



Do some types of legal problems trigger other legal problems?

Julie People

Abstract: *Legal problems that have the potential to trigger other legal problems can set off a series of multiple problems, which can spiral out of control. Identifying trigger problems can help to focus resources towards resolving such problems and breaking the chain of events that trigger problems can set off. Data collected from the LAW Survey suggest that legal problems concerning employment, children, relationships, local government, neighbours and wills/estates are likely to precede other legal problems, and hence may act as trigger problems.*

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

Legal needs surveys have consistently shown that experiencing legal problems is common and that some people experience multiple legal problems. For example, the Legal Australia-Wide (LAW) Survey showed that 18 per cent of people experienced one legal problem, while 31 per cent of people experienced two or more legal problems in a one-year period (Coumarelos, Macourt, People, McDonald, Wei, Iriana & Ramsey 2012). Legal needs surveys in Canada (Currie 2007) and the United Kingdom (Plesance 2006) have similarly shown that experiencing multiple legal problems is common.

People who experience multiple legal problems may do so simply by chance. They may, however, experience more than one legal problem because some types of legal problems co-occur, are connected or related (Coumarelos Wei & Zhou 2006; Coumarelos et al. 2012; Currie 2007; Plesance 2006; Plesance, Buck, Balmer, O'Grady, Genn & Smith 2004). The types of legal problems experienced in combination are not necessarily random, with some types of legal problems being particularly likely to occur (or cluster) together. For example, Coumarelos et al. (2012) found that legal problems concerning credit/debt, family and money issues tended to cluster together.

Plesance et al. (2004) suggested a number of reasons to explain why people may experience multiple legal problems. Some people may experience multiple legal problems because they have certain characteristics that make them vulnerable to experiencing legal problems. These characteristics are generally associated with disadvantage, such as having a disability, a low income or being unemployed (e.g. Coumarelos et al. 2012;

Currie 2007; Pleasance 2006). Multiple legal problems can also arise from similar circumstances, actions or life events. For example, a home loan can lead to legal problems with credit/debt and housing. Multiple problems can also occur when legal problems are triggered by other legal problems.

A number of legal needs surveys have demonstrated that some types of legal problems can lead to, or trigger, other legal problems (e.g. Currie 2007; Genn 1999; Pleasance 2006). The findings from these surveys have not been identical, most likely due to jurisdictional and methodological differences across the studies.ⁱ The studies may also be affected differently by other factors, such as limitations of the data or recall error, which is a failure by respondents of a survey to accurately report events from their past (Lynn, Buck, Burton, Jäckle & Laurie 2005).ⁱⁱ Despite the differences among studies, legal problems regarding family relationships, personal injury and employment have commonly been identified as triggers for experiencing other types of legal problems. Currie (2007) asked respondents who experienced multiple legal problems whether one problem had caused or contributed to the others. Relationship breakdown problems appeared to trigger debt, legal action and other family problems. Currie's (2007) respondents also reported that employment problems triggered consumer and debt problems, while personal injury problems triggered debt and employment problems. Genn (1999) described how personal injury and work-related ill-health can lead to employment problems, which can then lead to problems related to welfare benefits and debt. Genn (1999) also described how relationship problems can lead to debt, health, employment and housing problems. Pleasance (2006) examined information regarding the date that legal problems began, and showed that problems concerning divorce, domestic violence and relationship breakdown were significantly more likely to occur before other problems, such as children's education, consumer, money/debt and rented housing problems. Pleasance (2006) also found that personal injury was significantly more likely to occur first rather than last in a sequence of legal problems.

Legal problems that have the potential to trigger other problems can therefore set off a series of multiple problems, which can spiral out of control (Currie 2007). Identifying trigger problems can help to focus resources towards resolving such problems and breaking the chain of events that trigger problems can set off. Although legal problems that can trigger other

problems have been identified in a number of overseas studies, they have not been examined in Australia. This paper uses data collected from the LAW Survey (Coumarelos et al. 2012) to determine which types of legal problems are most likely to occur at the beginning of a sequence of legal problems, that is, which types of legal problems are likely to trigger further legal problems.

New analyses

As described by Coumarelos et al. (2012), LAW Survey respondents were asked to provide information regarding legal problems they had experienced in the 12 months prior to their interview. In-depth information was collected for up to three legal problems per respondent.ⁱⁱⁱ For each of these legal problems, this information included the type of legal problem as well as the month and year that the problem began. Given that this study examines the types of legal problems that are more likely to be experienced at the beginning of a sequence of problems, the analyses were based only on respondents who provided in-depth information for two or three different types of legal problems in the 12 months prior to their interview. The analyses were based on 4213 respondents: 1911 who experienced two types of legal problems and 2302 who experienced at least three types of legal problems.^{iv}

Legal problems were classified into 24 problem types (see Table 1).^v Paired samples t-tests were used to determine whether there was a significant difference between the mean number of legal problems that occurred before and after each individual problem type. Also, for each problem type where a significant difference occurred, two percentages were calculated — the percentage of times that this type of problem occurred first in a sequence of problems and the percentage of times that this type of problem occurred last.^{vi}

New findings from the LAW Survey

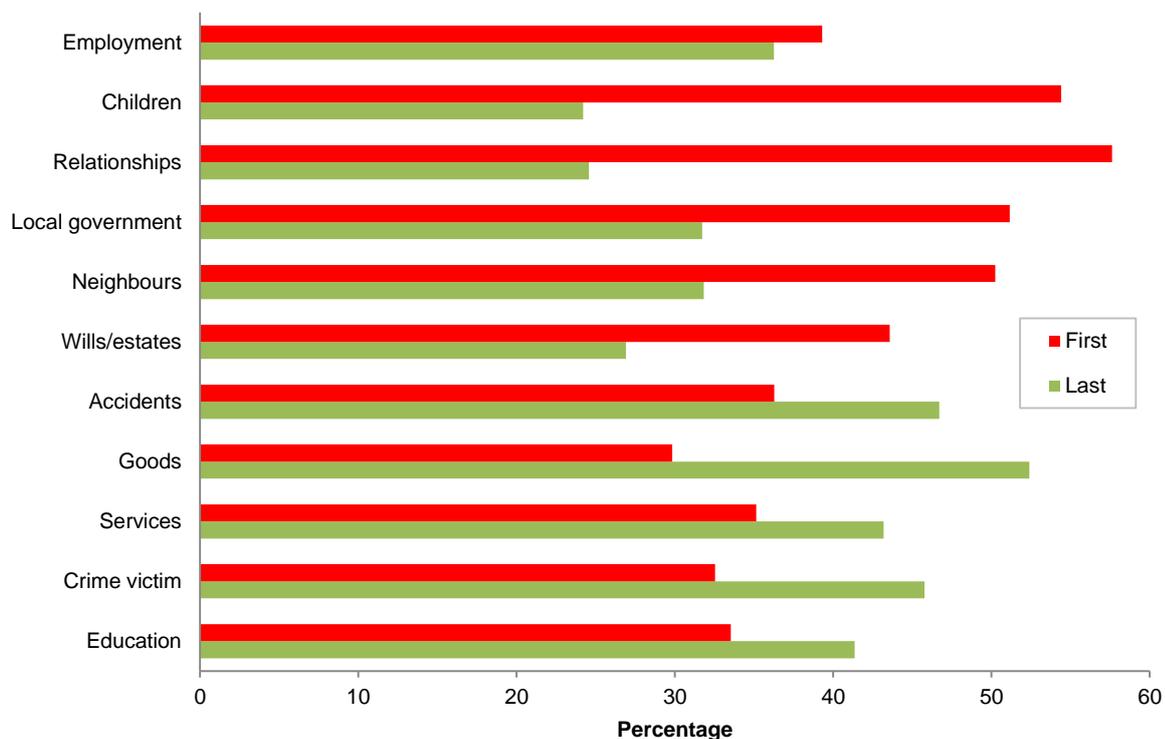
For 11 of the 24 problem types, the mean number of legal problems predating each problem type was significantly different to the mean number of legal problems following it. Employment, children, relationships, local government, neighbours and wills/estates problems had significantly more problems following them than predating them, indicating that they were likely to occur towards the beginning of a sequence of problems.^{vii} On the contrary, accidents, goods, services, crime victim and education problems

Table 1: Classification of legal problems

Broad problem type	Problem type	N
Accidents	Accidents	598
Consumer	Goods	577
	Services	1,885
Credit/debt	Credit/debt	561
Crime	Crime offender	167
	Crime victim	1,340
Employment	Employment	671
Family	Children	403
	Relationships	165
Government	Fines	237
	Government payments	213
	Local government	432
	State/Commonwealth government	237
Health	Clinical negligence	236
	Health services and mental health	107
Housing	Neighbours	704
	Owned housing	164
	Rented housing	265
Money	Business/investment	404
	Wills/estates	170
Personal injury	Personal injury	623
Rights	Discrimination (outside work)	170
	Education	271
	Unfair treatment by police	112
Total number of problems		10,728

Note: Problem type was missing for 18 problems.

Figure 1: Percentage of problems that occurred first or last in a sequence of legal problems, by legal problem type



had significantly more problems predating them than following them, indicating that they were likely to occur towards the end of a sequence of problems.^{viii} Figure 1 shows the percentage of times that these types of problems occurred first and last in a sequence of problems.

Conclusion

The above findings suggest that some legal problems are likely to precede other legal problems, and, hence, may potentially trigger further legal problems.^{ix} These potential trigger problems were legal problems concerning employment, children, relationships, local government, neighbours and wills/estates.

The findings of this study have some similarities with those of previous research. Legal problems involving employment, relationships and children^x were potential triggers for further legal problems in this study and in others (Currie 2007; Genn 1999; Pleasence 2006), as were problems associated with wills and powers of attorney (Currie 2007). Local government and neighbours problems also stood out as potential trigger problems in this study. However, these types of legal problems were not examined in other studies. Although Currie (2007) found that consumer problems may trigger further legal problems, the findings of this study are similar to those of Pleasence (2006), where legal problems concerning consumer issues (i.e. issues regarding goods and services) exhibited no evidence of acting as triggers for other problems. Legal problems concerning personal injury, debt, discrimination and police action were identified as potential trigger problems in previous studies (Currie 2007; Genn 1999; Pleasence 2006). However, they were not trigger problems in this study. As mentioned previously, the differences between this study and previous studies may be due to jurisdictional differences, methodological differences, limitations of the data or the extent of recall error experienced by respondents.^{xi}

In summary, these new findings from the LAW Survey suggest that legal problems concerning employment, children, relationships, local government, neighbours and wills/estates tend to precede other legal problems, and, hence, may potentially trigger further legal problems. Providing timely assistance to people who experience the above trigger problems not only helps to resolve their current legal problems, but it may also reduce their susceptibility to experiencing further legal problems.

References

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Endnotes

- i For example, problem types have been defined differently across studies and some studies have identified trigger problems by asking respondents whether one problem triggered another, while others used the dates that problems started to compile a sequence of events.
- ii When study reference periods are long, or when frequent, routine or similar types of events are discussed, respondents can forget that an event occurred. When study reference periods are short, or when non-routine events are discussed, respondents may report events as having occurred more recently than is true. Recall error can also be affected by the seriousness of an event. Serious events are less likely to be forgotten and are also susceptible to being reported as having occurred more recently than is true (Lynn et al. 2005).
- iii Respondents with up to three types of legal problems were asked in-depth questions about the most serious of each type of problem. Respondents with more than three types of legal problems were asked in depth questions about their three most serious problems of different types. See Coumarelos et al. (2012) for further details. The data was limited by the recording of start dates for only the problems followed up with in-depth questions. Hence, for respondents who experienced additional problems during the reference period that were not followed up in depth, it was not possible to determine where these legal problems were positioned in a sequence of problems.
- iv Respondents were excluded from the analyses if they had a missing start date for any of their problems, or if any of their problems started at the same time.
- v The legal problems groups are based on the 27 problem subgroups used in the LAW Survey (Coumarelos et al. 2012), except that problems regarding health services and mental health were combined in this study due to the small number of mental health problems. In addition, 'other housing' and 'other civil' problems were omitted in this study due to the small number of problems in these subgroups.
- vi Data describing the percentage of problems that occurred first or last in a sequence of events were weighted as described in the LAW Survey (Coumarelos et al. 2012).
- vii Employment, $t_{689}=2.63$, $p=0.008$; Children $t_{413}=8.91$, $p<0.001$; Relationships $t_{186}=5.06$, $p<0.001$; Local government $t_{429}=3.87$, $p<0.001$; Neighbours $t_{698}=5.17$, $p<0.001$; Wills/estates $t_{178}=3.06$, $p=0.003$.
- viii Accidents $t_{580}=2.04$, $p=0.04$; Goods $t_{546}=5.03$, $p<0.001$; Services $t_{1913}=5.00$, $p<0.001$; Crime victim $t_{1444}=6.56$, $p<0.001$; Education $t_{283}=3.15$, $p=0.002$.
- ix As mentioned previously, it is possible that these legal problems co-occurred by chance, or because some people may have certain characteristics that make them vulnerable to experiencing legal problems, or because multiple legal problems can arise from similar circumstances, actions or life events.
- x Legal problems involving children were included in the family/relationship breakdown category used by Currie (2007).
- xi Pleasence, Balmer and Tam (2009) found that recall error increased with time, with at least two-thirds of legal problems not reported in a three and a half year reference period. Serious legal problems were also less susceptible to recall error. The extent of recall error for the LAW Survey is likely to be smaller than that reported by Pleasence et al. (2009) due to the shorter reference period used in the LAW Survey (Coumarelos et al. 2012). However, this short reference period resulted in a small amount of time for respondents to experience and report legal problems, limiting the opportunity to capture any longer-term impacts or trigger effects of legal problems.

