their home in the past twelve months because of a shortage of money, controlling for other variables



304 Testing the financial distress term in the skills model; $\chi^2_1 = 4.65$, $p = 0.033$. Testing the financial distress term in the attitudes model; $\chi^2_1 = 12.47$, $p < 0.001$.
305 Testing the financial distress terms simultaneously; $\chi^2_3 = 8.67$, $p = 0.034$.

Having controlled for respondents' other characteristics, their geography also had a significant relationship to their attitudes to law.[306] Specifically, a relatively small number of respondents in outer regional and remote Victoria were associated with far more positive attitudes to law (see Table 11.3). The same group also exhibited somewhat higher skills than those in major cities and those in inner regional areas.[307] In both skills and attitudes models, differences between those in major cities and those in inner regional areas were modest. Figure 11.8 shows the combined skills/attitudes quadrant that respondents fell into based on their geography. As can be seen, those in outer regional and remote areas had a greater representation in more positive attitude quadrants and lower percentage in more negative attitude quadrants. Differences were particularly pronounced for the 'higher skill, more positive attitude' group, where they had a far higher percentage, and 'lower skill, more negative attitude' group, where they had a far lower percentage.

Figure 11.8. Combined skills and attitudes to law associated with respondents in different geographic locations, controlling for other variables



306 Testing the geography terms in the attitudes model; $\chi^2_2 = 62.29$, $p < 0.001$.

307 The difference between those in outer regional and remote areas and those in major cities fell marginally short of significance; $\chi^2_1 = 3.63$, $p = 0.057$, while the difference between those in outer regional and remote areas and those in inner regional areas was just statistically significant; $\chi^2_1 = 4.44$, $p = 0.035$.

Those respondents with responsibilities for day-to-day care of elderly or disabled adults had scored far higher on the skills composite measure than other respondents (see Table 11.3), with the difference highly statistically significant.[308] There was also some evidence of a somewhat more positive attitude to law among those with caring responsibilities,[309] though the difference in skills was far more pronounced.[310]

Conversely, skills were significantly lower for those whose main language was not English, compared to other respondents,[311] as shown in Table 11.3, with differences in attitudes to law modest and clearly non-significant.

Overall differences in skills, attitudes and combined skill/attitudes quadrant by family type fell short of statistical significance, though interestingly, single parents did exhibit a higher percentage in the 'higher skill, more negative attitude' quadrant as can be seen in Table 11.4. Testing this model term alone indicated a statistically significant difference.[312]

A comparatively small number of First Nations PULS respondents also appeared to exhibit somewhat higher skills scores and more negative attitudes to law, as shown in Table 11.3, though both differences were short of statistical significance.[313] Differences in the combined skills/attitudes quadrant that the respondents fell based on whether or not they were Aboriginal or Torres Strait Islanders was also non-significant overall,[314] though the specific difference between representation in the 'higher skills, more negative attitudes' group (higher for First Nations respondents) and 'lower skills, more positive attitude' group (lower for First Nations respondents) did just reach statistical significance despite small numbers (see Table 11.4).[315]

308 $\chi^2_1 = 57.86$, $p < 0.001$.

309 With the difference statistically significant; $\chi^2_1 = 4.02$, $p = 0.045$.

310 Differences in the combined skills/attitudes quadrant respondents with or without caring responsibilities fell was non-significant; $\chi^2_3 = 5.09$, $p = 0.17$, though not surprisingly carers had a greater representation in high skill quadrants (Table 11.4).

311 $\chi^2_1 = 24.29$, $p < 0.001$.

312 Testing the single parent 'high skill, more negative attitude' term against the 'lower skill, more negative attitude' baseline category; $\chi^2_1 = 4.39$, $p = 0.036$. The difference is larger still if the single parent 'high skill, more negative attitude' term is compared to the 'lower skill, more positive attitude' category; $\chi^2_1 = 5.91$, $p = 0.015$.

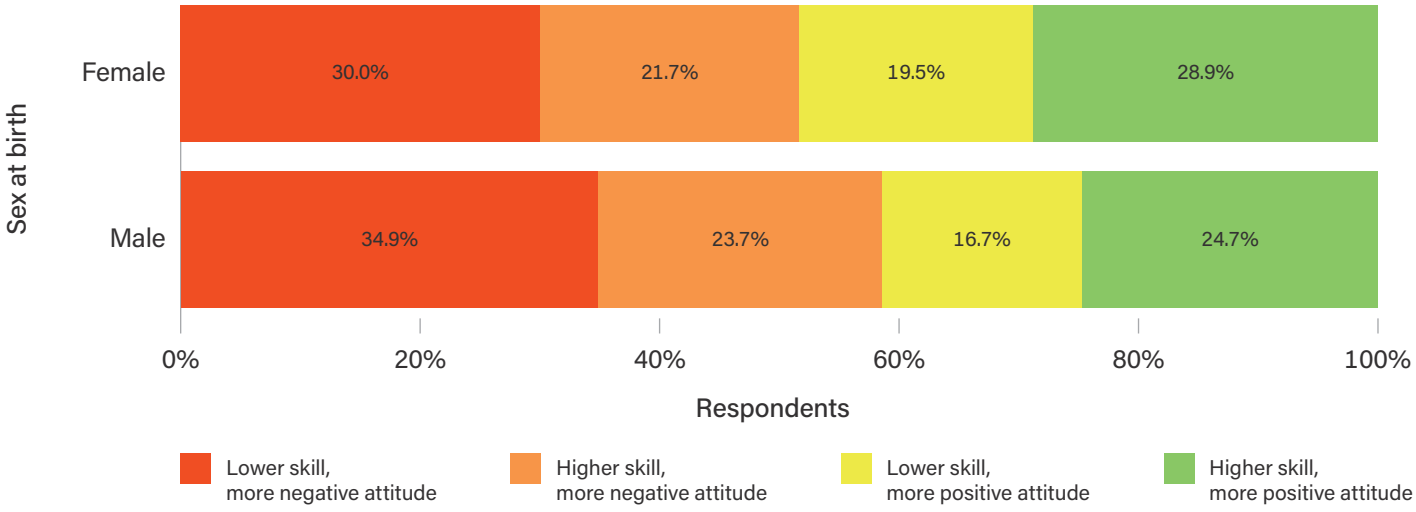
313 $\chi^2_1 = 2.13$, $p = 0.15$ and $\chi^2_1 = 2.93$, $p = 0.087$ respectively.

314 Testing the Aboriginal or Torres Strait Islander model terms; $\chi^2_3 = 4.23$, $p = 0.24$.

315 $\chi^2_1 = 3.86$, $p = 0.050$.

While differences in overall composite skills by respondents' sex at birth were non-significant, difference in attitudes to law were, with male respondents exhibiting significantly more negative attitudes (Table 11.3).[316] There were also difference in the skills/attitudes quadrant respondents belonged to based on their sex, as illustrated in Figure 11.9.[317] As shown, female respondents had a higher percentage than male respondents in the two more positive attitudes quadrants, and a lower percentage in the two negative attitudes quadrants.

Figure 11.9. Combined skills and attitudes to law associated with respondents' sex at birth, controlling for other variables

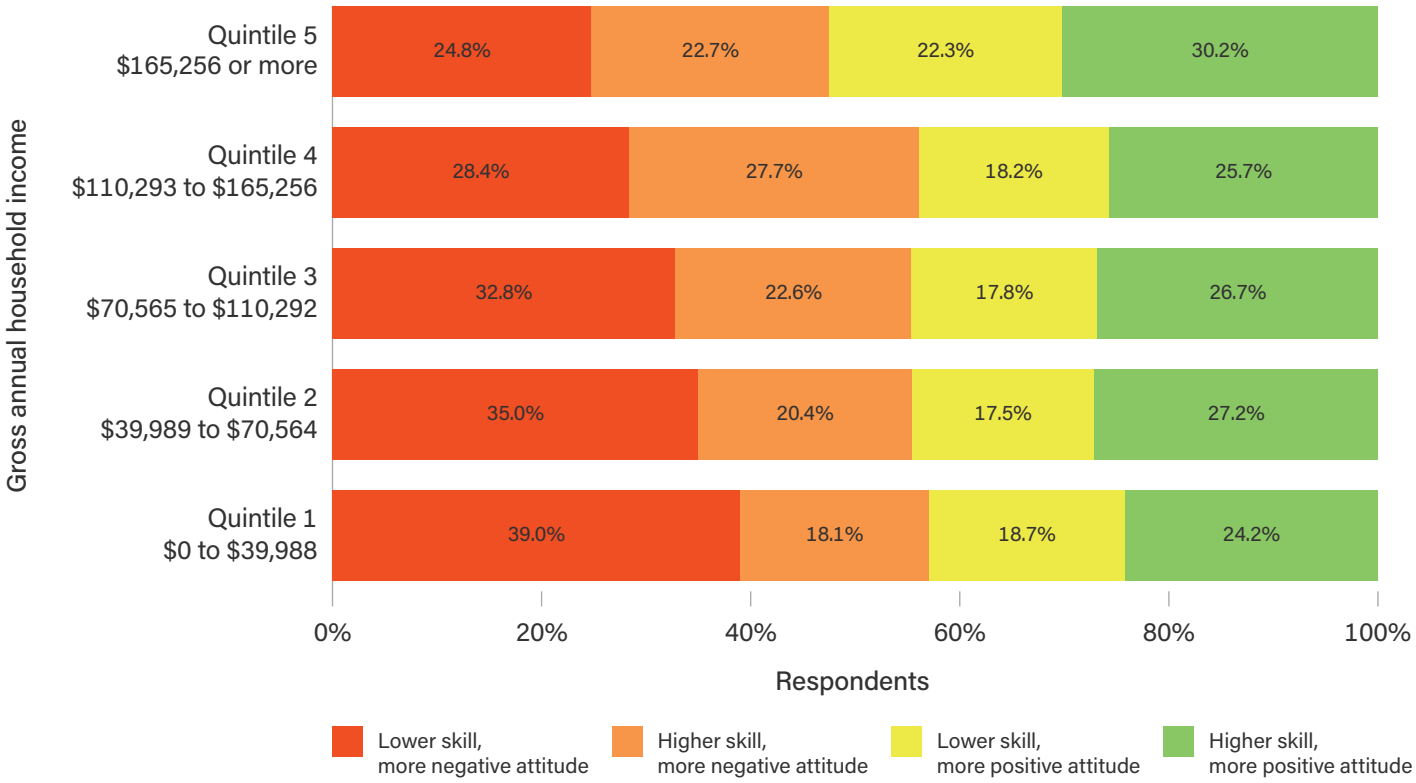


316 $\chi^2_1 = 24.05$, $p < 0.001$.

317 Testing the female model terms; $\chi^2_3 = 15.64$, $p = 0.001$.

Having controlled for other variables, there remained differences in both composite skills and composite attitudes to law measures by respondents' gross household income,[318] though as shown in Table 11.3 the relationship did not neatly follow increasing or decreasing income in either case. The picture became clearer when looking at combined skills/attitudes to law quadrant (Figure 11.10).[319] In particular, the 'lower skill, more negative attitude' group was related to income, with percentage belonging to this group decreasing with increasing income.

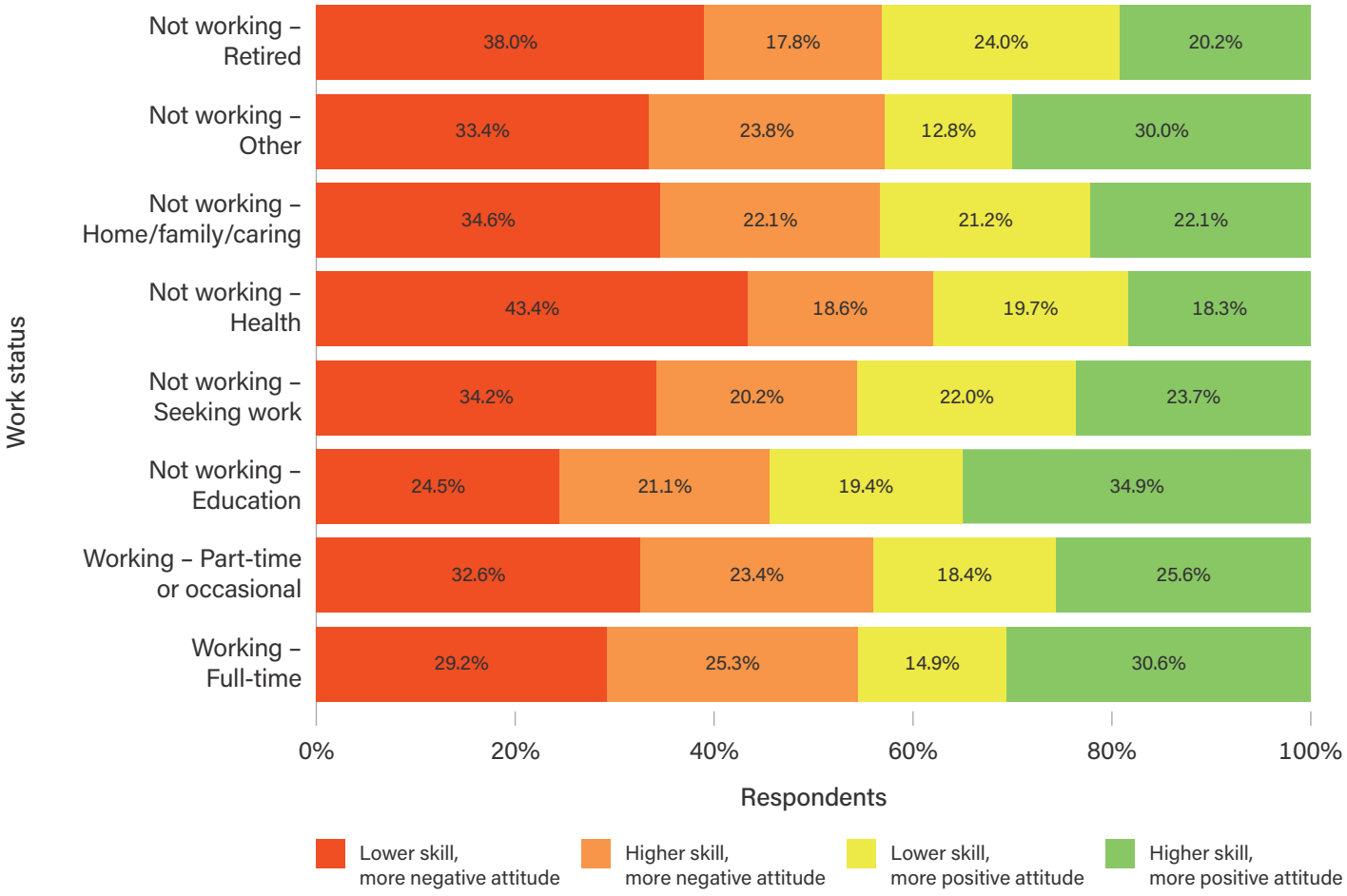
Figure 11.10. Combined skills and attitudes to law associated with respondents with different levels of gross household income, controlling for other variables



318 Testing the income terms in the skills model; $\chi^2_5 = 14.29$, $p = 0.014$. Testing the income terms in the attitudes model; $\chi^2_5 = 15.29$, $p = 0.009$.
319 Also, a statistically significant relationship to income, testing the income terms; $\chi^2_{15} = 35.05$, $p = 0.002$.

Not working was associated with significantly lower skills scores than those who were in work,[320] as shown in Table 11.3. Differences in attitudes to law by work status were not statistically significant. Significant differences in combined skills/attitudes quadrant by work,[321] as shown in Table 11.4, simply reflected an increased tendency for those in work to belong to the two higher skills quadrants. If the combined skills/attitudes model is refitted with a detailed work variable replacing the binary working/not working variable,[322] this gives the output in Figure 11.11. As illustrated, those not working because of their health had a high percentage in the 'lower skill, more negative attitude' group, particularly when compared to those in education, who also had a particularly high percentage in the 'higher skill, more positive attitude' group.

Figure 11.11. Combined skills and attitudes to law associated by respondents detailed work status, controlling for other variables



Finally, differences in skills, attitudes and the combined skills/attitudes measure by respondents' sexual orientation were not statistically significant.

320 $\chi^2_1 = 9.81$, $p = 0.002$.

321 Testing the not working terms; $\chi^2_3 = 9.69$, $p = 0.021$.

322 As previously this approach also necessitates the removal of age group due to its relationship with certain detailed work categories. Testing the detailed work status model terms; $\chi^2_{21} = 45.35$, $p < 0.001$.

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Appendices

Appendix 1

A Taxonomy of Legal Capability

This appendix sets out the taxonomy of legal capability included within Balmer et al.'s 2019 report *Law... What is it Good For?*

Stage	Knowledge		Skills		Attributes	Resources/ Environment
Recognition of issues	Core legal concepts / principles	▪ Distinction between criminal and civil law ▪ Types of rights and obligations (incl. nature of law) ▪ Impact of law on oneself and others ▪ Other core concepts (rule of law, right to a fair trial, etc.)	Recognise issues	▪ Identify justiciable problems as contentious / problematic	Legal consciousness Open mindedness Self-awareness Self-esteem Social awareness Attitude (to) ▪ Law ▪ Etc.	Time
			Recognise relevance of law	▪ Identify that justiciable problems have a legal dimension ▪ Frame issues / situations in legal terms		
	Content of (substantive) law	▪ General ▪ Situation specific	Legal reasoning / analytical	▪ Apply law to issues / situations ▪ Determine legal position(s), etc.	Intelligence	
Information / assistance	Capability limitations	▪ Knowledge ▪ Skills ▪ Attributes ▪ Resources (time. Money, etc.)	Recognise capability limitations	▪ Knowledge ▪ Skills ▪ Attributes ▪ Resources	Self-awareness Self-esteem	Time Money Social capital Availability of services Etc.
	Sources ▪ Information ▪ Advice ▪ Representation	▪ Common sources (incl. main types of legal professional, main sources of generalist advice, etc.) ▪ Situation specific sources ▪ Accessibility ▪ Location ▪ Cost ▪ Eligibility ▪ Etc. ▪ How to access	Information literacy ▪ Generic ▪ Law specific	▪ Recognise when information required (incl. about sources) ▪ Understand what information required ▪ Locate information sources ▪ Assess costs/ benefits of information sources ▪ Compile information ▪ Evaluate information (incl. sources and substance) ▪ Apply information (incl. advice)	Open mindedness Patience Persistence Confidence (in/to) ▪ Ability to acquire information ▪ Ability to understand/ evaluate information ▪ Seek help ▪ Communicate ▪ Ask about law related issues ▪ In sources of help ▪ Etc.	
			Digital literacy	▪ Technical / functional ▪ Social ▪ Etc.	Confidence (in/to) ▪ Technology use ▪ Etc. Attitudes (to) ▪ Technology ▪ Etc.	
			Communication ▪ Generic ▪ Law specific	▪ Textual (reading and writing ▪ Verbal (speaking and listening, face-to-face and remote) ▪ Non-verbal ▪ Visual ▪ Clarity ▪ Comprehension ▪ Listening ▪ Questioning ▪ Etc.	Adaptability Assertiveness Empathy Open mindedness Persistence Self-awareness Self-esteem Confidence (in/to) ▪ Break the ice ▪ Communicate ▪ Ask questions ▪ Seek clarification ▪ Challenge ▪ Etc. Attitudes to ▪ Lawyers ▪ Etc.	
			Inter-personal	▪ Rapport building ▪ Relationship ▪ Conflict management ▪ Etc.	Emotional intelligence Empathy Self-awareness Self-esteem	

Stage	Knowledge		Skills		Attributes	Resources/ Environment

Resolution	Process / resolution options	▪ Forms of process
		▪ Parties
		▪ Perspectives (of different parties)
		▪ Individual / collective process
		▪ Legal / extra-legal
		▪ Institutions
		  ▪ Common
		  ▪ Situation specific
		▪ Accessibility
		  ▪ Location (real/ virtual)
		  ▪ Cost
		  ▪ Eligibility
		  ▪ Etc.
		▪ How to use (incl. steps involved)
			Legal reasoning / analytical
			Information literacy
			Digital literacy
			Communication (incl. with other parties, arbitrators, mediators, etc.)
				(as above)	Adaptability
					Assertiveness
					Empathy
					Fortitude
					Open mindedness
					Persistence
					Readiness to act
					Self-awareness
					Self-esteem
					Confidence (in/to)
					▪ Challenge behaviour
					▪ Start / progress informal / formal dispute / process
					▪ Negotiate
					▪ Advocate
					▪ Etc.
					Attitude (to)
					▪ accessibility of process (general / specific)
					▪ Fairness of process (e.g. trust)
					▪ Etc.
						Time
						Money
						Social capital
						Availability of services
						Availability of processes Etc.

			Organisation	▪ Record keeping ▪ Time management ▪ Etc.		
			Planning	▪ Goal setting ▪ Forecasting ▪ Etc.		
			Dispute resolution	▪ Negotiation ▪ Advocacy		
			Problem solving	▪ Creative / lateral thinking ▪ Etc.		
	Evidence	▪ Forms of evidence ▪ Admissibility ▪ How to obtain ▪ How to build a case	Decision making	▪ Recognise options ▪ Recognise risks ▪ Evaluation ▪ Etc.		
	Outcomes	▪ Common forms ▪ Situation specific forms ▪ Means of enforcement ▪ Consequences of failure to resolve ▪ Possibilities ▪ What is wanted				
Wider influence and law reform	Nature of law-making / regulatory process	▪ Judicial precedent ▪ Origins of legislation ▪ Legislative process (incl. options for achieve goals) ▪ Influences on legislative process	Legal reasoning / analytical Information literacy Digital literacy Communication (incl. with other parties, arbitrators, mediators, etc.) Empathy Organisation Planning Problem solving Negotiation Advocacy Conflict resolution Evaluation / judgment	(as above)	Adaptability Assertiveness Empathy Fortitude Open mindedness Persistence Readiness to act Self-awareness Self-esteem Social awareness Confidence (in/to) ▪ Enter public discourse Attitude (to) ▪ Accessibility of process (general / specific) ▪ Utility of process	Time Money Social capital Availability of services Availability of processes Etc.
	Institutions involved in law-making / regulatory process	▪ General ▪ Situation specific ▪ Accessibility ▪ How to access ▪ Internal process				
	Outcomes	▪ Possibilities ▪ What is wanted ▪ Individual and broader outcomes / impact				

Appendix 2

Statistical models of domains of legal capability, individually and in combination

Modelling knowledge of the law

Table A2.1 sets out binomial regression output, modelling the number of correct (and confident) answers to the 15 knowledge of rights items, based on a range of social and demographic predictors. Binomial regression is a useful method for modelling the probability of success (in this case correct and confident responses) when dealing with multiple independent trials with binary outcomes, such as the *Public Understanding of Law Survey* (PULS) knowledge of the law questions. The aim is to estimate the probability of correct/confident responses based on the values of the independent variables (in our case social and demographic predictors). The dependent variable is modelled using the logistic function, which transforms a linear combination of the independent variables into a probability value ranging from 0 to 1. A positive model coefficient indicates an increase in (the log-odds of) success (compared to the reference category for that variable) and a negative coefficient a decrease in success. The accompanying p-value allows assessment of whether or not the difference is statistically significant (where $p < 0.05$). Taking the exponential of the coefficients gives odds ratios, which quantify the change in the odds of the outcome for a one-unit change in an independent variable. Odds-ratios greater than 1 indicate an increase in the likelihood of reporting problems (compared to the reference category for each variable) and values less than 1 a decrease.

Table A2.1. Binomial regression output of correct and confident responses to the 15 knowledge of law items based on a range of social, demographic and geographic predictors[323]

Variable	Level	Coef.	Std. Err.	z	p
Age group	18-24	0.000	-	-	-
	25-34	0.267	0.054	4.920	0.000
	35-44	0.339	0.056	6.090	0.000
	45-54	0.387	0.056	6.910	0.000
	55-64	0.375	0.058	6.470	0.000
	65+	0.190	0.058	3.260	0.001
	Refused	0.030	0.074	0.400	0.686
Sex at birth	Male	0.000	-	-	-
	Female	0.072	0.023	3.090	0.002

323 5,969 observations, log-pseudolikelihood = -15810.44, AIC = 5.309, BIC = -37729.12.

Variable	Level	Coef.	Std. Err.	z	p
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	0.028	0.067	0.430	0.671
	Prefer not to say	-0.257	0.113	-2.280	0.023
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	0.164	0.095	1.720	0.085
Main language spoken	English	0.000	-	-	-
	Other	-0.116	0.029	-3.920	0.000
Family status	Married, children	0.000	-	-	-
	Married, no children	0.037	0.038	0.960	0.339
	De facto, children	0.098	0.064	1.540	0.123
	De facto, no children	0.089	0.045	1.980	0.048
	Single, children	0.056	0.062	0.900	0.366
	Single, no children	0.002	0.039	0.060	0.955
Carer	No	0.000	-	-	-
	Yes	0.195	0.036	5.510	0.000
Work	Yes	0.000	-	-	-
	No	-0.049	0.032	-1.550	0.121
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	-0.107	0.046	-2.350	0.019
	Trade/vocational certs/diplomas	0.087	0.037	2.330	0.020
	Degree or higher	0.026	0.038	0.680	0.499
Geography	Major Cities	0.000	-	-	-
	Inner Regional	0.125	0.029	4.340	0.000
	Outer Regional and Remote	0.351	0.045	7.880	0.000
Long-term illness or disability	No	0.000	-	-	-
	Yes	0.104	0.029	3.550	0.000
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	-0.045	0.027	-1.650	0.099
	Severe	0.012	0.055	0.210	0.834
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	0.032	0.039	0.820	0.411
	Quintile 3 – $70,565 to $110,292	0.028	0.043	0.670	0.505
	Quintile 4 – $110,293 to $165,256	-0.028	0.046	-0.610	0.540
	Quintile 5 – $165,256 or more	0.005	0.049	0.110	0.915
	Prefer not to say	-0.029	0.046	-0.620	0.536
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	-0.103	0.067	-1.530	0.127
Constant		-0.554	0.075	-7.340	0.000

Modelling general legal confidence

General legal confidence was modelled using two different statistical approaches. First, Table A2.2 provides output from a Generalised Linear Model of General Legal Confidence (GLC) score, based on a range of social, demographic and geographic predictors. In this case, given our GLC score data, the underlying distribution is assumed to be normal and the link function (which connects the linear predictor (a combination of predictor variables weighted by coefficients) to the expected value of the response variable) is an identity link, where the predictor is equal to the expected value (i.e. changes to predictors have a linear and direct relationship to the response variable). This makes interpretation relatively straightforward, with the model coefficients representing the expected change in GLC score associated with a particular level of a variable (e.g. 25–44 year olds) compared to the reference category for that variable (18–24 year olds). The accompanying p-value allows assessment of whether or not the difference is statistically significant (where $p < 0.05$).

Second, Table A.2.3 provides output from a multinomial logistic regression model of GLC strata (low, medium and high confidence) on the basis of respondents' characteristics. Multinomial Logistic Regression is a statistical analysis technique used to model and predict outcomes with more than two categories (in our case, there were three GLC strata). It can be thought of as an extension of binary logistic regression where the dependent variable has three or more unordered categories, with the aim to estimate the probabilities of each category of the dependent variable, given a set of predictor variables. The model estimates separate sets of coefficients for each category (or GLC strata), comparing them to a reference category or baseline (in our case 'medium confidence'). Multinomial Logistic Regression assumes that the relationship between the predictors and the outcome variable follows a linear combination on the logit scale. The model estimates the coefficients for each predictor variable, indicating their effects on the log-odds of being in each category, relative to the reference category. As for binary logistic regression these log-odds can be exponentiated to obtain odds ratios, and again, coefficients are accompanied by p-values that can be used to gauge statistical significance.

Table A2.2. Generalised Linear Model (with an assumed normal distribution and identity link) of GLC score based on a range of social, demographic and geographic predictors[324]

Variable	Level	Coef.	Std. Err.	z	p
Age group	18-24	0.000	-	-	-
	25-34	7.678	1.659	4.630	0.000
	35-44	4.806	1.672	2.870	0.004
	45-54	2.818	1.665	1.690	0.091
	55-64	0.703	1.734	0.410	0.685
	65+	-2.374	1.830	-1.300	0.195
	Refused	10.402	2.323	4.480	0.000
Sex at birth	Male	0.000	-	-	-
	Female	-3.423	0.711	-4.820	0.000

324 5,969 observations, log-pseudolikelihood = -27081.27, AIC = 9.085, BIC = 3010782.

Variable	Level	Coef.	Std. Err.	z	p
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	2.383	2.010	1.190	0.236
	Prefer not to say	-4.866	2.923	-1.660	0.096
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	7.895	3.276	2.410	0.016
Main language spoken	English	0.000	-	-	-
	Other	2.190	0.873	2.510	0.012
Family status	Married, children	0.000	-	-	-
	Married, no children	3.239	1.142	2.840	0.005
	De facto, children	-0.073	1.779	-0.040	0.967
	De facto, no children	-0.129	1.384	-0.090	0.925
	Single, children	0.654	1.742	0.380	0.707
	Single, no children	2.046	1.212	1.690	0.091
Carer	No	0.000	-	-	-
	Yes	10.163	1.258	8.080	0.000
Work	Yes	0.000	-	-	-
	No	-0.629	1.004	-0.630	0.531
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	-0.842	1.352	-0.620	0.534
	Trade/vocational certs/diplomas	3.377	1.093	3.090	0.002
	Degree or higher	2.522	1.102	2.290	0.022
Geography	Major Cities	0.000	-	-	-
	Inner Regional	-2.437	0.812	-3.000	0.003
	Outer Regional and Remote	-0.807	1.991	-0.410	0.685
Long-term illness or disability	No	0.000	-	-	-
	Yes	-1.278	0.852	-1.500	0.134
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	-2.521	0.838	-3.010	0.003
	Severe	-6.358	1.714	-3.710	0.000
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	-0.964	1.236	-0.780	0.435
	Quintile 3 – $70,565 to $110,292	-2.389	1.336	-1.790	0.074
	Quintile 4 – $110,293 to $165,256	-5.361	1.424	-3.760	0.000
	Quintile 5 – $165,256 or more	-6.136	1.497	-4.100	0.000
	Prefer not to say	-3.070	1.394	-2.200	0.028
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	-2.682	2.032	-1.320	0.187
Constant		50.438	2.267	22.250	0.000

Table A2.3. Multinomial logistic regression model of GLC strata (low, medium and high confidence) based on a range of social, demographic and geographic predictors. Medium confidence was used as the base outcome to which other strategies were compared[325]

Low General Legal Confidence					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Age group	18-24	0.000	-	-	-
	25-34	-0.040	0.181	-0.220	0.827
	35-44	0.159	0.184	0.860	0.388
	45-54	0.332	0.181	1.840	0.066
	55-64	0.380	0.183	2.070	0.038
	65+	0.315	0.180	1.750	0.080
	Refused	0.031	0.265	0.120	0.906
Sex at birth	Male	0.000	-	-	-
	Female	0.215	0.077	2.780	0.005
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	-0.204	0.246	-0.830	0.408
	Prefer not to say	0.170	0.325	0.520	0.600
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	0.044	0.316	0.140	0.889
Main language spoken	English	0.000	-	-	-
	Other	-0.132	0.100	-1.320	0.187
Family status	Married, children	0.000	-	-	-
	Married, no children	-0.223	0.127	-1.770	0.078
	De facto, children	0.108	0.195	0.560	0.577
	De facto, no children	0.148	0.153	0.960	0.336
	Single, children	-0.089	0.201	-0.440	0.659
	Single, no children	0.143	0.131	1.090	0.276
Carer	No	0.000	-	-	-
	Yes	0.084	0.125	0.670	0.503
Work	Yes	0.000	-	-	-
	No	0.171	0.105	1.630	0.103
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	-0.044	0.140	-0.310	0.756
	Trade/vocational certs/diplomas	-0.290	0.113	-2.560	0.010
	Degree or higher	-0.204	0.116	-1.760	0.078

325 5,969 observations, Log pseudolikelihood = -5941.42, Wald $\chi^2(64) = 344.92$, Pseudo $R^2 = 0.04$.

Low General Legal Confidence					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Geography	Major Cities	0.000	-	-	-
	Inner Regional	0.053	0.088	0.600	0.546
	Outer Regional and Remote	0.688	0.166	4.150	0.000
Long-term illness or disability	No	0.000	-	-	-
	Yes	-0.031	0.094	-0.330	0.741
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	0.170	0.088	1.930	0.054
	Severe	0.296	0.171	1.730	0.083
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	-0.131	0.121	-1.080	0.278
	Quintile 3 – $70,565 to $110,292	-0.062	0.137	-0.450	0.650
	Quintile 4 – $110,293 to $165,256	-0.115	0.155	-0.740	0.459
	Quintile 5 – $165,256 or more	-0.118	0.161	-0.740	0.462
	Prefer not to say	-0.236	0.139	-1.700	0.089
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	0.147	0.211	0.700	0.485
Constant		-0.957	0.246	-3.880	0.000

High General Legal Confidence					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Age group	18-24	0.000	-	-	-
	25-34	0.829	0.189	4.380	0.000
	35-44	0.714	0.197	3.620	0.000
	45-54	0.635	0.199	3.190	0.001
	55-64	0.441	0.203	2.170	0.030
	65+	0.124	0.209	0.590	0.553
	Refused	1.137	0.239	4.770	0.000
Sex at birth	Male	0.000	-	-	-
	Female	-0.177	0.077	-2.300	0.022
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	0.037	0.228	0.160	0.871
	Prefer not to say	-0.279	0.365	-0.760	0.444
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	0.836	0.289	2.890	0.004
Main language spoken	English	0.000	-	-	-
	Other	0.166	0.093	1.780	0.075

High General Legal Confidence					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Family status	Married, children	0.000	-	-	-
	Married, no children	0.205	0.125	1.630	0.103
	De facto, children	0.130	0.201	0.650	0.518
	De facto, no children	0.035	0.154	0.230	0.820
	Single, children	0.155	0.203	0.760	0.445
	Single, no children	0.380	0.125	3.030	0.002
Carer	No	0.000	-	-	-
	Yes	0.863	0.110	7.860	0.000
Work	Yes	0.000	-	-	-
	No	0.015	0.105	0.140	0.890
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	-0.121	0.152	-0.800	0.426
	Trade/vocational certs/diplomas	0.025	0.118	0.210	0.833
	Degree or higher	0.049	0.118	0.420	0.675
Geography	Major Cities	0.000	-	-	-
	Inner Regional	-0.060	0.095	-0.630	0.530
	Outer Regional and Remote	0.824	0.156	5.280	0.000
Long-term illness or disability	No	0.000	-	-	-
	Yes	-0.063	0.097	-0.650	0.515
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	-0.208	0.091	-2.280	0.022
	Severe	-0.486	0.197	-2.460	0.014
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	-0.231	0.123	-1.880	0.060
	Quintile 3 – $70,565 to $110,292	-0.300	0.139	-2.160	0.031
	Quintile 4 – $110,293 to $165,256	-0.576	0.154	-3.740	0.000
	Quintile 5 – $165,256 or more	-0.701	0.162	-4.330	0.000
	Prefer not to say	-0.335	0.145	-2.310	0.021
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	-0.184	0.224	-0.820	0.411
Constant		-1.056	0.252	-4.180	0.000

Modelling practical legal literacy

Practical legal literacy was also modelled using two different statistical approaches. First, a binomial regression was fitted (Table A2.4) modelling Practical Legal Literacy (PLL) scores on the basis of social, demographic and geographic variables. As set out in Chapter 5, calculating scores involved assigning 'never' responses a score of zero, 'sometimes' a score of one, 'often' a score of two and 'always' a score of three. These were summed across practical legal literacy items to produce a score from 0 to 18, with higher scores indicating greater issues with practical legal literacy. The binomial regression modelling approach was the same as for knowledge of rights, with model terms interpreted in much the same way.

Second, scores were grouped into four PLL strata, with those scoring zero categorised as 'adequate literacy (no issues)' one to five as 'adequate literacy (some issues), six to eight as 'marginal literacy' and nine or above as 'inadequate literacy'. These practical legal literacy categories were modelled on the basis of the same social and demographic variables using multinomial logistic regression, with statistical output set out in Table A2.5. The base outcome, to which others were compared was 'adequate (some issues)'. For additional detail on multinomial logistic regression and its interpretation, see the description of modelling for GLC above, which also used a multinomial logistic regression to model GLC strata.

Table A2.4. Binomial regression output of PLL score (out of 18) based on a range of social, demographic and geographic predictors[326]

Variable	Level	Coef.	Std. Err.	z	p
Age group	18-24	0.000	-	-	-
	25-34	-0.008	0.101	-0.070	0.940
	35-44	0.083	0.098	0.850	0.398
	45-54	0.244	0.096	2.550	0.011
	55-64	0.219	0.107	2.040	0.041
	65+	0.301	0.104	2.900	0.004
	Refused	-0.204	0.138	-1.480	0.139
Sex at birth	Male	0.000	-	-	-
	Female	0.006	0.041	0.150	0.884
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	0.096	0.118	0.810	0.416
	Prefer not to say	0.188	0.198	0.950	0.342
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	0.313	0.151	2.080	0.038
Main language spoken	English	0.000	-	-	-
	Other	0.291	0.054	5.400	0.000

326 5,846 observations, log-pseudolikelihood = -16839.03, AIC = 5.772, BIC = -27949.89.

Variable	Level	Coef.	Std. Err.	z	p
Family status	Married, children	0.000	-	-	-
	Married, no children	-0.020	0.073	-0.270	0.785
	De facto, children	0.173	0.099	1.740	0.081
	De facto, no children	-0.051	0.079	-0.650	0.516
	Single, children	0.025	0.112	0.220	0.825
	Single, no children	-0.041	0.071	-0.580	0.564
Carer	No	0.000	-	-	-
	Yes	-0.208	0.062	-3.360	0.001
Work	Yes	0.000	-	-	-
	No	0.079	0.059	1.330	0.183
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	-0.115	0.080	-1.430	0.154
	Trade/vocational certs/diplomas	-0.231	0.063	-3.660	0.000
	Degree or higher	-0.484	0.065	-7.480	0.000
Geography	Major Cities	0.000	-	-	-
	Inner Regional	-0.023	0.046	-0.510	0.610
	Outer Regional and Remote	-0.849	0.113	-7.490	0.000
Long-term illness or disability	No	0.000	-	-	-
	Yes	0.254	0.046	5.490	0.000
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	0.422	0.044	9.550	0.000
	Severe	0.701	0.092	7.610	0.000
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	-0.061	0.068	-0.890	0.372
	Quintile 3 – $70,565 to $110,292	0.057	0.079	0.720	0.473
	Quintile 4 – $110,293 to $165,256	-0.001	0.084	-0.010	0.993
	Quintile 5 – $165,256 or more	0.025	0.083	0.300	0.764
	Prefer not to say	0.106	0.081	1.310	0.192
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	0.321	0.095	3.370	0.001
Constant		-1.869	0.136	-13.770	0.000

Table A2.5. Multinomial logistic regression model of PLL groups (adequate (no issues), adequate (some issues), marginal, or inadequate) based on a range of social, demographic and geographic predictors. Adequate (some issues) was used as the base outcome (as the most common group) to which other strategies were compared[327]

Adequate (no issues)					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Age group	18-24	0.000	-	-	-
	25-34	0.293	0.167	1.760	0.079
	35-44	-0.030	0.175	-0.170	0.863
	45-54	-0.303	0.175	-1.730	0.084
	55-64	-0.413	0.178	-2.310	0.021
	65+	-0.466	0.182	-2.560	0.011
	Refused	0.414	0.223	1.860	0.064
Sex at birth	Male	0.000	-	-	-
	Female	-0.022	0.074	-0.300	0.762
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	-0.003	0.245	-0.010	0.990
	Prefer not to say	-0.317	0.377	-0.840	0.400
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	0.033	0.293	0.110	0.911
Main language spoken	English	0.000	-	-	-
	Other	0.310	0.092	3.370	0.001
Family status	Married, children	0.000	-	-	-
	Married, no children	0.164	0.119	1.380	0.169
	De facto, children	-0.294	0.199	-1.480	0.140
	De facto, no children	0.070	0.142	0.500	0.620
	Single, children	0.101	0.194	0.520	0.601
	Single, no children	0.113	0.122	0.930	0.353
Carer	No	0.000	-	-	-
	Yes	0.394	0.107	3.680	0.000
Work	Yes	0.000	-	-	-
	No	0.048	0.100	0.480	0.633
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	-0.006	0.145	-0.040	0.967
	Trade/vocational certs/diplomas	0.192	0.116	1.660	0.097
	Degree or higher	0.182	0.115	1.580	0.113

327 5,846 observations, Log pseudolikelihood = -6111.63, Wald $\chi^2(696) = 681.95$, Pseudo $R^2 = 0.074$.

Adequate (no issues)					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Geography	Major Cities	0.000	-	-	-
	Inner Regional	0.143	0.087	1.630	0.102
	Outer Regional and Remote	1.468	0.150	9.790	0.000
Long-term illness or disability	No	0.000	-	-	-
	Yes	-0.582	0.095	-6.120	0.000
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	-0.391	0.089	-4.410	0.000
	Severe	-0.763	0.236	-3.230	0.001
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	-0.252	0.119	-2.110	0.035
	Quintile 3 – $70,565 to $110,292	-0.483	0.130	-3.720	0.000
	Quintile 4 – $110,293 to $165,256	-0.616	0.146	-4.210	0.000
	Quintile 5 – $165,256 or more	-0.750	0.150	-5.000	0.000
	Prefer not to say	-0.279	0.141	-1.980	0.048
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	-0.676	0.265	-2.560	0.011
Constant		-0.225	0.236	-0.950	0.342

Marginal					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Age group	18-24	0.000	-	-	-
	25-34	-0.042	0.239	-0.180	0.860
	35-44	-0.057	0.244	-0.230	0.815
	45-54	0.205	0.238	0.860	0.387
	55-64	0.083	0.249	0.330	0.739
	65+	0.009	0.239	0.040	0.969
	Refused	-0.186	0.348	-0.540	0.592
Sex at birth	Male	0.000	-	-	-
	Female	-0.086	0.102	-0.840	0.400
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	0.245	0.292	0.840	0.401
	Prefer not to say	-0.882	0.423	-2.080	0.037
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	-0.321	0.436	-0.740	0.461
Main language spoken	English	0.000	-	-	-
	Other	0.521	0.123	4.220	0.000

Marginal					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Family status	Married, children	0.000	-	-	-
	Married, no children	-0.083	0.176	-0.470	0.638
	De facto, children	0.069	0.247	0.280	0.780
	De facto, no children	0.056	0.213	0.270	0.791
	Single, children	-0.091	0.258	-0.350	0.725
	Single, no children	-0.183	0.175	-1.040	0.296
Carer	No	0.000	-	-	-
	Yes	-0.111	0.165	-0.670	0.504
Work	Yes	0.000	-	-	-
	No	0.116	0.138	0.840	0.401
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	0.010	0.178	0.060	0.956
	Trade/vocational certs/diplomas	-0.089	0.148	-0.600	0.547
	Degree or higher	-0.389	0.156	-2.500	0.012
Geography	Major Cities	0.000	-	-	-
	Inner Regional	-0.047	0.123	-0.380	0.701
	Outer Regional and Remote	-0.139	0.269	-0.520	0.606
Long-term illness or disability	No	0.000	-	-	-
	Yes	0.014	0.120	0.110	0.910
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	0.554	0.114	4.850	0.000
	Severe	0.956	0.207	4.630	0.000
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	-0.226	0.156	-1.450	0.148
	Quintile 3 – $70,565 to $110,292	-0.404	0.183	-2.200	0.028
	Quintile 4 – $110,293 to $165,256	-0.327	0.209	-1.570	0.117
	Quintile 5 – $165,256 or more	-0.667	0.219	-3.040	0.002
	Prefer not to say	-0.018	0.184	-0.100	0.923
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	0.120	0.240	0.500	0.617
Constant		-1.361	0.320	-4.260	0.000

Inadequate					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Age group	18-24	0.000	-	-	-
	25-34	0.391	0.352	1.110	0.266
	35-44	0.288	0.360	0.800	0.423
	45-54	0.298	0.348	0.850	0.393
	55-64	0.250	0.384	0.650	0.515
	65+	0.499	0.341	1.460	0.143
	Refused	-0.130	0.533	-0.240	0.807
Sex at birth	Male	0.000	-	-	-
	Female	-0.037	0.145	-0.250	0.800
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	0.314	0.426	0.740	0.461
	Prefer not to say	0.533	0.469	1.140	0.255
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	0.966	0.374	2.580	0.010
Main language spoken	English	0.000	-	-	-
	Other	1.115	0.185	6.020	0.000
Family status	Married, children	0.000	-	-	-
	Married, no children	0.095	0.280	0.340	0.734
	De facto, children	0.196	0.415	0.470	0.638
	De facto, no children	-0.507	0.352	-1.440	0.151
	Single, children	0.260	0.368	0.710	0.480
	Single, no children	-0.010	0.276	-0.040	0.970
Carer	No	0.000	-	-	-
	Yes	-0.101	0.206	-0.490	0.623
Work	Yes	0.000	-	-	-
	No	0.309	0.203	1.520	0.128
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	-0.534	0.242	-2.210	0.027
	Trade/vocational certs/diplomas	-0.639	0.194	-3.290	0.001
	Degree or higher	-1.427	0.227	-6.290	0.000
Geography	Major Cities	0.000	-	-	-
	Inner Regional	0.149	0.175	0.850	0.394
	Outer Regional and Remote	-0.352	0.385	-0.910	0.361
Long-term illness or disability	No	0.000	-	-	-
	Yes	0.241	0.160	1.510	0.131

Inadequate					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	0.610	0.156	3.900	0.000
	Severe	1.097	0.271	4.040	0.000
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	-0.269	0.218	-1.230	0.218
	Quintile 3 – $70,565 to $110,292	0.047	0.253	0.180	0.854
	Quintile 4 – $110,293 to $165,256	-0.609	0.362	-1.680	0.093
	Quintile 5 – $165,256 or more	-0.644	0.368	-1.750	0.080
	Prefer not to say	0.114	0.221	0.520	0.606
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	0.509	0.279	1.820	0.068
Constant		-2.608	0.492	-5.300	0.000

Modelling perceived relevance of law

Two statistical model were fitted to model Perceived Relevance of Law scale (LAW scale) scores and strata on the basis of a range of social, demographic and geographic predictor. The LAW scale score model was a Generalised Linear Model, with an assumed normal distribution and identity link (Table A2.6). The LAW scale strata (low, medium, high relevance of law) model was a multinomial logistic regression model with medium relevance as the base outcome to which other strategies were compared (Table A2.7). The modelling approach was identical to GLC above, where additional details can be found on the types of statistical models and how to interpret them.

Table A2.6. Generalised Linear Model (with an assumed normal distribution and identity link) of LAW scale score based on a range of social, demographic and geographic predictors[328]

Variable	Level	Coef.	Std. Err.	z	p
Age group	18-24	0.000	-	-	-
	25-34	1.784	1.349	1.320	0.186
	35-44	3.923	1.285	3.050	0.002
	45-54	2.820	1.315	2.140	0.032
	55-64	0.592	1.339	0.440	0.658
	65+	-1.169	1.357	-0.860	0.389
	Refused	-1.705	1.786	-0.950	0.340
Sex at birth	Male	0.000	-	-	-
	Female	1.478	0.557	2.650	0.008

328 5,958 observations, log-pseudolikelihood = -25503.30, AIC = 8.572, BIC = 1790218.

Variable	Level	Coef.	Std. Err.	z	p
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	-0.970	2.442	-0.400	0.691
	Prefer not to say	-6.643	2.411	-2.760	0.006
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	2.995	2.159	1.390	0.165
Main language spoken	English	0.000	-	-	-
	Other	-1.613	0.692	-2.330	0.020
Family status	Married, children	0.000	-	-	-
	Married, no children	1.845	0.904	2.040	0.041
	De facto, children	1.138	1.395	0.820	0.415
	De facto, no children	1.788	1.124	1.590	0.112
	Single, children	0.299	1.511	0.200	0.843
	Single, no children	1.095	0.937	1.170	0.242
Carer	No	0.000	-	-	-
	Yes	2.774	0.869	3.190	0.001
Work	Yes	0.000	-	-	-
	No	-0.030	0.733	-0.040	0.968
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	0.809	1.022	0.790	0.429
	Trade/vocational certs/diplomas	3.769	0.838	4.500	0.000
	Degree or higher	4.165	0.854	4.880	0.000
Geography	Major Cities	0.000	-	-	-
	Inner Regional	-1.337	0.628	-2.130	0.033
	Outer Regional and Remote	-9.967	1.120	-8.900	0.000
Long-term illness or disability	No	0.000	-	-	-
	Yes	1.597	0.642	2.490	0.013
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	0.522	0.653	0.800	0.425
	Severe	-3.657	1.330	-2.750	0.006
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	0.722	0.921	0.780	0.433
	Quintile 3 – $70,565 to $110,292	1.587	1.040	1.530	0.127
	Quintile 4 – $110,293 to $165,256	-1.033	1.193	-0.870	0.386
	Quintile 5 – $165,256 or more	1.956	1.149	1.700	0.089
	Prefer not to say	-1.418	1.041	-1.360	0.173
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	-0.138	1.444	-0.100	0.924
Constant		63.362	1.781	35.57	0.000

Table A2.7. Multinomial logistic regression model of LAW scale strata (low, medium, high relevance) based on a range of social, demographic and geographic predictors. Medium relevance was used as the base outcome to which other strategies were compared[329]

Low Perceived Relevance of Law					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Age group	18-24	0.000	-	-	-
	25-34	-0.249	0.180	-1.380	0.168
	35-44	-0.140	0.184	-0.760	0.446
	45-54	-0.138	0.184	-0.750	0.454
	55-64	0.003	0.184	0.020	0.986
	65+	0.074	0.183	0.400	0.688
	Refused	0.197	0.233	0.850	0.398
Sex at birth	Male	0.000	-	-	-
	Female	-0.263	0.079	-3.320	0.001
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	0.194	0.272	0.710	0.475
	Prefer not to say	0.344	0.310	1.110	0.266
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	-0.193	0.329	-0.590	0.556
Main language spoken	English	0.000	-	-	-
	Other	0.179	0.098	1.830	0.067
Family status	Married, children	0.000	-	-	-
	Married, no children	-0.197	0.132	-1.500	0.134
	De facto, children	-0.048	0.215	-0.220	0.822
	De facto, no children	-0.029	0.158	-0.180	0.855
	Single, children	-0.061	0.212	-0.290	0.773
	Single, no children	-0.050	0.132	-0.380	0.708
Carer	No	0.000	-	-	-
	Yes	0.011	0.124	0.090	0.927
Work	Yes	0.000	-	-	-
	No	-0.049	0.108	-0.450	0.652
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	-0.021	0.140	-0.150	0.882
	Trade/vocational certs/diplomas	-0.208	0.114	-1.830	0.068
	Degree or higher	-0.137	0.114	-1.200	0.230

329 5,958 observations, Log pseudolikelihood = -5995.21, Wald $\chi^2(64) = 284.81$, Pseudo $R^2 = 0.029$.

Low Perceived Relevance of Law					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Geography	Major Cities	0.000	-	-	-
	Inner Regional	0.194	0.093	2.070	0.038
	Outer Regional and Remote	0.934	0.146	6.410	0.000
Long-term illness or disability	No	0.000	-	-	-
	Yes	-0.123	0.095	-1.290	0.196
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	-0.157	0.094	-1.670	0.096
	Severe	0.245	0.192	1.280	0.201
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	-0.197	0.127	-1.560	0.120
	Quintile 3 – $70,565 to $110,292	-0.412	0.144	-2.850	0.004
	Quintile 4 – $110,293 to $165,256	-0.372	0.162	-2.300	0.021
	Quintile 5 – $165,256 or more	-0.515	0.171	-3.010	0.003
	Prefer not to say	0.134	0.140	0.960	0.336
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	-0.189	0.214	-0.880	0.376
Constant		-0.274	0.249	-1.100	0.270

High Perceived Relevance of Law					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Age group	18-24	0.000	-	-	-
	25-34	0.503	0.195	2.580	0.010
	35-44	0.719	0.200	3.600	0.000
	45-54	0.698	0.199	3.510	0.000
	55-64	0.523	0.205	2.550	0.011
	65+	0.329	0.207	1.590	0.112
	Refused	0.059	0.281	0.210	0.834
Sex at birth	Male	0.000	-	-	-
	Female	0.005	0.075	0.070	0.944
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	0.147	0.213	0.690	0.488
	Prefer not to say	-0.377	0.355	-1.060	0.289
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	0.272	0.277	0.980	0.327
Main language spoken	English	0.000	-	-	-
	Other	-0.082	0.094	-0.870	0.383

High Perceived Relevance of Law					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Family status	Married, children	0.000	-	-	-
	Married, no children	0.051	0.121	0.420	0.672
	De facto, children	0.171	0.184	0.930	0.352
	De facto, no children	0.135	0.147	0.920	0.358
	Single, children	0.064	0.188	0.340	0.734
	Single, no children	0.090	0.125	0.720	0.472
Carer	No	0.000	-	-	-
	Yes	0.295	0.115	2.560	0.011
Work	Yes	0.000	-	-	-
	No	-0.185	0.104	-1.780	0.075
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	-0.032	0.153	-0.210	0.833
	Trade/vocational certs/diplomas	0.220	0.121	1.820	0.069
	Degree or higher	0.348	0.121	2.870	0.004
Geography	Major Cities	0.000	-	-	-
	Inner Regional	-0.140	0.086	-1.610	0.107
	Outer Regional and Remote	-0.726	0.201	-3.610	0.000
Long-term illness or disability	No	0.000	-	-	-
	Yes	0.142	0.091	1.560	0.119
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	-0.060	0.086	-0.700	0.486
	Severe	-0.286	0.189	-1.520	0.130
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	-0.187	0.123	-1.520	0.128
	Quintile 3 – $70,565 to $110,292	-0.198	0.135	-1.470	0.141
	Quintile 4 – $110,293 to $165,256	-0.493	0.147	-3.350	0.001
	Quintile 5 – $165,256 or more	-0.246	0.153	-1.610	0.107
	Prefer not to say	-0.179	0.142	-1.260	0.207
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	-0.211	0.224	-0.940	0.346
Constant		-1.067	0.258	-4.130	0.000

Modelling narratives of law

Four fractional regression models were fitted, modelling each of the narratives of law on the basis of a range of social, demographic and geographic variables. Fractional regression is a statistical approach used to analyse a dependent variable which is made up of proportions/fractions between zero and one. In this case, dependent variables are made up of the extent to which the three items for each narrative were affirmed. Strongly agreeing with a statement (such as the law as 'out of reach') was assigned a score of three, agreeing a score of two, disagreeing a score of one and disagreeing strongly a score of zero. Summing these across the three items (for each narrative) gave a score from zero to nine, which was divided by nine to yield a fractional dependent variable. Model coefficients indicate the change in log-odds (of affirmation) for a given level of a variable compared to the reference category for that variable (holding other variables constant). Coefficients can also be exponentiated to aid interpretation, giving the multiplicative factor by which the odds of affirmation change for a level of a given variable (compared to its reference category).

Table A2.8. Fractional regression model of the extent to which respondents viewed the law as remote based on a range of social, demographic and geographic predictors[330]

Variable	Level	Coef.	Std. Err.	z	p
Age group	18-24	0.000	-	-	-
	25-34	0.006	0.072	0.090	0.930
	35-44	0.120	0.073	1.650	0.100
	45-54	0.261	0.073	3.570	0.000
	55-64	0.392	0.075	5.220	0.000
	65+	0.505	0.077	6.520	0.000
	Refused	0.123	0.119	1.030	0.303
Sex at birth	Male	0.000	-	-	-
	Female	0.021	0.030	0.690	0.487
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	0.070	0.093	0.750	0.451
	Prefer not to say	0.359	0.124	2.910	0.004
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	0.008	0.132	0.060	0.949
Main language spoken	English	0.000	-	-	-
	Other	-0.036	0.038	-0.940	0.346

330 5,283 observations, Log pseudolikelihood = -3480.03, Wald $\chi^2(32) = 300.46284.81$, Pseudo $R^2 = 0.012$.

Variable	Level	Coef.	Std. Err.	z	p
Family status	Married, children	0.000	-	-	-
	Married, no children	-0.044	0.050	-0.880	0.381
	De facto, children	0.027	0.068	0.390	0.693
	De facto, no children	0.072	0.057	1.280	0.202
	Single, children	0.082	0.071	1.160	0.245
	Single, no children	0.009	0.051	0.170	0.864
Carer	No	0.000	-	-	-
	Yes	-0.197	0.052	-3.760	0.000
Work	Yes	0.000	-	-	-
	No	-0.069	0.042	-1.640	0.100
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	-0.107	0.054	-1.980	0.048
	Trade/vocational certs/diplomas	-0.162	0.045	-3.600	0.000
	Degree or higher	-0.268	0.044	-6.100	0.000
Geography	Major Cities	0.000	-	-	-
	Inner Regional	-0.003	0.034	-0.080	0.939
	Outer Regional and Remote	-0.411	0.088	-4.680	0.000
Long-term illness or disability	No	0.000	-	-	-
	Yes	0.111	0.034	3.250	0.001
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	0.126	0.035	3.640	0.000
	Severe	0.359	0.064	5.660	0.000
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	0.030	0.051	0.600	0.550
	Quintile 3 – $70,565 to $110,292	0.092	0.056	1.650	0.099
	Quintile 4 – $110,293 to $165,256	0.172	0.059	2.940	0.003
	Quintile 5 – $165,256 or more	0.062	0.062	0.990	0.320
	Prefer not to say	0.135	0.057	2.370	0.018
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	0.199	0.085	2.330	0.020
Constant		-0.554	0.099	-5.620	0.000

Table A2.9. Fractional regression model of the extent to which respondents viewed the law as something to resist based on a range of social, demographic and geographic predictors[331]

Variable	Level	Coef.	Std. Err.	z	p
Age group	18-24	0.000	-	-	-
	25-34	0.068	0.062	1.080	0.278
	35-44	0.118	0.063	1.890	0.059
	45-54	0.116	0.065	1.790	0.074
	55-64	0.102	0.066	1.550	0.121
	65+	0.050	0.067	0.750	0.455
	Refused	0.322	0.095	3.390	0.001
Sex at birth	Male	0.000	-	-	-
	Female	-0.121	0.026	-4.580	0.000
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	0.055	0.093	0.590	0.556
	Prefer not to say	0.169	0.116	1.450	0.147
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	0.185	0.115	1.610	0.108
Main language spoken	English	0.000	-	-	-
	Other	0.181	0.033	5.460	0.000
Family status	Married, children	0.000	-	-	-
	Married, no children	0.006	0.044	0.140	0.887
	De facto, children	-0.030	0.067	-0.440	0.657
	De facto, no children	0.037	0.055	0.680	0.495
	Single, children	-0.061	0.066	-0.940	0.348
	Single, no children	0.008	0.043	0.180	0.855
Carer	No	0.000	-	-	-
	Yes	-0.097	0.046	-2.110	0.035
Work	Yes	0.000	-	-	-
	No	0.052	0.036	1.440	0.150
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	-0.097	0.050	-1.960	0.051
	Trade/vocational certs/diplomas	-0.159	0.041	-3.910	0.000
	Degree or higher	-0.179	0.040	-4.510	0.000
Geography	Major Cities	0.000	-	-	-
	Inner Regional	-0.003	0.031	-0.100	0.919
	Outer Regional and Remote	-0.266	0.074	-3.570	0.000

331 5,300 observations, Log pseudolikelihood = -3417.58, Wald $\chi^2(32) = 269.25$, Pseudo $R^2 = 0.0076$.

Variable	Level	Coef.	Std. Err.	z	p
Long-term illness or disability	No	0.000	-	-	-
	Yes	-0.016	0.031	-0.510	0.612
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	0.063	0.032	1.980	0.048
	Severe	0.345	0.058	5.990	0.000
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	-0.080	0.046	-1.750	0.080
	Quintile 3 – $70,565 to $110,292	-0.070	0.049	-1.420	0.155
	Quintile 4 – $110,293 to $165,256	-0.111	0.053	-2.090	0.037
	Quintile 5 – $165,256 or more	-0.270	0.056	-4.850	0.000
	Prefer not to say	-0.011	0.052	-0.220	0.829
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	0.206	0.076	2.720	0.007
Constant		-0.391	0.087	-4.470	0.000

Table A2.10. Fractional regression model of the extent to which respondents viewed the law as practical based on a range of social, demographic and geographic predictors[332]

Variable	Level	Coef.	Std. Err.	z	p
Age group	18-24	0.000	-	-	-
	25-34	0.027	0.057	0.480	0.632
	35-44	-0.022	0.058	-0.380	0.702
	45-54	-0.061	0.057	-1.060	0.290
	55-64	-0.128	0.059	-2.170	0.030
	65+	-0.140	0.061	-2.290	0.022
	Refused	-0.051	0.084	-0.610	0.541
Sex at birth	Male	0.000	-	-	-
	Female	-0.034	0.023	-1.500	0.134
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	-0.018	0.065	-0.280	0.780
	Prefer not to say	0.005	0.102	0.050	0.961
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	-0.144	0.094	-1.530	0.126
Main language spoken	English	0.000	-	-	-
	Other	0.137	0.029	4.660	0.000

332 5,252 observations, Log pseudolikelihood = -3512.47, Wald $\chi^2(32) = 110.45$, Pseudo $R^2 = 0.0025$.

Variable	Level	Coef.	Std. Err.	z	p
Family status	Married, children	0.000	-	-	-
	Married, no children	0.011	0.038	0.300	0.763
	De facto, children	-0.054	0.055	-0.990	0.322
	De facto, no children	0.000	0.043	0.000	1.000
	Single, children	-0.035	0.054	-0.650	0.514
	Single, no children	-0.043	0.039	-1.120	0.261
Carer	No	0.000	-	-	-
	Yes	0.003	0.037	0.080	0.940
Work	Yes	0.000	-	-	-
	No	0.015	0.031	0.470	0.641
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	0.101	0.046	2.180	0.029
	Trade/vocational certs/diplomas	0.040	0.036	1.100	0.271
	Degree or higher	0.056	0.036	1.570	0.117
Geography	Major Cities	0.000	-	-	-
	Inner Regional	-0.056	0.028	-2.020	0.044
	Outer Regional and Remote	0.075	0.068	1.100	0.270
Long-term illness or disability	No	0.000	-	-	-
	Yes	-0.008	0.028	-0.290	0.773
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	-0.026	0.027	-0.960	0.339
	Severe	-0.049	0.056	-0.870	0.385
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	-0.064	0.038	-1.680	0.094
	Quintile 3 – $70,565 to $110,292	-0.112	0.041	-2.750	0.006
	Quintile 4 – $110,293 to $165,256	-0.068	0.045	-1.510	0.131
	Quintile 5 – $165,256 or more	-0.090	0.047	-1.920	0.055
	Prefer not to say	-0.109	0.043	-2.530	0.012
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	-0.081	0.068	-1.190	0.233
Constant		0.415	0.077	5.390	0.000

Table A2.11. Fractional regression model of the extent to which respondents viewed the law as a game based on a range of social, demographic and geographic predictors[333]

Variable	Level	Coef.	Std. Err.	z	p
Age group	18-24	0.000	-	-	-
	25-34	0.118	0.071	1.660	0.097
	35-44	0.172	0.074	2.320	0.020
	45-54	0.151	0.074	2.030	0.042
	55-64	0.204	0.078	2.610	0.009
	65+	0.127	0.080	1.600	0.110
	Refused	0.156	0.104	1.500	0.134
Sex at birth	Male	0.000	-	-	-
	Female	-0.211	0.030	-7.030	0.000
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	0.146	0.087	1.680	0.092
	Prefer not to say	-0.047	0.109	-0.430	0.667
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	-0.158	0.137	-1.150	0.250
Main language spoken	English	0.000	-	-	-
	Other	-0.126	0.038	-3.300	0.001
Family status	Married, children	1.000	-	-	-
	Married, no children	0.090	0.049	1.830	0.067
	De facto, children	0.092	0.078	1.170	0.241
	De facto, no children	0.205	0.061	3.390	0.001
	Single, children	0.128	0.076	1.680	0.093
	Single, no children	0.081	0.051	1.590	0.111
Carer	No	0.000	-	-	-
	Yes	0.041	0.051	0.810	0.419
Work	Yes	0.000	-	-	-
	No	0.055	0.041	1.330	0.184
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	-0.013	0.058	-0.230	0.821
	Trade/vocational certs/diplomas	0.020	0.047	0.430	0.671
	Degree or higher	-0.026	0.047	-0.560	0.575
Geography	Major Cities	0.000	-	-	-
	Inner Regional	-0.066	0.037	-1.790	0.074
	Outer Regional and Remote	-0.591	0.091	-6.510	0.000

333 5,127 observations, Log pseudolikelihood = -3441.60, Wald $\chi^2(32) = 223.37$, Pseudo $R^2 = 0.0094$.

Variable	Level	Coef.	Std. Err.	z	p
Long-term illness or disability	No	0.000	-	-	-
	Yes	0.112	0.037	3.020	0.003
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	0.159	0.035	4.550	0.000
	Severe	0.281	0.066	4.270	0.000
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	-0.053	0.049	-1.090	0.276
	Quintile 3 – $70,565 to $110,292	-0.078	0.055	-1.420	0.156
	Quintile 4 – $110,293 to $165,256	0.010	0.059	0.170	0.869
	Quintile 5 – $165,256 or more	-0.044	0.062	-0.700	0.482
	Prefer not to say	0.020	0.057	0.360	0.718
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	0.144	0.082	1.740	0.081
Constant		-0.112	0.101	-1.100	0.271

Modelling perceived inaccessibility of lawyers

Two statistical model were fitted to model Perceived Inaccessibility of Lawyers (PIL) scale scores and strata on the basis of a range of social, demographic and geographic predictor. The PIL scale score model was a Generalised Linear Model, assuming a normal distribution and using an identity link (Table A2.12). The PIL strata (low, medium, high perceived inaccessibility) model was a multinomial logistic regression model with medium perceived inaccessibility as the base outcome to which other strategies were compared (Table A2.7). The modelling approach was identical to GLC above, where additional details can be found on the types of statistical models and how to interpret them.

Table A2.12. Generalised Linear Model (with an assumed normal distribution and identity link) of PIL scale score based on a range of social, demographic and geographic predictors[334]

Variable	Level	Coef.	Std. Err.	z	p
Age group	18-24	0.000	-	-	-
	25-34	-0.786	1.472	-0.530	0.593
	35-44	2.903	1.425	2.040	0.042
	45-54	5.940	1.405	4.230	0.000
	55-64	8.554	1.447	5.910	0.000
	65+	9.026	1.496	6.030	0.000
	Refused	4.648	2.361	1.970	0.049
Sex at birth	Male	0.000	-	-	-
	Female	-0.850	0.587	-1.450	0.148
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	0.145	2.047	0.070	0.943
	Prefer not to say	1.752	2.049	0.860	0.392
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	4.103	2.584	1.590	0.112
Main language spoken	English	0.000	-	-	-
	Other	4.268	0.754	5.660	0.000

334 5,877 observations, log-pseudolikelihood = -25170.83, AIC = 8.577, BIC = 1839669.

Variable	Level	Coef.	Std. Err.	z	p
Family status	Married, children	0.000	-	-	-
	Married, no children	-2.002	0.989	-2.020	0.043
	De facto, children	3.708	1.271	2.920	0.004
	De facto, no children	0.960	1.176	0.820	0.414
	Single, children	3.340	1.434	2.330	0.020
	Single, no children	-0.780	1.017	-0.770	0.443
Carer	No	0.000	-	-	-
	Yes	-6.683	1.111	-6.010	0.000
Work	Yes	0.000	-	-	-
	No	0.233	0.804	0.290	0.772
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	0.671	1.000	0.670	0.503
	Trade/vocational certs/diplomas	-3.575	0.877	-4.080	0.000
	Degree or higher	-4.532	0.821	-5.520	0.000
Geography	Major Cities	0.000	-	-	-
	Inner Regional	0.818	0.638	1.280	0.200
	Outer Regional and Remote	-6.035	1.397	-4.320	0.000
Long-term illness or disability	No	0.000	-	-	-
	Yes	3.506	0.657	5.340	0.000
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	1.925	0.709	2.720	0.007
	Severe	9.180	1.461	6.280	0.000
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	0.117	1.045	0.110	0.911
	Quintile 3 – $70,565 to $110,292	1.344	1.109	1.210	0.225
	Quintile 4 – $110,293 to $165,256	4.510	1.237	3.640	0.000
	Quintile 5 – $165,256 or more	2.645	1.181	2.240	0.025
	Prefer not to say	3.508	1.063	3.300	0.001
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	5.975	1.680	3.560	0.000
Constant		39.388	1.905	20.670	0.000

Table A2.13. Multinomial logistic regression model of PIL Scale strata (low, medium, high perceived inaccessibility) based on a range of social, demographic and geographic predictors. Medium perceived inaccessibility was used as the base outcome to which other strategies were compared[335]

Low Perceived Inaccessibility					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Age group	18-24	0.000	-	-	-
	25-34	0.200	0.173	1.160	0.247
	35-44	-0.255	0.183	-1.400	0.162
	45-54	-0.664	0.185	-3.590	0.000
	55-64	-0.791	0.194	-4.080	0.000
	65+	-0.817	0.192	-4.240	0.000
	Refused	0.054	0.246	0.220	0.827
Sex at birth	Male	0.000	-	-	-
	Female	0.008	0.081	0.100	0.920
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	-0.093	0.255	-0.370	0.715
	Prefer not to say	-0.307	0.368	-0.830	0.405
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	-0.149	0.355	-0.420	0.673
Main language spoken	English	0.000	-	-	-
	Other	-0.223	0.103	-2.180	0.029
Family status	Married, children	0.000	-	-	-
	Married, no children	0.171	0.130	1.310	0.190
	De facto, children	-0.675	0.226	-2.990	0.003
	De facto, no children	0.036	0.157	0.230	0.821
	Single, children	-0.090	0.213	-0.420	0.672
	Single, no children	0.172	0.131	1.320	0.187
Carer	No	0.000	-	-	-
	Yes	0.919	0.114	8.090	0.000
Work	Yes	0.000	-	-	-
	No	-0.010	0.111	-0.090	0.929
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	-0.075	0.159	-0.470	0.638
	Trade/vocational certs/diplomas	0.316	0.125	2.530	0.011
	Degree or higher	0.195	0.125	1.570	0.117

335 5,877 observations, Log pseudolikelihood = -5543.31, Wald $\chi^2(64) = 503.69$, Pseudo $R^2 = 0.058$.

Low Perceived Inaccessibility					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Geography	Major Cities	0.000	-	-	-
	Inner Regional	0.084	0.095	0.880	0.377
	Outer Regional and Remote	1.273	0.158	8.040	0.000
Long-term illness or disability	No	0.000	-	-	-
	Yes	-0.274	0.101	-2.710	0.007
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	-0.108	0.095	-1.140	0.256
	Severe	-0.542	0.249	-2.180	0.029
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	-0.174	0.129	-1.340	0.179
	Quintile 3 – $70,565 to $110,292	-0.390	0.140	-2.780	0.005
	Quintile 4 – $110,293 to $165,256	-0.589	0.160	-3.670	0.000
	Quintile 5 – $165,256 or more	-0.364	0.161	-2.260	0.024
	Prefer not to say	-0.542	0.152	-3.560	0.000
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	-0.318	0.268	-1.190	0.235
Constant		-0.457	0.250	-1.830	0.067

High Perceived Inaccessibility					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Age group	18-24	0.000	-	-	-
	25-34	0.367	0.211	1.740	0.082
	35-44	0.442	0.210	2.110	0.035
	45-54	0.578	0.208	2.780	0.005
	55-64	0.654	0.212	3.090	0.002
	65+	0.690	0.210	3.280	0.001
	Refused	1.392	0.259	5.370	0.000
Sex at birth	Male	0.000	-	-	-
	Female	-0.175	0.079	-2.210	0.027
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	0.093	0.254	0.370	0.714
	Prefer not to say	-0.362	0.387	-0.940	0.350
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	0.356	0.286	1.250	0.212
Main language spoken	English	0.000	-	-	-
	Other	0.600	0.099	6.090	0.000

High Perceived Inaccessibility					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Family status	Married, children	0.000	-	-	-
	Married, no children	-0.023	0.135	-0.170	0.864
	De facto, children	0.073	0.209	0.350	0.727
	De facto, no children	0.306	0.160	1.910	0.056
	Single, children	0.571	0.202	2.830	0.005
	Single, no children	0.241	0.138	1.750	0.080
Carer	No	0.000	-	-	-
	Yes	0.171	0.122	1.400	0.161
Work	Yes	0.000	-	-	-
	No	0.103	0.109	0.940	0.347
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	-0.096	0.143	-0.670	0.503
	Trade/vocational certs/diplomas	-0.138	0.116	-1.200	0.231
	Degree or higher	-0.476	0.118	-4.010	0.000
Geography	Major Cities	0.000	-	-	-
	Inner Regional	0.081	0.097	0.830	0.404
	Outer Regional and Remote	0.402	0.183	2.190	0.028
Long-term illness or disability	No	0.000	-	-	-
	Yes	0.121	0.096	1.250	0.210
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	0.183	0.092	2.000	0.046
	Severe	0.830	0.173	4.810	0.000
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	-0.051	0.124	-0.410	0.683
	Quintile 3 – $70,565 to $110,292	-0.189	0.143	-1.320	0.186
	Quintile 4 – $110,293 to $165,256	-0.035	0.160	-0.220	0.825
	Quintile 5 – $165,256 or more	-0.164	0.175	-0.940	0.348
	Prefer not to say	-0.076	0.140	-0.540	0.588
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	0.539	0.201	2.680	0.007
Constant		-1.574	0.264	-5.950	0.000

Modelling trust in lawyers

Table A2.14 sets out binomial regression output, modelling the extent to which trust in lawyers items were affirmed across the six trust items. For each item Likert scale responses were assigned scores from zero to three (mistrust to trust) before summing across items to yield a score from 0 to 18 (higher scores indicating greater trust). Scores out of 18 were then modelled based on a range of social and demographic predictors. More generally, additional details on binomial regression and its interpretation can be found in the 'modelling knowledge of law' section, immediately above Table A2.1.

Table A2.14. Binomial regression output of respondents' trust in lawyers (score out of 18 with higher values indicating greater trust) based on a range of social, demographic and geographic predictors[336]

Variable	Level	Coef.	Std. Err.	z	p
Age group	18-24	0.000	-	-	-
	25-34	-0.031	0.058	-0.530	0.595
	35-44	-0.123	0.058	-2.110	0.035
	45-54	-0.211	0.056	-3.740	0.000
	55-64	-0.326	0.060	-5.420	0.000
	65+	-0.332	0.062	-5.330	0.000
	Refused	0.114	0.097	1.180	0.237
Sex at birth	Male	0.000	-	-	-
	Female	0.104	0.025	4.220	0.000
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	0.067	0.084	0.800	0.422
	Prefer not to say	-0.164	0.078	-2.100	0.036
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	-0.151	0.108	-1.400	0.163
Main language spoken	English	0.000	-	-	-
	Other	0.090	0.032	2.820	0.005
Family status	Married, children	0.000	-	-	-
	Married, no children	0.052	0.042	1.240	0.216
	De facto, children	-0.243	0.051	-4.760	0.000
	De facto, no children	-0.087	0.049	-1.780	0.074
	Single, children	-0.110	0.060	-1.830	0.067
	Single, no children	0.021	0.043	0.500	0.620

336 5,240 observations, log-pseudolikelihood = -13689.90, AIC = 5.238, BIC = -32001.7.

Variable	Level	Coef.	Std. Err.	z	p
Carer	No	0.000	-	-	-
	Yes	0.224	0.044	5.090	0.000
Work	Yes	0.000	-	-	-
	No	0.093	0.034	2.710	0.007
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	-0.037	0.041	-0.890	0.375
	Trade/vocational certs/diplomas	0.130	0.036	3.600	0.000
	Degree or higher	0.145	0.034	4.230	0.000
Geography	Major Cities	0.000	-	-	-
	Inner Regional	-0.102	0.027	-3.770	0.000
	Outer Regional and Remote	0.367	0.058	6.290	0.000
Long-term illness or disability	No	0.000	-	-	-
	Yes	-0.121	0.028	-4.290	0.000
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	-0.147	0.029	-5.070	0.000
	Severe	-0.364	0.059	-6.150	0.000
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	-0.086	0.044	-1.970	0.048
	Quintile 3 – $70,565 to $110,292	-0.104	0.047	-2.220	0.026
	Quintile 4 – $110,293 to $165,256	-0.243	0.050	-4.850	0.000
	Quintile 5 – $165,256 or more	-0.236	0.051	-4.650	0.000
	Prefer not to say	-0.245	0.047	-5.170	0.000
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	-0.236	0.067	-3.520	0.000
Constant		1.086	0.082	13.280	0.000

Modelling digital capability for law

Digital Capability for Law (DCL) was modelled in two ways. First, as set out in Table A2.15, a multinomial logistic regression model was fitted modelling whether respondents belonged to 'no support', 'minor support' or 'major support' groups (as defined in chapter 10) based on their social, demographic and geographic characteristics. No support was used as the base outcome to which other groups were compared. Additional details on multinomial logistic regression and its interpretation can be found in the section above in modelling GLC, above Table A2.2. Second, as shown in Table A2.16, a binomial logistic regression model was fitted to model whether or not respondents had completed all digital capability for law tasks before based on the same social, demographic and geographic characteristics. Binary logistic regression is a statistical method used to examine the relationship between a binary outcome variable (in our case whether or not respondents had completed all digital capability tasks before) and one or more independent variables. The aim is to estimate the probability of reporting problems based on the values of the independent variables (our social and demographic predictors). The dependent variable is modelled using the logistic function, which transforms a linear combination of the independent variables into a probability value ranging from 0 to 1. This also allows estimation of the odds ratio (shown in Table A2.16), which quantifies the change in the odds of the outcome for a one-unit change in an independent variable. Odds-ratios greater than 1 indicate an increase in the likelihood of reporting problems (compared to the reference category for each variable) and values less than 1 a decrease. The accompanying p-value allows assessment of whether or not the difference is statistically significant (where $p < 0.05$).

Table A2.15. Multinomial logistic regression model of DCL category (no support, minor support, major support) based on a range of social, demographic and geographic predictors. No support was used as the base outcome to which other groups were compared[337]

Minor support					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Age group	18-24	0.000	-	-	-
	25-34	-0.773	0.174	-4.430	0.000
	35-44	-0.719	0.180	-3.990	0.000
	45-54	-0.068	0.178	-0.380	0.702
	55-64	0.320	0.184	1.740	0.082
	65+	0.388	0.196	1.980	0.048
	Refused	-0.035	0.245	-0.140	0.887

337 5,969 observations, Log pseudolikelihood = -4954.91, Wald $\chi^2(64) = 1294.07$, Pseudo $R^2 = 0.184$.

Minor support					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Sex at birth	Male	0.000	-	-	-
	Female	-0.077	0.084	-0.930	0.354
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	0.044	0.270	0.160	0.870
	Prefer not to say	0.467	0.372	1.260	0.209
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	0.136	0.331	0.410	0.682
Main language spoken	English	0.000	-	-	-
	Other	0.368	0.104	3.530	0.000
Family status	Married, children	0.000	-	-	-
	Married, no children	0.208	0.130	1.600	0.110
	De facto, children	-0.133	0.229	-0.580	0.562
	De facto, no children	0.134	0.163	0.820	0.411
	Single, children	-0.017	0.212	-0.080	0.936
	Single, no children	0.097	0.135	0.720	0.472
Carer	No	0.000	-	-	-
	Yes	-0.355	0.134	-2.660	0.008
Work	Yes	0.000	-	-	-
	No	0.394	0.110	3.580	0.000
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	-0.157	0.167	-0.940	0.347
	Trade/vocational certs/diplomas	-0.493	0.141	-3.490	0.000
	Degree or higher	-0.790	0.141	-5.620	0.000
Geography	Major Cities	0.000	-	-	-
	Inner Regional	-0.022	0.103	-0.210	0.832
	Outer Regional and Remote	0.283	0.189	1.500	0.134
Long-term illness or disability	No	0.000	-	-	-
	Yes	0.087	0.108	0.810	0.420
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	-0.058	0.096	-0.600	0.546
	Severe	-0.226	0.207	-1.090	0.274

Minor support					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	0.330	0.142	2.320	0.020
	Quintile 3 – $70,565 to $110,292	0.170	0.153	1.110	0.266
	Quintile 4 – $110,293 to $165,256	0.358	0.165	2.160	0.030
	Quintile 5 – $165,256 or more	0.152	0.169	0.900	0.370
	Prefer not to say	0.510	0.161	3.170	0.002
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	0.047	0.248	0.190	0.849
Constant		-0.648	0.264	-2.460	0.014

Major support					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Age group	18-24	0.000	-	-	-
	25-34	-0.285	0.248	-1.150	0.250
	35-44	0.054	0.250	0.220	0.830
	45-54	0.902	0.231	3.900	0.000
	55-64	1.529	0.232	6.580	0.000
	65+	2.189	0.230	9.540	0.000
	Refused	1.326	0.299	4.430	0.000
Sex at birth	Male	0.000	-	-	-
	Female	-0.034	0.089	-0.380	0.702
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	-0.463	0.334	-1.380	0.166
	Prefer not to say	0.740	0.411	1.800	0.072
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	0.016	0.334	0.050	0.962
Main language spoken	English	0.000	-	-	-
	Other	0.914	0.116	7.910	0.000
Family status	Married, children	0.000	-	-	-
	Married, no children	0.291	0.163	1.790	0.073
	De facto, children	0.292	0.249	1.170	0.240
	De facto, no children	0.212	0.207	1.030	0.304
	Single, children	-0.136	0.248	-0.550	0.582
	Single, no children	0.439	0.163	2.690	0.007
Carer	No	0.000	-	-	-
	Yes	-0.539	0.131	-4.120	0.000

Major support					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Work	Yes	0.000	-	-	-
	No	0.577	0.113	5.110	0.000
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	-0.840	0.155	-5.400	0.000
	Trade/vocational certs/diplomas	-1.299	0.129	-10.070	0.000
	Degree or higher	-1.949	0.133	-14.630	0.000
Geography	Major Cities	0.000	-	-	-
	Inner Regional	0.329	0.105	3.150	0.002
	Outer Regional and Remote	0.599	0.186	3.220	0.001
Long-term illness or disability	No	0.000	-	-	-
	Yes	0.211	0.104	2.040	0.042
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	0.096	0.107	0.900	0.370
	Severe	0.274	0.223	1.230	0.218
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	0.009	0.131	0.070	0.947
	Quintile 3 – $70,565 to $110,292	-0.414	0.151	-2.730	0.006
	Quintile 4 – $110,293 to $165,256	-0.646	0.189	-3.410	0.001
	Quintile 5 – $165,256 or more	-1.171	0.224	-5.220	0.000
	Prefer not to say	0.119	0.159	0.750	0.454
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	-0.316	0.225	-1.400	0.161
Constant		-1.048	0.303	-3.460	0.001

Table A2.16. Binary logistic regression model of whether or not respondents had completed all digital capability tasks based on a range of social, demographic and geographic predictors[338]

Variable	Level	Odds Ratio	Std. Err.	z	p
Age group	18-24	1.000	-	-	-
	25-34	1.756	0.284	3.480	0.001
	35-44	1.482	0.244	2.390	0.017
	45-54	0.720	0.115	-2.060	0.040
	55-64	0.440	0.072	-5.000	0.000
	65+	0.282	0.047	-7.560	0.000
	Refused	0.582	0.126	-2.510	0.012
Sex at birth	Male	1.000	-	-	-
	Female	1.051	0.076	0.690	0.491
Sexual orientation	Straight (heterosexual)	1.000	-	-	-
	Gay, lesbian, bisexual, other term	1.142	0.288	0.530	0.599
	Prefer not to say	0.565	0.181	-1.790	0.074
Aboriginal or Torres Strait Islander	No	1.000	-	-	-
	Yes	0.965	0.274	-0.130	0.900
Main language spoken	English	1.000	-	-	-
	Other	0.554	0.050	-6.520	0.000
Family status	Married, children	1.000	-	-	-
	Married, no children	0.805	0.094	-1.870	0.061
	De facto, children	0.980	0.180	-0.110	0.913
	De facto, no children	0.838	0.123	-1.210	0.228
	Single, children	1.089	0.204	0.450	0.650
	Single, no children	0.774	0.091	-2.170	0.030
Carer	No	1.000	-	-	-
	Yes	1.550	0.170	3.990	0.000
Work	Yes	1.000	-	-	-
	No	0.619	0.057	-5.180	0.000
Highest education	Lower than year 12 or equivalent	1.000	-	-	-
	Year 12 or equivalent	1.778	0.242	4.230	0.000
	Trade/vocational certs/diplomas	2.637	0.301	8.500	0.000
	Degree or higher	4.079	0.468	12.260	0.000

338 5,969 observations, Log pseudolikelihood = -3339.56, Wald $\chi^2(32) = 1017.11$, Pseudo $R^2 = 0.191$.

Variable	Level	Odds Ratio	Std. Err.	z	p
Geography	Major Cities	1.000	-	-	-
	Inner Regional	0.880	0.076	-1.490	0.136
	Outer Regional and Remote	0.660	0.105	-2.610	0.009
Long-term illness or disability	No	1.000	-	-	-
	Yes	0.855	0.077	-1.740	0.082
Mental distress (K6)	None or low	1.000	-	-	-
	Moderate	0.992	0.082	-0.100	0.918
	Severe	0.980	0.173	-0.110	0.911
Gross annual household income	Quintile 1 – $0 to $39,988	1.000	-	-	-
	Quintile 2 – $39,989 to $70,564	0.893	0.102	-1.000	0.319
	Quintile 3 – $70,565 to $110,292	1.176	0.148	1.290	0.197
	Quintile 4 – $110,293 to $165,256	1.098	0.158	0.650	0.517
	Quintile 5 – $165,256 or more	1.442	0.215	2.460	0.014
	Prefer not to say	0.766	0.104	-1.970	0.049
Unable to eat, heat or cool home	No	1.000	-	-	-
	Yes	1.168	0.236	0.770	0.443
Constant		0.906	0.209	-0.430	0.669

Deriving composite skills and attitudes to law measures

Principal components analysis (PCA) is commonly used to extract underlying relationships between variables. PCA allows identification of relatively independent subsets of items. Subsets in which items are correlated with one another, but largely independent of those in other subsets, are combined into components, with the components reflecting underlying processes that created the correlations; in our case, legal capability domains. Prior to analysis, data was confirmed to be suitable for PCA. This was indicated by a Keiser-Meyer-Olkin statistic of 0.78 (above the common cut-off of 0.6). Analysis used principal components extraction, with direct oblimin rotation. This type of oblique rotation results in a pattern and a structure matrix, with the two extracted capability factors (corresponding to skills and attitudes to law) illustrated by the pattern matrix in Table A2.17. The figures in the table are known as loadings and illustrate the strength and direction of the relationship between each capability (all placed on a continuous scale as they were in Table 11.2) and the extracted component. Absolute loadings less than 0.32 were removed (i.e. those with less than 10% overlapping variance between item and component). Table A2.17 illustrates two relatively stable components relating to skills and attitudes to law. Only viewing the law as practical had an absolute loading in excess of 0.32 on the 'incorrect' component (loading on skills rather than attitudes where it might be more logically expected to belong).

Table A2.17. PCA pattern matrix illustrating the relationship between legal capabilities and two extracted components corresponding to skills (component 2) and attitudes to law (component 1)

Legal capability	Component	
	1	2
Law as a game	.768	.350
Law as remote	.725	
Law as something to resist	.716	
Perceived Inaccessibility of Lawyers (PIL)	.668	-.310
Trust in lawyers	-.578	
General Legal Confidence (GLC)		.619
Perceived Relevance of Law (LAW)		.568
Knowledge of law		.528
Law as practical		.497
Digital Capability for Law (DCL)		.455
Practical Legal Literacy (PLL)		-.378

Having removed the law as practical from analysis, two further PCAs were conducted extracting a single factor from remaining skills and attitudes to law items separately. This resulted in the component matrices in Tables A2.18 and A2.19. This was done in order to calculate factor scores for each respondent for the skills and attitudes to law component. Scores are each respondent's position in reduced-dimensional space (in this case single dimensions for skills and attitudes to law) determined by the components. In simple terms, this allows assessment of the extent to which individuals align with the skills and attitudes to law component.

Table A2.18. PCA component matrix for the skills component

	Skills component
GLC	.632
PLL	-.597
Knowledge of law	.590
DCL	.562
LAW	.532

Table A2.19. PCA component matrix for the attitudes to law component

	Attitudes component
Law as remote	.794
PIL	.789
Law as something to resist	.692
Trust in lawyers	-.662
Law as a game	.609

Modelling composite skills, attitudes to law, and their combination

The composite skills and composite attitudes to law measures described in chapter 11 and developed using the PCA output above were modelled using two Generalised Linear Models (both assuming a normal distribution and using an identity link) based on a range of social, demographic and geographic variables. Statistical output is shown in Tables A2.20 and A2.21 respectively. Model interpretation is the same as for previous similar models, such as for GLC score (Table A2.2, with further details on the modelling approach immediately above the table). These models are followed by a multinomial logistic regression modelling combined skills/attitudes to law quadrant based on the same range of social, demographic and geographic variables, with output in Table A2.22. Again, interpretation is much the same as for previous multinomial logistic regression models, such as for GLC strata above, where further details on model interpretation can also be found.

Table A2.20. Generalised Linear Model (with an assumed normal distribution and identity link) of composite skills score based on a range of social, demographic and geographic predictors[339]

Variable	Level	Coef.	Std. Err.	z	p
Age group	18-24	1.000	-	-	-
	25-34	0.228	0.070	3.260	0.001
	35-44	0.205	0.070	2.930	0.003
	45-54	0.115	0.068	1.700	0.088
	55-64	-0.004	0.071	-0.060	0.954
	65+	-0.366	0.076	-4.790	0.000
	Refused	0.051	0.099	0.510	0.608
Sex at birth	Male	1.000	-	-	-
	Female	-0.014	0.029	-0.470	0.640
Sexual orientation	Straight (heterosexual)	1.000	-	-	-
	Gay, lesbian, bisexual, other term	0.035	0.090	0.390	0.694
	Prefer not to say	-0.419	0.117	-3.590	0.000
Aboriginal or Torres Strait Islander	No	1.000	-	-	-
	Yes	0.191	0.131	1.460	0.145
Main language spoken	English	1.000	-	-	-
	Other	-0.187	0.038	-4.930	0.000

339 5,835 observations, log-pseudolikelihood = -7693.27, AIC = 2.648, BIC = -45533.71.

Variable	Level	Coef.	Std. Err.	z	p
Family status	Married, children	1.000	-	-	-
	Married, no children	0.107	0.048	2.250	0.025
	De facto, children	0.062	0.066	0.950	0.344
	De facto, no children	0.067	0.053	1.250	0.211
	Single, children	0.053	0.075	0.710	0.478
	Single, no children	0.012	0.049	0.240	0.813
Carer	No	1.000	-	-	-
	Yes	0.381	0.050	7.610	0.000
Work	Yes	1.000	-	-	-
	No	-0.133	0.042	-3.130	0.002
Highest education	Lower than year 12 or equivalent	1.000	-	-	-
	Year 12 or equivalent	0.173	0.057	3.020	0.003
	Trade/vocational certs/diplomas	0.453	0.049	9.270	0.000
	Degree or higher	0.526	0.048	10.860	0.000
Geography	Major Cities	1.000	-	-	-
	Inner Regional	-0.015	0.032	-0.460	0.648
	Outer Regional and Remote	0.112	0.059	1.900	0.057
Long-term illness or disability	No	1.000	-	-	-
	Yes	-0.060	0.036	-1.680	0.094
Mental distress (K6)	None or low	1.000	-	-	-
	Moderate	-0.157	0.034	-4.560	0.000
	Severe	-0.347	0.073	-4.760	0.000
Gross annual household income	Quintile 1 – $0 to $39,988	1.000	-	-	-
	Quintile 2 – $39,989 to $70,564	0.089	0.054	1.660	0.097
	Quintile 3 – $70,565 to $110,292	0.065	0.058	1.110	0.266
	Quintile 4 – $110,293 to $165,256	-0.046	0.061	-0.760	0.447
	Quintile 5 – $165,256 or more	0.003	0.060	0.040	0.965
	Prefer not to say	-0.063	0.060	-1.050	0.295
Unable to eat, heat or cool home	No	1.000	-	-	-
	Yes	-0.191	0.089	-2.160	0.031
Constant		-0.291	0.092	-3.180	0.001

Table A2.21. Generalised Linear Model (with an assumed normal distribution and identity link) of composite attitudes to law score based on a range of social, demographic and geographic predictors[340]

Variable	Level	Coef.	Std. Err.	z	p
Age group	18-24	1.000	-	-	-
	25-34	-0.161	0.080	-2.010	0.044
	35-44	-0.316	0.079	-4.000	0.000
	45-54	-0.378	0.081	-4.650	0.000
	55-64	-0.431	0.086	-5.010	0.000
	65+	-0.404	0.089	-4.520	0.000
	Refused	-0.335	0.141	-2.370	0.018
Sex at birth	Male	1.000	-	-	-
	Female	0.164	0.034	4.900	0.000
Sexual orientation	Straight (heterosexual)	1.000	-	-	-
	Gay, lesbian, bisexual, other term	0.042	0.105	0.400	0.686
	Prefer not to say	-0.242	0.150	-1.610	0.108
Aboriginal or Torres Strait Islander	No	1.000	-	-	-
	Yes	-0.254	0.148	-1.710	0.087
Main language spoken	English	1.000	-	-	-
	Other	-0.065	0.043	-1.500	0.133
Family status	Married, children	1.000	-	-	-
	Married, no children	-0.017	0.057	-0.300	0.764
	De facto, children	-0.142	0.073	-1.940	0.052
	De facto, no children	-0.123	0.069	-1.780	0.074
	Single, children	-0.078	0.081	-0.950	0.340
	Single, no children	-0.043	0.057	-0.750	0.452
Carer	No	1.000	-	-	-
	Yes	0.116	0.058	2.000	0.045
Work	Yes	1.000	-	-	-
	No	-0.041	0.047	-0.890	0.373
Highest education	Lower than year 12 or equivalent	1.000	-	-	-
	Year 12 or equivalent	0.049	0.063	0.790	0.430
	Trade/vocational certs/diplomas	0.157	0.052	2.990	0.003
	Degree or higher	0.244	0.050	4.840	0.000

340 4,110 observations, log-pseudolikelihood = -5307.28, AIC = 2.599, BIC = -30613.55.

Variable	Level	Coef.	Std. Err.	z	p
Geography	Major Cities	1.000	-	-	-
	Inner Regional	0.018	0.041	0.450	0.655
	Outer Regional and Remote	0.680	0.087	7.850	0.000
Long-term illness or disability	No	1.000	-	-	-
	Yes	-0.090	0.040	-2.280	0.022
Mental distress (K6)	None or low	1.000	-	-	-
	Moderate	-0.208	0.040	-5.160	0.000
	Severe	-0.613	0.071	-8.670	0.000
Gross annual household income	Quintile 1 – $0 to $39,988	1.000	-	-	-
	Quintile 2 – $39,989 to $70,564	0.015	0.061	0.250	0.801
	Quintile 3 – $70,565 to $110,292	0.008	0.062	0.120	0.904
	Quintile 4 – $110,293 to $165,256	-0.033	0.068	-0.490	0.625
	Quintile 5 – $165,256 or more	0.102	0.069	1.480	0.139
	Prefer not to say	-0.123	0.067	-1.830	0.067
Unable to eat, heat or cool home	No	1.000	-	-	-
	Yes	-0.346	0.098	-3.530	0.000
Constant		0.195	0.112	1.740	0.082

Table A2.22. Multinomial logistic regression model of combined skills/attitudes to law quadrant based on a range of social, demographic and geographic predictors. Lower skill, more negative attitude was used as the base outcome to which other strategies were compared[341]

Lower skill, more negative attitude (base outcome)					
Higher skill, more negative attitude					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Age group	18-24	0.000	-	-	-
	25-34	0.563	0.289	1.950	0.051
	35-44	0.794	0.295	2.690	0.007
	45-54	0.896	0.286	3.130	0.002
	55-64	0.857	0.294	2.910	0.004
	65+	0.499	0.308	1.620	0.105
	Refused	0.115	0.400	0.290	0.773
Sex at birth	Male	0.000	-	-	-
	Female	0.068	0.104	0.650	0.513
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	-0.019	0.306	-0.060	0.950
	Prefer not to say	-0.926	0.552	-1.680	0.094
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	0.368	0.379	0.970	0.331
Main language spoken	English	0.000	-	-	-
	Other	-0.192	0.135	-1.420	0.156
Family status	Married, children	0.000	-	-	-
	Married, no children	-0.019	0.175	-0.110	0.915
	De facto, children	-0.178	0.249	-0.720	0.474
	De facto, no children	0.059	0.201	0.290	0.769
	Single, children	0.555	0.265	2.100	0.036
	Single, no children	0.029	0.177	0.160	0.870
Carer	No	0.000	-	-	-
	Yes	0.201	0.156	1.290	0.198
Work	Yes	0.000	-	-	-
	No	-0.320	0.149	-2.150	0.031
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	0.010	0.195	0.050	0.960
	Trade/vocational certs/diplomas	0.146	0.158	0.920	0.355
	Degree or higher	0.189	0.160	1.180	0.237

341 4,058 observations, Log pseudolikelihood = -5098.62, Wald $\chi^2(96) = 450.77$, Pseudo $R^2 = 0.055$.

Higher skill, more negative attitude					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Geography	Major Cities	0.000	-	-	-
	Inner Regional	0.173	0.121	1.430	0.152
	Outer Regional and Remote	0.319	0.278	1.150	0.251
Long-term illness or disability	No	0.000	-	-	-
	Yes	-0.046	0.129	-0.360	0.721
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	-0.264	0.120	-2.200	0.028
	Severe	-0.157	0.230	-0.680	0.495
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	0.239	0.172	1.390	0.164
	Quintile 3 – $70,565 to $110,292	0.410	0.202	2.030	0.042
	Quintile 4 – $110,293 to $165,256	0.765	0.210	3.640	0.000
	Quintile 5 – $165,256 or more	0.701	0.223	3.140	0.002
	Prefer not to say	0.558	0.204	2.740	0.006
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	-0.392	0.316	-1.240	0.214
Constant		-1.391	0.351	-3.970	0.000

Lower skill, more positive attitude					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Age group	18-24	0.000	-	-	-
	25-34	-0.857	0.254	-3.370	0.001
	35-44	-0.776	0.264	-2.940	0.003
	45-54	-0.764	0.256	-2.980	0.003
	55-64	-0.562	0.259	-2.170	0.030
	65+	-0.505	0.251	-2.010	0.044
	Refused	-1.094	0.393	-2.780	0.005
Sex at birth	Male	0.000	-	-	-
	Female	0.327	0.113	2.880	0.004
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	0.371	0.373	1.000	0.320
	Prefer not to say	-0.264	0.535	-0.490	0.622
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	-0.567	0.539	-1.050	0.292

Lower skill, more positive attitude					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Main language spoken	English	0.000	-	-	-
	Other	-0.265	0.148	-1.790	0.074
Family status	Married, children	0.000	-	-	-
	Married, no children	-0.095	0.193	-0.490	0.624
	De facto, children	-0.229	0.299	-0.770	0.442
	De facto, no children	-0.413	0.231	-1.790	0.074
	Single, children	-0.237	0.322	-0.740	0.461
	Single, no children	0.012	0.195	0.060	0.951
Carer	No	0.000	-	-	-
	Yes	-0.109	0.182	-0.600	0.548
Work	Yes	0.000	-	-	-
	No	0.112	0.150	0.750	0.455
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	0.207	0.197	1.050	0.294
	Trade/vocational certs/diplomas	0.215	0.165	1.300	0.192
	Degree or higher	0.303	0.164	1.840	0.065
Geography	Major Cities	0.000	-	-	-
	Inner Regional	0.177	0.131	1.350	0.177
	Outer Regional and Remote	1.157	0.257	4.500	0.000
Long-term illness or disability	No	0.000	-	-	-
	Yes	-0.354	0.130	-2.720	0.007
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	-0.150	0.128	-1.180	0.239
	Severe	-0.832	0.281	-2.960	0.003
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	0.045	0.170	0.270	0.790
	Quintile 3 – $70,565 to $110,292	0.130	0.192	0.680	0.498
	Quintile 4 – $110,293 to $165,256	0.291	0.222	1.310	0.190
	Quintile 5 – $165,256 or more	0.654	0.230	2.850	0.004
	Prefer not to say	-0.143	0.214	-0.670	0.505
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	-1.066	0.375	-2.850	0.004
Constant		-0.264	0.340	-0.780	0.437

Higher skill, more positive attitude					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Age group	18-24	0.000	-	-	-
	25-34	0.177	0.253	0.700	0.484
	35-44	0.203	0.259	0.780	0.434
	45-54	0.138	0.258	0.530	0.593
	55-64	-0.011	0.266	-0.040	0.968
	65+	-0.343	0.270	-1.270	0.205
	Refused	-0.342	0.361	-0.950	0.344
Sex at birth	Male	0.000	-	-	-
	Female	0.332	0.101	3.290	0.001
Sexual orientation	Straight (heterosexual)	0.000	-	-	-
	Gay, lesbian, bisexual, other term	0.179	0.288	0.620	0.536
	Prefer not to say	-0.635	0.456	-1.390	0.164
Aboriginal or Torres Strait Islander	No	0.000	-	-	-
	Yes	-0.065	0.426	-0.150	0.880
Main language spoken	English	0.000	-	-	-
	Other	-0.290	0.134	-2.160	0.031
Family status	Married, children	0.000	-	-	-
	Married, no children	0.027	0.166	0.160	0.871
	De facto, children	-0.132	0.241	-0.550	0.585
	De facto, no children	0.090	0.196	0.460	0.644
	Single, children	-0.005	0.263	-0.020	0.984
	Single, no children	0.115	0.170	0.680	0.497
Carer	No	0.000	-	-	-
	Yes	0.244	0.157	1.560	0.119
Work	Yes	0.000	-	-	-
	No	-0.248	0.136	-1.830	0.067
Highest education	Lower than year 12 or equivalent	0.000	-	-	-
	Year 12 or equivalent	0.268	0.196	1.370	0.172
	Trade/vocational certs/diplomas	0.649	0.158	4.100	0.000
	Degree or higher	0.824	0.157	5.250	0.000
Geography	Major Cities	0.000	-	-	-
	Inner Regional	0.173	0.116	1.490	0.137
	Outer Regional and Remote	1.469	0.237	6.200	0.000

Higher skill, more positive attitude					
Variable	**Level**	**Coef.**	**Std. Err.**	**z**	**p**
Long-term illness or disability	No	0.000	-	-	-
	Yes	-0.208	0.123	-1.690	0.090
Mental distress (K6)	None or low	0.000	-	-	-
	Moderate	-0.603	0.119	-5.090	0.000
	Severe	-1.703	0.282	-6.030	0.000
Gross annual household income	Quintile 1 – $0 to $39,988	0.000	-	-	-
	Quintile 2 – $39,989 to $70,564	0.245	0.171	1.430	0.152
	Quintile 3 – $70,565 to $110,292	0.292	0.184	1.590	0.112
	Quintile 4 – $110,293 to $165,256	0.401	0.206	1.950	0.051
	Quintile 5 – $165,256 or more	0.721	0.211	3.410	0.001
	Prefer not to say	0.182	0.200	0.910	0.362
Unable to eat, heat or cool home	No	0.000	-	-	-
	Yes	-0.419	0.306	-1.370	0.170
Constant		-0.951	0.340	-2.790	0.005

Appendix 3

PULS knowledge of rights questions and their answers

This appendix sets out the knowledge of rights questions introduced in Section 2 of the *Public Understanding of Law Survey* (PULS) questionnaire (see Balmer et al., 2022) and reported on in detail in chapter 3 above. Knowledge of rights was explored with three questions across five different broad problem types/areas of law. Questions were principally designed to provide a single broad measure of legal knowledge for each respondent as implemented in chapter 3, though there is considerable scope for subsequent analyses to examine responses to individual items or subsets of items in greater detail. Items were designed in collaboration with subject matter legal experts in order to be unambiguous with an objective correct answer (at the time the PULS was conducted). Lettering and numbering of sections and items corresponds to the annotated PULS questionnaire (Balmer et al., 2022) and dataset.

A. Rented accommodation questions

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?

Answer – No.
Rental providers or their agent can enter a property to make repairs, however, under residential tenancy laws, they must give the renter 24 hours' notice before entering the property for this reason. For an urgent repair such as this, the renter may agree to let them enter with less notice.[342]

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?

Answer – Yes.
Under Victorian rental laws, this is regarded as an urgent repair. Rental providers must make urgent repairs immediately.[343]

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?

Answer – No.
If you want to keep a pet, you must give the rental provider a completed pet request form. They can only refuse your request if VCAT orders it is reasonable to do so. The landlord has 14 days from receiving the pet request form to apply to VCAT. If you don't hear from the rental provider within 14 days, you can keep the pet.[344]

342 Further details at https://www.consumer.vic.gov.au/housing/renting/repairs-alterations-safety-and-pets/repairs/repairs-in-rental-properties. The law on urgent and non-urgent repairs is covered in the following sections of the Residential Tenancies Act 1997 (Vic) (https://www.legislation.vic.gov.au/in-force/acts/residential-tenancies-act-1997/104): Section 65A - Occupation of rented premises that do not comply with rental minimum standards, Section 72 – Urgent repair, Section 74 – Application to Director to investigate need for non-urgent repairs, Section 75 – Application to Tribunal for non-urgent repairs.

343 The law on a landlord's obligations in relation to repairs is covered in the Residential Tenancies Act 1997 (Vic): Section 65A(2) sets out a rental provider's responsibility to comply with rental minimum standards. Sections 72 and 73 covers the process around getting urgent repairs done. Further details at https://www.consumer.vic.gov.au/housing/renting/repairs-alterations-safety-and-pets/repairs/repairs-in-rental-properties.

344 Further details at https://www.consumer.vic.gov.au/housing/renting/repairs-alterations-safety-and-pets/pets. The law about keeping pets in rental properties in covered in the Residential Tenancies Act 1997 (Vic): Sections 71A-71E.

B. Neighbours questions

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

Answer – No.

It's an offence to make unreasonable noise from a residence. Noise is unreasonable when it occurs during prohibited hours and someone in any other residence can hear it.[345]

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?

Answer – Yes.

You can bring a legal action known as 'nuisance'. If a court finds that your neighbour has created a nuisance, they may order your neighbour to stop or remove this nuisance. You could also call your local council as the rubbish might be deemed a nuisance.[346]

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?

Answer – Yes.

If your neighbour caused the water to flow onto the property, then they are responsible for paying to fix the damage caused. If you cannot reach agreement with your neighbour to fix the damages, you may lodge a legal claim with VCAT within six years.[347]

345 Currently the prohibited times to play loud music at night are: Monday to Thursday before 7 am or after 10 pm, Friday before 7 am or after 11 pm, Saturday and public holidays before 9 am or after 11 pm, Sunday before 9 am or after 10 pm. If the noise is after hours, and your neighbour is not helpful, the Police will be able to take the necessary action. Further details at https://www.epa.vic.gov.au/for-community/environmental-information/noise/residential-noise/residential-noise-law#when-residential-noise-is-unreasonable. The law around prohibited times for noise is covered in the *Environment Protection Regulations 2021* (Vic) (https://www.legislation.vic.gov.au/in-force/statutory-rules/environment-protection-regulations-2021/004): Section 114 - Unreasonable noise from residential premises.

346 Under the *Public Health and Wellbeing Act 2008* (Vic) (https://www.legislation.vic.gov.au/in-force/acts/public-health-and-wellbeing-act-2008/062). Section 61(1)(b) covers a person's obligations not to cause a 'nuisance' to exist on or emanate from any land occupied by that person. Section 62 covers the law around notification of a nuisance and the Council's obligation to investigate.

347 Section 16 of the *Water Act 1989* (Vic) (https://www.legislation.vic.gov.au/in-force/acts/water-act-1989/140) covers a person's liability arising out of flow of water. The section provides that the person who causes a flow of water which is "not reasonable" from the land of a person onto other land is liable for the injury, loss or damage caused by the water. Fault, intention or negligence is not an element of liability. Note that s. 157 of the Act covers the liability of authorities arising out of the flow of water. For example, if the burst pipe was caused by a water corporation, they may be liable under s. 157 of the Act.

C. Consumer questions

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?

Answer – No.
There is no refund just because you have changed your mind. However, some stores have an in-store policy to offer a refund, exchange or credit note if a customer changes their mind.

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?

Answer – No.
In Australia, goods and services come with consumer guarantees. The consumer guarantees apply for a reasonable amount of time depending on the nature of the goods or service.[348] Consumer guarantees apply regardless of any extra warranties suppliers sell or give you. A reasonable customer would expect a couch to last for more than two years, so there is no need to purchase an extended warranty in this situation.[349]

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?

Answer – No.
A business must not make false or misleading representations about the cost of a service. A consumer can lodge a complaint with Consumer Affairs Vic if they feel they have been ripped off.[350]

348 The Australian Consumer Law is set out in Volume 4, Schedule 2 to the *Competition and Consumer Act 2010* (Cth) (CCA).

349 Consumers should check if an extended warranty is good value by asking: Does the extended warranty offer a higher protection than the automatic consumer guarantees? Retailers and suppliers must not mislead or deceive consumers about the need for an extended warranty or their benefits. https://www.accc.gov.au/consumers/consumer-rights-guarantees/consumer-guarantees The Australian Consumer Law is set out in Volume 4, Schedule 2 to the *Competition and Consumer Act 2010* (Cth) (CCA). Section 54 asserts that when person supplies goods to a consumer, there is a guarantee as to acceptable quality. Section 58 sets out a guarantee as to repairs and spare parts for a reasonable period of time after goods are supplied. Section 59 covers consumer rights in relation to express warranties. Find out more about consumer guarantees at https://www.accc.gov.au/consumers/buying-products-and-services/consumer-rights-and-guarantees.

350 See s. 29(i) of the CCA on false or misleading representation about goods or services; s.35 (on bait advertising) and s.18 (on misleading and deceptive conduct).

D. Employment questions

Dk1. Is a permanent employee at a company which has 45 employees covered by unfair dismissal laws after 7 months working there?

Answer – Yes.

If the employer has at least 15 employees, the employee must have been employed for at least six months to be covered by unfair dismissal laws. In this scenario the company has 45 staff, and the employee has been there for seven months, so is covered by the unfair dismissal laws in this situation and can challenge the dismissal.[351]

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

Answer – No.

It is unlawful to discriminate against someone because of their age in employment matters.[352]

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?

Answer – No.

Employers and employees cannot be paid less than their applicable minimum wage, even if they agree to it.[353]

351 There are a number of jurisdictional requirements to be eligible to make an Unfair Dismissal (UFD) claim. One such jurisdictional requirement is that the employee must have been employed for a qualifying period before they can make an UFD claim. They also must be either covered by a modern award, an enterprise agreement or their annual earnings are less than the high-income threshold. This is covered under ss. 382-384 of the *Fair Work Act 2009* (Cth). However, if the employee believes the decision to dismiss them breached the general protections for employees under the *Fair Work Act 2009* (Cth), they wouldn't have to worry about the criteria mentioned above. i.e. it wouldn't matter how long they had been at the company or how big the company is. That's because it is unlawful to dismiss someone due to their race, colour, sex, sexual orientation, age, physical or mental disability, marital status, family or carer's responsibilities, pregnancy, religion, political opinion, national extraction or social origin. The specified prohibited reasons for dismissing an employee are found in s. 351 of the *Fair Work Act 2009* (Cth).The employee is also protected by what is called general protections provisions, which protect employees from action being taken against them for exercising their workplace rights such as making a complaint about issues in relation to their employment. This is a complex area of law and employees who are dismissed should seek legal advice. See s66L of the Fair Work Act 2009.

352 See the *Age Discrimination Act 2004* (Cth), s. 18 (2)(d) and s. 351 of the *Fair Work Act 2009* (Cth).

353 Further details of the National Minimum wage are at: https://www.fairwork.gov.au/tools-and-resources/fact-sheets/minimum-workplace-entitlements/minimum-wages#what-is-the-national-minimum-wage-order. To find out more about what your minimum pay rate is you can call the Fair Work Infoline: 13 13 94 or visit the Pay and Conditions Tool (PACT): www.fairwork.gov.au .A minimum wage is an employee's base rate of pay for ordinary hours worked. It's generally dependent on the industrial instrument that applies to their employment. For example, a modern award or registered agreement.Employers and employees cannot be paid less than their applicable minimum wage, even if they agree to it. See ss. 282-284 of the *Fair Work Act 2009* (Cth).The national minimum wage order made by the Fair Work Commission sets the national minimum wage annually for employees not covered by a modern Award or statutory agreement. See s. 285 of the *Fair Work Act 2009* (Cth).

E. Family and relationships questions

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?

Answer – Yes.

Any person who can show that a person who made a will had a 'moral duty' to look after them can challenge a will by starting a process in the Supreme Court known as 'testator's family maintenance'.[354]

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

Answer – No.

The time a child spends with each parent should be worked out based on what is best for the child. If parents cannot agree, they can attend family dispute resolution. If agreement is still not reached, you can apply to court for parenting orders. The court will base their decision on what is best for the child.[355]

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

Answer – Yes.

Parents are legally obliged to pay their child support assessment regardless of contact arrangements.[356]

354 See part IV of the *Administration and Probate Act 1958* (Vic). It deals with when a testator has a moral duty to provide for someone and has failed in that duty in their will. More details at https://www.legalaid.vic.gov.au/challenging-will.

355 The court will decide what is in the best interests of the child by looking at the considerations set out in the *Family Law Act 1975* (Cth). Refer to s. 60CC for how a court determines what is in a child's best interests; s. 60CC(2A) on applying the primary considerations when deciding 'best interests'; s. 60CA—child's best interests are of paramount consideration. Find out more at https://www.lawhub.vla.vic.gov.au/parenting-arrangements-and-child-contact.

356 The *Child Support Assessment Act 1989* (Cth) sets out the conditions of when child support is payable. Section 25A of the *Child Support Assessment Act 1989* (Cth) sets out persons who may apply for child support. Division 4 covers the percentage of care of a child. A responsible person's percentage of care for a child is used in s. 55C to work out the responsible person's cost percentage for the child. The occurrence of a child support terminating event is covered in s. 12 of the Act. Find out more at https://www.legalaid.vic.gov.au/other-support-parenting-arrangements-child-contact-and-child-support.

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