

5. Response to legal problems

As already discussed, Australian respondents were asked in-depth questions about their most serious legal problems — a pool of 19 388 problems.¹ A series of these questions asked about the actions they took to try to resolve these legal problems. Respondents provided information on their actions in response to 19 142 of these problems. This chapter describes the actions taken in response to these 19 142 problems and also examines the respondent and problem characteristics that were associated with different types of actions.

Action types in response to legal problems

The survey asked respondents whether the six following types of actions were taken in an attempt to resolve their legal problems:

1. seeking advice formally (see Appendix A1, questions A9–A14)
2. using websites or self-help guides (see question A5)
3. consulting relatives or friends informally (see question A29)
4. communicating with the other side (see questions A16 and A31)
5. court or tribunal proceedings (see question A7)
6. formal dispute resolution (see question A8).

‘Seeking advice’ was defined as consulting advisers in a professional or formal capacity to try to resolve the problem. Advisers could be professionals or organisations. Consulting an adviser meant that the respondent, or someone on the respondent’s behalf, had spoken or written directly to the adviser. Seeking advice from relatives or friends in their professional capacity, such as asking a lawyer friend for legal advice, was included as ‘seeking advice’ from a formal adviser.

‘Using websites or self-help guides’ entailed the respondent, or someone on the respondent’s behalf, obtaining information without having direct contact with a professional or organisation and was distinguished from ‘seeking advice’.

‘Consulting relatives or friends’ involved talking to relatives or friends about the problem in an informal or non-professional capacity and was also distinguished from the action of ‘seeking advice’.

‘Communicating with the other side’ was defined as the respondent, or someone on the respondent’s behalf, talking or writing directly to the other side to try to resolve the problem. Communicating with the other side was also not considered to entail ‘seeking advice’.²

‘Court or tribunal proceedings’ included proceedings that had already taken place and proceedings that the respondent reported as upcoming or likely to occur.

¹ See Chapter 2, ‘Method: Survey instrument’ section for further details about how this pool of most serious problems was selected. Note also that, as a result of rounding weighted data, some numbers and percentages in the report do not sum precisely to totals.

² Question A16 checked whether any of the advisers captured by questions A9–A14 were the other side (see Appendix A1). If the other side was listed at questions A9–A14, the respondent was credited with the action of direct communication with the other side to try to resolve the problem.

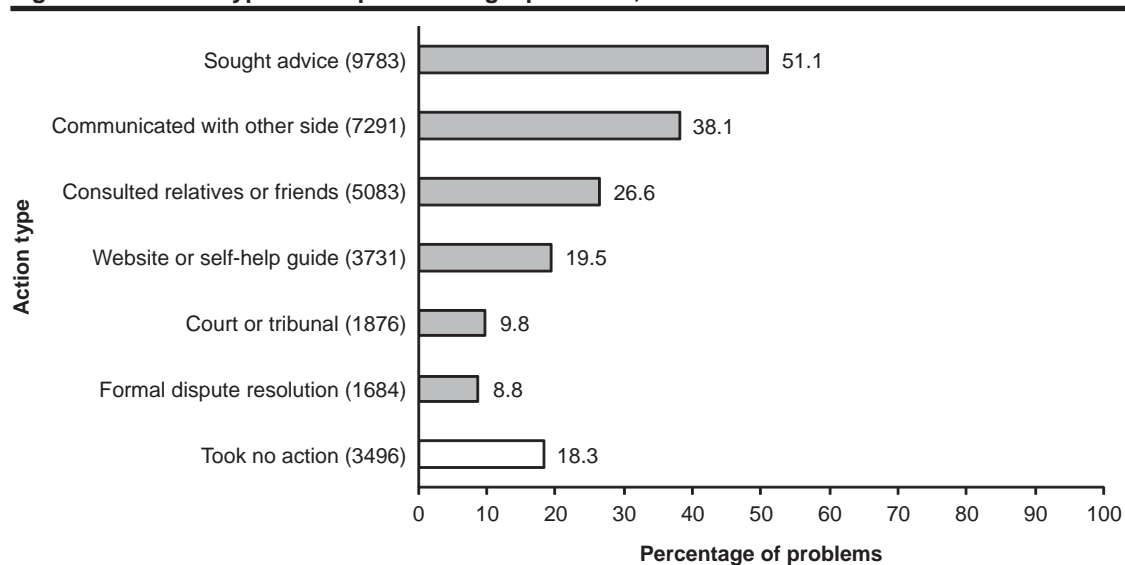
'Formal dispute resolution' included formal mediation, conciliation or dispute resolution sessions that had already taken place and any such sessions that the respondent reported as upcoming or likely to occur.

Figure 5.1 presents the proportion of problems that resulted in each of the six types of actions. Some legal problems resulted in more than one type of action, while others resulted in no action. As Figure 5.1 shows, 18.3 per cent of the 19 142 legal problems resulted in none of the action types examined by the survey. Respondents sought advice from formal advisers in response to 51.1 per cent of problems, communicated with the other side in response to 38.1 per cent of problems, consulted relatives or friends informally in response to 26.6 per cent of problems and used a website or other self-help guide in response to 19.5 per cent of problems. Furthermore, respondents reported that court or tribunal proceedings either had taken place or were likely to occur in relation to 9.8 per cent of problems.³ Respondents also reported that they had attended or were likely to attend formal dispute resolution sessions in relation to 8.8 per cent of problems.⁴

Figure 5.2 shows the number of different types of actions resulting from respondents' legal problems. As already noted, 18.3 per cent of the legal problems did not result in any of the six types of actions measured by the survey. However, 38.0 per cent of the legal problems resulted in one type of action, a further 24.3 per cent resulted in two different types of actions, and the remaining 19.4 per cent resulted in at least three of the six types of actions measured.

An examination was made of whether the number of different types of actions taken in response to legal problems was related to the severity of problems. This relationship was significant (see Table 5.1). A greater number of action types were taken in response to legal problems that respondents had rated as having a substantial impact on their everyday lives than in response to legal problems rated as having a minor impact. Three or more different types of actions were taken in response to 29.4 per cent of substantial problems but only 10.7 per cent of minor problems (see Table 5.1). In fact, each type of action was used for a significantly higher proportion of substantial problems

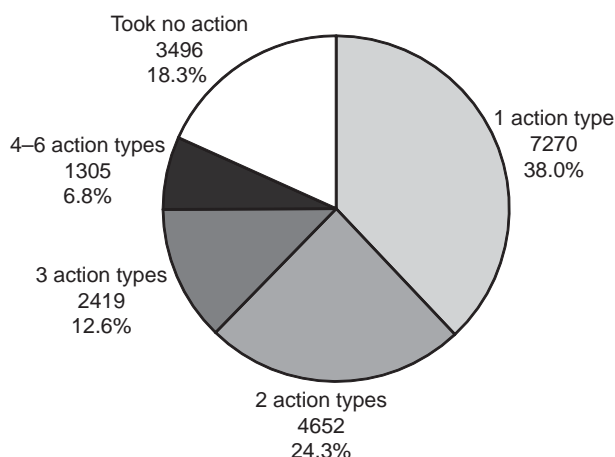
Figure 5.1: Action types in response to legal problems, Australia



Note: N=19 142 problems. Data were missing for 246 problems. Percentages do not sum to 100, because multiple action types were used for some problems.

³ For a further 6.0 per cent of problems, respondents were unsure whether court or tribunal proceedings were likely to eventuate or refused to comment on this issue.

⁴ For a further 3.8 per cent of problems, respondents were unsure whether formal dispute resolution sessions were likely to eventuate or refused to comment on this issue.

Figure 5.2: Number of action types per legal problem, Australia

Note: N=19 142 problems. Data were missing for 246 problems.

Table 5.1: Number of action types in response to legal problems by problem severity, Australia

Problem severity	Number of action types per problem					Total	
	Mean	0 %	1 %	2 %	3+ %	%	N
Minor	1.2	24.1	43.8	21.4	10.7	100.0	10 188
Substantial	1.9	11.6	31.4	27.6	29.4	100.0	8 954
All problems	1.5	18.3	38.0	24.3	19.5	100.0	19 142

Note: N=19 142 problems. Data were missing for 246 problems. Somers' d=0.21 (95% CI=0.20–0.22), SE=0.01, p=0.000, outcome variable is number of action types.

than minor problems (see Table 5.2). For example, court or tribunal proceedings occurred or were likely to occur for less than five per cent of minor problems compared to 15.5 per cent of substantial problems.

The number of different types of actions taken was also significantly associated with the type of legal problem (see Table 5.3). Family, money, employment, housing and government problems resulted in significantly more action types than average. Three or more different types of actions were taken in response to 50.0 per cent of family problems, 33.0 per cent of money problems, 30.7 per cent of employment problems, 23.9 per cent of housing problems and 23.2 per cent of government problems. Accidents, crime, consumer and personal injury problems resulted in significantly fewer action types than average. Only 6.6 per cent of accidents problems, 10.3 per cent of crime problems,

Table 5.2: Action types in response to legal problems by problem severity, Australia

Problem severity	Action type						Total
	Sought advice %	Communicated with other side %	Consulted relatives or friends %	Website or self-help guide %	Court or tribunal %	Formal dispute resolution %	N
Minor	41.4	36.5	20.6	14.1	4.8	4.4	10 188
Substantial	62.1	39.9	33.3	25.6	15.5	13.7	8 954
All problems	51.1	38.1	26.6	19.5	9.8	8.8	19 142

Note: N=19 142 problems. Data were missing for 246 problems. Percentages do not sum to 100, because multiple action types were used for some problems. Sought advice: $\chi^2=820.42$, $F_{1,10289}=485.34$, $p=0.000$. Communicated with other side: $\chi^2=22.24$, $F_{1,10289}=13.23$, $p=0.000$. Consulted relatives or friends: $\chi^2=399.42$, $F_{1,10289}=240.73$, $p=0.000$. Website or self-help guide: $\chi^2=402.09$, $F_{1,10289}=248.33$, $p=0.000$. Court or tribunal: $\chi^2=624.40$, $F_{1,10289}=360.54$, $p=0.000$. Formal dispute resolution: $\chi^2=516.14$, $F_{1,10289}=293.57$, $p=0.000$. Bonferroni correction applied, χ^2 significant if $p<0.008$.

12.2 per cent of consumer problems and 14.5 per cent of personal injury problems resulted in three or more action types.⁵

Furthermore, there were significant differences between problem groups for each of the six types of actions (see Table 5.4). For example, advice was sought for approximately three-quarters of family,

Table 5.3: Number of action types in response to legal problems by problem group, Australia

Problem group	Number of action types per problem					Total	
	Mean	0 %	1 %	2 %	3+ %	%	N
Accidents	1.1	25.8	50.6	17.0	6.6	100.0	1 313
Consumer	1.3	18.4	44.3	25.2	12.2	100.0	4 111
Credit/debt	1.5	21.8	34.4	24.2	19.6	100.0	992
Crime	1.2	26.8	44.0	19.0	10.3	100.0	2 933
Employment	1.9	14.5	26.9	27.8	30.7	100.0	1 181
Family	2.6	6.5	20.0	23.5	50.0	100.0	1 089
Government	1.7	15.2	33.3	28.3	23.2	100.0	1 877
Health	1.5	20.8	36.1	25.3	17.9	100.0	544
Housing	1.7	12.9	33.5	29.6	23.9	100.0	2 019
Money	2.0	6.6	32.5	27.9	33.0	100.0	1 010
Personal injury	1.4	19.0	44.7	21.8	14.5	100.0	1 119
Rights	1.6	23.1	30.3	23.2	23.4	100.0	953
All problems	1.5	18.3	38.0	24.3	19.5	100.0	19 142

Note: N=19 142 problems. Data were missing for 246 problems. A multilevel Poisson regression was conducted to determine whether problem group predicted the number of action types taken in response to legal problems. See Appendix Table A5.1 for full results.

Table 5.4: Action types in response to legal problems by problem group, Australia

Problem group	Action type						Total
	Sought advice %	Communicated with other side %	Consulted relatives or friends %	Website or self-help guide %	Court or tribunal %	Formal dispute resolution %	N
Accidents	58.1	19.8	19.3	5.0	2.2	1.1	1 313
Consumer	24.0	59.5	24.4	20.6	2.8	3.5	4 111
Credit/debt	38.6	48.5	25.3	17.6	11.6	8.6	992
Crime	61.6	10.4	20.2	7.0	13.8	3.8	2 933
Employment	60.8	35.3	39.7	26.2	8.5	17.8	1 181
Family	78.5	39.9	42.0	31.0	33.2	30.9	1 089
Government	42.9	49.4	25.3	30.5	9.7	12.1	1 877
Health	63.8	26.1	26.8	21.5	4.4	4.8	544
Housing	53.0	48.2	29.7	26.7	8.9	8.1	2 019
Money	71.0	43.7	30.3	26.9	18.6	14.0	1 010
Personal injury	72.2	18.1	17.3	9.9	9.8	8.6	1 119
Rights	55.1	27.0	35.3	18.8	7.2	13.2	953
All problems	51.1	38.1	26.6	19.5	9.8	8.8	19 142

Note: N=19 142 problems. Data were missing for 246 problems. Percentages do not sum to 100, because multiple action types were used for some problems. Sought advice: $\chi^2=2260.28$, $F_{11,112874}=133.13$, $p=0.000$. Communicated with other side: $\chi^2=2476.64$, $F_{11,112809}=141.19$, $p=0.000$. Consulted relatives or friends: $\chi^2=451.45$, $F_{11,112678}=25.91$, $p=0.000$. Website or self-help guide: $\chi^2=917.92$, $F_{11,112753}=52.23$, $p=0.000$. Court or tribunal: $\chi^2=1168.27$, $F_{11,112093}=64.88$, $p=0.000$. Formal dispute resolution: $\chi^2=1214.27$, $F_{11,112538}=67.87$, $p=0.000$. Bonferroni correction applied, χ^2 significant if $p<0.008$.

⁵ The number of action types used for other problem groups were not significantly different from average.

personal injury and money problems but for less than one-quarter of consumer problems. Relative to other problems, family problems more commonly led to court or tribunal proceedings and to formal dispute resolution. Trying to resolve the problem by communicating with the other side occurred relatively frequently in response to consumer problems but relatively rarely in response to accidents, crime and personal injury problems.

Strategy in response to legal problems

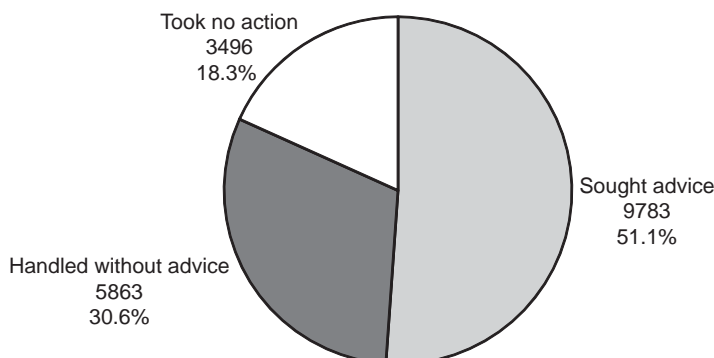
The different types of actions taken in response to legal problems were used to define the overall strategy adopted by respondents in relation to each legal problem. Three possible broad strategies were defined: ‘took no action’, ‘sought advice’ and ‘handled without advice’. For each legal problem, the broad strategy used was determined by whether or not:

- some type of action was taken
- one of the actions involved seeking advice (for cases where some type of action was taken).

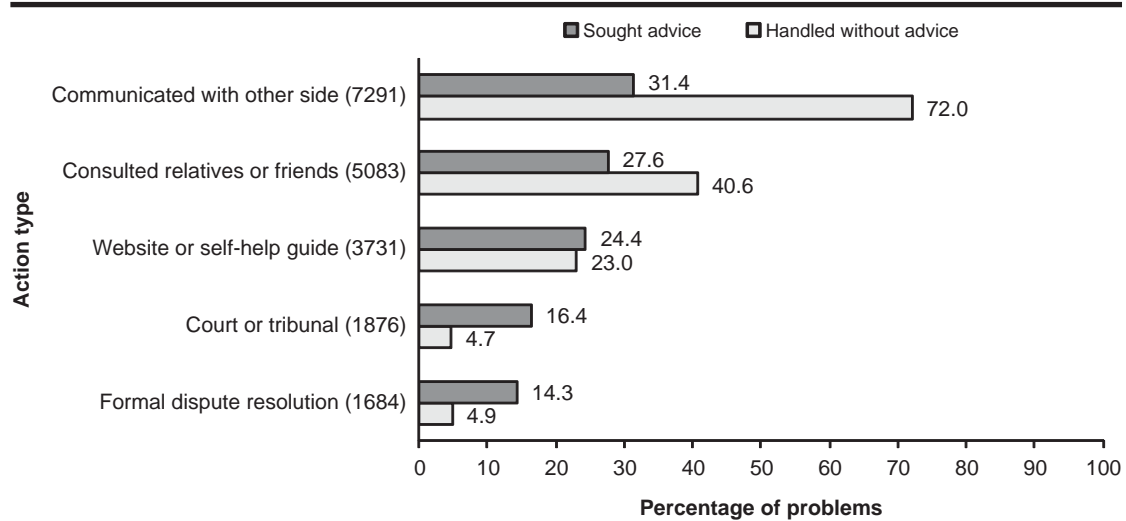
Figure 5.3 displays the percentage of legal problems resulting in each of the three broad strategies. The first broad strategy, ‘took no action’, meant that the respondent did not use any of the six action types defined by the survey. As already noted, no action was taken in response to 3496 or 18.3 per cent of legal problems (see Figures 5.1–5.3). The second broad strategy, ‘sought advice’, meant that the action of seeking advice from formal or professional advisers had been taken, regardless of whether any of the other five action types had been used. Thus, the broad strategy ‘sought advice’ included both problems where the only action taken was seeking advice and problems where the action of seeking advice was taken in addition to any number of the other five types of actions. As shown in Figures 5.1 and 5.3, respondents sought advice in response to 9783 or 51.1 per cent of their legal problems. Finally, the broad strategy of ‘handled without advice’ was used for the remaining 5863 or 30.6 per cent of problems, which meant that at least one type of action was taken but seeking advice was not one of the actions taken. Thus, problems handled without advice involved one or more of the following types of actions: communicating with the other side, consulting relatives or friends informally, using websites or self-help guides, court or tribunal proceedings, or formal dispute resolution sessions.

Figure 5.4 focuses on problems where some type of action was taken. It compares problems involving the strategy of ‘sought advice’ to problems involving the strategy of ‘handled without advice’ on all of the action types that were used. There were significant differences between problems where advice was sought and problems handled without advice in their likelihood of involving each of the following actions: communicating with the other side, consulting relatives or friends informally,

Figure 5.3: Strategy in response to legal problems, Australia



Note: N=19 142 problems. Data were missing for 246 problems.

Figure 5.4: Action types in response to legal problems by use of advice, Australia

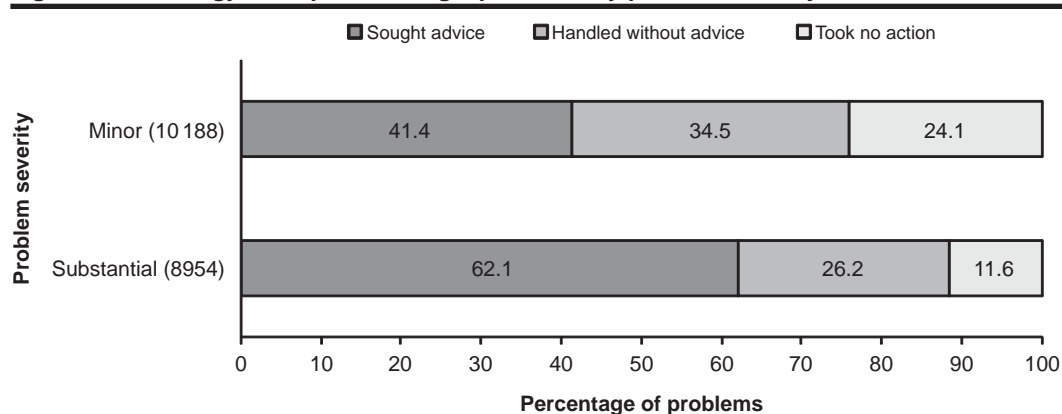
Note: N=15646 problems where took action (i.e. N=9873 problems where sought advice and N=5863 problems where handled without advice). Percentages do not sum to 100, because multiple action types were used for some problems. Communicated with other side: $\chi^2=2434.44$, $F_{1,9036}=1468.75$, $p=0.000$. Consulted relatives or friends: $\chi^2=283.98$, $F_{1,9036}=172.44$, $p=0.000$. Website or self-help guide: $\chi^2=3.72$, $F_{1,9036}=2.29$, $p=0.130$. Court or tribunal: $\chi^2=469.09$, $F_{1,9036}=290.58$, $p=0.000$. Formal dispute resolution: $\chi^2=338.94$, $F_{1,9036}=214.65$, $p=0.000$. Bonferroni correction applied, χ^2 significant if $p<0.01$.

court or tribunal proceedings, and formal dispute resolution sessions. More specifically, problems where advice was sought, when compared to problems handled without advice, were:

- significantly less likely to also involve communicating with the other side to try to resolve the problem (31.4% versus 72.0%)
- significantly less likely to involve consulting relatives or friends informally to try to resolve the problem (27.6% versus 40.6%)
- significantly more likely to involve court or tribunal proceedings (16.4% versus 4.7%)
- significantly more likely to involve formal dispute resolution (14.3% versus 4.9%).

Strategy in response to substantial legal problems

The strategy used in response to legal problems was significantly related to problem severity (see Figure 5.5). Respondents sought advice in response to 62.1 per cent of substantial problems but only 41.4 per cent of minor problems. No action was taken in response to 24.1 per cent of minor problems but only 11.6 per cent of substantial problems.

Figure 5.5: Strategy in response to legal problems by problem severity, Australia

Note: N=19142 problems. Data were missing for 246 problems. $\chi^2=913.98$, $F_{2,20634}=274.17$, $p=0.000$.

Reasons for taking no action in response to legal problems

Where no action was taken in response to legal problems, respondents were asked about all of their reasons for doing nothing in a series of closed-ended questions (see Appendix A1, questions A32.1–A32.11) and also one open-ended question (see Appendix A1, question A32.12). The reasons asked about in the closed-ended questions are listed in Table 5.5. Respondents were required to answer ‘yes’ or ‘no’ to each of these questions. Thus, where appropriate, they were able to endorse multiple reasons for doing nothing.

The reasons for doing nothing were provided for 3342 of the 3496 problems where no action was taken. Respondents often endorsed multiple reasons. As shown in Table 5.5, frequently endorsed reasons by those who did nothing were that the problem was resolved quickly (56.1% of problems) and that the problem was not very important (43.0%). However, in some cases where respondents did nothing, they felt that they didn’t have the resources to take action or that taking action would not be beneficial. For example, the reasons provided by respondents for taking no action included that it would make no difference (56.2% of problems), it would take too long (35.4%), the respondent had bigger problems (31.1%), it would be too stressful (29.6%), it would cost too much (27.1%), the respondent didn’t know what to do (21.4%) and it would damage the respondent’s relationship with the other side (12.7%).

Other reasons for doing nothing were provided from the open-ended question for 428 (12.8%) of the problems where no action was taken (see Table 5.5). These comprised numerous different reasons, with the most common being that:

- the person responsible could not be identified or contacted, or there was no proof
- the problem had been finalised without assistance
- the problem had occurred recently, or some action was pending
- the respondent wanted to avoid contact or confrontation with the other side or wanted to avoid escalating the problem
- the respondent found it difficult dealing with a large bureaucracy/agency.

Table 5.5: Reasons for taking no action in response to legal problems, Australia

<i>Reason</i>	<i>N</i>	<i>%</i>
Problem not very important	1437	43.0
Problem resolved quickly	1874	56.1
Would take too long	1182	35.4
Would be too stressful	989	29.6
Would cost too much	906	27.1
Would damage relationship with other side ^a	425	12.7
Would make no difference	1879	56.2
Had bigger problems	1038	31.1
Was at fault/there was no dispute	914	27.4
Didn’t know what to do	714	21.4
Didn’t need information/advice	1310	39.2
Other reason ^b	428	12.8
All problems where took no action	3342	

^a Respondents were not asked about this reason for the 785 problems where there was no other side or the other side was an unidentified person.

^b Comprises answers to the open-ended question (see Appendix A1, question A32.12), whereas the remaining reasons are based on the closed-ended questions (see Appendix A1, questions A32.1–A32.11).

Note: N=3342 problems where took no action. Data were missing for 154 problems. Percentages do not sum to 100, because multiple reasons were reported for some problems.

Reasons for only consulting relatives or friends in response to legal problems

Of the 5863 problems where respondents handled the problem without advice, 776 problems (or 13.2%) involved the sole action of consulting relatives or friends informally about the problem. The respondents who took only this action were asked their reasons for not taking any other type of action in a series of closed-ended questions (see Appendix A1, questions A33.1–A33.11) and one open-ended question (see Appendix A1, question A33.12). Again, respondents were required to answer each question separately and could thus endorse multiple reasons as appropriate. The reasons asked about in relation to only consulting relatives or friends were the same as those asked about in relation to doing nothing (cf. Tables 5.5 and 5.6).

The pattern of reasons for only consulting relatives or friends was similar to that for taking no action. Again, respondents often endorsed more than one reason. In addition, in a sizeable proportion of cases, respondents endorsed reasons indicating that they didn't have the resources to take other actions or that taking other actions would not be beneficial (see Table 5.6). For example, the reasons endorsed for only consulting relatives or friends included that it would make no difference (58.1% of problems), it would be too stressful (44.2%), it would take too long (41.1%), the respondent didn't know what to do (38.4%), the respondent had bigger problems (36.4%), it would cost too much (34.0%) and it would damage the respondent's relationship with the other side (22.1%).

Table 5.6: Reasons for only consulting relatives or friends in response to legal problems, Australia

<i>Reason</i>	<i>N</i>	<i>%</i>
Problem not very important	264	34.1
Problem resolved quickly	350	45.2
Would take too long	319	41.1
Would be too stressful	343	44.2
Would cost too much	264	34.0
Would damage relationship with other side ^a	171	22.1
Would make no difference	450	58.1
Had bigger problems	282	36.4
Was at fault/there was no dispute	166	21.3
Didn't know what to do	298	38.4
Didn't need information/advice	284	36.6
Other reason ^b	155	19.9
All problems where only consulted relatives or friends	776	

a Respondents were not asked about this reason for the 123 problems where there was no other side or the other side was an unidentified person.

b Comprises answers to the open-ended question (see Appendix A1, question A33.12), whereas the remaining reasons are based on the closed-ended questions (see Appendix A1, questions A33.1–A33.11).

Note: N=776 problems where only consulted relatives or friends. Data were missing for nine problems. Percentages do not sum to 100, because multiple reasons were reported for some problems.

Predicting strategy in response to legal problems

This section describes the variables associated with the strategies people use to try to resolve their legal problems. Two binary multilevel logistic regression models were fitted to the Australian data to examine whether various demographic and problem characteristics were independent predictors of the strategy used to try to resolve legal problems. The first regression examined the likelihood

of taking action to resolve legal problems. It was based on all problems and compared problems resulting in no action to problems resulting in some type of action (i.e. seeking advice or handling without advice). The second regression examined the likelihood of seeking advice when action was taken to resolve problems. It was based only on problems resulting in some type of action and compared seeking advice to handling the problem without advice. The following demographic and problem characteristics were tested as possible predictors of strategy in each model: gender, age, Indigenous status, disability status, education, employment status, family status, housing type, main income, main language, remoteness of residential area, problem recency and problem group.⁶

Thus, the regressions reveal the types of problems and the demographic groups that had lower levels of taking action and seeking advice. While regression analysis can be used to show where relationships exist, it cannot explain any relationships. As already noted, although failure to take action or seek advice may often reflect unmet legal need, it may sometimes be appropriate. Nonetheless, the regressions on strategy help to signal the types of problems and demographic groups that may particularly benefit from initiatives that facilitate appropriate responses to legal problems. For example, education strategies that better signpost the pathways available for legal resolution may be particularly useful for the types of problems and the demographic groups with low levels of taking action or seeking advice. In addition, the provision of more streamlined resolution processes in some of these cases may be warranted.

Table 5.7 provides a summary of the regression results on strategy for Australia. Problem recency, problem group, gender, age, disability status, education, employment status, family status and main language were significant independent predictors of the type of strategy used in response to legal problems in one or both regressions. For both regressions, problem group was the strongest predictor. Indigenous status, housing type, main income and remoteness were not significant predictors of strategy in either regression.

The results of the two regressions on strategy are further described in the sections below.⁷ These regression results are accompanied by the relevant unprocessed percentages. The percentages are based on all problems.

Legal problem characteristics

The recency of legal problems was related to the strategies used. The odds of taking action were significantly higher for problems that had persisted for at least seven months (1.3) than for more recent problems (see Table 5.7). The odds of seeking advice when action was taken were also higher for more persistent problems (1.6). Respondents took no action for 15.3 per cent of problems that had persisted for at least seven months compared to 21.6 per cent of more recent problems (see Figure 5.6). Advice was sought for 57.3 per cent of problems that had persisted for at least seven months but only 43.9 per cent of more recent problems.

In addition, the regression results indicated that the strategy used in response to legal problems was significantly associated with the type of problem. In fact, problem group was the strongest predictor of both taking action and seeking advice (see Table 5.7).

As Table 5.7 shows, the odds of taking action were significantly lower for accidents (0.6), crime (0.6), health (0.7) and rights (0.7) problems than for all problems on average. When action was taken, these problems resulted in significantly higher odds of seeking advice than average

⁶ See Chapter 2, 'Method: Multivariate analyses' section, and Appendix Tables A2.8 and A2.9 (models 5a and 6a) for further details.

⁷ See Appendix Tables A5.2 and A5.3 for the full results of these regressions.

Table 5.7: Regression summary — strategy in response to legal problems, Australia

SIGNIFICANT VARIABLES			
Variable	Categories compared	Taking action^a Odds ratio^b	Seeking advice Odds ratio^c
Problem recency	7+ months ≤6 months	1.3	1.6
Problem group	Accidents mean	0.6	1.8
	Consumer mean	-	0.2
	Credit/debt mean	0.7	0.4
	Crime mean	0.6	2.6
	Employment mean	1.3	1.2
	Family mean	2.2	1.8
	Government mean	1.1	0.4
	Health mean	0.7	1.4
	Housing mean	1.3	0.6
	Money mean	2.6	-
	Personal injury mean	-	4.1
	Rights mean	0.7	1.2
Gender	Female male	1.4	1.2
Age	15–17 65+	-	0.4
	18–24 65+	1.3	0.6
	25–34 65+	1.4	0.8
	35–44 65+	1.4	-
	45–54 65+	1.4	-
	55–64 65+	-	-
Disability status	Disability no disability	1.4	1.2
Education	<Year 12 post-school	0.7	0.9
	Year 12 post-school	0.8	0.9
Employment status	Unemployed other	0.8	0.8
Family status	Single parent other	-	1.2
Main language	Non-English English	0.5	0.7
NON-SIGNIFICANT VARIABLES		Indigenous status, family status, housing type, main income, remoteness	Indigenous status, housing type, main income, remoteness

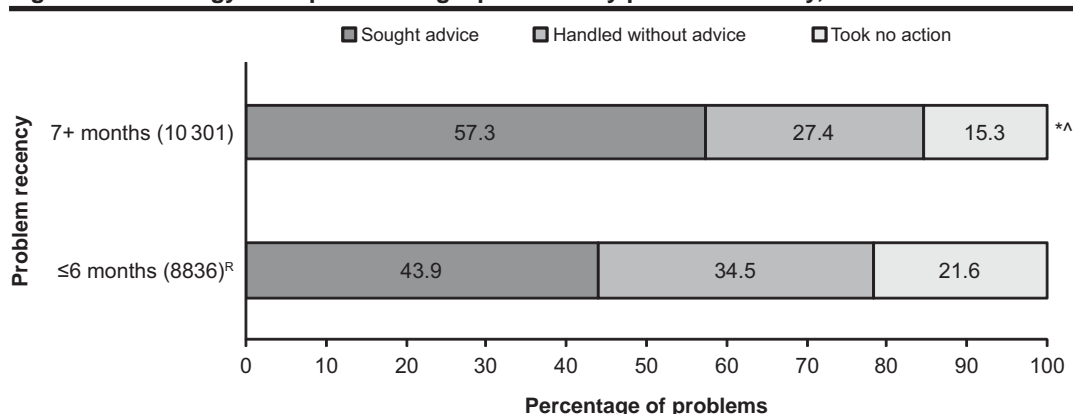
a I.e. seeking advice or handling without advice.

b An odds ratio (OR)>1.0 indicates that the first category had significantly higher odds of taking action (than taking no action) compared to the second category. An OR<1.0 indicates that the first category had significantly lower odds. The size of the OR indicates the strength of the relationship. E.g. OR=2.0 means that the odds for the first category were twice those for the second category. OR=0.5 means that the odds for the first category were half those for the second category, or, in other words, that the odds for the second category were twice those (i.e. $1/0.5=2.0$) for the first category. See Appendix A2, 'Data analysis: Significance and strength of predictors' section for further details. '-' indicates that the comparison was not significant.

c An OR>1.0 indicates that the first category had significantly higher odds of seeking advice (than handling without advice) compared to the second category. An OR<1.0 indicates that the first category had significantly lower odds. The size of the OR indicates the strength of the relationship. '-' indicates that the comparison was not significant.

Note: N=19 056 problems for regression on taking action. Data were missing for 332 problems. N=15 579 problems where took action for regression on seeking advice. Data were missing for 313 problems.

Figure 5.6: Strategy in response to legal problems by problem recency, Australia

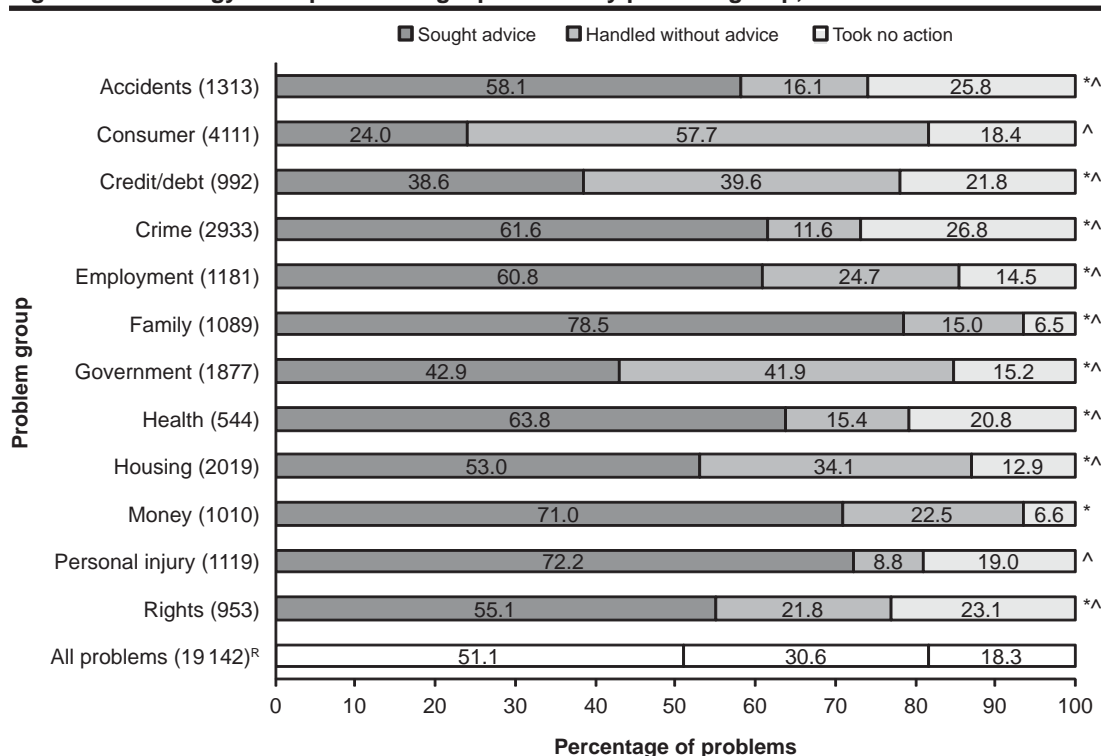


R Reference category for problem recency in the regressions.
***** Significant difference ($p < 0.05$) for problem recency in the regression on taking action.
^ Significant difference ($p < 0.05$) for problem recency in the regression on seeking advice.
Note: N=19137 problems. Data were missing for 251 problems.

(1.8, 2.6, 1.4 and 1.2, respectively). No action was taken for 20.8–26.8 per cent of these problems compared to 18.3 per cent on average (see Figure 5.7). Advice was sought for 55.1–63.8 per cent of these problems compared to 51.1 per cent on average.

The odds of taking action for consumer problems were not significantly different from those for all problems on average (see Table 5.7). When action was taken, however, consumer problems resulted in significantly lower odds of seeking advice than average (0.2), with 24.0 per cent of these problems resulting in seeking advice compared to 51.1 per cent on average (see Figure 5.7).

Figure 5.7: Strategy in response to legal problems by problem group, Australia



R Reference category for problem group in the regression was the mean of all problems.
***** Significant difference ($p < 0.05$) between this problem group and the mean of all problems in the regression on taking action.
^ Significant difference ($p < 0.05$) between this problem group and the mean of all problems in the regression on seeking advice.
Note: N=19142 problems. Data were missing for 246 problems.

The odds of taking action were significantly lower for credit/debt problems (0.7) than for all problems on average (see Table 5.7). When action was taken for these problems, they also resulted in significantly lower odds of seeking advice than average (0.4). No action was taken for 21.8 per cent of credit/debt problems compared to 18.3 per cent on average, and only 38.6 per cent of these problems resulted in seeking advice compared to 51.1 per cent on average (see Figure 5.7).

The odds of taking action were higher for employment and family problems (1.3 and 2.2, respectively) than for all problems on average. When action was taken, these problems also resulted in significantly higher odds of seeking advice than average (1.2 and 1.8, respectively; see Table 5.7). Only 14.5 per cent of employment problems and 6.5 per cent of family problems resulted in taking no action compared to the average of 18.3 per cent, while 60.8 and 78.5 per cent, respectively, of these problems resulted in seeking advice compared to 51.1 per cent on average (see Figure 5.7).

Compared to all problems on average, government problems resulted in higher odds of taking action (1.1) and lower odds of seeking advice when action was taken (0.4; see Table 5.7). Only 15.2 per cent of government problems resulted in taking no action compared to 18.3 per cent on average, and only 42.9 per cent of these problems resulted in seeking advice compared to 51.1 per cent on average (see Figure 5.7).

Similarly, housing problems resulted in higher odds of taking action (1.3) and lower odds of seeking advice when action was taken (0.6; see Table 5.7). Consistent with the high odds of taking action, only 12.9 per cent of housing problems resulted in taking no action compared to 18.3 per cent on average (see Figure 5.7). However, the low level of seeking advice for housing problems is less obvious from the percentages, suggesting that it becomes evident once the influences of other characteristics are also considered.

The odds of taking action were higher for money problems (2.6) than for all problems on average (see Table 5.7). However, respondents were no more likely to seek advice when they took action for money problems than for all problems on average. Only 6.6 per cent of money problems resulted in taking no action compared to 18.3 per cent on average (see Figure 5.7).

Although personal injury problems resulted in average odds of taking action, when action was taken, however, they resulted in significantly higher than average odds of seeking advice (4.1; see Table 5.7). In total, 72.2 per cent of personal injury problems resulted in seeking advice compared to 51.1 per cent on average (see Figure 5.7).

Demographic variables

The regressions on strategy revealed that some demographic groups were less likely to take action or seek advice to resolve their legal problems, even after the characteristics of the problem (i.e. recency and problem group) were taken into account. As already noted, however, problem group had a stronger effect on strategy than any of the demographic variables.

Main language was the strongest significant demographic predictor of taking action (see Table 5.7). Age, education, gender, disability status and employment status were also significant demographic predictors and had similar strengths of association with taking action. Compared to their counterparts, the following demographic groups had significantly lower odds of taking action:

- people whose main language was not English
- people aged 65 years or over (versus 18–54 year olds)
- people with low education levels (versus those with post-school qualifications)

- males
- people without a disability
- people who had been unemployed.

In descending order of strength, the demographic predictors of seeking advice were age, main language, employment status, disability status, family status, gender and education (see Table 5.7). Compared to their counterparts, the following demographic groups had significantly lower odds of seeking advice when action was taken:

- 15–34 year olds (versus those aged 65 years or over)
- people whose main language was not English
- people who had been unemployed
- people without a disability
- people who were not single parents
- males
- people with low education levels (versus those with post-school qualifications).

The significant odds ratios from the regressions in Table 5.7 generally reveal a similar picture to the percentages in Table 5.8.⁸ Compared to males, females had significantly higher odds of taking action (1.4) and higher odds of seeking advice when action was taken (1.2; see Table 5.7). Females took no action for only 15.1 per cent of problems compared to 21.3 per cent for males (see Table 5.8). Also, females sought advice for 54.6 per cent of problems compared to 47.8 per cent for males.

Respondents aged 18–54 years had higher odds of taking action compared to those aged 65 years or over (1.3–1.4; see Table 5.7). The percentages for 25–54 year olds were consistent with these odds (see Table 5.8). They took no action for 15.9–17.3 per cent of problems compared to 19.7 per cent for the oldest age group. However, the higher odds of taking action for 18–24 year olds compared to the oldest group were not reflected in the percentages. Thus, this higher level of taking action for 18–24 year olds becomes evident once the influence of other demographic and problem characteristics are also appropriately taken into account in the regression.

When action was taken, respondents aged 15–34 years had lower odds of seeking advice compared to those aged 65 years or over (0.4–0.8; see Table 5.7). Consistent with these odds, 15–24 year olds had lower percentages of seeking advice (36.5–43.1%) compared to the oldest group (48.3%; see Table 5.8). However, the lower level of seeking advice for 25–34 year olds compared to the oldest group was not obvious from the percentages, suggesting that this effect becomes evident once the influence of other demographic and problem characteristics are also considered.

Compared to others, respondents with a disability had significantly higher odds of taking action (1.4) and significantly higher odds of seeking advice when action was taken (1.2; see Table 5.7). Respondents with a disability took no action for 15.7 per cent of problems compared to 19.2 per cent for those without a disability (see Table 5.8). When action was taken, respondents with a disability sought advice for 57.3 per cent of problems compared to 48.9 per cent for other respondents.

Respondents with low education levels had lower odds of taking action (0.7–0.8) and lower odds of seeking advice when action was taken (0.9) than those with post-school qualifications (see Table 5.7). Respondents with low education levels took no action for 19.6–22.0 per cent of problems compared

⁸ The percentages and the regression on taking action are based on all problems, whereas the regression on seeking advice is based only on problems where action was taken.

Table 5.8: Strategy in response to legal problems by each demographic variable, Australia

Demographic variable	Category	Strategy			All problems	
		Sought advice	Handled without advice	Took no action	%	N
		%	%	%		
Gender	Female	54.6	30.3	15.1	100.0	9 309 ^{*^}
	Male ^R	47.8	30.9	21.3	100.0	9 833
	Total	51.1	30.6	18.3	100.0	19 142
Age	15–17	36.5	32.0	31.4	100.0	812 [^]
	18–24	43.1	35.3	21.6	100.0	2 664 ^{*^}
	25–34	50.1	32.7	17.3	100.0	3 840 ^{*^}
	35–44	55.0	29.0	16.0	100.0	4 186 [*]
	45–54	55.9	28.2	15.9	100.0	3 515 [*]
	55–64	54.6	27.2	18.2	100.0	2 451
	65+ ^R	48.3	32.0	19.7	100.0	1 674
	Total	51.1	30.6	18.3	100.0	19 142
Indigenous status	Indigenous	48.8	36.5	14.7	100.0	386
	Other ^R	51.2	30.5	18.3	100.0	18 756
	Total	51.1	30.6	18.3	100.0	19 142
Disability status	Disability	57.3	27.1	15.7	100.0	5 037 ^{*^}
	No disability ^R	48.9	31.9	19.2	100.0	14 105
	Total	51.1	30.6	18.3	100.0	19 142
Education	<Year 12	49.8	28.2	22.0	100.0	5 087 ^{*^}
	Year 12	47.9	32.4	19.6	100.0	3 680 [*]
	Post-school ^R	53.0	31.1	15.9	100.0	10 294
	Total	51.1	30.6	18.3	100.0	19 061
Employment status	Unemployed	44.9	33.3	21.8	100.0	2 860 ^{*^}
	Other ^R	52.2	30.2	17.6	100.0	16 282
	Total	51.1	30.6	18.3	100.0	19 142
Family status	Single parent	61.6	23.0	15.4	100.0	2 183 [^]
	Other ^R	49.8	31.6	18.6	100.0	16 959
	Total	51.1	30.6	18.3	100.0	19 142
Housing type	Disadvantaged	55.3	28.0	16.7	100.0	1 584
	Other ^R	50.7	30.9	18.4	100.0	17 558
	Total	51.1	30.6	18.3	100.0	19 142
Main income	Government payments	53.7	28.4	17.9	100.0	4 814
	Other ^R	50.2	31.4	18.4	100.0	14 328
	Total	51.1	30.6	18.3	100.0	19 142
Main language	Non-English	36.9	33.3	29.7	100.0	1 034 ^{*^}
	English ^R	51.9	30.5	17.6	100.0	18 108
	Total	51.1	30.6	18.3	100.0	19 142
Remoteness	Remote	49.0	31.3	19.7	100.0	461
	Regional	53.6	29.7	16.7	100.0	5 682
	Major city ^R	50.1	31.0	18.9	100.0	12 999
	Total	50.3	30.4	19.2	100.0	19 142

R Reference category for this demographic variable in the regression.

* Significant difference ($p < 0.05$) between this category and the reference category for this demographic variable in the regression on taking action.

[^] Significant difference ($p < 0.05$) between this category and the reference category for this demographic variable in the regression on seeking advice.

Note: N=19061 problems for education and N=19 142 problems for other demographic variables. Data were missing where totals are less than 19388.

to 15.9 per cent for those with post-school qualifications (see Table 5.8). In addition, those with low education levels sought advice for 47.9–49.8 per cent of problems compared to 53.0 per cent for respondents with post-school qualifications.

Similarly, respondents who had been unemployed had lower odds of taking action (0.8) and lower odds of seeking advice when action was taken (0.8) than other respondents (see Table 5.7). No action was taken for 21.8 per cent of problems by respondents who had been unemployed compared to 17.6 per cent by other respondents (see Table 5.8). Respondents who had been unemployed sought advice for 44.9 per cent of problems compared to 52.2 per cent for other respondents.

Family status was unrelated to the odds of taking action (see Table 5.7). However, single parents had significantly higher odds of seeking advice when action was taken (1.2) than other respondents. Single parents sought advice for 61.6 per cent of problems compared to 49.8 per cent for other respondents (see Table 5.8).

Respondents whose main language was not English had significantly lower odds of taking action (0.5) and significantly lower odds of seeking advice when action was taken (0.7) than other respondents (see Table 5.7). People whose main language was not English took no action for 29.7 per cent of problems compared to 17.6 per cent for other respondents (see Table 5.8). Also, respondents whose main language was not English sought advice for 36.9 per cent of problems compared to 51.9 per cent for other respondents.

Consistency of strategy in response to legal problems

According to the regressions, respondents who had done nothing in response to a previous legal problem were significantly less likely than others to take action for subsequent legal problems (see random effects in Appendix Table A5.2). However, of the respondents who had taken action for an earlier legal problem, those who had sought advice were no more likely than those who had handled the problem without advice to seek advice for new legal problems (see random effects in Appendix Table A5.3).

Response to legal problems: Australian summary

Australian respondents used a wide variety of actions to try to resolve their legal problems and did not restrict themselves to seeking professional advice. The following six types of actions were used in a sizeable proportion of cases:

1. seeking advice from a professional or formal adviser (51.1%)
2. communicating with the other side (38.1%)
3. consulting relatives or friends informally (26.6%)
4. using websites or self-help guides (19.5%)
5. court or tribunal proceedings (9.8%)
6. formal dispute resolution sessions (8.8%).

In addition, respondents often used multiple actions to try to resolve legal problems, with at least three of these six types of actions being used in 19.4 per cent of cases.

These six different types of actions were summarised into two broad strategies: seeking advice and handling the problem without advice. Approximately half of the problems (51.1%) resulted in the strategy of seeking advice, regardless of whether any of the other five action types were also used.

A further 30.6 per cent of problems were handled without advice but involved one of the other five types of action. However, a third broad strategy — taking no action — was also identified, with no action of any type being taken in response to 18.3 per cent of legal problems.

The reasons respondents provided for doing nothing suggested that, although inaction may sometimes be apposite, in many cases inaction signalled possible unmet legal need. Respondents sometimes failed to take action due to poor legal knowledge, other personal constraints or systemic constraints. For example, respondents reported taking no action because it would take too long (35.4%), they had bigger problems (31.1%), it would be too stressful (29.6%), it would cost too much (27.1%), they didn't know what to do (21.4%) and it would damage their relationship with the other side (12.7%). Similar reasons were provided in the small number of cases where the only action was to consult relatives or friends, again suggesting that legal needs may sometimes remain unaddressed in some of these cases.

The factors that determine the strategies adopted in response to legal problems were examined via regression and other statistical analyses. The characteristics of legal problems strongly influenced strategy. Regression models revealed that problem group was the strongest predictor of strategy. For example, money and family problems resulted in the highest odds of taking action. In addition, personal injury, crime, accidents and family problems resulted in the highest odds of seeking advice when action was taken. Problem recency was also a significant, albeit weaker, predictor of strategy in the regressions, with high levels of taking action and seeking advice for problems that had persisted for at least seven months. Other analyses revealed that the severity of the problem influenced strategy. Substantial problems resulted in a greater number of action types and also in higher levels of seeking advice.

Demographic characteristics also influenced strategy, although their effect was not as strong as that of problem group. According to the regression analyses, some demographic groups had low levels of taking action and some had low levels of seeking advice when action was taken. In descending order of strength, the following demographic groups had significantly lower odds of taking action compared to their counterparts:

- people whose main language was not English
- people aged 65 years or over (versus 18–54 year olds)
- people with low education levels (versus those with post-school qualifications)
- males
- people without a disability
- people who had been unemployed.

Also, in descending order of strength, compared to their counterparts, the following demographic groups had significantly lower odds of seeking advice when action was taken:

- 15–34 year olds (versus those aged 65 years or over)
- people whose main language was not English
- people who had been unemployed
- people without a disability
- people who were not single parents
- males
- people with low education levels (versus those with post-school qualifications).

The LAW Survey results for Australia on the responses to legal problems are interpreted further in Chapters 9 and 10. These chapters compare the Australian results to the LAW Survey results for other jurisdictions and to international findings.