Legal assistance landscape

Policy question	Data required	Available data & gaps	Data response	NLA comments
• Are legal assistance providers (LACs), Aboriginal and Torres Strait Islander legal services (ATSILS), family violence prevention legal services (FVPLS) and community legal centres (CLCs) providing services effectively and efficiently? • Is the allocation of legal assistance funding amongst LACs, ATSILS, FVPLS and CLCs appropriate?	• Demographic data on users. Information on costs to provide different sorts of services (eg advice, casework, CLE). • Client satisfaction data.	• Demographic data are collected, but can be of poor quality. • Information on costs of different services by provider is lacking. • Apparent divergence between required data and what is actually reported (some missing fields, definitions not always adhered to). • National Legal Aid (NLA) does not publish cost data. Some LACs, including Legal Aid WA and Legal Aid QLD publish average costs of services. • Comparing the outcomes between different LACs can be difficult. • ATSILS no longer collect client satisfaction data. Have moved selected stakeholder assessment instead.	• Demographic data should be collected more efficiently by examining what data items are needed and reducing load by removing those that are not. • Types of services (e.g. minor assistance) should be consistently defined and reported to allow for benchmarking. • Reporting requirements should be consistent within and across legal assistance providers. This will allow for comparisons across the legal assistance landscape and will reduce reporting burden.	• One data set with agreed definitions and counting rules should be possible. However, even with such a data set, care will need to be taken in any comparisons and any data presentations will need to be appropriately contextualised. E.g "Count of 1 issues", not all services are provided by all providers, etc. Please also see NLA comments on draft report.
• What are the incomes and assets of people receiving legal aid grants relative to those being rejected? • How restrictive is the means test?	• Income and assets of legal aid users and grant applicants.	• Some LACs publish the proportion of users on income support. • Users' income (including those not earning an income and not receiving income support) not published. • Aggregate data on applicants' incomes not	• NLA should report information on the sources and amounts of people applying for grants, receiving grants and being rejected and whether applications have been rejected due to means, merit or the nature of the matter.	• For NLA to report on the data of all LACs, the data must first be collected and provided to the NLA Secretariat. • As a matter of principle NLA agrees it would be good to collect and report on this data. •For LACs to each collect and report on various sources of

		published. • NLA publishes application statistics by jurisdiction and by law type (criminal, civil, family).		income support etc. will require substantial systems adjustment with associated expense. •In relation to reporting on the reason for the rejection of a grant of aid, electronic systems first apply a means test. If an application is rejected on the basis of means, in some LACs the application does not generally then proceed for further eligibility testing, other LACs will record other reasons for refusal even if applicant is out on the means test. • Eligibility tests in relation to means, merit and matter type are restricted and relaxed over time by the individual commissions in order to meet budget. • Any data comparisons would require an understanding of these contexts. • The cost of adjusting systems would be significant.
• How effective are legal assistance providers over time?	• Follow-up data on, or tracking of, users.	• Reported data only allows for 'snapshots'. • Understanding the longitudinal effects of legal assistance provision requires users to be tracked across time.	• Providers should track outcomes through time.	• Depending on the definition of "outcomes" and the associated data collections proposed, NLA is of the view that "outcomes data" is generally better obtained by survey or snapshot. Please also see NLA comments on draft report. •Adjustments to data recording systems and training are also costly.
• What are the characteristics of	• Extensive demographic data	• Demographic data reported	• Adopt a common definition	• See comments above.

intensive users of legal assistance? What factors contribute to the multiplicity of their legal problems? • What share of legal assistance resources are allocated to assisting intensive users? • How effective and efficient are legal assistance services targeted at intensive users?	(see results of Legal Aid NSW study on intensive users). • Longitudinal data on intensive users including frequency of use, nature of legal problems, and actions sought. • Financial and time costs of providing services to identified intensive users.	by some legal assistance providers is incomplete and inconsistent — particularly in relation to Indigenous and disability status. NSW and Vic have detailed data on web. It is unclear whether other jurisdictions collect similar information but do not report it publicly. • There is a lack of information on whether interventions have been successful in achieving resolution of legal problems and whether intensive users return to seek legal assistance with related legal problems. • Spending on intensive users, relative to total cost of legal assistance is not collected. • No agreed definition of intensive users.	of intensive users, identify the characteristics of this group and measure the share of services they use. • Track outcomes for these users over the medium (as well as short) term. • Identify risk factors for poor outcomes over the medium term.	