

Final Report
October 2021

Achieving Digital Equity in Access to Justice

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The Achieving Digital Equity project is an initiative of Legal Aid BC





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This report was published on the traditional unceded territories of the Coast Salish peoples, including the xʷməθkʷəy̍əm (Musqueam), Skwxwú7mesh (Squamish) and Səlílwətaʔ/Selilwiltulh (Tsleil-Waututh) nations.

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legalaid.bc.ca/about/reports/Achieving-Digital-Equity-Project.

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Note to readers: The links (URLs) referenced in this document were correct as of August 31, 2021.



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Background and Approach

The Achieving Digital Equity (ADE) project is a year-long multi-method study examining the barriers to access and use of digital resources faced by people across British Columbia.

Digital (in)equity, and barriers to using digital legal resources

Digital technology has potential to increase access to justice for people facing challenges such as lack of knowledge about the legal system and available legal resources, lack of proximity to local legal services, and inability to afford a lawyer. However, concerns about inequitable access — digital divides — remain. Starting in 2020, the COVID-19 pandemic made it clear that Internet access is a lifeline. As the Digital Justice for BC Working Group has emphasized, “Internet access is not only a right itself but an essential gateway to access other fundamental human rights such as healthcare, education, and community life” (Digital Justice for BC Working Group, 2020). Digital equity means all BC residents have enough technology access and support to learn, use, and benefit from online environments, information, and services.

Legal Aid BC’s Achieving Digital Equity project

Legal Aid BC (LABC) is a recognized leader in the design and delivery of digital public legal education and information (PLEI) resources. Its Aboriginal Legal Aid in BC, Family Law in BC, and MyLawBC websites use innovative features such as step-by-step guides for court processes, live chat, guided pathways,¹ and online dispute resolution services.

Even before the COVID-19 pandemic, questions of digital exclusion and digital inequity have been critically important to LABC’s work. LABC regularly conducts user testing and evaluation to ensure the quality and accessibility of its materials. However, the organization is concerned that a variety of structural barriers prevent many people from effectively accessing and using these digital resources.

LABC initiated the ADE project to examine the barriers to access and use of digital legal resources faced by people across British Columbia (BC).

¹ With guided pathways, website users answer a series of questions to diagnose their legal issue and get an action plan to help them understand it and solve it or find more help.



Legal Aid BC: Responding to digital equity concerns

Sherry MacLennan, Vice President, Public Legal Information and Applications, Legal Aid BC

Legal Aid BC's year-long Achieving Digital Equity (ADE) project has enabled us to learn from a wide range of BC residents, community workers, staff, and partners about barriers to accessing legal help online, and what can be done to help.

ADE project findings tell us that, in many cases, LABC is already “on the right track” in our efforts to increase access to our public legal resources and services. While there is more work to be done, here are a few of the steps we have taken on this journey:

Parents' Legal Centres (PLCs) and PLC Networks: PLCs are community-based legal aid offices that provide advice and representation to parents with child protection issues. Through partnerships with organizations, most of which are Indigenous, our 26 new PLC Network locations provide a local private space and computer access for parents to connect with a lawyer or advocate about their child protection matters, as well as help accessing legal information (both online and print materials). Appointments can be by video, phone, or in person.

Community Partners and Local Agents: LABC contracts with organizations and law offices across BC. These agencies offer local help (referrals to resources, support accessing legal information including online resources and print materials, help applying for a legal aid lawyer, or one-to-one support) by phone, online, or in person.

Community connections and regional or interest-based outreach activities: With Courthouse Libraries BC and PovNet, LABC hosts community meetings across BC to support local connections and discuss community-specific solutions to access challenges. LABC often holds sessions with Indigenous, regional, and other groups to gather feedback and share information.

Reconciliation Action Plan: LABC is committed to improving access to justice for Indigenous peoples. Our Reconciliation Action Plan identifies strategies and actions to guide decisions and services across our organization, including PLEI and outreach.

Website accessibility: Our Family Law in BC, Aboriginal Legal Aid, and MyLawBC sites were redesigned for usability and with a person-centred focus. Our sites apply WCAG guidelines to a minimum of AA compliance.²

Guided pathways: Our MyLawBC website includes guided pathways, which lead people step-by-step through problem diagnosis to solution, and give them an action plan with useful information, next steps, and where to get more help.

² Web Content Accessibility Guidelines (WCAG) are available at: [w3.org/WAI/standards-guidelines/wcag/](https://www.w3.org/WAI/standards-guidelines/wcag/)



Search engine optimization: We're improving the way our sites show up in online search results. This helps people to find our resources more quickly.

Family Resolution Centre: The updated Family Resolution Centre on MyLawBC combines a self-help tool to help people make parenting and child support arrangements online, with access to free expert coaching and mediation.

Legal Information and Outreach Workers: LIOWs provide in-person, online, and phone-based referrals to services and online resources. They support people to access and use legal information resources, including online tools and print materials. During outreach at Downtown Community Court in Vancouver and BC First Nations / Indigenous Courts across BC, LIOWs assist people to navigate court processes and apply for legal aid.

Online live chat: LABC's Family Law in BC website includes a live chat feature; website users can type in their questions and get help to find family law information and services.

Online legal aid applications: LABC is developing an online application portal. This will supplement in-person, phone, and assisted email applications, so people can apply in the way that works best for them.

Intermediary³ outreach and training: Through the activities of our outreach teams, Community Partners and Local Agents, LABC supports intermediaries across BC through presentations and outreach to community groups, and a program of free training on legal issues and legal resources, offered both in person and virtually.

In these and other areas, ADE project findings will help LABC to continue improving both online and offline access to our services and resources. We hope this study will also be useful to other public legal service providers – and we hope it will help raise broad awareness of digital equity as a key element of access to justice.

We welcome your questions and comments about this project and Legal Aid BC's digital equity initiatives! Reach out to us at publications@legalaid.bc.ca.

³ Intermediaries are trusted community contacts (like service providers, community workers, advocates, Elders, volunteers, and helping professionals) who can help people access legal help.



About this report

The ADE project explored digital issues and challenges, how many people are affected, and what can be done to ensure people can access the legal help they need, even if they can't go online.

This report summarizes key themes and implications from the following four components of this multi-method study. Detailed reports and methods for all components of the ADE project can be viewed at the project website: <https://legaid.bc.ca/about/reports/Achieving-Digital-Equity-Project>.

Project methodology

Literature Review

Kate M. Murray

The ADE literature review involved a broad scan of publications about technology barriers, issues in legal help-seeking, digital access to justice, and promising interventions.

More than 200 reports and documents were reviewed, including:

- Publications from BC, Canada, and around the world.
- BC and Canada-wide statistics on Internet access, and use.
- Publications centering the views of affected people (for example, people with low income; Indigenous, racialized, and gender diverse people; seniors; and people impacted by mental health issues, disability, or violence).



Survey of BC Residents

The Sentis Group

Mary Bacica & Alana Kendrick

Surveys were mailed to households across BC. The surveys asked about technology access, online activities, attitudes toward using the Internet, COVID-19 impacts, and how people feel about seeking legal help online.

411 adult BC residents completed the survey:

- 225 with lower household incomes, including 165 who had very low income.
- 186 with moderate to high household incomes (exceeding the lower income cut-offs).

Completed surveys:

- 329 on paper, 80 online, 2 by phone.



User Journey Interviews

Jai Djwa, Agentic Digital Media with Kate M. Murray

BC residents with low income were asked to describe their digital practices, experiences, and approaches to finding and using digital legal resources.

20 people participated:

- People of various ages and genders.
- People with Indigenous and non-Indigenous heritage.
- Those living in urban and rural areas across the province.
- People using varied (desktop, mobile, and tablet) devices.
- Those with and without legal aid experience.



Workers' Perspectives

Kate M. Murray with Adam H. Fraser

Community workers, and LABC staff and partners were asked about their clients' experiences and their own experiences with digital legal resources. Workers' insights are important because the people they assist are often those facing the greatest barriers to accessing technology and to accessing justice.

- 272 community workers from across BC completed our survey.
- 17 staff and partners tracked their referrals across 311 inquires.
- 150 workers and staff participated in focus groups and workshops.

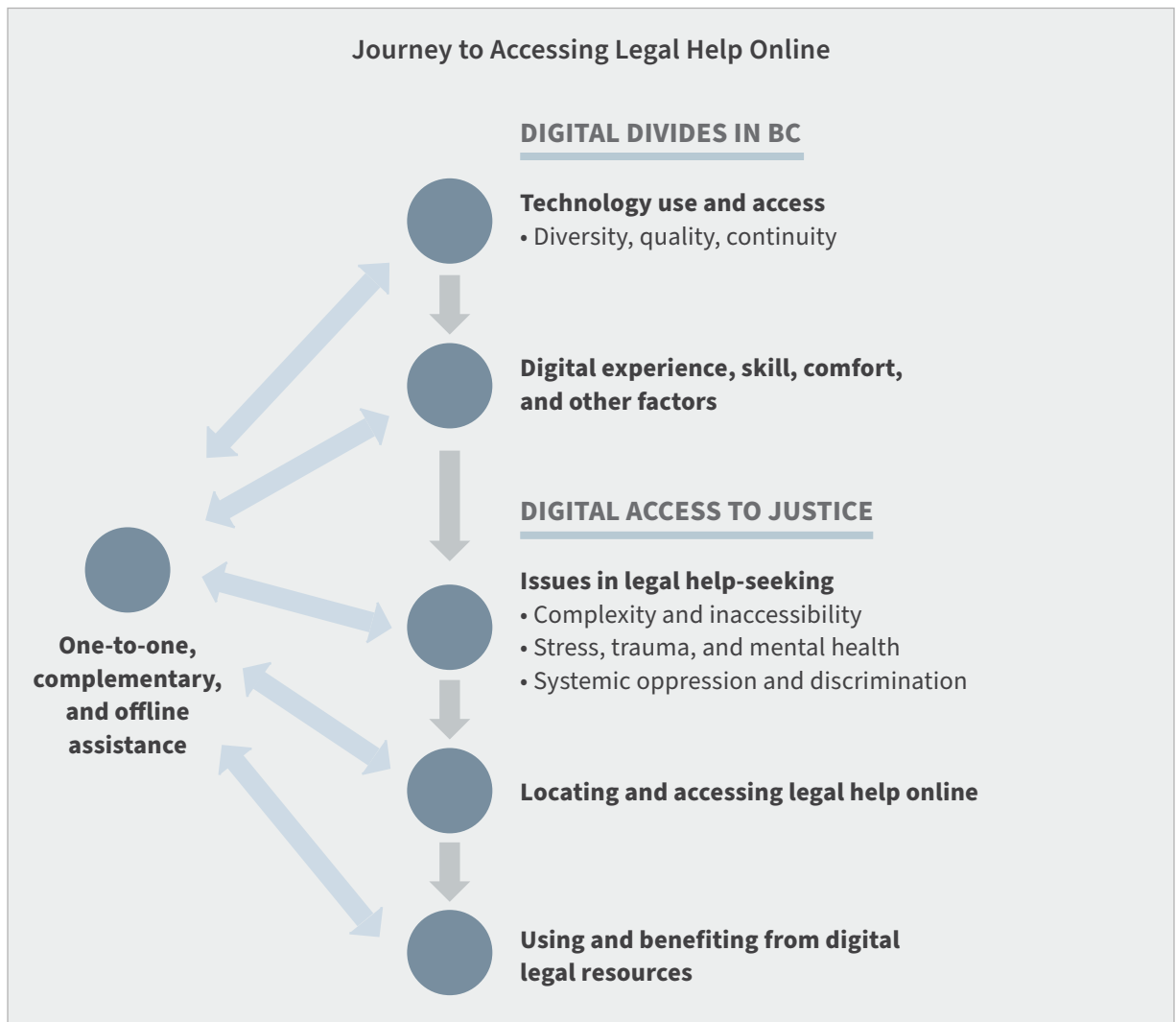




Research Insights and Implications

Digital legal resources and services can be an important channel for legal help. Like other research on digital equity and access to justice, the ADE project found that most British Columbians can likely benefit from online legal resources and services. But this is not the case for everyone in BC.

This report focuses on the experiences of people who face barriers to accessing and using digital legal resources. These barriers can occur at many points along a person’s “journey” to accessing legal help – before seeking help, during searches for help, and while using digital legal information or services.





Highlights

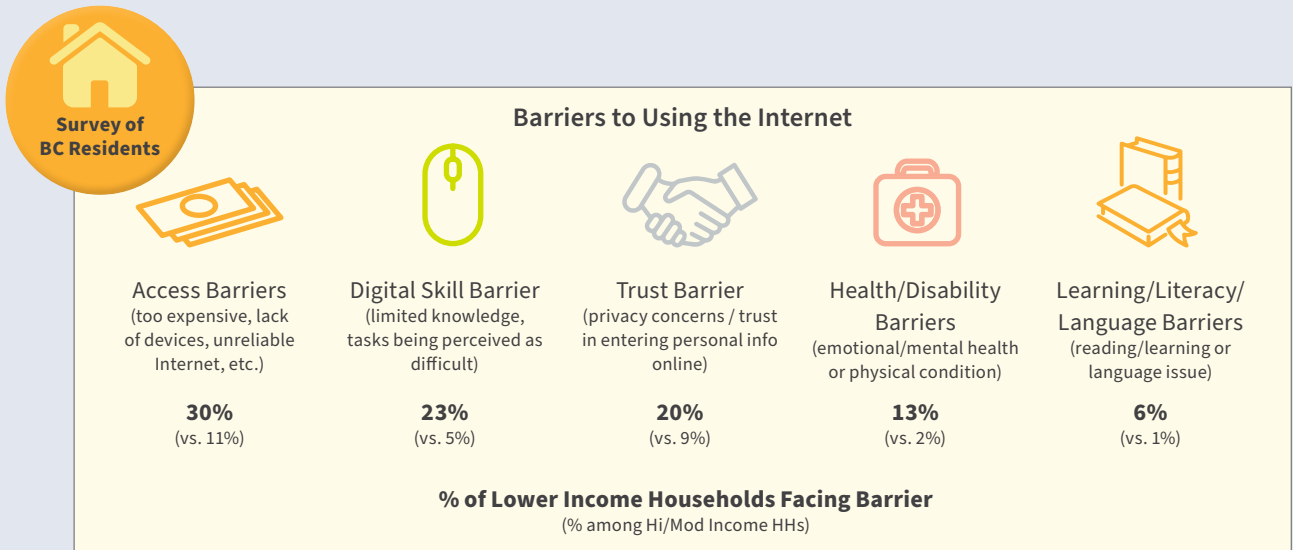
Digital divides in BC

Across BC, technology use is high overall. However, a closer look reveals that opportunities to use the Internet are not distributed equally.

- Our survey of BC residents found that compared with those in moderate to high income households (HHs), lower income residents own fewer devices that can connect to the Internet and were less likely to have Internet access on the device(s) they own.

Many BC residents also face a second digital divide – additional barriers that limit their ability to equitably use and benefit from online resources or services.

- Our survey of BC residents found that 44 percent of people in lower income households – and 53 percent of people in very low income households – face one or more barriers to using the Internet, compared with only 18 percent of people in moderate to high income households. The most common barriers relate to technology access and costs. However, barriers related to digital skill and comfort, and trust and privacy concerns, are also relatively common.



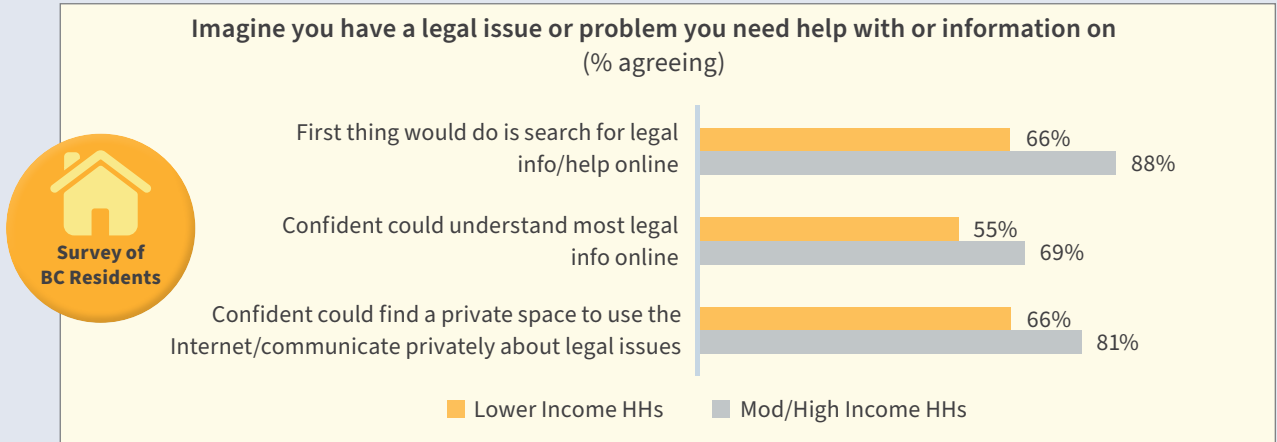
➔ In the public legal sector, design of PLEI and other services needs to account for the variety of digital technology access situations across BC.



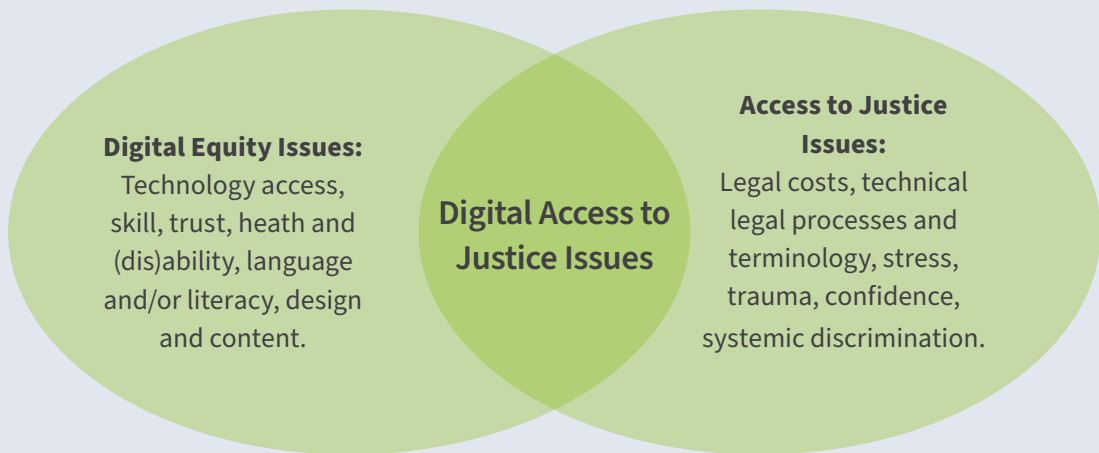
Digital access to justice

Locating and accessing legal help online

Most people in BC are receptive to the idea of getting legal information or help online. However, comfort, confidence, and ability to go online for legal help varies by legal issue and according to dynamics of advantage and disadvantage.



In addition to digital divides, many people are also impacted by access to justice issues such as unaffordable legal fees, the technical nature of legal processes, and stress or trauma. These combined issues of digital equity and access to justice can create a “double set” of barriers that can occur before seeking help, during online searches, and while using digital legal resources.



➡ PLEI providers should continue to develop and promote highly visible, safe, and trauma-informed points of entry to PLEI resources and services, via multiple online and offline channels.



Using and benefiting from digital legal resources

Even when people can locate and access a suitable digital legal resource, combined digital and legal barriers can prevent people from using or benefiting from the resource.

The importance of supportive, one-to-one assistance with digital legal resources and legal issues has emerged as a key finding across all components of our study. One-to-one help was frequently described as the most effective means of addressing widespread barriers relating to legal complexity; stress, overwhelm, and trauma; and lack of technology access and comfort.

➡ A person-centred, accessibility-focused, and multi-channel approach to delivery of PLEI can use digital design practices that mitigate barriers, while also providing complementary and/or alternative forms of help for people who are unable to access or use digital legal resources.

Access to trauma-informed, multilingual, and in-person one-to-one assistance, alongside supported technology access, is especially key for some.

Overall, the ADE project found that digital legal resources may be very effective for some people but not for others. Further, they may be most effective when used in combination with knowledgeable, trauma-informed, one-to-one legal help.

“And so [a community worker] actually... liaised the call for me because I was in a really bad place. And so, yeah, she is the one who got me through, who helped me. Oh, she was amazing.”



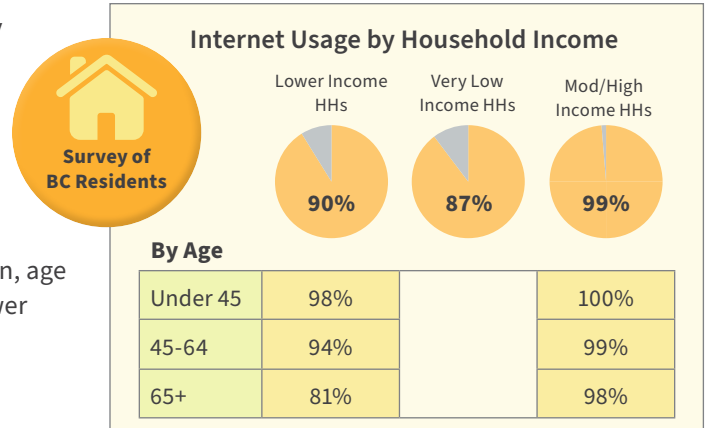


Digital divides in BC

★ Across BC, technology use is high overall. However, a closer look reveals that opportunities to use the Internet are not distributed equally.

Our survey of BC residents found that broadly 90 percent of British Columbians across all household income groups report using the Internet. However, while Internet usage stands at 87 percent in very low income households (HHs), it reaches 99 percent in moderate to high income households. And, while seniors are known to go online less often, age plays a more defining role for people with lower household incomes (see Figure 1).

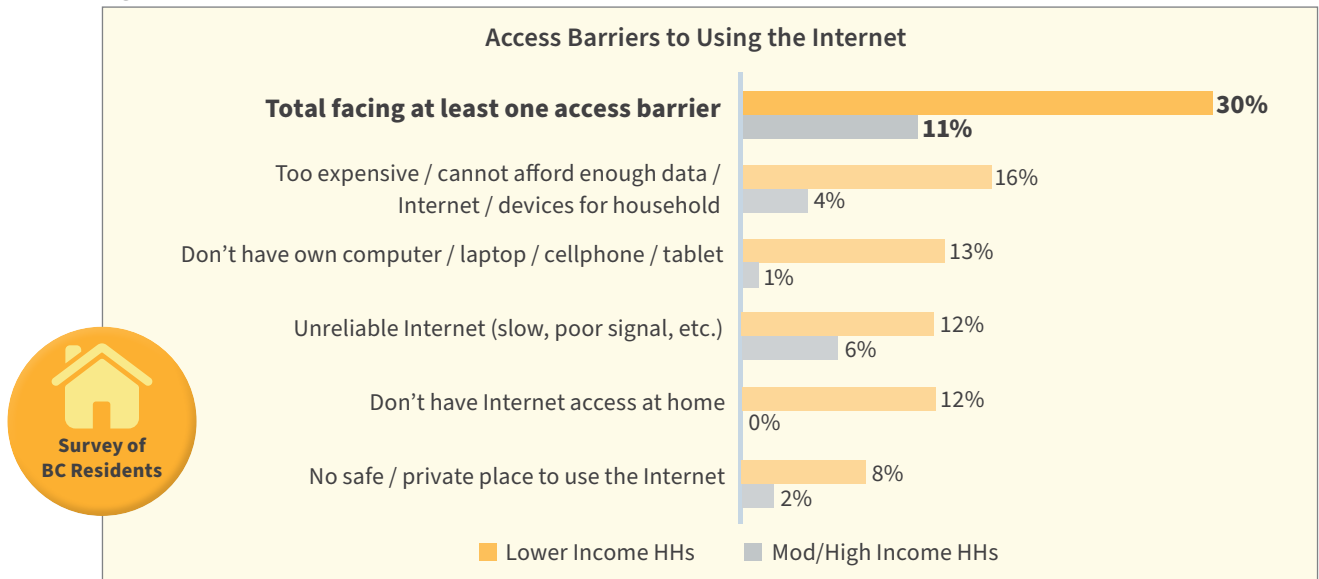
Figure 1



Technology use and access

These differing rates of Internet use are connected to digital divides that persist across BC. Although high-quality Internet services (of 50Mbps/10Mbps⁴) are available throughout urban regions of BC, the ability to subscribe to digital services is strongly linked to income. Our survey of BC residents found that 30 percent of lower income households report Internet and technology access barriers – such as not being able to afford Internet or data, and not having Internet access at home. Comparatively, access barriers are only a factor for 11 percent of those in moderate to high income households (see Figure 2).

Figure 2



4 The Canadian Radio-television and Telecommunications Commission (CTRC) has set target speeds of 50 Mbps (download) and 10 Mbps (upload) (or 50/10), reflecting the bandwidths considered necessary for full participation in contemporary global online environments (see KPMG, 2019).



“Sometimes during COVID, [one needs to think about] what’s more important, food on the table or Internet... I don’t have a lot of resources, but Internet ... has been, probably, one of the most beneficial... I can find ads for work.”

During our user journey interviews, participants described Internet access as costly but necessary – for alleviating isolation, for entertainment, and for job searching. Some stretched themselves financially to stay online.

Our review of literature and statistics found that only 40 percent of rural communities and 38 percent of rural Indigenous communities in BC can access Internet speeds of 50/10 Mbps (Government of British Columbia, 2021). Further:

Connectivity across diverse rural communities is highly variable; some may be “connected,” but at painfully slow speeds or by unreliable satellite connections. Further, “community access” to Internet does not mean that each household is connected. Cellular service availability is also much lower in rural areas – especially in reserve communities....Data caps are another barrier to affordability – particularly for rural households. Plans are more expensive in rural areas, while offering less data. Further, rural households and people with low income more often rely on mobile-only plans which is the most expensive per-unit way to access data. ⁵

In focus groups and survey comments, community workers in rural areas commonly described how Internet service quality was poor and/or unaffordable – especially for residents of First Nations reserve communities.

★ Insufficient access to devices is a key barrier for many British Columbians.

“It is shocking, until you actually live in a rural location, how the digital divide is so vast. Poor reception, poor access, lack of providers, increase in costs to have services because the number of providers is so low – prices are higher.”



Our survey of BC residents found that in comparison with people in moderate to high income households, lower income residents own fewer devices and are less likely to have Internet access on the devices they do have (see Figure 3). This trend is even more pronounced for lower income residents over 65.

Figure 3



Devices with Internet Access Among Those in Lower Income Households



(vs. % among Mod/High Income HHs)

*Internet access not asked

5 Quotations from our project’s review of literature are taken from the ADE Literature Review Summary Report, available at the ADE Project website: legallaid.bc.ca/about/reports/Achieving-Digital-Equity-Project.



These and other findings highlight how BC residents who experience low income and other systemic disadvantages more often have mobile-only Internet access, which can dramatically constrain online activities.

Our survey of BC residents found that, compared with lower income residents overall, the subset of residents in very low income households are just as likely to own a cell phone, but less likely to own any other devices and less likely to have Internet access on their devices. This theme was also echoed during our user journey interviews. Likewise, among the community workers we surveyed, 55 percent indicated that all or most of their clients had a mobile device only, and no computer. Only 17 to 20 percent of community workers said that all or most of their clients had home Internet or a home computer.

Diversity, quality, and continuity of access

★ Digital technology access is best understood as a gradient affected by costs, service availability, and convenience. Some people experience highly constrained forms of access.

Our review of literature describes how:

Those with the highest quality access can afford to own a range of the latest devices — including PCs, smartphones and tablets, and accessory technology like charging ports, printers, scanners, and extra monitors. They can afford plans with unlimited data, subscriptions to a range of online services, and can pay for maintenance and updates. This enables them to maintain constant connectivity and to use whichever device is best suited to a task: using phones for calls and messages “on the go”, but using PCs for tasks that require more memory, storage, typing functionality, and large screens for deep (versus superficial) information-seeking.

Across various publications, people with low income, seniors, people with disabilities or mental health issues, gender diverse people, new immigrants, refugees, people who are Indigenous, Black, or people of colour were identified as groups who disproportionately face affordability and access-related barriers to Internet use (Davidson & Schimmele, 2019; Drake & Bielefield, 2017; Golub, Satterfield, Serritella et al., 2019; Greer, Robotham, Simblett et al., 2019; Sturm, 2017; UBCIC, 2020).

Likewise, in our survey of BC residents, 49 percent of Indigenous residents in lower income households reported access-related barriers to Internet use – a rate nearly twice that of non-Indigenous residents (25 percent) in lower income households. Further, lower income Indigenous residents were two to three times more likely than lower income non-Indigenous residents to report that they could not afford Internet, data, or sufficient devices for their household; that they didn’t have a computer, laptop, cellphone, or tablet; or that they didn’t have Internet access at home. In the same survey, the small group

“I do have access to a desktop through the library, but recently it’s just been mostly on my phone. That’s why I’m just hoping to get more work... so that I can afford a laptop again.”





of lower income rural residents more commonly identified unreliable or slow Internet as their main barrier to using the Internet or using it more often. Meanwhile, again among lower income households, young people and urban residents were more likely to name cost as a top barrier to Internet use. Finally, residents in lower income households were significantly more likely to report having trans⁶ experience – a pattern that suggests trans people in BC may disproportionately face affordability challenges.

Community workers’ perspectives offer further insights into the very limited forms of access experienced by some of BC’s most systemically disadvantaged residents. In our community worker survey, only 21 percent of respondents indicated that all or most of their clients had reliable Internet at home, and many described how their clients did not have access to printers or scanners. Workers emphasized that their clients who experience deep poverty, especially people experiencing homelessness or those with precarious housing, struggle to maintain any access to a functional phone, a data plan, or even electricity for charging.

“Clients’ access or use of technology is dependent on acquiring and maintaining a device and access to Internet. Both are dependent on financial means, safe and secure housing and/or storage. People who experience homelessness or who are insufficiently housed struggle with purchasing, keeping and maintaining devices and accessing internet.”



In other cases, workers described how some people could only afford limited forms of access that were cumbersome and frustrating – for example, older or broken devices, slow Internet, limited data, text-to-mail services, and prepaid plans that they could not always afford to maintain. All of this can require people to adopt “frugal practices” (see Hernandez & Roberts, 2018) to conserve data and phone minutes. For example, community workers explained that many of the people they help limit phone calls and texts to avoid running up costs.

“Some clients have no access to phones or computers due to living with an abuser. They were not able to access computers through libraries or community services during COVID. They used to have some access while at work. Now they don’t work during COVID, and they have ended up more isolated and under full control of the abuser.”



Community workers also described how their clients often communicated via public Wi-Fi and free apps (like Facebook Messenger) if they had no phone or data plan. People working in correctional facilities or with people who are detained under the Mental Health Act indicated that their clients had no access to technology at all. Seniors and new immigrants or refugees also commonly lacked sufficient technology access.

⁶ “Trans” is an umbrella term for people whose gender identity does not align with the sex they were assigned at birth.



For survivors of violence and people experiencing abuse, access to online resources or digital service points can be extremely limited. Community workers explained that being monitored by an abuser — or the fear of being monitored — kept survivors from accessing digital legal resources. Workers described how people experiencing violence often avoided using shared household phones or computers, and preferred to text or use Facebook Messenger so they could easily erase their message history.

Public access to computers and Wi-Fi is vital for people with few other options. However, workers' accounts and our literature review highlight how public technology access can entail considerable constraints such as restricted hours, time limits, unfamiliar devices or software, and lack of quiet and privacy.

Workers noted that many public points of access to computers and the Internet are in visible, shared spaces such as at libraries or community centres. These conspicuous points of access are not appropriate for people who need to keep their legal issue private from community members or an abusive partner. Our review of literature found that home-based Internet access may also be especially key in facilitating Internet use for seniors (Denvir, Balmer, & Pleasence, 2014). This latter theme is supported by our survey of BC residents.

★ When it comes to the impacts of COVID-19 on technology access, our research findings echo trends in access overall: While most British Columbians report no impact and continue to experience good Internet access, the greatest impacts are experienced by BC's most systemically marginalized residents.

While our survey of BC residents found that around a third of residents in all income groups reported increased interest (33–42 percent) and access (28–32 percent) because of COVID-19, 12 percent of those with very low income reported that their access had instead decreased.

Many community workers also emphasized that the COVID-19 pandemic had exacerbated existing inequities in access to technology. Workers commonly indicated that the closure of public libraries and offices because of COVID-19 had greatly impacted their most systemically disadvantaged clients who relied on public computers, Wi-Fi, printers, scanners, and staff assistance with technology. Social distancing protocols also restricted access for people who relied on using their friends' devices.

“People who came into our building to use our computers to complete tasks often don't have access to computers or internet anywhere else.”

“Some clients need to use our resources to fill out online forms, but run out of time, or can't save the half-completed form.... We have time limits to our public computer usage, due to high demand for this service. Clients who need additional time to fill out forms are at a disadvantage, especially if the form can't be saved. We'll often extend time for people under these circumstances, but not everyone knows, or feels comfortable to ask.”

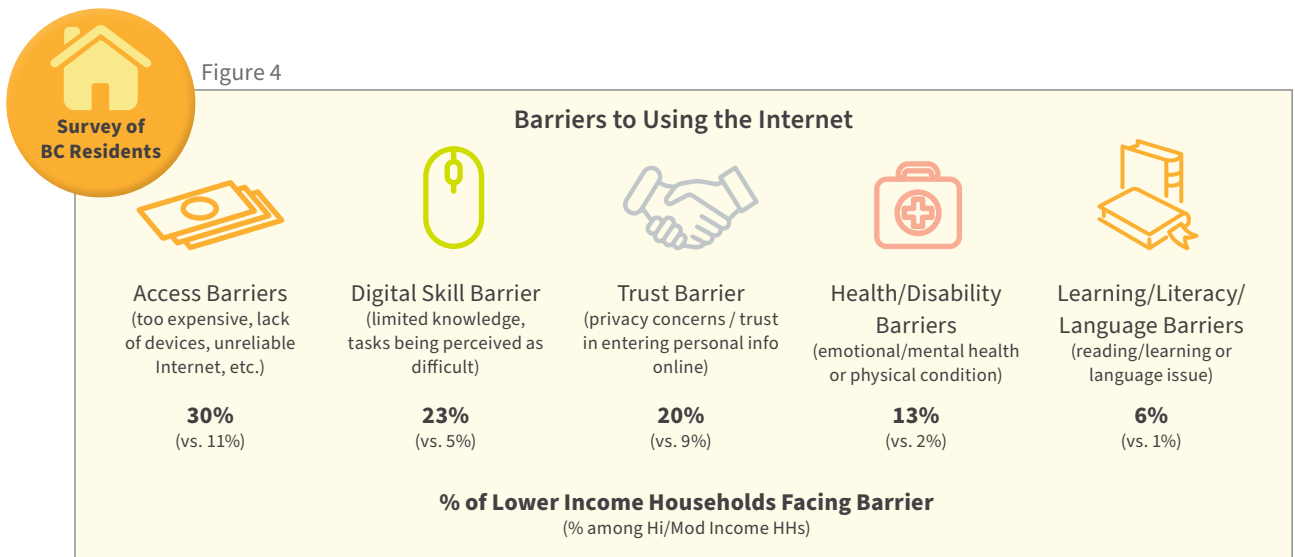




Digital experience, skill, and comfort, and other barriers

★ Many BC residents also face a second “divide” – additional barriers that limit their abilities to equitably use and benefit from online resources or services.

The ADE survey of BC residents found that, overall, 44 percent of people in lower income households – and 53 percent of people with very low incomes – face various barriers to using the Internet, compared with 18 percent of people in moderate to high income households. Alongside the access barriers described earlier, this survey shows that digital skill and trust are key barriers faced by people in lower income households across BC. However, health and disability related barriers, as well as learning, literacy, and language barriers also disproportionately affect lower income BC residents (see Figure 4).



Like other research on this topic, our survey of BC residents found that digital experience, skill, and comfort varies across the population. Further, experience with digital technology varies by task; people tend to have online “repertoires” (a range of activities they are used to doing online).



These differences in experience, skill, and comfort are related to uneven opportunities to access, learn, use, and benefit from digital technology. For example, even though our study’s interview participants were all Internet users with relatively high confidence, many still had difficulties using Zoom in the unfamiliar context of our interviews. For some, this was tied to a lack of learning opportunities. Likewise, our review of literature found:

Key barriers to developing digital skill include: lack of a suitable device and home Internet, and lack of opportunity for regular, supported technology use. As a result, those who are highly educated, wealthier, and who had pre-retirement exposure to computers — especially in professional, “white collar” versus “blue collar” roles — consistently show higher levels of comfort with digital tasks. These same factors diminish age-related differences in skill.

“The computer, the Internet... will become more relevant because of the pandemic... [But] there’s a lot of people, myself included, that aren’t comfortable enough. Like just even today, trying to get onto Zoom, I just go into a panic when I can’t access what I want to access. I think ... something needs to be put in place so that people can feel more comfortable using the Internet.”



Statistics Canada data shows how different groups of digitally advantaged or disadvantaged Internet users have very different levels of experience with skill-related tasks (see Figure 5). The same data also reveal that considerable proportions of Internet users overall do not have experience with many types of tasks that might be needed to use digital legal tools or online public services.

Figure 5

Percentage of Canadian Internet users reporting skill-related and cyber security activities, 2018

Activity related to digital skills	All Internet users, aged 15+	Internet users aged 15-24 with Bachelor’s or more	Internet users aged 45-64 with highschool or less	Internet users aged 65+
Used word processing software	69%	94%	36%	44%
Copied or moved files or folders digitally	66%	84%	42%	41%
Downloaded files from the Internet to your computer or other devices	56%	82%	29%	29%
Uploaded files or photos to an online data storage space	49%	84%	26%	23%

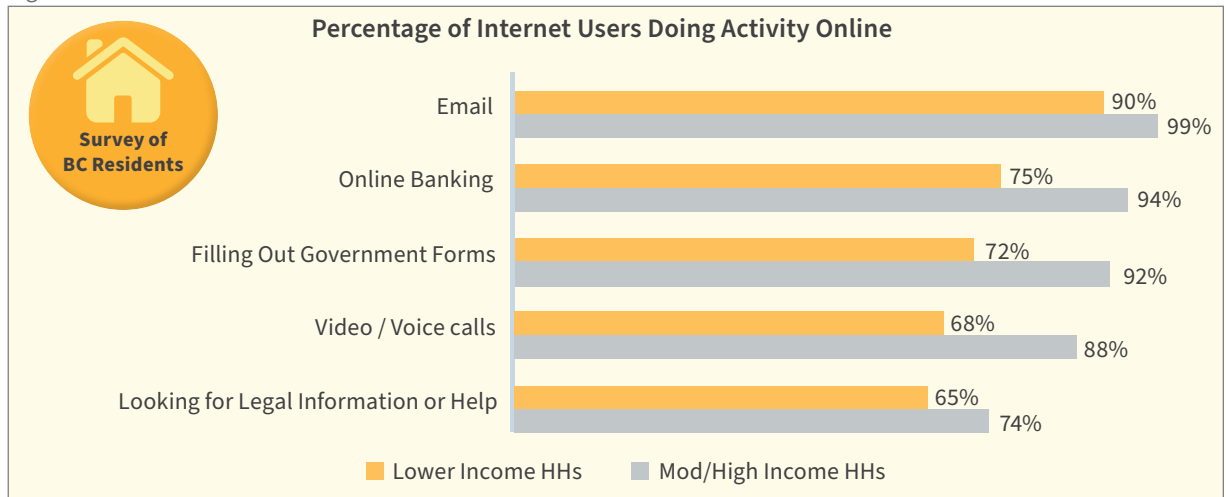
Data Source: Statistics Canada (2019). Table 22-10-0112-01 Activities related to digital skills by age group and highest certificate, diploma or degree completed.





Similarly, our survey of BC residents shows how digital experience and skill are related to opportunity factors such as income and age. This survey found that people with higher incomes and people under the age of 65 do more activities online – especially banking, filling out government forms, and video calls (see Figure 6). While some BC residents had no interest in these online activities, people in lower income households were more likely than people in moderate to high income households to describe these activities as too difficult.

Figure 6

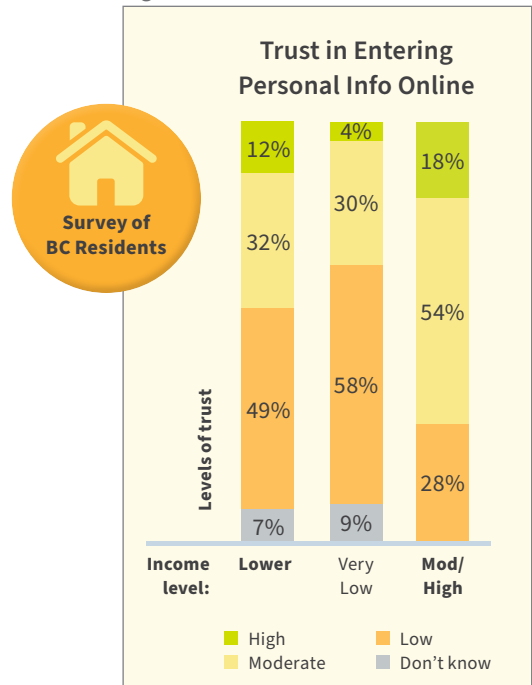


In the same survey, many of the same groups who face greater access barriers also report lower levels of technology interest, skills, confidence, and trust in entering personal information online.

For example, people with very low income were the least likely to rate their interest, skills, confidence, and trust as high. Indigenous residents reported lower levels of confidence with technology compared with people who are not Indigenous. While some residents in all age and income groups reported low levels of trust in entering personal information online (see Figure 7), and that this trust had decreased during the COVID-19 pandemic, trust was much lower, and decreased more significantly, for people in lower income households.

Younger BC residents most often report barriers related to affordability, trust and service reliability. Meanwhile, older residents more often face barriers

Figure 7

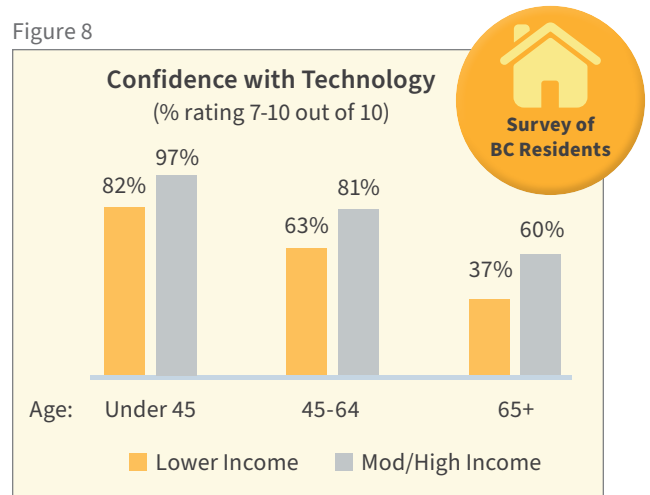




related to confidence and skill (see Figure 8). Digital skill tends to be the single most common barrier among those over 45, and especially among those 65 and older. At the same time, our research with community workers reflects how skill-related barriers can also affect youth.

Further, observations shared by community workers indicate how some of the lowest income BC residents face additional or multiple barriers to learning and using technology. Workers commonly highlighted how seniors, and people with brain injuries or cognitive disabilities, physical disabilities such as blindness, and substance use or mental health issues faced substantial barriers to developing digital experience and comfort – especially without support. Some also described how recent immigrants and refugees could face barriers to skill development because of language and/or literacy barriers, because they had lacked access in their home country, and/or because their job and home responsibilities meant they did not have time to prioritize developing digital skills.

Figure 8



“Some older clients just haven’t got onboard with digital technology. These clients are often on their own, with no close family or friends to help them navigate the online experience.”

“With... younger clients aged 16-25, there is a misconception that because of their age they have... high digital literacy; but [this] is often not the case.”



“Not having money to have the technology in your home, nor the training and skills to operate [technology, and] research and complete apps online, is a huge barrier to most people.”



Digital divides: Implications

➔ **The technology access barriers faced by many British Columbians indicate the need for broad infrastructure, policy, and program interventions throughout BC.**

Throughout all components of our research, insufficient access to technology stands out as a key barrier that especially impacts BC’s most systemically disadvantaged residents. Among the community workers we surveyed, 83 to 85 percent saw affordable access to Internet, and affordable access to devices as very important. Access to assistive devices and digital skills training were also highly valued; these responses demonstrate how holistic supports are needed to ensure that all British Columbians can benefit equitably from online information and services.

“What is needed, [based on] what I have seen, is affordable cell phone plans and Internet plans that allow people to access needed services. Many low income people cannot afford to access any type of services, due to the high cost of maintaining a cell phone plan and Internet services”



“[I’m] seeing the need for computer literacy classes in the North.”

➔ **While these broader initiatives are generally outside the mandate of PLEI providers, public legal sector organizations may have a role to play in enhancing community technology access through community-based service locations.**

Among the community workers we surveyed, 71 percent ranked more access to computers in community spaces as very important. In survey comments and focus group discussion, workers emphasized the value of safe community spaces where people could access technology and receive help with online resources or services. Workers’ comments (especially those of library staff) underscore that technology access and service locations need to provide for the time and privacy that is often necessary to complete legal tasks; these suggestions are also present in recent literature (Denvir, Ayad, Cordoba et al., 2018). Workers’ comments and discussion also highlight the importance of multilingual assistance, transportation supports, and child-friendly spaces or child care as key elements of accessibility. Further, workers’

observations about the impacts of the COVID-19 pandemic emphasize that extended hours and drop-in formats are very important for some people (including people without any other access to technology, and people experiencing violence.) Finally, addressing access to technology for people who are detained or incarcerated is another issue that warrants attention from justice system institutions and legal resource providers.



“It would be wonderful if the community had a space for clients to come in to use computers, printers, Wi-Fi access, fax, and scanners, to do their settlement [tasks,] along with the onsite supporter.”



➡ In the public legal sector, design of PLEI and other services needs to account for the variety of digital technology access situations across BC – including the highly constrained forms of access, or lack of access, experienced by many of the lowest income and most systemically marginalized British Columbians.

Our findings in this area underscore that PLEI providers need to avoid adopting digital-only modes of service delivery, because of how this transfers costs to low income people and communities (see also BCPIAC, 2015; Chen, 2017; CMHA-BC, 2018; Harris, 2019; Humphry, 2019). Our research findings point to the value of multi-channel approaches to PLEI access and delivery, in which people can access legal resources and services in the way that works best for them. In such an approach, PLEI providers could deliver resources via multiple digital channels (including texting, messaging, online chat, email, websites, and web-based services) while also providing complementary and/or alternative offline channels for people who are unable to access or use digital legal resources.

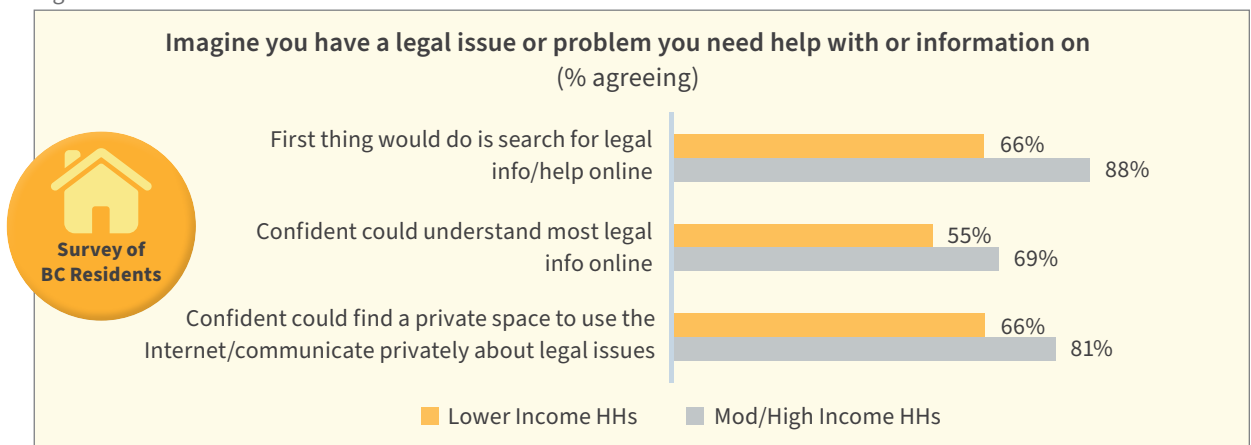


Digital access to justice

Issues in legal help-seeking

★ Our study suggests most people in BC are receptive to the idea of getting legal information or help online (see Figure 9). However, comfort, confidence, and ability to go online for legal help varies by legal issue and according to dynamics of advantage and disadvantage – including those related to income and generational and educational opportunities, as well as housing stability, literacy, language, (dis)ability, discrimination, violence, and trauma.

Figure 9



The ADE survey of BC residents found that:

Looking for legal information online presents challenges for those in lower income households, especially among those 65 and older....When compared with those in moderate to high income households, it becomes even clearer that those in lower income households are less inclined to look for legal information and help online, are less confident in their ability to find and understand that information (including where to start looking and not being confused or overwhelmed by the information found) and are less apt to have a private space to use the Internet for this purpose.

This survey also found that formal education (completion of post secondary schooling) is related to increased confidence, trust, and willingness to search for legal information online.

Comfort and confidence going online for legal help also varies by type of legal issue. Our survey of BC residents found that residents in all income groups were most confident and comfortable going online for consumer or employment issues. However, even for these issues, 23 to 35 percent of moderate to high income residents and 45 to 53 percent of lower income residents would not be comfortable or confident going online. When it came to police incidents or criminal charges, or discrimination, only 20 to 25 percent of residents with lower household incomes said they would be comfortable or confident going online for help or information.



Further, age-based differences show how generational opportunities also play a dominant role – especially for BC residents with lower income. In lower income households:

While only 20 percent of those under 65 say they would not go online for any legal issue, this proportion increases to 42 percent among those 65 and older.

These results from our survey echo findings from our review of the literature:

Research on legal help-seeking suggests those who do seek help online are more likely to be those who are already advantaged in terms of technology access, comfort and skill, and whose circumstances enable them to feel confident in their ability to navigate legal systems.

★ The results from our survey of BC residents signal key themes that emerged in our research overall: For many, combined digital equity and access to justice issues can create a “double set” of (digital and legal) barriers. These issues can occur before seeking help, during online searches, and while using digital legal resources (see diagram on p. 3).

Our review of literature on legal help-seeking highlighted:

Legal processes and legal terms are complex, technical and “set up for experts”. . . many people do not recognize legal aspects of issues and are uncertain about what to do, and whether affordable help is available. A sizable minority of people do not take steps to resolve their issue, and those who do are often seeking help on an urgent, just-in-time basis, under conditions of considerable stress.

. . . Many who experience poverty or mental health issues, and those who are racialized, Indigenous, and/or gender diverse have experienced systemic discrimination from service providers and within legal systems – including in interactions with police, lawyers, judges, and prison workers. For this reason and others, many lack confidence in legal systems, and/or in their own ability to access justice within these systems.

Legal complexity and inaccessibility

In our research, community workers and interview participants described how the complexity and inaccessibility of legal systems and terminology could create substantial barriers to locating legal help online.

Community workers and interviewees described how it could be very difficult to understand the distinct systems and processes related to different areas of law. For people seeking legal help, it is often hard to know what services or resources are available. These same groups of research participants also described how confusion about where or how to access services had worsened because of service restrictions and social distancing guidelines during the COVID-19 pandemic.

“When [a client] doesn’t know [about] any legal matters in Canadian society, they have no idea where to source the support or legal help... [And] even when I forward [to the] client the web links of the organizations or government website, it’s hard for them to understand on their own.”





Stress, trauma, and mental health

The considerable impacts of stress, trauma, and emotional or mental health barriers also emerged as key themes in our study. Our review of literature highlighted how stress and mental health impacts are inherent aspects of legal issues. For example, a 2014 survey of Canadians with legal problems, and a 2020 survey of low income British Columbians each found that 45 to 48 percent of respondents had experienced “extreme stress” or “emotional health issues” because of their legal issue (Currie, 2016, p.25; Sentis Group, 2020, p. 7).

Stress and overwhelm were among the most common barriers observed by community workers, and by LABC staff and partners in their decision making about referrals. Interview participants also frequently described how legal issues were accompanied by stress and high emotions. This meant that people struggled to reach out and make the initial call for help.

“[It was hard to know] when [services] are open ... [with] all the closures and stuff. You never know what’s open, so nobody really wants to go anywhere.”



“I was in a really bad spot. So, it took me a couple of weeks to call them.”

Systemic oppression and discrimination

Finally, community workers and some interviewees also described substantial barriers linked to experiences of oppression, violence, systemic discrimination, and colonial trauma. The impacts of these dynamics included feelings of distrust, overwhelm, and powerlessness which could prevent people from seeking legal help.

“[The] majority of the clients we work with... won’t ask for help, [but instead] deal with the Ministry of Children and Family Development on their own, and just settle for what is happening.”

“Most clients [have] no trust in [the] legal system because of previous experience.”





Locating and accessing legal help online

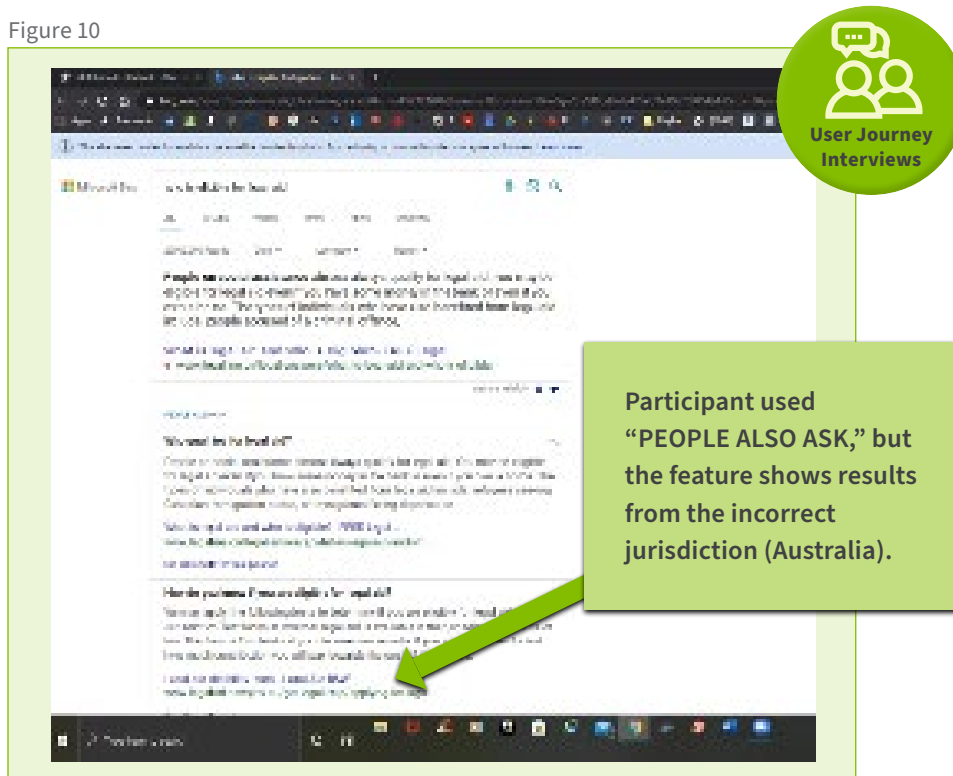
For people who are able and inclined to search for legal help online, many of the same factors can make searching for legal information difficult. Our literature review found:

The vast, decentralized online universe of legal resources and the nature of search engines means that top-performing web pages may not be applicable, accurate, actionable (providing clear process-related information and “next steps”), or jurisdictionally relevant to a user’s legal issue. Further, the technical nature of legal terms and processes means it can be difficult to evaluate online information without legal training.

★ User journey interviews also illustrated challenges associated with online search environments.

During interviews, participants almost unanimously used Google to search for legal help online. However, some search features (in Google or in other search engines) caused confusion. For example, “People also ask” search features⁷ were not well understood and did not always provide relevant or accurate information (see Figure 10). Google’s mapped results and associated categories in “Google My Business” did not always help people to identify suitable resources and services. These business listings also include a “questions and answers” feature which may or may not include correct or relevant information.

Figure 10



⁷ “People also ask” boxes are a dynamic search engine results page feature containing sets of questions related to the original search query. Google and other search engines (e.g., Bing, Yahoo) use this feature.



Given these challenges, interview participants described various strategies they used in deciding which websites or links to select. Participants looked for government-funded sites, and/or those that had a familiar and trusted name (such as Legal Aid or Law Foundation) in the title. Online reviews (on Google, Facebook, and elsewhere) also stood out as a key arbiter of decision making about which links to click or sites to trust. Participants were aware that online search results included ads, and most said they usually skip or avoid ads. However, device type and font size could make ads difficult to identify (see Figure 11).

The complex, technical nature of legal processes and terminology was also linked to search-related challenges. In our survey of BC residents, 41 percent of those in lower income households either did not use the Internet or were not confident, or were unsure, whether they could find trustworthy legal information online. Further, 45 percent either did not use the Internet or were not confident, or were unsure, whether they would understand most legal information they would find online. About the same proportion (46 percent) agreed they would not know where to start looking for legal help or information online. Additionally, 51 percent of people in lower income households agreed that it would be too confusing or overwhelming to search for legal information or help online. Likewise, community workers and interviewees in our study described how, for a person with no legal training, it could be difficult to know what search terms to use to locate suitable legal resources, and also difficult to understand or navigate the information on legal sites.

“I often look at the reviews ... Other people’s opinion of that site is a big influence.”



Figure 11

Because of the font size on her mobile device, this participant is unaware that this is an ad. She goes to “Our Lawyers.”

“Looking at legal information [online]... I don’t find it’s really easy to look up. One thing that I kind of know about court is that it’s highly based off of precedents and technical terms that I just don’t quite know. And the more I look into that kind of stuff, the more questions I have and more confusing it gets. So... [I’ve relied on] ... services or [reception staff] ... pointing me in the right direction.”





For all these reasons, people often look for legal help in the form of a service provider, advisor, or navigator who can help them understand legal processes, clarify their options, and provide reassurance. Interview participants commonly indicated that they would seek out expert help for a legal issue – ideally free legal advice, or representation by a lawyer. They were less inclined to look solely for online legal information or self-help resources. In searches, participants often prioritized local services or organizations. They also thought to look for familiar and trusted services such as legal aid or family justice counsellors. People seeking help for an Indigenous relative often looked for familiar and trusted Indigenous services – such as those provided by the Native Courtworker and Counselling Association of BC and Native Friendship Centres.

Speaking to a person (versus reading information) was also valued for purposes of emotional support. Interview participants described how the stress and vulnerability of legal issues means that help-seekers need a compassionate, supportive response.

Overall, interview participants had mixed approaches to legal help-seeking, favouring a variety of digital, phone-based and in-person approaches. Some found it faster and more convenient to go online for legal help; interviewees commonly described looking online for trusted information about first or next steps. However, this was often part of a hybrid strategy; these participants often searched online for *offline* resources such as phone numbers for lawyers or legal service providers. Interview participants valued help from a person who could provide knowledgeable, immediate, and personalized guidance. This was seen as an efficient way to clarify complex legal information.



“I’m not very well-spoken. I don’t like public speaking, so to have a legal representative speak in court for me... would be probably the deciding factor [in] whether I would go to jail or not.”

“I still try to make the phone calls. I like hearing a person’s voice, getting to talk to someone, especially when it’s an intimate issue like this. When it’s my family and it’s... family law, there’s a lot of personal information that I’m giving.”

“On Google... if I don’t really find it on the first page, then I’ll just start making calls and asking questions – [phone] numbers that I find that might be able to point me in the right direction.”

“Honestly, I read [websites], but I usually like to have an actual human being to confirm it on a phone call.”



During interviews, participants expressed preferences for different online and offline channels for accessing legal help – including web resources, texting, messaging, online chats, phone calls, or in-person options. In interviews and in our research with community workers, texting and messaging were identified as popular modes of communication, and live chat features on websites were seen as useful. While some interviewees were uncertain (e.g., about privacy) and most disliked automated chats (“chatbots”), many valued live chat with a person; this was seen as efficient, as convenient, and as accessible for youth.

A key theme that emerged across all components of our study relates to the important role played by community-based intermediaries (such as service providers, community workers, advocates, Elders, volunteers, and helping professionals). Intermediaries can act as vital bridges to digital legal resources or other legal services. Community workers’ responses demonstrate how they tailor referrals and help in personalized ways – accounting for people’s legal issues; circumstances; and barriers related to technology access, language, stress and trauma, disability or health issues; and legal complexities, among other considerations. While digital tools can mirror some of these practices (for people who are comfortable using them), human intervention provides individualized emotional support and encouragement that is not easily replicated online.



“Always, if I can go on a chat online, as opposed to [being] on hold on the phone, I’ll go online.”



“My work with clients is case-by-case. If I feel like a client will manage on their own if I give them a URL to use the resource on their own, I will. More often than not, I will call the client and help them to use the resource. During COVID-19, we have not always been able to see clients in person so calling them is usually my only option. If my client needs in-person help with digital resources, I will make an exception and see the client in-office as long as we follow proper COVID-19 protocol.”



The responses of community workers, staff, and partners suggest that, in cases where intermediaries do not refer people to digital legal resources, this is because people needed other, often more intensive forms of legal assistance due to their legal issue or because of the barriers they faced. Less commonly, workers might not refer a person to digital legal resources because they are not aware of available resources or, even less commonly, because they lack access to or comfort with digital technology themselves.

Workers' busy schedules, high rates of turnover among client-facing staff, and frequent changes in the legal landscape mean community workers face challenges in staying up to date with public legal sector resources and services in BC. When asked about helping people with digital legal resources, although 63 percent of workers surveyed said they would know what resources were available, 37 percent said they would not know, or were not sure (see Figure 12).

Figure 12





Legal help-seeking, and accessing legal help online: Implications

➔ **As with digital divides in BC, our research illustrates how many barriers to locating and accessing digital legal help stem from broad, systemic inequities that require structural changes across legal systems and public and private sectors.**

In response to these broader dynamics, PLEI providers can play an active role in responding to calls for action on systemic injustices. This can occur through meaningful engagement with communities affected by colonialism, racism, misogyny, ableism, and income inequality, among other dynamics. Service providers can also look to recent processes, frameworks, and recommendations that address these issues – for example, the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), the Truth and Reconciliation Commission, and the National Inquiry into Missing and Murdered Indigenous Women and Girls. Numerous other reports prepared with and by affected communities also offer important perspectives and calls for change (for instance, BCPRC, nd; Bennett & Larkin, 2018; Prochuk, 2018; Special Advisor Grand Chief Ed John, 2016; Walkem, 2020).

➔ **Our findings about legal help-seeking and accessing resources highlight how the delivery of PLEI should seek to meet people “where they are.”**

This means designing resources and options with an awareness that intended audiences may have varying levels of digital technology access and comfort. They may also be: affected by stress, trauma, systemic discrimination, and/or mental health difficulties; unfamiliar with legal systems, processes, and terminology; and unfamiliar with the full range of PLEI or public legal resources and services that are available. Many may think of representation or advice from a lawyer as the primary or only type of legal help available.

➔ **These themes highlight the importance of continuing to develop and promote highly visible, low-barrier points of entry to PLEI resources and services.**

Promotion and outreach initiatives could foreground convenient, free access to empathetic, responsive, culturally safe and trauma-informed human help in navigating legal processes, and could advertise multiple channels for accessing this help (including text/messaging, phone, web chat, and in-person office locations). In our literature review, interviews, and research with community workers, Facebook Messenger was commonly highlighted as a familiar and accessible platform for many who experience constrained access to technology. However, given the considerable privacy concerns associated with external platforms, each PLEI provider will need to assess the potential risks and benefits of social media applications as prospective channels for access to PLEI resources and services.

“I didn’t want to look at websites. I just wanted to make a phone call and talk to someone. And I think that’s probably what I like about that website, is that it kind of gets you to that option right away.”



During interviews and in our research with community workers, suggestions about promotion most often related to digital marketing. Strategies to be tested and evaluated by PLEI providers could include targeted advertisements on Facebook, Google, and popular online games. In interviews and in research with



community workers, promotional print materials such as pamphlets were also favoured because they can serve as a brief orientation to a legal issue and provide relevant vocabulary for use in searching.

➔ **Our research also highlights the importance of supporting referrals to digital legal resources through outreach, orientation, and promotional materials for intermediaries.**

“Brochures or pamphlets are a great way to get the initial information. So you can learn what questions to ask.”



Community workers valued regular email updates in addition to print resources such as booklets, brochures, or printouts for use in referring people to suitable online resources. These suggestions resonate with other legal and health sector research that recommends equipping intermediaries with ready-made promotional materials (Bluesky, 2019; CHRC, 2016; Crosby, Anderson, & Sevenpifer, 2018; Currie, 2015; Johnson & Van Eerden, 2019).

➔ **A final implication in this area relates to the need for PLEI providers to focus on and address search-related discoverability issues, including those related to the Google “grey area” described in our User Journey Interview report:**

Search engines – especially Google – have become a critical mediating middle step that come in between a searcher and the PLEI content on legal help websites or digital tools. The... “grey area” includes expanded local maps and the “People also ask,” “Reviews,” and “Questions and answers” features. PLEI providers have limited control over search engine tools, yet incorrect or confusing information that emerges via these (or other) features can prevent searchers from finding websites and digital legal resources.



Because of these and other issues, Search Engine Optimization (SEO) is a vital aspect of assisting people to locate PLEI resources. SEO strategies include a variety of web design techniques that help to increase the quantity and quality of website traffic from search engines (such as Google.) These strategies include the use of Schema⁸, Google cards or Menus, and implementation of a Google My Business optimization strategy – for example, through active management of business categories, online reviews, and the “Questions and answers” features.

⁸ See: <https://schema.org>.

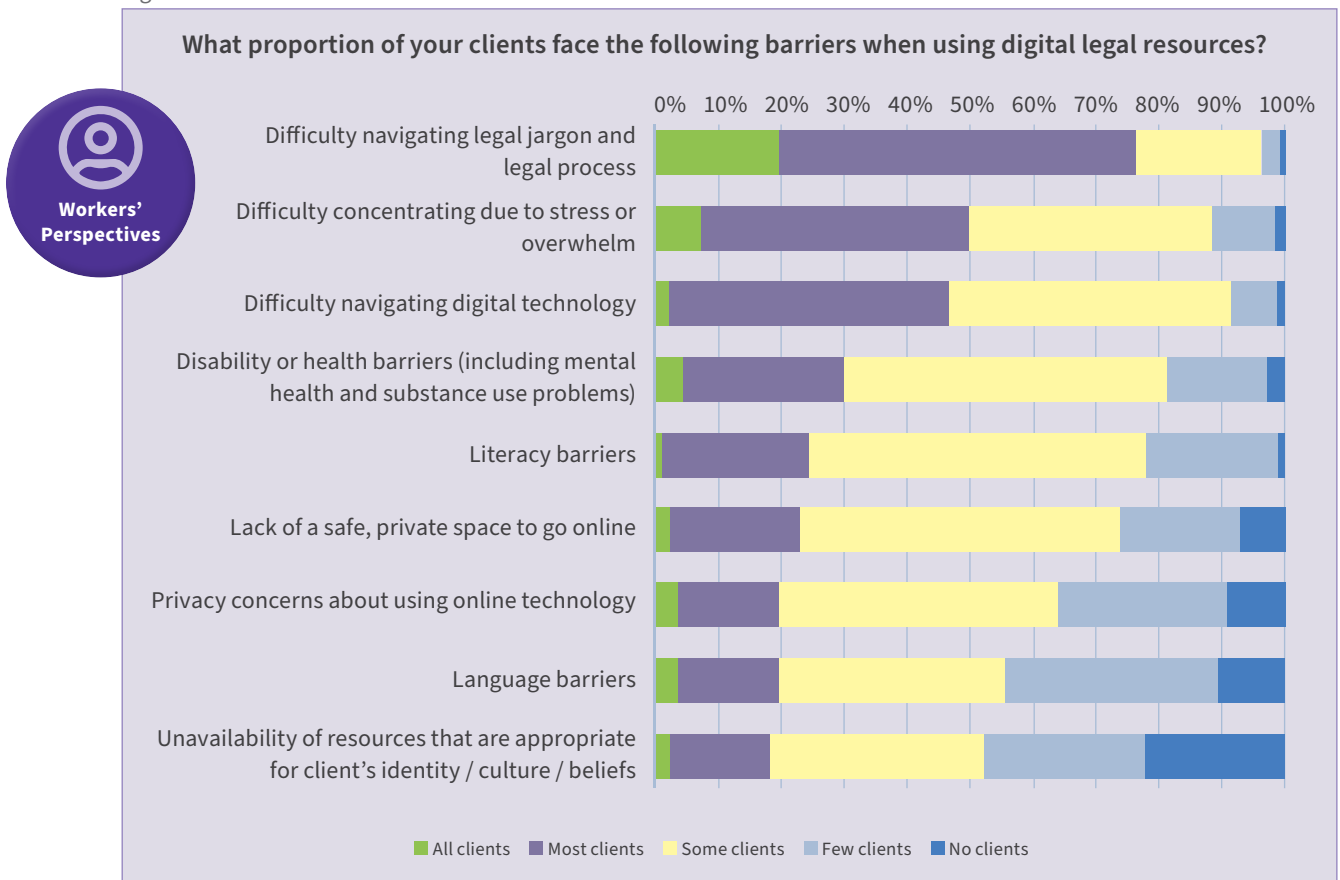


Using and benefiting from digital legal resources

Even when people can locate and access a suitable digital legal resource, the issues discussed throughout this report can prevent people from using and/or benefiting from the resource. These

issues include the barriers to Internet use reported by 44 percent of lower income BC households (see Figure 4, p. 10); as well as challenges relating to locating and understanding legal information, and finding a safe, private space to use the Internet and communicate privately about legal issues (see Figure 9, p. 16). Community workers who responded to our survey indicated that, apart from technology use, the most impactful barriers they observe relate to legal complexity, stress, and lack of comfort with technology. Between 46 and 77 percent of these community workers said that all or most of the people they help were affected by one of these top three issues (see Figure 13).

Figure 13





Observations shared by community workers highlight how many of the people they assist face multiple, overlapping barriers.

Community workers often described how their clients' technology access was sufficient for basic communication (e.g., texting, messaging, or email) but was too old, not sufficiently safe or private, or was inadequate for many digital legal tasks like completing forms; printing, signing, and scanning documents; video calls, and document sharing. Common challenges also related to the limited typing functionality and small screens of mobile phones.

Lack of opportunity to develop digital skills also often caused significant barriers, especially for seniors. People with limited tech experience sometimes struggled to keep track of passwords and were hesitant to engage in unfamiliar online environments. Workers noted that lack of confidence was often a substantial barrier for people with difficulties reading in English.

★ Many issues relate to the combined impacts of legal complexities and stress or trauma.

Our review of literature found:

Legal processes can require advanced capabilities in official language literacy, oral and/or written communication skills, numeracy, and the construction of arguments and evidence according to specific legal criteria.

...

Finding and using online legal information can be significantly constrained by trauma, and by the stress that accompanies legal problems. Trauma and stress limit abilities to focus, retrieve and apply information, plan or problem-solve, act, and think critically. The effects of stress and trauma are compounded by language and literacy barriers, mood and/or mental health issues, self-perceptions of competence and efficacy, and expectations about the outcome of a legal issue – barriers more often faced by those who have experienced systemic discrimination.

Both community workers and interview respondents described how uncertainty and doubt could arise when resources presented general legal information that was not directly related to a help-seeker's specific situation. Workers described how, in some cases, text-heavy resources could cause people to become overwhelmed and "shut down." Clicking "next" and "submit" buttons could spark anxiety about making mistakes. These barriers were heightened for people with limited technology comfort, and especially in

"If online services are not easily accessed through smart phones, they are less likely to use it."



"Basic literacy is a huge barrier for... clientele in my area. So, I do a lot of reading for people. Their computer literacy is also very low; even their confidence to just click "next", or even finding the "next" button, it's really simple things that are barriers. I serve a lot of elders, so I find I do a lot of dictating of what a website reads. ... They get really intimidated when I say "hey, let's sign into your account"; they get really, really nervous. Their lack of confidence in using computers is really high."



high-stakes situations. Some workers described how stress and low confidence could lead to a person abandoning a resource part way through out of fear or frustration. Overall, our research with community workers found that:

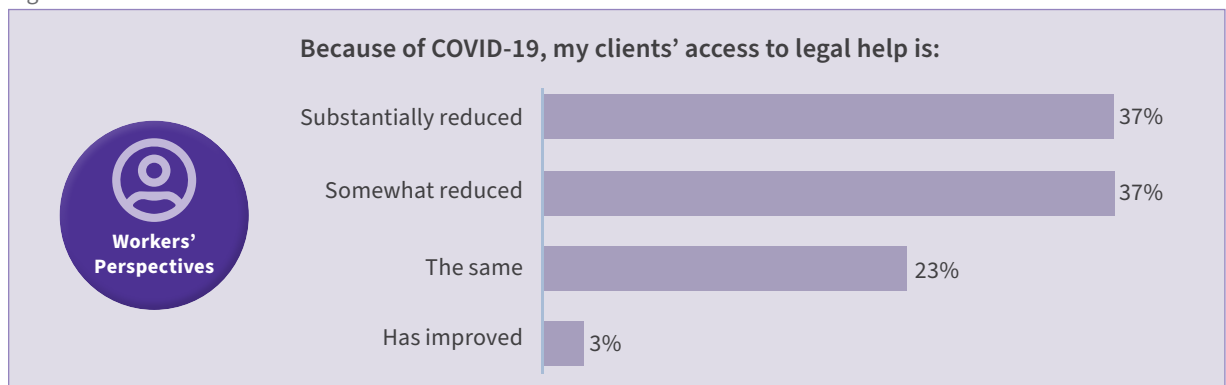
Widespread difficulties related to stress, legal complexity, and lack of comfort with technology were exacerbated by other barriers. Clients with disabilities, mental health issues, literacy challenges; those who have faced systemic discrimination or violence; those experiencing homelessness; and those who speak languages other than English, faced “huge” challenges in accessing or benefiting from digital legal resources.

“Most things that you read... they’ll try to cover the generic situation that applies to most people. And there could be a good chance that you’re reading a lot of stuff that doesn’t apply to you.”



Workers also emphasized how the impacts of these myriad barriers became starkly obvious with the onset of COVID-19. Among the workers we surveyed, 74 percent felt their clients’ access to legal help had been either substantially or somewhat reduced because of the transition to digital and phone-based services during the pandemic (see Figure 14).

Figure 14



Online content and design also play a role. Barriers related to content and design can stem from a lack of accessible features on websites and apps. Our review of literature also found:

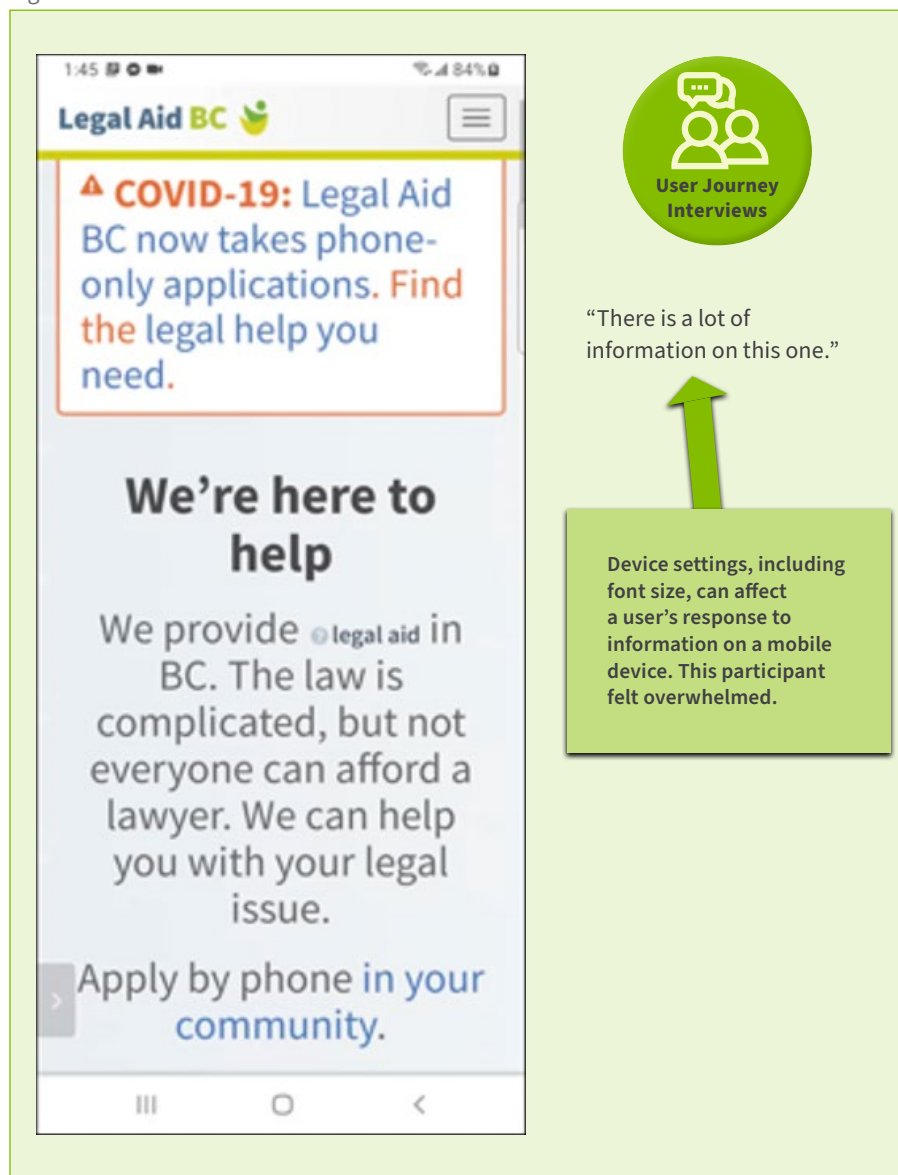
The absence of multilingual content is a significant barrier for those who use languages other than English. Sites that are poorly designed (e.g., where content is buried and navigation is unclear) cause frustration.... Online content can also reflect prejudice and harmful assumptions; media representations often omit or distort the stories and experiences of whole groups of people — including Indigenous people, people with disabilities, 2SLGBTQAI+⁹ and gender diverse people, people of colour, and religious groups.

9 Two-Spirit, Lesbian, Gay, Bisexual, Trans, Queer, Asexual / Aromantic, Intersex, Plus.



Barriers related to language, and exclusionary or harmful content were less commonly observed by community workers (see Figure 13, p. 26), but workers' comments illustrate how the effects of these barriers are often considerable. In our interviews, some participants experienced content and navigation-related challenges because of legal terminology and acronyms, ineffective website search tools, uncertainty about the function of some website features, or limitations associated with mobile display and font settings (see Figure 15).

Figure 15





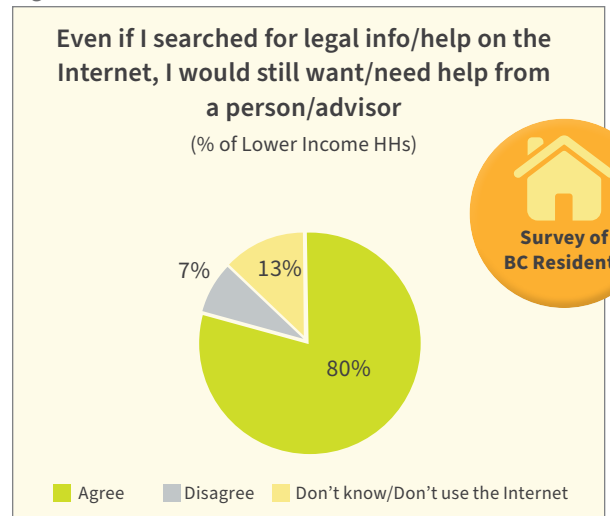
One-to-one, complementary, and offline assistance

★ **The importance of supportive, one-to-one assistance with digital legal resources and legal issues emerged as a key finding across all components of our study.**

As in our study’s interviews, our survey of BC residents found that, across all income groups, the majority agreed that even if they searched for legal help online, they would still want help from a person or advisor (see Figure 16). In our research with community workers, “one-to-one assistance from someone with legal knowledge” stood out as the most highly ranked type of support – with 87 percent of survey respondents characterizing this as very important in supporting their clients to benefit from digital legal resources. “One-to-one help from someone with digital skills” was also seen as very important by 75 percent of workers surveyed (see Figure 19, p. 33). This illustrates how both types of knowledge (legal and digital) are necessary to ensure effective use of these tools (see also Denvir et al., 2018).

In interviews and in our research with community workers, one-to-one help was often described as the most effective means of addressing widespread barriers relating to legal complexity; stress, overwhelm, and trauma; and lack of technology access and comfort. Workers’ accounts demonstrate how they provide a wide range of supports, including help with reading and understanding legal language, help with technology, and emotional support and reassurance. Those who work with newcomers often provide interpretation and language support. One-to-one help was seen as especially vital for seniors; people with brain injuries, cognitive disabilities, or mental health issues; and people who face language and literacy barriers, violence, or systemic discrimination.

Figure 16



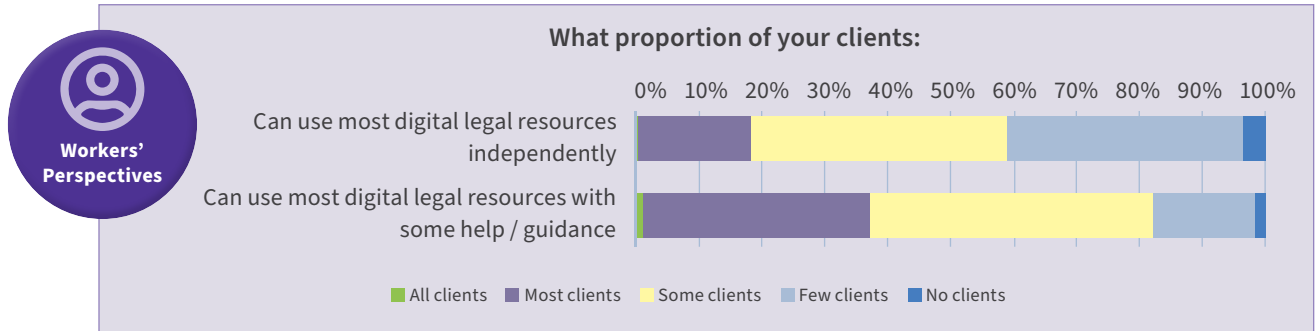
“As wonderful as digital information is, for many people who are overwhelmed when fleeing domestic violence, they simply need access to person-to-person legal help and advocacy.”





Workers’ responses illustrate how personalized help can be key to bridging gaps that prevent some people from being able to benefit from the legal resources available online. Among the workers who responded to our survey, while only 18 percent said that all or most of their clients could access and use digital legal resources independently, twice as many (36 percent) said that all or most of their clients could use digital legal resources with some help or guidance (see Figure 17).

Figure 17



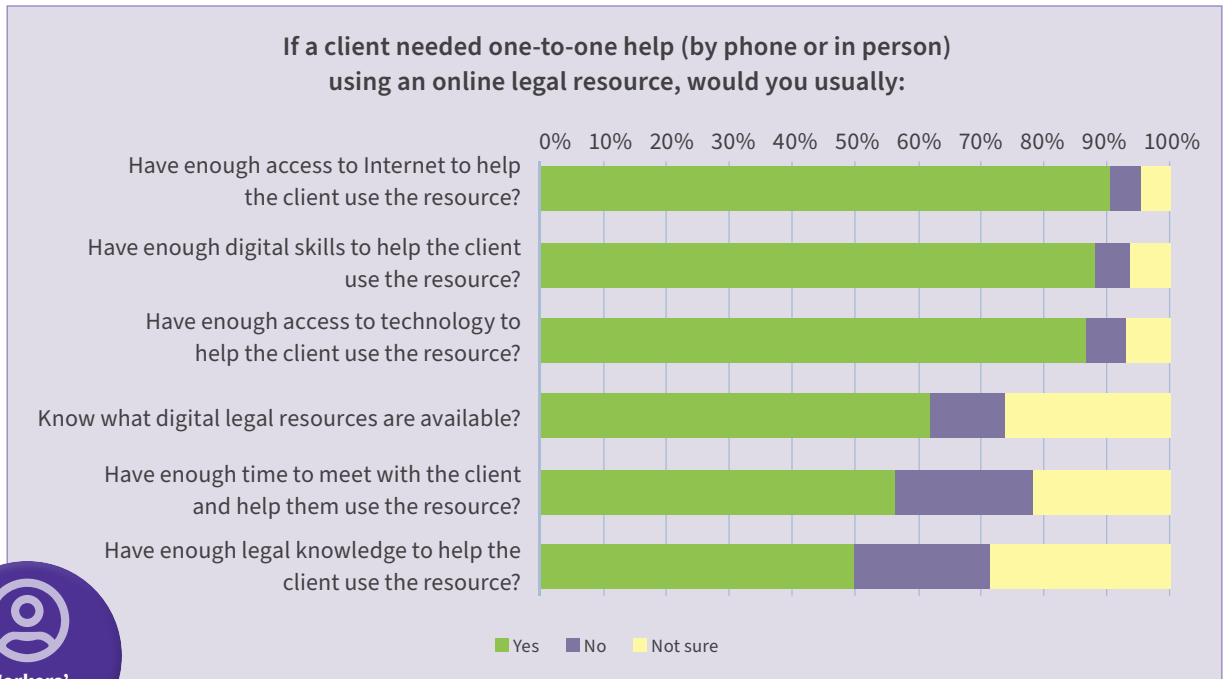
“We cannot abandon...in-person supports when accessing legal information. Unlike a recipe book, legal information is fraught with emotional contexts which require the guidance of a knowledgeable, informed and trained (particularly trauma-informed and anti-oppressive) support person. Without this kind of in-person attention, I often witness how the information provided can create further confusion, anxiety, and ultimately create more problems than it solves.”

Many workers were also emphatic about the need for alternative and/or complementary types of legal help beyond digital resources and services. The need for in-person modes of assistance, including walk-in or drop-in models of service, was frequently highlighted.



While one-to-one assistance could help more people benefit from digital legal resources, some workers face challenges to providing this help. A minority of community workers said that technology access or skill was a barrier. Instead, barriers for workers more often related to knowledge, time constraints, and the disruptive impacts of the COVID-19 pandemic (see Figure 18).

Figure 18



“It was difficult to teach use of technology while using technology. Language, limited time, stress, limited access to devices and Internet, limited [or] no prior experience with technology. All these challenges made the task of engaging clients online very difficult.”

The pandemic resulted in lack of access to physical spaces where workers could sit with people to help them use digital legal tools. Although many shifted to helping via phone, email, or video call, this could be more difficult and time-consuming.



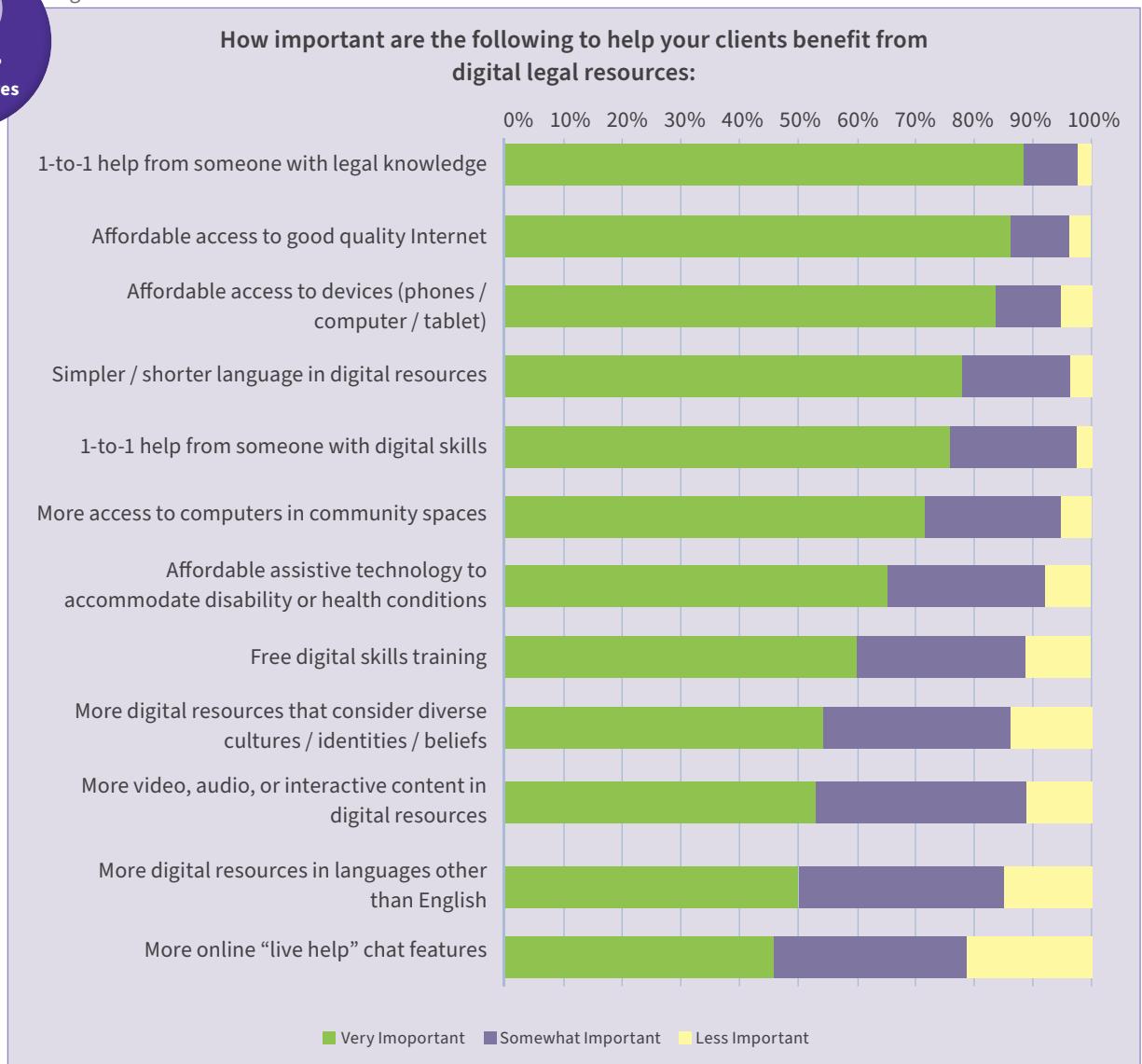
Using and benefiting from digital legal resources: Implications

➔ **With respect to using and benefiting from digital legal resources, our research once again demonstrates the need for a range of – online and offline – options and supports.**

A key finding from our study is that technical, design, or content-based improvements are not stand-alone solutions when it comes to enabling use of digital legal tools – especially for BC residents who face more fundamental barriers related to technology access, among other challenges. The community workers we surveyed generally saw one-to-one help and technology access as more important than factors relating to the content and design of digital legal resources (see Figure 19).



Figure 19





➡ **A person-centred, accessibility-focused, and multi-channel approach to delivery of PLEI can use digital design practices that mitigate barriers, while also providing complementary and/or alternative forms of help for people less able to access or use digital legal resources.**

Over 80 percent of the community workers we surveyed still saw content and design considerations as important. They ranked simpler or shorter language highest among design practices for PLEI providers to prioritize. Simple language was seen to mitigate barriers relating to legal complexity, literacy, language, and stress. To further address overwhelm and stress, community workers suggested providing guided pathways, orientation materials, trial or testing options, built-in explainer info, and reassuring navigational prompts (e.g., “you’re halfway!”)

Workers also valued: the use of inclusive, culturally appropriate and culturally safe content; use of audiovisual formats (including graphics, tutorials, and presentations) that respond to different modes of literacy and learning; triage and guided pathway features; multilingual resources and/or supports; live chat (including multilingual live chat); and designing for device compatibility. Design of digital legal resources can also seek to maximize accessibility for diverse client groups through best practices such as adherence to Web Content Accessibility Guidelines.

“Clients get overwhelmed with a lot of information or jargon. Having access to straightforward [resources] that gives them key information is helpful. The pathways tool is great for this.”



➡ **There is need to preserve and enhance personalized, one-to-one modes of PLEI and legal assistance – both as a complement and an alternative to digital legal resources.**

Wherever possible, one-to-one assistance could be provided in a range of (brief to more intensive) formats and via the multiple online and offline channels described throughout this report. Community workers’ responses illustrate how online resources are more effective when accompanied by access to one-to-one assistance – a theme further supported in the literature on PLEI (McDonald, Forell, & Wei, 2019).

Key themes in our study highlight how access to trauma-informed, multilingual, and in-person one-to-one assistance, alongside supported technology access, is especially key for some people.

The responses of community workers also highlight the need to ensure that any such access and service locations are adequately resourced, to ensure the necessary staff time, training, and technical support required to provide one-to-one assistance with digital resources.



➔ **Because digital legal resources are often most effective when delivered alongside one-to-one assistance, PLEI providers should continue to support intermediaries in providing effective support – for example, through outreach, training, and how-to resources.** Many community workers favoured continued outreach and training on PLEI resources to help them confidently and effectively assist people with these tools. Some workers also identified broader organizational and staffing needs for increased resources and time to help people on a one-to-one basis.

Taken together, key findings from the ADE project underscore that digital legal resources may be very effective for some people but not for others. Further, they may be most effective when used in combination with knowledgeable, trauma-informed, one-to-one legal help.

“When we are working with [clients], they’re not only asking how to use the tool. They’re also asking us to define, explain and interpret. We don’t have the knowledge; we’re not lawyers. This comes back to hit us: ‘Do I have to run around and find more resources to answer the questions? Do we have the resources in town?’ Most of the time, our clients are low-income and unable to pay a fee, and those [fee-for-service options] are the only resources available.”



“The people who need the most help need help from a person.... Not everyone can be their own researcher, negotiator, and lawyer / advocate.”

“COVID has opened the door to virtual communication with clients, which was not readily available prior to the pandemic. Moving forward, our organization will continue to offer all formats to clients, allowing for more options for our clients.”





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