

# PLE Review

Reflections and Recommendations on  
Public Legal Education Delivery in BC



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# Summary

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This report reviews how the Legal Services Society (LSS or the society) currently provides public legal education and information services. We explore the roots of public legal education and information (PLEI) in the BC legal aid system and the changes made in 2002 in response to a narrowed mandate. These changes — made in consultation with community service providers — included new delivery methods, different forms of collaboration, and a broader range of services and support to intermediaries. Then we move on to a brief description of the current environment that has resulted from these changes.

We then describe the diversity within the LSS client group, the diversity of client needs, and how these needs affect both the kinds of resources that are developed and who produces and delivers them. Finally, we conclude with a discussion of promising practices and make some recommendations to LSS on how to move forward to enhance its services. The analysis is based on the writers' experience in the field, current research conducted for the review, and participation in a national promising practices study.

LSS has always had a mandate to provide information, education, and advice about the law to people living in British Columbia. This has helped shape how the society approaches the delivery of services to people with low incomes. Over the years, we have gained a much better understanding of the range of problems these people experience and the serious consequences that may occur if these problems are left unresolved. The continuum of service model allows us to help more people resolve their legal problems at all points on their continuum of need. The focus of the delivery model is serving clients — assisting them to access justice — not simply serving the justice system.

## The importance of collaboration

From its inception, the society chose an interdisciplinary, multi-faceted approach to the delivery of PLEI. Early on, we collaborated with the major institutions providing education and information services — it was the only way we could meet the broad public legal education mandate. We found leaders and champions in these institutions to take on PLEI as part of their mandates. We were so successful in getting others to become engaged, we were able to leave the public school field to others and significantly reduce our role in the public library systems.

Today, we have new partnerships to support PLEI services in the public library world, to coordinate the work of key PLEI providers, and to support court-based self-help centres. Collaboration among social service and justice providers isn't new, but in the current environment it has become even more important to meeting the needs of people with low incomes. To be effective, we must dedicate

sufficient staff time and resources to each partnership. We also need to measure the results of these alliances; specifically, we must assess whether people with low incomes are better served and resources more effectively used because of them, which will inform our decisions about whether to continue to invest in the partnerships.

## Reaching our audience

The society's current mandate is to help people with low incomes resolve their legal problems and access justice. To provide effective programs, the society must understand and respond to the diversity within the client group, including levels of literacy, languages spoken or read, prior experience or trust in the justice system, and the diversity of their information needs from problem identification to self-help. Strategies to meet these diverse needs include the creation of plain language resources in English and other major languages, as well as finding distribution channels to place the resources in the paths of intended users. The search path of many potential users is limited to their own cultural or interest-based community group, and many will need some personal assistance to make effective use of the resources.

## Community groups are key partners in providing PLEI

In the past, the society had a community-based project funding program that supported groups throughout BC in initiating and maintaining their own PLEI programs. The advantage of this approach was that we could reach those people who didn't benefit from the services offered through institutions and who were more likely to turn to an individual or organization within their community for help. The reason the program was so successful was that the groups we funded were very familiar with their community and knew the best ways to help their particular client group. They worked with our offices and the PLEI staff to tailor the resources to the clientele they served. When necessary, our offices trained community service providers in the skills necessary to help people find solutions to their problems.

The 22 years that the society spent administering a community-based project fund helped us to create a strong network of agencies who shared an access-to-justice agenda that focused on the legal needs of people who were poor or otherwise disadvantaged. From this network, we learned much about the characteristics of different groups of people who make up our service population. Fortuitously, it gave us a base from which to extend our services and regain our visibility after cutbacks to our services in 2002.

Today we are forging new partnerships with provincial organizations and coalitions who represent local community groups. Our successes in working with PovNet, TRAC Tenant Resource & Advisory Centre, the BC Coalition of People with Disabilities, and various regional groups has again proven the value of collaborating with others who share the society's vision. As with our partnerships with larger institutions, such as those forged with the libraries, these links are necessary to ensure that materials and resources get into the search paths of intended users. They are especially critical now because, in most communities in the province, community organizations can no longer turn to the local legal aid offices for assistance.

## Building community capacity to provide services

An important aspect of the work the society does to help community groups provide effective legal services to people with low incomes is the training we provide to advocates. Information that they had formerly acquired through *Community Law Matters* and through the lawyers in our poverty law clinics is now provided through PovNet and at training conferences. Several provincial conferences are organized each year for advocates who deal with specific groups: those working in poverty and family law, settlement workers and others engaged full-time with immigrant and refugee communities, and advocates involved with Aboriginal communities. Formal evaluation of this training indicates that our goals are being met: advocates acquire needed information and skills to provide better services to their client groups, people work together to develop strategies to address common problems, and the society gathers information about current and emerging issues affecting people with low incomes. Because this work requires an understanding of both the issues being addressed and the audience being served, we rely on fieldworkers, each of whom has expertise in several areas of law and in working with specific audiences.

Holding regional conferences and having legal information outreach workers (LIOWs) conduct outreach activities in the regional centres both help to build capacity in the agencies close to those centres. This work is strengthened by the information provided through communication from the agencies' provincial partners. Our involvement in all areas of the province increases our visibility and informs us of emerging needs.

The society also supports advocates by maintaining and developing resources that are practical, accessible, and relevant to the issues they deal with in their work. The self-help guides on the Family Law in BC website are an excellent example of a resource that many advocates use to assist their clients.

The Community Advocate Support Line (which gives advocates a direct link to expert information right when it's needed) and the work of LawLINE should not be forgotten, but these do not fall within the purview of the division responsible for PLEI.

## Appropriate core materials

At the centre of the Public Information and Community Liaison program is the identification or development of core legal resources — the information that people with low incomes need to resolve their legal problems, with or without assistance. We benefit greatly from having staff with the expertise to connect with communities; find, assess, or develop appropriate content; produce effective plain language resources in suitable formats; and then show community advocates and information and referral agencies how to use these resources to assist our shared client groups. We rely on the experience, knowledge, and skills of the fieldworkers, librarians, and publishing staff — working as a team — to weave together the necessary content, format, and approach to meet the needs of our diverse client groups.

Our review confirms the need to have a range of resources for clients, intermediaries, and advocates. The materials must be in plain language; they must also be written from the readers' point of view and translated into the languages predominantly used by BC residents. While we recommend that all materials be on the Web, core information materials for clients and some self-help materials must be in print. Many in our client groups don't use the Web to find legal information, and many intermediaries, even if they have access to a computer, lack the time and financial resources to download and print PDF files for their clients.

## Keeping our promise

After the reduction in the LSS mandate, community groups knew that they would have more clients looking for legal information and assistance for administrative and family law problems. A highlight of this review is recognizing how close we have come to meeting the priorities identified in the community consultations we held in 2002:

Identified need:	Addressed by:
Maintain core PLEI materials in plain language in essential areas of law for clients, intermediaries, and advocates.	Provision and effective distribution of current, relevant core materials as listed in Appendix E.
Enhance LawLINE for clients and advocates.	Expansion of LawLINE to legal advice services and making it toll-free; providing the Community Advocate Support Line (CASL)
Expand methods of information exchange and network building that have proven effective.	Conferences, formal partnerships, family law listserv, PovNet, fieldworker liaison
Provide training and backup for advocates.	Conferences, PovNet, CASL, training materials
Maintain and support advocates' knowledge of relevant issues.	Electronic Legal Aid Newsletter, LawLINK, CASL, PovNet, strategy sessions at conferences
Improve online access for clients and advocates.	LawLINK public access terminals, LIOW services, Electronic Legal Aid Newsletter, ongoing enhancements to websites

# Recommendations

1. That LSS continue to provide a range of PLEI materials to help people with low incomes resolve their legal problems, including:
  - Core materials that help people see their problems in a legal context so they can identify, avoid, resolve, or find help with legal problems that have serious consequences if left unresolved. These should be:
    - available in English
    - available in the major languages used in the community when we know that the resource is needed in that community and will be used
    - available in print and on the Web

We should explore how we might use other media (e.g., community newspapers, television) to enhance or publicize these resources so that we reach as broad an audience as possible.

- Self-help materials for people with low incomes and their intermediaries, concentrating on those situations where personal safety and security, financial security, or shelter are an issue and the problem will become more severe if not addressed. These materials should be available:
  - in English
  - in languages other than English only when we have assurance that they will be used
  - in print and on the Web where necessary
- Web resources that can be used by intermediaries and clients familiar with the Internet.
- Training materials for intermediaries providing legal information, procedural assistance, or advocacy services.

A list of current materials is attached as Appendix F.

2. That the society continue to support PLEI services as part of the continuum of services we provide. Specifically:
  - Have LIOWs work with clients and in courthouses to link clients to the right services.
  - Develop a core curriculum for PLEI providers, including intake staff.
  - Explore integration of intake and LIOW functions.
  - Promote PLEI services with local agents and the legal aid bar.

3. That LSS evaluate the effectiveness of formal partnerships with key provincial organizations to deliver PLEI services in 2008/2009. Partnerships take time, effort, and resources, and we need to know that we are reaching more clients. At least a two-year commitment is necessary to see results. During this time, we should identify:
  - How much training, resources, and ongoing communication is necessary to be effective in building institutional support and ground-level action.
  - What skill sets are required to deliver different levels of services and create core curricula.
  - How we can measure the value provided to our shared client groups as a result of the work.
4. That LSS engage the PLEI Working Group in an effective planning process to improve coordination. While the catalogue, taxonomy of categories, and portal discussions provide a good base for this coordination, all members of the group need to show more commitment to see effective coordination of resources.
5. That LSS continue to identify and train community legal advocates. This requires:
  - collaboration with the Law Foundation and other poverty law service providers
  - an ongoing partnership with PovNet
  - exploring potential partnerships with CLE, the Justice Institute, and Pro Bono Law
6. That LSS continue to work with other organizations to develop PLEI services that address access to justice issues. Some of this work comes out of the Moving Forward sessions at the training conferences.
7. That LSS continue to work with the community to increase the society's visibility and obtain more funding.
8. That LSS identify and partner with community-based groups that have the potential to provide PLEI services that will reach client groups that require unique or additional services to understand and use the law to their benefit. This year, we are experimenting with contracts with other organizations to provide PLEI, outreach services, and perhaps intake services where we don't have offices and a need has been identified.

9. That LSS complete a demographic study to find out more about people who have low incomes, including gaining some sense of how many are transient and how many are likely to be our clients for life.
10. That LSS make specialized services — or adapting services to meet the needs of specific client groups — part of its legal aid renewal program. Engagement in the Aboriginal Legal Needs Study will provide some direction for this important client group.

# Introduction

This report looks at how LSS currently provides public legal education and information services, as well as what we have learned from our work, research, and participation in a study of promising practices in the PLEI field that was completed last year. It is not a history of PLEI at LSS, which would include a description and analysis of the valuable services provided through the Schools Program and the Legal Resource Centre. Nor is it a history of PLEI in the province, as there are many other organizations that provide PLEI.<sup>1</sup> It only makes brief mention of the innovations using technology implemented in response to the change in mandate described in other papers.<sup>2</sup> It focuses on the diversity of clients, the continuum of their legal information needs, and the vehicles that can be used to meet those needs. And it makes recommendations to LSS on how to move forward to provide the best service possible to our clients.

The current LSS mandate is to help people with low incomes resolve their legal problems and access justice. Public legal information and education services are part of the range of services to be used in this work. Programs are developed to help people to identify, avoid, or resolve legal problems when they are able to do so — or to find appropriate legal help when the problem is too complex for them to handle on their own.

We work from the following understandings:

- PLEI services focus on areas of law that people with low incomes identify as being important to them; in particular, administrative and family law. People continually demonstrate an interest in understanding these areas of law even when they need a lawyer to help them. People with criminal law problems are more likely to rely on duty counsel and representation services.<sup>3</sup>

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1 See several articles in *News and Views on Civil Justice Reform* newsletter, Issue 6, Summer 2003. Canadian Forum on Civil Justice. [www.cfcj-fcjc.org/issue\\_6/CFCJ\\_Newsletter\\_summer\\_2003.pdf](http://www.cfcj-fcjc.org/issue_6/CFCJ_Newsletter_summer_2003.pdf)

2 a) "Evaluation of the LawLINE Enhancement Project." [Prepared] for Legal Services Society by Focus Consultants. Revised July 27, 2004. [www.lss.bc.ca/assets/about\\_lss/LawlineEvaluation-Report.pdf](http://www.lss.bc.ca/assets/about_lss/LawlineEvaluation-Report.pdf)  
b) "Evaluation of the LawLINE Enhancement Project: Survey of Advice Callers." [Prepared] for Legal Services Society. Focus Consultants. October 15, 2004. [www.lss.bc.ca/assets/about\\_lss/LawLine-Report-Survey.pdf](http://www.lss.bc.ca/assets/about_lss/LawLine-Report-Survey.pdf)  
c) "Evaluation of the LawLINK Project: Final Report." [Prepared] for Legal Services Society by Focus Consultants. Revised June 7, 2005. [www.lss.bc.ca/assets/about\\_lss/Lawlink-Eval-Report.pdf](http://www.lss.bc.ca/assets/about_lss/Lawlink-Eval-Report.pdf)

3 "Assisted Self-Representation in Criminal Legal Aid: An Experiment in Limited Service Delivery." [Prepared for] the Department of Justice, Canada, by Albert Currie and Carol McEown. 1998.

- We have to be aware of the characteristics and needs of the users of our services (many of our clients are Aboriginal people, recent immigrants, seniors, visible minorities, women, youth, and people with mental or physical disabilities).
- While LSS provides direct PLEI services to people with low incomes, we rely heavily on community intermediaries to reach most of the intended population. This puts services right where people are most likely to go for information and help. It also means that we have to provide adequate resources to intermediaries so they can provide useful and appropriate legal information, referral, or assistance services.



**Note:** This report includes references to documents that provide further information and research findings. Most of these documents are internal and are held by the Legal Services Society Library/Archives. Many of them are also available on the Internet, as noted. (The URLs provided were up to date as of May 2007.)

# The roots of public legal education and information at LSS

To understand the society's current work in providing public legal education and information, it helps to know a little of how PLEI developed at LSS and how it was integrated with advice and representation services. The work of the Public Information and Community Liaison Department (PICL) today is rooted in the community-based approach to providing legal services that LSS has taken over many years.

## Our place in the Canadian context

The history of providing legal services to people in need in British Columbia is unique in Canada. In 1979, when the Legal Services Society was created, it was an amalgamation of two forms of service delivery to clients. The Legal Aid Society (which provided advice and representation) joined forces with the Legal Services Commission, which provided education, information, and funding to community agencies engaged in the delivery of legal services to their constituents.

The Legal Aid Society was begun by the Law Society in 1970 (before that time, volunteer lawyers provided some legal aid through their local bar associations). The Legal Services Commission was set up by the government in 1975 with a mandate to plan and fund the development of legal services. Its vision included schools, libraries, community groups, and Aboriginal groups as partners in the delivery of services.

From its outset, the society has provided both kinds of service: (a) legal aid or representation, and (b) legal information and education. Managers and directors from both service sections have been engaged in the overall planning and direction of the society.

This service delivery model contrasts with that of other provinces, where legal aid focuses on representation, but legal information and education are provided through separate PLEI entities.<sup>4</sup> Two examples of PLEI providers are the Legal Studies Program in Alberta ([www3.extension.ualberta.ca/lsp](http://www3.extension.ualberta.ca/lsp)), connected to a university, and Educaloï in Quebec ([www.educaloï.qc.ca/en](http://www.educaloï.qc.ca/en)), a partnership of

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<sup>4</sup> Community Legal Education Ontario is a centre within Legal Aid Ontario's clinic system providing PLEI services to the clinics and broader public. As a clinic, it is not directly involved in the development of legal aid policy.

institutional justice players. PLEI providers across Canada network through the Public Legal Education Association of Canada (PLEAC).

Nowhere in Canada has legal information and education been as integrated with advice and representation services as it has been at LSS. This integration gives LSS the unique capacity to help people with low incomes at all points along their continuum of need.



*Legal Services Society 1979–1999: Twenty Years of Reflections.*  
Legal Services Society, British Columbia. 2000.

## The BC experience

### A broad mandate for PLEI (1979–2002)

Under the previous legislation,<sup>5</sup> the society had a broad mandate for representation and education services. The objects were to:

- (a) provide lawyer services to individuals who would not otherwise receive them for financial or other reasons; and
- (b) provide education, advice, and information about the law for the people of British Columbia.

By setting such parameters for PLEI in BC, legislators recognized the value of providing legal information about the law to all British Columbians, as part of their commitment to supporting equal access to justice.

As partners in developing the legislation in 1978, the first LSS Board of Directors knew that the purpose of the society was to ensure access to justice. They identified access to information, education, and advice about the law as being the first steps in accessing justice, based on the belief that individuals require knowledge about the law to participate effectively in society — and that to operate effectively and fairly, the justice system requires a knowledgeable and informed public. As an independent statutory body, LSS could promote and advance this fundamental public interest.

The LSS board recognized that ensuring access to PLEI was a complex process that requires expertise in many fields: communications and media skills; legal information, reference, and research skills; curriculum development and teaching skills; community development and advocacy skills; and plain language writing, editing, and publishing skills are all required to implement this part of the

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<sup>5</sup> Legal Services Society Act, R.S.B.C. 1979, c. 227.

mandate. In other words, to successfully reach the public, public legal education requires a multi-disciplinary team approach and a province-wide network of institutional and community services.

In January 1981, the board set four broad objectives to define the PLEI mandate. They concluded that PLEI programs should:

- increase the public's ability to exercise their legal rights and assume their responsibilities;
- increase the public's ability to find and use legal services;
- increase the public's ability to identify, prevent or, where appropriate, resolve a legal problem; and
- facilitate the effective operation of a democratic society, including support for the rule of law.

LSS had several programs designed to provide PLEI to different audiences:

- At a provincial level, the Schools Program worked in partnership with key provincial educational and legal organizations to champion the cause of access to justice and coordinate or develop systems and materials to enable teachers to teach law-related concepts from K–12.
- The Legal Resource Centre provided direct legal information services to the public through Law Line. It also supported the growth of legal information resources and services in public libraries and other information and referral agencies throughout the province.
- Native Programs and the Public Legal Education Program (PLE Program) built relationships with provincial organizations serving communities of interest to identify their legal information needs and find ways to respond to those needs. As well, Native Programs and the Public Legal Education Program supported community-based, law-related initiatives through a small grants program.

### **Community-based service delivery for clients with low incomes**

In BC, the delivery of public legal education and information as a way to improve people's access to the law and solve their legal problems is long established, as is the emphasis on developing public legal education for people who are poor and otherwise disadvantaged. And we quickly learned that a community-based focus, or a community development model, was an effective way to engage these groups.<sup>6</sup>

A project-specific, community-based funding program allowed us to invite community organizations to explore ways the law could be used to help their community deal with legal issues. Organizations ran workshops, developed publications, and produced radio shows on specific legal issues; they trained themselves and/or their clients to obtain benefits and challenge discriminatory practices, and they worked collaboratively on major access to justice issues. In the last 10 years of its operation (1992/93–2001/02), the PLE Program supported 236 groups in developing 453 PLEI projects for their communities.

Native Programs also ran a community-based, project-specific funding program. The rationale for this approach can be summarized as follows:

- Communities know the audience. They know what their target group or members need, what they know (and don't know), and how to reach them. For this reason, they can develop relevant programs in terms of content area, level of complexity, educational method, and the selection of appropriate resources.
- Many groups are organized around social issues, such as poverty, discrimination, human rights, etc. Often their work involves some form of public legal education relating to access to justice issues.
- Community groups are known in their community and are recognized as being trustworthy or credible by their target group or members.
- Members of self-help groups have the necessary motivation to acquire knowledge that will assist them to act. Issue-specific groups have the motivation to inform people.
- Community organizations want adequate information and training about the law so they can help their client group understand and use the law. They want to help create information for their client groups that speaks with a client's voice.

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6 "Review of the Public Legal Education Program 1980–1983." [Prepared for Legal Services Society by] Wendy E. Rowe. 1983.

At the same time, many local legal aid offices had a PLEI agenda and provided a range of services from lectures in schools to facilitating or even coordinating community law reform initiatives.

### Emerging influences on PLEI in BC before 2002

From the mid-eighties to the mid-nineties, demand for legal aid services expanded greatly, as did legal aid costs. In the mid-nineties, LSS developed a results-based legal aid renewal strategy that focused on ways to measure the value of services. For example, in the area of family law, the society initiated a Family Case Management Program in order to assess cases at regular intervals and to redirect resources where they were needed most. With the rise of alternate dispute resolution, LSS worked with the Ministry of Attorney General to redirect cases not involving violence to mediation.

In the spring of 1994, researchers Sid Sawyer and Gayla Reid conducted another review of the PLE Program's community-based project funding program.<sup>7</sup> They determined that project funding "has a positive impact on public legal education initiatives around the province. The community groups share a common belief that public legal education will help people learn about the laws that affect their lives and will work to develop community solutions to problems."

While the PLE Program continued to work with community groups, it placed renewed emphasis on integrating its work within the client services framework. For example, the department produced so called "next-step" materials for people who were not covered by legal aid. A quarterly newsletter, *Community Law Matters*, was created to share information about cases, practice tips, and resources among everyone working in the area of poverty law. The PLE Program also increased its emphasis on providing publications in languages other than English and hired its first intercultural fieldworker to develop and implement strategies to better serve newcomers to the province.<sup>8</sup>

In 1994, LSS produced a core services document<sup>9</sup> defining three levels of legal services: statutorily mandated services, board-mandated services, and community-mandated services. At that time, PLEI was found to be a statutorily mandated service, delivered both centrally and from the field offices.

7 "Review of the Funding Program, 1993-94, [for the] Community Program [of the] Legal Services Society" (including Executive Summary). [Prepared for Legal Services Society by] Sidney Sawyer and Gayla Reid. 1994.

8 "Left Out Again? Ethno-Cultural Communities and the Legal Services Society." [Prepared for Legal Services Society by] Adriana Tweedlie. 1992.

9 "White Paper: Core Services of the Legal Services Society of British Columbia, April 15, 1994." Legal Services Society. 1994.

The central programs were described as providing “assistance and services to LSS service offices, public libraries, schools, community groups, and other information providers at the community level throughout the province.” The existing programs were confirmed as “important legal services in enabling the public to find out about the law and to access justice.” (See Appendix A for a brief description of PLEI services provided centrally.)

PLEI services were also an essential component of field office services to individual clients and the community, and ultimately in building community support for our work. PLEI services included community outreach, helping clients and client groups deal with legal issues, and training community advocates. The emphasis on community engagement was set out in the *Poverty Law Manual*. A role of the local office was to create a presence in the community — to be part of the social justice network and be a strong voice for its client groups. Offices were expected to spend 20 percent of their time on PLEI and community development services.

Other initiatives included the *Poverty Law Review* of 1995–1997, which increased the integration of poverty law staff lawyers into LSS service delivery; the opening of an LSS immigration and refugee law clinic in Vancouver; the expansion of duty counsel across the province; and the opening of an Aboriginal Law Centre in Vancouver’s Downtown Eastside.

The introduction of the Internet provided new opportunities for PLEI. For example, in 1997 LSS worked with community advocates, poverty lawyers, the Social Planning and Research Council of BC, and the BC Library Association to develop the proposal for PovNet, an effective communications and information network for anti-poverty advocates in British Columbia. In the same year, the Legal Resource Centre developed the Electronic Law Library website as part of a collaborative Virtual Reference Desk initiative with the public library systems. Having learned much from these initiatives, the society applied for long-term funding to develop the Family Law in BC website and an online listserv for community advocates in 2001.

## Conclusion

The main features of PLEI in BC before 2002 were:

- To be an important element of the legal services that LSS was mandated to provide.
- To provide clients with legal information as part of the process of helping people deal with their legal problems. Both the LSS central office and all of the field offices included PLEI as an important part of their work.
- To place a real emphasis on working in consultation with the community LSS was trying to serve. Specifically:
  - We developed or co-funded the development of core PLEI materials for specific target audiences.
  - PLEI was one approach used to support community groups' engagement in justice issues.
  - The community-based, project-specific funding approach allowed us to reach our target audiences in their own communities.
- There was a Native Programs Department (separate from the PLEI Program) that delivered PLEI services to First Nations people in BC in partnership with native community law offices and other community organizations.
- We developed services in partnership with various institutions and community groups throughout the province. For example, the Legal Resource Centre created an institutional partnership with the public library system to provide province-wide public access to appropriate legal information and referral services. In collaboration with anti-poverty advocates, information providers, and publicly funded poverty law lawyers, we built PovNet to strengthen the anti-poverty network.
- There was a collection of core resources available at the Legal Resource Centre (including the circulating audiovisual collection) to support the PLEI work of LSS and its community partners.

# Responding to change: New community partnerships

## Changes to LSS: 2002 to present

In 2002, funding and the legislation governing LSS changed radically, and our budget was dramatically reduced. Representation services were limited to serious criminal, some family, and minimal refugee law matters. Most field offices were closed, leaving seven regional centres primarily providing intake services. The vision for PLEI in the 2002 restructuring was of a smaller, centralized service model focused on Web- and telephone-based services that would:

- Ensure that reliable legal information was available to people with low incomes.
- Support community groups that provided legal information, assistance, and advocacy services.
- Be needs-based and client-centred.
- Support the continuum of service model.
- Provide a solid and reliable legal information base to all LSS service providers.

With the restructuring, PLEI services were totally centralized within the Legal Information, Technology, and Communications Division. PLEI became the primary LSS service delivery method in a greater number of legal problem areas (e.g., poverty law matters, some family and immigration matters), both in terms of resource development (such as immigration fact sheets) and in terms of providing services to intermediaries (such as training). In this way, the scope of information services to people with low incomes grew. (It is worth noting that this change came at a time when the demand for self-help alternatives was also on the rise, particularly in the areas of family and other civil law.)

LSS developed a core PLEI list of existing publications in 2002–2003 to support a basic level of service to people with low incomes who do not receive representation services under the tariff. The new demands of restructuring meant that there would be a need to produce several new resources. At that time, the intention was to eliminate most print products because of costs, with the expectation that Web-based materials would be an adequate replacement.

## Response of the community

Consultations with community intermediaries in 2002 about preferred services in the new environment identified the following priorities:

- Support community advocates and their advocacy skills:
  - Provide skills training.
  - Provide support for organizations that build networks, share skills, coordinate efforts (e.g., PovNet).
- Maintain and support advocates' knowledge of relevant issues:
  - Use alerting services, online discussions, training sessions.
  - Hire a poverty law lawyer for advocates to call for advice.
- Provide a continuum of PLEI service to advocates and clients from training advocates to providing client-friendly information:
  - Maintain/expand methods of information exchange that we know work. For example:
    - ♦ Enhance LawLINE, both for clients and advocates.
    - ♦ Expand PovNet.
    - ♦ Maintain the Electronic Law Library.
  - Provide training for advocates via:
    - ♦ conferences
    - ♦ workshops
    - ♦ the Web
  - Maintain core PLEI materials (plain language) in essential areas:
    - ♦ Maintain both materials developed by LSS and those developed by major community groups, such as the BC Coalition of People with Disabilities.
    - ♦ We need print.
    - ♦ We need a distribution system.
    - ♦ We need materials in languages other than English.
- Improve online access for clients and advocates:
  - Make information easier to find (LawLINK).
  - Make it easier to download.
  - Increase community access sites.
  - Provide training.

### Innovative responses to extend services

In 2003, LSS developed several initiatives to extend information and advice services using technology. The first initiative was the expansion of LawLINE to provide province-wide legal advice services and limited procedural assistance. A second initiative was the creation of LawLINK, a simple, online legal information portal for British Columbians with low incomes. A third initiative placed LawLINK kiosks or computers in different public access sites, to improve accessibility to online legal information and self-help materials. A fourth initiative added LIOWs to regional centres to jump start the use of LawLINK. LawLINE, the LawLINK website, and LIOWs have proven to be valuable additions to our service delivery.<sup>10</sup> The society is maintaining LawLINK kiosks in courthouses and regional centres where staff are available to assist clients in their search.

### Current environment of PLEI

The broader environment in which LSS provides PLEI services to clients continues to evolve. Current features of this environment include the following:

- Law reform initiatives that are in the process of making substantive changes to the justice system. Within the court system, a new vision is emerging that takes into account what users want from the system. With fewer representation services available to clients, judges and court staff who have to respond to them are creating a higher demand for PLEI. This shift to more of a user focus will shape the direction of reform.
- A renewed interest in collaborating on the delivery of the continuum of legal services is emerging within the justice system. For example, the Ministry of Attorney General worked with other partners, including LSS, to build the BC Supreme Court Self-Help Information Centre.
- A growing emphasis on the delivery of unbundled services (that includes providing services to people with low incomes through pro bono and duty counsel lawyers) increases the role of PLEI.

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<sup>10</sup> For further information on these initiatives, please see:

- a) "Evaluation of the LawLINE Enhancement Project." [Prepared] for Legal Services Society by Focus Consultants. Revised July 27, 2004.  
[www.lss.bc.ca/assets/about\\_lss/LawlineEvaluation-Report.pdf](http://www.lss.bc.ca/assets/about_lss/LawlineEvaluation-Report.pdf) and
- b) "Evaluation of the LawLINK Project. Final Report." [Prepared] for Legal Services Society by Focus Consultants. Revised June 7, 2005.  
[www.lss.bc.ca/assets/about\\_lss/Lawlink-Eval-Report.pdf](http://www.lss.bc.ca/assets/about_lss/Lawlink-Eval-Report.pdf)

- There is a growing emphasis on providing information, assistance, and advice through technology — both via telephone (i.e., LawLINE) and online (e.g., Family Law in BC website).
- LSS is working to increase its visibility within BC communities (which decreased with the cutbacks of 2002).
- While the capacity of intermediaries within community groups to provide PLEI to clients is strained by cutbacks, the level of commitment to providing these services is high.
- As BC's diverse communities grow, so too do the legal needs of people with low incomes within them.



“Transition 2002: The Challenge of Change.” [Prepared for Legal Services Society by the Service Delivery Transition Project Team.] April 2002.

## Partnerships with communities

While community-based intermediaries have always played an important role in PLEI, their role has increased in scope and complexity in the past four years. With the loss of our offices and reduction of services, LSS became invisible to many organizations and people dealing with non-criminal matters. To reach more of our client groups, we needed to find viable community organizations who were working with people with low incomes and willing to provide legal information services. This way, legal information and self-help resources would be placed in the paths of the intended users, and agencies would be aware of the current range of legal services.

Many organizations have an interest in providing legal information services to their clients — it increases the value of their service. They are often asked to interpret the system and to tell people what the system expects. They are also asked to intervene on behalf of the client and to help the client solve the problem. Finally, they may be asked to advocate on behalf of the client group, to be their voice. It takes time, commitment, and, sometimes, the development of new ways of working and additional skills to integrate legal information services.

### Building community partnerships and networks

PICL is involved in different levels of partnership and community collaboration.

### **Formal partnerships**

Before the cutbacks, most of our partnerships were ad-hoc and informal, working with others on a common agenda. Our experience with PovNet encouraged us to look to other formal partnerships to improve collaboration or coordination of services.

PovNet was created in 1997 by a steering committee representing anti-poverty groups and poverty law organizations, initially including federated anti-poverty groups, BC Coalition of People with Disabilities, Tenants' Rights Action Coalition, BC Public Interest Advocacy Center, Community Legal Assistance Society, the BC Library Association, Social Planning and Research Council, the BC Federation of Labor, and LSS. While the society took a leadership role and applied for most of the funding on behalf of PovNet, all steering committee members took an active role in directing the work and sharing management responsibilities. In 2005, PovNet was registered as its own society, with an expanded board of directors reflecting its growth. LSS continues to support PovNet by contributing to its funding, and the society has entered into a memorandum of understanding (MOU) with PovNet that sets out our shared expectations and deliverables.

We have also just entered into an MOU with the BC Courthouse Library Society and the public library system to help rebuild the public library's capacity to support legal information services. The BC Courthouse Library Society has agreed to maintain the Electronic Law Library, an extensive legal information reference tool for public librarians and their patrons. We will continue to provide the public library system with information directed to people with low incomes. In addition, we are presently negotiating other partnerships with provincial agencies that coordinate the delivery of services to specific target groups.

The society's relationships with the Supreme Court Self-Help Information Centre and the PLEI Working Group are examples of formal partnerships where there are protocols established with several organizations to meet a common purpose. There are regular meetings, planning sessions, resource commitments, and evaluation components for each of the initiatives.

### **Project-specific partnerships or initiatives**

PICL regularly partners with entities such as the Ministry of Solicitor General and Public Safety and the BC Coalition of People with Disabilities to produce and distribute PLEI materials. When working with government partners, the society receives funds to do the work. When partnering with community groups, the society contracts with the group to produce a specific piece of work. More and better products come out of this effective use of shared resources, expertise, and distribution systems.

## Guiding principles for community partnerships and collaborative efforts

PICL uses the following guidelines to assess whether to invest in partnerships and collaborative efforts:

- Would the anticipated results help us meet our mandate and exceed the risk of losing the resources invested in the effort?
- Are there clearly stated common goals and attainable objects that are outcomes-based?
- Are there realistic expectations by all parties of what can be accomplished, given the amount of resources and time committed to the venture?
- Does it appear that there is a real opportunity for us to grow (i.e., is it an effective use of our resources to learn or acquire new information, skills, position, and credibility)?
- Does it appear that there is an avenue by which we might increase community capacity to effect service delivery or justice reform?

## Where to direct limited resources

Factors that we consider in determining exactly where to direct our limited resources include whether:

- We are the right people to be at the table — and so are the other partners.
- The work meets an important need of the society's client groups.
- The goal or outcome is effectively advanced through partnerships (sharing the load and expertise, getting buy-in, reaching the intended target group).
- The activity is too large or complex for any single organization or group to take on by itself.
- The project/activity increases the quality and/or quantity of services provided to people with low incomes.
- The collaboration brings additional resources and/or important perspectives to the table.
- There is some way to measure progress and outcomes.

### **Building community capacity**

PICL recognizes that it is imperative that community intermediaries are well trained and able to navigate a complicated legal system in order to educate and assist clients. It is also imperative that intermediaries are equipped with relevant and accurate legal information in accessible formats for handing out to their clients. Therefore, PICL reviews and updates its training programs and public legal information materials to ensure that community-based intermediaries receive the most current legal information and professional skills development training available.

**Regional conferences:** PICL instituted regional conferences in 2003 to inform community agencies of our services and begin to rebuild information and referral networks. In 2006, LSS staff and community groups met at a regional level to hear updates on the law and share information about issues affecting our client groups and the programs and services that have been developed to help them.

**Outreach:** As a pilot project, the society placed LIOWs in seven regional centres to meet with community groups to explain our services, promote LawLINK, and help clients find PLEI resources on the Internet. The LIOWs have become the face of legal aid, not only helping clients use PLEI resources and connecting them to appropriate services, but also training staff in dozens of agencies so they can show people how to make better use of our resources. They also support community networks of information and social service providers, all of whom are interested in improving access to justice.

Here is a concrete example of the value of outreach and capacity building: Staff members were able to contact some public library staff to participate in a focus group test of the Family Law website because of contacts made through our partnership and training program. A focus group participant sold her manager on the value of the site, and the manager now wants 50 reference librarians trained in its use. Creating that comfort level and excitement in the public library system will ensure that the site is better used.

### Advocate training and support

Prior to 2002, advocates funded by the Law Foundation attended conferences run for LSS staff by our training department. Many also received supervision and training by poverty lawyers and paralegals in field offices, receiving grants to support local training through the PLE Program. After 2002, we became even more reliant on community advocates to assist people in preparing for/presenting their cases to tribunals or the court. And we were asked to provide training and backup to these advocates through the 2002 consultation process. This need was reaffirmed by research carried out for the Law Foundation and LSS in 2003 and 2005.<sup>11</sup>

PICL provides training and support to advocates in the following ways:

- We offer provincial training conferences for senior advocates from around the province who work full-time and provide information and representation services to their clients. Close to half of these advocates work in positions funded by the Law Foundation. The goals of the provincial conferences are to update and increase the legal knowledge and skills of participants, identify current issues arising in their work and develop strategies to address them, and to build stronger networks. (This contrasts with the scope of the regional conferences mentioned earlier that are designed more to promote LSS services, provide basic legal information about issues affecting people with low incomes, and strengthen communication among regional service providers.) There have been seven provincial conferences: four for general advocates working on poverty and family law issues, two designed for advocates working with immigrants, and one designed for advocates working with Aboriginal people. The Law Foundation, a key player in the delivery of poverty law services, has co-funded all but the two designed for advocates working with immigrants.
- We continue to provide core funding to PovNet, in order to support the listservs and PovNet University.

11 a) "Poverty Law Advocacy Needs Assessment Project Report, 2004." Community Legal Assistance Society (CLAS). [Project conducted by Brett Haughian.] Submitted to the Law Foundation of BC. June 2004. [www2.povnet.org/publications\\_clas#1166](http://www2.povnet.org/publications_clas#1166)  
 b) "Provincial Training Conference and Regional Workshops Review 2005." [Prepared for Legal Services Society by] Linda Mix. March 31, 2006.

- We created many more self-help guides on the Family Law in BC website for community advocates to use with their clients. Those who participate are invited to join a closed listserv monitored by LSS family law lawyers.
- Most recently, the society has established the Community Advocate Support Line to assist advocates with their work. We know that people require sophisticated literacy skills to navigate the documentary process even if they have a well-organized guide.

Conference participants rate highly the support they receive through these activities.<sup>12</sup>

### **Learning from communities**

The society gains valuable information about the needs of our clients and current social justice issues through this work. Conducting regular meetings with formal partners, hosting specific sessions at conferences, holding focus groups, and completing needs assessments for new or revised material brings LSS a wealth of information about the community, and it shapes the way we provide services.

To be effective, the society's work must be rooted in the identified needs of people with low incomes. Community-based advocates or service providers who work with these people know who they are and what they need. They are able to identify and reflect the experiences of the different client groups when facing legal problems or attempting to participate in the justice system. Maintaining this connection to community organizations remains essential to the success of our PLEI work.

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12 a) "Intermediary Training: A Review of LSS Regional Conferences, 2004." [Prepared for Legal Services Society by] Nancy Hannum. May 2005.  
b) "Provincial Training Conference and Regional Workshops Review 2005." [Prepared for Legal Services Society by] Linda Mix. March 31, 2006.

# Chapter 3

## Reaching our audience

This chapter provides the fundamentals of the approach currently taken by PICL to help individuals with low incomes resolve (or prevent/avoid) their legal problems. This approach is the foundation for decision-making about service delivery.

### Continuum of client need

The delivery of PLEI is an integral part of the LSS continuum of service model (the right service, by the right person, at the right time). This continuum can be looked at from different points of view. It can be seen as managing the demand side of the equation, ensuring that people are able to resolve many of their problems without requiring expensive legal services. It can also be seen as part of a safety net that allows people to use the law to avoid disputes and protect or further their interests — at an individual or community level.

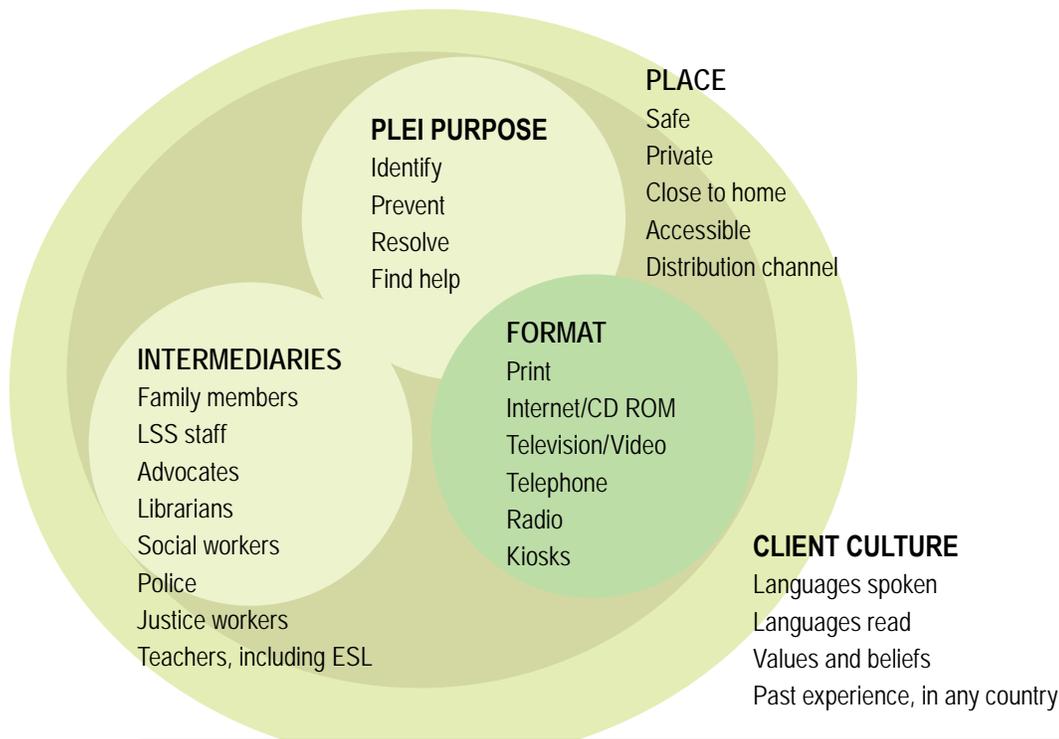
Studies show that people who are poor do not ask for legal remedies for 60 to 80 percent of their legal problems. They may not even know they have a legal problem,<sup>13</sup> but if their problems are legal in nature, they often have serious legal consequences if not addressed.

In aiming to ensure that people with low incomes can access appropriate and effective legal information, we are mindful of the continuum of client need, which can be articulated as follows:

- Education and information can help people figure out whether they do have legal problems, which in turn may have legal solutions.
- Education and information can also help people prevent legal problems.
- When people identify the legal nature of their problems, education and information services can help them get to the right place for the help and/or information they need. They may be able to help themselves. They may need the help of a lawyer. Or they may need an intermediary, such as a community advocate.
- The client is not a single person with a single set of needs at all times. Clients need different information at different stages in their cases. Over time, each client's emotional state also alters, all of which means that we need to accommodate a series of changing needs, even for individual clients.

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<sup>13</sup> For a summary of recent legal needs assessment studies, see “Discussion Paper: Civil and Aboriginal Legal Needs Assessments.” [Prepared for the Policy Department of the Legal Services Society by] Rochelle Appleby. April 7, 2006. [Internal document]



Klinger's model in "PLEI in British Columbia: Literature Review." March 24, 2006.

## Diversity of clients and their needs

The society recognizes that while living on a low income is the defining feature of our client group, it is only one aspect of people's lives. The society must use different strategies to respond to diverse clients with diverse needs.

Although we don't have a demographic profile of our client group (people with low incomes who have legal problems) we know from other studies that at least 50 percent of people with low incomes are sufficiently literate to read materials and follow clear instructions.<sup>14</sup> For the other half of our potential client group, we need to look beyond print or Internet resources.

People who use the Internet for information and problem solving tend to have higher levels of income and education than our typical client groups.

Even when clients are fluent English speakers, they are not always conversant with the legal system and may require assistance to guide them through the complex documentary process.

<sup>14</sup> For a summary of recent legal needs assessment studies, see "Discussion Paper: Civil and Aboriginal Legal Needs Assessments." [Prepared for the Policy Department of the Legal Services Society by] Rochelle Appleby. April 7, 2006. [Internal document]

People need different levels of information and support, depending on:

- their knowledge of and trust in the justice system,
- the stage of their case (crisis or working through it),
- their level of legal literacy, and
- the complexity of the problem or the process necessary to resolve it.

When people do not feel part of the system, they are not likely to trust the system's voice.

The disadvantaged often move in a very limited geographic area. Language difficulties, financial hardship, and apprehensiveness about those outside one's ethnic or minority group put mainstream sources of help beyond reach — and not just geographically.

Immigrants from many parts of the world are less likely to accurately identify legal situations and have their legal needs met because they have less relevant life experience in Canada. They may be unfamiliar with our cultural patterns and assumptions. Examples of these include: the notion of the priority of individual rights over family or community, going outside the family to an agency for assistance, having decisions made by strangers reading pieces of paper rather than listening to your story, and the freedom to complain or appeal.

Immigrants whose cultural communities are new to Canada or very small don't feel they have a voice, someone who can speak for them. If members of your community are not part of the system, you are less likely to have access to information and less likely to pursue available remedies.

## How different clients seek and use legal information

PICL needs to keep in mind the following considerations when deciding how to deliver PLEI. Many of them are addressed by the PICL action plan (see Appendix C).

- Most people seek legal information on a need-to-know basis.
- They use many paths to find legal information. One size does not fit all.
- People who need information are more likely to turn to other people than to documents or other media. Income status, level of education, and age do not affect this finding. Everyone prefers to talk to someone they know and trust when they are looking for important information or advice, including legal information and advice.
- If people find the help they need early on, they have a greater chance of resolving their legal problem.

- The more social and legal problems you have, the more likely you are to find it difficult to access a solution to your legal problem. People with low incomes who are facing clusters of problems and multiple barriers are the ones who have the greatest difficulty in gaining access to services. The services most likely to reach them are those based in the community that they feel are supportive (such as anti-poverty groups).
- Many people need some level of assistance to use PLEI products.
- People who experience social exclusion are more likely to rely on in-person assistance from someone they trust. This is often the case for:
  - Aboriginal people,
  - people who use languages other than English and are strongly connected to their known cultures,
  - people with low literacy skills, and
  - people with disabilities.
- Information and education services must start from the user's experience.
- In-person and then print resources are the preferred informational vehicles for most of our client population and many intermediaries.
- People retain more information, and are more likely to take some action if the information is provided in more than one format (e.g., in-person assistance plus print; Internet information and an outreach worker to introduce users to Web-based material).
- Many of our clients struggle to read legal material. When a person faces this kind of challenge, they may feel intimidated, ashamed, and embarrassed.
- Legal problems can also make a person feel stressed and in a state of crisis. Stress affects a person's ability to process new information, and the feeling of urgency may be overwhelming.
- Our clients need more than just pertinent information to resolve legal problems: attention must be paid to the person's sense of self-worth, confidence, and ability to trust the legal system.



“Evaluation of the LawLINK Project: Final Report.” [Prepared] for Legal Services Society by Focus Consultants. Revised June 7, 2005. [www.lss.bc.ca/assets/about\\_lss/Lawlink-Eval-Report.pdf](http://www.lss.bc.ca/assets/about_lss/Lawlink-Eval-Report.pdf)

“PLEI in British Columbia: Literature Review.” Prepared for the Legal Services Society by Shula Klinger. March 24, 2006.

“A National Survey of the Civil Justice Problems of Low and Moderate Income Canadians: Incidence and Patterns.” Ab Currie. April 2005. [www.cfcj-fcjc.org/IntoTheFuture-VersLeFutur/secureDocsE/papers/Session%2010/ILAG\\_National%20Survey\\_Session.pdf](http://www.cfcj-fcjc.org/IntoTheFuture-VersLeFutur/secureDocsE/papers/Session%2010/ILAG_National%20Survey_Session.pdf)

Through our work and analysis of best practices, LSS has identified effective ways of providing legal information to clients with low incomes. Involvement with PovNet, conferences, and liaising with LawLINE keep us informed about most poverty law issues. Over the past year, LSS has also canvassed intermediaries who work in two specific types of communities — Aboriginal and intercultural communities — to hear about changes within these audiences, what services are needed, and how services can be delivered.

### Reaching communities in their own languages

People who speak languages other than English at home<sup>15</sup> often require information in their languages to be able to understand and use the law. Providing legal information in the language of the user recognizes the cultural diversity of the province and tells the reader that they are part of our audience, that access to justice includes them.

Over 20 years ago, the society began to develop basic legal information materials in languages other than English related to family, immigration, and benefit programs. We relied on intermediaries in ethnic communities to identify needs, to ensure that materials are reflective of the linguistic and cultural diversity of the client groups, and to deliver PLEI information and distribute PLEI materials.

<sup>15</sup> While there will likely be people in the home who can speak English, this definition captures the reality of households with a strong connection to the members' culture of origin and at least one member who doesn't speak English. (See “PLEI in British Columbia: Literature Review.” Prepared for the Legal Services Society. Shula Klinger. March 24, 2006.)

The service delivery model includes partnering with communities in identifying the communication vehicles, using translation protocols that include sensitivity to and knowledge of both cultures, and evaluating outcomes. It is worth noting that a recent study by CLEO in Ontario recommends the model that we have been using as the most practical and effective way of reaching these audiences.<sup>16</sup>

The census identifies more than 60 languages that are spoken in BC. Language groups with populations of between 15,000 and 110,000 who rely on their language for most or all communication in the home include Cantonese, Mandarin, other Chinese dialects, Farsi, Korean, Punjabi, Spanish, Tagalog, and Vietnamese.

### What we have learned

Recent consultations and research with intercultural communities<sup>17</sup> have yielded the following information about how the communities use PLEI resources in languages other than English (LOTE):

- Whether materials are published in print or online, word of mouth and/or face-to-face support make a big difference to client outcomes.
- The systems that support the materials are as important as the materials themselves. This relationship is the key to success. Personal contact and LSS-arranged conferences aid intermediaries in understanding and using our materials.
- Intermediaries report using LOTE materials primarily in face-to face meetings.

Advocates attending the 2006 Settlement Workers Advocacy Conference told us about preferred PLEI delivery options for their communities. The responses are shown in the following two charts.

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16 "Linguistic Access Report." Yedida Zalik. Community Legal Education Ontario (CLEO). August 2005. [www.cleonet.ca/instance.php?instance\\_id=1235](http://www.cleonet.ca/instance.php?instance_id=1235)

17 "Review of Languages Other Than English Public Legal Education and Information Materials." [Prepared] for Legal Services Society. Jason Lee. August 28, 2006.

See also "PLEI Conference for Community and Family Support Workers Tuesday March 28, 2006 – Wednesday, March 29, 2006: Evaluation." [Legal Services Society — PICL Department.] [2006.]

### How useful to your clients are the following methods of delivering PLEI?

Delivery options	Not at all useful	Not very useful	Somewhat useful	Quite useful	Very useful
Printed materials	1%	0%	15%	25%	59%
Websites	1%	7%	32%	20%	40%
LawLINE	4%	12%	32%	25%	28%
Videos	8%	13%	25%	21%	32%
Community radio	3%	6%	24%	28%	40%
Community newspapers	3%	1%	19%	26%	50%
Community TV	3%	3%	20%	29%	45%
ESL programs	0%	4%	19%	29%	47%

### Please tell us what you think is the most effective way to present legal information

Method	For you	For your clients
Print	27	37
Workshops	32	19
One-on-one	4	12
Web	30	2
Media	1	20
Video	4	8
Other	5	6

To summarize:

- Printed material remains one of the best ways to relay legal information.
- Where the legal information is available in print, it still needs to be more contextually relayed through other mechanisms, such as through the LOTE intermediaries themselves.
- Media outreach can be effective in the more established communities, such as the Chinese and South Asian communities, with newspapers and TV being the media most often identified as useful. The same is not true for the smaller communities, such as Arab communities, which do not have comparable media outlets.
- While using the media is a good way to relay legal information, there is the question of how much context it is possible to convey in a given medium.
- Intermediaries see LawLINE as a useful resource. The new telephone number created specifically for them should increase the use of this service; however, it does not address the difficulties that clients may have in getting through.
- While PLEI materials are already available in Chinese, Farsi, French, Punjabi, Spanish, and Vietnamese, the present need is for translation into Tagalog, and, if possible, Eastern European and African languages.

The challenge for PICL is to find more effective distribution and promotion methods so that LSS publications in languages other than English are more accessible to both intermediaries and clients.

### What we would like to know about this audience

We do know something about how English speakers use our websites. We don't know to what extent the Internet is used by British Columbians who speak languages other than English or French, or whether they use it to resolve legal issues.



“Review of Languages Other Than English Public Legal Education and Information Materials.” [Prepared] for Legal Services Society. Jason Lee. August 28, 2006.

“Linguistic Access Report.” Community Legal Education Ontario (CLEO). Yedida Zalik. August, 2005.  
[www.cleonet.ca/instance.php?instance\\_id=1235](http://www.cleonet.ca/instance.php?instance_id=1235)

### Reaching Aboriginal communities

Aboriginal people in BC are diverse culturally, geographically, and historically. The poverty law problems of Aboriginal people are often complicated by their Indian status — or lack of it. In addition, they face significant discrimination in employment, education, and housing. While a high proportion of Aboriginal people live on low incomes, we know that they are not accessing our information and advice services at the same rate as other client groups. The challenge for PICL is to find the most effective ways to work in partnership with both urban and rural Aboriginal communities in order to reach these populations throughout the province.

LSS lost its Native Programs Department in 2002. Since then, PICL has attempted to incorporate Aboriginal issues into its regional and provincial conferences, and we have devoted a conference specifically to the issue of increasing the knowledge and skills of community advocates who help Aboriginal people deal with their legal problems.

PICL produced a guide titled *Aboriginal People and the Law in British Columbia* for lay users who are intermediaries in the community. A previous publication, the *Aboriginal Poverty Law Manual*, was written mainly for community advocates with legal training and for poverty law lawyers.

The PICL Aboriginal Law Conference (June 2006)<sup>18</sup> yielded valuable feedback from 56 Aboriginal community advocates across BC regarding their and their clients' use of public legal education and information resources and services.

### What we have learned

Key information learned from recent research and consultations include these insights:

- One-on-one is the most important way for intermediaries to provide information to their Aboriginal clients.
- Print materials are the most effective way to present information to the intermediaries.
- Family law is the area of of greatest concern.
- Intermediaries need succinct information packages to give to clients.
- Intermediaries require training and back-up to provide effective service.

<sup>18</sup> See “Aboriginal Law Conference: Provincial Training for Community Workers, June 6, 7, and 8, 2006 — Final Report.” (Legal Services Society and Law Foundation of British Columbia.) [Prepared for Legal Services Society. Fran Auckland and Carol McEown.] 2006.

The following charts, based on questionnaire results of the aforementioned June 2006 Aboriginal Law Conference, provide insight into service delivery methods.

**How useful, to your clients, are the following methods of delivering PLEI?**

<b>Delivery options</b>	<b>Not at all useful</b>	<b>Not very useful</b>	<b>Somewhat useful</b>	<b>Quite useful</b>	<b>Very useful</b>	<b>No comment</b>
<b>Printed materials</b>	0	4	14	20	17	1
<b>Websites</b>	1	11	19	11	13	1
<b>LawLINE</b>	2	6	18	22	6	2
<b>Videos</b>	3	10	21	13	7	2
<b>Community radio</b>	12	14	16	8	0	6
<b>Community newspapers</b>	10	6	22	12	3	3
<b>Community TV</b>	12	7	16	14	3	4
<b>Job readiness programs</b>	10	6	12	7	5	16

**Please tell us what you think is the most effective way to present legal information:**

Method	For you	For your clients
Print	20	11
Web	12	2
One-on-one	7	21
Workshops	6	1
Visually	4	11
No comment	5	8

**Do your clients use the Internet to find legal information?**

19 respondents said yes.  
 14 respondents said no.  
 19 respondents didn't know.  
 4 respondents did not answer the question.

**What are the four most pressing concerns in your community?**

53 respondents provided 172 answers, one-third of which were under the heading of family law issues.

LSS commissioned a report to better understand what level of legal service is reaching the Aboriginal and Métis peoples living in northern British Columbia.<sup>19</sup> The report finds that Aboriginal people in the north are uncomfortable with seeking help from non-Aboriginal agencies because, most of the time, they find that non-Aboriginal people in those positions are not sensitive to or aware of Aboriginal history and culture, or these service providers do not fully understand their unique legal needs.

<sup>19</sup> "Struggle for Justice: Northern BC Aboriginal Needs Assessment Report." [Prepared for Legal Services Society.] Linda D. Locke, Upper Skeena Counselling and Legal Assistance Society. May 2005. [Internal document]

The draft of specific recommendations to address this situation includes some that relate particularly to PLEI. They are as follows:

- Aboriginal-specific programming could include an Aboriginal-specific LawLINE and LawLINK, along with the development of special legal information packages. Non-lawyer staff could be made available to help clients access the website and to assist in locating, downloading, and completing forms and other materials.
- Existing publications and self-help materials could be enhanced and packaged to provide all Aboriginal and Métis peoples with information related to family, criminal, and, particularly, civil and poverty law matters.
- Adequate funding would provide opportunities for the Aboriginal-specific centres to define, confirm, and move forward on their vision of providing clients with expanded access to justice.
- An annual, provincial, Aboriginal-specific law conference could cover the kinds of topics addressed in the *Aboriginal People and the Law in British Columbia* guide and other publications.



“Struggle for Justice: Northern BC Aboriginal Needs Assessment Report.” [Prepared for Legal Services Society.] Linda D. Locke, Upper Skeena Counselling and Legal Assistance Society. May 2005. [Internal document]

Part of the current PICL action plan (see Appendix C) is to develop a strategy to deliver more effective legal aid services to Aboriginal people. The Aboriginal legal needs study gives us an excellent opportunity to work with community representatives to meet this goal.

## Service delivery strategies

### Using plain language

Plain language is one strategy that PLE has explored and implemented (and, in many ways, pioneered in BC in the eighties). The PLE approach to plain language focuses on the individual’s needs as he or she looks for legal information. It means writing with the reader’s voice and from his or her point of view; it also includes paying attention to language and format that can improve the usability and accessibility of the information. Writing with these considerations in mind is of great help to people who are literate and who can navigate within a bureaucratic model. At its best, plain language ensures that readers are able to understand what the document is saying and what they have to do.

### Considering specific audiences

For many people with low incomes, plain language publications aren't enough. They don't have the skills to deal with the everyday demands of reading long documents and require someone to help them. (From our intake statistics, we know that 66 percent of people applying for criminal legal aid services and 63 percent of our child apprehension clients have not graduated from high school. Family law clients have higher levels of education, with only 41 percent having less than a high school education.)

The legal system assumes knowledge of the dominant culture. This means that we need to provide a basic description of how the legal system and the administration of justice work. It means making sense of who the players are and what they can do. It means telling people how to act and react as they work their way through the system.

Our plain language approach has an advocacy focus. It tries to take into account the consequences of negative experiences. People such as youth, the elderly, Aboriginal people, members of visible minorities, and immigrant women may think the system treats "average" Canadians fairly, but they don't feel included among average Canadians. Aboriginal people have been identified as being the most alienated by and excluded from the system.

The approach also keeps in mind the adage that "who you know, counts." Friends, relatives, and social intermediaries already known to people are the most likely sources of legal information and referrals. Immigration counsellors, welfare workers, church pastors, outreach workers, educators, counsellors, members of Aboriginal organizations, and self-help groups are primary sources of legal information. Resources are developed with these groups and for them to use with people who rely on them.

### The importance of intermediaries

People with low incomes have many civil legal problems that have serious consequences if left unresolved. We know that many people with low incomes cannot find or use our existing resources without some personal assistance. With the reduction of our physical presence and our limited poverty law services, the society must depend on others to help people solve most of their legal problems:

- PICL needs the support of well-trained and well-informed intermediaries. While Internet or print resources may be effective tools for PLEI, they are at their most effective when conveyed by appropriate intermediaries.

- PICL needs to encourage community organizations to become/remain aware of legal information and basic advocacy techniques. This helps people in need to find information in a timely fashion. It also encourages the broader community to be aware of access to justice issues. In addition, it increases the society's visibility.
- PICL needs to identify organizations that are willing to help their constituents or clients to effectively use PLEI resources. It needs to assess the work required, if any, to build the organization's capacity to take on this extra task.
- PICL needs to work with other organizations engaged in the delivery of poverty law services to develop and deliver effective advocacy training programs.
- PICL needs to be engaged with other legal and information service providers to coordinate the work and make the most effective use of the total available resources.

# Chapter 4

## PLEI resources

LSS has been a PLEI provider for many years and has the expertise to produce really good materials for people with low incomes. Another document, “Core PLEI Materials for LSS,” sets the rationale for selecting a core collection of PLEI resources. The society creates resources when appropriate materials are not otherwise available. These resources support the work of LSS staff, community advocates, and other intermediaries who provide information and referral services, as well as helping our client groups.

### Essential resource materials

There are three kinds of PLEI resource materials:

**Core materials** show people with low incomes how to see their problems in the legal context so that they can identify, avoid, resolve, or find help with their legal problems. These materials include *When I’m 64, Your Welfare Rights*, and *Living Together, Living Apart*. Not only do they address our mandate, they also add to the visibility of LSS. For many people, these publications are the face of Legal Services Society.

**Self-help materials** are for people with low incomes (and their intermediaries) in situations where personal safety and security, financial security, or shelter is an issue, and the problem could become more severe if not addressed. These materials include guides on dealing with summary conviction matters, speaking to sentence, and family law matters (all produced by LSS), small claims court (produced by the Ministry of Attorney General), or filing a labour standards complaint (produced by the Employment Standards Branch).

**Training materials** are for intermediaries who provide legal information, procedural assistance, or advocacy services.

PICL and the communications officer share the responsibility for producing information about LSS services.

See Appendix F for a matrix that shows core PLEI resources and how they are used.



“Core PLEI Materials for LSS.” [Prepared for Legal Services Society by] Carol McEown. Summer 2006.

## Guiding principles for resource development

The standards for developing and distributing materials are quite strict. The information must:

- be written in clear language;
- be presented from the client's perspective; and
- have an advocacy focus.

All PLEI core resources must also meet the following guiding principles (formulated here as questions):

- Is the initiative a strategic fit? Is it consistent with LSS goals and strategies, and does it fit within the continuum of service?
- Is this a legal problem that affects the security/safety of an individual and his/her family?
- Does it help people resolve problems and access justice; does it address fairness, and/or just and equal treatment?
- Does it add to the knowledge or skills of individual clients, community advocates, or community organizations, thereby equipping them to address a specific legal issue?
- Are we the ones with the expertise (i.e., can someone else do it)?
- Does it address the needs of a low-income individual/group that we know faces the greatest challenges in accessing legal information, those groups being:
  - Aboriginal people
  - people who use languages other than English and are strongly connected to their known cultures
  - people with low literacy skills
  - people with disabilities.

## How to develop and distribute materials

PICL makes a decision about each project as to whether the material should be printed, Web-based, or both, keeping in mind the additional expense of providing items in more than one format and the costs of printing and distribution. PICL then chooses the format depending upon (a) the audience; and (b) the material's function.

- Who is the primary user? Who is the secondary user?
- What have the users told us about their preferred formats? What have they given as reasons for using either print or the Web?
- How are the users going to use this material? What are the contexts for use?

### *Examples:*

The primary audience for *When I'm 64: A Guide to Benefits and Services for People Aged 60 and Over* is seniors. Seniors have told us they prefer print, and that they like everything together in one package.

*Your Welfare Rights*, about how to apply for income assistance and what to expect, is also in print. Users have told us they want print because (a) they often don't have computer access/are not comfortable with computers, (b) they want to have the information to refer back to, and (c) it gives them credibility if they can point things out to people who deliver benefits.

Intermediaries for both groups (the secondary audience for these materials) see the print versions as being essential. In addition to confirming the issues their clients identify, they tell us they want to have something to hand out — something tangible, something that has credibility because it looks good and comes from what is perceived as a law office. Community groups report that they don't have the time or resources to find and download large PDF files for their client groups, so PDFs are not a substitute.

Where the users indicate they need print, having the material available in both print and online formats is the preferred option of intermediaries and is also supported by current research (see Chapter 5, Promising practices).

The following conclusions reflect what we have learned about the print versus Web issue:

- **Core materials** should be available in print and on the Web, and we should explore other media to cast as broad a net as possible. Information that helps clients to identify legal problems and find assistance should be available in the main languages used by people with low incomes.
- **Self-help materials** should be in print where necessary for the audience (e.g., self-help material about a criminal offence needs to be in print, whereas self-help material about doing your own divorce can be online). If they are in print, they should also be on the Web.
- **Training materials** for intermediaries may be on the Web or in print — depending on the community’s approach to learning and on the availability of computers and printers. Some print-based training materials for intermediaries were discontinued after 2002; one example is *Community Law Matters*, a newsletter for poverty law advocates. The printed newsletter was first available in 1992, at a time when many intermediaries did not have computer access. Ten years later, the intermediaries were online, and the newsletter’s purpose was filled by PovNet. The Electronic Law Library served the reference needs of a broader public and is now maintained by the BC Courthouse Library Society; LawLINK and Elan (Electronic Legal Aid Newsletter) serve the needs of our population.



*Public Legal Education and Information Resource Catalogue (BC) 2006/2007, 2nd edition.* [Produced for the BC Public Legal Education and Information (PLEI) Working Group]. Legal Services Society. 2006. [www.lss.bc.ca/assets/resources/pubs\\_p/pleairc.pdf](http://www.lss.bc.ca/assets/resources/pubs_p/pleairc.pdf)

# Chapter 5

## Promising practices

In 2005, the department collaborated with PLEI service providers across Canada to identify promising practices in the delivery of PLEI, conducted evaluations of its training programs, and contracted with Dr. Shula Klinger to carry out a literature review.<sup>20</sup>

The following is a summary of what we have learned.

### In-person support

While Internet or print resources may be effective tools for PLEI, they are at their most effective when conveyed by well-trained and well-informed intermediaries. Word of mouth and/or face-to-face support make a big difference to client outcomes. On its own, text is often insufficient to change the outcome for a client. For most users, information must be supplemented by human interaction.

#### *Examples:*

LSS places an emphasis on the role of intermediaries in the provision of PLEI; in particular, the role of community groups. The local intermediaries provide the trusted human contact.

LIOWs work with people at courthouses and in regional centres where we have a presence.

### Ongoing knowledge support

LSS provides knowledge-based services. Ongoing **knowledge support** is required to sustain both human and electronic networks. Intermediaries and clients need to receive relevant, accurate, and updated knowledge about the legal system.

#### *Example:*

LSS provides intermediaries with knowledge support. Librarian services provide ongoing knowledge support by maintaining LawLINK, providing alert services, and conducting fact-checking for information and training materials. PICL staff, including LIOWs, train intermediaries to use the tools developed to assist them.

This support is also provided directly to clients through online and print resources.

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<sup>20</sup> "PLEI in British Columbia: Literature Review." Prepared for the Legal Services Society. Shula Klinger. March 24, 2006. See Appendix G for an excerpt.

## The “and factor”

The literature suggests that promising practices are found in groups; that is, at least two forms of assistance must go hand-in-hand for a PLEI direct service to be most effective for clients. For instance, it is most effective to provide:

- a video in a clinic *and* print materials with more information — in the same location;
- online materials *and* more information online in a printable format;
- online (or other media) *and* face-to-face training (with a person from the relevant community, if possible);
- online media *and* telephone support in using the website or finding additional information; or
- initial telephone contact *and* a follow-up call from LawLINE six months later.

Online PLEI is often most successful when the client is supported by a knowledgeable user.

*Example:*

LawLINK use was shown to be higher when a kiosk was provided, when the terminal was in a courthouse, and when an LIOW was present to give assistance. More materials were printed when LIOWs and kiosks were present, showing that supported learners are more likely to succeed in their searches.<sup>21</sup>

The “and factor” is also effective when providing services to the intermediaries.

*Example:*

PovNet combines human and electronic networking. PovNet staff work with advocates to provide initial computer training, answer questions by phone and in person, and provide e-mail assistance both regionally and nationally. This in-person support combines with the electronic network, which in turn supports the advocacy work and provincial and national communication among various organizations and individuals.

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<sup>21</sup> “Evaluation of the LawLINK Project: Final Report.” [Prepared] for Legal Services Society. Focus Consultants. Revised June 7, 2005. [www.lss.bc.ca/assets/about\\_lss/Lawlink-Eval-Report.pdf](http://www.lss.bc.ca/assets/about_lss/Lawlink-Eval-Report.pdf)

### What we would like to know more about

In particular, we would like to know more about online use:

- How do individuals and families with low incomes use the Internet, and where?
- For which populations does online PLEI not work and why?

### Collaboration

Through collaboration, we can make more effective use of our resources to provide better services to the people of British Columbia.

Using a collaborative approach is a key factor to success. The nature of collaboration varies depending on the issues, region, and sectors involved. Collaborations can take place with:

- professional groups (e.g., teachers, the legal community, curriculum developers, and librarians);
- cross-sector organizations/agencies within a region; and
- user groups and trainees (e.g., people from ethnocultural communities, poverty advocates).

The literature indicates that collaborations have been successful in rural PLEI, and this has ramifications for working with non-urban Aboriginal communities. Promising practices for rural PLEI included:

- building rapport with service providers,
- identifying potential leaders in the area,
- working with the community rather than imposing a project on its members,
- consulting rural agencies about content and posting it in the right places, and
- incorporating potentially contentious information (such as family violence) into non-threatening events.

### Collaborating on resource development

Collaboration is built into the PICL development process for resources. One example of this approach was the process for developing fact sheets for use by immigrant communities. PICL addressed the need to use communications and fieldwork with the community before, during, and after the production of fact

sheets. Underlying this engagement was the practice of basing publications on the needs, language, and concerns of the community.

### **Collaborating on service delivery**

The community partnerships PICL initiated are another example of a collaborative approach with groups and organizations that have provincial networks. PLEI can be integrated into the ongoing work of education and information services, as well as community-based social and health services. When we team up with these groups and organizations and they reach out through their networks to their clients, PLEI is able to reach deeply into communities.

PICL has developed partnerships with the following:

- **BC Courthouse Library Society and BC Library Services Branch of the Ministry of Education:** We know that people turn to their public libraries for legal information. Often the local library is the first stop on the journey to resolve a legal problem (or avoid/prevent it). By working with the library systems, PICL can reach people with legal problems in a highly accessible and non-threatening environment.
- **PovNet:** LSS originally co-sponsored this anti-poverty electronic network and has provided support throughout its history. PovNet is widely used by anti-poverty advocates across BC.

PICL is working on developing community partnerships with settlement agencies in order to reach into immigrant communities.

The department has a long history of working with the Victim Services Division of the Ministry of Solicitor General and Public Safety. It is now developing a community partnership with provincial organizations representing agencies working with victims of family violence.

PICL is also working on identifying partners in the Aboriginal/First Nations communities and on developing strategies for collaboration with them.

### **What we would like to know more about**

We need to formally assess the different partnership models to see if they are working and producing the expected results.

## Good adult learning techniques

To be successful in our goals, we have to create resources that enable our audiences to learn something. As learners, PLEI clients are geographically dispersed across the province; they do not gather in one space to learn the same material at the same time under the guidance of a single instructor. They are coming to this material and these services out of personal need, to solve a multitude of immediate problems. PLEI reaches its clients via a wide range of intermediaries who may be found in libraries, community centres, cultural centres, and other local organizations.

A key factor for success is the use of good adult learning techniques that allow knowledge to be transferred and skills to be acquired or enhanced. This requires needs assessment; involvement before, during, and after the project; engagement of learners; and using a “training the trainers” approach with intermediaries.

### *Example:*

The development and implementation of the family law website included all of these phases and took the journey of the user into account. It is organized from the point of view of a user who is unfamiliar with the documentary process or with legal terminology, providing step-by-step directions for what to do with the information and where to find more help. The site is supported by intermediary training, evaluation, and ongoing feedback.

## What we would like to know more about

We need to know exactly what skills LSS staff and other intermediaries need in order to effectively deliver public legal information and education services. The society is conducting a study to identify the required skills and knowledge; using that, we will create a core curriculum to assist us in training PLEI service providers.

## High-quality products

In its publications, conferences, and training programs, PICL has the capacity to provide:

- an interactive planning and testing process for publications, while keeping publications current, accurate, and reliable;
- accurate and appropriate legal content and review;
- strong speakers who are able to communicate directly;
- an interactive learning process;
- key resources (through ongoing knowledge support);
- scheduling that is appropriate for the intended community; and
- appropriate, in-community support.

# Conclusion

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The recommendations in this report are not dramatic; they are simply fine tuning meant to ensure that LSS continues to excel in our PLEI work and respond to the challenges and opportunities found in helping people access justice. We should continue to listen to the advocates serving clients in the community: these connections are crucial to the effective delivery of our services. Making the best use of limited resources through on-going partnerships with community groups and with key institutions in the legal community will further our success. Our publications and the Family Law in BC website are important parts of our link with the community and a positive, well-known part of our image in the public eye, so we must continue to foster them. We should keep harnessing the power of the Internet as it grows, keeping abreast of usage patterns as our clients' use of technology to access information evolves.

We know there are people in need of legal information who aren't taking full advantage of our services. We need to continually monitor the diversity of needs within our client groups and evaluate how best to respond to them. Some of the recommendations in this report address this issue. Having staff members who are known and respected by under-served communities is an essential component for success.

The Aboriginal Legal Needs Assessment gives us an excellent opportunity to build new partnerships that are respectful of differences and focused on a common goal — to identify not only new programs but also adapt existing approaches to better meet community needs. We have learned from experience that collaboration takes time, that respect and personal and organizational commitment do make a difference.

The secret of our success has been that we deliver what the community and the clients want. We could not have achieved this without our dedicated team of core staff members, who hold the expertise and the values required to deliver excellence.

## Integrating PLEI into legal aid delivery in BC: A brief history

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- In 1974, the Justice Development Commission created the Delivery of Legal Services Project to examine “the best means of improving the delivery of legal services to disadvantaged people in the province.” A report Peter Leask wrote concluded that community or neighborhood law offices should be considered an effective model of how to meet the needs of poor people, when used in conjunction with a legal aid model. The Justice Development Commission also looked at the role of public legal education in improving access to the law and developing “preventive law” through community education.
- In August 1975, the Legal Services Commission Act was proclaimed and the Legal Services Commission was created. The purpose of the Legal Services Commission was to ensure that legal services were effectively provided to the people of British Columbia, with special emphasis on those people to whom services were not presently available for financial or other reasons. It defined legal services as including “education, advice and information in or about the law.”

Within this mandate, the Legal Services Commission created a Public Legal Education Department to fund community groups to conduct educational activities, a Native Services Program to provide support to native offices and groups, and a Legal Information Program to fund libraries and establish a Legal Resource Centre. The commission adopted the approach of funding public legal education organizations and developing legal education activities through community law offices.

- In 1978, the Legal Services Commission began an amalgamation process with the Legal Aid Society.
- In October 1979, the Legal Services Society Act created a new entity, the Legal Services Society, with a mandate to ensure that “services ordinarily provided by a lawyer are afforded to individuals who would not otherwise receive them because of financial or other reasons” and that “education, advice and information about the law are provided for the people of British Columbia.”

- With the creation of the Legal Services Society, the concept of community-based public legal education became more focused. The rationale for the provision of information was, broadly speaking, one of legal literacy: people must know they have a right or responsibility before they can exercise or assume it. They also need to know when and how to access legal services.
- While the legal education and information mandate of the Legal Services Society was for “all British Columbians,” the need to reach individuals and groups with low incomes continued to be acknowledged and emphasized.
- A review conducted in 1980 concluded that, while access to public legal education was generally available to the well-educated adult living in an urban setting, it was not as available to people who were isolated by geographical or cultural boundaries and who had unique legal needs or who were under-educated and unable to use existing materials.
- Disadvantaged groups were defined as those groups who were denied access to the law because of economic, cultural, geographical, educational, or physical barriers.
- A range of approaches were identified to reach those groups: self-help resources, community advocacy, community development, and preventive and law reform projects.

## View of integrated services

The following describes how PLEI is an essential part of the legal services delivery model.

**Stage 1:** Legal Services Society provides information and education for all people in BC through the Schools Program, PLE Program, Library Services Program, Native Programs Department, brochures, workshops, branch offices and funded agencies, public legal education and information activities.

**Stage 2:** An individual member of the public identifies his or her problem as legal in nature (as a result of Stage 1) and seeks legal services.

**Stage 3:** The individual receives a referral to the Legal Services Society or other appropriate agency from LawLine, the Legal Resource Centre, an ad in the yellow pages, intake staff in branch and funded agency offices, public libraries, community agencies, brochures, etc.

**Stage 4:** Legal Services Society staff provide problem-specific information and advice through Law Line, Legal Resource Centre, office interviews, brochures, self-help clinics, etc.

**Stage 5:** Staff or lawyers from the private bar provide self-help or representation services through self-help clinics, legal aid tariff, etc.

# Appendix B

## Snapshot of LSS services in the past

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The Legal Services Society created the Legal Information Services department, later called the Public Legal Information and Education department, with three major programs:

- Public Legal Education Program (a.k.a. Community Programs)
- Schools Program
- Library Services Program

There was also a Native Programs Branch (later Department) within LSS.

The PLEI department was a pioneer in the use of Web-based technologies to support its work, starting with the Legal Beagle (a computer network that provided information about the law to teachers and students), the development of the Electronic Law Library, and the co-sponsorship of PovNet.



For a summary of the major phases in PLEI provision from 1979 to 1992, see Chapter 4 of “Dreams of Justice: Community Groups, Legal Education and Social Change in British Columbia — A Major Paper submitted in partial fulfillment of the requirements for the degree of Master of Education, University of British Columbia.” Sidney Sawyer. 1993.

For developments in the nineties, including the introduction of a mixed model (staff and private bar lawyers providing legal aid), and the growth of poverty law, see “Mixed Service Delivery: Lessons from British Columbia — May, 1999.” Legal Services Society, British Columbia. 1999.

For a description of poverty law services, see the *Poverty Law Policies Manual*. Legal Services Society, British Columbia. 2001.

### Public Legal Education Program

The Public Legal Education Program defined its goal as being to increase and improve access to the law and to encourage public involvement in the law (to “own” it). The PLE Program aimed to do this by:

- developing and distributing materials about the law;
- providing short-term grants to community groups to design and deliver programs and produce PLE materials for their communities; and
- providing fieldworker services to community groups.

## Publications

The PLE Program developed and distributed materials on a variety of legal topics, with two different approaches. Some materials were developed for distribution to clients by staff. These materials tried to meet specific information needs of legal aid clients. Staff gave the materials to the client and they reviewed the information together. An example was a series of booklets dealing with common criminal offences. Community-based publications had a different purpose. They targeted people who lacked access to the justice system because of economic, cultural, geographic, or educational barriers. Typically, this kind of publication was developed in conjunction with a community group. The program distributed not only its own materials but also key materials from other agencies (e.g., the *Tenant Survival Guide* developed by the Tenants' Rights Action Coalition).

## Grants to community projects

Community groups were funded to develop PLE in the way they identified as being most appropriate for their audiences. The PLE Program funded groups that put on workshops for battered women, developed brochures for consumers with debt problems, produced a video on tenant law, developed information in other languages for farmworkers, wrote ESL materials, etc. LSS also gave the People's Law School a grant to produce booklets on topics geared toward disadvantaged groups and to develop its multicultural outreach program.



“Review of the Funding Program, 1993–94 Community Program [of the] Legal Services Society, including Executive Summary.” [Prepared for] Legal Services Society. Sidney Sawyer and Gayla Reid. 1994.

The PLE Program worked with community law offices and LSS branch offices that were providing direct legal services. The program actively encouraged the idea of linking PLE activities with cases, instead of providing direct client services only. The branch offices and community law offices had a portion (15%) of their budget allocated to carry out public legal education activities. The offices were the “face” of the society in communities across BC. Staff of these offices throughout BC had extensive local networks, and they provided direct PLEI themselves.

### Fieldworker services

PLE fieldworker services attempted to meet the training and other resource needs of community groups that received grants or were otherwise engaged in legal education activities. In the eighties, a multicultural worker was added to the fieldworker team.

### Using emerging technology

In the area of poverty law, the PLE Program built connections with anti-poverty groups in BC. A deep and complex set of networks was established and maintained over many years. PovNet was created in 1997 to strengthen the anti-poverty network in BC. The intent of PovNet was to provide legal information and support to advocates working throughout the province, so they can help people with low incomes resolve administrative law problems, particularly those relating to income benefits and shelter.

At LSS, the PLE Program also built extensive networks with groups working in the area of family law. The Family Law in BC website, created in 2000, offers not only information but also extensive next-step assistance, in which the emphasis is on action, rather than information or education alone.

## The Schools Program

The Schools Program aimed to provide education about the law to students in BC. It worked to ensure that law-related principles were included in curricula at all grade levels, and to provide teachers with appropriate materials and training. It did this by providing teachers with resources, including:

**Legal Perspectives:** This bi-monthly magazine provided BC teachers with current information on topical legal issues.

**Resource materials:** The Schools Program produced numerous materials for schools, such as *Mock Trials*, *A Guide to Court-Watching*, and publications on particular areas of law (e.g., the youth justice system).

**Workshops:** The program provided workshops to teachers and took part in professional development sessions. In one year, for example, they provided 22 workshops for various parts of the curriculum (Law 12, Consumer/Business education/Family management/Social Studies: grades 7–8 and 8–11).

**Liaison:** The program liaised with the Ministry of Education about the integration of law into the development of Law 12 and Social Studies, and organized and participated in a Law-Related Education Group.

Schools Program staff were also involved in the development of the original Legal Beagle, the computer network that provided information about the law to teachers and students.

By the mid-nineties, partly as a result of the Schools Program's own work, other groups had emerged that focused on legal education for schools: the Law Courts Education Society of BC (LCES) and CELS (Centre for Education, Law and Society) at Simon Fraser University. For example, LCES took over materials development and CELS took over the Legal Beagle function. The Schools Program ceased operations in the mid-nineties.

## Library Services (Legal Resource Centre)

The Legal Resource Centre (LRC) was set up to provide public legal information. Law librarians had the training and skills to:

- provide direct legal information, reference, and referral services to the public — by phone or on a walk-in basis;
- build a collection to support the delivery of PLEI;
- build capacity in the public library system to provide PLEI; and
- increase access to legal information.

### Law Line

The LRC operated the Law Line, then a legal information service, for the general public. Librarians also dealt with legal questions on site. In 1991/92, for example, they responded to 16,173 Law Line calls, an average of 11.7 calls an hour.

### Law library

The LRC maintained a law library and provided reference services for the general public and for society staff. The collection placed special emphasis on poverty law, Aboriginal law, law and people with disabilities, legal literacy, and immigration law as it affects refugees.

The LRC also maintained a circulating audiovisual library of approximately 800 items. The audiovisual collection was used extensively not only by schools but also by a range of community workers — in transition houses, sexual assault crisis centres, Aboriginal groups, and immigration groups.

### Funding for public libraries

The LRC provided funding for public libraries across BC so they could purchase legal materials. They also provided legal reference training. Their publications included a quarterly newsletter that alerted libraries to changes in legislation, new materials, and legal referral services. A focus of the grant program was to initiate the development of legal collections in small libraries across the province.

### Workshops

LRC staff provided workshops for librarians, community workers, LSS staff, and the general public. The topics depended on needs identified by participants and new legislation that was being introduced.

### Liaison

In addition, the LRC was involved in joint ventures with the BC Library Association, particularly on intellectual freedom, and with PLEAC about national standards of gathering statistics, training, and standards of service. An example of liaison work was “Access for All: Libraries, Legal Information and the Community — a Conference for Community Groups, Libraries, Information & Referral Providers, Vancouver, October 3, 1991.” This was a major conference in the early nineties that brought together librarians, community advocates, and information and referral providers. They discussed what they could do to improve access to legal information for specific groups in the community and how to seize the opportunities of the new information superhighway.



“Access for All: Libraries, Legal Information and the Community — a Conference for Community Groups, Libraries, Information & Referral Providers, Vancouver, October 3, 1991.” Legal Services Society. Legal Resource Centre. 1991.

### Emerging technology

In the nineties, the LRC developed the **Electronic Law Library** website ([www.bcpl.gov.bc.ca/ell/](http://www.bcpl.gov.bc.ca/ell/)), with extensive links to legal information.

### Native Programs Department

The Native Programs Department had a network of approximately 900 First Nations communities and organizations throughout the province. The purpose of the department was to provide legal services that were (a) accessible to Aboriginal

people and (b) designed to recognize First Nations community control of the delivery of legal services to Aboriginal people.

Native Programs worked with the Aboriginal community law offices to provide public legal education programs. Topics included jurisdictional differences in terms of how laws affect Aboriginal people on reserve, family violence and the justice system, the promotion of civil and human rights, and an understanding of Aboriginal and traditional rights.

Native community law offices developed their own public legal information programs, as did friendship centres. In addition, specific groups such as the Union of BC Indian Chiefs and the BC Native Women's Association were funded for specific projects.

Native Programs developed Aboriginal law handbooks, brochures, and booklets. Topics were those identified by the native community law offices and by Aboriginal groups, and they addressed such legal issues as separation and the family home on reserve, Aboriginal land holdings on reserve, debtor/creditor law on reserve, and the estates of status Indians.

# Appendix C

## PICL action plan

**April 1, 2006 to March 31, 2009**

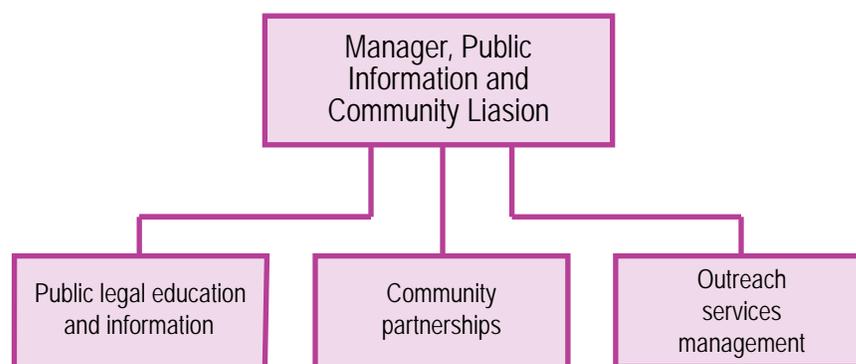
<p><b>Divisional goal:</b></p> <p>People with low incomes can access appropriate and effective legal information and application services.</p>		
<p><b>Divisional objectives:</b></p> <ul style="list-style-type: none"> <li>• Strengthen the capacity of community service providers to provide information and application services</li> <li>• Increase the accessibility of legal information services for people with low incomes</li> <li>• Increase the accessibility and cost-effectiveness of the LSS application process</li> </ul>		
Divisional strategies	Departmental activities	Performance measures
<p>1. Review the current service delivery model for public legal information and education to assess efficiency and effectiveness</p>	<p>1.1 Complete core PLEI materials review. Assess and implement recommendations.</p> <p>1.2 Assess and implement recommendations from departmental process review.</p> <p>1.3 Conduct a civil legal needs assessment.</p>	<p>1.1 Guidelines approved and used</p> <p>1.2 Assessment completed; implementation underway</p> <p>1.3 Needs assessment completed</p>
<p>2. Integrate legal information and education services with other service partners</p>	<p>2.1 In collaboration with Electronic Access, identify functions, skills, and knowledge to develop core curriculum for PLEI service providers.</p> <p>2.2 Define a model for delivering continuum of service at a community level.</p> <p>2.3 Set up partnership models for delivering PLEI services through provincial service providers (set up this year, assess impact in two years).</p>	<p>2.1 Functions, skills, and knowledge identified</p> <p>2.2 Model defined</p> <p>2.3 Partnership models set up including contracts or MOUs with three provincial groups</p>

Divisional strategies	Departmental activities	Performance measures
3. Increase the availability of LSS application and information services	3.1 Identify partnering opportunities in the development of future self-help information centers. 3.2 Target advertising/outreach to selected client groups.	3.1 Partnerships identified 3.2 Increased use by targeted audiences
4. Develop a strategy to deliver more effective legal aid services to Aboriginal/First Nations people	4.1 Conference for advocates working with First Nations on poverty law. 4.2 Identify partners at a local and provincial level who are willing to promote LSS services to First Nations communities (native court workers, media). 4.3 Undertake Phase 2 of the Aboriginal Needs Assessment study.	4.1 Conference held 4.2 Partners identified and two-year partnership strategy developed 4.3 Assessment complete
<b>Corporate performance measure</b> Client satisfaction with the accessibility of LSS services (survey every three years).		

# Appendix D

## Primary functions of PICL

PICL is responsible for the delivery of public legal education and information. The department manages LSS legal information websites and library services; develops, promotes, and distributes core PLEI materials; identifies and builds partnerships with community organizations; and collaborates with other PLEI and justice service providers to coordinate and deliver justice services.



### Primary functions

#### 1. **Public legal education and information**

PICL is responsible for the society's library services, which include collections, reference, and alerting services, and LawLINK content. Publishing staff are responsible for the development and maintenance of several websites, including LSS, Family Law in BC, and LawLINK, in collaboration with project sponsors. They are also responsible for publishing duties for LSS including print coordination, editing, design, and distribution services. Fieldworkers within the department coordinate the development of the content for core PLEI materials in English and other languages, and develop promotion and distribution plans. Publishing produces and maintains print and online materials. LIOWs help clients use online resources at the kiosks in courthouses and/or regional centres.

#### 2. **Community partnerships**

Fieldworkers identify and build partnerships with community groups (e.g., public library systems) who are interested, willing, and able to help our client groups access and use PLEI resources to resolve their legal problems. They

identify and support intermediaries through funding (e.g., PovNet), training (e.g., advocate conferences), and materials (e.g., *Aboriginal People and the Law in British Columbia*) to provide procedural assistance or advocacy services to people with low incomes. PICL also collaborates with other PLEI and justice service providers to coordinate and deliver justice services.

3. **Outreach services management**

PICL manages the work of the legal information outreach workers (LIOWs). Community liaison work includes outreach, promotion, and workshops carried out by LIOWs at the regional centres, PLEI project and partnership development; and regional and provincial training conferences organized by fieldworkers based in the Vancouver Regional Centre.

# Appendix F

## Core PLE materials in June 2002

<b>Aboriginal Law</b>	<b>Family Law (cont'd)</b>
Human Rights, My Rights	Speaking of Abuse (Russian)
Planning A Will for Residents on Reserve Lands	Speaking of Abuse (Spanish)
Speaking of Abuse	Speaking of Abuse (Vietnamese)
Rights and Benefits for First Nations People	Sponsorship Breakdown (English) (+ poster)
<b>Criminal Law</b>	Sponsorship Breakdown (Chinese)
If You Are Charged with a Crime	Sponsorship Breakdown (Korean)
If You Can't Pay Your Fine On Time	Sponsorship Breakdown (Punjabi)
Representing Yourself in a Criminal Trial	Sponsorship Breakdown (Spanish)
Summary Offences: Assault	Sponsorship Breakdown (Vietnamese)
Summary Offences: Drinking and Drinking	<b>Poverty Law</b>
Summary Offences: Mischief	Benefits and Services for Seniors (English) (+ promo)
Summary Offences: Possession of a Narcotic	Benefits and Services for Seniors (Chinese)
Summary Offences: Possession of Property/Crime	Benefits and Services for Seniors (Farsi)
Summary Offences: Theft Under \$5,000	Benefits and Services for Seniors (Japanese)
Speaking to the Judge Before You Are Sentenced	Benefits and Services for Seniors (Korean)
Brydges poster	Benefits and Services for Seniors (Punjabi)
<b>Family Law</b>	Benefits and Services for Seniors (Spanish)
If Your Marriage Breaks Up	Can't Pay Your Mortgage
Living Common-Law	Welfare Fact Sheets x 6 sheets
Parents' Rights, Kids' Rights	When I'm 64 (+ poster)
Speaking of Abuse (English) (+ promo)	<b>Administrative</b>
Speaking of Abuse (Chinese)	Guidelines for Legal Aid
Speaking of Abuse (Farsi)	Legal Aid brochure
Speaking of Abuse (French)	LSS poster
Speaking of Abuse (Punjabi)	LSS bookmark
	LSS sticky

# Appendix F

## Core PLE materials in June 2006

Title or subject matter	Primary user	Vehicle	Comments
<b>Criminal</b>			
How to Appeal Your Conviction	clients & registry staff	print	Users often lack access to Internet
How to Appeal Your Sentence	clients & registry staff	print	Strong support from Court for these
If You Are Charged with a Crime	clients	print, PDF online	Distributed at courts and government agents — recommend translation
If You Can't Pay Your Court Fine on Time	clients	print, PDF online	Distributed at courts and government agents — recommend translation
Speaking to the Judge Before You Are Sentenced	clients	print, PDF online	Distributed at courts and government agents — recommend translation
No Contact Orders Explained	clients	print, PDF online	Distributed by intake staff & court workers
Representing Yourself in a Criminal Trial	clients	print, PDF online	Distributed by intake staff & court workers
What to Do If You Are Charged with ... fact sheets (x6)	clients	print, PDF online	Distributed by intake staff & court workers
Consequences of a Youth Record	parents/kids	print, PDF online	EXTERNAL: produced by People's Law School
<b>Employment</b>			
A Guide to the Employment Standards Act	clients & intermediaries	Web, PDF online	EXT: Employment Standards Branch
Injured Workers	clients & advocates	Web	EXT: Workers' advocates and PovNet
Farmworkers Handbook	clients & advocates	print	EXT: LSS contract with PICS — no other material available

Title or subject matter	Primary user	Vehicle	Comments
<b>Family</b>			
Family Law in British Columbia website	clients, intermediaries, and advocates	Web	Back up for all unbundled services in family law
Provincial/Supreme Court self-help guides (on the Family Law in BC website, x17)	clients, intermediaries, and advocates	Web	Self-help guides too expensive to print
For the Sake of Our Children	Aboriginal community	video, video online	Video works best for subject matter; revision planned
Making Your Case: The Family Court Process	clients	video, video online	Video works best for subject matter
Family Matters in Supreme Court: Judicial Case Conferences and Chambers Hearings	clients	video, video online	Video works best for subject matter
If Your Child Is Taken by the Ministry for Children and Family Development	clients	print, PDF online	Recommend adaptation for Aboriginal and immigrant communities
Parents' Rights, Kids' Rights	clients & intermediaries	print, PDF online	Distributed through courts and GA
Living Together, Living Apart (LOTE)	clients & intermediaries	print, PDF online	Replaces <i>If Your Marriage Breaks Up</i> and <i>Living Common-Law</i>
Sponsorship Breakdown (LOTE)	immigrants	print, PDF online	Print under review
Legal Information for Battered Women fact sheets (LOTE, x5)	clients	print, PDF online	Hope to include subject in new publication
For Your Protection: Peace Bonds and Restraining Orders (LOTE)	clients	print, PDF online	Co-production: Informed Solicitor General of our inability to partner on this initiative in this fiscal year. Major rewrite required.
Speaking of Abuse: Violence Against Women in Relationships (LOTE)	clients & intermediaries	print, PDF online	(Above note also applies to this publication.)

Title or subject matter	Primary user	Vehicle	Comments
<b>Housing</b>			
The Tenant Survival Guide (LOTE)	clients & info providers	print, Web, PDF online	EXT: produced by TRAC
Can't Pay Your Mortgage? What You Can Do if You're Facing Foreclosure	clients & info providers	print, PDF online	Print copies available at registries and Supreme Court Self-Help Information Centre
<b>Human rights</b>			
Human Rights, My Rights: A Handbook for Aboriginal People	Aboriginal community		Possible revision
Human Rights, Your Rights to Know	general audience	print, PDF online	EXT: BC Human Rights Coalition
<b>Immigration &amp; refugee</b>			
Immigration and refugee fact sheet series (LOTE, x6)	intermediaries	print, PDF online	Print & format under review
<b>Income security</b>			
Welfare fact sheets (English only)	clients & advocates	print, PDF online	Partly EXT: PovNet & LSS
Welfare fact sheets (LOTE)	immigrants	print, PDF online	Format under review
Your Welfare Rights: A User's Guide to BC Employment and Assistance	clients & info providers	print, PDF online	Primary audience not Internet users
Rights and Benefits for First Nations People	Aboriginal community	print, PDF online	Under review; primary audience not Internet users
Social Assistance on Reserve in British Columbia	Aboriginal community	print, PDF online	Primary audience not internet users
Disability Benefits Help Sheets	clients & advocates	print, PDF online	EXT: BC Coalition of People with Disabilities

Title or subject matter	Primary user	Vehicle	Comments
<b>Seniors</b>			
Benefits and Services for Seniors (LOTE)	immigrants	print, PDF online	Translate (English + 7 languages)
When I'm 64: A Guide to Benefits and Services for People Aged 60 and Over	clients & info providers	print, PDF online	Primary audience not Internet users
Publications on the subject of guardianship agreements, living wills, abuse, etc.	seniors & info providers	print	EXT: People's Law School, BC Coalition to Eliminate Abuse of Seniors, Community Response Networks, Ministry of Attorney General, Public Trustee
<b>Small Claims Court</b>			
Self-help guides	court users	Web	EXT: Court Services, the Law Centre
<b>Supreme Court</b>			
Supreme Court information and guides	lay litigants	Web	EXT: Focus on civil law procedures
<b>Wills and estates</b>			
How to Make a Will and Settle an Estate: A Guide for First Nations People Living on Reserve	Aboriginal community	print, PDF online	No other client-based information available

Title or subject matter	Primary user	Vehicle	Comments
<b>Guides &amp; training materials</b>			
Aboriginal People and the Law in British Columbia	intermediaries	print, PDF online	Quick reference for community advocates, print required for many users
LawLINK	clients plus	Web	Quick reference for new Web users
Using LSS Online Resources	intermediaries	print, e-file	Intermediary training package
Reaching Your Readers: A Fieldtesting Guide for Community Groups	intermediaries	PDF online	Intermediary training package
Public Legal Education and Information Resource Catalogue (BC)	intermediaries	print, PDF online	PLEI Working Group external funds
Consumer Law and Credit/Debt Law: A Guide for British Columbia	intermediaries	print, PDF online	Quick reference for advocates
Advocacy training materials	intermediaries	print, Web	Partly EXT (PICL and PovNet): Print for conferences, Web-based PovNet U
<b>Newsletters/Periodicals</b>			
Elan	community groups	e-newsletter, Web	Monthly (except August & December)

## PLEI in British Columbia: Literature Review (excerpt)

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Prepared for the Legal Services Society

Dr. Shula Klinger

March 24, 2006

Millions of people turn to public legal education agencies each year for assistance in understanding some aspect of Canada's justice systems. The availability of PLE communicates a strong message about our commitment to making our justice system open, responsive, and accessible.

*Gander (2003a, p. 8)*

Despite the seeming dominance of the written word in our society, oral culture dominates in the area of information seeking. Research has consistently found that people turn to other people as their first preference when they have an information need. This is equally true of highly educated professionals as it is of the urban poor.

*Scott (1999, p. 2)*

### Introduction and rationale

This literature review has been drafted in response to two questions about PLEI client groups:

1. What do we know about how client groups learn?
2. Which methods should we adopt to reach as many of them as possible?

In this document, PLEI is used to describe information or services that allow people to use the law for their own benefit. Thus, while the focus here is ostensibly on PLEI texts and services, the bigger question is about action. It is about the likelihood of action being taken by the client, on his or her own behalf, based on the information provided by PLEI staff, colleagues, and resources. The Legal Services Society serves people with low incomes who need to resolve legal problems alone; it also facilitates their access to justice.

The needs of PLEI clientele are both specific and diverse. As learners, they are geographically dispersed across the province; they do not gather in one space to

learn the same material at the same time, under the guidance of a single mentor or instructor. They are coming to this material and these services out of personal need, to solve a multitude of immediate problems. They are not learning about a subject for its own sake, for academic credit, or to gain entrance to a school or university.

Likewise, PLEI reaches its audience via a wide range of individuals in different occupations. Advocates and intermediaries do not conform to a single profile or “type.” Intermediaries may be accessed in libraries, community centres, cultural centres and other local organisations. Intermediaries may be teachers, social service and health workers, and staff in information and referral agencies.

The resources examined in this document were provided by the Legal Services Society. They include internal reports on LSS activities, reports by university researchers and publications — including websites — by PLEI colleagues in other provinces and countries. Promising practices in PLEI are summarized, with a focus on innovations and positive outcomes rather than challenges and obstacles. Where challenges are written up in detail, it is in the context of finding alternatives. The report closes with questions for further research.

## Assumptions

This document considers the PLEI needs of people with low incomes. While these adults may be independent, self-directed learners, their needs may also be considerable. This is certainly the case for clientele who have chosen to represent themselves in court (Gander, 2003). Even when clients are fluent English speakers, they are not always conversant with the legal system and may require one or more advocates to guide them through a complex process.

However, many members of this population struggle to read legal material. When a person faces this kind of challenge, they may feel intimidated, ashamed, and embarrassed. Legal problems can also make a person feel stressed and in a state of crisis. Stress affects a person’s ability to process new information and the feeling of urgency may be overwhelming (Zalik, 2005; *Needs Assessment — Literacy; LawLINK Evaluation*). Clearly, this client group needs more than just pertinent information to resolve legal problems: attention must be paid to the person’s sense of self-worth, confidence, and ability to trust the legal system. Finally, “the learner” is not a single person with a single set of needs, at all times. Over time, their emotional state alters, which means that PLEI producers need to accommodate a series of changing needs, even for individual clients (McDonald [2004] in Zalik [2005, p.19]). In sum, we cannot assume that legal decision-making is a set of protocols that can simply be followed.

LSS' mandate is to “assist low income individuals to resolve their legal problems and facilitate access to justice for low income individuals.”<sup>1</sup> Under section 11 (1), the society may provide legal aid by any method that it considers appropriate, including (c) by assisting individuals representing themselves, including by providing them with summary advice, information packages, self-help kits, and assistance in preparing documents, or (e) by providing public legal education and information 11(3). In determining the method, if any, by which legal aid is to be provided in any circumstance, the society must have regard to the costs involved, the needs of the person or persons involved and the society's financial resources.

Having used “low income” as a defining feature of the target population for PLEI, it is important to remember that income is only one aspect of a person's being. It tells us what a person may earn or own, but it tells us nothing about their perceived standard of living, quality of life, or their ability and willingness to resolve their legal problems. As well, one size cannot fit all. The society needs to consider the needs of the person or persons involved, as well as their capacity to resolve legal problems. People who are consistently over-represented in the lower income population, and/or are identified as otherwise disadvantaged include Aboriginal people, people with physical or mental disabilities, recent immigrants, seniors, visible minorities, women, and youth. In writing this review of the literature, I have tried to bear this in mind. I hope that this effort shows in the use of additional background information and geographical or other context, wherever this information has been available.

## Conclusion

As Gander (2003a) observes, there is now a small but growing body of Canadian research into the effectiveness of current PLEI. She describes three main types of research: conceptual and historical analyses of PLEI; needs assessments; program evaluations. These types of research have described where we are and how we got here; they tell us how far current programs are meeting their goals; they also respond to clients' needs by determining the kinds of information and service they require.

The data show that the audience for PLEI materials is diverse, with many different linguistic and cultural approaches to information; furthermore, their

<sup>1</sup> [Editor's note: URL originally cited here has changed to [www.lss.bc.ca/about\\_lss/lss\\_act.asp](http://www.lss.bc.ca/about_lss/lss_act.asp)]; Part 2 objects 9 (1) (a) Legal Services Society Act.

approach to reading and learning may differ over time. We have also seen that there have been many productive collaborations in recent years, especially when they are grounded in the communities they serve. These include partnerships across sectors and projects that draw upon the expertise of current PLEI personnel.

We know that print materials are a vital part of the PLEI process and that they are highly regarded by all populations: whether this is print advertising or posters directed at youth, or directories found by the telephones in seniors' homes. We know that it makes a difference if materials include photographs of community members; however, we also know that the senior population is less concerned with layout than accurate content (McKenzie, 2005). For all populations, wide circulation is essential, as is the availability of print materials in accessible, safe public places that are visited regularly. Where materials are offered in languages other than English, the literature has shown that "translation" has a range of meanings; this range includes full translation, using legal terms in a second language; it also includes abbreviated versions of the original document in English; it also includes abbreviated versions with selected terms in English, as well as in another language.

The literature also shows that telephone services have enjoyed a great deal of success, meeting clients' needs for both advice and information. While wait times are felt to be too long in some cases, the emotional impact of phone conversations was extremely positive. Callers said that, after making contact with LawLINE, they felt more in control of their lives and more able to take appropriate action. Radio and television commercials have also been shown to be effective if repeated airplay is possible, at appropriate times in the broadcasting schedule.

The Internet can be a valuable tool for sharing information with experienced computer users who are conducting research on their own. When used in public places, the support of a trained intermediary is a significant impact on client outcomes. Users with access to computers at home and at work, after hours, also benefit from Internet publications. This is especially true for users who are accustomed to dealing with bureaucracies via the Internet. A key promising practice for online PLEI is found in Scott (1999), who considers that successful technology networks are inextricably linked to the human beings that inhabit them. Rather than simply using the Internet to bring information to people, she talks about the need "to use the communications abilities of the Internet to link people with other people." (p. 3).

From the literature to date, we may conclude that promising practices are found in groups; that is, at least two conditions must be met for the material to be effective:

- A video in a clinic *and* print materials with more information, in the same location
- Online materials *and* more information, on a website, in a printable format
- Online (or other media) *and* face-to-face training (with a person from the relevant community, if possible)
- Online media *and* telephone support in using the website or finding additional information
- Initial telephone contact *and* follow-up call from LawLINE, six months later

However, there are still significant gaps in the research, both in terms of the media explored and the methodologies applied. Also, while the field of HCI (Human-Computer Interaction) is beginning to consider the impact of language and culture on individuals' use of the Internet, this research is in its infancy and has yet to be integrated into PLEI practice. At this stage, little is known about Internet use by either low-income individuals or populations whose first language is neither English nor French.

### **For the future: Opportunities and questions**

At this stage, the Internet cannot be counted on as the venue for all PLEI. While it is true that costs for online publishing ventures may be lower than for print, there is often a greater likelihood that print will actually reach its audience. The Internet is therefore an attractive option for populations with reliable access to computers and the Internet, but this access cannot be taken for granted.

In May 2005, Reid asked, "What makes portals work well? Who uses them?" The advantages of the portal method for PLEI are quite apparent but again, this is only one form of online PLEI. More quantitative data are needed before a reliable development process can be established for the portal. Such a process would need to integrate what is known about (a) PLEI consumers: their levels of literacy in all languages and their approach to learning, in various media, (b) the channels by which information is disseminated and used by these various populations, and (c) the theory and practice of instructional design. This means treating online PLEI as instructional material rather than as information or a tool that is passed back and forth. This reflects Cassidy and Pitsula's (2005) concern that

the orientation of PLEI producers is towards the educational journey of the user, rather than on the stages in content development and dissemination of facts (p. 3).

In addition, while government census information shows which languages are being spoken, no reports are available about the experience of an individual, in any language group, as they work their way through the legal process. Longitudinal, qualitative studies about individual clients' experiences within the legal system would be extremely valuable. As well as determining the kind of information an individual needs, this information would help PLEIWG members to establish a process over time. This is vital, since we know that a client's needs change, from the moment of recognition that a legal problem may exist, through the state of crisis, to an acceptance of the situation and the understanding that some action must be taken. This kind of information would give PLEIWG members the means to develop a truly interactive, client-centred online resource that reflects the concerns and needs of the individual, while taking into account their emotional and psychological state. The LawLINK Evaluation supports this notion of step-by-step orientation to PLEI; the challenge is one of educational method, as much as it is about information design: "Several LIOWs, service providers and duty counsel stated that capacity for self-help is dependent on the service provider breaking tasks into a series of steps to build the client's confidence and make each step manageable." (p. 31)

In summary, then, while considerable progress is being made in the field of PLEI research, a number of key questions remain. These questions may be summarized as follows:

- For which populations does online PLEI not work and why? How do low-income individuals and families use the Internet, and where?
- Should LawLINK be expanded, based on the assumption that users have help in navigating it?
- Is the decision to provide the most basic level of information in languages other than English a financial decision or an educational one?
- What is the responsibility of the dominant culture to promote ongoing dialogue about cultural meanings of justice?
- Should PLEI producers focus attention on educating and informing intermediaries?
- Could an online forum improve access to justice, by reaching out to clients and intermediaries? Could LSS create an online space that offers opportunities for networking, information sharing, and peer mentoring? What would be the desired outcomes of this network, and over what period of time?

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# Appendix H

## Promising Practices in Public Legal Education and Information (excerpt)

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by Nancy Hannum  
March 2006

### Conclusion\*

These 18 case studies indicate significant agreement among PLEI practitioners about the effectiveness of a collaborative approach to public legal education. Key to the promising practices are an initial engagement with the target community and a collaborative approach to project planning and implementation. Case studies often identified a particular catalyst — a creative factor — that made a PLEI initiative work. This catalyst was the interaction of those involved in the project. If this interaction is working well, energy and ideas are used to problem-solve and develop relevant, integrated, and active public legal education programs and services that meet real needs and that can often be sustained over the long term. What follows is a summary of the promising practices suggested by these case studies.

1. Using a **collaborative approach** was identified as a key factor in all the case studies. The nature of collaboration varied depending on the issues, region, and sectors involved. Collaborations took place with:
  - professional groups (e.g., teachers, the legal community, curriculum developers, and librarians),
  - cross-sector organizations/agencies within a region, and
  - user groups and trainees (e.g., people from ethnocultural communities, poverty advocates).

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\* *Editor's note:* This conclusion is part of a summary prepared for the Legal Services Society by Nancy Hannum in March 2006 using select case studies taken from the conference "Access to Justice: Sharing Our Stories," held by Public Legal Education Association of Canada (PLEAC) in Saskatoon from June 22–24, 2005. The summary was based on the document that LSS produced for that conference from attendee's submissions, entitled "Promising Practices and Unintended Consequences: Valuing Our Knowledge."

Case studies identified collaboration as:

- the source of creative energy within a project,
- the basis for establishing long-term working relationships across sectors and between PLEI providers and PLEI users, and
- ensuring long-term integration and sustainability of PLEI.

Success factors for supporting a collaborative approach included the following:

- Recruiting experienced members of appropriate communities for planning committees in order to engage and involve them
- Having a process for identifying a variety of interests and key partners
- Cross-sector communication
- Finding natural links with other people/groups interested in social justice or social change
- Appropriate scheduling to accommodate participants' schedules
- Tapping under-utilized resource people
- Working with people who have decision-making authority, and knowing who needs to be involved to get the work done
- Knowing and respecting others' strengths, interests, and capacities
- Recognizing that successful collaboration takes time and expertise

2. The use of **good adult-learning techniques** allowed knowledge to be transferred and skills to be acquired or enhanced. This required needs assessment; involvement before, during, and after the project; engagement of learners; and "training the trainers."

Success factors included the following:

- Good facilitators who are diplomatic and flexible
- Use of appropriate adult education techniques (pre-planning, adequate timing, good resources, and a flexible training model)
- Training programs for advocates/intermediaries focusing on skill building and substantive law so that participants can make use of these skills and knowledge

- Well-run conferences/training sessions with excellent speakers who communicate directly
- Creating training materials that participants can use to deliver further training

PLEAC conference participants felt it was important to distinguish training for advocates/intermediaries from “train the trainer” programs, since they require similar but different preparation, resources, and teaching skills. It is important to be clear on which approach, or combination of approaches, is being used.

3. **Practices** were used to create **high quality “products”** — publications, conferences, and training programs.

Success factors included:

- Strong speakers who are able to communicate directly
- An interactive learning process
- Including key resources
- Scheduling that is appropriate for the intended community
- Appropriate locations: e.g., within the legal community as an opportunity for engagement
- Recognition of volunteers
- An interactive planning and testing process for publications,
- Built-in processes to keep publications current, accurate, and reliable and alert users to changes

4. PLEI should be **integrated into the ongoing work** of education, information (libraries), and justice systems as well as community-based social and information services. Long-term viability was described as either an infusion of PLEI into the ongoing work of professionals or the integration of a new structure into professional practices (e.g., OJEN’s Summer Law Institutes).

Success factors included:

- Identification of common interests, needs, and concerns as well as natural links with others interested in social justice, social change, legal education
- Open, democratic, cross-sector communication and promotion, clarity of roles.

- Working relationship between PLEI programmers and front-line service providers allows for feedback loops, ongoing assessment.
- Involvement of planning committees, working teams using each other's strengths, interests, and capacities.
- Ensuring funds for each partner's work.
- Involvement of decision-makers.

5. **On-going support** is required to sustain both human and electronic networks, as well as interaction between these networks.

Success factors included:

- Training and information support for member organizations or collaborative groups.
- Outreach to add members from diverse communities.
- Use of shared legal information resources creates efficiencies and competencies.
- Sharing of patterns regarding needs and issues identified by front-line work enhances ability to respond

6. **Evaluation** should be built into the beginning of the program/project planning process. It can elicit valuable feedback from participants.

Success factors included:

- Piloting and modifying training modules based on evaluation forms included in the materials.
- The evaluation measures outcomes against program objectives.

This summary of the case studies reviewed at PLEAC 2005 is a preliminary report. It is meant to assist in the process of documenting and identifying promising practices in the field of public legal education. It will be followed by ongoing research and documentation of this important work.