

EVALUATION OF CONSUMER ADVICE SERVICE

2018-2019



CONTENTS

- Executive summary 4
 - Background and purpose 4
 - Key findings and conclusions 4
 - Recommendations 5
- About the consumer advice service 6
 - Consumer Action Law Centre 6
 - What is the consumer advice service? 6
- About this evaluation 8
 - Purpose 8
 - Method 8
 - Client records 8
 - Post-call SMS survey 9
 - Client interviews 9
- Results 11
 - Post-call SMS survey 11
 - Profile of respondents 11
 - Did the client better understand their rights? 12
 - Did the client better understand their options? 13
 - Did the client feel more confident about taking action? 14
 - Would the client recommend the service? (Net Promoter Score) 15
 - What else did clients tell us? 15
 - In response to the open-ended question, ‘Is there anything else you want to tell us?’ several clients described the quality of their interaction with the lawyer. Most were positive: 15
 - What legal problems had the clients sought help with? 18
 - Did the client remember speaking to our lawyer? 19
 - How did the client feel after talking to the lawyer? 20
 - Did they remember the advice? 22
 - How easy or hard was the advice to understand? 22
 - Did they follow the advice? 23
 - What happened next? 24
 - Did the clients need further help? 26
- Making sense of the data 27

Conclusions	30
Recommendations	31
1. Follow up vulnerable clients by SMS	31
2. Supply business extracts to vulnerable clients	31
3. Reflective listening.....	31
4. Difficult conversations training.....	32
5. Impact monitoring	32
6. Better data capture.....	32
7. Better systems for data collection, synthesis, analysis and reporting.....	33
8. Close the feedback loop.....	33
9. Continue monitoring.....	33
10. Repeat this evaluation	33
Appendix A – SMS post-call survey questions	33
Appendix B – Evaluation interview questions	33

EXECUTIVE SUMMARY

Background and purpose

The Consumer Advice Service (“CAS”) is a free telephone legal advice service run by Consumer Action Law Centre for people living in Victoria. Lawyers delivering the CAS provide information, advice, self-help resources and referrals by phone and email to people with consumer, credit and debt problems. While any person living in Victoria may contact the CAS, lawyers generally provide only basic information and referrals to better resourced individuals, and more assistance to people in vulnerable circumstances.

Consumer Action Law Centre (“Consumer Action”) is an independent, not-for-profit consumer, credit and debt advocacy organisation in Melbourne. Our purpose is to make life easier for people experiencing vulnerability in Australia. We do this through financial counselling and legal services, community and sector development activities, and research, campaigning and policy work aimed at making systems fairer.

The Consumer Advice Service plays a central role in Consumer Action’s theory of change. The service aims to help people better understand their rights and options and enable them to exercise self-help with confidence. If we do our job well, people will achieve better legal outcomes and ultimately enjoy better financial and personal health. The service also contributes in a myriad of ways to the impact of our systemic advocacy work; however, these activities were beyond the scope of this evaluation.

The purpose of this evaluation was to assess the effectiveness of the service in helping clients achieve these immediate and longer-term outcomes, and to make recommendations for service improvement. A secondary purpose was to offer follow-up assistance to clients who may need it.

The evaluation focused on clients who had received legal advice but had not gone on to be represented by Consumer Action. It excluded clients to whom lawyers had given only information or a referral. We considered that surveying these clients would give us the clearest indication of service impact because: (a) they had sought assistance for a legal problem we could help with; (b) our lawyers assessed them as being in vulnerable circumstances and capable of self-help.

This was a mixed-methods evaluation, involving three main methods of data collection: reviewing client records, including demographic data; a short survey sent by SMS to clients soon after they accessed the service; and a more in-depth, qualitative interview with clients 3-6 months on.

We sought to make sense of the data in a collaborative way by facilitating workshops with the lawyers who deliver the service. They considered the synthesised evaluation data and helped to contextualise and understand the picture it was painting. The workshop discussions significantly informed both the conclusions and recommendations of this report.

Key findings and conclusions

- The CAS is reaching clients in vulnerable circumstances.
- The CAS helps clients better understand their rights and options, and to feel more confident about taking action to resolve their legal problems.

- The level of satisfaction with and trust in the service among clients is very high. Moreover, clients believe the service is valuable to the community.
- Some clients wait a long time to speak to a lawyer. This is the most common complaint about the service.
- How a client feels when they call the service is memorable for the client and may affect client outcomes.
- The service helps clients feel confident, better informed, supported, less anxious and empowered. However, for clients who receive 'bad news', including that their problem can't be resolved (or for free), complex feelings can persist.
- Interaction with the service is memorable for most clients.
- Almost all clients understand the advice they receive. Lawyers use a range of strategies and techniques to help clients understand their advice.
- Generally, clients who follow our advice do progress or resolve their legal problems. When clients don't follow our advice, their legal problems remain unresolved.
- Most clients follow our advice. But some clients encounter barriers that prevent them from acting. These clients tend not to call the service again for further help.
- The requirement to obtain a business extract before commencing legal proceedings in VCAT is a barrier for some clients.

Recommendations

1. The service should establish a system for sending follow-up messages to clients in vulnerable circumstances immediately after they receive advice and one month on. This would require an automated tech solution or reliable operations support.
2. The service should provide guidance to lawyers in relation to whether and in what circumstances they can obtain a business extract for a client. The purpose of the change would be to ensure that the requirement to obtain a business abstract is not a barrier to a client resolving their legal problem, including through VCAT.
3. Lawyers should periodically listen to and reflect on call recordings from a sample of their telephone sessions with clients, including where the client has provided critical feedback about the service. Lawyers should also listen to and reflect on the recording of any call with a client in vulnerable circumstances that results in critical feedback about the service. New questions should be added to the reflection guide, including in relation to the client's emotional needs and capacity for self-help, as well as any barriers that may prevent the client from resolving their legal problem.
4. The service should consider making 'difficult conversations' or similar training available for lawyers. The purpose of the training would be to better enable lawyers to deliver 'bad news' to clients in a way that is both direct and sensitive.

5. Changes should be made to the SMS post-call survey to help the service better understand the experience of clients who say they *don't* better understand their rights and options or *don't* feel more confident after calling the service, or who indicate they are *dissatisfied* with the service, and to make informed service improvements.
6. The service should ensure that lawyers collect and record client demographic information in a consistent way.
7. The organisation should explore options for reducing the time involved in collecting, synthesising, analysing and reporting service and monitoring and evaluation data, including from surveys and interviews.
8. The service should develop strategies for responding to clients who in the context of monitoring and evaluation indicate they are satisfied with the service, are dissatisfied with the service, or need further help; share client feedback with individual lawyers and provide additional training and support, as needed; and communicate key insights from monitoring and evaluation of the service, as well steps taken to improve service quality, to clients, other stakeholders and the sector.
9. The service should continue to send the SMS post-call survey (in its updated form) to clients who receive legal advice from the service but do not go on to be represented by Consumer Action.
10. The service should repeat this evaluation in March/ April next year.

ABOUT THE CONSUMER ADVICE SERVICE

Consumer Action Law Centre

Consumer Action is an independent, not-for-profit organisation dedicated to making consumer markets fair and life easier for people experiencing vulnerability and disadvantage. Experts in consumer and consumer credit law and policy, we deliver financial counselling and specialist legal assistance to people living in Victoria, and advocate for strong and effective legal protections and industry practices that benefit all Australians. We also train and support our colleagues in the community sector to be effective caseworkers and advocates for systemic change.

Consumer Action creates impact by empowering individuals to resolve financial problems, pursue legal remedies and hold creditors and traders to account, making our sector more effective, and shaping a fairer system. Our theory of change is captured in [our impact framework](#), which shows how our client-facing services, sector development work and campaigning intends to achieve these outcomes.

What is the consumer advice service?

Through the service, we receive telephone and email enquiries from people with consumer, credit and debt problems. People can call us between 10am and 1pm, Monday to Friday, or send us emails through a webform on our website. Generally, two of the 14 lawyers we employ are available to answer phone calls and respond to emails at any given time. (The lawyers also deliver a legal advice service for community workers; run representation files for select clients; undertake project work; and participate in community engagement and sector development activities, among other things.)

In the 2018-19 reporting period, the service delivered 4631 legal advice sessions and 1087 information sessions and made 367 referrals to other agencies.

The service assists the community across a wide range of consumer law problems, including disputes about: defective goods and services, banking, bankruptcy, consumer leases, credit, debt collection and debt assistance services, door-to-door sales, electricity, gas, water, telephone and internet bills, insurance, mortgages and unfair contract terms. Only people resident in Victoria are eligible for assistance.

The service prioritises giving assistance to clients who may be experiencing disadvantage or vulnerability. Factors that may be relevant to whether a client is prioritised include:

- age
- source and level of income
- disability or significant health issues, including mental illness
- relationship status and caring responsibilities
- whether the person is confident speaking, reading and writing in English
- whether the person is a recent migrant or refugee
- whether the person identifies as Aboriginal or a Torres Strait Islander
- homelessness or risk of homelessness
- whether the person is a victim/ survivor of family violence
- whether the person has experienced abuse or other trauma
- gender and sexual identity
- market and product characteristics

When a person contacts the service, lawyers must establish whether the person lives in Victoria and whether their legal problem is one we can assist with. To clients who don't meet this threshold criteria, lawyers can provide information or a referral to another service, but not advice. Likewise, lawyers may provide only basic advice or a referral to better resourced individuals.

For clients who do qualify for advice, lawyers assess whether they can provide meaningful assistance over the phone in 15 minutes or less. If they can, the lawyer will provide advice to the client immediately; if not, and the lawyer considers the client should be prioritised, the lawyer will arrange to call the client back at an agreed time. During the 'call back' appointment, the lawyer will provide advice and sometimes other assistance, such as reviewing the client's documents, or drafting correspondence for the client. If they assess that it will enable the client to resolve their legal problem, the lawyer may offer to provide some 'ongoing assistance' in the form of follow-up information and advice as the client's matter progresses.

Sometimes, the lawyer will refer the client to 'case intake', a weekly meeting of lawyers and other staff who together determine whether we 'take on' or represent a client. The considerations include whether the client is experiencing vulnerability or disadvantage; whether their case could contribute to our policy or campaigns work; the merits of the case; whether alternative free assistance is available to the client; and the impact that not being represented is likely to have on them.

ABOUT THIS EVALUATION

Purpose

Put simply, the impetus for this evaluation was a desire to learn whether the consumer advice service is achieving the outcomes we intend it to. Our theory of change, captured in this [impact framework](#), says that the service creates impact by helping clients better understand their rights and options, and enabling them to exercise self-help with confidence. This, so says the theory, leads to clients achieving better legal outcomes, and ultimately improved health and wellbeing.

Our lawyers also contribute in a myriad of ways to the impact of our casework service, community and sector engagement projects and systemic advocacy work. However, these activities are beyond the scope of this evaluation.

Accordingly, the purpose of this evaluation was to:

1. evaluate the effectiveness of the service in empowering clients with:
 - a. a better understanding of their rights;
 - b. a better understanding of their options; and
 - c. confidence for self-help;
2. learn ‘what happened next’ for clients after they used the service, including whether:
 - d. the client achieved a positive legal outcome; and
 - e. health and wellbeing improved;
3. offer further assistance or referrals to clients experiencing vulnerability, where appropriate;
4. make recommendations to maintain and/ or improve the effectiveness of the service.

This evaluation focused on clients who have received legal advice from the CAS. We excluded clients we had gone on to represent and clients to whom lawyers had given only information or referrals. We considered that surveying these clients would give us the clearest indication of service impact because: (a) they had sought assistance for a legal problem we could help with; (b) our lawyers assessed them as being in vulnerable circumstances and capable of self-help.

Method

This was a mixed-methods evaluation, involving three main methods of data collection: reviewing client records, including demographic data; a short survey sent out by SMS to clients in the week after they accessed the service (“**post-call SMS survey**”); and a more in-depth, qualitative interview with clients 3-6 months later (“**client interviews**”).

Client records

During the period covered by the evaluation, lawyers used CRM tool Filemaker Pro to create electronic files for each new client. They would record (for risk management reasons and funders) certain demographic information about the client, including their name, gender, suburb/ postcode, income and family type, and whether they have disability, require an interpreter, identify as Aboriginal or Torres Strait Islander, are a victim/ survivor of family violence and/ or are living with substance abuse or problem gambling, among other things. They also recorded the details of each client interaction in a file note.

The staff and volunteers who conducted the client interviews accessed the relevant file at the time of interview and captured certain details in the interview form. These included the date the client interacted with the service, certain demographic information and the type of legal problem the client sought help with.

Post-call SMS survey

The post-call survey was a short, predominantly multiple-choice online survey that we sent by SMS to all consumer advice service clients meeting certain criteria soon after they contacted the service. The survey platform used was SurveyMonkey.

The survey asked, *compared to before they contacted the service*, how well (Very well/ Well/ About the same/ Less well/ Much less well) the client understood their rights and options, and how confident they felt (Very confident/ Confident/ About the same/ Less confident/ Much less confident) about taking action.

It also asked a 'Net Promoter Score' ("**NPS**") question: how likely, on a scale of 0-10 (where 0 is "Not at all likely" and 10 is "Extremely likely") the client was to recommend the service.

The NPS is an index ranging from -100 to 100 that measures the willingness of respondents to recommend a product or service to others. The NPS is widely used as a proxy for gauging overall client satisfaction and trust, and it's enjoyed significant take up by purpose-driven organisations.

The score itself is calculated by subtracting the percentage of 'detractors' (respondents who give a score of 0-6) from the percentage of 'promoters' (respondents who give a score of 9-10). Typically, respondents are asked to explain the score they give. Somewhat consistent with this, the survey offered clients the ability to provide feedback in a free-text field ('Is there anything else you wish to share?') and to describe any further assistance they might need.

Respondents could elect to remain anonymous or provide their name and contact number.

Selecting clients for the survey

To be eligible for the survey, clients must have:

- received legal advice from the service;
- received only discrete assistance (that is, not been represented by Consumer Action);
- provided the service with their mobile number;
- consented to receive communications from the service by SMS.

Distributing the survey

Starting on 1 January 2019, the survey was sent to every eligible client generally 3-10 days after their files were closed.

Between 1 January and 30 June 2019, we sent the survey to 1218 clients and received 135 responses, giving the survey a response rate of about 9%.

Client interviews

The client interviews involved asking clients seven main questions, and sometimes follow-up questions designed to promote recall and elicit more detailed responses. (For example, in the interview guide,

'Did you follow the advice?' is followed by, 'What did you do? OR What stopped you following the advice?').

We asked clients whether they remembered contacting the service, how easy or hard the advice was to understand, whether they followed the advice, and what happened next.

The questions were significantly shaped by the work of Dr Liz Curran from the Australian National University, who has performed similar evaluations of the CAS and other client-facing services for Consumer Action as part of a pro bono secondment arrangement over several years.

At the time of formulating the interview questions for this evaluation, we had begun to receive responses to the SMS post-call survey, as well as a similar survey for clients of the telephone financial counselling service National Debt Helpline, which Consumer Action also runs. In their responses, we noticed that clients were emphasising how they felt, rather than what they'd learned or done, in response to the question, 'Is there anything else you wish to share?' Feeling heard, empathised with, respected or not judged (for example) are not outcomes that appear in our outcomes and impact framework, but they are outcomes, it seemed, that were valued by our clients. And so, we also included the question, 'How did you feel after talking to [lawyer]?' in the interview guide.

If they assessed that the client they were interviewing was vulnerable, the interviewer would ask as a final question, 'Do you need further help with your problem at this stage?'

Selecting clients for interview

We identified clients in Filemaker Pro who met these criteria:

- The client received legal advice from the service but was not represented by Consumer Action.
- The client's file was closed between 1 October and 31 December 2018 (that is, around three to six months ago).
- The client's file was not closed because their conduct was unreasonable (e.g. they were abusive towards staff).
- The client had not made a formal complaint about the service.
- The client was not so vulnerable (e.g. had disclosed suicidal thoughts) that it would be inappropriate to call them.
- There were no safety concerns.

We debated at some length whether to include clients who had complained about the service, of which there had been only three or four in the year. On the one hand, not including them would reduce the number of dissatisfied clients available for interview, potentially skewing the results and denying us the opportunity to learn from their experiences. On the other hand, we already knew why they were dissatisfied, because they'd told us, and their number was probably too few to affect the results significantly. Moreover, at least one complaint had been resolved on the basis that we wouldn't contact the client again. And so, ultimately, we decided to remove complainants from the list of clients eligible for interview.

Collecting data from client records

Before placing each call, interviewers would take note of the relevant client data (including the client's name and age, and any characteristics correlated with vulnerability), as well as the name of the lawyer they spoke to, their legal problem and the dates they interacted with the service. If the client agreed to

be interviewed, the interviewer would record these details in the survey tool. The interviewer also reviewed the file notes and noted the advice that was given.

Conducting the interviews

There were 509 clients who met the criteria. Interviewers called the eligible clients in a random order and interviewed 34. All clients we reached agreed to be interviewed.

The interviews took place in April and May 2019, around three to six months after the clients' files were closed. Most interviews were conducted by Consumer Action Law Centre's Manager Impact Monitoring & Evaluation using a script (albeit a flexible one) and interview guide, while some were conducted by trained volunteers. The interviewers were directed to record responses *verbatim* (to the extent possible) using a prepared survey tool in Microsoft Forms.

We intended the interviews to be friendly and conversational, and an opportunity for more vulnerable clients to reengage with the service if they wished to. The client could tell their story in whichever way they preferred, and the interviewer would attempt to capture their responses in the form, circling back to questions the client hadn't addressed.

Interviewers experimented with different openings/ introductions, but observed clients were more likely to engage more readily in the call if they began with words like this:

Hi [Client]. I'm checking to see how you're going with [legal problem(s)]... I think we spoke to you in [Month] about [legal problem(s)]. I'm [Interviewer] from Consumer Action Law Centre...

If interviewers couldn't reach a client by phone, they sent them an SMS that conveyed a similar sentiment:

Hi [Client]. This is [Interviewer] from Consumer Action Law Centre. I tried calling just now to find out how you're going with [legal problem(s)] and to ask for some feedback about our service. I will try you again in a little bit, or you can call me back on [Phone].

Like in previous evaluations, conducting the interviews was very time consuming. It would often take interviewers an hour or more to reach, interview and complete notes for a single client.

However, through a process of reflection and action, interviewers developed and implemented a range of strategies to improve their chances of reaching clients. For example, interviewers observed that clients were more likely to (a) answer their phone and (b) agree to be interviewed *in the afternoon*. And so, subject to competing demands on their time, interviewers arranged to make calls after lunch. They also found that sending an SMS to a client before calling – especially where they had made a firm arrangement with the client to call them back – was also somewhat helpful. However, these involved interviewers working across multiple platforms: Microsoft Excel, Filemaker Pro (the organisation's CRM), Microsoft Forms and web app SMS Broadcast.

RESULTS

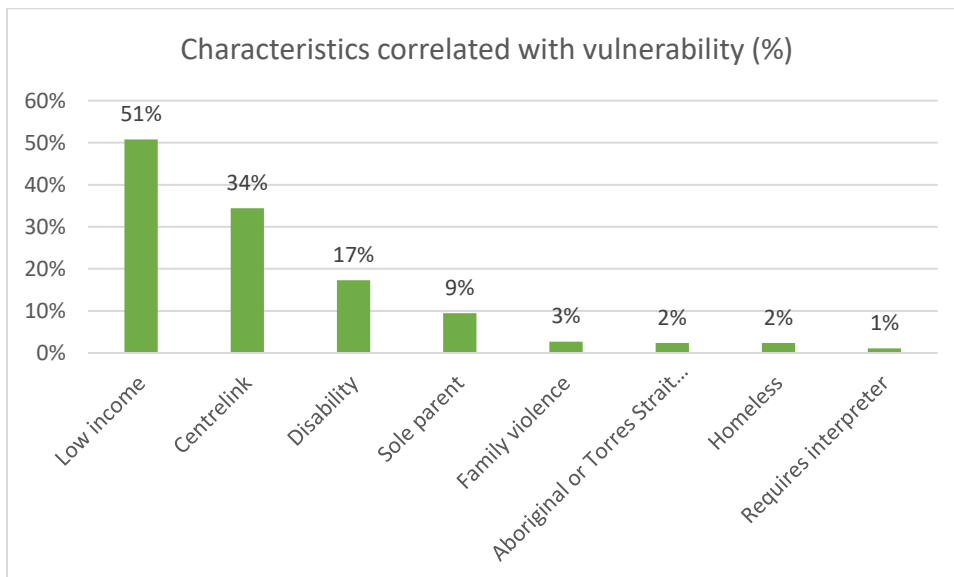
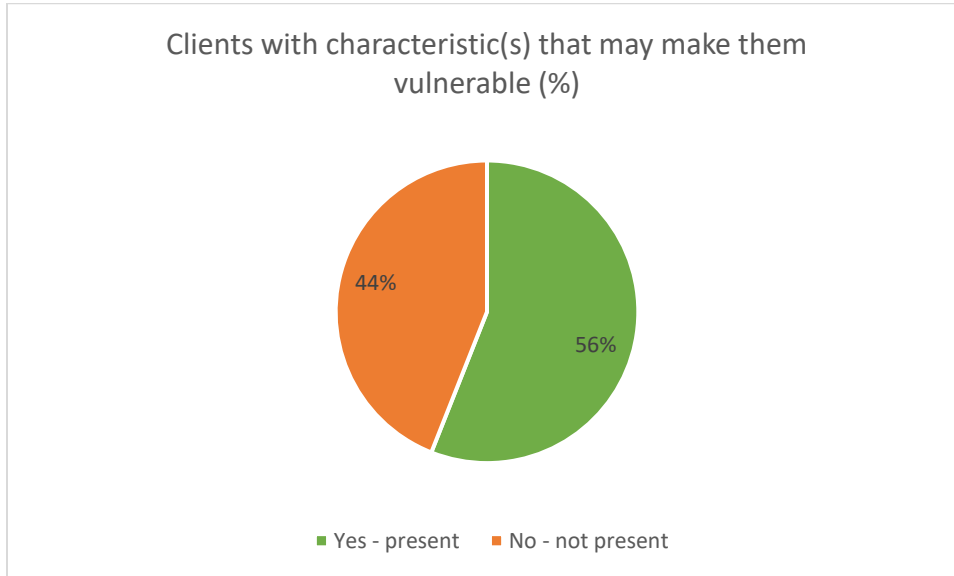
Post-call SMS survey

Profile of respondents

We received 135 responses to the survey.

While we don't have precise information about the profile of respondents (because responses were anonymous), we do know the demographic profile of the clients invited to participate.

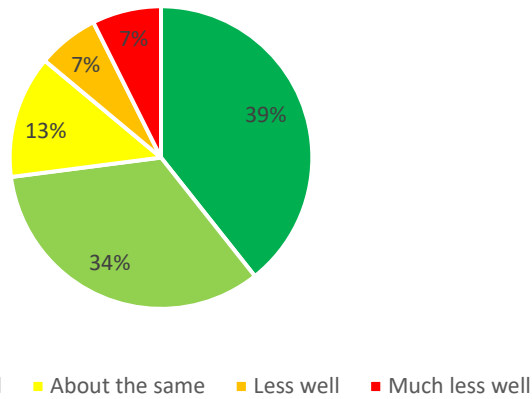
According to client data in Filemaker Pro, 56% of the invited clients had characteristics correlated with vulnerability, with low income and/or Centrelink income being the most common (51%).



Did the client better understand their rights?

A majority of clients (73%) said that, compared to before they called the consumer advice service, they understood their rights well or very well; some (14%) said they understood their rights less well or much less well; and a similar number (13%) said their understanding was about the same.

Compared to before you rang Consumer Action, how well do you understand your rights? (%)



To the open-ended question, 'Is there anything else you'd like to tell us?' one client said they felt confident about the advice they'd received:

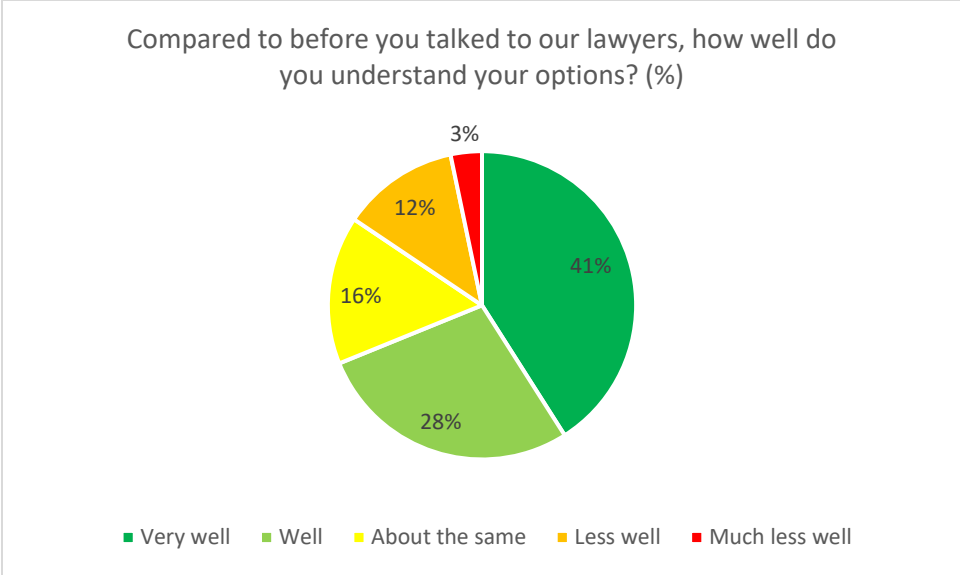
"Very helpful. Felt very confident about the advice that was given. Very thankful to be able to talk to someone who seemed interested to help."

Another volunteered that better understanding their rights had enabled them to achieve a good legal outcome:

"I was not aware of my rights to challenge a commercial agreement nor was I aware of your existence [sic]. [L]uckily I was told about your service and have achieved a good outcome."

Did the client better understand their options?

A majority of clients (69%) said that, compared to before they called the consumer advice service, they understood their options well or very well; some (16%) said they understood their options less well or much less well; and a similar number (16%) said their understanding was about the same.



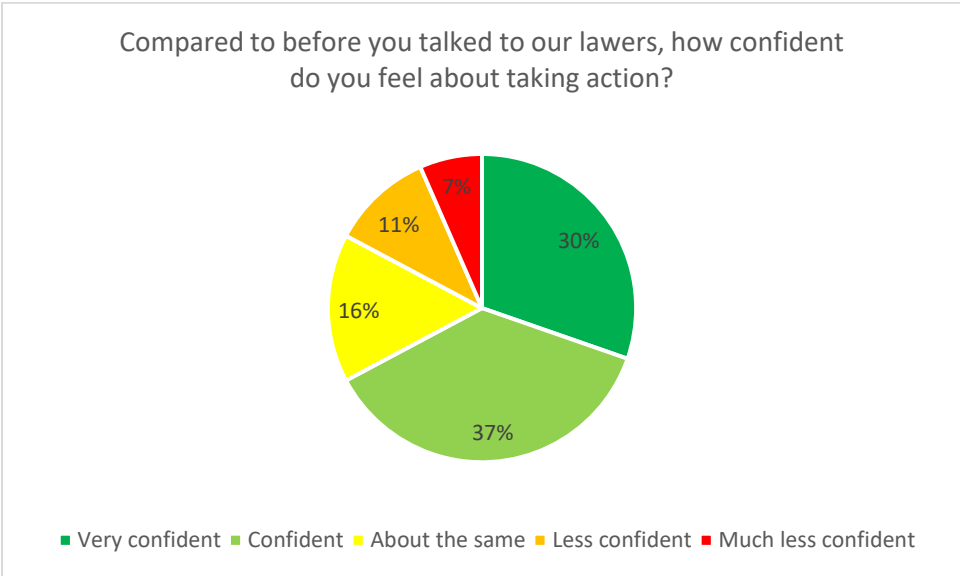
To the open-ended question, ‘Is there anything else you’d like to tell us?’ two clients said that the service helped them understand what was possible:

“Gaining some advice really helped with providing possible options...”

“Without your help up there, I didn't know what I could do or anything, its [sic.] just been exceptional help to me.”

Did the client feel more confident about taking action?

Most clients (69%) said that, compared to before they called the consumer advice service, they felt confident or very confident about taking action; some (15%) said they felt less confident or much less confident; and a similar number said their level of confidence remained about the same.



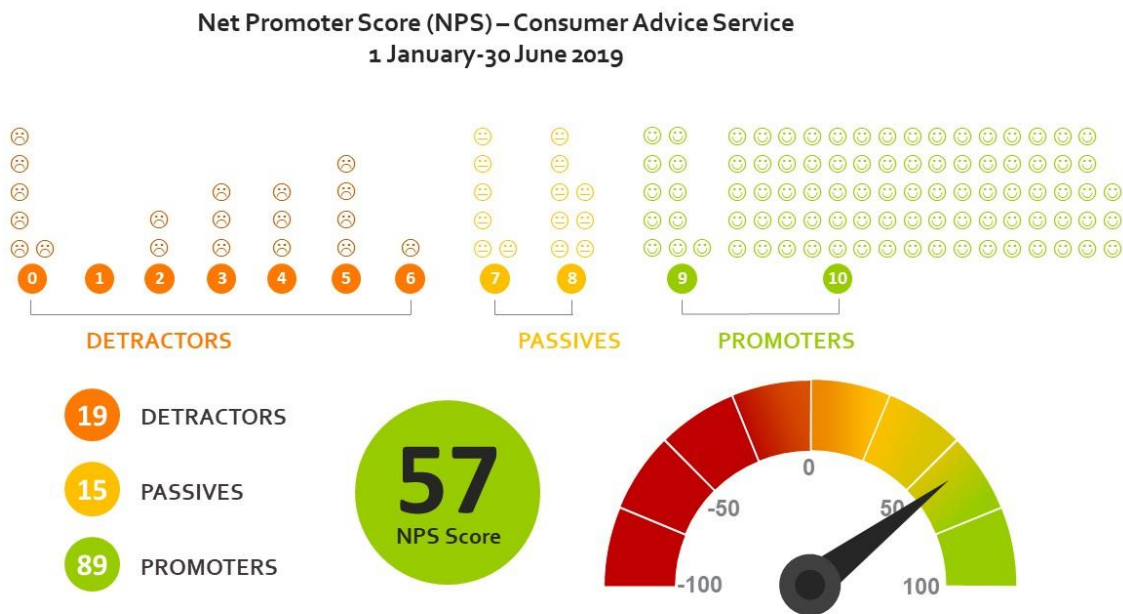
To the open-ended question, ‘Is there anything else you’d like to tell us?’ some clients reported feeling ready to take action:

"I felt powerless until I contacted you."

"Taking with the lawyer... she was understanding to my situation and provided me with all I need to move forward. Thank you so much."

Would the client recommend the service? (Net Promoter Score)

To the question, how likely, on a scale of 0 to 10, are you to recommend the consumer advice service to a friend or colleague, a majority (72%) said 9 or 10. These clients are classified as 'promoters' under the Net Promoter Score system. The number of 'detractors' – clients who gave ratings of between 0 and 6 – was relatively small (19%). A smaller number still (15%) of 'passives' gave a rating of seven or eight. These results combined to give the service a score of 57 (out of a possible range of -100 to 100).



What else did clients tell us?

In response to the open-ended question, 'Is there anything else you want to tell us?' several clients described the quality of their interaction with the lawyer. Most were positive:

"Great service, you guys were informative, empathetic and helpful throughout the entire process. 10/10 for [lawyers]."

"I believe that [lawyer] was highly competent, assertive and knowledgeable with impeccable professionalism, and a great asset to CALC."

"This is a great service for consumers & very grateful we have access to this type of service so thank you."

"I found [lawyer] exceptionally well, very easy to talk to and explained things very thorough to me. She had to deal with [an older person] who's uneducated and can't use a computer which

made her job a lot more difficult. Without your help up there, I didn't know what I could do or anything, its just been exceptional help to me."

"Staff were very friendly and very helpful."

"[Lawyer] was very helpful, polite and explanatory... i felt comfortable talking to her..."

"I found the staff member receptive, attentive, focused and very helpful."

Some said they think the service is valuable. Others described feeling grateful:

"This is an extremely valuable service in a world where law is a maze and your rights depend your wealth."

"Yes, I think you are providing really good services to people who would not normally be in a position to have access to legal information."

"Really happy there is such an option to get clarification on legal matters."

"I am so grateful for this fantastic service."

"This is a great service for consumers & very grateful we have access to this type of service so thank you."

The most common complaint related to accessing the service. For example:

"I had to take a day off work to make contact with you guys only to be told that 2 people man the phones for all of Victoria."

"Very good service although a long time waiting on phone."

"Great service - just wish it was bigger."

"I really think such an important public service deserves more than two representatives answering calls!"

And one client was disappointed that more intensive assistance wasn't available to them:

"Did not get the help I expected. I need an advocate to help me deal with this matter."

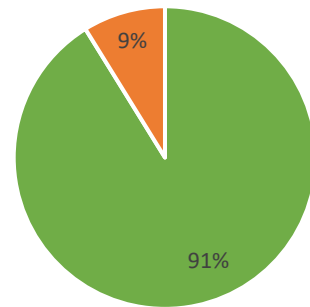
Three clients complained about the quality of the service, including the accuracy of the advice provided. We referred these cases to the manager of the service for review.

Client interviews

Profile of respondents

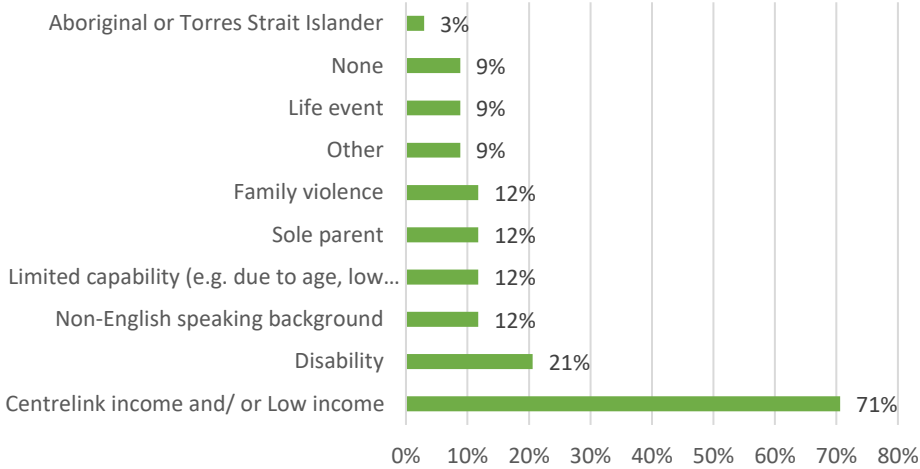
All but three participants (91%) had characteristics correlated with vulnerability, with low income and/or Centrelink income being the most common (71%).

% of respondents with characteristics correlated with vulnerability

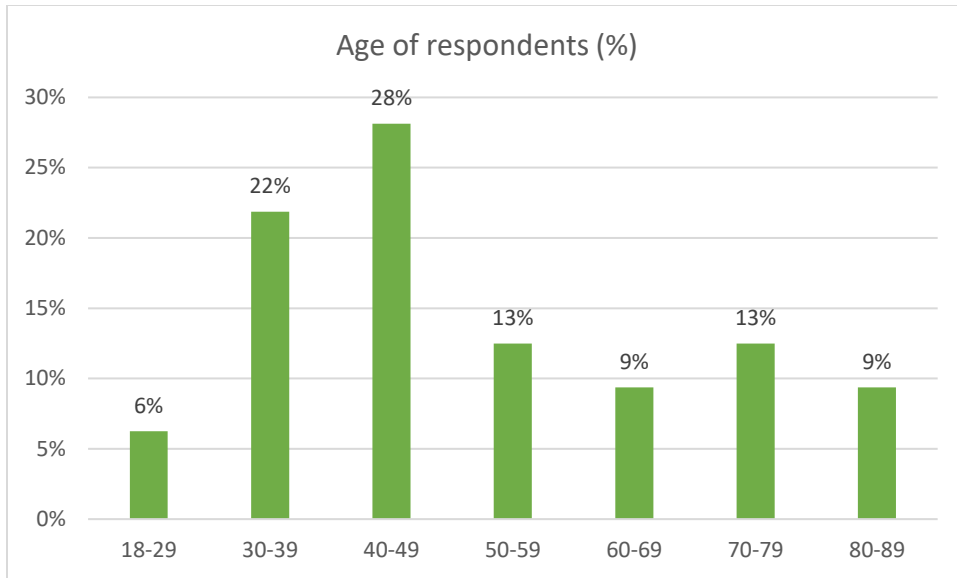


■ Yes - present ■ No - not present

% respondents with characteristics correlated with vulnerability by type



The mean age of clients interview was 51. The median was 48 years.

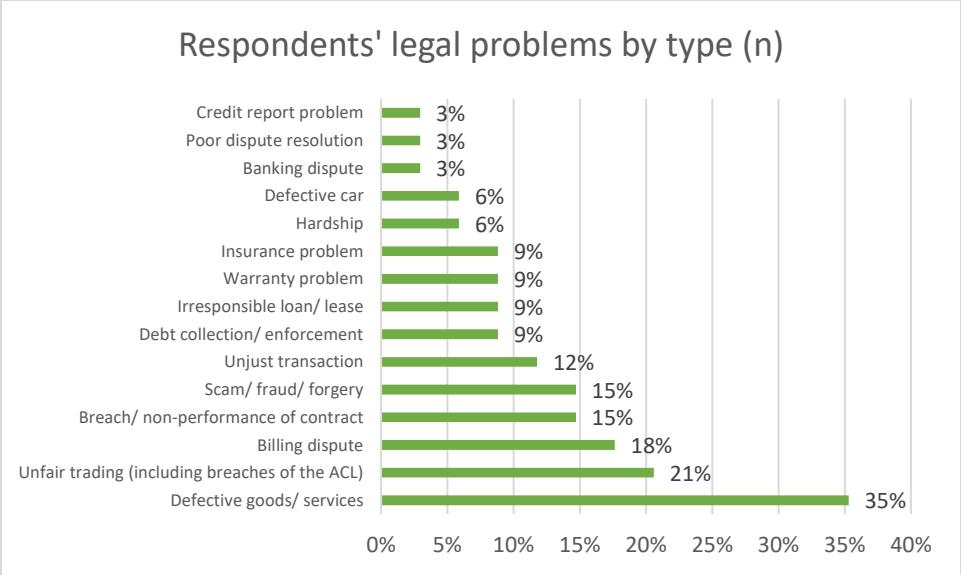


Compared to the general population of clients who accessed the service in the 2018-19 reporting year, the clients we interviewed were, on average, marginally older (51 years compared with 48 years) and 23% more likely to have characteristics correlated with vulnerability (91% compared with 74%).

What legal problems had the clients sought help with?

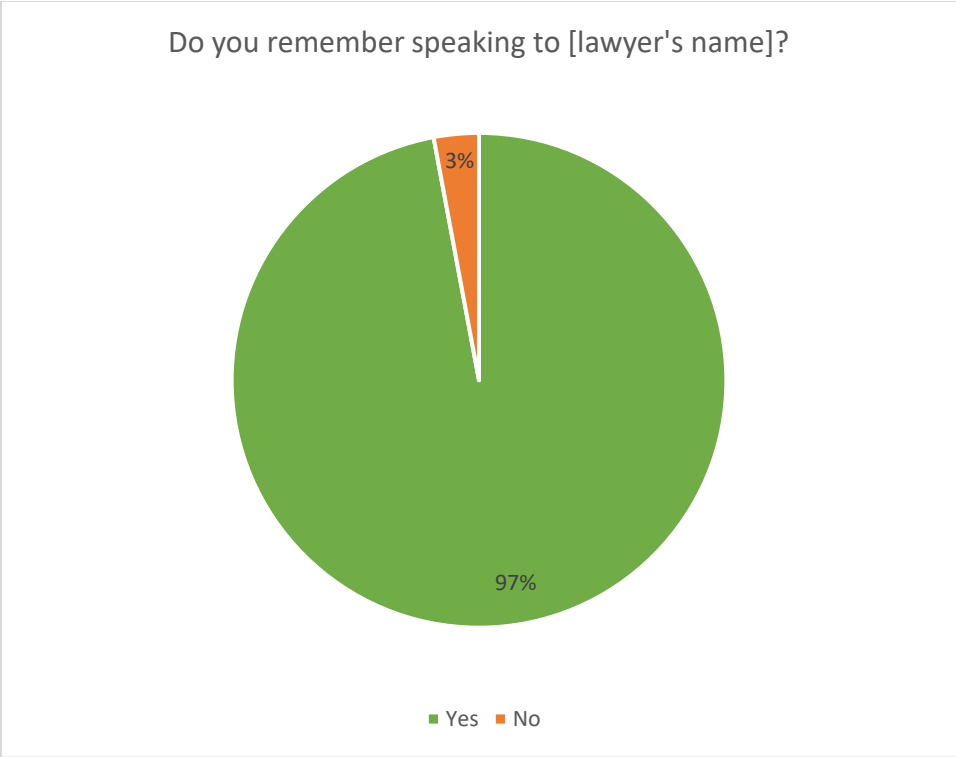
Consumer-trader disputes under the Australian Consumer Law, including relating to defective goods and services (35%) and unfair trading (21%), and contract or billing disputes (33%) were the most common legal problems.

Legal problems that may be more likely to cause detriment, such as scam/ fraud/ forgery (15%), unjust transaction (12%), irresponsible lending (9%) and debt collection/ enforcement (9%) were somewhat less common.



Did the client remember speaking to our lawyer?

All but one respondent (97%) said they remembered calling the service. Mostly, clients remembered spontaneously. At other times, the interviewer prompted them by recalling the lawyer’s name, the legal problem they sought help with, and the month in which they’d called.



Respondents reported memories that ranged from vague to clear, and from general to specific.

Some clients who only vaguely recalled the service described having made several phone calls before reaching the service:

"I went through a lot of people.... People were putting me onto this thing and another thing..

"You should be onto this person; you should be onto that person..." It'd drive you mad! But I think I do remember [lawyer]."

Clients whose memories were vague reported their impression of the service. For example:

"I remember... I don't remember absolutely everything... But I do remember that she was very thorough and helpful. She gave me more time than she had originally booked for me. She was absolutely lovely."

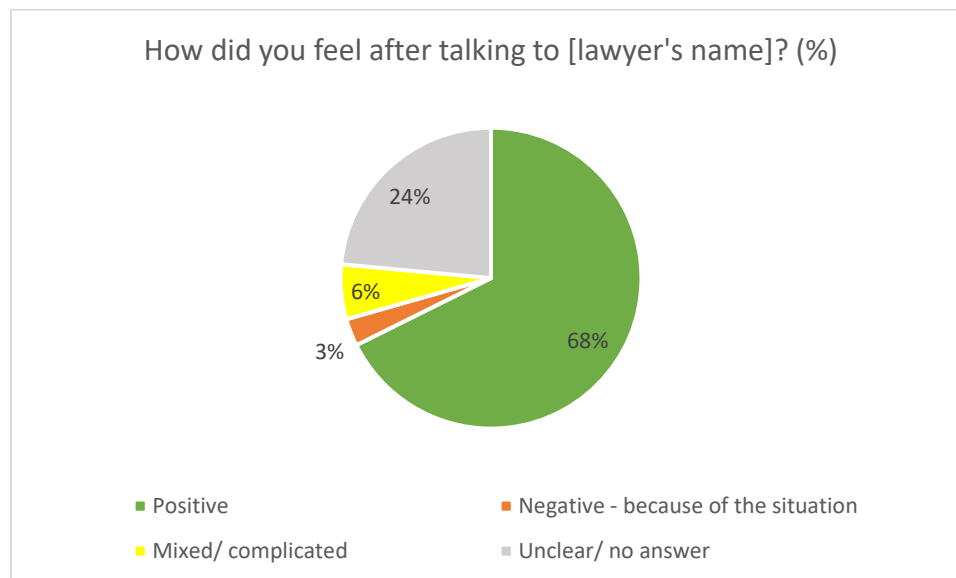
"She was extremely helpful... The most helpful person I've ever spoken to."

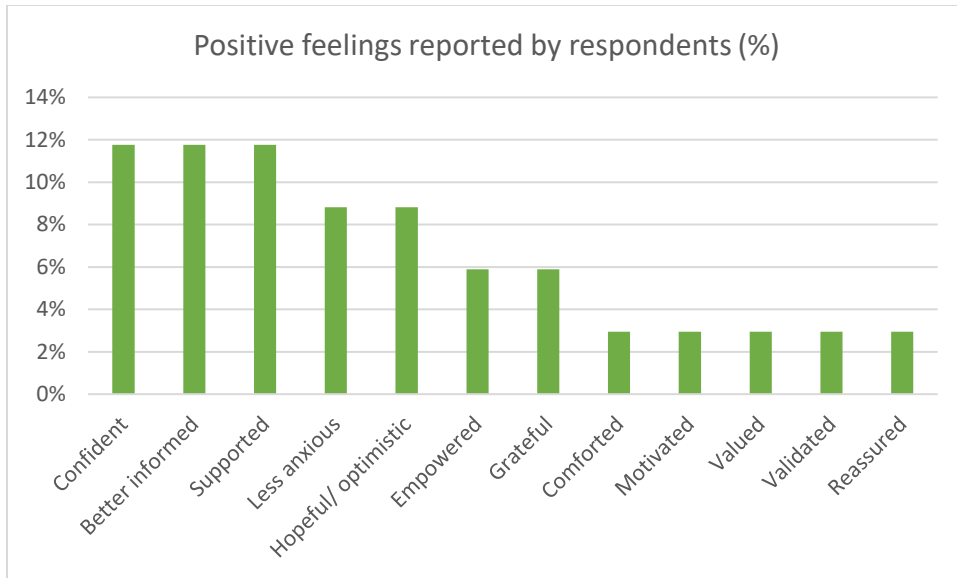
Other clients spontaneously recalled the advice they'd received. For example:

"Yes, I remember speaking with a lawyer. I remember he told me to deny liability because I wasn't at fault."

How did the client feel after talking to the lawyer?

While almost a quarter of respondents (24%) couldn't remember how they felt, most respondents (68%) reported having positive feelings after talking to our lawyers, including feeling confident, better informed and supported. Two respondents (6%) reported mixed/ complicated feelings, and a further respondent (3%) reported negative feelings, owing to his disappointment that the service couldn't provide more intensive assistance.





Many clients were explicit in linking their improved emotional state or outlook with the advice they'd received. For example:

"I felt empowered... We tried to resolve this by ourselves... But we found out we do have rights... The product was faulty... We've got a case! If I didn't have someone on the phone reinforcing.... I would have left it. But I had someone who was knowledgeable and able to guide me."

"I felt somewhat comforted, I felt nervous in the months before because of the situation. I think the advice I got was very clear, and I knew what my options were."

"Yeah, I felt grateful that the service existed, and I guess empowered to put up a fuss."

"Ummm... I was a bit more at ease, yeah. I felt like I had a bit more to stand on, better footing on the ground."

"I felt somewhat optimistic that I might be able to get some compensation out of this, especially when [the lawyer] talked about the guarantee fund, so I thought, okay, that might [work]."

"Just supported... [They lawyer] was great at reassuring me that I wasn't being crazy or demanding; that my gut feel was right, and that's just so important... The thing for me, it gave me the confidence to keep pushing forward with the matter."

"Umm... valued as a person. A lot more hopeful."

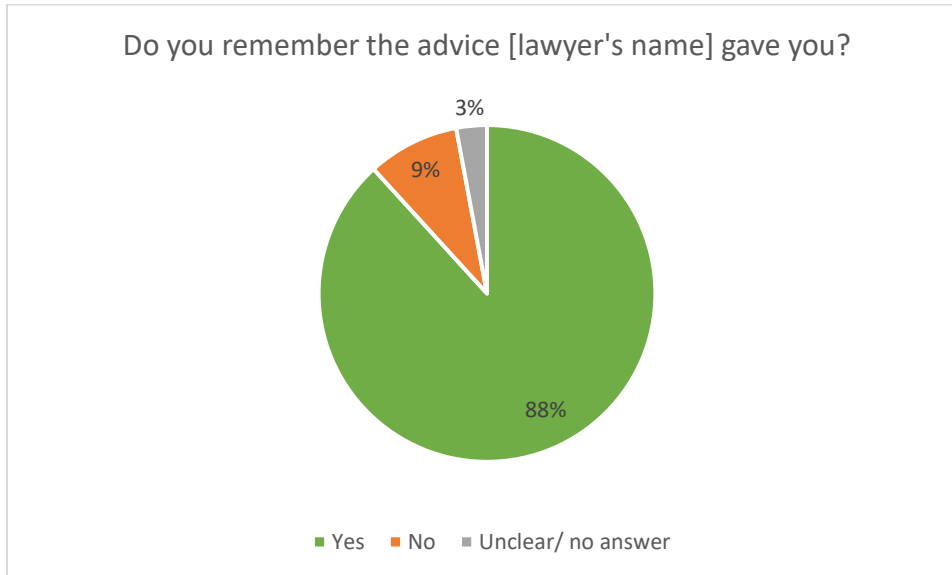
Mixed feelings arose when clients were disappointed by their legal options, or prospects:

"Yeah [I do remember], the first time... I do, because I was disappointed that there wasn't a lot I could do. But it was good to have that made clear to me as opposed to being confused."

"Annoyed I had to pay it... [But I figured that was] better than getting... a debt collector hassling you."

Did they remember the advice?

A slightly smaller majority of respondents (88%) said they remembered the advice they were given. Again, clients often remembered spontaneously. But if they didn't, the interviewer a prompt such as, "Do you remember [lawyer] talking to you about the Ombudsman?"



The interviewers accepted that clients who said they remember the advice did in fact remember. They didn't attempt to test the extent of clients' recollection or whether it was accurate.

Some clients reported remembering the advice in only vague or general terms: For example:

"Bits and pieces, yeah."

"I remember calling... The lady, she gave me some general advice about my case and my what my options were."

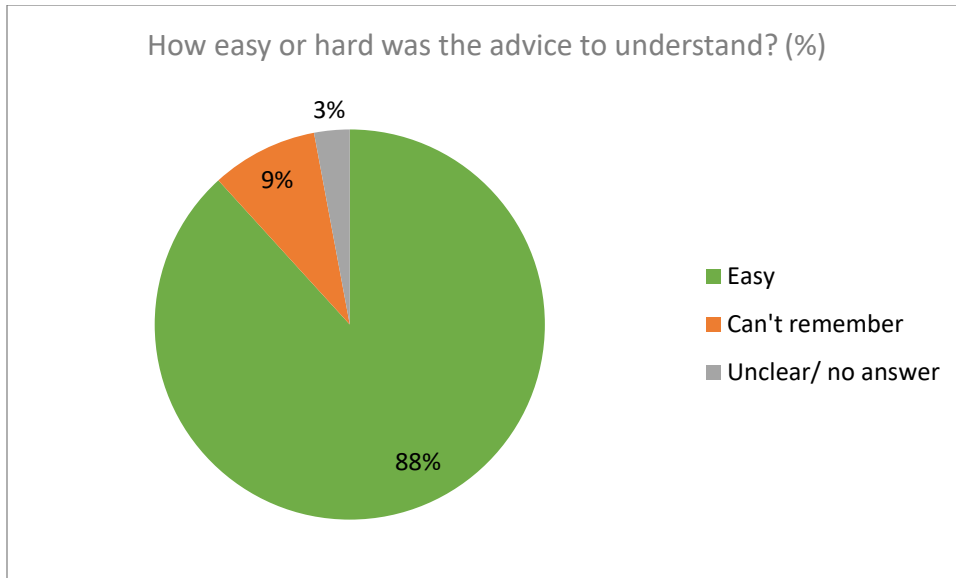
Others recalled the advice in detail:

"Yes, so she told us, under consumer law, there was a certain section where we were entitled to get the door fixed or replaced."

"As the machine was sold by Harvey Norman, it was Harvey Norman who was responsible for handling the case, and that they should be responsible for handling it... [The lawyer] gave me great instructions that I followed and transposed into a letter [to Harvey Norman]... was valuable to me."

How easy or hard was the advice to understand?

All of the respondents who remembered the advice (88%) said it was easy to understand. None said it was hard to understand.



In their answers, respondents described the ways in which lawyers had helped them understand the advice. This included giving the client an opportunity to ask questions, using plain English, ‘chunking’ the information and describing practical ‘next steps’ and being confident:

“I do remember being pleased with the service and the time that could be given to clarify things. Because I think it was hard to understand a bit but I could ask questions and have it explained.”

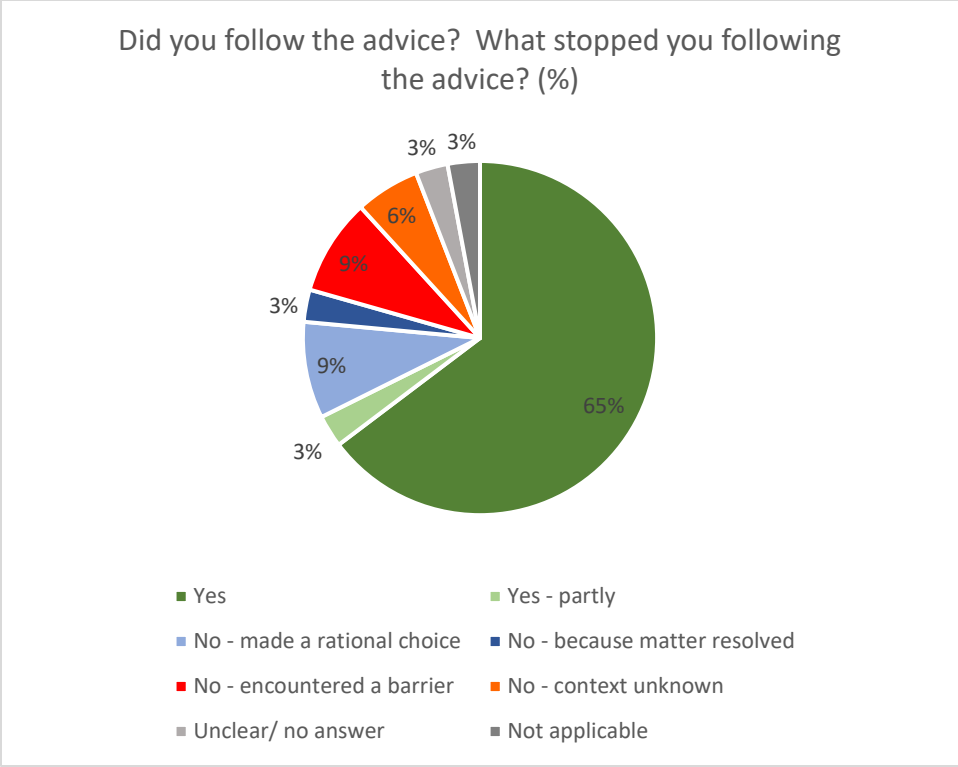
“The advice was very easy to understand. She made it very plain and simple, when language can complicate things. Without her advice, I wouldn't have had the confidence. She was great in that respect.”

“Very easy. She actually broke it all down for me to three or four points and said, “When you get off the phone, the first thing you should do is this.” I wrote it all down... It was very, very easy.”

“Oh no it was fantastic, it really was. He gave me great advice. I was so nervous, because when I first spoke to him and I told him when I signed... how they thought I could live off \$200 a week... He was saying, not to pay one more cent. I was so nervous, because the CIO lady kept saying, keep paying, you'll get a reimbursement. His advice was fantastic. He was very confident from the beginning. That was great.”

Did they follow the advice?

A smaller majority again said they'd followed the advice, either fully (65%) or partly (3%) or didn't follow it because their matter resolved (3%) or they made a rational decision not to act (9%). Three respondents (9%) said they had been unable to follow the advice because of a barrier, such as ill health or another intervening event.



Two of the three clients who encountered a barrier and didn't act on the advice had struggled with obtaining a business extract from ASIC, without which they could not take their matter to VCAT:

"I didn't do any good with it... Then we got the drought, so I couldn't really go ahead with [following the advice]. Umm... I was getting on a computer... Who owned the company, it was getting pretty involved. I didn't really know what I was doing, I suppose. It was just real hard."

"She said that I was to get... pay money to someone to see whether [the trader is] in business now, but then I got sick and now I've forgotten... I don't know what to do to get the information. Because there are so many other troubles in your life."

Some of the clients who followed the advice described feeling more capable of addressing their legal problem:

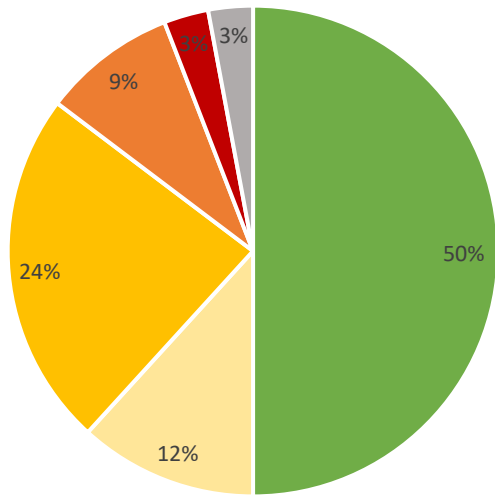
"I pretty much did what he said, did it that way. It made my letter stronger."

"She gave me great instructions that I followed and transposed into a letter... I wrote a letter to Harvey Norman with the relevant details... I said exactly as I was told to... I pointed out it was their responsibility... Easy, once I knew what to say, and [your lawyer] made sure I understood."

What happened next?

Half of respondents (50%) said their problem had resolved completely, while a further four (12%) reported having partly resolved their problem. Almost a quarter (24%) of respondents said their problem was unresolved but they were continuing to progress it, while three (9%) reported hitting a roadblock that stopped them achieving a resolution.

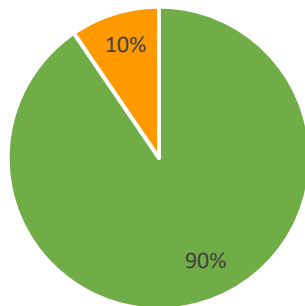
Was client's matter resolved? (%)



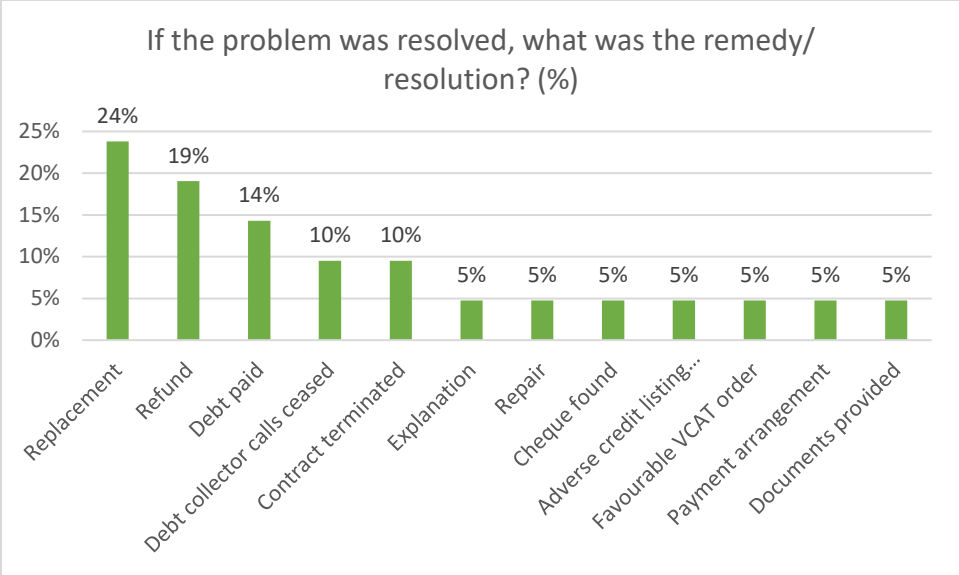
- Yes
- Yes - partly
- No - ongoing
- No - client hit a roadblock
- No - client not pursuing matter
- Unclear/ unknown

Of the 21 respondents who had resolved or part-resolved their problem, all but two (90%) reported achieving a positive outcome, such as getting goods replaced (24%) or repaired (5%), or a refund (19%); paying a debt (5%) or entering a payment arrangement (5%); or stopping debt collector calls (19%).

If the client's matter resolved, what was the legal outcome? (%)

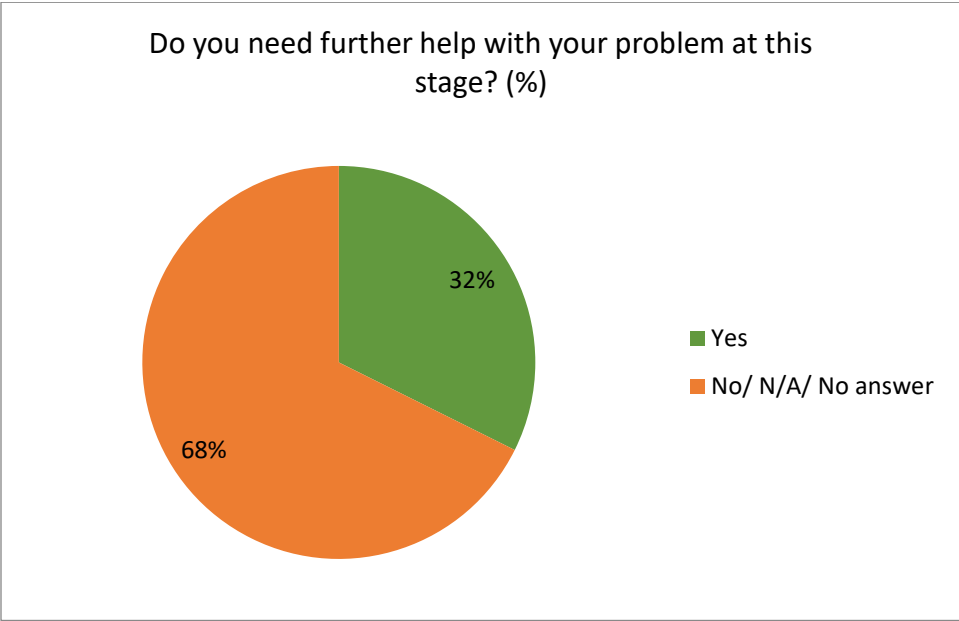


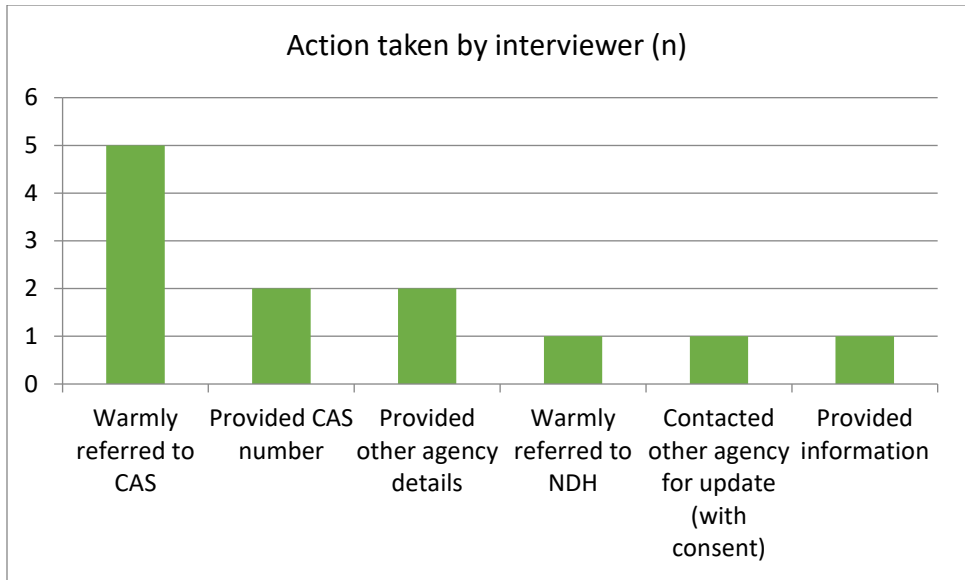
- Positive
- Negative



Did the clients need further help?

About one third (n=11) of respondents said they needed further assistance in relation to the problem the service assisted with or a related issue, or a new problem. The interviewers warm-referred five of these clients to the legal practice or our financial counselling team, as appropriate. They contacted another agency or provided information or phone numbers to the others.





This question enabled respondents to reconnect with the service or obtain a referral for other assistance. Some clients simply wanted the advice they'd received repeated or clarified; others required help in relation to very difficult personal or financial circumstances:

"I actually rang the debt line this morning and was speaking to them... Can you help me? I'm asking because I'm desperate..."

"I can't remember how to get information about the business and how to contact them. She told me something about paying \$9..."

"For someone to tell me about that 15 years [limitation period]...?"

"I'm the bunny [in the middle]... I'm not getting anywhere. I'm in a situation where I've got to put petrol in the car.... And I can't afford to eat, and that's when I got sick. I'm here at the supermarket, and I've only got \$15 to spend..."

Despite wanting further assistance, none of these clients had attempted to contact the service.

MAKING SENSE OF THE DATA

We took a collaborative approach to making sense of the post-call survey and interview data. The lawyers who deliver the service and their managers were invited to a workshop where we presented the results of the evaluation, coded and synthesised for easy consumption, as well as the direct quotes included in this report.

Five lawyers and two managers (also lawyers) participated in the workshop.

We hoped that the lawyers would help contextualise the feedback and draw conclusions about it, as well as generate ideas for improving the service.

To help focus their attention, we asked the lawyers, as we moved through the results, to consider:

- What is the **main message** I am hearing from these results? What is one thing these results have taught me, got me thinking about?
- What is **one change** I/ the legal practice/ Consumer Action could make to improve these results?

The lawyers and their managers ultimately contributed significantly to the conclusions and recommendations in this report. A summary of their discussion at the workshop is described below.

Looking at the post-call SMS survey results, the lawyers concluded that the service was helping a very many people better understand their rights and options as consumers/ debtors, and feel more confident about taking action to resolve their legal problems.

Together, we queried what it might mean if a client feels no more confident or doesn't understand their rights or options any better after talking to our lawyers. Might a client who had been misinformed about but confident they know their rights and options, or who had underestimated the complexity of their situation, come away from the service feeling less confident and informed? The lawyers agreed that we should try to learn more about these clients' experiences.

They agreed with the observation that clients responding to the post-call SMS survey emphasised the quality of their interaction with the lawyer, and the value of the service to the community. They noted that the most common complaint from clients related to call wait times, and that clients thought that more lawyers should be available to answer calls.

The lawyers acknowledged that most clients experienced positive – and some clients experienced mixed – feelings after interacting with the service. And they observed that clients were explicit in linking their improved emotional state or outlook with the advice they had received. The lawyers concluded that they were helping clients feel more capable and confident about taking action by informing them about their rights and options and giving advice about 'next steps'.

They considered the significance of some clients experiencing mixed or complex feelings after calling the service. We looked at the feedback in context and found that the clients who reported those feelings had been advised they had limited options. The lawyers agreed that those circumstances, rather than the effectiveness or otherwise of the service, was the cause of their mixed feelings. However, they also agreed that listening for and responding sensitively to distress in clients and making appropriate referrals to support services was an important part of their role, even if challenging to prioritise at times in the context of a busy service where demand is high. They said that they sometimes require additional time to ensure that a client's non-legal needs are met.

The lawyers said they would like to feel more confident delivering 'bad news' in a way that is both direct and sensitive, and suggested that they undergo training in managing 'difficult conversations' (or similar). They cited examples of having to advise clients that their case lacked legal merit, that they should consider selling a valued asset, like a home, or that they would not get free legal assistance from Consumer Action or any other service.

The lawyers were surprised that 91% of clients we interviewed had characteristics correlated with vulnerability. The lawyers wanted to know whether the profile of these clients was typical of clients

overall, or whether clients in vulnerable circumstances were overrepresented in the evaluation sample. Subsequent analysis revealed that the latter was true: only 74% of clients who received legal advice in 2018-19 had characteristics correlated with vulnerability. It may be that clients not in paid employment were more likely to answer their phone during business hours and agree to be interviewed. Despite the bias this creates, we were not concerned that more than a representative number of these clients had participated in the evaluation, given that the service is primarily interested in the experience of vulnerable clients.

The lawyers were also surprised that the rate of recall among the clients interviewed was so high. However, we explained that the interviewers used a variety of prompts to help clients remember the service, including the name of the lawyer they spoke to and the problem they had sought help with.

Moving through the interview results, the lawyers were pleased to learn that all clients who remembered talking to them also understood their advice. They agreed that allowing time for questions, using plain English, 'chunking' information and describing practical 'next steps' were all strategies they use to promote understanding in their clients, and liked hearing that clients found them helpful.

The lawyers said they use other strategies with clients, too. For example, some lawyers send text messages or emails that confirm their advice, or with links to information and resources. Lawyers said they tend not to refer clients to the Consumer Action website because it is difficult to navigate. They suggested that Consumer Action involve clients in 'user testing' of any changes to the website.

The lawyers observed that most clients had acted on their advice, or had made an informed, rational decision not to act, including because their legal problem had resolved. They were gratified by these results, but agreed there would be value in examining the experience of clients who were unable to take action due to some barrier, such as ill health or another intervening event.

They observed that the requirement to obtain a business extract from ASIC had been a barrier for two clients in vulnerable circumstances. They agreed that the ASIC website was difficult to navigate and unlikely to be improved any time soon. Through discussion, it emerged that the lawyers' practice in relation to business extracts varied widely. Some lawyers said they routinely obtained business extracts on behalf of clients, taking advantage of an arrangement we have with ASIC. Other lawyers, unsure that the arrangement was available to them, said they instead explained to clients how to obtain their own. The lawyers agreed that the former practice was better for vulnerable clients.

Looking to 'what happened next' for clients, the lawyers noted that all of the clients who acted on their advice had progressed or resolved their legal problem, and that most resolutions were positive for the client. They were surprised by the data that indicated more clients received a 'replacement' and 'refund' by way of remedy (as opposed to 'repair') and said this was good for clients. They noted, importantly, that legal problems remained unresolved for clients who didn't follow their advice.

The lawyers concluded that most, but not all, clients they assess as capable of self-help can take action to resolve their legal problem. What they often won't do, however, is contact the service again for further assistance.

The lawyers discussed possible strategies for encouraging clients to reconnect with the service if they need to. Despite the rate of recall (with prompting) of the service, lawyers suggested that clients might not spontaneously remember the service or how to contact it, or might not know they can call again. They cited anecdotal evidence that clients confuse Consumer Action Law Centre with Consumer Affairs Victoria and other agencies.

They suggested that the service send to advise clients an SMS immediately after they interact with the service ("*Today you called Consumer Action Law Centre...*") and again one month on ("*If you need us, we're still here...*"). They agreed that the messages should be sent only to clients in vulnerable circumstances. They said they would require support to send the messages, either in the form of a tech solution or operations support. They discounted the option of clients requesting a call back on grounds that this would result in 'phone tag'.

CONCLUSIONS

The CAS is reaching clients in vulnerable circumstances.

Generally, the CAS service helps clients better understand their rights and options as consumers, and to feel more confident about taking action to resolve their legal problems.

Clients are very satisfied with and have a high degree of trust in the service. Moreover, clients believe the service is valuable to the community.

More information is needed to understand the experience of those few clients who understand their rights and options less well, and/ or feel less confident after contacting the service, or who indicate they are dissatisfied with the service.

By informing clients about their rights and options and giving them advice about 'next steps', the service can help clients feel confident, better informed, supported, less anxious and empowered.

The service's limited resources mean that some clients wait a long time to speak to a lawyer. It is likely that many people needing assistance don't get through to a lawyer at all. Disappointment about the availability and extent of legal assistance on offer is the main source of dissatisfaction with the service.

It can be difficult for lawyers to provide 'bad news', including in relation to whether a client will achieve a desired outcome or is eligible for free legal assistance, in a way that is both direct and sensitive. Receiving 'bad news' from the CAS can cause clients to feel mixed or complex feelings.

How a client feels when they call the service is memorable for the client and may affect client outcomes. Listening for and responding sensitively to emotion in clients, tailoring services to meet the clients where they're at, and making referrals to appropriate support services are all fundamental aspects of being an effective community lawyer. Sometimes lawyers require additional time to ensure client's non-legal needs are met.

Interaction with the service is memorable for most clients. And most clients understand the advice they receive. The strategies and techniques lawyers use to help clients understand the advice they provide – including using plain English, 'chunking' information and describing practical 'next steps' – are effective.

Clients who follow the advice from our lawyers are likely to progress or resolve their legal problems. Clients who don't follow legal advice are unlikely to.

While some clients make a rational, informed choice not to take action to resolve their legal problem, others encounter barriers that prevent them from doing so. Unfortunately, these clients tend not to call the service again for further help.

The requirement to obtain a business extract before commencing legal proceedings in VCAT is a barrier for some clients.

RECOMMENDATIONS

1. Follow up vulnerable clients by SMS

The service should establish a system for sending follow-up messages to clients in vulnerable circumstances:

- immediately after they receive advice ("*Today you called Consumer Action Law Centre...*"); and
- one month on ("*If you need us, we're still here...*").

This would require an automated tech solution or reliable operations support, as lawyers lack the time to send messages manually.

The purpose of the messages would be to enable clients to reconnect with the service and obtain further advice when they need it.

This in turn could see more clients resolving their legal problems, and earlier.

2. Supply business extracts to vulnerable clients

Lawyers should obtain a business extract for any client that they assess:

- requires a business extract to resolve their legal problem; and
- would have difficulty obtaining a business extract themselves.

The service manager should provide written guidance to the lawyers to this effect.

The purpose of the change would be to ensure that the requirement to obtain a business abstract is not a barrier to a client resolving their legal problem, including in VCAT.

3. Reflective listening

Lawyers should periodically listen to and reflect on call recordings from a sample of their telephone sessions with clients.

Lawyers should also listen to and reflect on the recording of any call with a client in vulnerable circumstances that results in critical feedback about the service.

In addition to the existing list of questions in the reflection guide, lawyers could also consider:

- Are you confident that this client could take steps to resolve their legal problem *without additional support*? Was it appropriate to not refer this client for more intensive assistance?

- What barriers do you think could prevent the client from resolving their legal problem? Did you talk about those potential barriers (e.g. an uncooperative trader, losing confidence, not having access to a computer) with the client? What strategies for overcoming those barriers did you discuss with the client?
- Describe the client’s emotional state – at the beginning, during and by the end of the call. Did you listen for how they were feeling? How did you respond? Did you consider rescheduling the call to a time when the client was less distracted or distressed?
- What strategies did you use to help the client understand your advice? Did you use plain English? Did you break it down into digestible ‘chunks’? Did you provide practical ‘next steps’?
- Do you think the client understood your advice? How did you check?
- Did you encourage the client to call again if they need further help?
- Did you send the client information or resources by email/ SMS?

4. Difficult conversations training

The service should consider making ‘difficult conversations’ training available for lawyers. The purpose of the training would be to better enable lawyers to deliver ‘bad news’ to clients in a way that is both direct and sensitive.

5. Impact monitoring

The following changes should be made to the SMS post-call survey:

Existing questions	Recommended questions
Compared to before you talked to our lawyers, how well do you understand your rights?	Before you talked to our lawyers, how well did you understand your rights? How well do you understand your rights now?
Compared to before you talked to our lawyers, how well do you understand your options?	Before you talked to our lawyers, how well did you understand your options? How well do you understand your options now?
Compared to before you talked to our lawyers, how confident do you feel about taking action?	Before you talked to our lawyers, how confident did you feel about taking action? How confident do you feel about taking action now?
Is there anything else you’d like to tell us?	What is the main reason for your score? What changes could we make to earn a higher score?

This will enable the service to better understand the experience of clients who say they don’t better understand their rights and options or feel confident after calling the service, or who indicate they are dissatisfied with the service, and to make informed service improvements.

6. Better data capture

The service should work with operations and other staff to ensure that lawyers collect and record client demographic information in a consistent way.

7. Better systems for data collection, synthesis, analysis and reporting

The organisation should explore creating systems that reduce the time involved in collecting, synthesising, analysing and reporting service and monitoring and evaluation data, including from surveys and interviews.

8. Close the feedback loop

The service should, in a timely way, with the support of operations and communications staff:

- contact clients whose survey responses indicate they need further assistance;
- where appropriate, share client feedback with individual lawyers, and offer support, including professional development and training, as required;
- communicate to participants the key insights we gain through impact monitoring and evaluation activities, as well as steps we are taking to improve service quality.

9. Continue monitoring

The service should continue to send the SMS post-call survey (in its updated form) to all clients who:

- receive legal advice from the service;
- receive only discrete assistance (i.e. are not represented by Consumer Action);
- provide the service with their mobile number;
- consent to receive communications from the service by SMS.

10. Repeat this evaluation

Starting in March/ April 2020, evaluation interviews should be carried out with eligible clients who receive a telephone financial counselling session between 1 October and 31 December 2019.

The evaluator should code the data using an approach that is consistent with the one used in this evaluation. This should enable us to compare findings and track progress.

A date should be set for the evaluation findings workshop in May 2020 *at least three months in advance*.

APPENDIX A – SMS POST-CALL SURVEY QUESTIONS

APPENDIX B – EVALUATION INTERVIEW QUESTIONS