



Youth and the law: it's not all about juvenile justice and child welfare

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Abstract: *New findings from the Legal Australia-Wide (LAW) Survey reveal that young people aged 15–17 years, like their 18–24 year old counterparts, are not immune to the experience of legal problems, the experience of substantial legal problems, or the increased vulnerability that social and economic disadvantage can bring. The influence of factors such as homelessness, mental illness, physical disability and out-of-home care were explored. While the profile of problems reported by 15–17 year olds is notably different from that of 18–24 year olds, both reveal that young people can experience a wide range of legal problems, well beyond the spheres of juvenile justice and child welfare. The findings reinforce the need to appropriately address the full range of legal problems experienced by young people, while for some young people, beset by particular difficulties and disadvantages, tailored, targeted intensive assistance to address complex legal and non-legal needs may be required.*

This paper presents **new findings** from the Legal-Australia Wide (LAW) Survey. The first major findings for Australia as a whole were published in **Legal Australia-Wide Survey: legal need in Australia** by Christine Coumarelos, Deborah Macourt, Julie People, Hugh M. McDonald, Zhigang Wei, Reiny Iriana and Stephanie Ramsey (Law and Justice Foundation of NSW, 2012).

About the LAW Survey

The LAW Survey provides a comprehensive assessment of a broad range of legal needs on a representative sample of the population. It covered 129 different types of civil, criminal and family law problems. It examined the nature of legal problems, the pathways to their resolution and the demographic groups that struggle with the weight of their legal problems. With 20,716 respondents across Australia, including over 2000 in each state/territory, the LAW Survey allows for in-depth analysis at both the state/territory and national level. The major findings were published in a series of nine reports, with a report on Australia as a whole and each state/territory. The nine LAW Survey reports are available at www.lawfoundation.net.au/publications

Introduction

The National Strategy for Young Australians (Commonwealth 2010) articulates the Australian Government's aspiration for all young people to grow up safe, healthy, happy and resilient. However, initial findings from the Legal Australia-Wide (LAW) Survey indicate that accidents, crime, personal injury and rights problems tend to peak in the younger age groups. In addition, young people tend to have lower rates of taking action to address their legal problems and are less likely to seek advice (Coumarelos, Macourt, People, McDonald, Wei, Iriana & Ramsey 2012). Past research has also indicated that, just like older people, social and economic disadvantage can increase the vulnerability of young people to experiencing legal problems (O'Connor & Callahan 1988; Pleasence 2011) and that young people's legal problems can bring about considerable adverse consequences, such as loss of employment, loss of income, loss of home, loss of confidence and violence (Balmer & Denvir 2010).

This paper

To date, much research on youth legal need has been confined to juvenile justice and child welfare. In contrast, the current paper will use LAW Survey data to explore a broad range of civil, family and criminal legal problems experienced by young people and if this

experience is exacerbated by social and economic disadvantage. More specifically it will provide:

- an overview of the relationship between age and the experience of legal problems
- a description of the different types of legal problems experienced by young people
- a description of the different types of substantial legal problems experienced by young people
- an exploration of the impact of social and economic disadvantage on young people's vulnerability to legal problems using multiple indicators of youth 'at risk'.

While the initial LAW Survey reports (Coumarelos et al.2012) focused on 12 broad legal problem groups, the current paper will consider smaller subsets of these problems to better illustrate the experience of young people. For example, the broad 'rights' problem group is categorised into four subsets: discrimination (outside work), education (bullying, harassment), education (exclusion, fees, other) and unfair treatment by police. Crime offender problems are considered separately from crime victim problems, with the latter split into those that concern violence and those that concern property.

Descriptive analyses such as frequencies and percentages will be used to address each point of interest. Inferential statistical tests are not performed. In some instances, the reported percentages are based on only a small number of respondents and full details of the data are provided in the relevant appendix tables. Further details of the method used for the current paper, including how it defined legal problems and substantial legal problems, the categories of legal

problems considered, and the indicators of youth 'at risk', are provided in the Appendix 'Method' section.

Legal problems and age: an overview

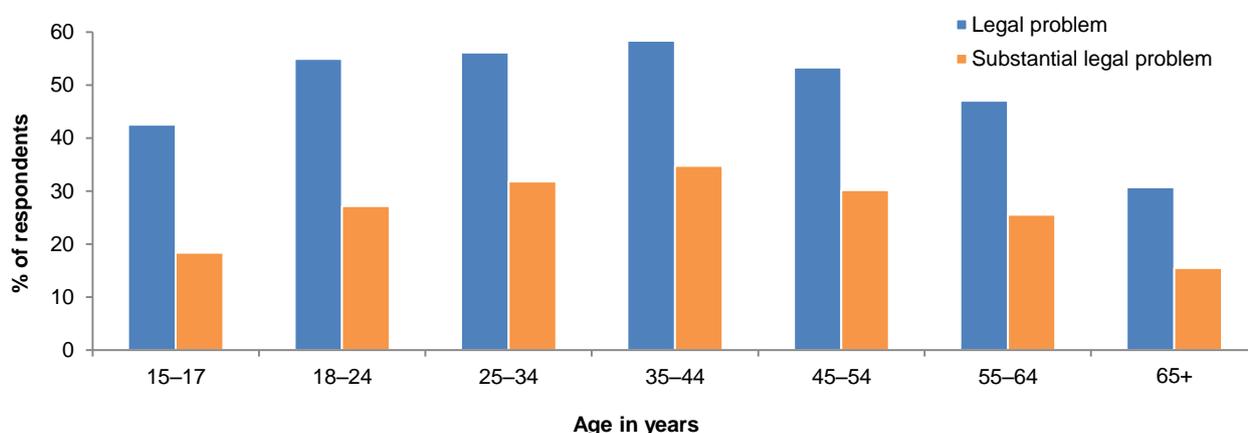
Invariably, international legal needs research has revealed that age is related to the prevalence of legal problems. Typically, younger or middle-aged people have the highest overall prevalence rates and older people the lowest (Currie 2007; Dignan 2006; Pleasence 2006; van Velthoven & ter Voert 2004). In Australia, the LAW Survey reflects these findings (Coumarelos et al. 2012).

As Figure 1 shows, 42.5 per cent of 15–17 year olds reported experiencing at least one legal problem in a 12-month period. This rate was higher for 18–24 year olds (54.9%). Legal problems tended to peak in the middle age group 35–44 years (58.3%), while the oldest group of LAW Survey respondents, people aged 65 years or over, had the lowest prevalence rate (30.7%).

Just under one-fifth of respondents aged 15–17 years (18.4%) reported experiencing at least one substantial legal problem in a 12-month period. This rate was also higher for respondents aged 18–24 years (27.2%), highest for respondents aged 35–44 years (34.8%) and lowest for those aged 65 years or over (15.5%).

This analysis reflects how people's vulnerability to legal problems changes as they progress through life and their activities and circumstances change. The types of legal issues generated by these activities and circumstances can also be different (O'Connor & Callahan 1988; Pleasence 2006).

Figure 1: Prevalence of legal problems and substantial legal problems by age



Note: 20 716 respondents.

Different types of legal problems

While accidents, crime, personal injury and rights problems tend to peak in the younger age groups (Coumarelos et al. 2012), this section will consider the types of problems that are most frequently reported by young people, regardless of the age at which they peak.

Figure 2 shows the prevalence of each different type of legal problem experienced by LAW Survey respondents aged 15–17 years, 18–24 years and 25 years or over (see Appendix Table A2 for full details of the data).

Compared to older people, young people were more likely to report certain types of legal problems and the profile of problems reported by 15–17 year olds was notably different from that of 18–24 year olds.

Civil

As Figure 2 reveals, young people, even those as young as 15–17 years, can experience a wide range of different types of civil legal problems.

For 15–17 year olds, the most frequently reported civil legal problems were those concerning neighbours, 9.3 per cent of 15–17 year olds reported a problem of this type. Amongst other concerns, these problems related to noise, pets, fences, privacy and obnoxious behaviour. Like older people, young people could be involved as either victims or alleged perpetrators.

Personal injury (other) problems were the second most frequently reported civil legal problems for 15–17 year olds (6.8%). Respondents may have been responsible for harming someone else, or may have been the person that was harmed, either by another person or by a faulty product. Incidences of food poisoning, adverse reactions to cosmetics, sporting injuries and injuries from altercations with peers were described.

'Injury-free' motor vehicle accidents were the third most frequently reported civil legal problems for this age group (5.9%). In these cases, the respondent may have been involved as a passenger, driver or owner of the car.

The next most frequent types of legal problems reported by 15–17 year olds concerned consumer goods and services (phone, internet, TV), personal injury (work) and education (bullying, harassment). Problems concerning housing (owned, rented, other), employment (sacking, redundancy) and health were the least frequently reported civil legal problems for this age group.

For 18–24 year olds the most frequently reported civil legal problems were those concerning accidents (13.9%), neighbours (9.3%) and goods (9.4%). Problems concerning education (bullying, harassment), education (exclusion, fees, other) and employment (sacking, redundancy) were the least frequent.

Family

For young people aged 15–17 years, family (children) problems were relatively infrequent (2.0%). For this age group, these problems related mainly to the young person's own guardianship preferences, or being the subject of their parents' or guardians' custodial disputes. This age group was not asked about divorce or separation.

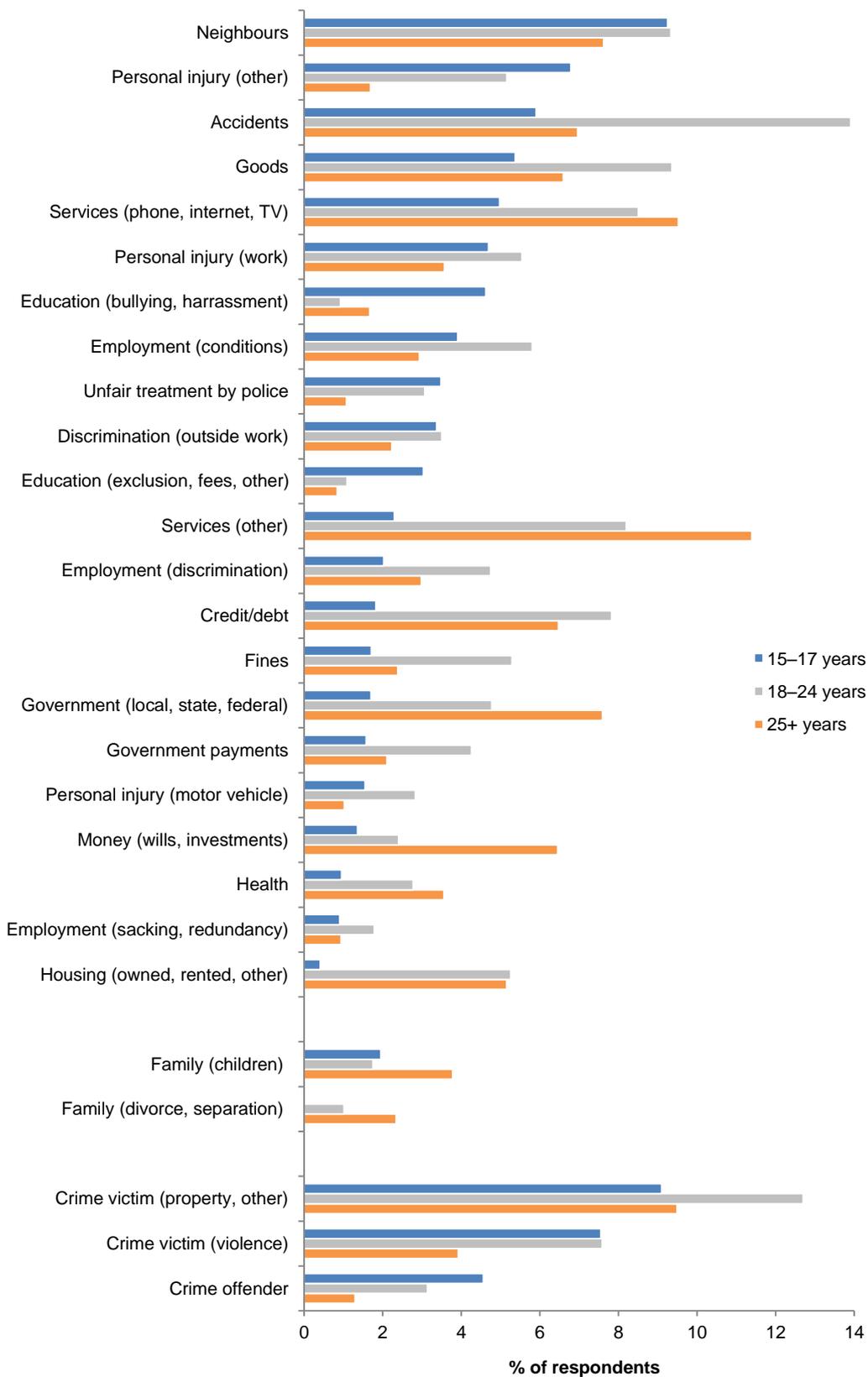
Family (children) problems were also relatively infrequent for 18–24 year olds (1.8%). For this age group, these problems related mainly to custody, care and support issues concerning their own children. Family (divorce, separation) problems were reported by one per cent of 18–24 year olds.

Criminal

Young people aged 15–17 years, and those aged 18–24 years, were particularly vulnerable to experiencing each of the different types of criminal problems.

Crime victim (property, other) problems were relatively frequent for young people aged 15–17 years (9.1%) and 18–24 years (12.7%), as were crime victim (violence) problems (which were reported by 7.6 per cent of each of these age groups). Crime offender problems were reported by 4.6 per cent of 15–17 year olds and 3.1 per cent of 18–24 year olds.

Figure 2: Prevalence of legal problems by problem type and age



Note: 20 716 respondents (including 1044 aged 15-17 years, 2500 aged 18-24 years and 17 172 aged 25 years and over).

Different types of substantial legal problems

Figure 3 shows the prevalence of the different types of *substantial* legal problem experienced by LAW Survey respondents. It reveals that young people can experience a wide range of different types of *substantial* legal problems (see Appendix Table A3).

Civil

For 15–17 year olds, education (bullying, harassment) problems were the most frequently reported civil legal problems with a substantial impact. Overall, 3.4 per cent of 15–17 year olds reported a substantial problem of this type. Personal injury (other) problems were the next most frequent type of substantial problem reported by 15–17 year olds (2.1%), followed by problems with neighbours (2.0%).

For 18–24 year olds the most frequently reported civil legal problems with a substantial impact concerned issues with credit/debt, reported by 4.1 per cent, and services (phone, internet, TV), also reported by 4.1 per cent. Issues with services (other) were the next most frequently reported substantial problems for this age group (3.2%). These problems mainly concerned insurance and banking issues.

Family

One per cent of 15–17 year olds reported a family (children) problem that had a substantial impact on their everyday life, as did 1.1 per cent of 18–24 year olds. Substantial family (relationship) problems were reported by 0.9 per cent of 18–24 year olds.

Criminal

Crime victim (violence) problems that had a substantial impact were reported by 3.2 per cent of 15–17 year olds and 3.4 per cent of 18–24 year olds. Crime victim (property, other) problems were reported by 2.4 per cent of 15–17 year olds and 4.0 per cent of 18–24 year olds, and substantial crime offender problems by 1.9 per cent and 1.4 per cent respectively.

Legal problems and youth 'at risk'

The LAW Survey established strong links between disadvantage and vulnerability to legal problems. However, to date, a more specific focus on the links between disadvantage and the experience of young people has not been undertaken. Like earlier LAW Survey research, this paper explores disadvantage using multiple socioeconomic indicators of disadvantage,

although it adopts a set that pertain more specifically to youth 'at risk'.

The term 'at risk' has been used to identify young people who, 'beset by particular difficulties and disadvantages, are thought likely to fail to achieve the development in their adolescent years that would provide a sound basis for a satisfying and fulfilling adult life' (Batten & Russel 1995). In Australia, indicators of youth risk have included gender, Indigenous status, educational attainment, work status, income levels, and health status (Muir, Mullan, Powell, Flaxman, Thompson & Griffiths 2009).

The indicators of risk used in the current paper were: homelessness, mental illness, physical disability, Indigenous background, out-of-home care, parenthood, not living with either parent, and not studying. Further details regarding these indicators are provided in the Appendix 'Method' section.

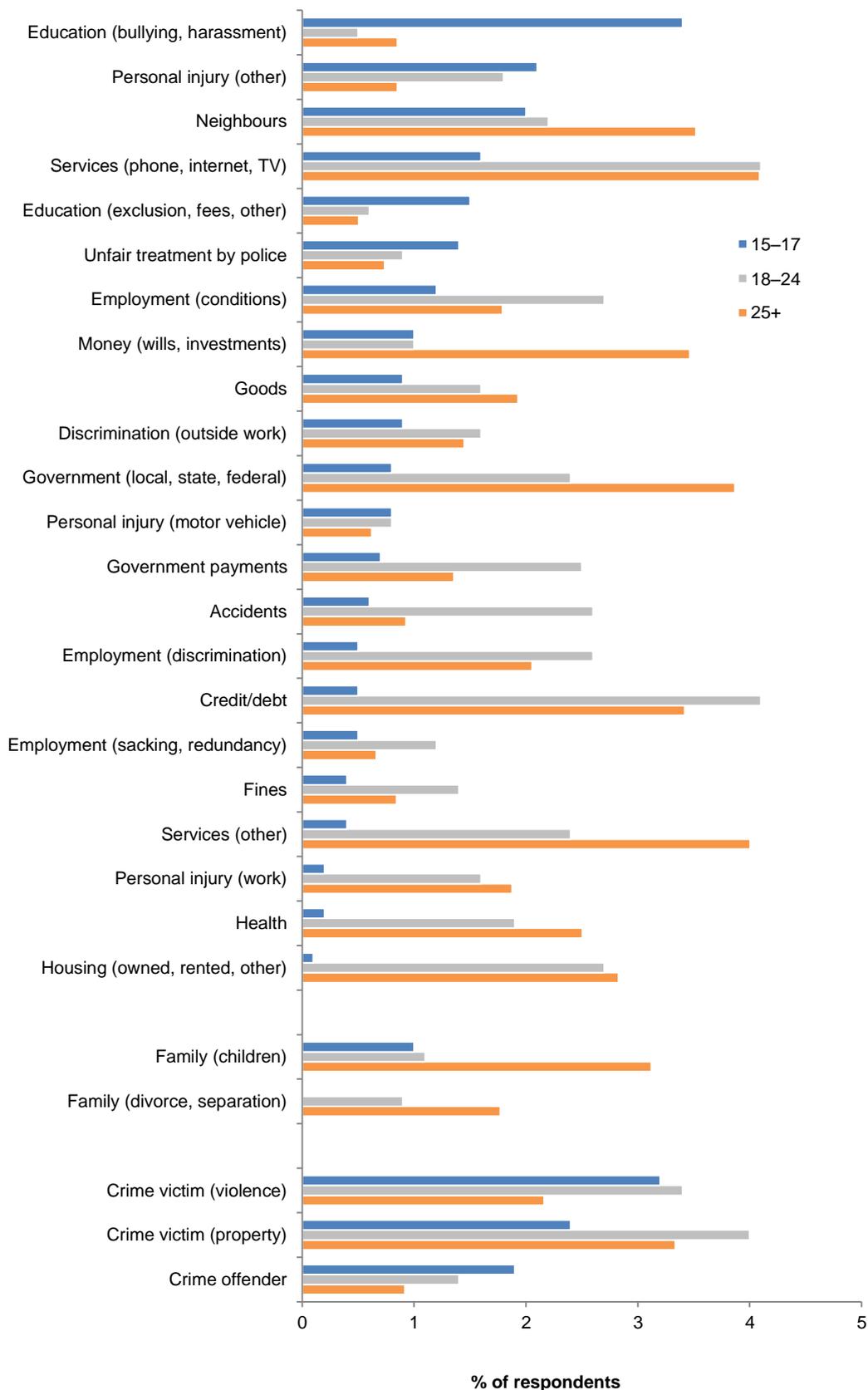
Increased prevalence of legal problems for youth 'at risk'

Table 1 presents the reported prevalence of legal problems, and substantial legal problems, for each of the groups of young people that were 'at risk'. The first data column provides details of the number of respondents in each group. Note that in some cases, these numbers are quite small.

Young people that were particularly vulnerable to experiencing legal problems included those who, at some time in the previous 12 months, had been required to use emergency accommodation or had been homeless. As can be seen in Table 1, while 42.5 per cent of respondents aged 15–17 years reported legal problems, prevalence rose to 89.6 per cent for the 27 respondents that had been homeless. While 54.9 per cent of young people aged 18–24 years reported legal problems, this was the case for 80.9 per cent of the 71 respondents that had been homeless. Elevated levels of substantial problems were also reported by homeless youth. Almost three quarters (71.2%) of the 15–17 year olds that had been homeless reported a substantial legal problem, compared to 18.4 per cent of this age group overall; and 63.1 per cent of the 18–24 year olds that had been homeless reported a substantial legal problem, compared to 27.2 per cent of this age group overall.

Elevated levels of reporting legal problems were also apparent for 15–17 year olds who had a mental illness (79.9% of 24 respondents), physical disability (61.2% of 74) or were Indigenous (55.6% of 49).

Figure 3: Prevalence of substantial legal problems by problem type and age



Note: 20 716 respondents (including 1044 aged 15–17 years, 2500 aged 18–24 years and 17 172 aged 25 years and over).

Table 1: Prevalence of legal problems and substantial legal problems by age and indicator of risk

Age	Indicator of risk	Respondents with indicator		Respondents with at least one problem		Respondents with at least one substantial problem	
		N	%	N	%	N	%
15–17 years	Homeless	27		24	89.6	19	71.2
	Mental illness	24		19	79.9	15	62.1
	Physical disability	74		45	61.2	22	29.9
	Indigenous	49		27	55.6	13	26.4
	Out-of-home care	16		8	51.6	6	38.2
	Parent	28		14	50.2	6	21.2
	Not living with parents	18		10	51.1	9	47.1
	Not studying	79		29	36.8	20	25.3
	All 15–17 years		1 044		444	42.5	192
18–24 years	Homeless	71		58	80.9	45	63.1
	Mental illness	125		96	76.8	71	56.8
	Physical disability	183		145	79.2	95	51.9
	Indigenous	62		34	54.5	23	37.3
	Out-of-home care	68		51	74.1	32	46.9
	Parent	270		158	58.7	89	33.0
	All 18–24 years		2 500		1 373	54.9	680
25+ years		17 172		8 471	49.3	4765	27.8

Note: 20 716 respondents (including 1044 aged 15–17 years, 2500 aged 18–24 years and 17 172 aged 25 years and over).

For 18–24 year olds, elevated levels of legal problems were reported by respondents with a physical disability (79.2% of 183), a mental illness (76.8% of 125), those that had been in out-of-home care (74.1% of 68), and those that were parents (58.7% of 270). The proportion of Indigenous respondents aged 18–24 that experienced a legal problem (54.5% of 62) was similar to that of 18–24 year olds overall (54.9%).

Young people aged 15–17 years that had not been studying had a lower rate of reporting legal problems (36.8% of 79) than did 15–17 year olds overall (42.5%). This may reflect that many of the legal problems reported by this young age group relate to their education (e.g. bullying or unfair exclusion). However, this group of young people did experience a higher rate of substantial legal problems (25.3% of 79) than did 15–17 year olds overall (18.4%).

Young people that were ‘at risk’ experienced a higher proportion of substantial legal problems than did their age group overall for each of the indicators considered.

Multiple legal problems for youth ‘at risk’

It has been well documented that the experience of legal problems can contribute to the processes of disadvantage and social exclusion (Buck, Balmer & Pleasence 2005). Aspects of disadvantage and social exclusion, such as illness, unemployment and family breakdown are associated with higher levels of vulnerability to legal problems, and this vulnerability can increase the

experience of further legal problems. Legal problems can have an additive effect, in that the experience of one problem can increase the likelihood of experiencing further problems.

LAW Survey respondents who reported one or more legal problems reported a mean of 5.2 problems. Table 2 shows the mean number of legal problems experienced by those who reported legal problems broken down by age and indicator of risk. There were only small differences between the age groups, with the mean being 4.8 for 15–17 year olds, 5.8 for 18–24 year olds and 5.1 for those aged 25 years or over. However, the mean number of problems was considerably higher for some of the groups of 15–17 year olds that were ‘at risk’ (see Table 2). For example, the mean was 19.6 for respondents aged 15–17 years that did not live with either parent, 16.5 for 15–17 year olds that had been homeless and 14.3 for 15–17 year olds that were not studying .

To assist in understanding the multiple legal problems experienced by ‘at risk’ youth, three short case studies are provided. These relate to three LAW Survey respondents aged 15–17 years who were considered to be ‘at risk’. Note that the names of the individuals in these three case studies have been changed so as to provide anonymity.

Table 2: Average number of legal problems per respondent by age and indicator of risk

Age	Indicator of risk	Respondents with at least one problem	Number of problems per respondent
		N	Mean
15–17 years	Not living with parents	10	19.6
	Homeless	24	16.5
	Not studying	29	14.3
	Out-of-home care	8	12.3
	Mental illness	19	9.0
	Parent	14	5.4
	Physical disability	45	5.1
	Indigenous	27	3.4
	All 15–17 years	444	4.8
18–24 years	Indigenous	34	11.9
	Homeless	58	9.9
	Physical disability	145	9.7
	Parent	158	9.4
	Mental illness	96	8.7
	Out-of-home care	51	6.8
	All 18–24 years	1373	5.8
25+ years	8471	5.1	

Note: 10 288 respondents with at least one legal problem (including 444 aged 15–17 years, 1 373 aged 18–24 years and 8 471 aged 25 years and over).

Case study 1

Melanie, a 17-year-old single parent, lived in a house in a major city with her child and no other adults. She received government payments and also worked and studied. Melanie reported that she experienced 18 legal problems in the 12 months before the LAW Survey interview. Her most serious problem concerned a 'dispute over bequests between children and in-laws'. Her next most serious problem concerned a mobile phone bill she thought she had paid but this was disputed by the phone company. Another serious problem for Melanie concerned a dispute over a power of attorney which she believed should be changed. She also reported receiving an injury from a faulty product and that the impact of this on her everyday life had been severe. On a couple of occasions a creditor had taken action against Melanie, and she also reported a couple of occasions where she had to deal with problems concerning her government payments. While the impact of these latter problems had only been slight, she had also had to deal with an additional problem concerning the child support she received from her ex-partner. Melanie also reported that she had experienced multiple problems with her neighbours, had been the victim of a property theft on four occasions in the last 12 months, had a dispute over the purchase of a faulty item and had a dispute regarding the payment of a fine.

Case study 2

George lived in a rural area, was 17 years old and did not live with either his parents or a partner. George had left school and while he had some work in the previous 12 months he had also spent time unemployed and looking for work. When interviewed for the LAW Survey, George reported that his most serious legal problem concerned being questioned by police for allegedly committing a crime. This related to an altercation that had occurred outside a pub. George also claimed that he had experienced being the victim of unfair treatment by police on three occasions and 10 allegations of domestic violence had been made against him. George's second most serious legal problem related to a mobile phone plan: 'I couldn't reconnect it because of an overdue payment so every month now I get a bill for the plan plus an overdue fee of \$50. It's now over \$1000. They are charging me like the phone is still connected.' In the last 12 months George had been involved in two motor vehicle accidents, had problems with workplace discrimination, issues with his neighbours, a problem with money loaned not being repaid to him, an injury from a faulty product, a dispute over the purchase of a faulty item, and three instances of being the victim of a property theft.

Case study 3

Cassandra was 17 years old and lived in an inner regional area. At the time of the LAW Survey interview she was living with both her parents but indicated that she had been homeless or had used emergency accommodation during the previous 12 months. Cassandra reported that she had a mental illness and that this condition restricted her daily activities 'moderately'. She received government payments and had been studying. In the previous 12 months, Cassandra reported experiencing 15 legal problems. The most serious problem concerned 'being constantly harassed and bullied by several members at school'. Cassandra reported that the impact of this bullying on her everyday life had been severe, as had the multiple problems she had experienced with her neighbours. Cassandra had been the victim of a property theft and also claimed multiple instances of unfair treatment by police.

Different types of legal problems for youth 'at risk'

Figure 4 presents more detailed information about the types of legal problems experienced by three groups of 'at risk' 15–17 year olds, those that had been homeless, those that had a mental illness, and those that were not living with either parent. Note that the number of respondents in each of the problem type categories is small (see Appendix Table A3).

Young respondents aged 15–17 years that were 'at risk', like 15–17 year olds overall, reported a wide range of different types of legal problems. However, there were particularly high levels of some types of problems. For example, the 15–17 year olds that had been homeless (n=27) reported a relatively high level of problems with their neighbours, unfair treatment by police and school bullying and harassment. The 15–17 year olds with a mental illness (n=24) also reported relatively high levels of school bullying and harassment. For 15–17 year olds that were not living with either parent (n=18) the experience of problems with neighbours was particularly high, as were consumer problems that related to the purchase of phone, internet or TV services. All three 'at risk' groups reported relatively high levels of credit/debt problems in comparison to 15–17 year olds overall.

The experience of crime victim problems was particularly high for each of the 'at risk' categories considered. However, the highest levels were reported by 15–17 year olds that had been homeless. A similar pattern was observed for problems concerning criminal offending.

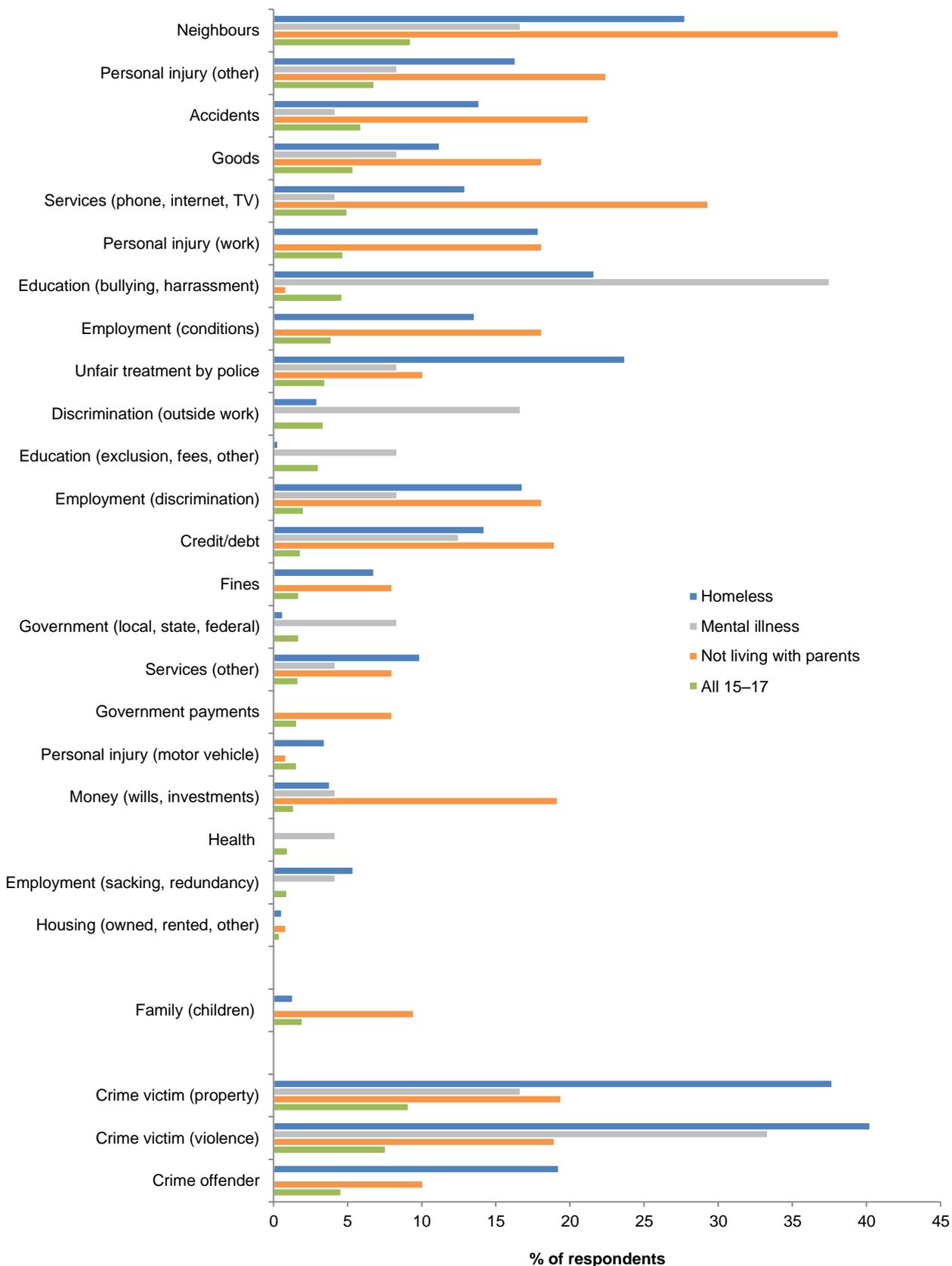
Conclusion

Young people aged 15–17 years, like their 18–24 year old counterparts, are not immune to the experience of a wide range of different types of legal problems, the experience of substantial legal problems, or the increased vulnerability that social and economic disadvantage, or 'risk', can bring. Young people have a distinct pattern of legal need that extends well beyond the spheres of juvenile justice and child welfare.

In the light of research indicating that legal problems can 'beget problems' producing a vicious cycle of vulnerability (Pleasence 2006; Tobin Tyler et al. 2011) and evidence that strategies taken in response to legal problems can become entrenched (Balmer et al. 2010), the findings reinforce the need to appropriately address the full range of legal problems experienced by young people. Intervening early to encourage better strategies may help 'all young people to grow up safe, healthy, happy and resilient' (Commonwealth 2010).

For some young people, beset by particular difficulties and disadvantages, tailored, targeted intensive assistance to address complex legal and non-legal needs may be required.

Figure 4: Prevalence of legal problems by problem type and indicator of risk, 15–17 years



Note: 1044 respondents aged 15–17 years (including homeless n=27, mental illness n=24, not living with parents n=18).

References

- Balmer, NJ & Denvir, C 2010, *Young people and civil justice problems*, Legal Services Research Centre, London.
- Balmer, NJ, Buck, A, Patel, A, Denvir, C & Pleasence, P 2010, *Knowledge, capability and the experience of rights problems*, Plenet, London.
- Batten, M & Russell, J 1995, *Students at Risk: A Review of Australian Literature 1980-1994*, ACER, Melbourne.
- Buck, A, Balmer, N & Pleasence, P 2005, 'Social exclusion and civil law: experience of civil justice problems among vulnerable groups', *Social Policy & Administration*, vol. 39, no. 3, pp. 302–322.
- Commonwealth of Australia 2010, *National strategy for young Australians*, Australian Government, Canberra.
- Coumarelos, C, Macourt, D, People, J, McDonald, HM, Wei, Z, Iriana, R & Ramsey, S 2012, *Legal Australia-Wide Survey: legal need in Australia*, Law and Justice Foundation of NSW, Sydney.
- Currie, A 2007, *The legal problems of everyday life: the nature, extent and consequences of justiciable problems experienced by Canadians*, Report r07-lar1e, Department of Justice Canada, Ottawa.
- Dignan, T 2006, *Northern Ireland legal needs survey*, Northern Ireland Legal Service Commission, Belfast.
- Muir, K, Mullan, K, Powell, A, Flaxman, S, Thompson, D, Griffiths, M 2009, *State of Australia's young people: a report on the social, economic, health and family lives of young people*, SPRC, University of NSW, Sydney.
- O'Connor, I & Callahan, M 1988, 'Youth law and legal services: patterns of legal need', *Australian & New Zealand Journal of Criminology*, vol. 21, no. 1, pp. 5-19.
- Office for Youth 2012, *South Australian Vulnerable Youth Framework*, South Australian Government, Adelaide.
- Pleasence, P 2011, *Civil legal problems: young people, social exclusion and crime*, The Law Centres Federation and Youth Access, London.
- Pleasence, P 2006, *Causes of action: civil law and social justice*, 2nd edn, Stationery Office, London.
- Tobin Tyler, E, Conroy, KN, Fu, C-M & Sandel, M 2011, 'Housing: the Intersection of affordability, safety and health,' In E Tobin Tyler, E Lawton, K Conroy, M Sandel & B Zuckerman (eds), *Poverty, health and law*, Carolina Academic Press, Durham, North Carolina. pp. 225–273.
- van Velthoven, BCJ & ter Voert, M 2004, *Paths to justice in the Netherlands: looking for signs of social exclusion*, Department of Economics research memorandum 2004.04, Faculty of Law, Leiden University, Leiden.

Appendix

Method

Legal problems and substantial legal problems

The LAW Survey interviewed 20 716 respondents across Australia. It included 1044 respondents aged 15–17 years and 2500 aged 18–24 years. Respondents were asked if they had experienced any of 129 specific types of 'legal problems' in the previous 12 months.

Legal problems were defined broadly to include situations where there was the *potential* for legal resolution. However, respondents did not need to know if their problems had legal aspects. Each type of problem was described in sufficient detail to allow respondents to say whether they had experienced it. For example, for neighbours-related problems, respondents were asked 'Have you had any problems or disputes with your neighbours over things like fences, trees, noise, litter or pets?'

For each legal problem reported, the respondent was asked to rate the problem's severity in terms of its impact on their everyday life. In the current paper, legal problems rated as having a moderate or severe impact are referred to as 'substantial' legal problems.

Different types of legal problems

As mentioned above, the LAW Survey asked respondents about 129 specific types of legal problems. In the initial LAW Survey reports, these specific problems were categorised into 12 broad legal problem groups: accidents, consumer, credit/debt, crime, employment, family, government, health, housing, money, personal injury and rights (Coumarelos et al. 2012). In the current paper, some of these broad groups are further categorised into smaller subsets to better illustrate the problems experienced by young people. For example, the broad 'rights' problem group is categorised into four subsets: discrimination (outside work), education (bullying, harassment), education (exclusion, fees, other) and unfair treatment by police. Further details regarding each of the subsets are provided in Appendix Table A1.

For up to three of their most serious problems, LAW Survey respondents were asked to provide a description of the main aspects of their problem. In some cases, these descriptions have been used to obtain a broader understanding of the precise circumstances of the problems reported by young respondents.

Young people 'at risk'

Like earlier LAW Survey research, this paper explores disadvantage using multiple socioeconomic indicators

of disadvantage, but it adopts a set that pertain more specifically to youth 'at risk'.

The indicators of risk used in the current paper are: homelessness, mental illness, physical disability, Indigenous background, out-of-home care, parenthood, not living with either parent, and not studying. These indicators are used frequently in work associated with youth 'at risk'. This particular set reflects those that are the focus of the Vulnerable Youth Strategy in South Australia (Office for Youth 2012) as they mapped relatively easily onto existing LAW Survey data variables.

Although the Vulnerable Youth Strategy in South Australia also treats contact with the juvenile justice system as an indicator of risk, it is not included as an indicator in the current paper. The LAW Survey treats such contact as a legal problem (e.g. being questioned or arrested by police) rather than a demographic characteristic. 'Not living with either parent' and 'not studying' are only used as indicators of risk for 15–17 year olds.

The indicators are based on the following LAW Survey questions: had been homeless or used emergency accommodation during the previous 12 months (question D8.6), reported a long-term mental health condition (D10/D11), reported a long term physical illness or disability (D10/D11), Aboriginal or Torres Strait Islander origin (S6), had been in out-of-home care (D31), had children (D4), were not living with either parent at the time of the survey (D2), had not been a full- or part-time student during the previous 12 months (D14.5). The LAW Survey questionnaire is available in the initial LAW Survey reports, Appendix A1, pp. 261–294 (Coumarelos et al. 2012).

While the LAW Survey provides a 'representative' sample, it should be noted that it includes only people living in residential households with home landline telephone access. This may have had the effect of excluding some of the most vulnerable young people, such as those that may have been sleeping rough at the time of the survey.

Appendix Table A1 details the classification of legal problems used in the current study and the classification of broad legal problem groups used in the initial LAW Survey reports by Coumarelos et al. (2012). The LAW Survey questionnaire is available in Appendix A1, pp. 261–294, of Coumarelos et al. (2012).

Table A1: LAW Survey classification of legal problems

<i>Classification of legal problems in the current paper</i>	<i>Coumarelos et al. (2012) broad legal problem group</i>	<i>Type of problem</i>	<i>LAW Survey question number</i>
Accidents	Accidents	Motor vehicle accident — no injury	P21.2
Credit/debt	Credit/debt	Guarantor or paying a loan (not mortgage)	P16.1
		Creditor's threats or actions	P16.2
		Credit rating or refusal	P16.4
		Repayment of money owed to you	P16.5
		Actual/possible bankruptcy	P17
Crime offender	Crime	Domestic violence allegation	P35
		Domestic/family violence order	P35 ^a
		Other interpersonal violence order	P35 ^a
		Charge/arrest/questioning by police	P36
		Charge/arrest/questioning by other authority	P36 ^a
		Charge/arrest/questioning — parent	P36 ^a
Crime victim (property, other)	Crime	Theft/burglary	P33.2
		Property damage/vandalism	P33.3
		Other crime	P33.6
		Other crime — parent	P33.6 ^a
		Other crime — relative/friend	P33.6 ^a
Crime victim (violence)	Crime	Robbery with violence	P33.1
		Domestic assault or sexual assault	P33.4
		Domestic assault or sexual assault — parent	P33.4 ^a
		Non-domestic assault or sexual assault	P33.5
		Non-domestic assault or sexual assault — parent	P33.5 ^a
Discrimination (outside work)	Rights	Discrimination — marital status	P2a-01
		Discrimination — age	P2a-02
		Discrimination — gender or sex	P2a-03
		Discrimination — sexual orientation	P2a-04
		Discrimination — religion	P2a-05
		Discrimination — ethnicity or race	P2a-06
		Discrimination — disability	P2a-07
		Discrimination — parental/carer	P2a-08
		Discrimination — other type or nfs	P2a-97
		Discrimination — multiple types	P2a
Education (bullying, harassment)	Rights	Student bullying or harassment — self	P3.3a-01
		Student bullying or harassment — parent	P3.3a-02
Education (exclusion, fees, other)	Rights	Unfair exclusion from education — self	P3.1a-01
		Unfair exclusion from education — parent	P3.1a-02
		Student fees or loans — self	P3.2a-01
		Student fees or loans — parent	P3.2a-02
		Student results or teaching quality	P3 ^a
Employment (conditions)	Employment	Employment conditions	P1.2/P1.3

<i>Classification of legal problems in the current paper</i>	<i>Coumarelos et al. (2012) broad legal problem group</i>	<i>Type of problem</i>	<i>LAW Survey question number</i>
		Employment conditions — parent	P1.2 ^a
		Review of work performance/conduct	P1.2 ^a
Employment (discrimination)	Employment	Discrimination at work or getting work	P1.4/P1.5
		Harassment or victimisation at work	P1.6
Employment (sacking, redundancy)	Employment	Sacked or redundant	P1.1
Family (children)	Family	Child — support payments	P27.1
		Child — care protection	P27.2
		Child — custody/contact	P27.3
		Child — other parenting/care issue	P27.3 ^a
		Parentage	P27 ^a
		Grandchild — custody/contact/support/care	P28
		Fostering, adoption or guardianship	P26
Family (divorce, separation)	Family	Divorce/separation	P29
		Division of assets — break-up in last 12 months	P30.1
		Division of assets — break-up 12+ months ago	P30.1 ^a
		Spouse/partner maintenance	P30.2
Fines	Government	Fines leading to further penalty	P37.1
		Other fines (no further penalty)	P37 ^b
Goods	Consumer	Buying faulty goods	P22
		Other trade/sales issue	P22 ^a
Government (local, state, federal)	Government	Home owner — building works	P4.2
		Investment property — building works	P15.2
		Local government — services/amenities/works	P32
		Local government — other issue	P32 ^a
		Tax assessment/debt	P31.1
		Freedom of information request	P31.2
		Citizenship, residency or immigration	P31.3
		State/federal government — other issue	P31 ^a
Government payments	Government	Government payments/concessions	P12
		Government payments/concessions — foreign	P12 ^a
		Government payments/concessions — carer	P12 ^a
Health	Health	Treatment by doctor or health professional	P20
		Nursing or group home — care	P10
		Disability or care services	P19.1
		Disability or care services — carer	P19.1 ^c
		Disability aids, equipment or facilities	P19.2
		Disability aids, equipment or facilities — carer	P19.2 ^c
		Access to health services	P19 ^a
		Health care costs or entitlements	P19 ^a
		Mental health treatment or care	P18.1
		Hospitalised/detained for mental health	P18.2
		Mental health order	P18.2 ^a

<i>Classification of legal problems in the current paper</i>	<i>Coumarelos et al. (2012) broad legal problem group</i>	<i>Type of problem</i>	<i>LAW Survey question number</i>		
Housing (owned, rented, other)	Housing	Home owner — mortgage payments	P4.1		
		Home owner — other mortgage issue	P4.1 ^a		
		Home owner — other issue	P4.3		
		Land ownership/use	P4.3 ^a		
		Strata title — owner	P8a-01		
		Retirement village — owner	P9a-01		
		Renting public housing	P6		
		Renting privately	P7		
		Renting holiday accommodation	P7 ^a		
		Strata title — tenant	P8a-02		
		Retirement village — tenant	P9a-02		
		Nursing or group home — tenant	P11		
		Strata title — nfs	P8		
		Money	Money	Landlord	P13
Business owner — payments	P14.1				
Business owner — other issue	P14.2				
Business owner — 12+ months ago	P14.2 ^a				
Investment property — mortgage	P15.1				
Investment property — other issue	P15.3				
Investment income (super, shares, trusts, etc.)	P16.3				
Investment — return of principal investment	P16.3 ^a				
Will or deceased estate	P25.1				
Power of attorney	P25.2				
Management of your affairs/estate	P25 ^a				
Neighbours	Housing			Neighbours	P5
Personal injury (motor vehicle)	Personal injury			Motor vehicle injury — self or someone else	P21.1
Personal injury (other)	Personal injury			Injury/illness from faulty product — self	P21.4
		Other negligence injury — someone else	P21.5		
		Other negligence injury — self	P21.6		
Personal injury (work)	Personal injury	Work-related injury — self	P21.3		
Services (other)	Consumer	Services — lawyer	P23.1		
		Services — Legal Aid	P23.1 ^a		
		Services — eligibility for Legal Aid	P23.1 ^a		
		Services — other professional or tradesperson	P23.2		
		Services — other provider	P23.2 ^a		
		Services — bank, etc.	P24.1		
		Services/contracts — water, electricity or gas	P24.2		
		Services/contracts — other membership	P24.3 ^a		
		Insurance	P38		
		Services (phone, internet, TV)	Consumer	Services/contracts — telephone, internet or TV	P24.3
Unfair treatment by police	Rights	Unfair treatment by police	P34		
Other civil	Other civil	Privacy/confidentiality	P40 ^a		

<i>Classification of legal problems in the current paper</i>	<i>Coumarelos et al. (2012) broad legal problem group</i>	<i>Type of problem</i>	<i>LAW Survey question number</i>
		Intellectual property	P40 ^a
		Civil action	P40 ^a
		Court process/cost	P40 ^a
		Complaint against independent body	P40 ^a
		Other civil legal problem	P40 ^a
Unclassified	Unclassified	Legal problem — nfs	P40 ^a

^a These problems were not specifically asked about in the survey but were captured as open-ended responses to question P40 (which asked about ‘any other legal problems or disputes’ in the previous 12 months). The question number in the table next to each open-ended response indicates the closed-ended question (e.g. P27.3) or group of questions (e.g. P27) which captured problems that were most similar to the open-ended response. In a small number of cases, open-ended responses from question P40 appeared to describe problems that were identical to those captured by closed-ended questions. The frequencies for these cases are included together with the frequencies for these closed-ended questions.

^b ‘Other fines (no further penalty)’ were derived by removing ‘fines leading to further penalty’ from P37.

^c Problems as a long-term carer of an ill, disabled or elderly person were explored in the first 2116 interviews conducted across Australia by questions P39.1 and P39.2. These carer questions were subsequently removed to shorten the survey. Similarly to questions P19.1 and P19.2, the carer questions asked about problems accessing disability services, aids, equipment or facilities. However, whereas questions P19.1 and P19.2 asked whether respondents had experienced these problems in relation to their own disability, the carer questions asked carers whether they had experienced problems due to a person in their care having difficulty accessing disability services, aids, equipment or facilities. Note also that after the carer questions were dropped, some of the problems captured as open-ended responses to question P40 were identical to the problems captured by the carer questions.

Note: ‘nfs’ denotes ‘not further specified’.

Appendix Table A2: Prevalence of legal problems and substantial legal problems by problem type and age

	15–17 years				18–24 years				25+ years			
	Respondents with at least one problem		Respondents with at least one substantial problem		Respondents with at least one problem		Respondents with at least one substantial problem		Respondents with at least one problem		Respondents with at least one substantial problem	
	N	%	N	%	N	%	N	%	N	%	N	%
Neighbours	97	9.3	21	2.0	233	9.3	56	2.2	1 309	7.6	604	3.5
Personal injury (other)	71	6.8	22	2.1	129	5.2	45	1.8	291	1.7	146	0.9
Accidents	62	5.9	6	0.6	348	13.9	64	2.6	1 195	7.0	159	0.9
Goods	56	5.4	9	0.9	234	9.4	40	1.6	1 133	6.6	331	1.9
Services (phone, internet, TV)	52	5.0	17	1.6	213	8.5	103	4.1	1 636	9.5	702	4.1
Personal injury (work)	49	4.7	3	0.2	139	5.6	40	1.6	615	3.6	322	1.9
Education (bullying, harassment)	48	4.6	35	3.4	23	0.9	13	0.5	288	1.7	146	0.9
Employment (conditions)	41	3.9	12	1.2	145	5.8	67	2.7	504	2.9	307	1.8
Unfair treatment by police	36	3.5	14	1.4	77	3.1	22	0.9	186	1.2	126	0.7
Discrimination (outside work)	35	3.4	10	0.9	88	3.5	39	1.6	383	2.2	249	1.5
Education (exclusion, fees, other)	32	3.0	16	1.5	27	1.1	14	0.6	146	0.9	87	0.5
Services (other)	24	2.3	6	0.6	206	8.2	80	3.2	1 965	11.4	920	5.4
Employment (discrimination)	21	2.0	5	0.5	119	4.8	66	2.6	512	3.0	353	2.1
Credit/debt	19	1.8	6	0.5	196	7.8	104	4.1	1 112	6.5	587	3.4
Fines	18	1.7	4	0.4	132	5.3	35	1.4	410	2.4	145	0.8
Government (local, state, federal)	18	1.7	8	0.8	119	4.8	61	2.4	1 304	7.6	664	3.9
Government payments	17	1.6	7	0.7	107	4.3	62	2.5	362	2.1	233	1.4
Personal injury (motor vehicle)	16	1.6	9	0.8	71	2.8	20	0.8	176	1.0	107	0.6
Money (wills, investments)	14	1.4	10	1.0	60	2.4	24	1.0	1 109	6.5	595	3.5
Health	10	1.0	2	0.2	69	2.8	48	1.9	612	3.6	430	2.5
Employment (sacking, redundancy)	10	0.9	6	0.5	45	1.8	31	1.2	162	0.9	114	0.7
Housing (owned, rented, other)	4	0.4	1	0.1	131	5.3	69	2.7	886	5.2	485	2.8
Family (children)	20	2.0	10	1.0	44	1.8	29	1.1	649	3.8	536	3.1
Family (divorce, separation)	na	na	na	na	26	1.0	22	0.9	403	2.3	304	1.8
Crime victim (property, other)	95	9.1	25	2.4	318	12.7	99	4.0	1 631	9.5	573	3.3
Crime victim (violence)	79	7.6	34	3.2	190	7.6	86	3.4	674	3.9	371	2.2
Crime offender	48	4.6	19	1.9	79	3.1	35	1.4	223	1.3	158	0.9
Total	1 044				2 500				17 172			

Note: 20 716 respondents. As a result of rounding weighted data, some numbers and percentages do not sum precisely (see initial LAW Survey reports, Chapter 2, 'Weighting' section for further details (Coumarelos et al. 2012)).

Appendix Table A3: Prevalence of legal problems by problem type and indicator of risk, 15–17 years

	Respondents with at least one problem of each type							
	All aged 15–17		Homeless		Mental illness		Not living with parents	
	N	%	N	%	N	%	N	%
Neighbours	97	9.3	7	27.8	4	16.7	7	38.1
Personal injury (other)	71	6.8	4	16.3	2	8.3	4	22.4
Accidents	62	5.9	4	13.9	1	4.2	4	21.2
Goods	56	5.4	3	11.2	2	8.3	3	18.1
Services (phone, internet, TV)	52	5.0	3	12.9	1	4.2	5	29.3
Personal injury (work)	49	4.7	5	17.9	0	0.0	3	18.1
Education (bullying, harassment)	48	4.6	6	21.6	9	37.5	0	0.0
Employment (conditions)	41	3.9	4	13.6	0	0.0	3	18.1
Unfair treatment by police	36	3.5	6	23.7	2	8.3	2	10.1
Discrimination (outside work)	35	3.4	1	2.9	4	16.7	0	0.0
Education (exclusion, fees, other)	32	3.0	0	0.3	2	8.3	0	0.0
Services (other)	24	2.3	3	9.9	1	4.2	1	8.0
Employment (discrimination)	21	2.0	5	16.8	2	8.3	3	18.1
Children (custody, care, support)	20	2.0	0	0.0	0	0.0	2	9.5
Credit/debt	19	1.8	4	14.2	3	12.5	3	19.0
Fines	18	1.7	2	6.8	0	0.0	1	8.0
Government (local, state, federal)	18	1.7	0	0.0	2	8.3	0	0.0
Government payments	17	1.6	0	0.0	0	0.0	1	8.0
Personal injury (motor vehicle)	16	1.6	1	3.5	0	0.0	0	0.0
Money (wills, investments)	14	1.4	1	3.8	1	4.2	3	19.2
Health	10	1.0	1	5.4	1	4.2	0	0.0
Employment (sacking, redundancy)	10	0.9	0	0.0	1	4.2	0	0.0
Housing (owned, rented, other)	4	0.4	0	0.6	0	0.0	0	0.8
Family (children)	20	2.0	0	0.0	0	0.0	2	9.5
Crime victim (property, other)	95	9.1	10	37.7	4	16.7	4	19.4
Crime victim (violence)	79	7.6	11	40.2	8	33.3	3	19.0
Crime offender	48	4.6	5	19.2	0	0.0	2	10.1
Total	1044		27		24		18	

Note: 1044 respondents aged 15–17 years (including homeless n=27, mental illness n=24, not living with parents n=18). As a result of rounding weighted data, some numbers and percentages do not sum precisely (see initial LAW Survey reports, Chapter 2, 'Weighting' section for further details (Coumarelios et al. 2012)).