



Legal needs of younger people in Australia

Abstract: *This paper summarises findings from the Legal Australia-Wide (LAW) Survey on the legal problems experienced by younger people aged 15–24 years in Australia. Similar to previous studies, the findings show a higher vulnerability to legal problems for younger people compared to the oldest age group. Also in keeping with past research, different ages or life stages were associated with different types of legal problems. Accidents, crime, personal injury and rights problems peaked either at 15–17 or 18–24 years. In addition, younger people were less likely to seek advice from professionals for their legal problems. The policy implications of these findings are discussed.*

Source

This paper is a simplified excerpt from the report, **Legal Australia-Wide Survey: Legal need in Australia** by Christine Coumarelos, Deborah Macourt, Julie People, Hugh M. McDonald, Zhigang Wei, Reiny Iriana and Stephanie Ramsey (Law and Justice Foundation of NSW, 2012).

About the LAW Survey

The LAW Survey provides a comprehensive assessment of a broad range of legal needs on a representative sample of the population. It covered 129 different types of civil, criminal and family law problems. It examined the nature of legal problems, the pathways to their resolution and the demographic groups that struggle with the weight of their legal problems.

With 20,716 respondents across Australia, including over 2000 in each state/territory, the LAW Survey allows for in-depth analysis at both the state/territory and national level. The major findings were published in a series of nine reports, with a report on Australia as a whole and each state/territory. Some key findings were:

- legal problems are widespread and often have adverse impacts on many life circumstances
- disadvantaged people are particularly vulnerable to legal problems
- many people do nothing to resolve their legal problems and achieve poor outcomes
- most people resolve their legal problems without using lawyers or the formal justice system.

The nine LAW Survey reports are available at:

www.lawfoundation.net.au

Past legal needs surveys have identified that age is significantly related to the overall prevalence of legal problems and to the prevalence of particular types of legal problems. It has been argued that people's life circumstances tend to change as they age and progress through different life stages, and thus, their exposure to the defining circumstances necessary to experience particular types of legal problems also changes (e.g. Coumarelos, Wei & Zhou 2006; Dignan 2006; Pleasence 2006). For example, economic, family and social circumstances all tend to change with age. Typically, the younger or middle age groups have the highest overall prevalence rates, and the older age groups have the lowest prevalence rates (e.g. Coumarelos et al. 2006; Currie 2007; Dignan 2006; Pleasence 2006; van Velthoven & ter Voert 2004).

Measuring legal needs

A representative sample of 20,716 respondents across Australia aged 15 years or over was interviewed. Respondents were asked whether they had experienced a legal problem in the 12 months prior to interview. The LAW Survey covered 129 different types of civil, criminal and family law problems. These legal problems were categorised into 12 problems groups—accidents, consumer, credit/debt, crime, employment, family, government, health, housing, money, personal injury and rights. Half of the respondents experienced a legal problem in the previous 12 months.

This paper summarises the findings for 'younger people' aged 15–24 years. The LAW Survey analyses generally examined 15–17 and 18–24 year olds as separate groups. Seventeen per cent of the Australian sample were aged 15–24 years.

Predicting the prevalence of legal problems

A series of regression analyses were conducted using the Australian LAW Survey data to examine the demographic groups that had increased likelihood of experiencing:

- legal problems overall—that is, increased likelihood of experiencing a legal problem of any type
- substantial legal problems—that is, increased likelihood of experiencing a legal problem that had a ‘moderate’ or ‘severe’ impact on everyday life
- multiple legal problems—that is, increased likelihood of experiencing a greater number of legal problems
- problems from each of the 12 legal problem groups.

The regression results using the Australian LAW Survey data replicated past findings that vulnerability to legal problems is not random but varies according to problem type and demographic characteristics. Further details of the findings for Australia are provided below.

Prevalence of legal problems

In Australia, the oldest group (aged 65 years or over) had significantly lower levels of legal problems overall compared to all other age groups. Only 31 per cent of the oldest group experienced legal problems compared to 50 per cent of the Australian sample. Based on the regression analysis, the 35–44 year old group had the highest odds of legal problems overall, and was followed by the 18–24, 25–34, 45–54 and 15–17 year old groups. Compared to the oldest group, 18–24 year olds were 2.8 times as likely to experience legal problems and 15–17 year olds were twice as likely. Fifty-five per cent of 18–24 year olds and 43 per cent of 15–17 year olds experienced legal problems.

Prevalence of substantial legal problems

In Australia as a whole, the younger age groups had significantly higher odds of experiencing substantial legal problems compared to the oldest group, with odds that were 1.5–2.4 times as high. However, the 25–34 and 35–44 year old groups had the highest odds of experiencing substantial legal problems compared to the oldest group.

Prevalence of multiple legal problems

The oldest group was also significantly less likely to experience multiple legal problems compared to all other age groups. The younger age groups had rates of experiencing legal problems that were 1.9–2.4 times as high as those for the oldest group.

Prevalence of different types of legal problems

The LAW Survey also demonstrated that different types of legal problems tend to peak at different ages and appear to reflect people’s changing life circumstances as they progress through different stages of life. According to past studies, frequent legal problems for younger people include problems related to criminal activity, accidents, personal injury and rented housing (Coumarelos et al. 2006; Currie 2007; Maxwell et al. 1999; Pleasence 2006). The LAW Survey results for Australia as a whole support many of these past findings. In particular, accidents, crime, personal injury and rights problems peaked either at 15–17 or 18–24 years. Rights problems included some problems that are potentially related to criminal activity – namely, problems concerning unfair treatment by police and student bullying/harassment.ⁱ

Predicting strategy in response to legal problems

Regression analyses using the national data were also conducted to examine how demographic characteristics relate to the strategies used in response to legal problems. The LAW Survey defined three broad strategies that respondents took in response to their legal problems: seeking advice from a legal or non-legal professional, handling problems without professional advice and taking no action. Two regression analyses were conducted on strategy. The first regression analysis examined the likelihood of taking action to resolve legal problems, and the second regression analysis examined the likelihood of seeking advice when action was taken to resolve problems.

In most jurisdictions, the middle age groups tended to have the highest percentages of taking action in response to legal problems. In Australia as a whole, 18–54 year olds all had significantly higher levels of taking action than the oldest group. Compared to the odds for the oldest group, those for respondents aged 25–54 years were 1.4 times as high, while those for 18–24 year olds were 1.3 times as high. The 15–17 year old group had odds of taking action that were

not significantly different to the low levels of the oldest group. When action was taken, the younger groups aged 15–24 years had the lowest levels of seeking advice from a professional, while those aged 25–34 years also had significantly lower odds of seeking advice compared to the oldest age group.

Predicting finalisation and outcome of legal problems

A regression analysis examined the relationship between demographic characteristics and whether respondents had finalised their legal problems by the time of interview. Age was significantly related to the finalisation of legal problems, with the younger groups having the highest levels of finalisation. Their odds of finalisation were 1.7–2.2 times as high as those for the oldest group. The finalisation rate was 76–82 per cent for those aged under 25 years compared to 59 per cent for those aged 65 years or over.ⁱⁱ A regression analysis also examined the relationship between demographic characteristics and whether respondents reported favourable outcomes for their legal problems. The youngest group aged 15–17 years was the only age group that had significantly higher odds of favourable outcomes when compared to the oldest group.

Conclusion

The LAW Survey found that people aged 35–44 years in Australia had the highest overall prevalence levels and were followed by people aged 18–24, 25–34, 45–54 and 15–17 years. The oldest group aged 65 years or over had lower prevalence on most measures compared to all other age groups.

The survey replicated past findings that the nature of legal problems is strongly related to stages of life, with different types of legal problems tending to peak at different ages (e.g. Coumarelos et al. 2006; Dignan 2006; Pleasence 2006). Accidents, crime, personal injury and rights problems peaked either at 15–17 or at 18–24 years. The peak levels of crime problems for younger people are consistent with official court statistics and crime data, which show high rates of criminal offending and victimisation among younger adults, particularly young males (ABS 2011; NSW Bureau of Crime Statistics and Research 2011). With regard to the peak levels of accidents and personal injury problems for younger people, it is noteworthy that motor vehicle accidents were categorised within these two problem groups.

Thus, these results may partly reflect poorer driving skills and greater risk-taking behaviour among young adults (Coumarelos et al. 2006).

The age-related experience of legal problems suggests that there may be benefits to tailoring legal information, education and advice strategies for different age groups, to address the types of legal problems typically faced at various life stages. Age-tailored initiatives have been adopted in other areas, such as in the area of financial services, where banking, superannuation and insurance schemes are customised to the typical needs of different age groups (e.g. Brennan 2000; Datamonitor 2003; Department of Family and Community Services 2005). Legal information and education strategies could similarly be targeted according to the types of legal problems that tend to peak at different ages, communicated in an age-appropriate form and disseminated via age-accessible pathways. For example, high schools could be pathways for delivering legal information and education to young people on the types of legal problems their age groups typically face (Coumarelos et al. 2006). Legal advice and assistance services could also be tailored to the particular legal needs of different age groups. For example, specialist legal services for specific age groups, such as younger people, may be of value in geographical regions that include large populations of those age groups. Again, such specialist services could use age-appropriate communication and could focus on overcoming the specific barriers to accessing justice faced by the client group (Coumarelos et al. 2006; Ellison et al. 2004).

Given that younger people aged 15–17 years, like older people, were less likely to take action to resolve their legal problems, information and education initiatives could help empower them to identify their legal needs and take steps towards resolution. The findings that younger people aged 15–24 years were the most likely to handle problems without seeking professional advice when they took action suggests that they may benefit from information and education strategies that signpost them to advice services. Enhancing young people's awareness of advice services would help to ensure that they are able to seek expert advice whenever this would be useful and do not rely on less optimal strategies due to a lack of knowledge about avenues for assistance.

References

- Australian Bureau of Statistics (ABS) 2011, *Recorded crime: offenders, 2009-10*, cat. no. 4519.0, ABS, Canberra.
- Brennan, NJ 2000, *Health insurance coverage of the near elderly, New federalism: National survey of America's families*, no. B-21, Urban Institute, Washington, D.C.
- Coumarelos, C, Wei, Z & Zhou, AZ 2006, *Justice made to measure: NSW Legal Needs Survey in disadvantaged areas*, Law and Justice Foundation of NSW, Sydney, <<http://www.lawfoundation.net.au/report/survey2006>>.
- Currie, A 2007, 'Civil justice problems and the disability and health status of Canadians', in P Pleasence, A Buck & NJ Balmer (eds), *Transforming lives: law and social process*, Stationery office, London, pp. 44-66.
- Datamonitor 2003, *Targeting 30-44 year old consumers in UK household insurance 2003*, Datamonitor, London.
- Department of Family and Community Services 2005, *Inquiry into improving the superannuation savings of people under the age of 40: submission to House of Representatives Standing Committee on Economics, Finances and Public Administration*, DFCS, Canberra.
- Dignan, T 2006, *Northern Ireland Legal Needs Survey*, Northern Ireland Legal Services Commission, Belfast.
- Ellison, S, Schetzer, L, Mullins, J, Perry, J & Wong, K 2004, *The legal needs of older people in NSW*, Law and Justice Foundation of NSW, Sydney, <<http://www.lawfoundation.net.au/report/older>>.
- Maxwell, GM, Smith, C, Shepherd, PJ & Morris, A 1999, *Meeting legal service needs*, Institute of Criminology, Victoria University of Wellington, Wellington.
- NSW Bureau of Crime Statistics and Research (NSW BOCSAR) 2011, *NSW criminal court statistics 2010*, NSW BOCSAR, Sydney.
- Pleasence, P 2006, *Causes of action: civil law and social justice*, 2nd edn, Stationery Office, London.
- van Velthoven, BCJ & ter Voert, M 2004, *Paths to justice in the Netherlands: looking for signs of social exclusion*, Department of Economics research memorandum, no. 2004.04, Faculty of Law, Leiden University, Leiden.

Endnotes

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- ⁱ Compared to the oldest age group, 15–17 year olds also had elevated levels of employment and housing problems, while 18–24 year olds had peak levels of employment problems and elevated levels of consumer, credit/debt, family, government and health problems.
- ⁱⁱ Note that 30 per cent of legal problems were finalised via the respondent 'abandoning' the matter – that is, not pursuing the matter at all or deciding not to pursue the matter further. The analyses did not examine whether younger people were more likely to abandon the matter. In addition, finalisation of legal problems did not necessarily mean a favourable outcome for the respondent. Two-thirds of finalised legal problems had outcomes that were mostly or somewhat favourable for the respondent.

