



Planning legal outreach

Abstract: *This paper defines legal outreach and summarises the different models that can be used to deliver legal outreach. It describes the key characteristics of successful legal outreach and the benefits that outreach can produce. Finally, the paper steps through how to plan an effective legal outreach service.*

Source

This paper is an excerpt from **Reshaping legal assistance services: building on the evidence base: a discussion paper** by Pleasence, P, Coumarelos, C, Forell, S & McDonald, HM (2014). [http://www.lawfoundation.net.au/ljf/site/templates/reports/\\$file/Reshaping_legal_assistance_services_web.pdf](http://www.lawfoundation.net.au/ljf/site/templates/reports/$file/Reshaping_legal_assistance_services_web.pdf)

About Reshaping legal assistance services

The *Reshaping legal assistance services* discussion paper draws on a substantial base of empirical research – together with current experience of service providers – to inform the design and delivery of efficient and effective legal assistance services (e.g. legal aid, Aboriginal legal services, family violence prevention legal services, community legal centres, and pro bono services).

It provides a framework for discussion around how Australian access to justice research, policy and public legal assistance services can best build upon this substantial evidence base.

Reshaping legal assistance services explores the notions of targeted, joined-up, timely and appropriate service delivery. It exposes the conceptual and operational tensions in delivering such services, while providing guidance to and illustrations of practice, detailing facilitators and obstacles to change and presenting a range of approaches to evaluation. Acknowledging current arrangements and resources, it provides a basis for considering how to move from the theory to the practice of client-centred service delivery.

Reaching marginalised groups

Research makes clear that legal service delivery will fall dramatically short of providing justice for all if it relies only on those clients who make it through the lawyer's 'front door'. Environmental, systemic and cultural factors can make assistance inaccessible. These factors include distance and scant service infrastructure in various regional, rural and remote (RRR) areas of Australia, cost, and the fragmentation of the legal system. In addition, people's personal circumstances and legal capability can constrain them from recognising and resolving their legal problems. Notably, disadvantaged sections of the community, who have high levels of legal and non-legal need, are the same groups who tend to have poor capability to resolve their legal problems and face particular barriers to accessing mainstream legal assistance.

Legal outreach is a key method for reaching marginalised groups by bridging access barriers, such as those created by limited personal resources and capability and those created by distance.

Defining legal outreach

Outreach involves service providers making a proactive attempt to reach clients rather than waiting for clients to come to them. Broadly defined, legal outreach comprises any legal service delivery other than traditional face-to-face consultation at the legal service provider's primary office, which aims to enhance the accessibility of the service to the target client group.



Models of legal outreach

There are a diverse range of legal outreach models, reflecting historical differences in the practices of different legal services, as well as attempts to address the heterogeneous needs of different target groups and the varied constraints embodied by different geographical contexts, resourcing and local service infrastructure.

Outreach models vary in:

- their target clients (e.g. a specific disadvantaged group, a RRR area with few local services, a location frequented by clients with legal needs)
- legal practice areas
- interventions (e.g. community education, advice, minor assistance, representation)
- modes of delivery (e.g. in person, technology-based, inreach)
- legal and non-legal staff, level of collaboration with other agencies (e.g. host agencies)
- timeframes and administrative arrangements.

Key features and benefits of effective legal outreach

There are many potential challenges in providing legal services within an outreach model. Many of the elements that are required for a successful legal outreach service address these challenges. Typically, effective legal outreach services:

- meet priority legal need and fill a service gap
- successfully engage the target client group
- are tailored to the specific needs and capabilities of the target client group (e.g. client-centred services and effective referral pathways for disadvantaged clients who have complex, interrelated legal and non-legal needs, as well as poor legal capability)
- involve successful collaboration with other legal and non-legal services to meet client needs holistically
- are accessible, appropriately resourced and sustainable
- are appropriately monitored and evaluated.

There are also many potential benefits of effective legal outreach to individuals, service providers and the broader community. These include benefits from addressing legal needs, systemic advocacy, law reform, the promotion of social inclusion and service improvements (e.g. through enhanced collaboration and culturally appropriate services).

Planning legal outreach

There is no one-size-fits-all model for legal outreach. A framework for legal outreach services cannot be based on a blanket approach within a jurisdiction, but must take into account regional and local differences. Any such framework must identify and address the existing gaps in legal service provision and must acknowledge that a variety of outreach service models are likely to be required to meet the needs of different demographic groups in diverse geographical areas. In each case, legal outreach services need to be tailored to the particular population, their legal needs, gaps in services to address those legal needs and the local service infrastructure (e.g. available legal services, broader human services and community organisations). They must also overcome any existing barriers to accessing services in those areas. In short:

outreach services should be grounded in a thorough assessment of the target population and area to ensure that they meet community needs and incorporate the most effective and appropriate accessibility options.ⁱ

Thus, when embarking on legal outreach ‘careful pre-planning and needs assessment is needed to ensure that the service will actually address the need’.ⁱⁱ The key steps in planning legal outreach services are discussed below and summarised in Figure 1.

Identifying target clients

The first step in planning a new legal outreach service is to identify the target client group. Typically, the target client group will have high levels of legal need that are not being met by existing (mainstream or outreach) legal services – due to either gaps in local services or major personal, physical or systemic barriers to the accessibility of existing services. Clients may be identified by targeting a specific disadvantaged group (e.g. homeless people, Indigenous people), a location frequented by people with legal need (e.g. a court or prison) or a particular geographic area (e.g. a RRR area).

Understanding client needs, client demographics and infrastructure

The next major step is to develop a thorough understanding of both the target client group and the ‘infrastructure’ or ‘environment’ in which the client group is situated. These understandings form the building blocks for successful legal outreach.

The legal outreach model that is established and its location will ideally be influenced by the particular legal needs of the client group, their level and type of disadvantage and social exclusion, their legal capability and other competencies, their cultural influences and the barriers they face to accessing existing legal services. Furthermore, the legal outreach service should be shaped by a consideration of the client group's environment (including the physical and geographic environment), existing legal and broader human services, other stakeholders and community leaders, and other potential facilitators and barriers to legal outreach. Thoroughly tapping into local intelligence can be invaluable in building a comprehensive understanding of the needs and capabilities of the target client group and the opportunities and barriers provided by their existing environment. For example, one of the public service lawyers consulted as part of the fieldwork for the present study noted the importance of:

being careful when you're looking at putting in a service; speaking to a broad range of stakeholders and community agencies, not just targeting a couple because they might not be the ones to give you the total picture ... in somewhat of your haste to put in a service you might short-cut it and you've really got to do the ground work first, otherwise you won't get a service that works.

However, it is also important to note that there may be existing data to draw on to help identify regional legal needs, demographic characteristics and gaps in services. Thus, it may not be necessary to conduct new analyses from scratch each time an outreach program is designed. For example, a key strategy of the Cooperative Legal Service Delivery (CLSD) program in NSW is to conduct such analyses when a CLSD partnership first commences in a specific region and biannually thereafter, drawing on census data and legal service data. Consultants to a study by Forell, McDonald, Ramsey and Williams (2013), which reviewed Legal Aid NSW outreach services, identified CLSD partnerships and meetings as a key source of information about legal needs and existing legal and broader human services in their regions of NSW. Furthermore, legal outreach initiatives tailored to local need and service gaps have arisen from CLSD planning.ⁱⁱⁱ

Knowledge of the existing legal and non-legal service environment can help to avoid duplication of

services, as well as to identify potential partners and avoid service providers 'acting like they're lone rangers'.^{iv} In addition, knowledge of the service environment can help assess the feasibility of outreach services in a location. While an area may be identified as high legal need with legal service gaps, it may not be a viable location for certain types of legal outreach (e.g. in person outreach) due to insufficient supporting infrastructure, such as lack of a host agency or inadequate local services to support a referral network.

Engaging clients and designing service delivery

Armed with a comprehensive understanding of the target client group and the environment, the next steps are to design appropriate service delivery and engage the target client group.

For appropriate legal service delivery, decisions may need to be made about which of the legal needs of the target client group it is feasible for the outreach service to focus on, and which legal issues need to be referred elsewhere. In addition, decisions about the mode of service delivery and the type of intervention (e.g. information, advice, minor assistance, representation) will ideally take into account client need and capability, as well as what is practicable given the available resources. Some disadvantaged groups may be more suited to in person legal outreach rather than technology-based legal outreach and may require tailored, intensive, holistic assistance.

Identifying the right host site or agency is also a key strategy that can facilitate promotion of the service, accessibility of the service, a good cultural fit for the target client group and suitable referral links to other legal and broader human services. Another important consideration in choosing the outreach site, particularly in RRR areas, is its accessibility via public transport.

For some target communities, it may be possible to facilitate community engagement through well-trusted community leaders or community organisations. Such local community knowledge is 'like gold' and can be critical to developing a viable 'local place based solution'.^v In other communities, solicitors may need to invest time in establishing this connection and trust.

Administration, sustainability, monitoring and evaluation

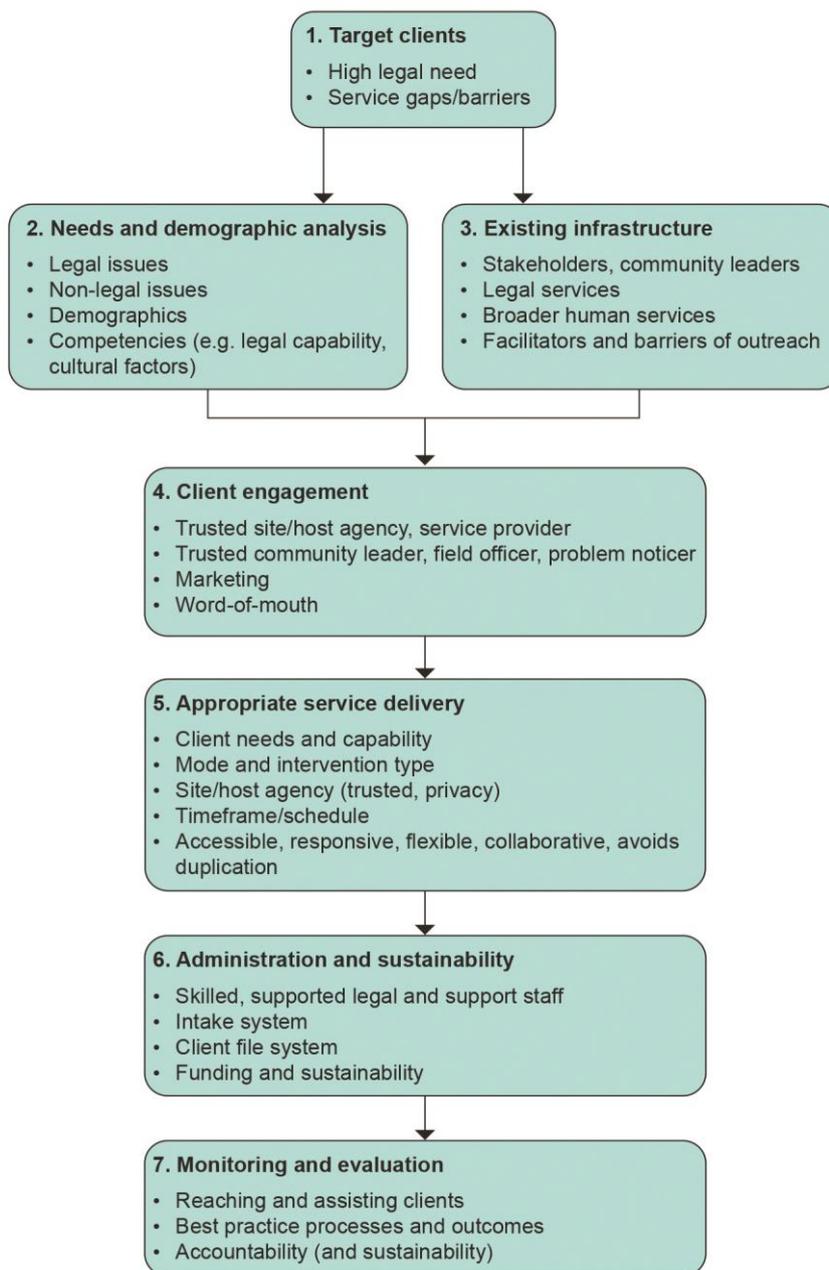
The final step is to consider factors that are likely to enhance the efficient administration and sustainability of the outreach service. Such factors include considering the competencies required for legal and non-legal staff; appropriate staffing levels; staff induction, training and support requirements; suitable outreach schedules; efficient client intake and client file systems; necessary equipment and facilities at offices and outreach sites; and funding requirements.

Transport is also a crucial consideration when determining the schedule for outreach clinics, visits or other services. For example, holding outreach

services in town at times when target clients in remote areas are able or more likely to travel into town (e.g. on the day that Centrelink benefits are paid) can facilitate accessibility.

Finally, as part of the planning of any new legal outreach service, it is important to consider appropriate monitoring and evaluation strategies. Ongoing monitoring and evaluation are key methods of demonstrating effective service provision in any area, including the area of legal outreach. Evaluation is critical not only in assessing whether target clients have been reached and successfully assisted, but can also be used to develop best practice in legal outreach, demonstrate accountability and facilitate ongoing funding and sustainability.

Figure 1: Planning a legal outreach service



Endnotes

ⁱ Long, A & Beveridge, A 2004, *Delivering poverty law services: lessons from BC and abroad*, Social Planning and Research Council, Vancouver, p. 69.

ⁱⁱ National Pro Bono Resource Centre (NPBRC) 2013, *Pro bono partnerships and models: a practical guide to what works*, NPBRC, Sydney, p. 138.

ⁱⁱⁱ Forell S, McDonald, HM, Ramsey, S & Williams, SA 2013 *Review of Legal Aid NSW outreach legal services, Stage 2 report: evolving best practice in outreach — insights from experience*, Law and Justice Foundation of NSW, Sydney.

^{iv} See Forell et al. (2013).

^v See Forell et al. (2013).