

7. Finalisation of legal problems

As noted earlier, 19 388 of the problems reported by Australian respondents were followed up in depth.¹ This chapter examines the finalisation of these problems. It details whether or not these problems were over at the time of interview or still ongoing, and how concluded problems were finalised. The chapter also investigates which problems were less likely to be finalised and which respondents were less likely to achieve finalisation.

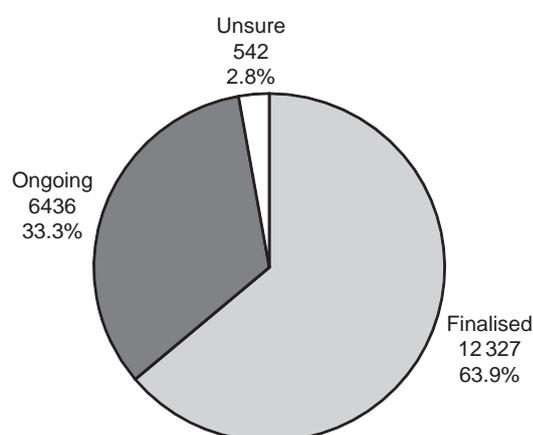
Finalisation status of legal problems

Respondents were asked whether their legal problems had been finalised — that is, whether each of these problems was ‘now over’ or ‘still ongoing’ (see Appendix A1, question A34). This information was provided for 19 305 legal problems. As Figure 7.1 shows, respondents reported that 63.9 per cent or 12 327 of these problems had been finalised, while 33.3 per cent of the problems were still ongoing at the time of interview. For the remaining 2.8 per cent of legal problems, respondents were ‘unsure’ whether the problem had concluded. Given that respondents could not definitively state that these 2.8 per cent of problems were finalised, in all subsequent analyses these problems were treated as being unfinalised and were combined with the ‘ongoing’ category.

The finalisation status of legal problems at the time of interview was significantly related to problem severity (see Figure 7.2). Problems of substantial impact had lower finalisation rates than problems of minor impact (51.8% versus 74.4%). Problems were also significantly less likely to be finalised as the number of different types of adverse consequences caused by the problems increased (see Table 7.1). Whereas 72.4 per cent of the problems without adverse consequences had been finalised at the time of interview, only 32.4 per cent of the problems resulting in at least four different types of adverse consequences had been finalised.

An analysis was also made of whether the finalisation status of any given legal problem at the time of interview was related to the total number of problems experienced by the respondent over the

Figure 7.1: Finalisation status of legal problems, Australia

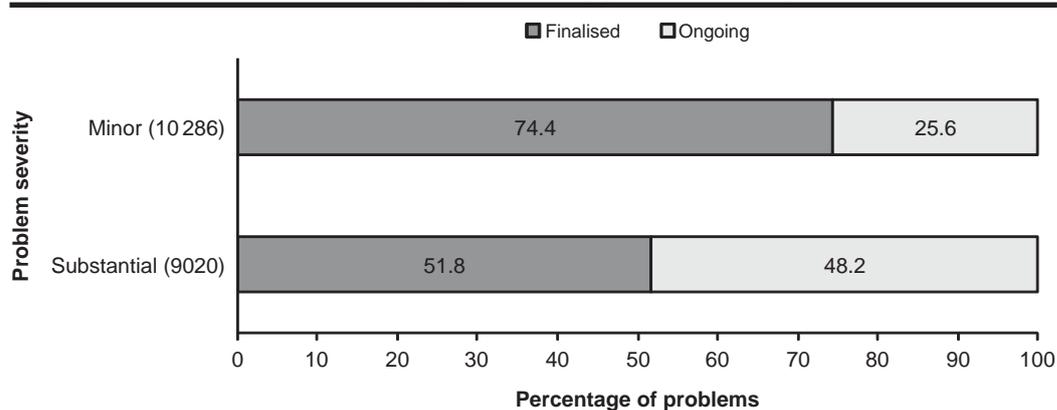


Note: N=19 305 problems. Data were missing for 82 problems.

¹ As a result of rounding weighted data, some numbers and percentages in the report do not sum precisely to totals.

reference period (see Table 7.2). This relationship was significant, with the likelihood of finalisation for any given legal problem tending to decrease as the number of legal problems experienced by the respondent increased. For example, 69.9 per cent of all problems experienced by respondents who reported experiencing only one or two problems during the reference period were finalised compared to 56.3 per cent of all problems experienced by respondents who reported experiencing at least six problems during the reference period.

Figure 7.2: Finalisation status of legal problems by problem severity, Australia



Note: N=19 305 problems. Data were missing for 82 problems. $\chi^2=1072.11$, $F_{1,10320}=631.31$, $p=0.000$.

Table 7.1: Finalisation status of legal problems by number of adverse consequences of legal problems, Australia

Finalisation status	Number of adverse consequences per problem					All problems
	0	1	2	3	4+	
	%	%	%	%	%	%
Finalised	72.4	61.8	52.5	43.1	32.4	64.2
Ongoing	27.6	38.2	47.5	56.9	67.6	35.8
Total	100.0	100.0	100.0	100.0	100.0	100.0
N	10 527	4 610	1 990	1 234	828	19 189

Note: N=19 189 problems. Data were missing for 199 problems. Somers' d=0.24 (95% CI=0.22–0.26), SE=0.01, $p=0.000$, outcome variable is finalisation status.

Table 7.2: Finalisation status of legal problems by number of legal problems per respondent, Australia

Finalisation status	Number of problems per respondent			All problems
	1–2	3–5	6+	
	%	%	%	%
Finalised	69.9	64.7	56.3	63.9
Ongoing	30.1	35.3	43.7	36.1
Total	100.0	100.0	100.0	100.0
N	7 264	5 659	6 382	19 305

Note: N=19 305 problems. Data were missing for 82 problems. Somers' d=0.13 (95% CI=0.11–0.15), SE=0.01, $p=0.000$, outcome variable is finalisation status.

Manner of finalisation of legal problems

For the 12 327 legal problems reported as being over, respondents were asked by what means the legal problems had been finalised (see Appendix A1, question A35). As shown in Table 7.3, most commonly, legal problems were finalised through agreement with the other side (29.9%) or as a result of the respondent not pursuing the matter at all or deciding not to pursue the matter further (29.8%).

Table 7.3: Manner of finalisation of legal problems, Australia

<i>Manner of finalisation</i>	<i>N</i>	<i>%</i>
Court or tribunal	410	3.4
Dispute resolution ^a	176	1.5
Complaint-handling body ^b	231	1.9
Another agency ^c	1 814	15.0
Lawyer's help	196	1.6
Someone else's help	575	4.8
Agreement with other side	3 615	29.9
Other side didn't pursue further	907	7.5
Respondent didn't pursue further	3 603	29.8
Other	563	4.7
All finalised problems	12 090	100.0

a E.g. formal dispute resolution, mediation, conciliation.

b E.g. ombudsman, commissioner.

c E.g. government body, insurance company, police.

Note: N=12 090 finalised problems. Data were missing for 237 problems.

Only a minority of legal problems were finalised through legal proceedings in a court or tribunal (3.4%), and only a further 3.4 per cent were finalised through formal dispute resolution (1.5%) or complaint-handling processes (1.9%). However, 15.0 per cent were finalised through the decisions or actions of other agencies, such as government bodies, insurance companies or the police.

Lawyers were perceived to have brought about the finalisation of only 1.6 per cent of legal problems, even though, as noted earlier, private lawyers were consulted for 21.3 per cent of the problems where advice was sought (see Table 6.2). This finding suggests that private lawyers provided information, advice or assistance in a considerable number of cases that eventually concluded through other means — for example, through:

- legal resolution processes, such as court or tribunal proceedings, or formal dispute resolution or complaint-handling processes
- agreement with the other side
- one of the parties deciding not to pursue the matter further.

The manner in which problems were finalised was significantly related to problem severity (see Table 7.4). For example, substantial problems were significantly more likely than minor problems to be finalised by court or tribunal proceedings (5.1% versus 2.3%), formal dispute resolution or complaint-handling processes (5.0% versus 2.4%) or the help of a lawyer or someone else (7.6% versus 5.6%). Minor problems were significantly more likely than substantial problems to be finalised via other agencies, such as government bodies, insurance companies or the police (17.5% versus 11.0%) or via agreement with the other side (31.5% versus 27.3%).

Table 7.5 displays the manner of finalisation broken down by the strategy used by respondents in response to their legal problems. Although a significance test was not conducted on this relationship, some trends are evident.² Problems involving advice appeared to be finalised more frequently than problems handled without advice via court or tribunal proceedings (6.0% versus 2.0%) or via formal dispute resolution or complaint-handling processes (5.7% versus 1.9%). Problems involving advice

² A significance test was not conducted, because some strategies by definition rendered certain manners of finalisation highly unlikely. First, 'took no action' meant that respondents had reported that court or tribunal proceedings and formal dispute resolution had not occurred and were unlikely to occur (although a few such respondents across Australia reported finalisation via court orders). Second, both 'handled without advice' and 'took no action' meant that a lawyer had not been consulted.

Table 7.4: Manner of finalisation of legal problems by problem severity, Australia

<i>Manner of finalisation^a</i>	<i>Problem severity</i>		<i>All finalised problems</i>
	<i>Minor</i>	<i>Substantial</i>	
	%	%	%
Court or tribunal	2.3	5.1	3.4
Dispute resolution or complaint-handling body ^b	2.4	5.0	3.4
Another agency	17.5	11.0	15.0
Lawyer's or someone else's help ^c	5.6	7.6	6.4
Agreement with other side	31.5	27.3	29.9
Other side didn't pursue further	7.5	7.6	7.5
Respondent didn't pursue further	29.1	31.0	29.8
Other	4.1	5.5	4.7
Total	%	100.0	100.0
	N	7 506	12 090

a See Table 7.3 for further details on manners of finalisation. Apart from the exceptions noted below, manners of finalisation are identical to those in Table 7.3.

b Combines the following categories from Table 7.3: 'dispute resolution' and 'complaint-handling body'.

c Combines the following categories from Table 7.3: 'lawyer's help' and 'someone else's help'.

Note: N=12 090 finalised problems. Data were missing for 237 problems. $\chi^2=256.30$, $F_{7,72104}=22.98$, $p=0.000$.

Table 7.5: Manner of finalisation of legal problems by strategy in response to legal problems, Australia

<i>Manner of finalisation^a</i>	<i>Strategy</i>			<i>All finalised problems</i>
	<i>Sought advice</i>	<i>Handled without advice</i>	<i>Took no action</i>	
	%	%	%	%
Court or tribunal	6.0	2.0	0.1 ^d	3.4
Dispute resolution or complaint-handling body ^b	5.7	1.9	0.8 ^d	3.4
Another agency	24.1	4.9	11.3	15.0
Lawyer's or someone else's help ^c	8.6	4.9 ^d	3.9 ^d	6.4
Agreement with other side	20.2	47.8	23.7	29.9
Other side didn't pursue further	6.4	10.2	5.9	7.5
Respondent didn't pursue further	24.5	24.6	48.1	29.8
Other	4.6	3.7	6.2	4.6
Total	%	100.0	100.0	100.0
	N	5 478	3 904	12 079

a See Table 7.3 for further details on manners of finalisation. Apart from the exceptions noted below, manners of finalisation are identical to those in Table 7.3.

b Combines the following categories from Table 7.3: 'dispute resolution' and 'complaint-handling body'.

c Combines the following categories from Table 7.3: 'lawyer's help' and 'someone else's help'.

d By definition, 'took no action' excluded problems involving court or tribunal proceedings or formal dispute resolution; and both 'handled without advice' and 'took no action' excluded problems where a lawyer was consulted.

Note: N=12 079 finalised problems. Data were missing for 248 problems.

also appeared to be finalised more often than problems involving one of the other strategies via other agencies, such as government bodies, insurance companies or the police (24.1% versus 4.9–11.3%). In addition, problems handled without advice tended to be more likely than other problems to be finalised via agreement with the other side (47.8% versus 20.2–23.7%) or via the other side not pursuing the matter further (10.2% versus 5.9–6.4%). Unsurprisingly, problems where no action was taken appeared to be more likely than other problems to be reported as concluding via the respondent not pursuing the matter further (48.1% versus 24.5–24.6%).³

The manner of finalisation was also significantly related to the type of problem (see Table 7.6). For example, compared to all problems on average:

- accidents problems were more likely to be finalised via an agency such as an insurance company (60.4% versus 15.0% on average)
- consumer problems were more likely to be finalised via agreement with the other side (53.5% versus 29.9%) or via the other side not pursuing the matter further (11.2% versus 7.5%)
- credit/debt problems were more likely to be finalised via agreement with the other side (44.9% versus 29.9%)
- crime problems were more likely to be finalised via the respondent not pursuing the matter further (44.7% versus 29.8%) or via an agency such as the police (25.5% versus 15.0%)

Table 7.6: Manner of finalisation of legal problems by problem group, Australia

Problem group	Manner of finalisation ^a						Total	
	<i>Court, tribunal, dispute resolution or complaint-handling body^b</i>	<i>Another agency</i>	<i>Agreement with other side</i>	<i>Other side didn't pursue further</i>	<i>Respondent didn't pursue further</i>	<i>Other^c</i>	%	N
	%	%	%	%	%	%		
Accidents	1.0	60.4	17.9	2.7	11.7	6.3	100.0	1 127
Consumer	5.0	2.4	53.5	11.2	20.6	7.3	100.0	2 853
Credit/debt	3.6	2.6	44.9	7.2	34.4	7.3	100.0	497
Crime	7.2	25.5	5.6	3.4	44.7	13.6	100.0	2 121
Employment	8.5	3.9	24.6	8.1	39.1	15.7	100.0	732
Family	24.0	5.2	39.0	3.6	14.8	13.3	100.0	389
Government	7.6	9.1	29.0	10.3	37.5	6.4	100.0	1 013
Health	2.3	2.9	17.4	4.9	52.5	19.9	100.0	325
Housing	7.7	12.4	35.7	12.5	21.2	10.6	100.0	1 155
Money	12.3	5.5	31.9	7.7	20.0	22.6	100.0	497
Personal injury	6.8	18.7	22.4	3.3	35.6	13.2	100.0	742
Rights	7.9	8.3	19.8	7.8	40.8	15.4	100.0	639
All finalised problems	6.8	15.0	29.9	7.5	29.8	11.0	100.0	12 090

a See Table 7.3 for further details on manners of finalisation. Apart from the exceptions noted below, manners of finalisation are identical to those in Table 7.3.

b Combines the following categories from Table 7.3: 'court or tribunal', 'dispute resolution' and 'complaint-handling body'.

c Combines the following categories from Table 7.3: 'lawyer's help', 'someone else's help' and 'other'.

Note: N=12 090 finalised problems. Data were missing for 237 problems. $\chi^2=4746.38$, $F_{54,553788}=54.34$, $p=0.000$.

³ It is worth noting that 23.7 per cent of problems where no action was taken were reported by respondents as concluding via agreement with the other side, even though these respondents had answered 'no' to the question asking whether they had tried to resolve the problem directly with the other side (see Appendix A1, question A31). Many of the verbatim responses in these cases revealed that the respondent had come to a quick, on-the-spot agreement with the other side, without actually trying to resolve the problem in their own favour. These cases tended to be cases where the respondent was at fault or the incident was minor (e.g. a minor motor vehicle accident).

- employment problems were more likely to be finalised via the respondent not pursuing the matter further (39.1% versus 29.8%)
- family problems were more likely to be finalised via agreement with the other side (39.0% versus 29.9%) or via court, tribunal, formal dispute resolution or complaint-handling processes (24.0% versus 6.8%)
- government problems were more likely to be finalised via the respondent not pursuing the matter further (37.5% versus 29.8%) or via the other side not pursuing the matter further (10.3% versus 7.5%)
- health problems were more likely to be finalised via the respondent not pursuing the matter further (52.5% versus 29.8%)
- housing problems were more likely to be finalised via agreement with the other side (35.7% versus 29.9%) or via the other side not pursuing the matter further (12.5% versus 7.5%)
- money problems were more likely to be finalised via court, tribunal, formal dispute resolution or complaint-handling processes (12.3% versus 6.8%)
- personal injury problems were more likely to be finalised via the respondent not pursuing the matter further (35.6% versus 29.8%) or via an agency such as a government body, insurance company or the police (18.7% versus 15.0%)
- rights problems were more likely to be finalised via the respondent not pursuing the matter further (40.8% versus 29.8%).⁴

Predicting finalisation status of legal problems

This section describes the problem and respondent characteristics associated with whether problems were finalised or ongoing at the time of interview. A binary multilevel logistic regression model was fitted to examine the independent predictors of the finalisation status of legal problems. The regression compared problems that had been finalised to problems that were ongoing on the following variables: gender, age, Indigenous status, disability status, education, employment status, family status, housing type, main income, main language, remoteness of residential area, problem recency, legal problem group and strategy used in response to legal problems.⁵

Thus, the regression reveals the types of problems, strategies and demographic groups with lower levels of finalisation. Although regression analysis can be used to show where relationships exist, it cannot explain any relationships. Nonetheless, the regression on finalisation status helps to pinpoint the types of problems and demographic groups that may particularly benefit from initiatives that facilitate legal resolution, and it also helps to identify the strategies to be encouraged. For example, problems with lower levels of finalisation may be more serious, complex or intractable, or the pathways for resolving these legal problems may be less clear, more time-consuming or more difficult to navigate. Demographic groups with lower levels of finalisation may have a reduced capacity for resolving problems and may require additional encouragement, support or assistance to finalise their problems.

Table 7.7 provides a summary of the regression results on finalisation status for Australia. The regression identified problem group, strategy and age as the strongest significant predictors of finalisation status. In descending order of strength, main language, problem recency, disability status,

⁴ For all manners of finalisation with the exception of 'other', percentages not described in the list above were either significantly lower than average or not significant. For example, the percentage of credit/debt problems finalised via the respondent not pursuing the matter further was not significantly different from average.

⁵ See Chapter 2, 'Method: Multivariate analyses' section, and Appendix Tables A2.8 and A2.9 (model 7a) for further details.

Table 7.7: Regression summary — finalisation status of legal problems, Australia

SIGNIFICANT VARIABLES		
Variable	Categories compared	Odds ratio^a
Problem recency	7+ months ≤6 months	1.2
Problem group	Accidents mean	4.3
	Consumer mean	1.2
	Credit/debt mean	0.6
	Crime mean	1.6
	Employment mean	-
	Family mean	0.4
	Government mean	0.6
	Health mean	-
	Housing mean	0.8
	Money mean	0.6
	Personal injury mean	1.4
	Rights mean	1.2
Strategy	Sought advice took no action	0.3
	Handled without advice took no action	0.6
Age	15–17 65+	2.2
	18–24 65+	1.7
	25–34 65+	1.3
	35–44 65+	-
	45–54 65+	-
	55–64 65+	-
Indigenous status	Indigenous other	0.8
Disability status	Disability no disability	0.8
Education	<Year 12 post-school	0.9
	Year 12 post-school	-
Family status	Single parent other	0.9
Housing type	Disadvantaged other	0.9
Main income	Government payment other	0.9
Main language	Non-English English	0.7
NON-SIGNIFICANT VARIABLES <i>gender, employment status, remoteness</i>		

a An odds ratio (OR)>1.0 indicates that the first category had significantly higher odds of finalisation than the second category. 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.

Note: N=19 047 problems. Data were missing for 341 problems.

Indigenous status, family status, housing type, main income and education were also significant. Gender, employment status and remoteness were not significant predictors of finalisation status. The regression results are further described in the sections below, with reference to the corresponding unprocessed or descriptive statistics.⁶

Legal problem characteristics

The recency of legal problems was related to their finalisation status. Problems that had started at least seven months prior to interview had significantly higher odds of finalisation than more recent

⁶ See Appendix Table A7.1 for the full results of this regression.

problems. However, this significant association was relatively weak (1.2; see Table 7.7). Furthermore, unlike the regression results, the descriptive statistics in Table 7.8 show similar finalisation rates for earlier and more recent problems. This finding suggests that the somewhat higher finalisation levels for earlier problems become evident once the influences of the other problem and demographic characteristics are also taken into account.

In addition, the regression results indicated that problem group was the strongest significant predictor of the finalisation status of legal problems at the time of interview (see Table 7.7). Significantly higher odds of finalisation than average were found for accidents (4.3), consumer (1.2), crime (1.6), personal injury (1.4) and rights (1.2) problems. The finalisation rates for these problem groups ranged between 68.0 and 86.5 per cent, whereas the finalisation rate for all problems on average was 63.9 per cent (see Figure 7.3).

Significantly lower odds of finalisation than average were found for credit/debt (0.6), family (0.4), government (0.6), housing (0.8) and money (0.6) problems, with the finalisation rates for these

Table 7.8: Finalisation status of legal problems by problem recency, Australia

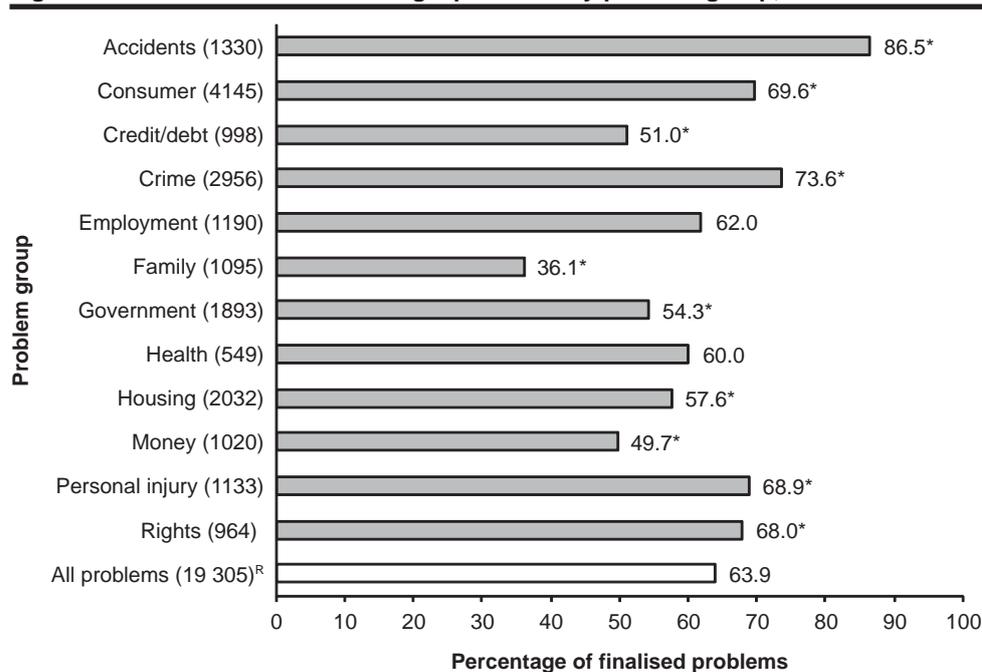
Problem recency	Finalisation status		Total	N
	Finalised	Ongoing		
	%	%	%	
7+ months	63.5	36.5	100.0	10 346*
≤6 months ^R	64.9	35.1	100.0	8 865
All problems	64.2	35.8	100.0	19 211

^R Reference category for problem recency in the regression.

* Significant difference ($p < 0.05$) for problem recency in the regression.

Note: N=19 211 problems. Data were missing for 177 problems.

Figure 7.3: Finalisation status of 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.

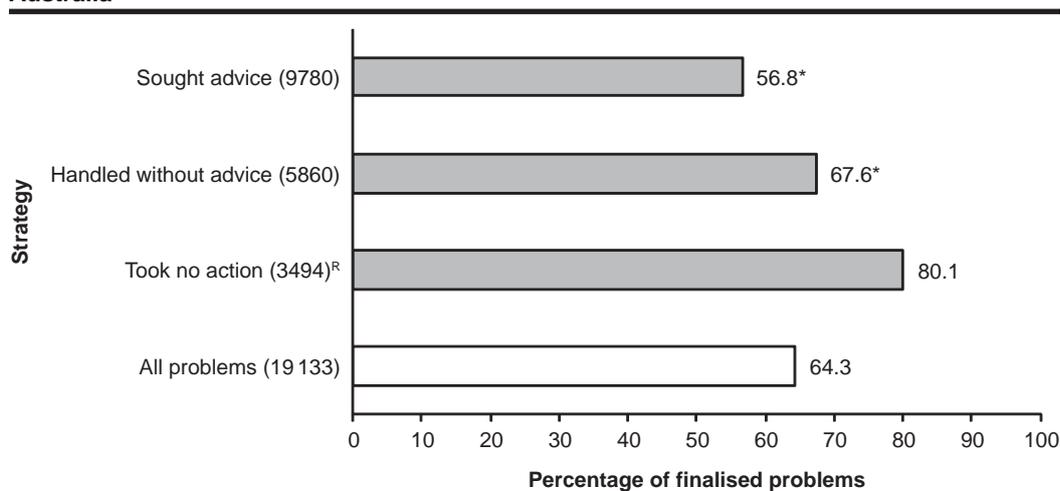
Note: N=19 305 problems. Data were missing for 82 problems.

problem groups ranging from 36.1 to 57.6 per cent. Family problems had the lowest finalisation rate, at 36.1 per cent.

Strategy

Strategy was a significant, strong predictor of finalisation status. Compared to taking no action, both seeking advice (0.3) and handling the problem without advice (0.6) resulted in lower odds of finalisation (see Table 7.7). The finalisation rates were 80.1 per cent when no action was taken, 67.6 per cent when the problem was handled without advice and 56.8 per cent when advice was sought (see Figure 7.4).

Figure 7.4: Finalisation status of legal problems by strategy in response to legal problems, Australia



^R Reference category for strategy in the regression.

* Significant difference ($p < 0.05$) between this strategy and took no action in the regression.

Note: N=19 133 problems. Data were missing for 254 problems.

Demographic variables

Although problem group and strategy were the strongest predictors of finalisation status, most demographic characteristics were also significantly related to finalisation status. Age was the strongest significant demographic predictor, with the remaining significant demographic predictors having relatively weak effects (see Table 7.7). With the exception of people who had been unemployed and people living in remote areas, all of the disadvantaged demographic groups examined in the regression were less likely to have finalised their problems. In descending order of strength, compared to their counterparts, the following demographic groups had significantly lower odds of finalisation:

- people aged 65 years or over (versus 15–34 year olds)
- people whose main language was not English
- people with a disability
- Indigenous people
- single parents
- people who had lived in disadvantaged housing
- people whose main source of income was government payments
- people who had not finished school (versus those with post-school qualifications).

Hence, these demographic groups were significantly less likely to have finalised their problems, even after the characteristics of the problems (i.e. recency and problem group) and the strategies used in response to the problems were taken into account.

The descriptive statistics in Table 7.9 generally reveal a similar picture to the significant odds ratios from the regression in Table 7.7. Respondents aged 15–34 years had significantly higher odds of finalisation (1.3–2.2), when compared to respondents aged 65 years or over. The finalisation rate was 59.3 per cent for those aged 65 years or over compared to 65.8–81.7 per cent for those aged under 35 years.

Indigenous respondents had significantly lower odds of finalisation (0.8) than other respondents. The finalisation rate was 60.9 per cent for Indigenous respondents compared to 63.9 per cent for other respondents.

Respondents with a disability had significantly lower odds of finalisation (0.8) than other respondents. Respondents with a disability had a finalisation rate of 57.7 per cent, while those without a disability had a finalisation rate of 66.0 per cent.

Respondents who had not finished school had significantly lower odds of finalisation (0.9) than those with post-school qualifications. Similarly, the percentages were lower for respondents who had not finished school (61.7%) than for respondents with post-school qualifications (63.2%). However, the difference between these percentages was relatively small.⁷ Thus, the lower finalisation levels for respondents who had not finished school become more obvious once the influences of the other problem and demographic characteristics are also taken into account.

Single parents had significantly lower odds of finalisation (0.9) than other respondents. The finalisation rate was 52.3 per cent for single parents compared to 65.3 per cent for other respondents.

Respondents who had lived in disadvantaged housing had significantly lower odds of finalisation (0.9) than other respondents. The finalisation rate was 57.5 per cent for respondents who had lived in disadvantaged housing compared to 64.4 per cent for other respondents.

Respondents whose main income was government payments had significantly lower odds of finalisation (0.9) than other respondents. Respondents whose main income was government payments had a finalisation rate of 57.7 per cent, whereas other respondents had a finalisation rate of 65.9 per cent.

Although respondents with a non-English main language had only a slightly lower percentage of finalised problems than other respondents (62.4% versus 63.9%), their odds of finalisation were significantly lower (0.7). Thus, the lower level of finalisation for the non-English group becomes more evident once the influences of the other problem and demographic characteristics are also taken into account.

⁷ There was no significant difference in the finalisation rates for respondents who had finished only Year 12 (68.7%) and respondents with post-school qualifications (63.2%), despite a somewhat larger percentage difference.

Table 7.9: Finalisation status of legal problems by each demographic variable, Australia

<i>Demographic variable</i>	<i>Category</i>	<i>Finalisation status</i>		<i>All problems</i>	
		<i>Finalised</i>	<i>Ongoing</i>	<i>%</i>	<i>N</i>
		<i>%</i>	<i>%</i>	<i>%</i>	
Gender	Female	62.0	38.0	100.0	9 379
	Male ^R	65.6	34.4	100.0	9 927
	Total	63.9	36.1	100.0	19 305
Age	15–17	81.7	18.3	100.0	812*
	18–24	75.9	24.1	100.0	2 687*
	25–34	65.8	34.2	100.0	3 860*
	35–44	60.7	39.3	100.0	4 236
	45–54	58.4	41.6	100.0	3 543
	55–64	58.2	41.8	100.0	2 482
	65+ ^R	59.3	40.7	100.0	1 685
	Total	63.9	36.1	100.0	19 305
Indigenous status	Indigenous	60.9	39.1	100.0	386*
	Other ^R	63.9	36.1	100.0	18 919
	Total	63.9	36.1	100.0	19 305
Disability status	Disability	57.7	42.3	100.0	5 077*
	No disability ^R	66.0	34.0	100.0	14 229
	Total	63.9	36.1	100.0	19 305
Education	<Year 12	61.7	38.3	100.0	5 118*
	Year 12	68.7	31.3	100.0	3 714
	Post-school ^R	63.2	36.8	100.0	10 391
	Total	63.9	36.1	100.0	19 223
Employment status	Unemployed	65.8	34.2	100.0	2 891
	Other ^R	63.5	36.5	100.0	16 415
	Total	63.9	36.1	100.0	19 305
Family status	Single parent	52.3	47.7	100.0	2 205*
	Other ^R	65.3	34.7	100.0	17 101
	Total	63.9	36.1	100.0	19 305
Housing type	Disadvantaged	57.5	42.5	100.0	1 603*
	Other ^R	64.4	35.6	100.0	17 702
	Total	63.9	36.1	100.0	19 305
Main income	Government payments	57.7	42.3	100.0	4 859*
	Other ^R	65.9	34.1	100.0	14 446
	Total	63.9	36.1	100.0	19 305
Main language	Non-English	62.4	37.6	100.0	1 067*
	English ^R	63.9	36.1	100.0	18 238
	Total	63.9	36.1	100.0	19 305
Remoteness	Remote	69.0	31.0	100.0	462
	Regional	61.6	38.4	100.0	5 720
	Major city ^R	64.7	35.3	100.0	13 123
	Total	63.9	36.1	100.0	19 305

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.

Note: N=19 223 problems for education and N=19 305 problems for other demographic variables. Data were missing where totals are less than 19 388.

Finalisation of legal problems: Australian summary

The LAW Survey examined the finalisation status at the time of interview of 19 388 of the legal problems experienced by the Australian sample. Respondents reported that 63.9 per cent of these legal problems had been finalised.

The survey revealed that the vast majority of legal problems were finalised outside the formal justice system. Only 3.4 per cent were finalised through court or tribunal proceedings. In addition, only a small proportion were finalised through formal dispute resolution or complaint-handling processes (3.4%). Most commonly, problems were finalised through agreement with the other side (29.9%) or through the respondent either not pursuing the matter at all or deciding not to pursue the matter further (29.8%). A sizeable proportion of problems (15.0%) were also finalised through the decisions or actions of other agencies, such as government bodies, insurance companies or the police.

Problem characteristics influenced the manner in which legal problems were finalised. First, problem severity was significantly related to the manner of finalisation. For example, substantial problems were more likely to be finalised via court, tribunal, formal dispute resolution or complaint-handling processes or via the help of a lawyer or someone else. Minor problems were more likely to be finalised through other agencies, such as government bodies, insurance companies or the police, or through agreement with the other side. Second, the type of problem influenced the manner of finalisation. Notably, family and money problems were the most likely to be finalised via court, tribunal, formal dispute resolution or complaint-handling processes.

In addition, the manner of finalisation appeared to vary according to the strategy used by the respondent in response to the legal problem.⁸ For example, problems involving advice appeared to be more likely than other problems to conclude via court, tribunal, formal dispute resolution or complaint-handling processes or via other agencies, such as government bodies, insurance companies or the police. Problems handled without advice appeared to be more likely than other problems to conclude via agreement with the other side or via the other side not pursuing the matter further.

Regression and other statistical analyses were used to identify the factors related to whether problems were finalised or still ongoing at the time of interview. The characteristics of problems appreciably influenced their finalisation status. The regression revealed that problem group was the strongest predictor of finalisation status, with credit/debt, family, government, housing and money problems having lower finalisation levels than average. Problem recency was also a significant, albeit weaker, predictor in the regression, with lower levels of finalisation for more recent legal problems. In addition, other analyses revealed that the likelihood of finalising a legal problem was significantly related to its severity, its consequences and the number of other problems experienced by the respondent. That is, finalisation rates:

- were lower for substantial problems (51.8%) than for minor problems (74.4%)
- decreased as the number of adverse consequences caused by problems increased
- decreased as the number of problems experienced by respondents increased.

According to the regression, strategy was the second strongest predictor of finalisation. Legal problems were more likely to be finalised if respondents had taken no action to try to resolve these problems.

⁸ A significance test was not conducted, due to the co-dependence between strategy and manner of finalisation.

Furthermore, most demographic characteristics were significant predictors of finalisation, although they were weaker than both problem group and strategy. Age was the strongest of the demographic predictors, with respondents aged 65 years or over having lower odds of finalisation than 15–34 year olds. In addition, with the exception of people who had been unemployed and people living in remote areas, all of the disadvantaged demographic groups examined in the regression were less likely to have finalised their problems. Compared to their counterparts, the following disadvantaged groups had significantly lower odds of finalisation:

- people whose main language was not English
- people with a disability
- Indigenous people
- single parents
- people who had lived in disadvantaged housing
- people whose main source of income was government payments
- people who had not finished school (versus those with post-school qualifications).

Hence, these disadvantaged demographic groups were less likely to have achieved finalisation, even after the characteristics of the legal problem and the strategy used had been taken into account.

The LAW Survey results for Australia on the finalisation of 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.