

Evaluation
of the
***Guide to Legal Services
for Aboriginal People
in NSW and the ACT***



Evaluation of the *Guide to Legal Services for Aboriginal People in NSW and the ACT*

Written by:

Jacqueline Gerber, Aboriginal Justice Advisory Council
Sheryn Omeri, Aboriginal Legal Service (NSW/ACT) Limited
Suzie Forell, Law and Justice Foundation of NSW
for the NSW Legal Assistance Forum Working Group on Aboriginal Clients

May 2008

This publication has been developed with the support of:



**NSW
Aboriginal Justice
Advisory Council**



**LAW AND JUSTICE
FOUNDATION**
OF NEW
SOUTH WALES

Aboriginal Legal Service
(NSW/ACT) Limited

© 2008 NSW Attorney General's Department, Aboriginal Justice Advisory Council

For further copies of the of the Evaluation or the Guide, please contact:

Aboriginal Legal Service
PO Box 197
Parramatta NSW 2124
TEL: (02) 8842 8000
WEB: www.alsnswact.org.au

The *Guide to Legal Services for Aboriginal People in NSW and the ACT* can also be viewed on the website for the NSW Legal Assistance Forum (NLAF) at www.nlaf.org.au/publications.html

Introduction

In November 2006, a guide to all legal services for Aboriginal people in NSW and the ACT was published: the *Guide to Legal Services for Aboriginal People in NSW and the ACT (Guide)*. It lists 83 civil and 28 criminal law organisations in the four major regions of NSW and the ACT. The *Guide* was developed to improve access to civil law services for Aboriginal people in NSW.

In early 2008, a project to evaluate the *Guide* was set up to determine its usefulness and to gather information on how to improve it. The evaluation has been led by the Aboriginal Legal Service (NSW/ACT) Limited (ALS), with the support of the NSW Legal Assistance Forum (NLAF) and a sub-Working Group of the Working Group on Aboriginal clients, the Project Advisory Group (which includes the Law and Justice Foundation of NSW (LJF) and the NSW Aboriginal Justice Advisory Council (AJAC)).

This report includes a history of the *Guide* and an analysis of the data collected from recipients who were sent a copy of the *Guide* and subsequently surveyed about its use. This evaluation report will be used to inform the further development of the *Guide*. Recommendations are made on how to improve and update its distribution, content and formatting to support its value as a comprehensive referral tool for Aboriginal people seeking low cost legal services (especially in civil law) in NSW and the ACT.

The evaluation of the *Guide* acknowledges the goals, principles and strategic directions of the *NSW Aboriginal Justice Plan (AJP)*, *Two Ways Together* and the *NSW State Plan*, in tackling the over-representation and disadvantage of Aboriginal people in the criminal justice system, by improving the quality of legal services available to them and developing safer communities in metropolitan and regional areas of NSW and the ACT.

Background to the Guide

The background to the *Guide to Legal Services for Aboriginal People in NSW and the ACT* has been prepared by Sheryn Omeri, Solicitor, Aboriginal Legal Service (NSW/ACT) Limited, who, as first chair of the NSW Legal Assistance Forum Working Group on Aboriginal clients, developed the draft of the *Guide* in consultation with all Working Group members. It provides a history of why the *Guide* was produced and what it hopes to achieve, and identifies the many issues raised by the Working Group involved in its inception, as well as the challenges to be met in updating the publication.

Why the Guide was produced

When the NSW Legal Assistance Forum (NLAF) met for the very first time, it resolved to form a manageable number of working groups, which would each focus on one particular issue of concern to the NLAF forum. It was suggested by representatives of the Coalition of Aboriginal Legal Services of NSW (COALS)¹ present at the meeting, that a Working Group be formed on “Aboriginal clients”.

Such a Working Group was accordingly formed and met for the first time on 24 January 2006. It comprised representatives from the Arts Law Centre of Australia, Law and Justice Foundation of NSW, Legal Aid Commission of NSW, Public Interest Advocacy Centre (PIAC), Public Interest Law

¹ COALS was the peak body representing the six Aboriginal and Torres Strait Islander Legal Services (ATSILS) which were responsible for providing legal services to Aboriginal people in NSW and the ACT until 1 July 2006. These ATSILSs were Central Southern (Wiradjuri) Aboriginal Legal Service, Kamilaroi Aboriginal Legal Service, Many Rivers Aboriginal Legal Service, South Eastern Aboriginal Legal Service, Sydney Regional Aboriginal Corporation Legal Service and Western Aboriginal Legal Service.

Clearing House (PILCH), Redfern Legal Centre, Wirringa Baiya Aboriginal Women's Legal Centre, and the Women's Legal Service NSW – Indigenous Women's Program.

At its first meeting, the Working Group gave itself a mandate to focus on a number of issues concerning the needs of Aboriginal clients, one of which was the delivery of civil law services to Aboriginal residents of NSW. Working Group members agreed that there was much unmet need among Aboriginal people in NSW in relation to civil law services. As a result of the findings of the Royal Commission into Aboriginal Deaths in Custody, existing Aboriginal and Torres Strait Islander Legal Services focused the vast majority of their resources on criminal defence work. Whilst COALS was in the process of entering into a protocol with the Legal Aid Commission of NSW for the provision of civil law services to Aboriginal residents of NSW, the location of Commission offices meant that such assistance would be limited to the east coast of NSW.

Discussion continued for a number of hours on the issue of the lack of sufficient civil law services for Aboriginal people, with members describing the work of their employer organisations in this field. Such discussion led to the realisation that no Working Group member had comprehensive knowledge and understanding of all civil law services currently available to Aboriginal people in NSW. This would render difficult any discussion about how to fill the gaps in the provision of such services.

As a result, it was suggested that information on existing services be compiled in what the Working Group was, at that stage, referring to as a central register. Whilst it was suggested that from such a register there be produced some form of directory of services for community organisations, the idea of a published "*Guide*" was still some months away. The initial aim of the central register was little more than to allow for the gaps in the provision of civil law services to become manifest in order that they may be addressed and filled.

What the Guide hoped to achieve

By the second meeting of the NLA Working Group on Aboriginal Clients in March 2006, the "register" was being discussed as though it may eventually take shape as a document that could be circulated to non-NLA members for reference. Very early in the process of compiling relevant information, it was decided by Working Group members that the *Guide* should aim to assist both organisations that deal frequently with Aboriginal clients and individual Aboriginal people in locating appropriate civil law services. In order to do this, it should be as user-friendly and as culturally appropriate as possible.

To achieve its aim of assisting both organisations and individual Aboriginal people, the *Guide* had to be appropriately presented. Whilst many members were initially keen to make the *Guide* an electronic, internet-based resource, others remembered that individual Aboriginal people, particularly those who live in remote and rural parts of NSW may not have access to the internet. It was determined that whatever technology held for the *Guide* in the future, it was essential that it also have a hard copy manifestation.

It was also suggested that the *Guide* be as straightforward to read and comprehend as possible. This meant large font, more colour and an Aboriginal flag or design on the cover. It also meant that the content would have to be easily comprehensible by non-lawyers if the *Guide* was to be useful to individual non-lawyers and to staff of non-law-based organisations such as hospitals, medical centres, Centrelink, housing and employment organisations. To this end, it was decided that the *Guide* would seek to avoid the use of legal jargon and would attempt to define terms whose meaning is taken for granted by those who use them every day such as "civil law" and "criminal law". The Working Group also saw value in developing an "Index of Legal Problems" given that most non-lawyers would struggle to determine whether their issue of concern fell within the civil law.

At a later meeting of the Working Group, a member queried whether the *Guide* was not simply duplicating information that already existed elsewhere. The Working Group agreed that whilst the information contained in the *Guide* may exist in various forms elsewhere, the importance of the *Guide* lay in its desire to target Aboriginal people directly and appropriately.

Issues raised

A number of interesting issues emerged during the course of the production of the *Guide*. The very first issue of significance was whether the *Guide* should employ the term “Indigenous” or “Aboriginal” in referring to its principal audience. Heated discussion was had about the manner in which the Commonwealth government had simply begun employing the term “Indigenous”, apparently without consultation with those to whom the term referred! Aboriginal members of the Working Group emphasised that use of the term “Aboriginal” was a question of identity, where use of the term “Indigenous” tended to disassociate contemporary Aboriginal people from the struggles of their ancestors who were always referred to as “Aboriginal”.

Though the *Guide* had initially developed from a desire to fill gaps in the provision of civil law services to Aboriginal people, it was suggested that criminal and family law services also be included to render the *Guide* more comprehensive and to reduce the number of times an Aboriginal person would be referred to various organisations before finding the appropriate assistance. This issue was at first contentious as some members were concerned that addition of such areas of law would render the *Guide* too large and discourage people from using it. Some suggested that the *Guide* be published in two separate books – one referring to civil law (including family law and Apprehended Violence Orders) and one referring to criminal law. Ultimately, when all information was compiled in draft form, it was determined that the *Guide* would not be so thick as to intimidate its readers.

The Working Group also believed that once the *Guide* was printed, some sort of publicity campaign and training about how to use the *Guide* effectively should accompany its supply to a variety of organisations. Whilst the Working Group did not have time or resources to spend on training, it produced a simple “How to Use” brochure which was provided with every copy of the *Guide*. It was thought that there would be no better way to begin a publicity campaign than with an official launch of the *Guide* at NSW Parliament House. The then Attorney-General of NSW, the Hon. Bob Debus MP, kindly agreed to speak at the launch of the *Guide*. A report of that launch was subsequently published in the *NSW Law Society Journal*.² The *Guide* was also promoted in an article in the *Alternative Law Journal*.³

Other issues of importance which manifested at various stages of the production of the *Guide* included whether the inclusion of information concerning services available in the ACT would render the *Guide* too large; which Aboriginal artwork should be represented on the cover of the *Guide*; whether a particular organisation ought to take ownership of the *Guide* in order to more easily obtain funding and to retain copyright; the number of copies to be produced; how they should be circulated and to which organisations. In relation to at least two of these issues, it was ultimately determined that the ALS ought to take ownership of the *Guide* – a decision of the NLA Working Group which was adopted by the Board of Directors of the ALS.

Challenges faced

The NLA Working Group on Aboriginal Clients faced two major challenges during the course of production of the *Guide*, namely funding for printing and means for updating the *Guide*.

² Legal services unite to tackle Aboriginal need for civil law advice’ (2006) 44(11) *Law Society Journal* 33.

³ ‘Guide to Legal Services for Aboriginal people in NSW and the ACT’ (2006) 31(4) *Alternative Law Journal* 233

Initially at the May 2006 meeting of the Working Group, three possibilities for funding were proposed including the Legal Aid Commission of NSW printing budget, the Law and Justice Foundation Grants Programme and the generosity of corporate law firms involved with the Public Interest Law Clearing House (PILCH). Given the Working Group's desire to publish the *Guide* by mid to late 2006, it was determined that the second and third of these possibilities would take too long to come to fruition. The Working Group's concern was ultimately resolved when, at its next meeting in June 2006, representatives of the Legal Aid Commission indicated that it would be willing to pay for the printing of at least 1000 copies of the *Guide*.

The challenge of updating the *Guide* remains live today. At a later meeting of the Working Group, it was suggested that updating the *Guide* would be easier if it were printed in "loose-leaf" format or if it were in electronic form. The loose-leaf idea was not ultimately pursued and for the reasons canvassed at an earlier Working Group meeting, the notion that the *Guide*'s principal manifestation should be electronic was thought not to assist individual Aboriginal people to access the *Guide* easily.

Having said this, a number of people have suggested improvements to the *Guide* since the time of it being published. A secretary at an ALS office mentioned recently that she had received many inquiries from Aboriginal clients about how to pursue a claim for stolen wages. Information about this was not included in the *Guide* since at the time of its preparation for printing, the State government had only recently declared its commitment to compensating Aboriginal people and their descendants for wages stolen from them or their ancestors. But there is no doubt that this is an important issue for Aboriginal people and communities, and it should be addressed in future editions of the *Guide*.

In 2007 the Working Group decided to conduct a formal evaluation of the *Guide* so that plans could be made for future editions (if the *Guide* was seen as a useful resource). A small group comprising the ALS, AJAC, LJF and NLAJ developed a funding submission for in-kind and financial assistance from the LJF and in-kind assistance from AJAC. The submission was successful, and AJAC was able to provide a Project Officer and other in-kind support. This evaluation is a result of the partnership between these organisations.

The aim of the evaluation

This evaluation was undertaken to

- determine the strengths and shortcomings of the *Guide* as a resource for stakeholder organisations
- identify how to improve the *Guide* in terms of its accessibility, use and value for Aboriginal people seeking legal information, support and assistance in their area.

The four key research questions addressed in this evaluation were

- How broadly was the *Guide* distributed?
- Is the *Guide* used for referrals to legal services, and by whom?
- Are users having any difficulties using the *Guide*?
- How could the content and format of the *Guide* be improved?

Methodology

The project obtained and collated feedback from organisations and individuals (both Aboriginal and non-Aboriginal) who were sent the *Guide* in late 2006 and surveyed approximately fifteen months later about their use of the publication.

The Aboriginal Legal Service (NSW/ACT) Limited (ALS) identified 506 key stakeholders to participate in the evaluation of the *Guide*. The evaluation process extended over one month from late January to the end of February 2008. One hundred and fifty responses were obtained during this period. All stakeholders were surveyed via a paper questionnaire posted and/or emailed to them. A follow up telephone questionnaire was conducted soon afterwards, targeting a random selection of 50 stakeholder organisations that had not responded to the postal questionnaire. The postal and telephone surveys sought to address the key research questions outlined above. The surveys also allowed anonymity for all respondents, though many voluntarily provided identifying information to request a copy of the *Guide* to be sent to them.

The characteristics of the organisations who responded to the paper and telephone surveys are shown in Table 1 below.

Postal questionnaire

A short written questionnaire containing ten questions (see Appendix A) was distributed by reply paid mail to all 506 agencies listed on mailing lists held by the ALS to whom the *Guide* was sent, including those organisations represented in the *Guide*. A covering letter accompanying the survey was provided by the ALS to explain and endorse the evaluation process (see Appendix B).

One hundred of the 506 organisations responded to the questionnaire, giving an initial response rate of 19.8%. Eleven “return to sender” envelopes were subsequently received, indicating that the organisations had either re-located or were no longer in business as listed on the ALS contact lists.

Emailed questionnaire

An electronic version of the same questionnaire was subsequently forwarded to those stakeholders identified by the ALS as having an email address. A poor response rate was obtained here. Of the 56 organisations emailed 12 emails bounced back as “delivery failures”, with only one organisation completing and returning their survey, particularly motivated to correct out of date information in the *Guide* about their service.

Telephone survey

The telephone survey mirrored the postal questionnaire, despite the minor reformatting of questions to suit verbal delivery of the survey. Organisations that identified themselves on the postal questionnaire were removed from the ALS list of remaining stakeholders to be contacted by telephone. Fifty organisations were then randomly selected and telephoned. The evaluation process was explained to the agency; it was checked whether the agency had already responded to the paper questionnaire anonymously; and if they had not responded by post or email, they were offered the opportunity to respond over the telephone.

The respondents

Table 1: Characteristics of organisations who responded to both surveys

	<i>Number</i>	<i>%</i>
Questionnaire responses	100	66.6
Telephone responses	50	33.3
Legal organisations	52	35.0
Non-legal organisations	61	40.0
Not specified	37	25.0
Aboriginal specific organisations	74	49.3
Non-Aboriginal specific organisations	41	27.3
Non specified organisations	35	23.3
Sydney	59	39.3
Northern NSW	30	20.0
Southern NSW	18	12.0
Western NSW	38	25.3
ACT	3	2.0
Interstate	1	0.7
Not specified	1	0.7

As indicated on Table 1, two thirds of the responses were obtained by written (or email) questionnaire, while one third were obtained by telephone.

Overall, only 40 per cent of respondents indicated they were from a non-legal organisation, while 35 per cent were from legal organisations. One quarter of respondents did not indicate whether their organisation was legal or non-legal. Half of the respondents indicated they were from Aboriginal specific organisations, but again, nearly one quarter did not specify. Nearly 40% of respondents were based in Sydney.

Methodological issues

When reading the results, keep in mind that the numbers of respondents who answered each question varies. This may be because, rather than answering in the negative, some people chose simply not to answer the question. In other cases people may have felt the question is not relevant to them or may have simply missed the question. In the tables we have indicated the number of respondents who answered each question or part of a question (e.g. n=35).

We have not used percentages in reporting the results of some questions, where the numbers of respondents were very small.

The written survey

Minor errors in the number sequencing of questions contained in the paper questionnaire sent by post or email are acknowledged, though any impact is considered minimal in terms of the results obtained. These errors were easily overcome in the questions put forward in the telephone surveys.

In relation to Question 8 of the paper survey, identification of an organisation as being either Aboriginal specific or non-Aboriginal specific should have been surveyed as a separate question. This is because many organisations failed to answer this part of Question 8 after they identified their organisation type. Clarification of these details was obtained more easily when the question was put forward in two separate parts in the telephone survey.

Responses to Question 8 also indicate that some organisations had difficulty specifying what type of organisation they were (i.e. legal, welfare, medical, educational, land council or other). Some organisations circled more than one response for this question on the postal questionnaire, whilst organisations that provided a more specific service (e.g. correctional centres, a youth service, a tenancy service) tended to circle the “other” category. These minor inconsistencies were noted and managed in the database where stakeholders provided identifying details that allowed a decision to be made about their organisational type.

Results

Did organisations receive a copy of the Guide?

Respondents were asked if their organisation had received a copy of the *Guide*. Overall, 60 (40%) of the 150 respondents indicated that they had received the *Guide*, almost half (73 or 49%) had not and 17 (11%) did not know.

Remembering that it was only organisations to which the *Guide* was sent that were surveyed in this evaluation, there may be several reasons so many respondents reported that their organisation had not received the *Guide* or that they did not know if a copy had arrived. These include

- the organisation may not have received a copy of the *Guide* when it was initially distributed
- the document may have been lost, misplaced or discarded earlier by the organisation
- the *Guide* may have been received and/or be held by another employee.

Many of these organisations expressed a definite interest in using the *Guide* with their clients. Indeed, 87 of the 150 respondents (58%) specifically requested that one or more copies of the report be forwarded to them.

Table 2: Did organisations receive a copy of the *Guide*?

	Yes	No	Don't know
All organisations (n = 150)	60 (40%)	73 (49%)	17 (11%)
Legal organisations (n = 52)	34 (65%)	12 (23%)	6 (12%)
Non-legal organisations (n= 41)	26 (63%)	4 (10%)	11 (27%)
Not specified (n = 37)	6 (16%)	28 (76%)	3 (8%)
Aboriginal specific orgs (n = 74)	18 (24%)	44 (60%)	12 (16%)
Non-Aboriginal specific (n = 41)	22 (54%)	16 (39%)	3 (7%)
Non specified (n = 35)	20 (57%)	13 (37%)	2
Sydney (n = 59)	27 (46%)	22 (37%)	10 (17%)
Northern NSW (n = 30)	11 (37%)	16 (53%)	3 (10%)
Southern NSW (n = 18)	8 (44%)	9 (50%)	1
Western NSW (n = 38)	12 (32%)	23 (60%)	3 (8%)
ACT (n = 3)	2	1	-
Interstate (n = 1)		1	
Not specified (n = 1)		1	

Note: n = the number of organisations of this type that responded to this question.

As indicated in Table 2, approximately two thirds of each of the legal and non-legal organisations surveyed had received the *Guide* (34 (65%) of legal organisations and 26 (63%) of non-legal organisations). Nearly a quarter of legal organisations (12) said they had not received the *Guide* while 11 (27%) of the non-legal organisations did not know if they had received it or not.

Perhaps of most concern was that 44 (or 60%) of the 74 Aboriginal specific organisations who responded to the surveys said they had not received the *Guide*, while another 12 (16%) were not sure if they had or not. Only 18 (24%) said they had received the *Guide*. As a point of comparison, 22 (54%) of the 41 non-Aboriginal specific organisations who responded said they had received the *Guide*. It should be noted that, due to the direct relevance of the information to their clients, Aboriginal organisations who had not received the *Guide* to date may have been more motivated to reply to the survey (and receive a copy) than those who already had a copy of the *Guide*.

The results also varied between metropolitan and regional locations in NSW. In Sydney, 27 (46%) of the 59 organisations had received the *Guide*, compared to: 11 (37%) in northern NSW, 8 (44%) in southern NSW and 12 (32%) in western NSW. Of all the areas surveyed, distribution of the *Guide* amongst stakeholder organisations appeared poorest in Western NSW.

It should be noted here that as this evaluation received 150 responses from a total number of 506 stakeholders that were sent the *Guide* (30%), we do not know if those organisations who did not respond to the survey (70%) either received the *Guide* or are using it.

Did organisations that received the Guide use it?

Respondents who had received the *Guide* were asked if they had used it to refer clients to legal services. As indicated in Table 3, half the legal organisations (18 of 35) “sometimes” used the *Guide* to refer clients to legal services, while nearly one third used the *Guide* for referral “often or always”. Non-legal organisations also reported using the *Guide* for referral purposes, with only 3 of 27 having *not* used the *Guide* for this purpose.

Table 3: Use of the Guide for referral, by organisational type

	<i>Legal</i> n = 35	<i>Non-legal</i> n = 27	<i>Not specified</i> n = 8	<i>Total</i> n = 70
Always	5	7	0	12
Often	5	6	1	12
Sometimes	18	6	4	28
No	5	3	1	9
Don't know	2	5	2	9

The *Guide* appears to be more widely used amongst legal bodies, especially organisations based in metropolitan Sydney. It seems from the feedback received that regional agencies tend to use services already known to them locally. Some respondents reported that they rely on local knowledge due to “more frequent” changes in agencies and services in rural and remote areas.

The data obtained from organisations who responded to the surveys, indicate that both Aboriginal specific (18 of 26) and non-Aboriginal specific (17 of 23) organisations use the publication for referral purposes.

Table 4: Use of the Guide for referral, by organisational type

	<i>Aboriginal specific orgs</i> n = 26	<i>Non-Aboriginal orgs</i> n = 23	<i>Not specified</i> n = 21	<i>Total</i> n = 70
Always	8	1	3	12
Often	4	4	4	12
Sometimes	6	12	10	28
No	3	5	1	9
Don't know	5	1	3	9

Of the 26 Aboriginal organisations who responded to this question, only 3 said they did *not* use the *Guide* for referral purposes, and 5 did not know (Table 4).

Were any referrals received by legal organisations through the Guide?

Table 5: Referrals received by organisational type

	<i>Legal</i> <i>n = 45</i>	<i>Non-legal</i> <i>n = 49</i>	<i>Not specified</i> <i>n = 32</i>	<i>Total</i> <i>n = 126</i>
Many	0	2	1	3
A few	6	3	1	10
Don't know	36	30	22	88
No	3	14	8	25

The vast majority of respondents (36) from legal organisations listed in the *Guide* did not know whether they had received referrals from other organisations using the *Guide*. This is perhaps not surprising as it is unlikely that organisations would have systems in place to detect whether or not referrals made by other organisations were informed by the *Guide*. It is interesting that five non-legal organisations reported receiving referrals through the *Guide*, when they were not listed in it.

What parts of the Guide were useful?

Overwhelmingly, those who used the *Guide* found it useful, with legal and non-legal organisations reporting similar views (Table 6).

Table 6: Usefulness of different parts of the Guide: legal and non-legal organisations

	<i>Description of "civil law"</i> <i>n = 58</i>	<i>List of services by legal problem</i> <i>n = 61</i>	<i>Services by area</i> <i>n = 61</i>	<i>Description of legal services</i> <i>n = 59</i>	<i>List of criminal law services</i> <i>n = 60</i>
Useful (total)	38 (66%)	52 (85%)	50 (82%)	51 (86%)	50 (83%)
Legal orgs	18	27	25	25	24
Non-legal orgs	18	20	20	21	21
Not specified	2	5	5	5	5
Not useful	4	1	0	0	0
Legal	2	1			
Non-legal	1	0			
Not specified	1	0			
Not used	16 (28%)	8 (13%)	11 (18%)	8 (14%)	10 (17%)
Legal	9	5	7	5	7
Non-legal	4	2	3	2	2
Not specified	3	1	1	1	1

In terms of the different parts of the *Guide*, the lists of services by legal issue and the descriptions of the services were the most useful, as were the presentation of services by area and the list of criminal law services. The description of "civil law", while still reported useful by most who had used it, had not been used by more than one quarter of those who responded to this question.

Of the non-legal organisations using the *Guide*, Land Councils throughout NSW reported that the *Guide* was a helpful referral document in their work.

Difficulties using the Guide

Respondents were asked whether they had any difficulties using the *Guide*. The vast majority of respondents reported they had no difficulties using the *Guide* to refer clients to legal services. Only four out of 64 (6%) respondents who answered this question said they did have difficulties using the *Guide*. Two of the respondents were from Aboriginal organisations and two from organisations which did not indicate whether or not they were Aboriginal organisations. Two of the organisations reporting difficulties were legal organisations.

Three respondents agreed with a statement that they sometimes found it hard to find the right legal service in the *Guide*; two indicated that some of the *Guide*'s information was out of date; and two agreed that sometimes the legal services listed in the *Guide* were not able to help.

Other difficulties reported by respondents in using the *Guide* included

- Finding services that were local to rural areas
- Finding that local knowledge about services and resources was more efficient than using the *Guide*, particularly in rural areas
- Finding that outreach services in some regions regularly change, meaning that the *Guide* cannot always be kept current;
- Finding that some services listed in the *Guide* are out of date
- Finding an inaccuracy of information about an agency listed in the *Guide* (with a request for agencies to check their own entries prior to the *Guide* being updated and reprinted).

The format of the Guide

Despite minor criticisms about the bulkiness of the *Guide* and a lack of currency of some agency information, most respondents who answered this question found the existing hard copy format of the *Guide* to be very useful. While there was interest in having both hard copy and web-based formats for the *Guide*, more interest was expressed in the hard copy format (see Table 7). Slightly fewer Aboriginal organisations than non-Aboriginal organisations thought that the web-based format would be useful or very useful (14 respondents compared to 20 respondents), though many respondents did not answer this question.

Table 7: The format of the Guide by organisation types

	<i>Aboriginal Organisation</i>	<i>Non-Aboriginal Organisation</i>	<i>Type of org Not specified</i>	<i>Total</i>
Web based				
Useful/Very useful	14	20	12	46
Not Useful	0	0	0	0
Hard Copy				
Useful/very	19	20	20	49
Not useful	1	1	0	2

Note: more respondents expressed an opinion about the hard copy than the web based format.

The comments mentioned in the Background to the *Guide* are relevant here in terms of ensuring a hard copy version of the *Guide* remains, where rural and/or particular Aboriginal organisations may not have access to computer technology in referring clients to legal services in these areas.

How could the Guide be improved?

Overall, the *Guide* is considered to be a comprehensive, culturally appropriate and useful publication that is used amongst a diverse range of legal and non-legal organisations across urban and rural NSW. Its success to date can be bettered by considering the feedback obtained in this evaluation from respondents who have used the *Guide*. Suggestions as to how the publication could be improved in terms of formatting and content are listed below according to organisational type:

Legal organisations

- Although the publication is clearly formatted, its large, heavy size is not user-friendly and would benefit from being smaller, less cumbersome and more portable

- As the present format can be confusing, it is suggested that civil and criminal law sections be formatted in alphabetical order
- The current format that depicts Women's Legal Services could be improved, along with a suggestion relating to Native Title to have different sections for each category listed within the *Guide*
- The usefulness of having the details of services listed twice was questioned
- A clearer delineation of geographical boundaries was suggested, perhaps by using tabs to divide the *Guide* into specific regions where services are located
- Sections on the "Stolen Generations" and "Stolen Wages" and relevant referral agencies for clients seeking advice and support in this area is recommended
- There is the need to keep organisational contact details current in the *Guide* e.g. delete the Communications Law Centre from the *Guide* as this agency is now closed.

Land Councils

- The *Guide's* format could be improved with easier referencing of services
- To include "test cases" in sections of the *Guide*, that closely align the everyday experiences of police, courts and government departments.

Medical

- A more compact sized document is suggested so that it can be accessed more easily when taken out of the office and used "on the go" with clients in the community
- To list services by a range of problems, with a short description given about each service
- To provide more information and resources about the services in the *Guide* to young Aboriginal people so they can teach others about the availability of services in their communities.

Educational

- An educational service advised that they were using the *Guide* as a valuable resource in legal studies.

Welfare

- To include in the *Guide* a map of Aboriginal tribes according to geographical boundaries.

Other

- One community working party asked that the *Guide* be formatted to enable organisations to locate local services in regional towns more easily
- An information support service suggested that pro bono legal services for Aboriginal clients be highlighted in the *Guide*
- One government organisation suggested the layout of the *Guide* be improved/simplified for non-legal organisations using the *Guide* and that the *Guide's* agency information be kept current.

Discussion

The distribution of the Guide

While the *Guide* was appreciated once it was received by organisations, this evaluation suggests that there is further work to be done to ensure that the *Guide* is distributed to relevant organisations, particularly Aboriginal organisations. The *Guide* was sent to all organisations on the distribution lists. However, only 40 percent of respondents (and 24 % from Aboriginal specific organisations) reported that their organisation had received the *Guide*. One reason for this may be that the *Guide* had reached another person in the organisation, but the respondent was not aware of it.

It should also be kept in mind that respondents who reported not having received the *Guide* may have been more motivated to respond to the survey (and get a copy sent to them) than those who already had a copy. The high level of interest expressed by those who did not have a copy of the *Guide* in receiving one supports this view.

It may be the case that organisations would benefit from multiple copies, particularly in regional areas where staff may be spread over a number of offices.

The use of the Guide

Most of those who received the *Guide* reported that they used it to refer clients to legal services. The listings of civil legal services by legal problem type and by area were both found to be useful, as was the listing of criminal law services. In some rural areas a small number of people reported relying on local knowledge of legal services rather than using the *Guide*.

Difficulties using the *Guide* mainly concerned the need to keep the information up to date, a challenge when services change frequently.

Suggested improvements to the Guide

There were some suggestions to make the *Guide* more compact and less cumbersome, particularly for services and workers who are "on the go".

In terms of formatting, it was suggested that services are listed in alphabetical order, rather than by area, within the criminal and civil sections. Another respondent suggested that geographical regions be marked by tabs, and another wanted to see the *Guide* formatted so that services in particular towns could be more easily identified. One way to address these suggestions may be to provide an index of services by area, in the same way that services are listed by problem type. The details of each service can then be listed by alphabetical order in the civil and criminal areas.

Suggestions were also made that sections on "Stolen Generations" and "Stolen Wages" be included, as well as information about pro bono services.

A number of people mentioned the challenge of keeping the *Guide* up to date.

Recommendations for the future

The *Guide* was published in November 2006, and already some services have changed. In this environment, it is important to keep the publication up to date as a working resource tool for legal and non-legal services throughout NSW and the ACT, who use the document to support and refer clients to legal services in their areas. This evaluation has already outlined the many practical suggestions on how to improve the *Guide* for its future use.

The distribution of the *Guide* needs closer tracking to maximise its prominence, availability and use in communities across NSW and the ACT and particularly amongst regional organisations. Consideration also needs to be given to resourcing the development of a record keeping system that periodically checks and updates listed stakeholder information and contact details, prior to a decision being made to reproduce the *Guide*.

User testing of the *Guide* involving two focus groups of Aboriginal people and services located in both metropolitan and rural NSW, may be considered as an option adjunct to this project, if additional information about the efficacy of the *Guide* is required.

For those organisations who use the *Guide*, this evaluation confirms that it is a well respected and useful publication that deserves ongoing funding to ensure it remains up-to-date and widely circulated amongst stakeholder organisations assisting Aboriginal people to access legal services in NSW and the ACT.

Appendix A

Survey

Guide to Aboriginal Legal Services Did you get your free copy?

Introduction:

In November 2006 a Guide to all Legal Services for Aboriginal People was distributed in NSW. The Guide was designed to help Aboriginal people and Services locate low cost legal services in their areas to help with different types of legal problems. Aboriginal Legal Services NSW with the support of the NSW Aboriginal Justice Advisory Council (AJAC) are now seeing how useful the Guide is and how to improve it.

You are asked to complete and return this survey in the reply paid envelope included. This survey will also be emailed to your organisation (where an email address has been provided) and may be returned electronically to jacqueline_gerber@agd.nsw.gov.au. The closing date for the survey is **Friday 8 February 2008**.

- **1. Does your organisation have a copy of the Guide to Aboriginal Legal Services in NSW?**

YES NO DON'T KNOW

If you do not have a copy or want more copies of the Guide, please write your name and address here:

--

If you **did not** get a copy of the Guide, please go to Q.7.

- **2. If you did get a copy of the Guide, do you or your workers use the Guide to refer clients to legal services?**

ALWAYS OFTEN SOMETIMES NO DON'TKNOW

- **3. What parts of the Guide are useful to you?**

	Useful	Not useful	Not used
The description of 'civil law'			
The list of services by legal problem			
The list of services by area			
The description of each legal service			
The list of criminal law services			

► **4. Have you or your workers had any difficulty using the Guide?**

YES NO DON'T KNOW

If No or Don't Know, please go to Q.6.

► **5. If Yes, what difficulties have you or your workers had using the Guide?**

	Always	Sometimes	Never
It was hard to find the right legal service in the Guide			
The information was out of date			
The legal services we found in the Guide could not help			
Other (please tell us what)			

► **6. What formats would you find most useful for the Guide?**

	Very useful	Useful	Not useful
Hard copy			
Web-based with hyperlinks			

► **7. How could the Guide be improved? (eg. the format, the content)**

► **8. What type of organisation is yours?**

Legal Welfare Medical Educational
 Land Council Other (*what type?*) _____

Aboriginal specific organisation

Non-Aboriginal specific organisation

► **9. Where are you located?**

Sydney Western NSW Northern NSW Southern NSW

► **10. If your service is in the Guide, have you had any referrals to your service from organisations using the Guide?**

MANY A FEW NO DON'T KNOW

Thank you for your time and information. We will use this to improve the Guide.
 Please post your completed response to the NSW AJAC in the reply paid envelope included or return via email to jacqueline_gerber@agd.nsw.gov.au by 8 FEBRUARY 2008. For all enquiries please telephone Jacqueline Gerber, Policy Officer AJAC on 0428 111 818.

Appendix B



22 January 2008

Dear Friend

You will find enclosed an evaluation survey relating to the Guide to Legal Services for Aboriginal people in NSW and the ACT.

This has been sent to you at the request of the Aboriginal Legal Service (NSW/ACT) Limited ("ALS") and with my personal support.

You may remember that late in 2006, the ALS -in association with the NSW Legal Assistance Forum ("NLAF")- published this Guide, and a copy was sent to you.

The purpose of the evaluation survey which is now sent to you is to seek your views on this Guide.

The survey should take not more than 10 minutes to complete. A reply paid addressed envelope has been included to assist you to return it.

At the ALS, we are committed to continue to provide a quality legal service that is appropriate to Aboriginal communities across NSW and the ACT.

Receiving your views on the Guide in this survey will assist us in our service to Aboriginal people.

Yours very sincerely

Trevor Christian
Chief Executive Officer