

The Legal Empowerment Conference – 23rd February 2009

Introduction from Martin Jones - Project Director, ASA's Advicenow Project.

I want to start with a question.

Imagine... if three years ago someone had told you that on a Monday morning in February 2009 you would have been sitting in a conference on public legal education. Would you have believed them?

And if they said that the conference would take place as Britain and the world enter a deep recession. How many of you would have believed that?

But here we are. We have managed to put Public Legal Education on the map, and as the **recession** bites, it's clear that PLE has a key role to play in responding to the problems it will cause. Economic problems will spawn a wide range of law related issues – problems with housing – not least repossessions, problems at work, family problems, and a range of other difficulties and disputes.

What I want to do in the next ten minutes is to look at how we can use PLE to empower people deal with these issues.

I want to start by looking at figures from the Legal Services Research Centre.

The LSRC has added four public legal education questions to their ongoing survey. They are currently analysing this data for Plenet and we've got some headlines from that work. There will be more on this in the first plenary session – thanks to Nigel Balmer and Alexy Buck.

The survey asked: what did people know at the time of their problem?

[SLIDE] **63%** did not know their legal rights

[SLIDE] **68%** suggested that they had no knowledge of legal processes

[SLIDE] and only **23%** knew their rights *and* the processes.

Does this matter? **Yes it does.**

[SLIDE] Those who knew their rights met their objectives **59%** of the time compared to only **29%** of the time for those who did not.

If PLE can provide people with this vital knowledge the law and legal processes it can **double** their chances of success. That's why we've called this the Legal Empowerment conference.

So what do we mean by PLE?

The Pleas Task Force report gives us a definition:

[SLIDE] *Pleas Definition*

*'PLE provides people with **awareness, knowledge and understanding** of rights and legal issues, together with the **confidence and skills** they need to deal with disputes*

and gain access to justice. Equally important, it helps people recognise when they may need support, what sorts of advice are available, and how to go about getting it.'
'PLE has a further key role in helping citizens to better understand everyday life issues, making better decisions and anticipating and avoiding problems'.

It highlights the **awareness, knowledge, understanding, confidence and skills**.

It also deals with knowing how to **get help** – and provides the knowledge needed to make better decisions on everyday life issues.

There's a strong emphasis here on dealing with problems – quite rightly as law related problems are commonplace and can have a devastating effect on people's lives.

But there's more to PLE than problem solving.

[SLIDE] *Citizens, community, learning*

PLE is also about the role of **citizens** in society – about rights and responsibility and the notion that citizens can use the law, particularly the civil law, to deal with conflicts and disputes.

One of the challenges we face is to persuade people, particularly people from disadvantaged communities, that the law is something they can **use** – and not just something they should **fear**. And, in a democracy there's even the possibility that people might have a voice in changing or improving the law.

PLE is also about **community**. Individuals don't live their lives in isolation and PLE provides us with a vehicle to engage with communities as well as individuals. Many PLE projects have done this successfully and it is clear that legal empowerment is potentially an important part of community development.

It is also about **learning**. Howard Gannoway from the National Institute of Adult Continuing Education, is running a workshop this afternoon, and he has done a good job of reminding us that **learning** is key part of empowerment. Learning has a very different dynamic from advice – and the education world has a lot to teach us about that dynamic and the variety of ways that people learn.

I want to say a bit more about advice. There's no sense in which PLE can replace advice – PLE largely comes earlier in the process – it's what happens before someone picks up the phone to a telephone help-line, or walks into an advice agency or legal practice.

[SLIDE] *Avoiding problems; Taking action early; Managing problems better*

PLE is about helping people **avoid** problems, about getting people **to act** quickly when problems do occur – and about **managing** problems better.

As part of Advicenow's LivingTogether campaign we ran an online problem page for cohabiting couples. Fully half of the questions we got were from people who were moving in together and wanted to check that they were buying or renting their property in the best way. A small bit of information early on can help **prevent** major legal problems if something goes wrong at a later date.

PLE is about getting people to **act early** to stop problems escalating – a stitch in time. This is the central focus of a lot of PLE work: providing information when it's needed and getting people to do something about it – often to get advice.

And PLE is also about ensuring people can **manage problems** better – whether or not they get advice.

Which brings us back to empowerment. Empowerment is a great concept but it's an awkward word and increasingly we've been using the term 'legal capability' to describe what we are trying to achieve.

We looked in more detail at **legal capability** at our conference in Cardiff at the end of last year. We asked what do we mean by legal capability? Imagine we had a 'legally capable' person in front of us now, what would they be like, what would they be able to do, what **capabilities** would they have?

[SLIDE] *Knowledge; Skills; Attitudes*

We split these capabilities into three groups. Knowledge; Skills and Attitudes – and looked in more detail at what these consist of.

[SLIDE]

- Knowledge
 - Awareness and recognition
 - Know where to find out more
 - Understand the issues
 - Know the routes to a solution
 - Know when and where to get help

Knowledge is the most familiar. Much PLE material focuses on this. It's about awareness and recognition, it's about knowing where to find out more – and knowing where to get help.

[SLIDE]

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What **skills** do people need? Legal information tends not to focus in skills but they are an essential part of dealing with problems particularly at the early stages. How does someone with a consumer problem handle that difficult conversation over the cash register. How do you deal with a call centre that's trying to fob you off? How do you decide what you want – how do you keep track of names of who you spoke to – and how not to lose all your letters.

[SLIDE]

- Attitudes (emotional skills)
 - Confidence
 - Determination
 - Belief in the process
 - Detachment

Attitudes – I'm not sure it's the right word – emotional skills – confidence, determination, belief in the process and not lose your temper and walk away empty handed.

[SLIDE] *Knowledge; Skills; Attitudes*

Legal capability is a useful concept – it is very user focussed and it's very much about empowerment. Of course capability will differ from one person to another depending on their situation. For one person capability is about knowing where to get help – for another it is about sorting out a problem themselves.

We've commissioned IARS to do some research on legal capability with young people – to talk to young people about their experience of law related issues - focussing particularly on knowledge, skills and confidence. IARS will be reporting on their interim finding at their workshop this afternoon and I'm told that many of their results not what we might expect.

What I've tried to do with this introduction is to look at the detail of what we mean by legal capability to inform our thinking about how we can develop PLE. What worked of PLE will work best at developing particular capabilities?

What can we do to improve public information, how do we foster learning; what can we do to develop confidence and skills?

[SLIDE] www.plenet.org.uk

Thank you for listening – I hope what I've said will set the scene for what I'm sure will be a very stimulating day. And that the ideas and initiatives that come out of this conference will empower people to deal with the inevitable fallout of the recession.

Martin Jones
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