

Plain language and the law: Rethinking legal information for vulnerable people in Australia

Dorothy Fauls

dorothy.fauls@gmail.com

www.dorothyfauls.com

0424933388

...evaluate the effectiveness of plain
language legal information resources for
vulnerable people...

plain language

- Previous research limitations include the participant group selected for studies and the types of documents analysed.

legal information

- Limited research directly considers the effectiveness of legal information as an access-to-justice strategy in the Australian context.
- Relevant existing research has tended to focus on people who use self-help legal services and the limitations of these services, finding that there was insufficient understanding about:
 - the limits of the services
 - who benefits from them
 - when they are best used
 - what they can achieve.

people who are vulnerable

“A person has no genuine freedom to choose among different ways of living out his/her life—different careers, leisure activities, family arrangements etc.—unless he/she has ‘capabilities’ such as are likely to be conferred by reasonable levels of education, health, material resources and social networks. In this view to be poor is to lack freedom, to have impoverished choice in the context of the society in which you live.”

(Heady, 2006, p. 9-10)

effectiveness

- Do legal information resources help meet some of the legal need that underfunded legal assistance services are unable to address?
- Are legal information resources helpful for the people who are expected to use them?

plain language

“...it can be difficult to do because we have to be aware of what we know and when we’re speaking, and be aware, you have to imagine that you’re a person who doesn’t know what you know.”

legal information

“I think a lot of legal information doesn’t speak to the user in terms that they understand. Also it sort of presumes that by giving people information that that’s it, that solves problems. And information can solve some problems but not everything, you know.”

“...legal information resources will benefit the, the people who feel able to self-advocate. The horrible irony of it is that the legal information resources are probably benefiting the people who are least in need of it so to speak....at one level I would say they do serve a broader function in society, but they probably don’t serve the function we think they are serving.”

people who are vulnerable

“...I still see the community sector as empowering people, rather than attracting clients...it’s empowering people to help themselves. Obviously, when you’re dealing with very vulnerable clients that’s not realistic, but for those who are not in the vulnerable category, you’re empowering them to actually try.”

Recommendations

Discussion

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