

**2009**

**Civil Justice  
in England and Wales**

# Civil Justice in England and Wales 2009

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Report of the 2006-9 English and Welsh  
Civil and Social Justice Survey

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# Acknowledgements

The English and Welsh Civil and Social Justice Survey is made possible by the contribution of, literally, thousands of people. Between 2006 and 2009, 10,537 people gave up their time to be interviewed about sometimes very personal and life-changing experiences. To all these people we extend our thanks. In addition, we would like to thank Bruce Hayward, Tim Hanson, Andrew Phelps and Sam Sullivan of BMRB Social Research, who expertly prepared the questionnaires and managed the fieldwork during this time, along with the many BMRB fieldworkers who conducted the survey interviews. Also, for making possible the 2006 to 2009 fieldwork, we would like to thank the many past and present Commissioners and staff members of the Legal Services Commission, and Ministers and staff of the Ministry of Justice, who have recognised and supported the key role of the English and Welsh Civil and Social Justice Survey in giving voice to the users and potential users of legal services in England and Wales.

# Executive Summary

People's ability to use the law to protect their rights and hold others to their responsibilities is crucial to ensuring fairness before the law, bringing about social justice and addressing social exclusion. The 'Continuous' English and Welsh Civil and Social Justice Survey (CSJS), conducted between 2006 and 2009, examines this in detail.

This report describes the main findings from the Continuous English and Welsh Civil and Social Justice Survey.

## *Introduction to the Survey*

The English and Welsh Civil and Social Justice Survey (CSJS) details people's experiences of civil justice (or 'justiciable') and the strategies they used to resolve them. The 'Continuous' form of the survey, conducted between 2006 and 2009, took the same basic form as the 2001 and 2004 surveys. Respondents completed a general interview aimed at identifying if a difficult problem had been experienced in each of the 18 distinct categories: discrimination; consumer; employment; neighbours; owned housing; rented housing; homelessness; money/debt; welfare benefits; divorce; relationship breakdown; domestic violence; children; personal injury; clinical negligence; mental health; immigration and unfair treatment by the police. For the two most recent problems identified in each category (other than crime) respondents were also asked about the severity and impact of problems, problem resolution and advice seeking strategy and the manner of problem conclusion. Detailed problem related information was collected about one randomly selected problem. Respondents to the survey were also asked whether they had been a victim of crime during the survey reference period, or whether they had been arrested during the previous 12 months. Extensive Demographic and household details were also collected.

There were 10,537 adult respondents, aged 18 years and above, to the Continuous CSJS. The cumulative eligible adult response rate was 57.9%. The



survey was broadly representative of the residential household population of England and Wales, which comprises around 98% of the total population.

### *Summary of Findings*

Thirty-six per cent of 2006-9 survey respondents reported having experienced a difficult to resolve civil justice problem. This was a rise from 33% reported in 2004. In particular, there was an increase in reported incidence of consumer, neighbour and welfare benefit related problems.

Problems were far from being randomly distributed across the 2006-9 survey population. For example, those more vulnerable to social exclusion tended to report more problems than others. In addition, the proportion of those in vulnerable groups increased as the number of problems reported increased. In particular, Black and 'Other' (non-White, non-Black and non-Asian) respondents, along with those in high density housing, lone parents, co-habitees with children, those on benefits, those between the ages of 25 and 34 and victims of crime tended to report suffering from multiple problems.

At least one adverse consequence (i.e. social, economic, health problems) followed from 50.3% of problems. This was the same percentage as in the 2004 survey. Stress related illnesses were reported to have resulted from over a quarter of problems. Physical ill health, loss of confidence and loss of income were also commonly reported. Eighty per cent and 53%, respectively, of those who suffered physical and stress related ill health visited a GP, hospital or health worker as a direct result.

Some problem types tended to 'cluster' together. The clusters observed were similar to those reported from the 2001 and 2004 surveys.

Respondents took no action to resolve 9.4% of problems. Nearly half of respondents managed to obtain advice successfully, a slight decrease from the 2004 survey. Advice was more often sought for more serious problems.

Respondents sought advice for their problems from a wide range of advisers. Solicitors were the most commonly used source of advice – although Citizens Advice Bureaux and police officers were also frequently used. Use of the Internet for advice

seeking was observed to have increased from 4% in the 2001 survey to 11% in the 2004 survey to 16% in the 2006-9 survey.

As with previous surveys, the 2006-9 Continuous Survey indicated that people become increasingly unlikely to obtain advice on referral as the number of advisers they use increases.

Eighty-eight per cent of respondents indicated that they would recommend the advisor they had consulted.

The manner of conclusion of problems was, unsurprisingly, related to problem resolution strategy. For example, those who obtained advice were more likely to see their problem conclude through a court or tribunal process. This confirms earlier findings.

While only 13% of respondents did not agree that courts are an important way for people to enforce their rights, a greater proportion lacked confidence they would receive a fair hearing in court. There was also some evidence that people who experience more problems have less favourable views of the justice system.

The patterns (and clusters) of problems experienced by respondents eligible for legal aid were broadly similar to those of the general population, although problems associated with poverty were more pronounced. Legal aid eligible respondents were also more likely to report multiple problems.

Respondents eligible for legal aid were marginally more likely to do nothing to resolve their problems than the general population. This is despite legal aid eligible respondents also reporting more frequent negative consequences of these problems.

Legal aid eligible respondents who did seek advice were more likely than respondents in general to go to see advisers face-to-face.



## *Introduction to the Survey*

As is argued in *Causes of Action: Civil Law and Social Justice*,<sup>1</sup>

“The problems to which the principles of civil law apply today are not abstract legal problems. They are not problems familiar only to lawyers, or discussed only in tribunals and civil courts. They are for the most part the problems of everyday life – the problems people face as constituents of a broad civil society.”

We live in a ‘law-thick’<sup>2</sup> world, and the ability of people to use the law to protect their rights and hold others to their responsibilities is of central importance to bringing about social justice and addressing the problems of social exclusion.<sup>3</sup>

This report describes the final main findings from the 2006 to 2009 ‘Continuous’ English and Welsh Civil and Social Justice Survey. It also provides a means by which broad trends in people’s experiences of civil justice problems can be illustrated. In depth analysis of the 2004 Civil and Social Justice Survey is set out in the two editions of *Causes of Action*, and more detailed subject specific findings will continue to be published in a broad range of research reports and papers.

### THE ENGLISH AND WELSH CIVIL AND SOCIAL JUSTICE SURVEY

The English and Welsh Civil and Social Justice Survey (CSJS) provides detailed information on the nature, pattern and impact of people’s experience of civil justice

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<sup>1</sup> Pleasence, P. (2006) *Causes of Action: Civil Law and Social Justice*, Norwich: TSO, p.1.

<sup>2</sup> Hadfield, G.K. (2010) Higher Demand, Lower Supply? A Comparative Assessment of the Legal Landscape for Ordinary Americans. *Fordham Urban Law Journal*.

<sup>3</sup> See, for example, Lord Chancellor’s Department (1998) *Modernising Justice*, London: HMSO (Cmd. 4155); Lord Chancellor’s Department and Law Centres Federation (2001) *Legal and Advice Services: A Pathway out of Social Exclusion*, London: Lord Chancellor’s Department; Department for Constitutional Affairs and Law Centres Federation (2004) *Legal and Advice Services: A Pathway to Regeneration*, London: Department for Constitutional Affairs; Department for Constitutional Affairs (2006) *DCA Departmental Report*, Norwich: HMSO; Legal Services Commission (2007) *Corporate Plan 2007/8-2009/10*, London: Legal Services Commission.

(or ‘justiciable’<sup>4</sup>) problems. It also represents the primary source of general data on the strategies that users, and potential users, of legal services employ in order to resolve their civil justice problems. The survey constitutes a core method by which the Legal Services Commission is able to inform itself about the need, provision and quality of services operating as part of the Community Legal Service, as required by Section 4(6) of the Access to Justice Act 1999. It is central to the empirical base upon which access to justice, and broader civil justice policy, develops.

The survey was first conducted in 2001, then again in 2004 and, from January 2006 to January 2009, was conducted on a continuous basis; meaning that fieldwork was conducted every month of every year. This has enabled greater analysis of changes in public experience of civil law over time, and allowed for any seasonal artefacts of the survey process or reported experience to be accounted for.

In terms of detail, the Civil and Social Justice Survey is the most extensive survey of its kind so far undertaken. The survey has its distant origins in surveys of ‘legal need’ undertaken during the recession at the United States’ Bar in the 1930s.<sup>5</sup> Its more recent origins, though, are in the two *Paths to Justice* surveys, carried out in England and Scotland in the late 1990s.<sup>6</sup> However, the Civil and Social Justice Survey has advanced substantially upon the *Paths to Justice* approach. The focus of the survey has been shifted onto initial problem resolution decision-making, a wealth of demographic information has been added, the structure and questions have been improved to address problems with earlier formulations and the content of the survey has been continuously adapted to enable analysis to build upon emerging findings.

The form of the 2006 to 2009 Continuous survey was the same as the 2001 and 2004 surveys. All respondents completed a general interview, in which they were asked if they had experienced ‘a problem’ in the preceding three years that had been

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<sup>4</sup> ‘A matter experienced by a respondent which raised legal issues, whether or not it was recognised by the respondent as being “legal” and whether or not any action taken by the respondent to deal with the [matter] involved the use of any part of the civil justice system’: H. Genn (1999) *Paths to Justice: What People Do and Think About Going to Law*, Oxford: Hart Publishing, p.12.

<sup>5</sup> C. Clark and E. Corstvet (1938) The Lawyer and the Public: An A.A.L.S. Survey, 47 *Yale Law Journal*, p.1972. For a history, see P. Pleasence et al. (2001), above, n.19, pp.7-27, and Kritzer, H.M (2009) Empirical Legal Studies Before 1940: A Bibliographic Essay. 6(4) *Journal of Empirical Legal Studies*, pp.925-968.

<sup>6</sup> H. Genn (1999) *Paths to Justice: What People Think and Do About Going to Law*, Oxford: Hart; H. Genn and A. Paterson (2001) *Paths to Justice Scotland: What People in Scotland Think and Do About Going to Law*, Oxford: Hart.

‘difficult to solve’ in each of 18 distinct civil justice problem categories: discrimination; consumer; employment; neighbours; owned housing; rented housing; homelessness; money/debt; welfare benefits; divorce; relationship breakdown; domestic violence; children; personal injury; clinical negligence; mental health; immigration and unfair treatment by the police. To assist recall and to allow some assessment of the relative incidence of the different types of problem falling within these categories, respondents were presented with ‘show cards’ for most of the problem categories. These cards set out detailed lists of constituent problems, and respondents were asked to indicate which of them, if any, matched their own problems.<sup>7</sup> So, for example, constituent problems relating to employment included unfavourable changes being made to terms and conditions of employment, the work environment being unsatisfactory or dangerous, and being sacked or made redundant. Problems relating to rented housing included difficulties in getting a landlord to make repairs, difficulties in obtaining repayment of a deposit and eviction. Problems relating to money/debt included difficulties getting someone to pay money owed, disputes over bills, being threatened with legal action to recover money owed and mismanagement of a pension fund. Problems relating to children included difficulties fostering or adopting children, difficulties with children going to a school for which they are eligible and children being unfairly excluded or suspended from school. Finally, problems relating to mental health included unsatisfactory treatment or care in hospital, unsatisfactory care after release from hospital and difficulties obtaining a discharge from hospital.<sup>8</sup>

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<sup>7</sup> No constituent problems were presented to respondents regarding the categories of homelessness, divorce, personal injury, clinical negligence and unfair treatment by the police. For these, it was deemed sufficient to refer to ‘being homeless or threatened with being homeless,’ ‘divorce,’ ‘injuries or health problems ... (caused) by an accident or ... poor working conditions’, ‘suffer(ing) as a result of negligent or wrong medical or dental treatment’ and being ‘unfairly treated by the police ... (by) for example being assaulted by a police officer or being unreasonably arrested.

<sup>8</sup> In full, constituent discrimination problems comprised difficulties relating to discrimination because of: (a) race; (b) gender; (c) disability; (d) sexual orientation; (e) age, and (f) religion. Constituent employment problems comprised difficulties relating to: (a) being sacked or made redundant; (b) being threatened with the sack; (c) getting pay or a pension to which entitled; (d) other work rights (e.g. maternity pay, sickness pay, holiday entitlement, working hours); (e) changes to terms and conditions; (f) unsatisfactory or dangerous working conditions; (g) unfair disciplinary procedures, and (h) harassment. Constituent owned housing problems comprised difficulties relating to: (a) obtaining planning permission or consent; (b) buying or selling property (e.g. misleading surveys, problems with a lease); (c) communal repairs or maintenance; (d) repossession of the home; (e) being several mortgage payments in arrears; (f) squatters, and (g) boundaries or rights of way or access to property. Constituent rented housing problems comprised difficulties relating to: (a) unsafe living conditions; (b)

Respondents to the survey were also asked whether they had been a victim of crime during the survey reference period, or whether they had been arrested during the previous 12 months.

For the two most recent problems identified in each category (other than crime), respondents were asked what help they had tried to obtain to resolve them, whether any formal dispute resolution processes had been utilised and what these were, whether and when the problems concluded, what impact problems had had on respondents lives and, if nothing was done to deal with problems, why this was so. All respondents were also asked for an extensive range of details about themselves and the household in which they resided.

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otherwise unsuitable living conditions; (c) getting a deposit back; (d) being several rent payments in arrears; (e) getting a landlord to make repairs; (f) getting a landlord to provide other services; (g) agreeing with a landlord on rent, council tax, housing benefit payments or other terms of a tenancy agreement; (h) getting a written tenancy agreement; (i) transfer of tenancy on death or separation; (j) harassment by a landlord; (k) eviction or threat of eviction; (l) flatmates (non-relatives) not paying the rent or behaving in an antisocial manner; (m) renting out rooms to lodgers or sub-letting, and (n) boundaries or rights of way or access to property. Constituent money/debt problems comprised difficulties relating to: (a) getting someone to pay money they owed; (b) insurance companies unfairly rejecting claims; (c) incorrect or disputed bills (excluding rent/mortgage payments); (d) incorrect or unfair tax demands; (e) incorrect information or advice that led to the purchase of financial products; (f) mismanagement of a pension fund; (g) unfair refusal of credit as a result of incorrect information; (h) disputed (repeated) penalty charges by banks or utilities; (i) unreasonable harassment by creditors; (j) division of the content of a will or property after the death of a family member; (k) severe difficulties managing money; (l) being threatened with legal action to recover money owed, and (m) being the subject of a county court judgment. Constituent welfare benefits problems comprised difficulties relating to: (a) entitlement to welfare benefits; (b) entitlement to state pension/pension credits; (c) entitlement to student loans; (d) entitlement to grants; (e) the amount of welfare benefits; (f) the amount of state pension/pension credits; (g) the amount of student loans, and (h) the amount of grants. Constituent relationship breakdown problems comprised difficulties relating to: (a) the division of money, pensions or property on divorce or separation; (b) obtaining maintenance for self; (c) agreeing to pay maintenance to a former partner (other than for children); (d) obtaining child support payments; (e) agreeing to pay child support payments; (f) residence (custody) arrangements for children, and (g) access (contact) arrangements for children. Constituent domestic violence problems comprised: (a) suffering violence or abuse from a partner, ex-partner or other family member, and (b) children suffering violence or abuse from a partner, ex-partner or other family member. The additional constituent problem of 'being violent or abusive to a partner, ex-partner or other family member' was removed in 2004. Constituent children problems comprised difficulties relating to: (a) fostering or adopting children, or becoming a legal guardian; (b) children being taken into care or being on the Child Protection Register; (c) abduction or threatened abduction of children by a parent or family member; (d) children going to a school for which they are eligible; (e) children receiving an appropriate education (e.g. special needs); (f) children being unfairly excluded or suspended from school, and (g) children's safety at school or on school trips. Constituent mental health problems comprised difficulties relating to: (a) treatment or care received in hospital; (b) treatment or care received after leaving hospital; (c) other treatment or care; (d) admission to hospital; (e) obtaining discharge from hospital, and (f) restrictions or conditions of discharge. Constituent immigration problems included difficulties relating to: (a) obtaining UK citizenship; (b) disputes over nationality; (c) obtaining authority to remain in the UK; (d) change of conditions under which it is possible to remain in the UK; (e) a partner or children entering the UK, and (f) asylum.

If respondents reported at least one problem in the general interview, they progressed to a follow-up interview, which addressed *a single problem* in more depth.<sup>9</sup> Areas covered by the follow-up interview included: sources of advice that respondents considered; awareness and prior use of advice services; obstacles faced in obtaining advice; the nature of assistance provided by advisers; respondents' objectives in taking action; the impact and outcome of problems and resolution strategies; respondents' regrets about resolution strategies; sources of financial assistance; and general attitudes to the civil justice system.

All interviews were conducted face-to-face in respondents' own homes and were arranged and conducted by BMRB Social Research. 10,537 adults were included in the survey, drawn from a random selection of 6,234 residential household addresses across 390 postcode sectors of England and Wales. Seventy-two per cent of adult household members (over 18 years of age) were interviewed. The household response rate was 78.4%, and the cumulative eligible adult response rate was 57.9%. This compares to response rates of 52% and 57% in 2001 and 2004 respectively.

Twenty-four per cent of respondents completed both a main interview and a follow-up interview.

Nineteen per cent of survey households contained just one adult, 61% contained two adults and the remainder contained three or more. The average number of adults in each household was 1.8, and the average number of interviews was 1.7. Overall, the average household size was 2.4, similar to the 2001 census estimate of 2.4. Also, 26% of respondents aged between 25 and 74 years old reported a long-term limiting illness or disability, compared to the 2001 census estimate of 24%.

Unless indicated otherwise, all figures and analyses reported below are weighted for non-response using 2001 census data, so that the information can be generalised to the adult population of England and Wales.

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<sup>9</sup> The one problem was selected on an otherwise random weighted basis, to ensure the main section questions were asked of a reasonable number of all the main problem categories, and as many of the smaller categories as possible.

## LIMITATIONS OF THE CIVIL AND SOCIAL JUSTICE SURVEY SAMPLE FRAME

As the Civil and Social Justice Survey draws on a sample of residential addresses taken from the small user Postcode Address File (PAF) – as is standard in large scale national probability sample surveys – some sections of the population fall outside its sample frame. In total these populations amount to around 2% of the population. However, some of these populations are particularly vulnerable in their nature and can be expected to experience civil justice in a different way to the general population. While the experience of people who share many of the characteristics of such ‘out of sample’ populations will be captured by the Civil and Social Justice Survey – and will cast good light on what the experience of ‘out of sample’ populations is likely to be like, it is important to bear this limitation of the survey in mind when considering its findings.

The two largest population groups that fall outside of the survey’s sample frame are elderly people in residential care and students living in education establishments, such as halls of residence. The 2001 Census recorded that more than 320,000 people over the age of 60 were living on communal medical and care establishments, as were a further 70,000 people under the age of 60. Of these, around 15,000 people would have been patients involuntarily detained in hospitals under the Mental Health Act 1983 and other legislation. The 2001 Census also recorded that more than 200,000 students were living in communal establishments. As Edwards and Fontana have described, the experience of civil justice problems of groups such as older people in care are likely to be quite different from people in the general population.<sup>10</sup>

Two other large population groups living within communal establishments falling outside the survey’s sample frame are prisoners and military personnel living in defence establishments. There are over 80,000 people in prison in England and Wales. The 2001 Census also recorded just under 50,000 military personnel living in

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<sup>10</sup> Edwards, S. and Fontana, A. (2004) *The Legal Information Needs of Older People*, Sydney: Law and Justice Foundation of New South Wales.

defence establishments.<sup>11</sup> Again, the experience of prisoners and military personnel living in defence establishments is likely to be different from the general population. Both populations are relatively young, and the prison population is characteristic of core socially excluded groups.

There are around 55,000 people living in local authority provided temporary accommodation in England and Wales.<sup>12</sup> In England, a further 500 people are reported by the Government to sleep rough on the streets, although there are problems in counting 'non-visible' rough sleepers.<sup>13</sup> Although people in temporary accommodation often fall outside the Civil and Social Justice Survey sample frame, in this instance we have a better idea of their experience of civil justice problems, as a result of the Legal Services Research Centre's 2001 survey of people living in temporary accommodation. Those people not living in hostels, refuges or bed and breakfast accommodation live in self-contained private sector or social housing and will generally fall into the survey sample frame.

In addition to the above, there are also around 2,000 bed spaces in immigration detention centres.

A large non-communal establishment population falling outside of the Civil and Social Justice Survey's sample frame are Gypsies/travellers. It has been estimated that there are between 90,000 and 120,000 Gypsies/travellers in the United Kingdom, the majority of whom are in England.<sup>14</sup> In addition, there are an unquantifiable number of 'hidden' members of the population, such as some immigrants, without an appropriate visa, who do live in non-standard accommodation in England and Wales.

As well as population groups that fall outside survey sample frame, there are those people who live in accommodation within the sample frame, but who choose not to participate in the survey. Also, there are other populations that, by virtue of their size relative to the population as a whole, are difficult to study through the

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<sup>11</sup> Bajekal, M., Wheller, L and Dix, D. (2006) *Estimating Residents and Staff in Communal Establishments from the 2001 Census*, London: Office for National Statistics.

<sup>12</sup> Department of Communities and Local Government (2010) *Statistical Release: Statutory Homelessness, 4<sup>th</sup> Quarter 2009, England*. London: DCLG; Statistics for Wales (2010) *Homelessness, July to September 2009*, Cardiff: Welsh Assembly Government.

<sup>13</sup> Department of Communities and Local Government (2007) *Rough Sleeping England, Total Street Count 2009*. London: DCLG. A small number of people will also sleep rough in Wales.

<sup>14</sup> Niner, P.M. (2002) *The Provision and Condition of Local Authority Gypsy/Traveller Sites in England*. London: Office of the Deputy Prime Minister.



survey. For example, well under one per of the population of England and Wales live in sparsely populated rural areas.<sup>15</sup> Similarly, while 12.5% of people in the 2001 Census were Black or Minority Ethnic (BME), this figure masks tremendous ethnic diversity within the 12.5%. Thus, although the Civil and Social Justice Survey covers a sizeable number of BME respondents, important patterns of experience can be missed if they relate to small and specific BME populations.<sup>16</sup>

Finally, while provision is made for the Civil and Social Justice Survey to be conducted in Welsh in Wales, not all languages spoken within England and Wales can be catered for. A small number of people each year (less than 1%) cannot be interviewed as a result.

## STRUCTURE OF THE REPORT

Section 2 sets out the pattern of incidence of civil justice problems across England and Wales. It provides details of how differences in life circumstances are associated with differences in levels of problem reporting, both in general terms and within individual problem categories. Finally, it demonstrates how people who experience multiple problems become disproportionately more likely to experience the problems that play a direct role in social exclusion.

Section 3 sets out the reported impact of civil justice problems on people's lives. It details the extent to which problems lead to physical and mental health problems, personal violence, relationship breakdown, loss of employment, loss of income, loss of a home and loss of confidence. It then sets out the types of problem that are commonly experienced in combination.

Section 4 describes the ways in which people deal with the problems they face. It highlights the sense of powerlessness and helplessness often experienced by those who face problems, and confirms that there is a general lack of knowledge about obligations, rights and procedures on the part of the general public. It reveals that inaction is common in relation to some serious problem types, and also more common among some population groups.

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<sup>15</sup> 2001 Census.

<sup>16</sup> O'Grady, A., Balmer, N.J., Carter, B., Pleasence, P., Buck, A. and Genn, H. (2005) "Institutional Racism and Civil Justice," 28(4) *Ethnic and Racial Studies*, 620-628.

Section 5 details the many sources from which people attempt to obtain advice, and the nature of the advice and additional help received by those who are successful. In doing so, it confirms the phenomenon of referral fatigue, whereby the more times people are referred on by one adviser to another, the less likely they become to act on referrals. The chapter also demonstrates the relatively infrequent use of court, tribunal and, particularly, alternative dispute resolution processes in problem resolution.

Section 6 sets out the ways in which problems conclude. In doing this, it describes the different outcome patterns that are associated with different problem resolution strategies.

Section 7 briefly outlines attitudes to the justice system and sets out how these relate to the experience of civil justice problems.

Section 8 provides an overview account of the experience of civil justice problems of those people who are eligible for legal aid.

## 2

### *The Incidence of Civil Justice Problems*

This section sets out the pattern of experience of civil justice problems across England and Wales. It provides a detailed account of the different rates of problem incidence associated with differently constituted population groups, both in general terms and within individual problem categories. It then describes the distribution of civil justice problems among those who reported having experienced multiple problems.

#### *The Incidence of Civil Justice Problems*

Thirty-six per cent of respondents (3752 out of 10537) to the 2006-9 survey reported having experienced one or more 'difficult to solve' civil justice problems, compared to 33% of respondents (1676 out of 5015) to the 2004 survey; a significant increase.<sup>17</sup>

As with the previous surveys carried out in the United States, Canada, Australia, New Zealand, Japan and the Netherlands, as well as in England and Wales in previous years, certain problems were reported much more often than others. Consumer problems, for example, were reported most frequently in both 2004 and 2006-9 surveys. Table 1 reveals the variation in reported incidence among problem types in both the 2004 and 2006 surveys. Immigration and mental health problems are the least frequently reported problem types.

Incidence has increased for several types of problem between the 2004 and 2006-9 survey periods. There has been a rise in proportion of people experiencing problems concerning consumer transactions, neighbours, rented housing, money/debt and welfare benefits. Some of this may be down to the economic downturn that commenced towards the end of the survey reference period.<sup>18</sup> On the other hand, the

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<sup>17</sup>  $\chi_{(1)}^2 = 7.16, p < .01$ .

<sup>18</sup> For a discussion of the impact of the recession on the experience of problems, see Pleasence, P. and Balmer, N.J. (2010) *The Audacity of Justice: Recession, Redundancy, Rights and Legal Aid*, Social Policy and Society.

percentage of people experiencing personal injury problems and problems with owned housing has decreased.

*Table 1. Incidence of Civil Justice (Justiciable) Problems*

Problem type	Incidence in 2006-9		Incidence in 2004	
	% respondents	N	% respondents	N
Consumer	12.4%	1306	10.0%	503
Neighbours	8.1%	851	6.6%	329
Money/debt	5.8%	611	5.4%	272
Employment	4.9%	520	5.0%	250
Personal injury	3.6%	377	4.8%	243
Housing (rented)	3.0%	317	2.6%	128
Welfare benefits	3.0%	312	1.9%	94
Divorce	2.0%	214	2.1%	105
Discrimination	2.0%	214	2.1%	106
Housing (owned)	1.9%	198	2.4%	122
Clinical negligence	1.7%	178	1.6%	79
Rel'ship b'down	1.8%	191	1.6%	81
Children	1.4%	152	1.5%	74
Homelessness	1.3%	132	1.1%	57
Unfair police t'ment	0.9%	93	0.8%	38
Domestic violence	0.8%	88	0.8%	42
Immigration	0.3%	32	0.3%	14
Mental health	0.3%	29	0.2%	10

### *The Distribution of Justiciable Problems*

Although over one-third of 2006-9 survey respondents reported one or more justiciable problems, the experience of problems was far from randomly distributed across the survey populations. Certain population groups reported certain types of problem more often.

The general incidence of problems among differently constituted population groups is set out in Table 2. As has been observed previously,<sup>19</sup> people vulnerable to social exclusion (e.g. lone parents, those on benefits, those who have a long-term illness or disability and victims of crime) report problems more often than others. The

<sup>19</sup> Pleasence, P. (2006) *Causes of Action: Civil Law and Social Justice*, Norwich: TSO, Chapter 2.

association between consumer problems and affluence also results in higher income respondents reporting problems more frequently.

The incidence of problems of different types among differently constituted population groups is set out in Tables 3 to 20. In each table, N refers to the number of respondents in each sub-category who reported one or more problems.

Table 2. General Problem Incidence by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more problems	N	1 or more problems	N
Gender	Female	35.8%	1935	32.3%	843
	Male	35.4%	1817	33.8%	798
Ethnicity	White	35.7%	3460	32.7%	1506
	Black	41.4%	84	39.5%	49
	Asian	29.2%	138	30.1%	56
	Other	44.9%	70	43.1%	44
House type	Detached	31.5%	871	28.3%	373
	Semi	33.5%	1242	32.5%	603
	Terrace	38.9%	1106	35.7%	428
	Flat	43.4%	532	40.3%	210
Own transport	No transport	33.2%	756	29.5%	349
	Transport	36.3%	2996	34.1%	1306
Family status	Married with children	37.5%	783	34.5%	317
	Married no children	29.0%	1074	27.7%	522
	Lone parents	59.7%	290	57.4%	105
	Single no children	35.0%	1088	32.4%	482
	Co-habiting with children	54.0%	207	46.4%	91
	Co-habiting no children	40.0%	309	41.3%	124
Tenure	Own	26.5%	811	25.0%	380
	Mortgage	38.1%	1515	36.6%	731
	Public sector rent	43.8%	671	38.8%	287
	Private sector rent	42.8%	559	37.5%	146
	Rent free	30.0%	191	29.5%	106
Economic activity	Active	31.5%	1379	35.5%	998
	Inactive	38.5%	2372	29.9%	657
Ill or disabled	Not ill nor disabled	34.3%	2707	31.6%	1165
	Ill or disabled	39.5%	1045	37.0%	490
Academic Qualifications	None	26.8%	746	24.7%	388
	Some	38.8%	3006	36.8%	1267
Benefits	None	33.1%	2603	30.0%	1131
	On benefits	42.8%	1149	42.0%	524
Age	18-24	35.5%	450	34.7%	154
	25-34	43.5%	763	40.7%	323
	35-44	44.3%	889	41.3%	390
	45-59	36.8%	960	33.8%	442
	60-74	27.1%	552	25.9%	243
	75+	15.5%	133	14.8%	72
Income	<£10,000	34.0%	979	36.1%	329
	All others	34.4%	2230	31.7%	1134
	>£50,000	46.4%	543	36.3%	192
Crime Victim	Non-victim	32.4%	2716	29.5%	1186
	Victim	48.2%	1036	47.1%	469

Table 3. Incidence of Discrimination Problems by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more discrimin'n problems	N	1 or more discrimin'n problems	N
Gender	Female	2.2%	118	2.2%	57
	Male	1.9%	96	2.2%	53
Ethnicity	White	1.8%	170	1.8%	82
	Black	8.4%	17	12.5%	17
	Asian	3.8%	18	4.4%	9
	Other	6.4%	10	4.0%	4
House type	Detached	2.1%	57	1.5%	20
	Semi	1.6%	60	1.7%	32
	Terrace	1.9%	55	3.0%	37
	Flat	3.4%	42	4.0%	22
Own transport	No transport	2.1%	48	2.8%	34
	Transport	2.0%	166	2.0%	76
Family status	Married with children	1.8%	38	2.1%	20
	Married no children	1.8%	67	1.4%	25
	Lone parents	2.9%	14	4.0%	8
	Single no children	2.2%	69	2.5%	38
	Co-habiting with children	2.1%	8	3.3%	7
	Co-habiting no children	2.3%	18	4.0%	13
Tenure	Own	1.4%	44	0.9%	13
	Mortgage	2.1%	82	2.0%	40
	Public sector rent	2.6%	40	3.2%	24
	Private sector rent	2.8%	36	3.5%	15
	Rent free	1.7%	11	4.2%	17
Economic activity	Active	2.3%	99	2.2%	64
	Inactive	1.9%	115	2.2%	47
Ill or disabled	Not ill nor disabled	1.6%	130	1.9%	72
	Ill or disabled	3.2%	85	3.0%	39
Academic qualifications	None	1.0%	28	1.5%	23
	Some	2.4%	186	2.5%	88
Benefits	None	1.8%	139	2.0%	74
	On benefits	2.8%	75	2.9%	37
Age	18-24	1.9%	24	4.1%	21
	25-34	2.8%	49	3.3%	30
	35-44	2.0%	40	2.8%	27
	45-59	2.1%	55	2.0%	24
	60-74	2.1%	42	0.4%	3
	75+	0.6%	5	0.2%	1
Income	<£10,000	2.3%	67	2.6%	23
	All others	1.9%	122	2.1%	76
	>£50,000	2.2%	26	2.1%	12
Crime victim	Not a victim	1.8%	154	1.8%	73
	Victim	2.8%	60	3.8%	38



Table 4. Incidence of Consumer Problems by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more consumer problems	N	1 or more consumer problems	N
Gender	Female	11.9%	643	10.2%	262
	Male	12.9%	663	10.0%	238
Ethnicity	White	12.6%	1220	9.9%	451
	Black	11.3%	23	10.6%	14
	Asian	7.6%	36	9.8%	19
	Other	17.2%	27	17.2%	18
House type	Detached	13.8%	380	10.6%	135
	Semi	11.7%	433	10.1%	186
	Terrace	12.2%	347	9.9%	122
	Flat	11.8%	145	9.2%	49
Own transport	No transport	7.7%	175	5.6%	68
	Transport	13.7%	1130	11.5%	435
Family status	Married with children	16.2%	338	12.5%	119
	Married no children	11.2%	416	10.1%	178
	Lone parents	15.2%	74	7.5%	14
	Single no children	10.4%	324	7.9%	122
	Co-habiting with children	14.4%	55	10.2%	22
	Co-habiting no children	12.8%	99	14.2%	46
Tenure	Own	10.8%	329	8.9%	126
	Mortgage	16.1%	640	13.0%	263
	Public sector rent	8.2%	126	6.0%	44
	Private sector rent	10.9%	142	9.3%	39
	Rent free	10.5%	67	7.2%	29
Economic activity	Active	9.7%	424	11.4%	328
	Inactive	14.3%	882	8.2%	175
Ill or disabled	Not ill nor disabled	12.4%	982	9.8%	367
	Ill or disabled	12.2%	323	10.6%	136
Academic qualifications	None	7.0%	194	5.2%	79
	Some	14.4%	1112	12.1%	424
Benefits	None	12.4%	974	9.8%	370
	On benefits	12.4%	332	10.6%	133
Age	18-24	9.1%	115	7.2%	38
	25-34	15.4%	270	12.7%	116
	35-44	16.2%	324	12.6%	120
	45-59	13.6%	354	11.0%	134
	60-74	10.0%	204	9.0%	76
	75+	4.3%	37	3.0%	14
Income	<£10,000	9.1%	261	7.4%	67
	All others	12.1%	784	9.7%	346
	>£50,000	22.2%	260	16.8%	90
Crime victim	Not a victim	11.3%	946	9.1%	363
	Victim	16.8%	360	13.9%	140

Table 5. Incidence of Employment Problems by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more employment problems	N	1 or more employment problems	N
Gender	Female	4.7%	253	4.3%	110
	Male	5.2%	266	6.3%	150
Ethnicity	White	5.0%	484	5.1%	232
	Black	7.9%	16	10.1%	13
	Asian	2.3%	11	5.9%	12
	Other	5.7%	9	2.1%	2
House type	Detached	4.4%	122	4.7%	60
	Semi	4.7%	173	4.8%	89
	Terrace	5.3%	151	5.5%	68
	Flat	6.0%	74	7.3%	39
Own transport	No transport	3.8%	87	4.2%	52
	Transport	5.2%	433	5.5%	208
Family status	Married with children	5.5%	114	5.8%	55
	Married no children	3.7%	137	3.9%	69
	Lone parents	6.2%	30	3.4%	6
	Single no children	5.3%	164	4.9%	76
	Co-habiting with children	6.3%	24	7.9%	17
	Co-habiting no children	6.6%	51	11.5%	37
Tenure	Own	2.7%	83	3.4%	48
	Mortgage	6.1%	241	6.4%	129
	Public sector rent	4.8%	74	2.9%	22
	Private sector rent	6.5%	85	8.8%	37
	Rent free	5.3%	34	5.5%	22
Economic activity	Active	3.0%	130	6.5%	187
	Inactive	6.3%	390	3.4%	73
Ill or disabled	Not ill nor disabled	5.0%	396	5.3%	198
	Ill or disabled	4.7%	123	4.8%	61
Academic qualifications	None	1.9%	53	2.2%	34
	Some	6.0%	467	6.4%	226
Benefits	None	4.8%	380	5.1%	191
	On benefits	5.2%	140	5.5%	68
Age	18-24	6.0%	76	7.4%	39
	25-34	6.8%	120	8.6%	78
	35-44	6.0%	120	5.5%	52
	45-59	6.4%	166	5.6%	69
	60-74	1.8%	36	2.1%	18
	75+	0.1%	1	0.6%	3
Income	<£10,000	4.2%	122	3.3%	30
	All others	4.8%	311	5.7%	206
	>£50,000	7.4%	87	4.5%	24
Crime victim	Not a victim	4.3%	364	4.6%	184
	Victim	7.2%	155	7.5%	76

Table 6. Incidence of Neighbour Problems by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more neighbour problems	N	1 or more neighbour problems	N
Gender	Female	8.6%	465	7.6%	196
	Male	7.5%	386	5.5%	132
Ethnicity	White	8.2%	793	6.4%	295
	Black	6.4%	13	9.8%	13
	Asian	5.3%	25	5.8%	11
	Other	11.5%	18	9.5%	10
House type	Detached	4.9%	134	3.8%	49
	Semi	7.6%	280	5.8%	107
	Terrace	10.1%	286	8.4%	103
	Flat	12.2%	150	11.2%	60
Own transport	No transport	7.9%	180	6.7%	82
	Transport	8.1%	670	6.5%	247
Family status	Married with children	7.1%	149	6.0%	57
	Married no children	7.6%	280	5.5%	97
	Lone parents	11.9%	58	14.8%	28
	Single no children	7.5%	233	6.6%	101
	Co-habiting with children	18.8%	72	7.3%	16
	Co-habiting no children	7.5%	58	8.9%	29
Tenure	Own	6.9%	211	4.7%	67
	Mortgage	7.5%	298	6.8%	138
	Public sector rent	14.4%	221	12.0%	89
	Private sector rent	7.5%	98	5.8%	24
	Rent free	3.5%	22	2.8%	11
Economic activity	Active	8.6%	376	6.4%	184
	Inactive	7.7%	474	6.8%	145
Ill or disabled	Not ill nor disabled	7.0%	556	5.7%	214
	Ill or disabled	11.1%	294	9.0%	115
Academic Qualifications	None	7.8%	218	6.2%	94
	Some	8.2%	632	6.7%	235
Benefits	None	7.3%	576	5.5%	208
	On benefits	10.2%	274	9.6%	121
Age	18-24	6.0%	76	6.3%	33
	25-34	9.9%	173	6.7%	61
	35-44	10.5%	210	8.9%	84
	45-59	7.5%	196	6.4%	77
	60-74	7.9%	160	5.4%	46
	75+	4.2%	36	4.4%	20
Income	<£10,000	8.3%	240	10.8%	97
	All others	8.0%	519	5.4%	194
	>£50,000	7.9%	92	7.1%	38
Crime victim	Not a victim	6.3%	527	5.0%	202
	Victim	15.0%	323	12.6%	127

Table 7. Incidence of Owned Housing Problems by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more owned housing problems	N	1 or more owned housing problems	N
Gender	Female	1.9%	103	2.4%	61
	Male	1.9%	95	2.5%	59
Ethnicity	White	1.9%	188	2.4%	110
	Black	1.5%	3	4.1%	5
	Asian	1.5%	7	0.6%	1
	Other	0.6%	1	3.6%	4
House type	Detached	2.2%	62	2.9%	37
	Semi	1.6%	60	2.4%	44
	Terrace	1.4%	40	2.1%	26
	Flat	2.9%	36	1.7%	9
Own transport	No transport	1.0%	22	1.1%	14
	Transport	2.1%	176	2.8%	107
Family status	Married with children	2.3%	47	4.0%	38
	Married no children	1.9%	72	2.2%	39
	Lone parents	2.3%	11	2.7%	5
	Single no children	1.4%	43	1.4%	21
	Co-habiting with children	2.6%	10	3.9%	8
	Co-habiting no children	1.9%	15	2.8%	9
Tenure	Own	1.9%	58	2.1%	30
	Mortgage	3.1%	122	4.1%	83
	Public sector rent	0.3%	5	0.7%	5
	Private sector rent	0.7%	9	0.5%	2
	Rent free	0.6%	4	0.2%	1
Economic activity	Active	1.4%	62	3.1%	88
	Inactive	2.2%	137	1.5%	33
Ill or disabled	Not ill nor disabled	1.8%	146	2.5%	93
	Ill or disabled	2.0%	53	2.2%	28
Academic Qualifications	None	1.0%	29	1.2%	19
	Some	2.2%	170	2.9%	102
Benefits	None	1.8%	139	2.5%	94
	On benefits	2.2%	60	2.1%	27
Age	18-24	0.6%	7	0.5%	2
	25-34	2.2%	39	2.7%	25
	35-44	2.6%	53	3.5%	33
	45-59	2.3%	61	3.2%	38
	60-74	1.5%	31	1.7%	15
	75+	0.9%	8	0.9%	4
Income	<£10,000	1.4%	40	1.7%	15
	All others	1.9%	122	2.4%	87
	>£50,000	3.1%	36	3.5%	19
Crime victim	Not a victim	1.7%	146	2.3%	93
	Victim	2.5%	53	2.8%	28

Table 8. Incidence of Rented Housing Problems by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more rented housing problem	N	1 or more rented housing problem	N
Gender	Female	3.3%	181	3.1%	80
	Male	2.7%	136	2.3%	56
Ethnicity	White	2.8%	276	2.5%	116
	Black	4.5%	9	7.3%	10
	Asian	4.0%	19	3.3%	7
	Other	8.3%	13	4.3%	5
House type	Detached	0.9%	26	1.0%	13
	Semi	2.0%	73	1.9%	35
	Terrace	3.6%	101	3.1%	38
	Flat	9.5%	117	8.7%	47
Own transport	No transport	6.2%	142	4.6%	57
	Transport	2.1%	175	2.1%	80
Family status	Married with children	1.9%	39	2.2%	21
	Married no children	1.3%	49	1.5%	27
	Lone parents	10.1%	49	7.9%	15
	Single no children	4.1%	128	3.4%	52
	Co-habiting with children	5.2%	20	3.7%	8
	Co-habiting no children	4.3%	33	4.0%	13
Tenure	Own	0.2%	6	0.1%	1
	Mortgage	0.6%	22	1.1%	22
	Public sector rent	9.4%	144	7.6%	56
	Private sector rent	10.3%	134	10.7%	45
	Rent free	1.6%	10	2.9%	12
Economic Activity	Active	3.7%	162	2.5%	71
	Inactive	2.5%	155	3.1%	66
Ill or disabled	Not ill nor disabled	2.9%	227	2.5%	93
	Ill or disabled	3.4%	90	3.4%	44
Academic Qualifications	None	2.8%	79	2.4%	37
	Some	3.1%	238	2.9%	100
Benefits	None	2.2%	174	2.1%	79
	On benefits	5.3%	143	4.6%	57
Age	18-24	6.7%	85	5.9%	31
	25-34	4.6%	81	5.2%	47
	35-44	3.4%	68	3.1%	30
	45-59	2.1%	54	1.3%	16
	60-74	1.1%	22	1.3%	11
	75+	0.8%	7	0.2%	1
Income	<£10,000	4.3%	123	5.1%	46
	All others	2.6%	66	2.2%	80
	>£50,000	2.5%	29	2.0%	11
Crime victim	Not a victim	2.4%	203	2.1%	84
	Victim	5.3%	114	5.2%	53

Table 9. Incidence of Money/Debt Problems by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more money/debt problems	N	1 or more money/debt problems	N
Gender	Female	5.8%	312	4.2%	108
	Male	5.8%	299	7.1%	169
Ethnicity	White	5.8%	567	5.4%	246
	Black	7.4%	15	9.6%	13
	Asian	4.2%	20	4.6%	9
	Other	5.8%	9	10.3%	11
House type	Detached	5.5%	153	4.6%	59
	Semi	5.8%	216	5.5%	102
	Terrace	5.9%	168	5.8%	71
	Flat	6.0%	74	7.7%	41
Own transport	No transport	5.0%	113	5.5%	67
	Transport	6.0%	498	5.6%	212
Family status	Married with children	6.4%	134	6.1%	57
	Married no children	4.1%	150	4.5%	80
	Lone parents	11.1%	54	10.7%	20
	Single no children	5.9%	184	5.1%	78
	Co-habiting with children	9.4%	36	8.4%	18
	Co-habiting no children	7.0%	54	7.1%	23
Tenure	Own	3.6%	109	4.3%	60
	Mortgage	6.2%	247	6.5%	131
	Public sector rent	6.7%	102	5.1%	38
	Private sector rent	9.3%	21	7.4%	31
	Rent free	4.9%	31	4.5%	18
Economic activity	Active	4.4%	193	7.0%	200
	Inactive	6.8%	419	3.7%	79
Ill or disabled	Not ill nor disabled	5.4%	425	5.3%	198
	Ill or disabled	7.0%	186	6.4%	81
Academic qualifications	None	3.6%	99	3.1%	46
	Some	6.6%	512	6.6%	233
Benefits	None	5.2%	410	5.4%	204
	On benefits	7.5%	201	5.9%	74
Age	18-24	5.8%	74	5.4%	28
	25-34	7.5%	132	8.3%	76
	35-44	7.5%	150	6.5%	61
	45-59	6.0%	156	6.5%	79
	60-74	4.0%	81	2.6%	22
	75+	2.1%	18	2.0%	9
Income	<£10,000	5.4%	156	5.7%	51
	All others	5.8%	379	5.3%	189
	>£50,000	6.6%	77	7.3%	39
Crime victim	Not a victim	5.3%	443	4.7%	190
	Victim	7.8%	168	8.8%	89

Table 10. Incidence of Welfare Benefits Problems by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more welfare benefits problems	N	1 or more welfare benefits problems	N
Gender	Female	3.6%	196	1.8%	48
	Male	2.3%	116	2.1%	50
Ethnicity	White	3.1%	297	1.9%	89
	Black	2.0%	4	1.6%	2
	Asian	2.1%	10	1.9%	4
	Other	0.6%	1	3.2%	3
House type	Detached	1.8%	49	1.0%	13
	Semi	3.4%	125	1.8%	34
	Terrace	3.1%	88	2.6%	32
	Flat	4.1%	50	3.1%	17
Own transport	No transport	3.0%	69	2.1%	26
	Transport	3.0%	244	1.9%	72
Family status	Married with children	3.2%	67	2.6%	25
	Married no children	1.8%	66	1.2%	21
	Lone parents	8.9%	43	4.6%	9
	Single no children	2.4%	75	2.3%	35
	Co-habiting with children	10.2%	39	3.7%	8
	Co-habiting no children	2.8%	22	0.0%	0
Tenure	Own	1.5%	47	1.1%	15
	Mortgage	2.7%	108	1.7%	35
	Public sector rent	5.3%	81	3.1%	23
	Private sector rent	5.2%	68	3.0%	12
	Rent free	1.4%	9	3.1%	12
Economic Activity	Active	3.7%	161	1.4%	40
	Inactive	2.5%	152	2.7%	58
Ill or disabled	Not ill nor disabled	2.5%	200	1.5%	56
	Ill or disabled	4.2%	112	3.3%	42
Academic Qualifications	None	2.2%	62	1.6%	24
	Some	3.2%	250	2.1%	74
Benefits	None	1.9%	146	1.1%	41
	On benefits	6.2%	166	4.5%	56
Age	18-24	3.4%	43	2.0%	11
	25-34	3.5%	62	3.5%	31
	35-44	4.4%	89	2.2%	21
	45-59	2.3%	61	1.7%	21
	60-74	2.6%	52	1.4%	12
	75+	0.6%	5	0.2%	1
Income	<£10,000	4.1%	119	3.0%	27
	All others	2.7%	172	1.8%	65
	>£50,000	1.8%	21	1.0%	5
Crime victim	Not a victim	2.6%	215	1.9%	75
	Victim	4.5%	97	2.2%	22



Table 11. Incidence of Divorce by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more divorce	N	1 or more divorce	N
Gender	Female	2.2%	117	2.0%	52
	Male	1.9%	97	2.3%	54
Ethnicity	White	2.1%	203	2.2%	100
	Black	2.5%	5	1.7%	2
	Asian	1.3%	6	0.5%	1
	Other	0.0%	0	2.8%	3
House type	Detached	1.3%	35	1.6%	21
	Semi	2.2%	82	2.1%	39
	Terrace	2.4%	68	2.8%	34
	Flat	2.3%	28	2.0%	11
Own transport	No transport	1.8%	41	1.8%	22
	Transport	2.1%	174	2.2%	85
Family status	Married with children	0.5%	10	0.1%	1
	Married no children	0.3%	12	0.2%	4
	Lone parents	11.9%	58	15.2%	29
	Single no children	2.6%	80	2.9%	44
	Co-habiting with children	5.5%	21	6.5%	14
	Co-habiting no children	4.4%	34	4.4%	14
Tenure	Own	0.6%	17	0.5%	6
	Mortgage	2.4%	97	3.2%	64
	Public sector rent	2.7%	41	3.1%	23
	Private sector rent	3.7%	48	2.3%	10
	Rent free	1.6%	10	0.8%	3
Economic activity	Active	1.1%	46	2.9%	82
	Inactive	2.7%	168	1.1%	24
Ill or disabled	Not ill nor disabled	2.1%	167	2.3%	85
	Ill or disabled	1.8%	47	1.7%	21
Academic qualifications	None	1.1%	31	1.1%	17
	Some	2.4%	183	2.5%	89
Benefits	None	1.5%	118	1.5%	58
	On benefits	3.6%	96	3.8%	48
Age	18-24	0.2%	3	0.0%	0
	25-34	2.5%	44	2.5%	23
	35-44	4.2%	84	5.4%	51
	45-59	2.8%	73	2.3%	28
	60-74	0.5%	10	0.4%	4
	75+	0.1%	1	0.0%	0
Income	<£10,000	1.6%	46	2.6%	23
	All others	2.1%	138	2.1%	75
	>£50,000	2.6%	30	1.5%	8
Crime victim	Not a victim	1.7%	146	2.1%	84
	Victim	3.2%	68	2.2%	22

Table 12. Incidence of Problems Ancillary to Relationship Breakdown by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more problem	N	1 or more problem	N
Gender	Female	2.1%	114	2.2%	57
	Male	1.5%	77	1.1%	27
Ethnicity	White	1.8%	179	1.8%	81
	Black	3.5%	7	0.0%	0
	Asian	0.4%	2	0.5%	1
	Other	1.9%	3	2.3%	2
House type	Detached	1.0%	27	1.0%	13
	Semi	2.0%	73	1.6%	29
	Terrace	2.4%	67	2.5%	31
	Flat	2.0%	24	2.1%	11
Own transport	No transport	1.8%	41	1.9%	23
	Transport	1.8%	150	1.6%	62
Family status	Married with children	1.2%	25	0.8%	7
	Married no children	0.4%	13	0.6%	10
	Lone parents	15.0%	73	14.4%	27
	Single no children	1.8%	55	1.4%	22
	Co-habiting with children	3.4%	13	4.6%	10
	Co-habiting no children	1.6%	12	2.4%	8
Tenure	Own	0.4%	12	0.5%	7
	Mortgage	1.9%	74	1.8%	37
	Public sector rent	3.3%	50	4.1%	30
	Private sector rent	3.0%	39	1.5%	6
	Rent free	2.4%	15	0.8%	3
Economic activity	Active	1.5%	66	1.7%	49
	Inactive	2.0%	125	1.6%	35
Ill or disabled	Not ill nor disabled	1.9%	148	1.4%	53
	Ill or disabled	1.6%	43	2.5%	32
Academic Qualifications	None	1.2%	33	1.6%	24
	Some	2.0%	158	1.7%	60
Benefits	None	1.1%	88	1.2%	44
	On benefits	3.8%	103	3.2%	40
Age	18-24	0.9%	12	2.0%	11
	25-34	3.1%	54	2.9%	26
	35-44	3.8%	76	2.9%	28
	45-59	1.7%	45	1.3%	16
	60-74	0.2%	4	0.3%	3
	75+	0.0%	0	0.2%	1
Income	<£10,000	1.9%	55	2.2%	20
	All others	1.6%	107	1.6%	59
	>£50,000	2.5%	29	1.1%	6
Crime victim	Not a victim	1.5%	123	1.3%	50
	Victim	3.2%	68	3.4%	34

Table 13. Incidence of Domestic Violence by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more domestic violence problems	N	1 or more domestic violence problems	N
Gender	Female	1.1%	63	1.3%	33
	Male	0.5%	23	0.3%	8
Ethnicity	White	0.9%	84	0.8%	39
	Black	1.0%	2	0.0%	0
	Asian	0.0%	0	0.0%	0
	Other	0.0%	0	3.1%	3
House type	Detached	0.6%	16	0.6%	7
	Semi	0.6%	24	0.8%	16
	Terrace	1.0%	27	0.9%	11
	Flat	1.6%	19	1.4%	8
Own transport	No transport	1.2%	25	1.0%	13
	Transport	0.7%	61	0.8%	29
Family status	Married with children	0.5%	11	0.3%	3
	Married no children	0.2%	10	0.4%	6
	Lone parents	5.0%	24	8.1%	15
	Single no children	1.0%	30	0.8%	12
	Co-habiting with children	0.9%	3	0.5%	1
	Co-habiting no children	1.1%	8	1.0%	3
Tenure	Own	0.3%	10	0.4%	6
	Mortgage	0.6%	23	0.7%	14
	Public sector rent	1.9%	30	2.2%	16
	Private sector rent	1.6%	18	0.8%	3
	Rent free	1.0%	5	0.6%	2
Economic activity	Active	0.8%	37	0.6%	18
	Inactive	0.8%	49	1.1%	24
Ill or disabled	Not ill nor disabled	0.7%	55	0.7%	28
	Ill or disabled	1.1%	31	1.1%	14
Academic qualifications	None	0.4%	13	0.9%	13
	Some	1.0%	73	0.8%	29
Benefits	None	0.5%	42	0.4%	17
	On benefits	1.6%	44	2.0%	25
Age	18-24	1.1%	10	0.9%	5
	25-34	1.4%	22	1.1%	10
	35-44	1.5%	30	1.5%	14
	45-59	0.6%	17	0.7%	9
	60-74	0.3%	6	0.4%	3
	75+	0.0%	0	0.0%	0
Income	<£10,000	1.3%	38	1.4%	12
	All others	0.6%	42	0.8%	28
	>£50,000	0.5%	6	0.4%	2
Crime victim	Not a victim	0.6%	49	0.5%	21
	Victim	1.8%	37	2.1%	21

Table 14. Incidence of Children Related Problems by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more children problems	N	1 or more children problems	N
Gender	Female	1.9%	103	1.8%	46
	Male	0.9%	47	1.2%	28
Ethnicity	White	1.5%	146	1.6%	74
	Black	0.5%	1	0.8%	1
	Asian	0.5%	2	0.0%	0
	Other	0.7%	1	0.0%	0
House type	Detached	1.3%	37	1.3%	16
	Semi	1.6%	58	1.9%	34
	Terrace	1.7%	46	1.6%	19
	Flat	0.8%	9	0.4%	2
Own transport	No transport	1.0%	22	1.2%	15
	Transport	1.5%	128	1.6%	61
Family status	Married with children	3.9%	79	3.6%	34
	Married no children	0.4%	16	0.5%	10
	Lone parents	5.5%	26	7.1%	13
	Single no children	0.1%	2	0.5%	7
	Co-habiting with children	6.3%	22	3.1%	7
	Co-habiting no children	0.7%	5	1.0%	3
Tenure	Own	0.3%	11	0.4%	6
	Mortgage	2.0%	79	2.1%	43
	Public sector rent	2.5%	39	2.1%	16
	Private sector rent	1.5%	17	1.5%	6
	Rent free	0.8%	4	1.0%	4
Economic activity	Active	0.9%	43	1.8%	52
	Inactive	1.8%	107	1.1%	23
Ill or disabled	Not ill nor disabled	1.6%	123	1.5%	55
	Ill or disabled	1.0%	27	1.6%	20
Academic qualifications	None	0.7%	20	0.8%	13
	Some	1.7%	130	1.8%	62
Benefits	None	0.9%	72	1.1%	42
	On benefits	2.9%	78	2.6%	33
Age	18-24	0.1%	1	0.9%	5
	25-34	2.4%	37	1.7%	16
	35-44	3.8%	75	3.4%	33
	45-59	1.3%	37	1.6%	20
	60-74	0.0%	0	0.0%	0
	75+	0.0%	0	0.0%	0
Income	<£10,000	1.6%	47	1.1%	10
	All others	1.3%	86	1.4%	51
	>£50,000	1.5%	17	2.6%	14
Crime victim	Not a victim	1.1%	94	1.2%	47
	Victim	2.7%	56	2.8%	28

Table 15. Incidence of Personal Injury Problems by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more personal injury problems	N	1 or more personal injury problems	N
Gender	Female	3.5%	193	4.7%	122
	Male	3.4%	171	5.0%	119
Ethnicity	White	3.5%	346	5.0%	230
	Black	2.6%	5	4.1%	5
	Asian	1.4%	6	3.7%	7
	Other	4.8%	7	1.9%	2
House type	Detached	2.4%	69	4.0%	51
	Semi	3.8%	142	5.2%	96
	Terrace	3.7%	102	5.4%	66
	Flat	4.3%	51	5.0%	27
Own transport	No transport	3.7%	80	3.6%	44
	Transport	3.4%	284	5.3%	200
Family status	Married with children	3.0%	62	4.7%	45
	Married no children	2.6%	104	4.6%	81
	Lone parents	3.6%	17	6.4%	12
	Single no children	4.6%	133	4.7%	72
	Co-habiting with children	4.6%	16	5.4%	11
Tenure	Co-habiting no children	4.5%	32	6.0%	19
	Own	2.0%	69	4.0%	56
	Mortgage	3.8%	148	5.3%	107
	Public sector rent	4.2%	65	5.9%	43
	Private sector rent	4.5%	52	3.9%	16
Economic activity	Rent free	5.8%	30	4.6%	19
	Active	3.0%	139	4.9%	142
Ill or disabled	Inactive	3.8%	225	4.8%	102
	Not ill nor disabled	2.9%	225	3.9%	146
Academic qualifications	Ill or disabled	4.9%	139	7.8%	99
	None	3.0%	90	3.9%	59
Benefits	Some	3.6%	274	5.3%	185
	None	3.2%	251	4.6%	171
Age	On benefits	4.2%	113	5.8%	73
	18-24	5.5%	50	5.4%	29
	25-34	4.3%	65	4.3%	39
	35-44	3.3%	66	5.5%	52
	45-59	3.5%	100	5.6%	68
	60-74	2.5%	59	4.3%	36
Income	75+	2.3%	22	3.4%	16
	<£10,000	3.3%	96	4.4%	39
	All others	3.6%	230	5.2%	185
Crime victim	>£50,000	3.3%	38	3.7%	20
	Not a victim	3.2%	266	4.6%	183
	Victim	4.6%	98	6.1%	62

Table 16. Incidence of Clinical Negligence Problems by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more clinical negligence problems	N	1 or more clinical negligence problems	N
Gender	Female	2.0%	111	1.5%	38
	Male	1.3%	67	1.7%	41
Ethnicity	White	1.6%	159	1.5%	69
	Black	3.6%	7	1.6%	2
	Asian	0.9%	4	2.2%	4
	Other	5.4%	8	3.1%	3
House type	Detached	1.5%	43	1.8%	23
	Semi	1.7%	64	1.5%	27
	Terrace	1.8%	51	1.4%	17
	Flat	1.7%	20	2.2%	12
Own transport	No transport	1.7%	36	1.3%	16
	Transport	1.7%	142	1.7%	63
Family status	Married with children	1.9%	39	1.1%	11
	Married no children	1.5%	60	1.7%	30
	Lone parents	1.7%	8	1.0%	2
	Single no children	1.7%	49	1.7%	26
	Co-habiting with children	2.0%	7	3.2%	7
	Co-habiting no children	2.1%	15	1.4%	4
Tenure	Own	1.5%	52	2.0%	28
	Mortgage	1.3%	49	1.4%	28
	Public sector rent	2.6%	40	0.9%	7
	Private sector rent	2.5%	29	1.8%	8
	Rent free	1.2%	6	1.7%	7
Economic activity	Active	1.9%	87	1.3%	39
	Inactive	1.5%	91	1.9%	40
Ill or disabled	Not ill nor disabled	1.2%	90	1.1%	40
	Ill or disabled	3.1%	88	3.0%	38
Academic qualifications	None	1.1%	33	1.1%	17
	Some	1.9%	145	1.8%	62
Benefits	None	1.5%	114	1.4%	51
	On benefits	2.4%	64	2.2%	28
Age	18-24	1.5%	14	1.1%	6
	25-34	2.2%	34	1.6%	15
	35-44	1.6%	31	1.8%	17
	45-59	2.0%	57	1.4%	17
	60-74	1.3%	30	1.9%	16
	75+	1.2%	12	1.6%	8
Income	<£10,000	1.5%	45	1.7%	15
	All others	1.8%	114	1.5%	53
	>£50,000	1.7%	19	2.1%	11
Crime victim	Not a victim	1.5%	130	1.3%	52
	Victim	2.3%	48	2.7%	27

Table 17. Incidence of Mental health Problems by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more mental health problems	N	1 or more mental health problems	N
Gender	Female	0.3%	16	0.3%	8
	Male	0.2%	12	0.1%	2
Ethnicity	White	0.3%	27	0.2%	10
	Black	0.0%	0	0.0%	0
	Asian	0.0%	0	0.0%	0
	Other	0.7%	1	0.9%	1
House type	Detached	0.1%	3	0.1%	1
	Semi	0.2%	6	0.2%	4
	Terrace	0.3%	9	0.3%	3
	Flat	0.8%	10	0.4%	2
Own transport	No transport	0.2%	5	0.2%	2
	Transport	0.3%	23	0.2%	8
Family status	Married with children	0.1%	2	0.1%	1
	Married no children	0.1%	5	0.0%	0
	Lone parents	0.4%	2	1.5%	3
	Single no children	0.5%	14	0.3%	4
	Co-habiting with children	0.0%	0	0.5%	1
	Co-habiting no children	0.7%	5	0.3%	1
Tenure	Own	0.1%	4	0.1%	1
	Mortgage	0.2%	9	0.3%	5
	Public sector rent	0.5%	7	0.3%	2
	Private sector rent	0.6%	7	0.3%	1
	Rent free	0.2%	1	0.3%	1
Economic activity	Active	0.4%	17	0.3%	7
	Inactive	0.2%	11	0.1%	3
Ill or disabled	Not ill nor disabled	0.1%	10	0.2%	6
	Ill or disabled	0.6%	18	0.3%	4
Academic qualifications	None	0.3%	8	0.1%	1
	Some	0.3%	20	0.3%	9
Benefits	None	0.2%	13	0.2%	7
	On benefits	0.6%	15	0.3%	4
Age	18-24	0.3%	3	0.5%	2
	25-34	0.5%	8	0.4%	3
	35-44	0.3%	6	0.3%	3
	45-59	0.2%	6	0.2%	2
	60-74	0.1%	3	0.0%	0
	75+	0.2%	2	0.0%	0
Income	<£10,000	0.6%	17	0.2%	2
	All others	0.2%	10	0.2%	8
	>£50,000	0.1%	1	0.2%	1
Crime victim	Not a victim	0.2%	19	0.2%	7
	Victim	0.4%	9	0.3%	3



Table 18. Incidence of Immigration Problems by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more immigration problems	N	1 or more immigration problems	N
Gender	Female	0.3%	16	0.3%	7
	Male	0.3%	13	0.4%	9
Ethnicity	White	0.1%	12	0.1%	5
	Black	3.6%	7	4.3%	6
	Asian	1.6%	7	1.7%	3
	Other	2.0%	3	1.1%	1
House type	Detached	0.1%	4	0.3%	3
	Semi	0.2%	7	0.2%	5
	Terrace	0.3%	9	0.1%	1
	Flat	0.8%	9	1.2%	7
Own transport	No transport	0.4%	9	0.7%	8
	Transport	0.2%	20	0.2%	8
Family status	Married with children	0.2%	4	0.5%	4
	Married no children	0.2%	9	0.2%	3
	Lone parents	0.6%	3	0.0%	0
	Single no children	0.2%	7	0.2%	4
	Co-habiting with children	0.3%	1	0.5%	1
	Co-habiting no children	0.7%	5	1.1%	3
Tenure	Own	0.1%	3	0.0%	0
	Mortgage	0.2%	9	0.3%	6
	Public sector rent	0.3%	4	0.3%	2
	Private sector rent	1.0%	12	1.3%	5
	Rent free	0.2%	1	0.3%	1
Economic activity	Active	0.2%	7	0.3%	10
	Inactive	0.4%	22	0.3%	6
Ill or disabled	Not ill nor disabled	0.3%	26	0.4%	13
	Ill or disabled	0.1%	3	0.2%	2
Academic qualifications	None	0.3%	9	0.1%	1
	Some	0.3%	20	0.4%	14
Benefits	None	0.3%	27	0.4%	13
	On benefits	0.1%	2	0.2%	2
Age	18-24	0.2%	2	0.9%	5
	25-34	0.8%	12	0.6%	6
	35-44	0.4%	8	0.3%	3
	45-59	0.2%	6	0.2%	2
	60-74	0.0%	1	0.0%	0
	75+	0.0%	0	0.0%	0
Income	<£10,000	0.2%	6	0.4%	3
	All others	0.3%	18	0.3%	11
	>£50,000	0.4%	5	0.2%	1
Crime victim	Not a victim	0.3%	22	0.3%	11
	Victim	0.3%	7	0.4%	4

Table 19. Incidence of Problems Concerning Unfair Police Treatment by Respondent Characteristics

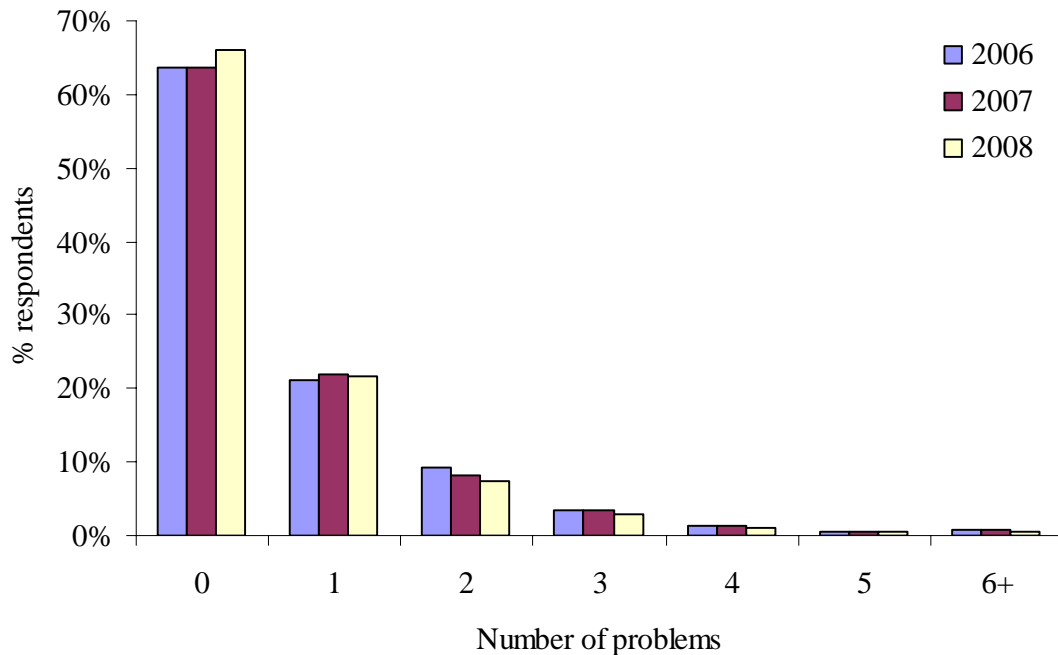
Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more unfair police treatment problem	N	1 or more unfair police treatment problem	N
Gender	Female	0.3%	19	0.3%	8
	Male	1.3%	63	1.3%	31
Ethnicity	White	0.7%	72	0.7%	33
	Black	2.6%	5	2.5%	3
	Asian	0.7%	3	1.1%	2
	Other	1.4%	2	1.9%	2
House type	Detached	0.7%	19	0.5%	7
	Semi	0.6%	21	0.8%	15
	Terrace	0.9%	25	0.8%	10
	Flat	1.4%	17	1.4%	8
Own transport	No transport	1.3%	28	0.9%	11
	Transport	0.6%	54	0.8%	29
Family status	Married with children	0.5%	10	0.4%	4
	Married no children	0.3%	12	0.5%	9
	Lone parents	0.2%	1	1.8%	3
	Single no children	1.6%	48	1.3%	21
	Co-habiting with children	0.3%	1	0.5%	1
	Co-habiting no children	1.4%	10	0.3%	1
Tenure	Own	0.4%	12	0.5%	6
	Mortgage	0.6%	24	0.5%	11
	Public sector rent	1.2%	18	1.5%	11
	Private sector rent	1.5%	17	1.3%	6
	Rent free	2.1%	11	1.4%	6
Economic activity	Active	0.7%	31	0.7%	20
	Inactive	0.9%	51	1.0%	21
Ill or disabled	Not ill nor disabled	0.7%	53	0.8%	30
	Ill or disabled	1.0%	29	0.8%	10
Academic qualifications	None	0.8%	25	0.6%	9
	Some	0.8%	57	0.9%	32
Benefits	None	0.7%	57	0.7%	26
	On benefits	0.9%	25	1.1%	14
Age	18-24	2.1%	19	2.0%	10
	25-34	1.1%	17	0.9%	8
	35-44	1.0%	19	1.0%	9
	45-59	0.5%	15	0.5%	6
	60-74	0.5%	11	0.6%	5
	75+	0.1%	1	0.0%	0
Income	<£10,000	0.7%	20	1.4%	13
	All others	0.8%	51	0.7%	23
	>£50,000	1.0%	11	0.8%	4
Crime victim	Not a victim	0.5%	46	0.6%	22
	Victim	1.7%	36	1.8%	18

Table 20. Incidence of Problems Concerning Homelessness by Respondent Characteristics

Variable	Level	Incidence in 2006-9		Incidence in 2004	
		1 or more homelessness problems	N	1 or more homelessness problems	N
Gender	Female	1.3%	71	1.3%	34
	Male	0.9%	47	1.1%	27
Ethnicity	White	1.1%	108	1.3%	58
	Black	2.1%	4	2.4%	3
	Asian	1.1%	5	0.0%	0
	Other	0.7%	1	0.0%	0
House type	Detached	0.1%	3	0.3%	4
	Semi	0.8%	30	1.1%	20
	Terrace	1.6%	44	1.2%	15
	Flat	3.4%	41	4.1%	22
Own transport	No transport	2.9%	63	2.9%	35
	Transport	0.7%	55	0.7%	26
Family status	Married with children	0.4%	9	0.4%	4
	Married no children	0.2%	10	0.2%	4
	Lone parents	9.2%	44	9.9%	19
	Single no children	1.4%	40	1.5%	23
	Co-habiting with children	2.6%	9	3.2%	7
	Co-habiting no children	0.8%	6	1.4%	5
Tenure	Own	0.0%	0	0.0%	0
	Mortgage	0.2%	7	0.4%	8
	Public sector rent	4.4%	68	4.5%	33
	Private sector rent	3.1%	36	2.6%	11
	Rent free	1.3%	7	2.4%	10
Economic activity	Active	1.6%	73	0.7%	20
	Inactive	0.8%	45	1.9%	42
Ill or disabled	Not ill nor disabled	0.9%	73	1.0%	37
	Ill or disabled	1.6%	45	1.9%	24
Academic qualifications	None	1.2%	35	1.6%	24
	Some	1.1%	83	1.1%	38
Benefits	None	0.4%	29	0.4%	14
	On benefits	3.3%	89	3.8%	48
Age	18-24	3.1%	28	3.4%	18
	25-34	2.5%	38	2.0%	18
	35-44	1.9%	38	1.6%	15
	45-59	0.4%	11	0.5%	7
	60-74	0.1%	2	0.0%	0
	75+	0.1%	1	0.0%	0
Income	<£10,000	2.0%	60	4.0%	36
	All others	0.9%	57	0.6%	23
	>£50,000	0.1%	1	0.4%	2
Crime victim	Not a victim	1.0%	85	1.1%	42
	Victim	1.6%	33	1.9%	19

### *The Experience of Multiple Justiciable Problems*

Figure 1 sets out the number of problems reported by respondents.



*Figure 1. Number of Problems Reported*

As illustrated above, certain population groups are more vulnerable than others to justiciable problems. It has been shown that problems can also act to bring about or reinforce characteristics of vulnerability (such as unemployment, relationship breakdown and illness).<sup>20</sup> Thus, as Figure 2 shows, the proportion of respondents in vulnerable groups increases as the number of problems reported increases. For instance, while 2.9% of those reporting no problems in the 2006-9 survey were lone parents, this percentage rose to 5.5% of those reporting one problem and 22.2% of those reporting six or more problems. Likewise, whereas 23.6% of those reporting no problems were ill or disabled, this rose to 43.1% for those who reported six or more problems.

<sup>20</sup> Pleasence, P. (2006) *Causes of Action: Civil Law and Social Justice*, Norwich: TSO.

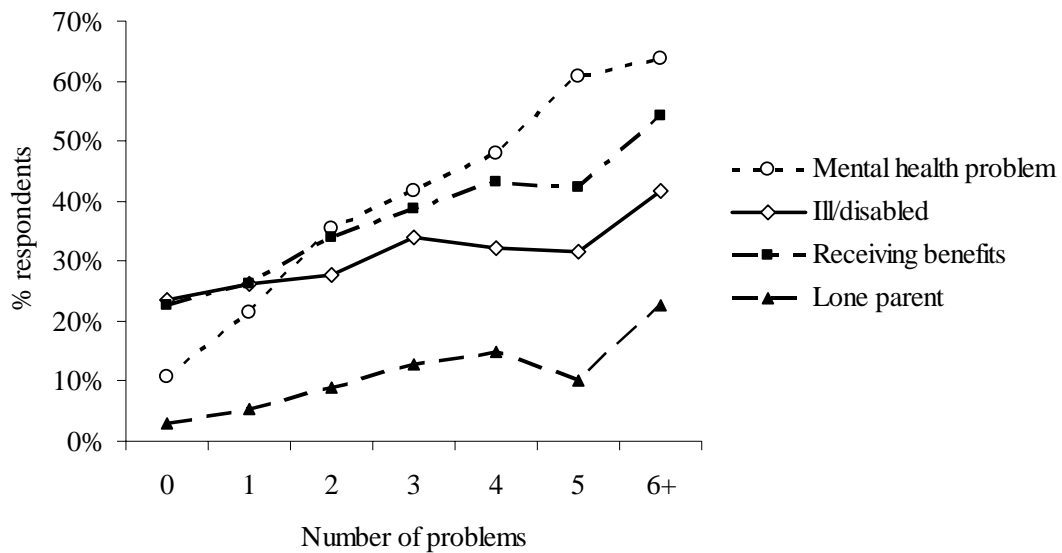


Figure 2. Proportion of Vulnerable Respondents by Number of Problems (2006-9)

As with individual problems, experience of multiple problems, do not affect people uniformly across the population. Certain population groups experience multiple problems more often than others. This is depicted in Table 21.

Table 21 illustrates that Black and ‘other ethnicity’ respondents more often reported suffering from multiple problems than White and Asian respondents to the 2006-9 survey. As with problem incidence more generally, the same was also true of those living in high density housing, rented housing, lone parents, those on benefits, those between the ages of 25 and 44 and victims of crimes tend to report having multiple problems more than others.

Table 21. Characteristics of 2006-9 Respondents Who Reported Problems (Excluding Respondents Reporting No Problems)

Variable	Level	1 problem		2 problems		3 problem		4 problems	
		N	%	N	%	N	%	N	%
Gender	Female	1128	20.9%	466	8.6%	198	3.7%	142	2.6%
	Male	1144	22.3%	398	7.8%	151	2.9%	123	2.4%
Ethnicity	White	2094	21.6%	803	8.3%	319	3.3%	241	2.5%
	Black	47	23.3%	18	8.7%	10	4.7%	9	4.6%
	Asian	94	19.8%	27	5.6%	12	2.4%	6	1.3%
	Other	36	23.2%	16	10.5%	8	5.4%	9	5.7%
House type	Detached	568	20.6%	185	6.7%	73	2.7%	44	1.6%
	Semi	750	20.3%	284	7.7%	117	3.2%	91	2.4%
	Terrace	670	23.6%	272	9.6%	92	3.2%	70	2.4%
	Flat	283	23.1%	122	9.9%	66	5.4%	61	5.0%
Motorised transport	No transport	453	19.9%	183	8.0%	63	2.8%	58	2.5%
	Transport	1819	22.0%	681	8.2%	286	3.5%	207	2.5%
Family status	Married with children	475	22.8%	182	8.7%	74	3.5%	53	2.5%
	Married no children	741	20.0%	210	5.7%	80	2.2%	42	1.1%
	Lone parents	125	25.7%	78	16.1%	45	9.3%	42	8.5%
	Single no children	655	21.1%	253	8.1%	96	3.1%	84	2.7%
	Co-hab with children	99	25.9%	62	16.3%	26	6.8%	19	5.1%
	Co-hab no children	178	23.0%	78	10.1%	28	3.6%	26	3.3%
Tenure	Own	569	18.6%	165	5.4%	55	1.8%	22	.7%
	Mortgage	919	23.1%	354	8.9%	146	3.7%	96	2.4%
	Public sector rent	383	25.0%	148	9.7%	66	4.3%	74	4.8%
	Private sector rent	285	21.8%	151	11.6%	62	4.7%	61	4.7%
	Rent free	114	17.9%	44	7.0%	19	2.9%	12	1.8%
Economic Activity	Active	845	19.3%	312	7.1%	120	2.7%	102	2.3%
	Inactive	1427	23.2%	551	8.9%	229	3.7%	163	2.7%
Ill or Disabled	Not ill nor disabled	1677	21.2%	625	7.9%	230	2.9%	173	2.2%
	Ill or disabled	595	22.5%	239	9.0%	119	4.5%	92	3.5%

(Table 21 Cont ...)

Academic qualifications	None	506	18.1%	166	6.0%	40	1.4%	34	1.2%
	Some	1766	22.8%	697	9.0%	308	4.0%	232	3.0%
Benefits	None	1673	21.3%	571	7.3%	213	2.7%	143	1.8%
	On benefits	598	22.3%	293	10.9%	135	5.0%	122	4.6%
Age	18-24	265	20.9%	122	9.6%	39	3.1%	23	1.8%
	25-34	411	23.4%	187	10.7%	85	4.8%	81	4.6%
	35-44	488	24.3%	223	11.1%	100	5.0%	78	3.9%
	45-59	602	23.1%	207	8.0%	92	3.5%	59	2.2%
	60-74	392	19.3%	107	5.3%	29	1.4%	23	1.1%
	75+	112	13.1%	16	1.9%	3	.4%	1	.1%
Income	<£10,000	576	20.0%	231	8.0%	94	3.3%	77	2.7%
	All others	1360	21.0%	506	7.8%	208	3.2%	155	2.4%
	>£50,000	336	28.7%	126	10.8%	47	4.0%	33	2.8%
Crime vict.	Not a victim	1729	20.6%	612	7.3%	221	2.6%	151	1.8%
	Victim	543	25.3%	252	11.7%	127	5.9%	114	5.3%

## *The Impact of Civil Justice Problems*

This section sets out the impact of civil justice problems, as described by respondents to the Civil and Social Justice Survey. It also details the extent to which problems co-occur, or ‘cluster’ together

### *The Broad Impact of Civil Justice Problems*

Justiciable problems can bring about a range of social, economic and health problems. Table 22 sets out the percentage of problems for which respondents to the Civil and Social Justice Survey reported having experienced a range of adverse consequences.

Over half of problems (50.3%) were reported to have led to at least one adverse consequence in the 2006-9 survey, roughly the same percentage as in the 2004 survey. As can be seen, over a quarter of problems in both surveys led to stress related illness, with physical ill-health, loss of confidence and loss of income also being reported to follow from more than one in eight problems.

*Table 22. The Adverse Consequences of Civil Justice Problems*

<b>Adverse consequences reported as following from problems</b>	<b>% of problems in 2006-9 survey</b>	<b>N</b>	<b>% of problems in 2004 survey</b>	<b>N</b>
Physical ill health	13.4%	778	15.9%	412
Stress related illness	27.3%	1580	26.7%	688
Relationship breakdown	3.9%	228	5.5%	142
Violence aimed at me	3.8%	222	4.0%	103
Damage to property	5.1%	297	5.9%	152
Had to move home	4.6%	265	5.9%	152
Loss of employment	4.2%	241	5.8%	149
Loss of income	13.3%	771	15.2%	392
Loss of confidence	14.4%	834	17.1%	441



Over three-quarters (80%) of 2006-9 survey respondents who suffered from physical ill health as a direct result of a problem visited a GP, hospital, or other health care worker about it. This is the same as in 2004.

Similarly, over half (53%) of 2006-9 respondents who suffered from stress-related ill health as a direct result of a problem visited a GP, hospital, or other health care worker about it.

Adverse consequences and interference in day-to-day life did not follow uniformly from all problem types. Table 23 shows the range of adverse consequences that followed different problem types. As would be expected, physical ill-health most often followed from accidents and clinical negligence – although domestic violence and mental health problems were also a frequently reported source of physical ill-health.

Stress-related ill-health was most often reported to have resulted from mental health, homelessness, domestic violence, divorce, relationship breakdown, children, immigration, and employment related problems. Stress-related illness was reported as a source of more than one-third of such problems.

Loss of confidence was especially likely to result from mental health problems. A high 43% of respondents with mental health problems and 38% of those who had faced domestic violence reported experiencing a loss of confidence as a result.

Table 23. Adverse consequences by problem type in 2006-9 survey

<b>Problem Type</b>	<b>Physical ill health</b>	<b>N</b>	<b>Stress-related illness</b>	<b>N</b>	<b>Rel. b'down</b>	<b>N</b>	<b>Personal Violence</b>	<b>N</b>	<b>Prop. Damage</b>	<b>N</b>	<b>Had to move home</b>	<b>N</b>	<b>Loss of empl't</b>	<b>N</b>	<b>Loss of income</b>	<b>N</b>	<b>Loss of conf'nce</b>	<b>N</b>
Discrimination	12.2%	25	29.7%	61	3.4%	7	4.5%	9	3.3%	7	3.1%	6	13.7%	28	16.8%	34	29.4%	60
Consumer	2.5%	34	11.6%	161	0.5%	7	0.1%	2	2.6%	35	0.1%	2	0.2%	2	5.4%	75	6.6%	92
Employment	12.9%	64	34.8%	173	3.0%	15	1.3%	7	0.4%	2	1.0%	5	26.5%	132	40.0%	199	27.8%	138
Neighbours	7.3%	60	28.9%	237	2.8%	23	9.5%	77	19.2%	157	7.9%	65	0.4%	3	1.9%	16	13.8%	113
Housing (own)	5.8%	11	20.0%	38	3.0%	6	2.6%	5	6.5%	12	1.4%	3	0.4%	1	8.3%	16	6.8%	13
Housing (rent)	13.2%	42	29.6%	93	2.8%	9	1.0%	3	6.1%	19	9.2%	29	0.7%	2	3.0%	9	9.8%	31
Homelessness	12.1%	15	59.3%	75	2.9%	4	4.6%	6	1.0%	1	30.2%	38	3.8%	5	9.7%	12	16.1%	20
Money/debt	6.5%	40	27.8%	170	3.8%	23	0.3%	2	1.1%	7	1.3%	8	0.7%	5	13.0%	80	12.4%	76
Welfare benefits	8.6%	26	30.4%	92	2.0%	6	0.0%	0	0.0%	0	0.8%	3	1.3%	4	33.9%	102	8.6%	26
Divorce	13.2%	25	38.7%	73	20.9%	39	12.2%	23	3.6%	7	29.2%	55	5.2%	10	17.3%	32	24.5%	46
Rel. b'down	13.6%	26	46.7%	90	14.7%	28	12.5%	24	3.5%	7	10.0%	19	3.3%	6	22.3%	43	22.1%	43
Domestic viol.	26.2%	24	58.3%	53	42.9%	39	45.8%	41	20.4%	18	26.6%	24	8.8%	8	15.2%	14	37.8%	34
Children	4.4%	7	39.3%	61	4.6%	7	2.4%	4	1.9%	3	2.0%	3	1.4%	2	4.5%	7	8.2%	13
Personal injury	68.3%	260	24.7%	94	0.8%	3	0.6%	2	4.3%	17	0.2%	1	5.6%	21	23.6%	90	17.1%	65
Clin. negligence	60.0%	101	28.2%	47	2.9%	5	1.2%	2	0.0%	0	0.0%	0	5.2%	9	10.8%	18	18.9%	32
Mental health	34.4%	11	64.3%	20	12.6%	4	7.1%	2	0.0%	0	4.1%	1	3.4%	1	22.0%	7	43.2%	13
Immigration	3.2%	1	41.1%	12	3.2%	1	3.2%	1	0.0%	0	3.6%	1	6.8%	2	17.9%	5	21.2%	6
Police treatment	7.9%	8	29.5%	32	2.0%	2	11.4%	12	4.4%	5	2.2%	2	0.0%	0	10.2%	11	11.9%	13

Certain problems appear to typically result in adverse consequences. Table 24 shows, for example, that problems concerning mental health, domestic violence, personal injury, homelessness, clinical negligence and employment led to adverse consequences on more than 70% of occasions. On the other hand, only 23% of respondents reported adverse consequences as a result of their consumer problems.

*Table 24. Adverse consequences by problem type (2006-9)*

<b>Problems for which respondents suffered any adverse consequence*</b>		
	<b>%</b>	<b>N</b>
Mental health	87.8%	27
Domestic violence	84.0%	76
Personal injury	80.5%	307
Homelessness	78.6%	99
Clinical negligence	74.2%	125
Employment	70.6%	352
Relationship breakdown	67.5%	130
Discrimination	62.6%	128
Divorce	62.1%	117
Immigration	59.1%	17
Welfare benefits	55.0%	166
Neighbours	51.6%	422
Police treatment	49.8%	53
Rented housing	49.5%	156
Children	43.7%	68
Money/debt	43.4%	266
Owned housing	35.5%	67
Consumer	22.6%	313

### *Problem Clusters*

Certain justiciable problems have a tendency to co-occur, or ‘cluster’ together. This means that when one problem type occurs, other problems are more likely to be of particular types. This does not mean that problems have to cause or be caused by one another. They may, for instance, both be caused by a third factor (e.g., poor health). However, it is useful to understand which problems tend to co-occur.

Hierarchical cluster analysis was used to establish general and underlying connections between different problem types. Average between groups linkage was employed as the clustering method.

The results of the hierarchical cluster analyses are summarised in two dendrograms set out in Figures 3 (2004) and 4 (2006-9). These dendrograms illustrate the complete clustering procedure and the divisions made at each stage of analysis. The closer the ‘forks’ or ‘branches’ are to the left side of the dendrogram, the stronger the association between problem types. The illustrated associations, or ‘clusters’ are similar to clusters from previous research.<sup>21</sup>

#### *‘Family’ Cluster*

As has also been shown elsewhere,<sup>22</sup> family problems (comprised of domestic violence, divorce and relationship breakdown problems) cluster together strongly in both the 2004 and 2006-9 surveys. As Table 25 shows, 29% of those who reported suffering from domestic violence in the 2006-9 survey also reported problems ancillary to relationship breakdown, and 20% reported a divorce. Likewise, 30% of those who reported problems ancillary to relationship breakdown also reported a divorce, and 14% suffer from domestic violence.

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<sup>21</sup> Pleasence, P. (2006) *Causes of Action: Civil Law and Social Justice*, TSO: Norwich.

<sup>22</sup> *Ibid.*

### *'Economic' Cluster*

Both 2004 and 2006-9 surveys reveal a second cluster among consumer, money/debt, employment, and neighbours problems. As Table 25 shows, 25% of those who reported having employment problems also had consumer problems, 17% had money or debt problems, and 15% had problems with neighbours.

### *'Homelessness' Cluster*

The cluster identified in 2004 as extending to renting, homelessness and welfare benefits problems, was reduced to the core pairing of renting and homelessness problems in 2006-9. As Table 25 shows, 10% of those who reported rent problems also reported homelessness problems in the 2006 survey. It can also be seen that 10% also reported benefits problems, showing that the two problems continue to overlap in large part.

### *Discrimination and Clinical Negligence*

Lastly, discrimination and clinical negligence tended to cluster together in both the 2004 and 2006-9 surveys. Nine per cent of those who reported suffering from discrimination in the 2006-9 survey suffered from clinical negligence.

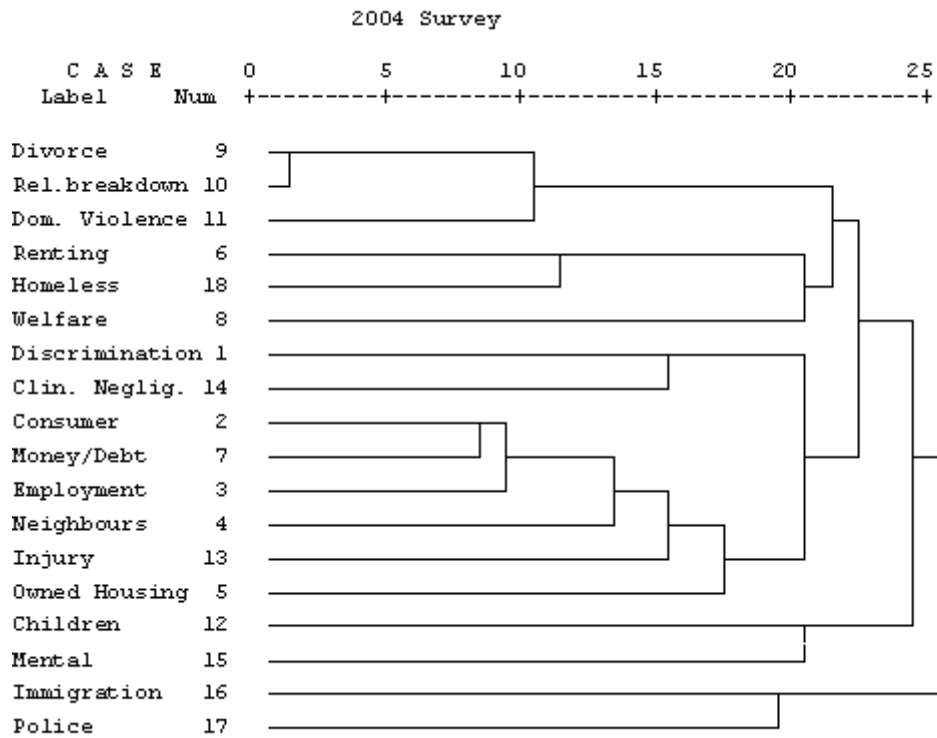


Figure 3. Dendrogram of Problems Clusters in 2004 Survey

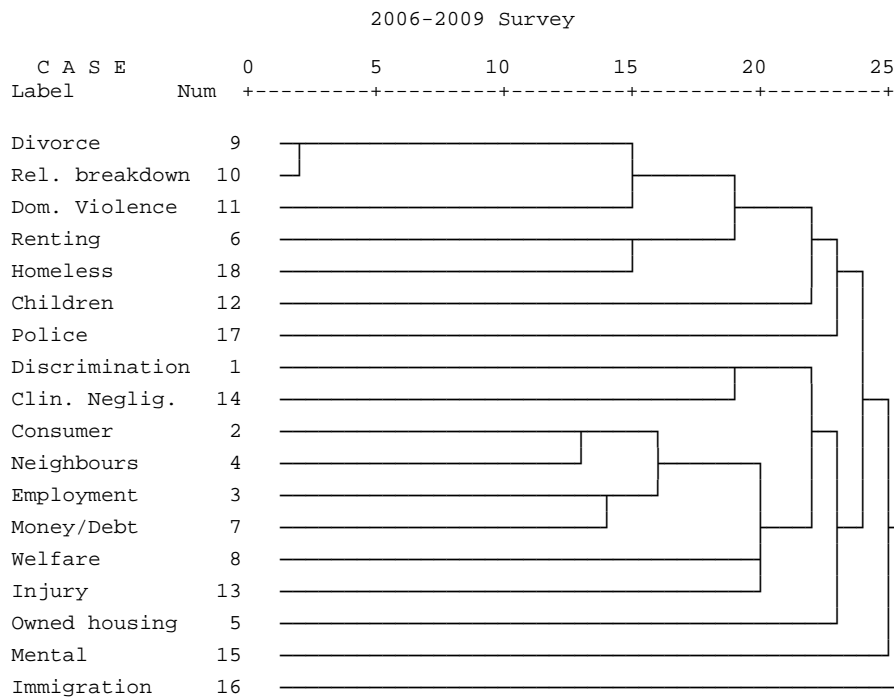


Figure 4. Dendrogram of Problems Clusters in 2006-2009 Survey

### *Degree of Problem Overlap*

Table 25 sets out the degree of overlap between the experiences of different problem types in the 2006-9 survey. Percentages represent the percentage of problems of the types indicated at the top of the table that were accompanied by the types indicated on the left hand side of the table (e.g., 23.5% of those with discrimination problems (50 respondents) also had consumer problems).

*Table 25. Overlap in the Experience of Problems Reported in the 2006-2009 Survey*

	Discrimination		Consumer		Employment		Neighbours	
	Count	Col. %	Count	Col. %	Count	Col. %	Count	Col. %
Discrimination	213	100.0	50	3.9	29	5.8	36	4.2
Consumer	50	23.5	1298	100.0	127	25.5	179	21.0
Employment	29	13.6	127	9.8	499	100.0	76	8.9
Neighbours	36	16.9	179	13.8	76	15.2	854	100.0
Owned housing	4	1.9	65	5.0	22	4.4	30	3.5
Rented housing	11	5.2	52	4.0	33	6.6	52	6.1
Money/debt	28	13.1	150	11.6	85	17.0	92	10.8
Welfare benefits	14	6.6	70	5.4	40	8.0	46	5.4
Divorce	9	4.2	34	2.6	12	2.4	17	2.0
Rela. Breakdown	8	3.8	41	3.2	22	4.4	28	3.3
Domestic violence	6	2.8	17	1.3	12	2.4	13	1.5
Children	5	2.3	40	3.1	20	4.0	29	3.4
Personal injury	19	8.9	63	4.9	46	9.2	44	5.2
Clinical negl.	19	8.9	38	2.9	26	5.2	25	2.9
Mental health	4	1.9	4	0.3	6	1.2	4	0.5
Immigration	2	0.9	7	0.5	1	0.2	4	0.5
Police	5	2.3	20	1.5	8	1.6	15	1.8
Homelessness	2	0.9	18	1.4	9	1.8	14	1.6

(cont ...)





(Table 25 Cont ...)

	Owning		Renting		Money/debt		Welfare benefits		Divorce	
	Count	Col. %	Count	Col. %	Count	Col. %	Count	Col. %	Count	Col. %
Discrimination	4	2.0	11	3.8	28	4.7	14	4.5	9	4.2
Consumer	65	32.2	52	17.8	150	25.1	70	22.7	34	15.9
Employment	22	10.9	33	11.3	85	14.2	40	13.0	12	5.6
Neighbours	30	14.9	52	17.8	92	15.4	46	14.9	17	7.9
Owned housing	202	100.0	4	1.4	30	5.0	10	3.2	7	3.3
Rented housing	4	2.0	292	100.0	57	9.5	30	9.7	8	3.7
Money/debt	30	14.9	57	19.5	598	100.0	50	16.2	30	14.0
Welfare benefits	10	5.0	30	10.3	50	8.4	308	100.0	22	10.3
Divorce	7	3.5	8	2.7	30	5.0	22	7.1	214	100.0
Rela. breakdown	8	4.0	23	7.9	39	6.5	19	6.2	56	26.2
Domestic violence	1	0.5	13	4.5	16	2.7	8	2.6	18	8.4
Children	5	2.5	10	3.4	26	4.3	15	4.9	8	3.7
Personal injury	14	6.9	22	7.5	54	9.0	15	4.9	17	7.9
Clinical negl.	9	4.5	13	4.5	23	3.8	15	4.9	9	4.2
Mental health	2	1.0	2	0.7	8	1.3	5	1.6	2	0.9
Immigration	1	0.5	6	2.1	5	0.8	1	0.3	1	0.5
Police	3	1.5	14	4.8	12	2.0	5	1.6	7	3.3
Homelessness	4	2.0	29	9.9	27	4.5	18	5.8	20	9.3

(Cont ...)

(Table 25 Cont.)

	Rela. breakdown		Domestic violence		Children		Personal injury	
	Count	Col. %	Count	Col. %	Count	Col. %	Count	Col. %
Discrimination	8	4.3	6	7.0	5	3.3	19	5.2
Consumer	41	22.0	17	19.8	40	26.7	63	17.3
Employment	22	11.8	12	14.0	20	13.3	46	12.6
Neighbours	28	15.1	13	15.1	29	19.3	44	12.1
Owned housing	8	4.3	1	1.2	5	3.3	14	3.8
Rented housing	23	12.4	13	15.1	10	6.7	22	6.0
Money/debt	39	21.0	16	18.6	26	17.3	54	14.8
Welfare benefits	19	10.2	8	9.3	15	10.0	15	4.1
Divorce	56	30.1	18	20.9	8	5.3	17	4.7
Rela. breakdown	186	100.0	24	27.9	22	14.7	13	3.6
Domestic violence	24	12.9	86	100.0	10	6.7	9	2.5
Children	22	11.8	10	11.6	150	100.0	5	1.4
Personal injury	13	7.0	9	10.5	5	3.3	364	100.0
Clinical negl.	8	4.3	3	3.5	3	2.0	14	3.8
Mental health	4	2.2	1	1.2	3	2.0	3	0.8
Immigration	2	1.1	0	0.0	1	0.7	1	0.3
Police	7	3.8	6	7.0	1	0.7	6	1.6
Homelessness	21	11.3	11	12.8	4	2.7	10	2.7

(Cont ...)

(Table 25 Cont ...)

	Clinical negligence		Mental health		Immigration		Police treatment		Homelessness	
	Count	Column %	Count	Column %	Count	Column %	Count	Column %	Count	Column %
Discrimination	19	10.7	4	14.3	2	6.9	5	6.1	2	1.7
Consumer	38	21.3	4	14.3	7	24.1	20	24.4	18	15.3
Employment	26	14.6	6	21.4	1	3.4	8	9.8	9	7.6
Neighbours	25	14.0	4	14.3	4	13.8	15	18.3	14	11.9
Owned housing	9	5.1	2	7.1	1	3.4	3	3.7	4	3.4
Rented housing	13	7.3	2	7.1	6	20.7	14	17.1	29	24.6
Money/debt	23	12.9	8	28.6	5	17.2	12	14.6	27	22.9
Welfare benefits	15	8.4	5	17.9	1	3.4	5	6.1	18	15.3
Divorce	9	5.1	2	7.1	1	3.4	7	8.5	20	16.9
Rela. breakdown	8	4.5	4	14.3	2	6.9	7	8.5	21	17.8
Domestic violence	3	1.7	1	3.6	0	0.0	6	7.3	11	9.3
Children	3	1.7	3	10.7	1	3.4	1	1.2	4	3.4
Personal injury	14	7.9	3	10.7	1	3.4	6	7.3	10	8.5
Clinical negl.	178	100.0	1	3.6	0	0.0	4	4.9	3	2.5
Mental health	1	0.6	28	100.0	0	0.0	2	2.4	5	4.2
Immigration	0	0.0	0	0.0	29	100.0	0	0.0	2	1.7
Police	4	2.2	2	7.1	0	0.0	82	100.0	8	6.8
Homelessness	3	1.7	5	17.9	2	6.9	8	9.8	118	100.0

## 4

### *Problem Resolution Strategies*

This section sets out the ways in which people deal with justiciable problems. It examines the different rates of action and use of advice services that are associated with different population groups and different problem types.

#### *How People Respond to Justiciable Problems*

Not everyone who experiences a justiciable problem will take action to resolve it. Table 26 reveals the actions (or inaction) respondents take in response to justiciable problems. The 2004 and 2006-9 surveys indicated that a substantial proportion of those who experience justiciable problems take no action to resolve them (9.3%, in 2006-9 and 10.5% in 2004<sup>23</sup>). About half of respondents managed to successfully obtain advice. However, the percentage of problems about which respondents obtained advice decreased slightly between the 2004 and 2006-9 survey periods.<sup>24</sup>

*Table 26. Problem Resolution Strategies*

	<b>2004</b>	<b>N (2004)</b>	<b>2006-9</b>	<b>N (2006-9)</b>
Did nothing	10.5%	281	9.4%	577
Handled alone	31.0%	835	33.6%	2055
Obtained advice	51.6%	1389	49.2%	3007
Tried and failed to obtain advice	2.0%	53	1.9%	115
Tried, failed and handled alone	5.0%	134	5.8%	357

<sup>23</sup> This was not a significant decrease,  $\chi_{(1)}^2 = 2.96, p = .085$ .

<sup>24</sup> This was a marginally significant decrease,  $\chi_{(1)}^2 = 3.96, p = .047$

Table 27 sets out the different responses to justiciable problems associated with different population groups, as reported through the 2006-9 survey. The figures are similar to those from the 2004 survey.

Problem type is strongly associated with form of response to problems.<sup>25</sup> This is illustrated in Table 28.

As is shown in Table 29, respondents generally tended to obtain advice more often for problems that they spent more time worrying about. This finding supports previous research that showed that the likelihood of respondents seeking advice increases along with the seriousness of the problems they faced.<sup>26</sup>

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<sup>25</sup> Pleasence, P. (2006) *Causes of Action: Civil Law and Social Justice*, Norwich: TSO.

<sup>26</sup> Pleasence, P., Buck, A., Balmer, N.J., O'Grady, A., Genn, H. and Smith, M. (2004). *Causes of Action* (first edition) TSO: Norwich.

Table 27. Response to Justiciable Problems by Respondent Characteristics

Variable	Level	% did nothing	N	% handled alone	N	% obtained advice	N	% tried and failed to obtain advice	N	% tried, failed and handled alone	N
Gender	Female	8.8	283	32.2	1040	51.5	1664	1.4	44	6.2	202
	Male	10.3	295	35.4	1019	46.5	1336	2.5	71	5.4	155
Ethnicity	White	9.2	516	33.6	1894	49.7	2802	1.7	98	5.8	328
	Black	10.0	15	40.0	60	38.7	58	4.0	6	7.3	11
	Asian	10.3	20	36.9	72	44.1	86	4.1	8	4.6	9
	Other	20.2	25	26.6	33	44.4	55	2.4	3	6.5	8
House type	Detached	9.0	118	37.6	495	47.6	614	1.4	19	5.3	70
	Semi	9.3	189	33.5	683	50.3	1026	1.7	35	5.3	108
	Terrace	9.4	166	32.8	581	49.2	872	2.1	37	6.6	117
	Flat	10.7	104	30.7	300	49.9	487	2.5	24	6.3	61
Own transport	No transport	11.8	146	31.4	388	47.9	592	2.7	33	6.3	78
	Transport	8.8	431	34.2	1671	49.4	2408	1.7	82	5.7	279
Family status	Married with children	6.8	86	34.1	431	50.2	635	1.9	24	7.0	88
	Married no children	10.5	163	35.8	555	47.2	731	1.4	21	5.2	80
	Lone parents	5.0	31	26.5	163	60.3	371	1.8	11	6.3	39
	Single no children	11.6	208	33.7	603	46.3	82.7	2.4	43	5.9	106
	Co-hab with children	10.4	39	32.7	123	50.8	191	1.1	4	5.1	19
	Co-hab no children	9.7	50	35.7	184	47.6	245	2.1	11	4.9	25
Tenure	Own	10.9	122	37.3	418	45.2	507	1.1	12	5.6	63
	Mortgage	8.4	203	34.9	844	49.9	1204	1.5	36	5.3	128
	Public sector rent	9.0	109	24.8	302	55.5	675	3.0	36	7.7	94
	Private sector rent	9.8	102	36.7	381	45.7	474	2.1	22	5.6	58
	Rent free	13.3	41	35	108	44.3	137	2.9	9	4.5	14
Economic activity	Active	10.4	234	31.1	698	50.6	1136	2.0	45	5.8	130
	Inactive	8.9	343	35.2	1361	48.2	1864	1.8	70	5.9	227

(Cont ...)

(Table 27 Cont ...)

Ill or disabled	Not ill nor disabled	9.4	404	34.9	1497	48.2	2069	1.7	71	5.8	250
	Ill or disabled	9.5	173	30.9	562	51.2	931	2.4	44	5.9	107
Academic qualifications	None	11.3	122	25.9	281	53.5	580	2.8	30	6.5	71
	Some	9.1	455	35.4	1778	48.2	2420	1.7	85	5.7	286
Benefits	None	10.2	407	36.7	1466	46.0	1836	1.6	64	5.4	217
	On benefits	8.0	170	28.0	594	54.9	1164	2.4	51	6.6	140
Age	18-24	13.2	94	37.1	264	41.4	294	2.7	19	5.6	40
	25-34	9.1	125	33.5	459	50.2	688	1.6	22	5.5	76
	35-44	7.7	121	32.5	509	51.8	812	1.6	25	6.4	100
	45-59	8.7	133	33.1	505	51.5	786	1.8	28	4.8	74
	60-74	10.7	83	34.4	266	45.3	351	2.1	16	7.5	58
	75+	13.6	21	37.0	57	42.2	65	2.6	4	4.5	7
Income	<£10,000	9.8	160	28.2	462	52.5	861	2.9	47	6.7	110
	All others	9.9	357	34.5	1250	48.2	1746	1.6	57	5.8	211
	>£50,000	7.2	61	40.9	347	46.3	393	1.3	11	4.4	37
Victim of crime	Not a victim	9.5	397	34.0	1426	49.1	2055	1.6	66	5.8	244
	Victim	9.4	180	33.0	633	49.2	945	2.6	49	5.9	113

Table 28. Response to Justiciable Problems by Problem Type

<b>Variable</b>	<b>% did nothing</b>	<b>N</b>	<b>% handled alone</b>	<b>N</b>	<b>% obtained advice</b>	<b>N</b>	<b>% tried and failed to obtain advice</b>	<b>N</b>	<b>% tried, failed and handled alone</b>	<b>N</b>
Discrimination	20.4%	100	25.7%	126	43.0%	211	4.1%	20	6.8%	33
Consumer	6.7%	167	47.8%	1187	38.8%	964	1.1%	27	5.6%	138
Employment	9.4%	112	29.6%	350	53.3%	630	1.1%	13	6.6%	78
Neighbours	11.3%	188	27.0%	446	52.1%	862	2.8%	47	6.8%	112
Housing (owned)	6.3%	28	28.4%	124	59.6%	261	.9%	4	4.8%	21
Housing (rented)	7.1%	54	34.3%	260	49.1%	373	1.8%	14	7.8%	59
Homelessness	6.1%	90	38.0%	555	49.4%	722	1.1%	15	5.4%	79
Money/debt	6.2%	46	36.0%	266	48.8%	360	.8%	6	8.2%	60
Welfare benefits	10.2%	51	25.4%	126	61.7%	306	1.0%	5	1.7%	8
Divorce	5.4%	31	24.3%	139	64.4%	369	1.3%	7	4.6%	26
Post-relationship	10.9%	29	20.9%	57	62.0%	168	2.3%	6	4.0%	11
Domestic violence	4.5%	17	31.0%	118	56.7%	217	1.0%	4	6.8%	26
Children	16.1%	128	22.7%	180	56.0%	444	1.7%	14	3.4%	27
Personal injury	17.0%	71	31.3%	130	41.1%	171	2.7%	11	7.8%	32
Medical negligence	7.1%	7	17.6%	17	70.0%	68	1.7%	2	3.6%	3
Mental health	6.7%	5	37.0%	26	48.2%	34	2.6%	2	5.5%	4
Immigration	15.0%	37	32.2%	80	40.0%	100	4.5%	11	8.3%	21
Unfair police treatment	11.1%	41	23.0%	84	57.1%	210	2.9%	11	6.0%	22



*Table 29. Advice Seeking and Importance of Problems*

<b>Amount of time respondent spent worrying about the problem/dispute</b>	<b>% problems for which respondents obtained advice in 2006 survey</b>	<b>N</b>
None	29.5%	560
Little	36.2%	782
Some	50.3%	887
Most	58.8%	423
All	63.9%	190

## 5

### *The Use of Advisers*

Supporting previous findings from the United Kingdom and elsewhere, the Continuous CSJS indicates that respondents who sought formal rights-based or personal advice in dealing with justiciable problems do so from a wide range of types of adviser.<sup>27</sup> These include solicitors' firms, Citizens Advice Bureaux and other advice agencies, local authorities, the police, health workers, trade unions and professional bodies, employers, insurance companies, politicians, social workers, Jobcentres, financial institutions, court staff, churches, government departments, claims agencies, housing associations, the media, banks, schools and trade associations. Table 30 shows main sources of advice.

As Table 30 reveals, the use of advisors in the 2004 and 2006-9 surveys are broadly similar. Solicitors are the most often used source of advice for justiciable problems.<sup>28</sup> Local councils, Citizens Advice Bureaux and police officers are also common sources of advice for these problems.

The percentage of respondents who tried to obtain information from a leaflet, book, or booklet decreased from 2004 to 2006-9, while the percentage of those using the internet for their problems increased during this time frame (Table 31).

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<sup>27</sup> *Ibid.*

<sup>28</sup> More broadly, lawyers (including barristers, Law Centres and 'other' lawyers).

Table 30. Advisers Used

	% problems for which respondents tried to obtain information in 2004	N	% problems for which respondents tried to obtain information in 2006-9	N
<b>Local Council</b>				
General Enquiries at your local council	4.5%	122	4.9%	297
Council Advice Service	2.1%	58	2.6%	157
Trading Standards	2.4%	65	2.7%	166
Another Council Department	7.8%	211	6.6%	401
<b>Advice Agency</b>				
Citizens Advice Bureau	8.2%	221	8.8%	536
Law Centre	0.6%	16	0.6%	34
Another Advice Agency	2.0%	53	2.3%	138
<b>Trade Union/Professional body</b>				
Trade Union/Professional Body	4.5%	123	3.6%	220
<b>Lawyer</b>				
Solicitor	16.4%	444	13.3%	811
Barrister	1.0%	26	0.7%	45
<b>Other person or organisation</b>				
The Police	9.0%	243	8.3%	506
Your employer	5.3%	142	4.0%	247
An insurance company	4.2%	113	3.2%	193
A doctor or other health worker	6.3%	172	5.5%	337
A Jobcentre	1.3%	35	1.1%	69
A social worker	1.7%	45	1.3%	77
An MP or local councillor	2.5%	68	2.0%	125

Table 31. Use of Leaflets, Books, Booklets and the Internet

	% problem cases for which respondents tried to obtain information in 2004	N	% problem cases for which respondents tried to obtain information in 2006-9	N
A leaflet, book, or booklet	11.0%	299	8.2%	499
The internet	10.4%	283	15.8%	968

Table 32 reveals how respondents initially contacted their adviser. In both 2004 and 2006-9 survey periods, calling for advice on the *telephone* was most common means of establishing contact. It was also relatively common to contact advisers *in person* in the first instance.

*Table 32. Initial Mode of Contact with Adviser*

	% problems for which respondents sought advice in 2004	N	% problems for which respondents sought advice in 2006-9	N
In person	39.6%	243	36.6%	705
By telephone	52.0%	319	52.0%	1002
By post	2.9%	18	3.5%	68
By email/internet	1.8%	11	2.6%	51
Through someone else	2.1%	13	5.2%	100

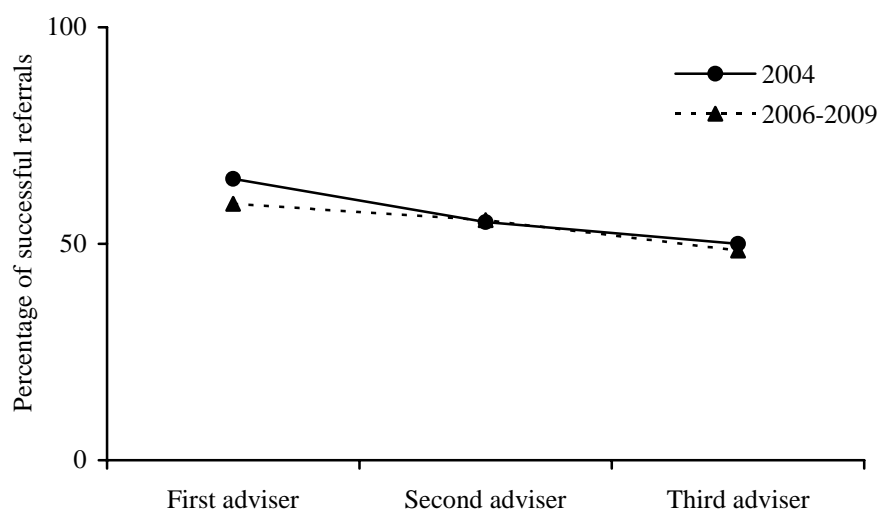
### *Referral Fatigue*

The phenomenon of referral fatigue (Figure 5), whereby people become increasingly unlikely to obtain advice on referral as the number of advisers they use increases – first quantified using data from the 2001 survey – suggests a degree of exhaustion among members of the public as a result of being pushed from adviser to adviser. This is consistent with the vivid descriptions reported in *Paths to Justice* of respondents having sometimes to make ‘Herculean’ efforts to be seen by an adviser.<sup>29</sup>

It is perhaps not surprising that some respondents felt unable to maintain the necessary level of persistence or to invest the necessary amount of time to follow up repeated referrals in order to obtain the help they were looking for. In any event, the phenomenon of referral fatigue again demonstrates the importance of public education to create awareness among people of appropriate sources of help and assistance. It demonstrates the importance of equipping those many individuals outside of the recognised advice sector from whom people may initially seek advice (such as health professionals, social workers and politicians) with the means to effectively direct

<sup>29</sup> H. Genn (1999) *Paths to Justice: What People Do and Think About Going to Law*, Oxford: Hart Publishing.

them on to appropriate advisers if necessary, through professional education and awareness raising and through making appropriate advisers more accessible to those who are referred on to them. It also demonstrates the importance of continued efforts to develop effective referral systems among legal advisers.



*Figure 5  
Percentage of Referrals that are Successful*

#### *Satisfaction with Advisers*

Respondents who obtained advice were asked whether they would recommend those advisers they had consulted. They indicated that they would definitely or probably recommend over three-quarters of them (88%, compared to 84% in 2004).

However, there were differences in respondents' views of different adviser types. So, whereas around 92% of those who obtained advice from Citizens Advice Bureaux said they would definitely or probably recommend them, the same was true of less than 77% of general enquiries at the local council. Around 23% of respondents who obtained advice from general enquiries at the local council said that they would definitely or probably not recommend them. Other adviser types that were particularly

favoured by users included solicitors, law centres, ‘other’ advice agencies, trade unions and health professionals.<sup>30</sup>

Table 33 shows whether or not respondents would recommend advisers by type of adviser. Respondents’ opinions were summed for up to four advisers, and the table shows row percentages.

*Table 33.*  
*“Would you recommend other people in your situation to consult this type of adviser?”*

	Yes-definitely		Yes-probably		No-probably not		No-definitely not	
	%	N	%	N	%	N	%	N
<b>Local Council</b>								
General Enquiries	51.0%	50	25.5%	25	12.2%	12	11.2%	11
Advice Service	56.4%	31	25.5%	14	9.1%	5	9.1%	5
Trading Standards	90.9%	20	4.5%	1	0.0%	0	4.5%	1
Another Department	58.5%	69	20.3%	24	9.3%	11	11.9%	14
<b>Advice Agency</b>								
Citizens Advice Bureau	76.9%	140	14.8%	27	4.9%	9	3.3%	6
Law Centre	90.0%	9	10.0%	1	0.0%	0	0.0%	0
Another Advice Agency	85.0%	34	5.0%	2	2.5%	1	7.5%	3
<b>Trade Union/Professional body</b>								
Trade Union	73.1%	79	19.4%	21	4.6%	5	2.8%	3
<b>Lawyer</b>								
Solicitor	79.3%	291	14.2%	52	4.6%	17	1.9%	7
Barrister	85.7%	12	14.3%	2	0.0%	0	0.0%	0
<b>Other person or organisation</b>								
The Police	69.7%	106	18.4%	28	5.9%	9	5.9%	9
Your employer	59.5%	47	19.0%	15	7.6%	6	13.9%	11
An insurance company	72.6%	45	16.1%	10	6.5%	4	4.8%	3
Health worker	72.2%	117	19.8%	32	4.3%	7	3.7%	6
A Jobcentre	27.8%	5	22.2%	4	5.6%	1	44.4%	8
Social worker	31.8%	7	31.8%	7	9.1%	2	27.3%	6
MP or local councillor	68.4%	26	18.4%	7	7.9%	3	5.3%	2

<sup>30</sup> For further details on client satisfaction as an outcome measure for advice, see, for example, A. Sherr, R. Moorhead, and A. Paterson (1994) *Lawyers – The Quality Agenda, Volume 1: Assessing and Developing Competence and Quality in Legal Aid; The Report of the Birmingham Franchising Pilot*, London: HMSO; H. Sommerlad, (1999) *English Perspectives on Quality: The Client-Led Model of Quality – A Third Way*, 33(2) *University of British Columbia Law Review*, p.491; R. Moorhead, A. Sherr, L. Webley, S. Rogers, L. Sherr, A. Paterson and S. Domberger (2001) *Quality and Cost: Final Report on the Contracting of Civil, Non-Family Advice and Assistance Pilot*, London: TSO.

## 6

### *The Outcomes of Problems*

This section describes the different outcomes associated with different resolution strategies and problem types. It points to evidence that problems conclude in a more positive manner where people act to resolve them.

#### *How Problems Conclude*

Unsurprisingly, different problem resolution strategies were associated with different manners of problem conclusion. Figure 6 shows that respondents who obtained advice also saw their problems conclude through a court or tribunal process far more frequently. Those who obtained advice or handled their problems alone also reached agreement on the problem more often than those who tried and failed to obtain advice or those who did nothing. Moreover, they tended to give up less frequently than those who tried and failed to obtain advice or (obviously) those who did nothing. These findings confirm those from the 2004 survey.

Figure 7 describes the problem outcomes that follow from specific problem types.

Family problems, most often associated with advice, were naturally more likely than other problem types to conclude through a court or tribunal process.

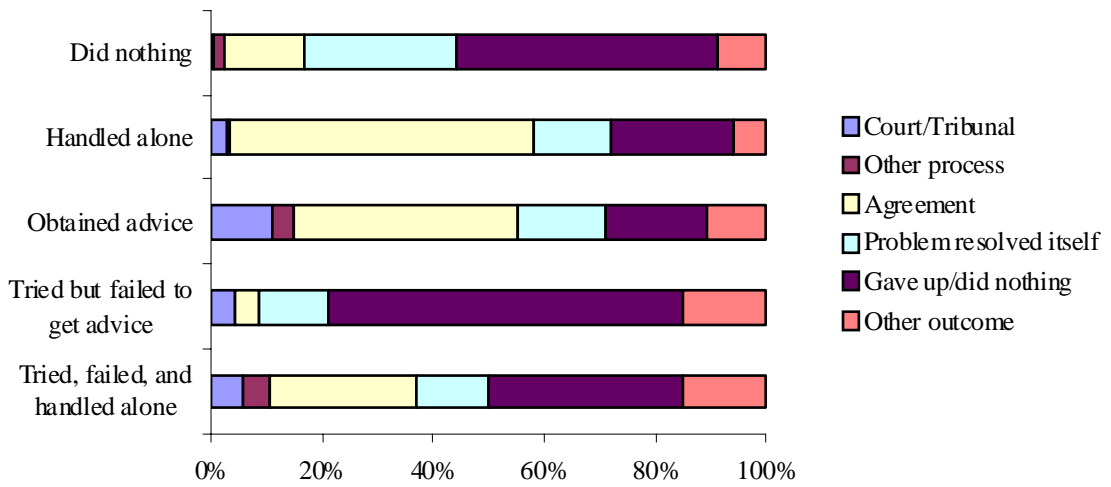


Figure 6. Advice Strategies and Problem Outcomes in 2006-9 Survey

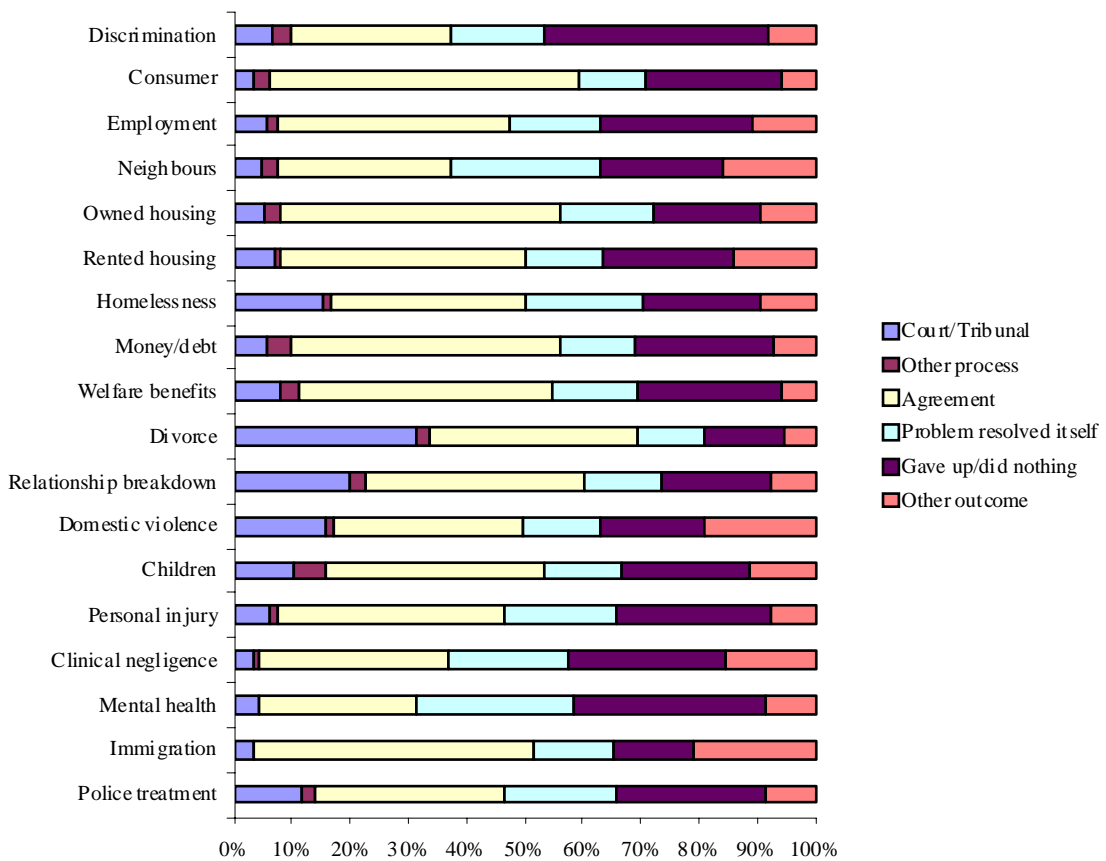


Figure 7. Problem Type and Outcomes in 2006-9 Survey



## *Attitudes to the Justice System*

This section outlines attitudes to the justice system reported by respondents to the 2006-9 survey, and sets out how these relate to the number of problems experienced. It suggests that ‘civic exclusion’, an institutional aspect of social exclusion relating to dissatisfaction with institutional legal processes, may be more common among those respondents who report multiple problems and those respondents who have been to court in relation to their problems.

### *Attitudes to the Justice System*

As part of the follow-up survey, respondents to the survey were asked the extent to which they agreed with the following statements:

1. *“If you went to a court with a problem, you would be confident of getting a fair hearing”*
2. *“Most judges are out of touch with ordinary people’s lives”*
3. *“Courts are an important way for ordinary people to enforce their rights”*
4. *“The legal system works better for rich people than for poor people”*
5. *“Lawyers’ charges are reasonable for the work they do”*

A five-point scale was used to record answers and data presented is that combined from 2006-9. Table 34 sets out the responses of all the individuals who took part in the follow-up survey to the five questions detailed above. Table 34 displays the proportion of positive responses by the number of problems respondents experienced. Table 36 illustrates the attitudes of survey respondents who attended court. The final table within this section, Table 37, details respondents’ attitudes to justice, classified by the extent to which they had obtained the advice of a lawyer to resolve their problems.

Table 34. Attitude to the Civil Justice System 2006-9

Response	Statement									
	Fair hearing		Judges out of touch		Lawyers charges reasonable		Courts are important		Legal system better for rich	
	N	%	N	%	N	%	N	%	N	%
Don't know	96	3.8%	139	5.4%	239	9.3%	48	1.9%	98	3.8%
Agree strongly	205	8.0%	486	19.0%	21	0.8%	390	15.2%	690	26.9%
Agree	1248	48.7%	860	33.6%	278	10.8%	1470	57.4%	901	35.2%
Neither agree nor disagree	501	19.6%	579	22.6%	426	16.6%	313	12.2%	412	16.1%
Disagree	381	14.9%	451	17.6%	911	35.5%	266	10.4%	407	15.9%
Disagree strongly	130	5.1%	48	1.9%	688	26.9%	74	2.9%	54	2.1%

As can be seen from Table 34, although 56.7% of respondents expressed confidence in receiving a fair trial themselves (either agree or agree strongly), the majority also indicated agreement (35.2%) or strong agreement (26.9%) that the legal system achieved more favourable outcomes for the rich than the poor. Those who indicated less faith in the fairness of the court system, were those more likely to believe that the law favoured the rich. So, while 24.8% of those who agreed that the justice system favours the rich disagreed with the proposition that they would get a fair hearing before the courts, the percentage was 11.2% for those who disagreed that the justice system favours the rich. Table 34 also shows that while 15.2% strongly agreed and 57.4% agreed that courts were important, the majority of respondents also believed that judges were out of touch with ordinary people's lives.

Table 35 offers some evidence that people who experience more problems have less favourable views of the justice system. Those with a greater number of problems illicit less confidence in the fairness of hearings as well being less inclined than other respondents to agree that lawyers' charges are reasonable. Of note, is that those with a higher problem incidence are both less likely to agree that lawyers' fees are reasonable and are more likely to agree that the legal system favours the rich. Those with more than one problem are likely to be faced with greater costs in resolving their problems, and therefore it is not surprising that those with multiple problems demonstrate greater dissatisfaction with the cost of legal fees and a belief that were they 'rich' their problems would be more easily solved.

*Table 35. Positive Statements made about the Civil Justice System by Number of Problems 2006-9*

Number of problems	Statement									
	Fair hearing		Judges out of touch		Lawyers charges reasonable		Courts are important		Legal system better for rich	
	N	%	N	%	N	%	N	%	N	%
1	766	64.0	265	22.8	167	15.1	936	76.5	245	20.7
2	392	55.3	138	19.7	83	12.4	520	71.9	137	19.2
3	184	59.0	49	15.8	23	7.4	225	69.9	50	15.7
4	58	50.0	21	18.1	18	15.9	90	75.6	15	13.0
5	25	43.9	11	19.6	5	9.3	40	72.7	5	8.9
6+	26	36.1	12	17.4	3	4.4	44	65.7	7	10.0

Figure 36 below, details the responses of individuals who attended court, compared to those who did not. The responses indicate that individuals who had attended court demonstrated much greater negativity about the prospect of getting a fair hearing than those who had yet to have first hand experience with the court system. Thus, engaging in the judicial process is more likely to diminish one's faith in the fairness of the system than to reinforce it. Related to this, although not of strong statistical significance, is that individuals who had attended court tended towards a greater degree of negativity when asked whether courts were an important way for people to enforce their rights.

*Table 36 Attitudes of respondents who attended court 2006-2009*

Respondent attended court	If you went to court with a problem, you would be confident of getting a fair hearing				
	Agree strongly	Agree	Neither agree nor disagree	Disagree	Disagree strongly
No	187 8.2%	1176 51.5%	463 20.3%	340 14.9%	117 5.1%
Yes	18 9.9%	72 39.6%	38 20.9%	41 22.5%	13 7.1%

Most judges are out of touch with ordinary peoples lives					
	Agree strongly	Agree	Neither agree nor disagree	Disagree	Disagree strongly
No	437 19.5%	800 35.7%	538 24.0%	418 18.7%	45 2.0%
Yes	48 26.1%	60 32.6%	41 22.3%	32 17.4%	3 1.6%
Lawyers charges are reasonable for the work they do					
	Agree strongly	Agree	Neither agree nor disagree	Disagree	Disagree strongly
No	20 .9%	254 11.8%	393 18.3%	844 39.3%	637 29.7%
Yes	1 .6%	24 13.6%	33 18.8%	67 38.1%	51 29.0%
Courts are an important way for ordinary people to enforce their rights					
	Agree strongly	Agree	Neither agree nor disagree	Disagree	Disagree strongly
No	353 15.2%	1372 59.0%	294 12.6%	244 10.5%	64 2.8%
Yes	37 19.8%	98 52.4%	19 10.2%	23 12.3%	10 5.3%
The legal system works better for rich people than for poor people					
	Agree strongly	Agree	Neither agree nor disagree	Disagree	Disagree strongly
No	633 27.8%	838 36.8%	369 16.2%	386 17.0%	51 2.2%
Yes	57 30.5%	63 33.7%	43 23.0%	21 11.2%	3 1.6%

For Figure 37, respondents were split into four groups; those who had not used a solicitor (for any problem), those who had got ‘all of the advice or information needed’ from a solicitor at some point (for any problem), those who had at most got ‘some of the advice or information needed’ from a solicitor and those who had always got ‘none of the advice or information needed’. Evidently numbers were small in the last group, as the likelihood of obtaining nothing from a solicitor on every occasion advice was sought, was relatively rare. What is of interest, is that in relation to the statement ‘lawyers charges are reasonable for the work they do’ the data indicates that individuals who had no experience of using a lawyer to obtain advice were more likely to agree or strongly agree that rates were fair, as opposed to those who had experience with advice seeking from a lawyer. What is also of note, is that

irrespective of a respondent's level of engagement, those who obtained all the advice they needed reflected a similar level of disagreement that lawyers charges were reasonable when compared with those who did not obtain advice. Suggesting that attitudes to lawyer's charges are not wholly based on the experience or outcome of advice seeking.

*Table 37 Attitudes to Justice Relative to use of a Solicitor*

Use of (and success with) solicitors	If you went to court with a problem, you would be confident of getting a fair hearing				
	Agree strongly	Agree	Neither agree nor disagree	Disagree	Disagree strongly
Not used	156 8.1%	991 51.6%	394 20.5%	292 15.2%	87 4.5%
All advice (at some point)	40 9.8%	191 46.9%	84 20.6%	61 15.0%	31 7.6%
Some advice (at some point)	6 5.3%	55 48.7%	19 16.8%	24 21.2%	9 8.0%
No advice	3 11.1%	11 40.7%	5 18.5%	5 18.5%	3 11.1%
Most judges are out of touch with ordinary peoples lives					
	Agree strongly	Agree	Neither agree nor disagree	Disagree	Disagree strongly
Not used	355 18.9%	680 36.1%	449 23.9%	359 19.1%	39 2.1%
All advice (at some point)	97 24.0%	136 33.7%	99 24.5%	66 16.3%	6 1.5%
Some advice (at some point)	26 23.2%	34 30.4%	29 25.9%	20 17.9%	3 2.7%
No advice	8 32.0%	9 36.0%	2 8.0%	6 24.0%	0 .0%
Lawyers charges are reasonable for the work they do					
	Agree strongly	Agree	Neither agree nor disagree	Disagree	Disagree strongly
Not used	12 .7%	214 12.0%	344 19.3%	692 38.8%	522 29.3%
All advice (at some point)	6 1.5%	53 13.2%	61 15.2%	169 42.0%	113 28.1%
Some advice (at some point)	3 2.7%	9 8.0%	20 17.9%	39 34.8%	41 36.6%
No advice	0 .0%	2 7.4%	1 3.7%	11 40.7%	13 48.1%

Courts are an important way for ordinary people to enforce their rights					
	Agree strongly	Agree	Neither agree nor disagree	Disagree	Disagree strongly
Not used	304 15.5%	1143 58.4%	255 13.0%	202 10.3%	52 2.7%
All advice (at some point)	61 14.7%	259 62.3%	40 9.6%	42 10.1%	14 3.4%
Some advice (at some point)	23 20.0%	57 49.6%	12 10.4%	19 16.5%	4 3.5%
No advice	3 10.7%	11 39.3%	7 25.0%	4 14.3%	3 10.7%
The legal system works better for rich people than for poor people					
	Agree strongly	Agree	Neither agree nor disagree	Disagree	Disagree strongly
Not used	513 26.8%	730 38.2%	308 16.1%	317 16.6%	44 2.3%
All advice (at some point)	122 29.8%	132 32.2%	80 19.5%	68 16.6%	8 2.0%
Some advice (at some point)	44 38.6%	30 26.3%	20 17.5%	18 15.8%	2 1.8%
No advice	11 37.9%	9 31.0%	4 13.8%	5 17.2%	0 .0%

## 8

### *The Experience of Those Eligible for Legal Aid*

This section sets out the pattern of experience of justiciable problems reported by those 2006-9 survey respondents who were likely to be eligible for legal aid.<sup>31</sup> It details the general incidence of problems among this population group, the experience of multiple problems, and the consequences of these problems. This section also describes problem clusters for legal aid eligible respondents and their problem resolution strategies, including how respondents seek advice and information for their rights based problems (in person, over the telephone, on the internet etc.) and what kinds of advice they receive (advice specifically of a legal nature or just general support and advice). The outcomes of respondents' problems strategies are then outlined. Lastly, legal aid eligible respondents' attitudes towards the civil justice system are described.

#### *Incidence of Problems Among those Eligible for Legal Aid*

As can be seen from Table 38, the pattern of problems reported by respondents who were eligible for legal aid was broadly similar to that reported for the general population, though problems associated with affluence were less evident and problems associated with poverty were more pronounced.

As well as more frequently reporting problems, legal aid eligible respondents also more frequently reported multiple problems (Figure 8), with the proportion of eligible people apparently increasing along with the number of problems reported (Figure 9).

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<sup>31</sup> Eligibility is based on a benefits and income related proxy. This is composed of respondents who receive unemployment related benefits or National Insurance Credits or income support, or have a household/personal income of less than £15,000.

Table 38. Incidence of Civil Justice (Justiciable) Problems

Problem type	Incidence (Not Legal Aid Eligible)		Incidence (legal aid eligible)	
	% respondents	N	% respondents	N
Consumer	13.6%	992	9.6%	313
Neighbours	7.7%	560	8.9%	291
Money/debt	6.0%	438	5.3%	173
Employment	5.2%	377	4.4%	143
Personal injury	3.6%	263	3.5%	114
Housing (rented)	2.4%	172	4.5%	145
Welfare benefits	2.3%	167	4.5%	146
Divorce	2.2%	159	1.7%	55
Housing (owned)	2.1%	152	1.4%	46
Discrimination	1.8%	134	2.5%	80
Rel'ship b'down	1.7%	124	2.1%	67
Clinical negligence	1.7%	121	1.7%	56
Children	1.3%	97	1.7%	55
Unfair police t'ment	0.9%	68	0.8%	25
Homelessness	0.7%	52	2.5%	80
Domestic violence	0.6%	44	1.4%	45
Immigration	0.3%	25	0.2%	7
Mental health	0.1%	10	0.6%	19



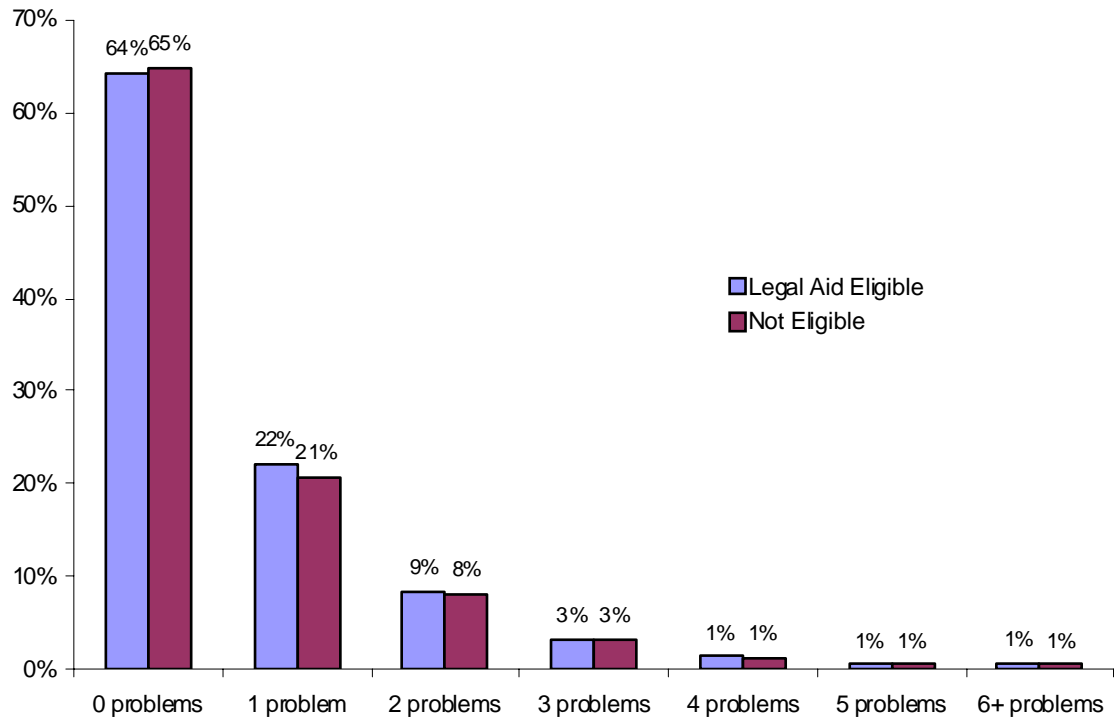


Figure 8. Number of Problems Reported

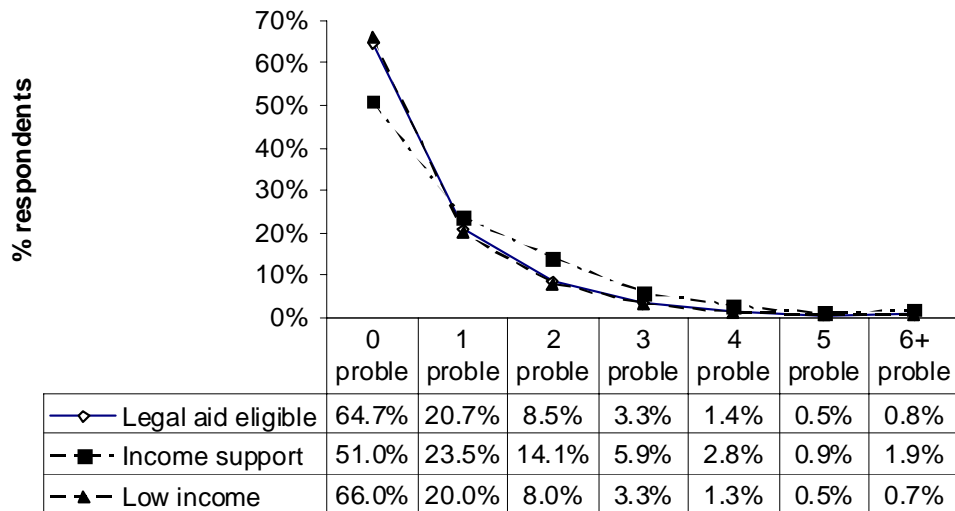


Figure 9. Proportion of Respondents Eligible for Legal Aid by Number of Problems

*The Consequence of Problems*

Table 39 shows that legal aid eligible respondents to the 2006-9 survey reported more adverse consequences following on from problems than other respondents.

*Table 39. The Adverse Consequences of Civil Justice Problems*

<b>Adverse consequences reported as following from problems</b>	<b>% of problems (not legal aid eligible)</b>	<b>N</b>	<b>% of problems (legal aid eligible only)</b>	<b>N</b>
Physical ill health	12.1%	467	16.2%	311
Stress related illness	22.7%	874	36.5%	703
Relationship breakdown	3.5%	135	4.8%	92
Violence aimed at me	3.4%	130	4.8%	93
Damage to property	4.5%	174	6.3%	122
Had to move home	4.1%	159	5.5%	106
Loss of employment	3.4%	131	5.7%	110
Loss of income	12.8%	493	14.4%	278
Loss of confidence	13.4%	516	16.5%	317

*Problem Clusters Associated with Legal Aid Eligibility*

Problem clusters for respondents eligible for legal aid are similar to those for respondents in general. As Figure 10 shows, family problems are closely linked. The economic and homelessness clusters are also clearly discernible. In the latter case, problems concerning rented housing, homelessness, welfare benefits and police treatment are also associated with mental health problems; a finding that is in keeping with the broader literature on the problems faced by those with mental health problems.<sup>32</sup>

<sup>32</sup> Pleasence, P. and Balmer, N.J. (2009) Mental Health and the Experience of Problems Involving Rights, *Psychiatry, Psychology and Law*.

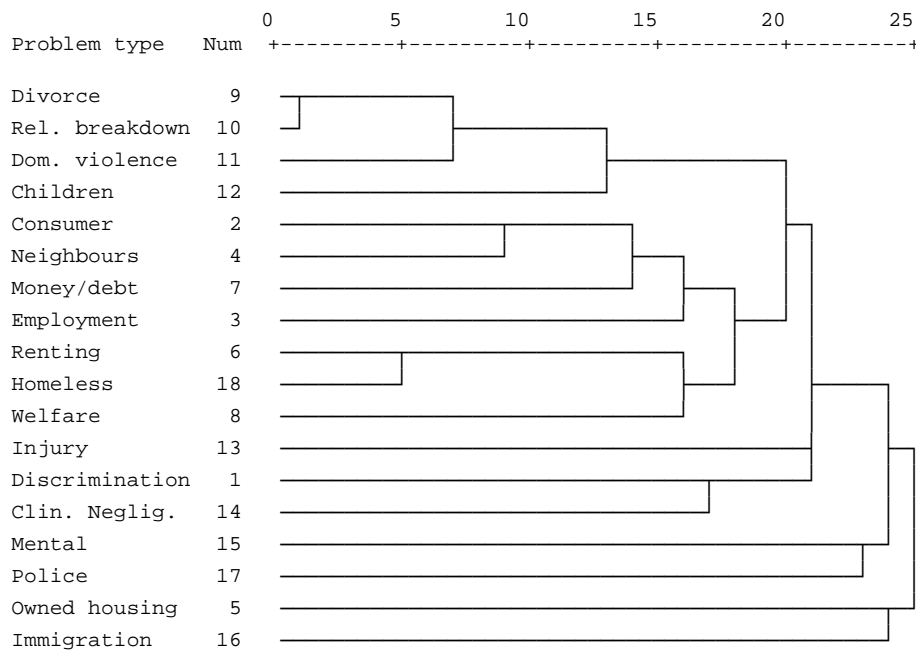


Figure 10. Problem Clusters (Those Eligible for Legal Aid Only), 2006-9

### *Problem Resolution Strategies and Eligibility for Legal Aid*

As can be seen from Table 40, respondents to the 2006-9 Civil and Social Justice Survey who were eligible for legal aid more often did nothing to resolve their problems and more often tried and failed to obtain advice than respondents in general. However, similarly to the findings of the survey of people living in temporary accommodation,<sup>33</sup> they also more often obtained advice about problems. As indicated by the more frequent negative consequences reported by legal aid eligible respondents (Table 39), the strategies adopted appear to link to problem severity.

As can be seen from Table 41, legal aid eligible respondents who did seek advice were more likely than respondents in general to go to see advisers face-to-face. This is consistent with the hypothesis that the problems reported by legal aid eligible respondents were more severe. It is also consistent with the greater likelihood that people for whom other forms of advice may be less appropriate (such as those with disabilities, language problems, etc.) will be eligible for legal aid.

<sup>33</sup> Pleasence, P. (2006) *Causes of Action: Civil Law and Social Justice*, Norwich: TSO.

*Table 40. Problem Resolution Strategies*

	<b>Not Legal Aid Eligible</b>	<b>N</b>	<b>Legal Aid Eligible</b>	<b>N</b>
Did nothing	9.3%	390	9.7%	187
Handled alone	36.1%	1509	28.2%	545
Obtained advice	47.5%	1985	52.8%	1020
Tried and failed to obtain advice	1.5%	62	2.7%	53
Tried, failed and handled alone	5.5%	229	6.6%	128

*Table 41. Initial Mode of Contact with Adviser*

	<b>% problems for which respondents tried to obtain information (2006-2009)</b>	<b>N</b>	<b>% problems for which respondents tried to obtain information (legal aid eligible)</b>	<b>N</b>
In person	36.6%	705	41.8%	295
By telephone	52.0%	1002	48.8%	344
By post	3.5%	68	3.5%	25
By email/internet	2.6%	51	1.1%	8
Through someone else	5.2%	100	4.7%	33

Table 42. Form of Advice

	% respondents who received advice of a <b>legal nature</b>	N	% respondents who just received <b>general support and advice</b>	N	% respondents who received <b>both</b>	N	% respondents who received <b>neither</b>	N
Not legal aid eligible	24.2%	244	48.0%	484	18.4%	186	9.4%	95
Legal aid eligible	20.4%	116	52.5%	299	15.8%	90	11.4%	65

*Problem Outcomes for those Eligible for Legal Aid*

As is illustrated by Figure 11, the pattern of problem outcomes reported by respondents who were eligible for legal aid is very similar to that more generally. It is evident that those who obtain advice fare substantially better than those who try, but fail, to obtain advice.

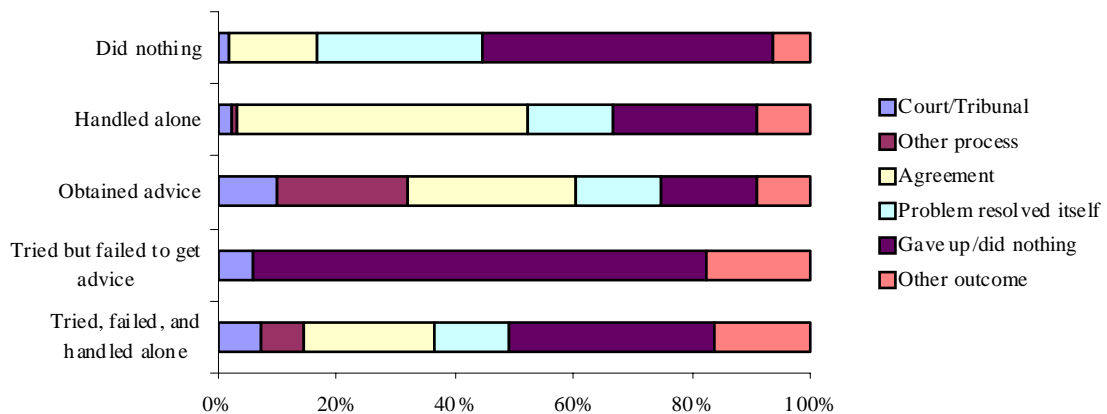


Figure 11. Outcome by Strategy (Legal Aid Eligible Respondents Only)

# Appendix A

## *Papers using the English and Welsh Civil and Social Justice Survey*

### *Forthcoming*

- Pleasence, P., and Balmer, N.J. (in press) The Audacity of Justice: Recession, Redundancy, Rights and Legal Aid. *Social Policy and Society*
- Balmer, N.J., Pleasence, P., and Buck, A. (in press) Psychiatric Morbidity and People's Experience of and Response to Social Problems Involving Rights. *Health and Social Care in the Community*.
- Denvir, C., Balmer, N.J., and Pleasence, P (forthcoming) Surfing the web – recreation or resource? Exploring the Internet as a rights advice portal for young people in the UK.
- Pleasence, P., and Balmer, N.J. (forthcoming) Recession Related Life Problems and Self-Reported Stress: A Legal Services Perspective

### *2010*

- Balmer, N.J., Patel, A., Denvir, C. and Pleasence, P. (2010) Unmanageable Debt and Financial Difficulty in the English and Welsh Civil and Social Justice Survey , London: Money Advice Trust
- Balmer, N.J., Buck, A., Patel, A., Denvir, C. and Pleasence, P. (2010) *Knowledge, Capacity and the Experience of Rights Problems*. London: Plenet

### *2009*

- Pleasence, P., and Balmer, N.J. (2009) Mental Health and the Experience of Social Problems Involving Rights: Findings from the United Kingdom and New Zealand. *Psychiatry, Psychology and Law*, Volume 16: 123-140.
- Miles, J., Pleasence, P., and Balmer, N.J. (2009) The Experience of Relationship Breakdown and Civil Law Problems by People in Different Forms of Relationship, *Child and Family Law Quarterly*, Volume 21: 47-64.
- Pleasence, P. and Balmer, N.J. (2009) Job Loss, Divorce and Family Disputes, *Family Law*, Volume 39, 502-505.
- Balmer, N.J. and Patel, A. (2009) *The Experience of Money and Debt Problems in Rural Areas*, London: LSRC
- Pleasence, P. Balmer, N.J. and Tam, T. (2009) *Failure to Recall: Indications from the CSJS of the Relative Severity and Incidence of Civil Justice Problems*, in Sandefur, R. (ed.) *Access to Justice*. Bingley: Emerald (Sociology of Crime Law and Deviance series)
- Legal Services Research Centre (2009) *Young People Advice and Mental Health: A Data Digest*, London: LSRC
- Pleasence, P. and Balmer, N.J. (2009) *The Consequences of Rights Problems that Characterise Recession*. London: Legal Services Research Centre

2008

- Patel, A., Balmer, N.J., and Pleasence, P. (2008) The Geography of Advice Seeking. *GeoForum*, Volume 39: 2084-2096.
- Pleasence, P. and Balmer, N.J. (2008) Understanding Advice Seeking Behaviour: Findings from New Zealand and England and Wales, *Academica Sinica Journal*, Volume 98: 219-258.
- Buck, A., Pleasence, P., and Balmer, N.J. (2008) Do Citizens Know How to Deal with Legal Issues? Some Empirical Insights. *Journal of Social Policy*, Volume 37: 661-681.
- Pleasence, P., Balmer, N.J., and Buck, A. (2008) The Health Cost of Civil Law Problems: Further Evidence of Links Between Civil Law Problems and Morbidity and the Consequential Use of Health Services, *Journal of Empirical Legal Studies*, Volume 5: 351-373.
- Tam, T., Christian, J., and Balmer, N.J. (2008) Justice for All? A Study of Those Living on the Brink of Homelessness, *Roof: Shelter's Housing Magazine*, June 2008.
- Pleasence, P., Balmer, N.J., Tam, T., Buck, A., Smith, M. and Patel, A. (2008) *Civil Justice in England and Wales: Report of the 2007 English and Welsh Civil and Social Justice Survey*, London, Legal Services Commission, LSRC Research Paper No. 22
- Hanson, T and Sullivan, S. (2008) *The English and Welsh Civil and Social Justice Survey 2006-2008: Technical Report*

2007

- Pleasence, P. and Balmer, N.J. (2007) Mental Health and the Experience of Housing Rights Problems, *People, Place and Policy* Volume 2: 4-16.
- Kemp, V., Pleasence, P. and Balmer, N.J. (2007) *Crime, Social Exclusion and the Civil Society*, London: Centre for Crime and Justice Studies, Briefing 5/2007.
- Buck, A., Pleasence, P. and Balmer, N.J. (2007) *Education Implications from the English and Welsh Civil and Social Justice Survey*, Annexe to the PLEAS Task Force Report, London: PLEAS Task Force.
- Pleasence, P., Balmer, N.J., Buck, A., Smith, M., and Patel, A. (2007) Mounting Problems: Further Evidence of the Social, Economic and Health Consequences of Civil Justice Problems, in Pleasence, P. et al. (eds.) *Transforming Lives: Law and Social Process*. Norwich: TSO.
- Balmer, N.J., Tam, T. and Pleasence, P. (2007) *Young People and Civil Justice: Findings from the 2004 English and Welsh Civil and Social Justice Survey*, London: Youth Access.
- Pleasence, P., Balmer, N.J., and Tam, T. (2007) *Civil Justice in England and Wales: Report of the 2006 English and Welsh Civil and Social Justice Survey*, London: Legal Services Commission, LSRC Research Paper No. 19.
- Age Concern (2007) *Civil and Social Justice Needs in Later Life*. London: Age Concern.
- Pleasence, P., Balmer, N.J., and Buck, A. (2007) *Health Professionals as Rights Advisers: Rights Advice and Primary Healthcare Services*. London: Legal Services Research Centre.

2006

Balmer, N.J., Pleasence, P., Buck, A. and Walker, H. (2006) Worried Sick: The Experience of Debt Problems and their Relationship with Health, Illness and Disability. *Social Policy and Society*, Volume 5: 39-51.

Pleasence, P. (2006) *Causes of Action: Civil Law and Social Justice* (2nd edition), Norwich: TSO.

2005

O'Grady, A., Balmer, N.J., Carter, B., Pleasence, P., Buck, A. and Genn, H. (2005) Institutional Racism and Civil Justice, *Ethnic and Racial Studies*, Volume 28: 620-628.

Buck, A., Balmer, N.J. and Pleasence, P. (2005) Social Exclusion and Civil Law, The Experience of Civil Justice Problems Among Vulnerable Groups, *Social Policy and Administration*, Volume 39: 302-322.

Phelps, A., Hayward, B. and Hanson, T. (2005) *2004 English and Welsh Civil and Social Justice Survey: Technical Report*.

Legal Services Research Centre (2005) *Measures for the LCD/DCA SR2000 PSA Targets 5 and 6 / SR2002 PSA Target 6 / SR 2004 PSA Target 5*, London: Legal Services Research Centre.

Genn, H., Pleasence, P., Balmer, N.J., Buck, A. and O'Grady, A. (2004) *Understanding Advice Seeking Behaviour: Further Findings from the LSRC Survey of Justiciable Problems*, London: Legal Services Research Centre.

2004

Pleasence, P., Balmer, N.J., O'Grady, A., Genn, H. (2004) Civil Law Problems and Morbidity, *Journal of Epidemiology and Community Health*, Volume 58: 552-557.

Pleasence, P., Balmer, N.J., Buck, A., O'Grady, A., and Genn, H. (2004) Multiple Justiciable Problems: Problem Clusters, Problem Order and Social and Demographic Indicators, *Journal of Empirical Legal Studies*, Volume 1: 301-329.

Buck, A., Pleasence, P., Balmer, N.J., O'Grady, A. and Genn, H. (2004) Lone Parents and Civil Law: Their Experience of Problems and Their Advice Seeking Behaviour, *Social Policy and Administration*, Volume 38: 253-269.

O'Grady, A., Balmer, N.J., Pleasence, P., Buck, A. and Genn, H. (2004) Disability, Social Exclusion and the Consequential Experience of Justiciable Problems, *Disability and Society*, Volume 19: 259-272.

Pleasence, P., Buck, A., Balmer, N.J., O'Grady, A., Genn, H., Smith, M. (2004) *Causes of Action: Civil Law and Social Justice*, First Edition, Norwich: TSO (Also published in Japan).

Pleasence, P., Buck, A., Smith, M., Balmer, N.J., and Patel, A. (2004) Needs Assessment and the Community Legal Service in England and Wales, *International Journal of the Legal Profession*, Volume 11, Number 3.



2003

- Pleasence, P., Balmer, N.J., Genn, H., O'Grady, A., and Buck, A. (2003) The Experience of Clinical Negligence within the General Population, *Clinical Risk*, Volume 9: 211-217.
- Pleasence, P., Balmer, N.J., Maclean, M., Buck, A., O'Grady, A., and Genn, H. (2003) Family Problems: Who Does What and When: Further Findings from the LSRC Survey of Justiciable Problems, *Family Law*, Volume 33: 822-827.
- Moorhead, R. and Pleasence, P. (2003) Access to Justice After Universalism, *Journal of Law and Society*, Volume 30: 1-10.
- Pleasence, P., Genn, H., Balmer, N.J., Buck, A., and O'Grady, A. (2003) Causes of Action: First Findings of the LSRC Periodic Survey, *Journal of Law and Society*, Volume 30: 11-30.
- Pleasence, P., Balmer, N.J., Maclean, M., Buck, A., O'Grady, A., and Genn, H. (2003) Family Problems: What Happens and to Whom: Findings from the LSRC Survey of Justiciable Problems, *Family Law*, Volume 33: 497-501.