

Case study of the *BELOW THE BELT*

PHONE APP

Learning from projects that don't meet expectations

May 2016

OVERVIEW

In early 2013 the Community Legal Education Program (CLE) at Victoria Legal Aid (VLA) planned a project to develop an interactive mobile phone application, offering targeted, relevant and free legal information to young people on legal issues that affected them.



It came at a time when mobile technology and mobile audiences were rapidly expanding and there was much anticipation about the potential of these platforms. Traditional pre-digital services could now be delivered right into people's pockets, onto their smart-phones. A seemingly natural fit was legal information via apps. A seemingly obvious target market was young people, the usual early adopters of technology.

The app project complemented and extend existing CLE projects for young people and was one component in a suite of tools that VLA provides to educate young people about sexting, cyberbullying and age of consent. The app was seen as a new way to convey much needed information in a popular format that the audience uses and understands.

The project was supported by research, anecdotal evidence and technology reports about smart-phone usage. Most of the 60 submissions to the Victorian Law Reform Committee inquiry into sexting identified the need for more targeted, effective educational strategies about sexting, and the related issues of cyberbullying and consent. This came at time when the legal assistance sector was encouraging innovation and the CLE program was reducing the number of print-based educational products and looking to diversify formats by increasing the number of digital products available.

Below the belt was launched in November 2013 but within six months the install rates were low and the uninstall rates were high. After evaluating the take-up of

the app, CLE decided to formally discontinue the app in November 2015. While this outcome was disappointing, and many stakeholders were surprised, the process of producing the app was instructive for the CLE program.

The urge to create apps, and use new technologies in education, remains strong. While this is valid, this case study documents key learnings from the *Below the belt* project which will assist agencies considering developing technological solutions to legal problems.

CONTEXT

Victoria Legal Aid is a government-funded agency set up to ensure that people who cannot afford to pay for a private lawyer can get help with their legal problems. Like legal aid commissions in other states and territories, Victoria Legal Aid provides a range of services such as free information and advice, education, family dispute resolution, lawyers on duty in most courts and tribunals, and legal representation for people who meet our eligibility criteria. Victoria Legal Aid helps with criminal matters, family breakdown, child protection, family violence, child support, immigration, social security, mental health, discrimination, guardianship and administration, tenancy and debt.



Since the late 1980s, as part of its education services, Victoria Legal Aid has provided millions of free educational fact sheets, brochures and booklets. As well as having a statutory obligation to provide education, Victoria Legal Aid recognises the value in delivering preventative legal services, such as community education and information.

ABOUT THE APP

Below the belt was built as a native app for smart-phones that use the Android operating system.



Version 1.0.2 was launched in November 2013. It was developed for young people aged 12–18 and was Victoria Legal Aid's first mobile app. Once installed, the user had access to a variety of tools. The legal content included state-specific legal information delivered through 'topic screens' about consent and age of consent, sexting, and cyberbullying. The game-like interactive functions provided an alternative

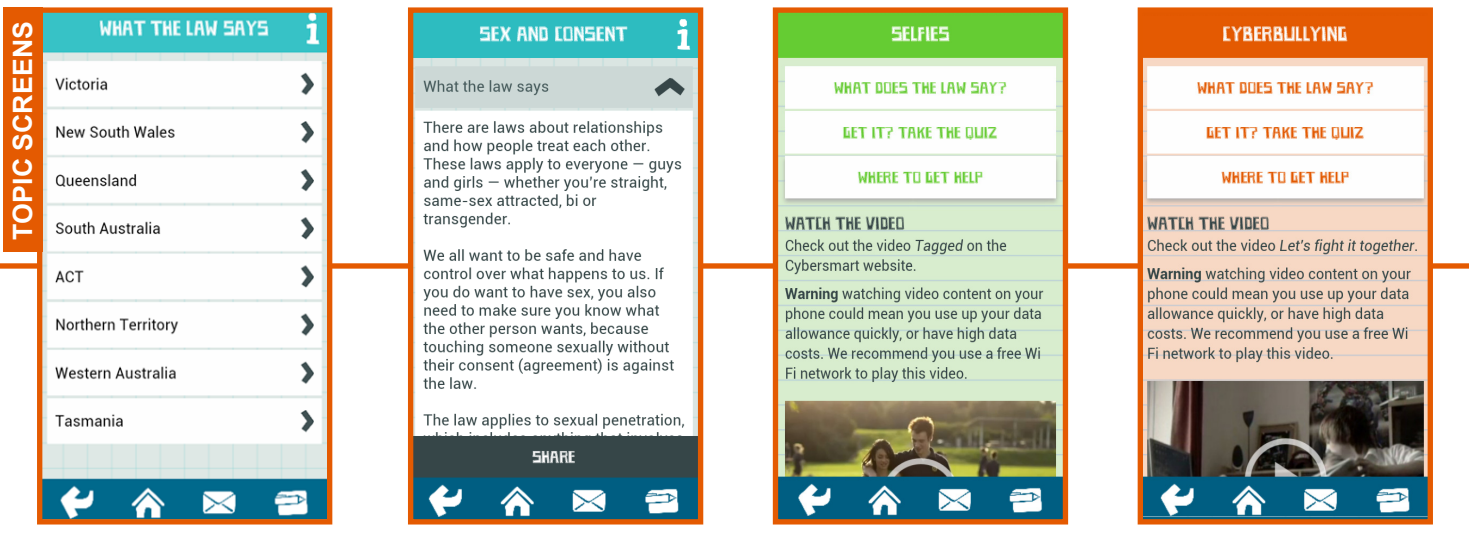
way of framing legal information, such as the 'Am I legal?' age of consent calculator¹, or functions that could test knowledge, such as the quizzes. The messaging function in the app, available to people who set up accounts, allowed social interaction with other registered users and included e-postcards that users could send each other. The diary provided a space for the user to record instances of cyberbullying.

CONTENTS OF BELOW THE BELT

The following screen shots show the contents of the *Below the belt* app.



¹ The calculator allowed for a user to put in their date of birth and a partner's date of birth. The calculator then indicated if a sexual relationship between the user and their partner would be within the bounds of age of consent laws. The calculator asked for the user to put in their state or territory, as the age of consent laws vary across Australia. This tool used plain and humorous language.



ABOUT THE PROJECT

The project was scoped in 2011–12 and was planned and implemented in 2012–13. The app was available from November 2013 until September 2014.

CLE led on the *Below the belt* project in collaboration with five other legal aid commissions: ACT Legal Aid, Legal Aid Commission of South Australia, Legal Aid Commission Tasmania, Northern Territory Legal Aid Commission and Western Australia Legal Aid Commission. Two community legal centres, the Youth Advisory Centre in Queensland and Marrickville Community Legal Centre in NSW, also collaborated on the project. CLE contracted an external design agency, fatfish, to develop and design the app.

The project team included a CLE Content team member as the project manager and content writer, and the external developer, fatfish, who coded and designed the app. The project governance included close oversight from the CLE Manager and the Associate Director signing off on key milestones. Two advisory groups provided feedback on technology and on content.

The project cost \$40,000 in app development and \$4000 in promotion. These costs were shared between Victoria Legal Aid and the five other commissions.

Evaluation of *Below the belt* began in 2014 and concluded at the end of 2015. There were seven recommendations, included that CLE discontinue *Below the belt* and remove it from CLE's suite of education and information products.

Below the belt held immense potential as a wide-reaching, cost-efficient educational tool; however, within six months of its release there had been low demand for the app. In August 2014, CLE conducted evaluative focus testing of the app with young people. In doing so, CLE discovered that *Below the belt* had become unusable on latest model Android phones due to app fragmentation.

Fragmentation can mean that an app created for one version of Android's operating system may not work well on a different version. This issue is compounded due to the proliferation of Android devices on the market and inconsistencies in how device manufacturers pass on Android upgrades. In 2014 Android released newer versions of their operating system. With the app now unusable on many new phones and given the low uptake, in September 2014 CLE suspended any further access to the app while CLE internally evaluated the project.

By this time, with the app live for almost a year, 1095 people had installed the app. Of the 1095 installs, 40 users created accounts. CLE had a target of 5000 installs and 2500 accounts nationally within a year. While these targets were arbitrary, the install rate was 80 percent under target and user accounts were 98 percent under target. Of the 1095 users who had installed the app, 849 users uninstalled. This left 246 active installs and is an uninstall rate of 77 percent. The app was relatively cost-inefficient, with a cost per install of \$42, which is significantly higher than other educational tools such as publications or web-pages.

WHAT WENT WRONG

The project concept was not adequately tested

Victoria Legal Aid has established, in recent years, formal project management methodology. This requires more rigour in articulating a business case for any new project. The CLE team applied the organisation's emerging project management principles to interrogate the case for a smart-phone app for young people. The relevant templates and approval processes were used, and during the project's lifecycle CLE focus-tested content, consulted and formed advisory committees. While a formalised, cross-organisational steering committee could have provided another layer of governance, overall the project methodology was appropriate and proportionate.

However, some steps were missing in the very early conceptual stages. These missing steps appear obvious now but are indicative of the fact that Victoria Legal Aid was still evolving its project design process and that the CLE team had experience with print publications and not with products for smart-phones. In this context, key assumptions were not adequately challenged or tested. Inherent was the assumption that young people would be motivated to independently download an app to address pre-emptively legal issues to do with sex, sexting and bullying. Research, including some research released after the app was launched, indicates that many young people lack legal capacity to independently problem-solve their legal issues and that young people would prefer to turn to a friend or trusted adult or simply Google for information. Young people primarily engage with apps as an entertainment tool – apps consequently have a strong existing association with entertainment and not with education or problem-solving real-life issues.

The *Below the belt* app had social media like features intended to motivate users to get their friends to download the app, but this feature was in competition with popular social media brands like Whatsapp, Instagram and Facebook.

We did not consider the marketing model

Any consumer product or service needs a well-researched and appropriately-resourced marketing strategy otherwise the product or service risks low market penetration. A good marketing strategy can even compensate for a product with a weak value proposition. The term 'marketing' includes all the strategies needed to get a product to its market – product, promotion, packaging, distribution. Marketing requires clearly defined research of the marketplace, and planning *while* the product is in development, not

when it is released. At this stage, it's almost too late. Marketing is also often interchanged with advertising or promotion, but this is only one aspect. To focus on the question of 'How will we promote our new product' limits the marketing strategy.

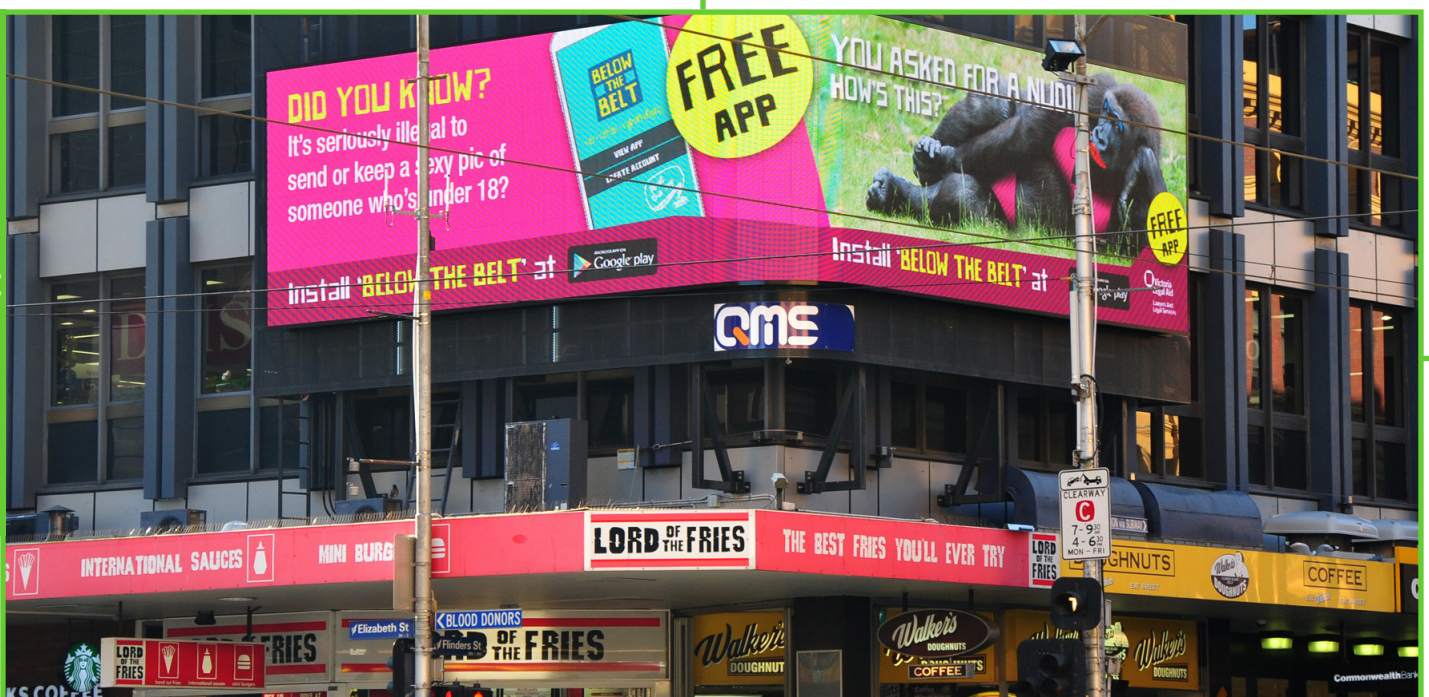
Government organisations like Victoria Legal Aid do not traditionally see themselves as marketers and while government agencies have communications professionals who can promote good news, there is limited or no marketing expertise.

The marketing model used by the CLE program 'pushes' education out to end users through free publications or education sessions. Crucially, an intermediary is involved in this model. However, for *Below the belt*, the CLE team did not have experience getting education directly to clients nor did it dedicate sufficient staffing resources to consider what marketing model was needed. The marketing approach to *Below the belt* instead focussed on the product and its contents. There could have been deeper attention paid to distribution and, for example, the pitfalls of providing an app on one platform only.

The decision to build for the Android operating system was due to budgetary limitations and supported by research indicating that Android's market-share was increasing. However, not providing for both Android and iPhones, significantly limited the market reach. It is now increasingly uncommon for an app to be built on one platform if its intended market is large.

At minimum, if focussing only on the promotional aspect of the marketing strategy, an ongoing promotional budget was needed to raise the profile of the app at its launch and to maintain awareness of the app. CLE spent \$4000 on promotion, including in-kind advertising such as high-profile CBD billboards. This represented about 10% of the development budget. The advertising investment and the intensity of ad placement was too low.

Billboard ad for app in Melbourne CBD



The app became unusable

App fragmentation contributed to low uptake. It's unclear to what extent, as it is unclear when the app fragmentation began – CLE discovered app fragmentation in August 2014 but it's possible app fragmentation could have occurred earlier. It can be assumed that app users who couldn't use the app because of fragmentation would have uninstalled it. These users who would be dis-incentivised from championing *Below the belt* to friends.

App fragmentation is common on Android apps given the breadth of devices. CLE received advice from fatfish about this but considered it to be low risk, assuming young people would use older and cheaper Android devices operating older operating systems.

THINGS WE'D DO DIFFERENTLY NEXT TIME

Determine the value proposition for the client

Any new product or service needs a strong value proposition for its client. What is in it for them?

To better arrive at strong value propositions CLE would follow a line of enquiry that looks like this:

- identify the issue the client is facing
- confirm if education is a solution
- scope options, including viability of options
- test options and assumptions
- decide on an option or decide not to proceed with any options.

This approach might be described as learning-centred or client-centred, and adopts principles from instructional design. However, there will be other disciplines and models that could be drawn from. Essentially, a process of enquiry is needed that doesn't begin with a product in mind.

Consider marketing strategies

There two billion apps available and counting. Even if only a small fraction of these gain traction at any one time and in any one market niche, the app marketplace is competitive. In a crowded marketplace, a marketing strategy needs to be carefully researched, tested and refined. It requires time, planning and resources. If the right strategy is not in place to get it to market, then the product stays on the shelf. In creating products that differ from 'tried and true' CLE materials, CLE will spend more time considering marketing strategies, buying in expertise if required.

Technical experience

CLE did not have enough technical experience with this particular technology. While CLE sought advice from its internal Online Communications and ICT area, the project could have benefitted from contracting the services a dedicated technology adviser with experience in making successful consumer apps.

CONCLUSION

In making and launching VLA's first app, there was excitement but also challenges. Producing an app was innovative work for Victoria Legal Aid. It was work that spoke to the tech-heavy moment VLA and its clients were experiencing, and continue to live in.



The process of evaluating the app indicated that there were a variety of interlinked factors contributed to a low uptake of *Below the belt*. It is impossible to single out one factor as being more important than another. It is clear however that, in the first instance, more thorough testing of assumptions and the involvement of people with specialised expertise may have yielded a different outcome. That said, there were high expectations around the need to produce an app and with a limited budget.

The experience of *Below the belt* has been instructive and invaluable. It has provided a vehicle for learning for the future client-centred projects Victoria Legal Aid and CLE will embark on. As a result of the experience in producing *Below the belt* CLE has significantly reconsidered how it scopes new projects and how it responds to requests for CLE activities, and has shared these learnings with other teams in Victoria Legal Aid. These far-reaching changes will improve the quality of many projects. CLE will also share learnings to the legal assistance sector and other human service delivery sectors so that our experience can be of benefit to others.

Some of the app's content and key features are being reused and integrated into other successful projects. For example, VLA is rebuilding the 'Am I legal?' calculator as a web-based app that will be accessible nationally. This work will be completed in 2016. Also, some of the content written for the app has been adapted and reused by Legal Aid Western Australia in their popular R U Legal? program for young people.



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