



Public
Understanding
of Law
Survey

Short paper

Problems at work: Young people, employment and legal need

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The office of Victoria Law Foundation is on the traditional lands of the Wurundjeri people of the Kulin Nation. We acknowledge their history, culture and Elders both past and present.



About the Public Understanding of Law Survey

The Public Understanding of Law Survey (PULS) is a state-wide survey exploring how Victorians experience, understand, and engage with the law.

Using a probability sample, 6,008 respondents from across Victoria were surveyed face-to-face about their personal experience of navigating the law.

The PULS explored questions relevant to:

- people's knowledge of the civil justice system and its Institutions
- people's experience of civil legal problems and how they respond to such problems
- how people see the law as relevant to their lives.

The data in this short paper are drawn from *The Public Understanding of Law Survey Volume 1: Everyday problems and legal need* by Balmer, N., Pleasance, P., McDonald, H.M. & Sandefur, R.L. (2023), and *The Public Understanding of Law Survey Volume 2: Understanding and Capability*, Balmer, N., Pleasance, P., McDonald, H.M. & Sandefur, R.L. (2023).

Papers drawn from the Public Understanding of Law Survey (PULS) explore a range of family and civil legal needs, problem experience and its social patterning across the community.

Reports and papers from the PULS are available at www.victorialawfoundation.org.au.

Introduction

Research shows that young people often enter employment in precarious circumstances, with limited knowledge of employment rights.¹ Young people enter work with differing levels of skills, expectations, and confidence to address problems, and may not identify issues with contracts, pay, harassment or health and safety as being legal in nature.²

Employment related problems arise against a backdrop of youth unemployment, which has consistently sat above the overall unemployment rate since the 1980s.³ In addition, the COVID-19 pandemic disproportionately affected employment in younger demographics, leading to an increase in those 'not engaged in employment, education or training', otherwise referred to as 'NEET'.⁴ The longer a young person spends 'NEET', the lower the likelihood of higher education and the more detrimental the effects are to mental and physical health, financial security and employment prospects.⁵

Young people are overrepresented when it comes to precarious employment, unstable housing, targeted policing and homelessness.⁶ Issues with employment commonly transform into disputes and can lead to additional and more serious legal problems that create and further entrench disadvantage. Such problems do not operate in a vacuum; serious legal problems interact and can lead to a 'vicious cycle of vulnerability'.⁷ Disruption to work can result in loss of income and lead to housing problems, eviction, health problems and homelessness.⁸

Justiciable problems are everyday issues which may have a legal solution. For young people, the links between justiciable problems and mental health are particularly strong, with psychological distress a common consequence of justiciable problems, including those relating to their employment.⁹ For example, Pleasence and Balmer observed exceptionally high levels of mental illness among youth advice service users, levels that exceeded those observed in rough sleepers/night shelter users, and comparable to those in the midst of highly stressful legal proceedings or people who had recently lost a partner.¹⁰

This paper uses the Public Understanding of Law Survey (PULS) to examine the experience of employment problems of those aged 18 to 24 compared to older respondents, including problem prevalence, adverse consequences, including impacts to mental health, what, if anything, was done to try to resolve employment problems, and what the outcomes were.¹¹ How employment problems interacted with other justiciable and life problems, the role of knowledge and capability in dealing with such problems, and implications of these findings, particularly for legal assistance service design and community legal education, are also examined.

1 McDonald, Price and Bailey (2013).

2 McDonald, Price and Bailey (2013); Oxenbridge and Evesson (2012).

3 In October 2023 the youth unemployment rate increased to 8.7%, compared to 3.5% unemployment recorded for all persons (National Skills Commission 2021; ABS 2023).

4 Australia Institute (2022); Australian Institute of Health and Welfare (2021b).

5 Stanwick et al. (2017), p.36; Australian Institute of Health and Welfare (2021a), p.13; Kenrick (2011).

6 Choudhury 2018; Coumarelos et al. (2012), p.17.

7 Pleasence and Balmer (2014), p.8.

8 Pleasence and Balmer (2014); Tobin-Tyler and Sandel (2011).

9 For more comprehensive discussion of justiciable problems, and the justiciable problem legal needs survey approach, see Genn (1999).

10 Pleasence and Balmer (2012). See also Meltzer 2008; Trinder et al. 2006; Oswald and Powdthavee (2008).

11 Balmer et al. (2023).

Methodology

The Public Understanding of Law Survey was a large-scale face-to-face survey designed to explore how people understand, experience and navigate justiciable problems.

The survey examined problems in ten broad problem types: consumer, housing, fines, employment, family, government payments, debt, injury, government and public services, and business or investment properties. Each of these problem types consisted of up to 18 sub-types, with employment comprising nine sub-types. The PULS was administered to a probability sample of 6,008 adult respondents across the state of Victoria, and included 639 respondents 18–24 years old.¹²

For the purposes of the analyses in this paper, those aged 18–24 years were compared to those in older age groups (aged 25+) who had not retired (i.e. those who were employed full or part-time, those employed casually, seeking employment, or not working for health or other reasons). For ease of reference, the cohort aged 18–24 is referred to as 'young people' or 'the younger cohort', and the comparison group is termed the 'older cohort' throughout the paper.

¹² For more detailed description of the methodology, see Balmer et al. (2023); Roy Morgan (2023).

Findings

Characteristics of young people in the PULS

Of the sample population, 10.6% (n=638) were young people aged 18–24 years old.¹³ Of these, 52.7% were male, 47.0% were female and 0.3% were non-binary.¹⁴ Four per cent of young people were Aboriginal or Torres Strait Islanders.¹⁵ The majority (78.9%) of young people interviewed lived in major cities, with 21.1% living in regional or rural parts of Victoria. There were higher rates of LGBTIQ+ respondents amongst the younger cohort than the older (6.8% compared to 3.1%).

Forty-three per cent of young people listed Year 12 as their highest completed form of education, with 12.5% having left prior to Year 12. Eleven per cent had completed a trade or vocational certificate, 11.3% had completed a diploma, 21.3% had completed a bachelor degree and 1.2% had completed a postgraduate award. In comparison, the majority of the older cohort (33.1%) listed a bachelor degree as their highest education, 27.7% listed a trade or vocational certificate, 9.4% listed year 12 and 12.6% had left school prior to Year 12.

The majority of young people interviewed were working part-time or were in casual employment (40.9%), with 29.8% working full-time. The younger cohort were more likely to be working casually or as part of the gig economy (16.2%, n=103 compared to 5.5%, n=215 among the older cohort).¹⁶ Among those who identified their occupation, the majority of young people worked in sales (20%), technicians and trades (18%) or as community and professional service workers (17%). More specifically, the top occupations listed were 'sales assistant', 'hospitality worker' and 'carer or aide'. This differed from the older cohort, where the majority worked as professionals (37%), managers (16%) and technicians and trades workers (11%).

¹³ One young person identified as being retired.

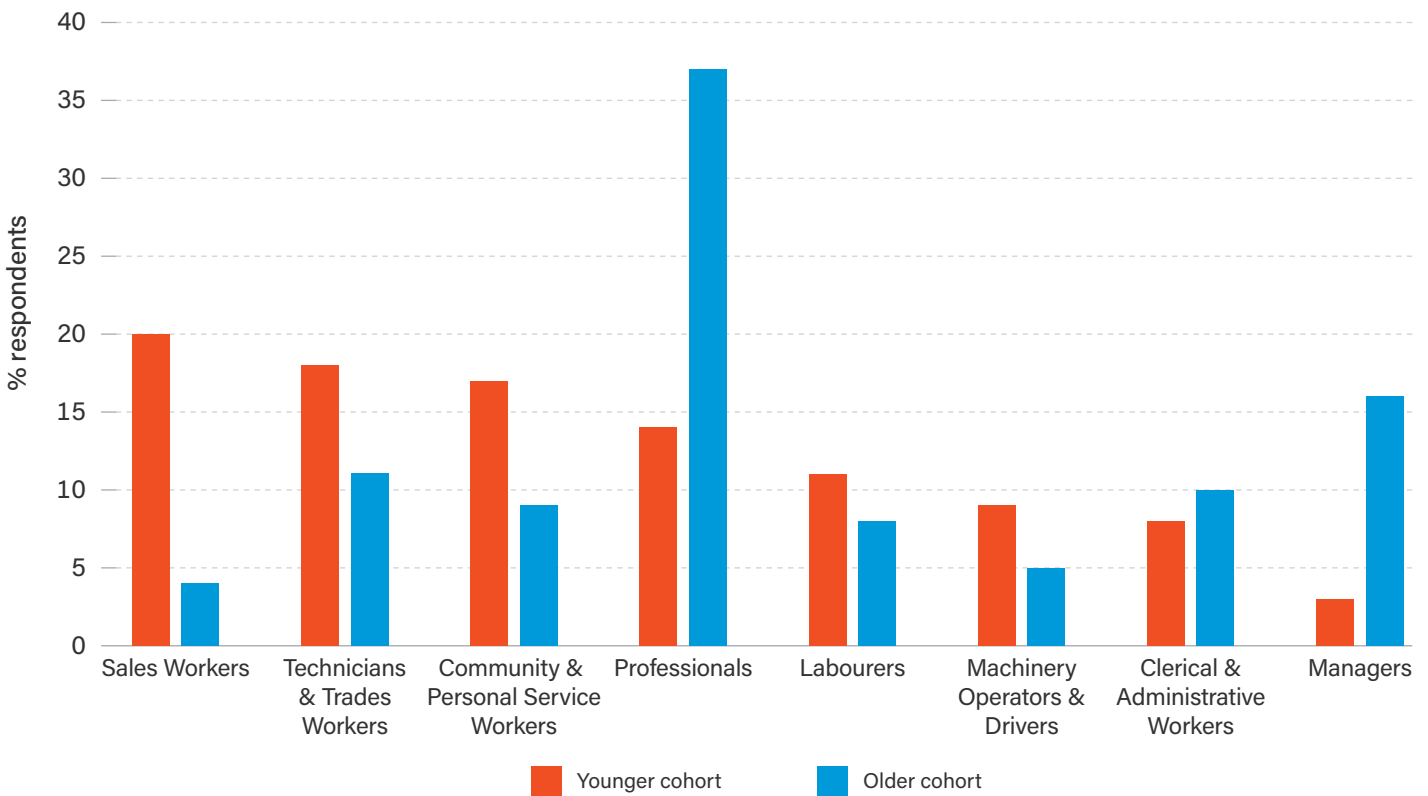
¹⁴ N=2.

¹⁵ Overrepresentation of ATSI young people is due to PULS oversampling in regional areas.

¹⁶ Murphy (2022) defines the gig economy as one where workers are contracted to complete short-term, task-based work via digital platforms which facilitate labour transactions between workers and businesses.

Findings

Figure 1. Occupation of respondents



Note: Occupation categories are based on the Australian and New Zealand Standard Classification of Occupations (ANZSCO) major occupation groups. See ABS (2022).

Twenty-nine per cent of young people in the sample were not working, consistent with higher rates of unemployment, compared to 17.4% among the older cohort. Of these, 5.5% of young people and 2.9% of the older cohort were seeking work. Twenty-two per cent of young people were not seeking work due to education, 0.6% were not working due to caring duties and 0.4% for health reasons. Fifty-eight per cent of older respondents were in full time work, and there was a comparably higher rate of older respondents who were not working for family/caring reasons (7.3%) and health reasons (4.5%).

The impact of COVID-19 on young people is well documented.¹⁷ In the PULS sample, 30.3% of young people had received government payments during COVID-19 due to the impact of the pandemic on their work, and 28.5% had fewer hours or less income during the pandemic.¹⁸ Fourteen per cent of young people lost their jobs during the pandemic, compared to 10.4% of the older cohort. At the time of the PULS interview, 22.5% of young people were receiving low-income government payments, a slightly lower rate compared to 24.6% of the older cohort.¹⁹

¹⁷ Australian Institute of Health and Welfare (2021b); Walsh et al. (2021).

¹⁸ This compared to 26.6% of the older cohort who received government payments during COVID-19, and 31.9% of the older cohort who had fewer hours or less income during COVID-19.

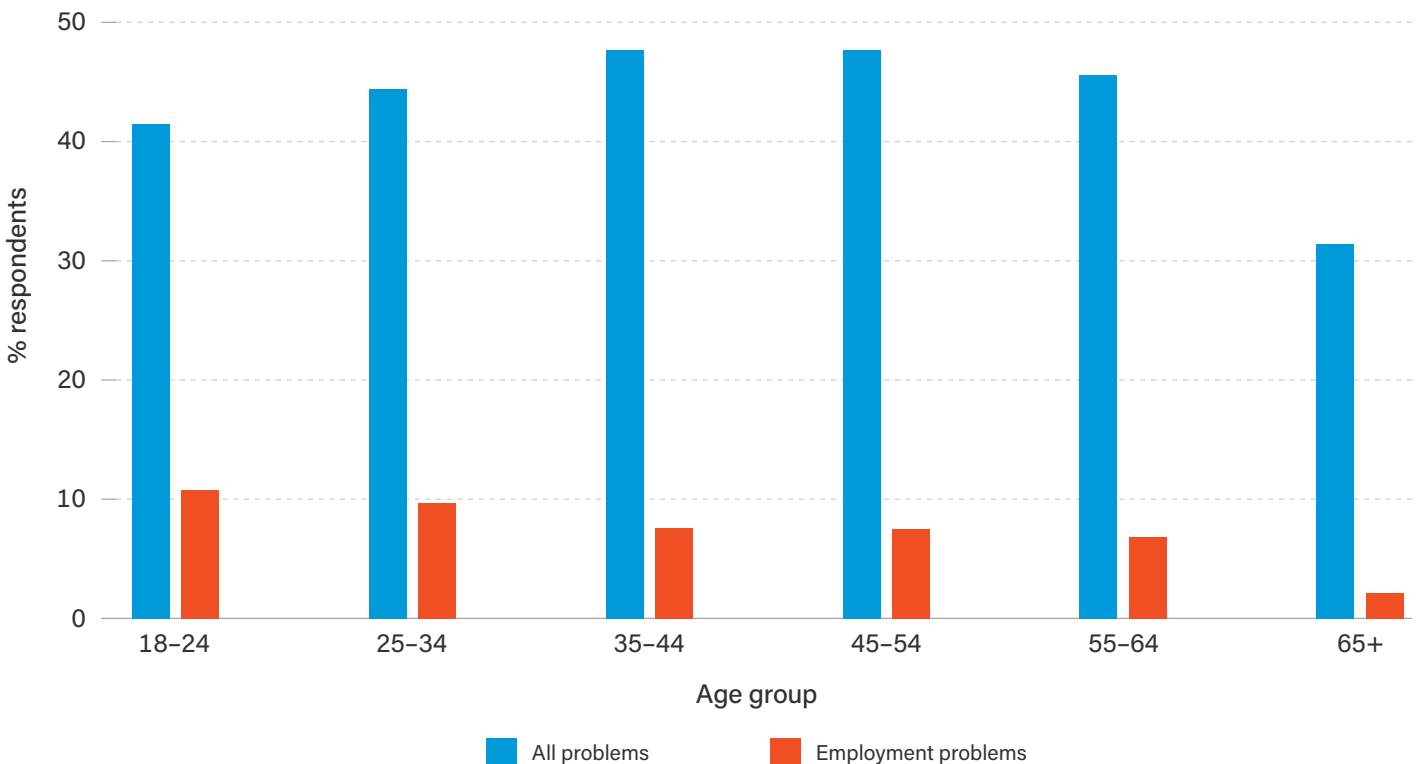
¹⁹ Low income government payments captured by PULS referred to any government payments specifically because of low or no income, including but not limited to unemployment benefits such as Newstart or Jobseeker, the age pension, disability pensions, family tax benefit, parenting payment, carer payment or youth and student allowances.

Prevalence of employment problems by age group

The PULS survey data showed that generally the percentage of people reporting legal problems increased with age, peaking with the 45–54 age group and declining for older respondents. With the exception of those aged 65 or older, those aged 18–24 were the least likely to have experienced one or more legal problems. However, the relationship between problem prevalence and age differed by problem type. Some problems such as those related to housing and fines were most common among younger and middle age groups. Prevalence with injury, government and public services, goods and services, and business, tended to increase with age.²⁰

There was a significant relationship between age group and the experience of employment problems.²¹ While young people were the least likely to experience a legal problem of any type, they were the most likely to experience an employment problem. More than ten per cent (10.8%) of young people experienced an employment problem in the two years prior to the survey, compared to only 7.9% of the older cohort. Figure 2 shows the percentage of respondents reporting any legal problem, together with the percentage reporting an employment problem, by age group.

Figure 2. Experience of one or more legal problem (of any type) and one or more employment problem by age group



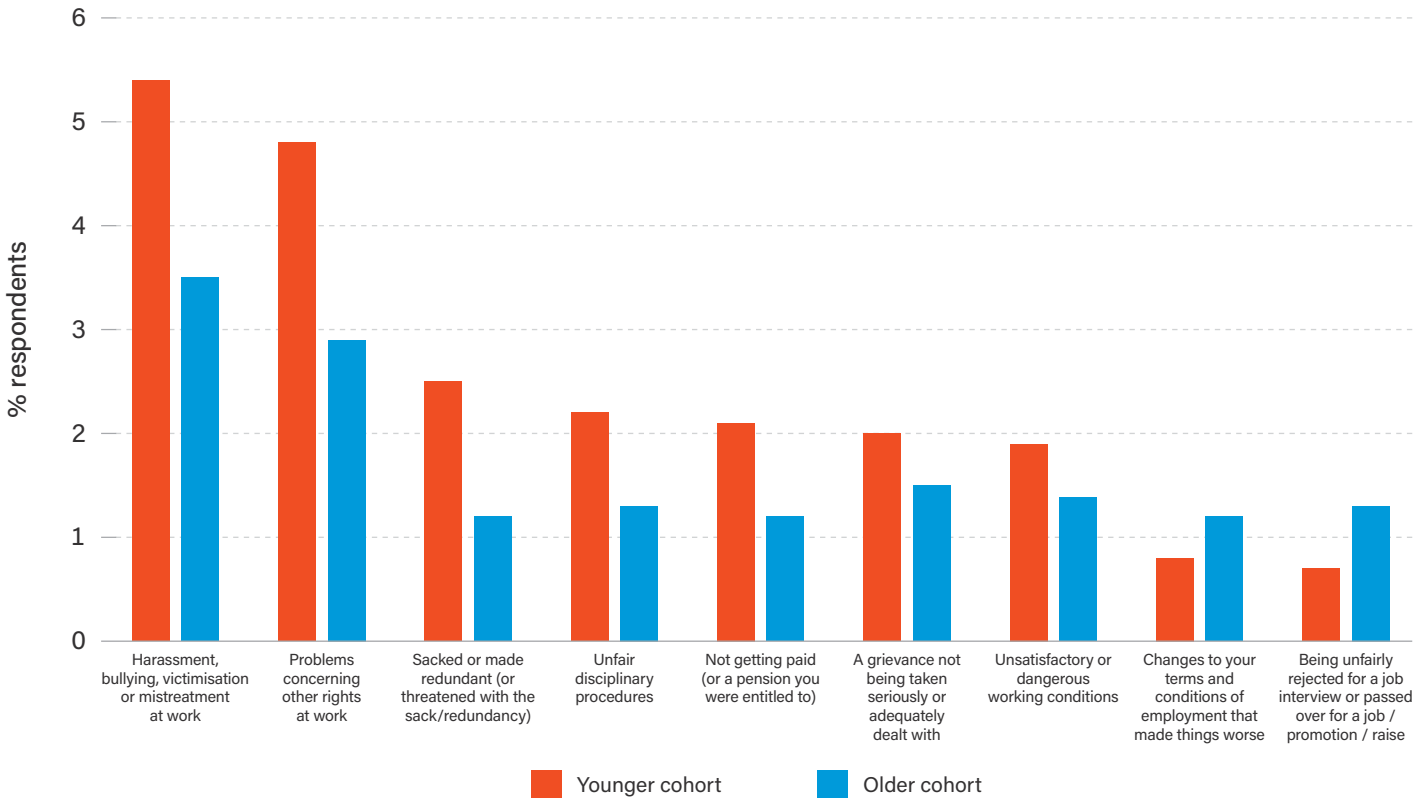
²⁰ This reinforces findings that typically legal problem experience change with people's circumstances as they progress through different life stages. See Coumarelos, Wei and Zhou (2006); Dignan (2006); Pleasence (2006).

²¹ Fitting a binary logistic regression model controlling for a broad range of respondents social and demographic characteristics, the relationship between age and problem experience remained statistically significant. Testing the age group terms together: $\chi^2_6 = 14.12$, $p=0.0283$.

Findings

Young people experienced comparatively elevated rates for most employment problem subtypes, particularly harassment and bullying. Other common problems included those relating to other rights at work (such as pay, hours, leave, contract, etc.) or being sacked or made redundant, as set out in Figure 3.

Figure 3. Employment problem subtypes reported by 18–24 year olds and the older cohort

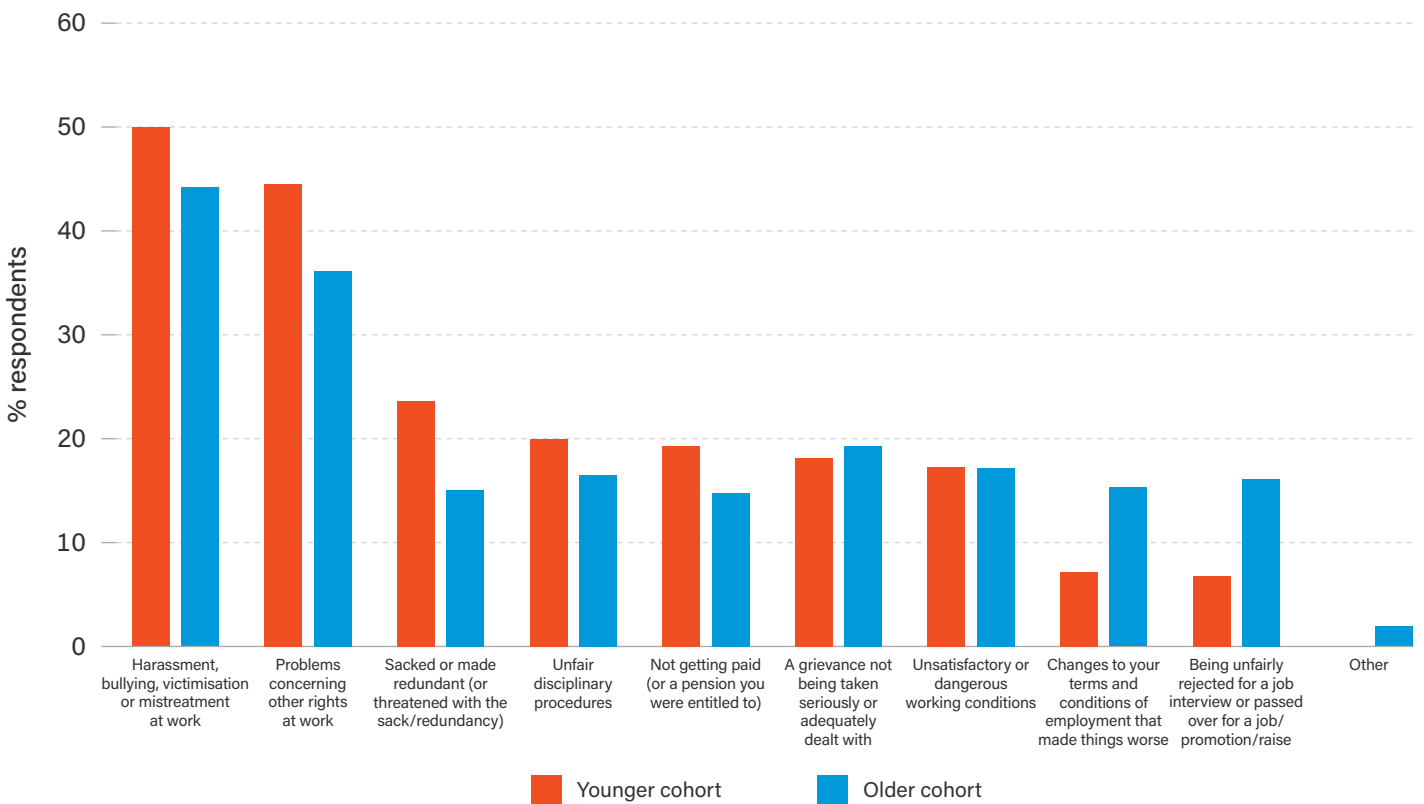


The only instances where young people did not experience higher rates of employment problem subtype were for problems relating to changes in the terms and conditions of employment, and being unfairly rejected or passed over for a job, promotion or raise. This may reflect that these problems are more likely to occur where an individual has been in a job for longer, which is less likely to be the case for many 18–24 year olds.

Looking solely at the group of young people who experienced an employment problem (n=69), half reported experiencing a harassment, bullying, victimisation or mistreatment problem. Additionally, a further 23.6% reported a problem concerning being sacked, made redundant or threatened with loss of employment, and 19.3% a problem with not getting paid.

Findings

Figure 4. Employment problem subtypes reported by 18–24 year olds and the older cohort, of those with an employment problem



Young people who experienced employment problems were predominantly school leavers who had completed Year 12 (51.5%, n=35), with 17.6% (n=12) having completed a trade, vocational certificate or diploma, 20.6% (n=14) with a bachelor degree or higher, and 1.5% (n=1) who had left high school prior to Year 12. Young people with employment problems were more likely than the older cohort to be unemployed at the time of interview (19.1%, n=13).²² These respondents were typically either seeking work or were studying and not working.

Of those who were working, they were more likely than the older cohort to be working part-time (41.2%, n=28). Over a quarter of young people with an employment problem were employed as a casual or in the gig economy, a significantly higher rate than the older cohort (27.1%, n=19, cf. 7.1%, n=23).²³ Although a large percentage of PULS respondents did not give their occupation, the occupation categories that were collected indicate that 'young technicians and trades workers' and 'machinery operators and drivers' were the categories most likely to experience an employment problem (25.0%, n=11; 15.9%, n=7), compared to 'professionals' and 'community and personal service workers' (31.6%, n=75; 18.1%, n=43) among the older cohort.²⁴

²² Compared to 6.7% (n=47) who were not working at the time of interview of the older cohort who had experienced an employment problem.

²³ Compared to 28.4% (n=89) of the older cohort who worked part time, and 7.1% (n=23) who worked casually or as part of the gig economy.

²⁴ Based on the Australian and New Zealand Standard Classification of Occupations (ANZSCO). 46.5% (n=2,793) of PULS respondents did not provide their occupation.

Findings

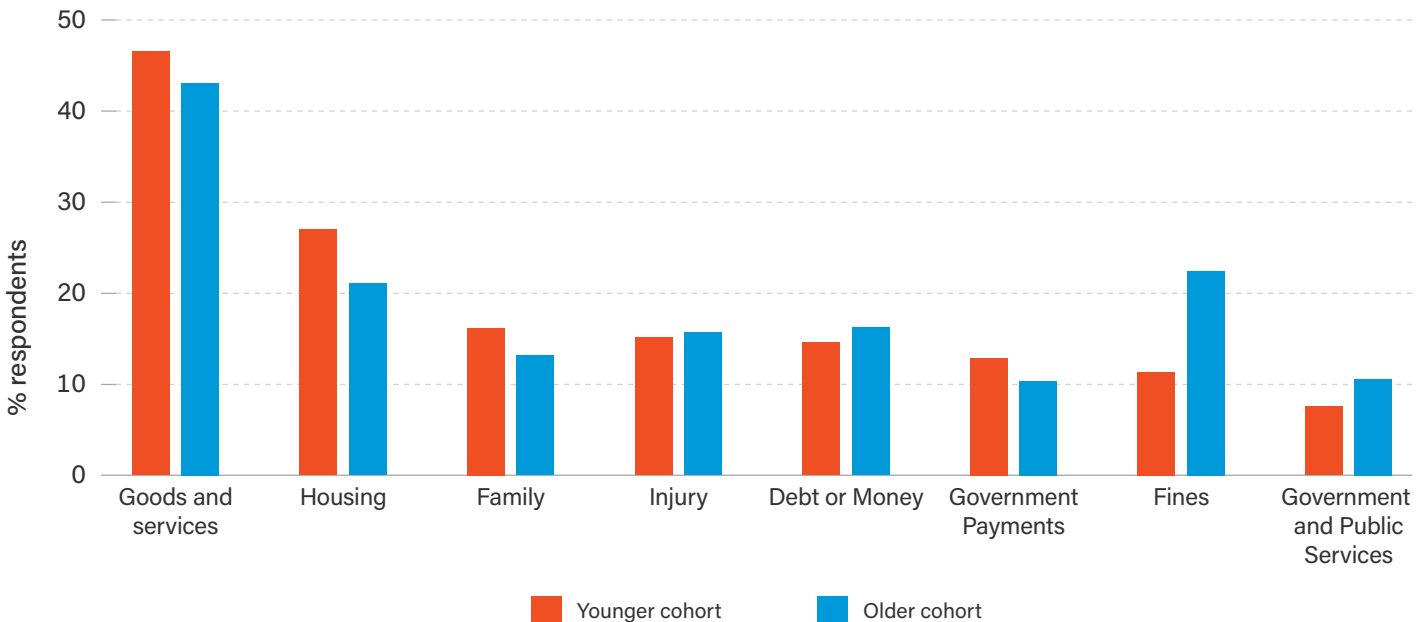
PULS also reinforces the link between legal problem experience, social inequality and disadvantage. Mental distress, income level, and being unable to eat, heat or cool your own home due to financial instability, were statistically significant predictors of employment problems.²⁵ Among young people with employment problems, Aboriginal and Torres Strait Islander respondents and people who identified as LGBTIQ+ were overrepresented when compared to these groups in the older cohort — indicating that they risked experiencing employment problems at nearly double the rate (6.9% and 14.9% respectively, compared to 3.6% and 6.7% among the older cohort).

Multiple problem experience

Young people who experienced a problem with employment seldom had just one problem. In fact, 55.8% of young people with employment problems reported more than one, and 85% of young people with an employment problem had at least one legal problem of another kind (e.g. housing, family).²⁶

The most frequent other legal problems with young people's employment problems were those related to goods and services (46.7%), housing (27.1%), family (16.2%) and injury (15.2%). Figure 5 shows the percentage of legal problems of other broad types reported by those with one or more employment problems.

Figure 5. Percentage of young people and older respondents with employment problems also reporting legal problems of other types



²⁵ The variable of 'unable to eat, heat or cool your own home' was a proxy for low socio-economic status. Fitting a binary logistic regression model controlling for a broad range of respondents social and demographic characteristics, the relationship between employment problems and mental distress/income/being able to heat or eat or cool one's own home remained statistically significant: $\chi^2_2 = 40.67, p=0.0000$; $\chi^2_3 = 32.11, p=0.0000$; $\chi^2_1 = 11.00, p=0.0009$ respectively.

²⁶ Compared to the older cohort: 29.4% of the older cohort experienced more than one employment problem, and 78.2% of the older cohort who had an employment problem experienced more than one legal problem.

Adverse consequences of employment problems

Legal problems typically have adverse consequences. For young people, the most frequently reported adverse consequence was stress. Seventy-eight per cent of young people with an employment problem experienced stress, either as a result of their employment problem, or as a result of another legal problem. A smaller number of PULS respondents (n=55) selected their employment problem as their 'main problem' to discuss in detail in the PULS survey, and of these, 91.2% of young people experienced stress as a direct result of this problem.²⁷ It is also of concern that, compared to the older cohort with employment problems, younger people with an employment problem reported substantially higher rates of moderate or severe mental distress (72.9% cf. 58.6%).²⁸

Other adverse consequences for young people as a result of their employment problems were loss of employment (60.9%, n=37), and loss of confidence (47.3%, n=29), which varied somewhat from the older cohort (49.6%, n=98; and 71.3%, n=141, respectively). In addition, 23.9% of young people reported experiencing harassment, threats or assault as a result of their employment problem, 22.7% experienced damage to a family relationship, 13.6% experienced ill-health or injury, and 7.6% reported having to move home.

Strategies for handling employment problems

Use of legal services for help with employment problems was relatively infrequent for both young people and the older cohort. Fourteen per cent of young people (n=9) reported having used legal advice for their employment problem, a slightly higher rate compared to the older cohort (12.3%, n=24). For both cohorts, private lawyers were the main source of legal advice.²⁹ An even smaller percentage of young people reported using public legal assistance.³⁰ Figure 6 shows the strategies young people took to address employment problems, compared to the older cohort.

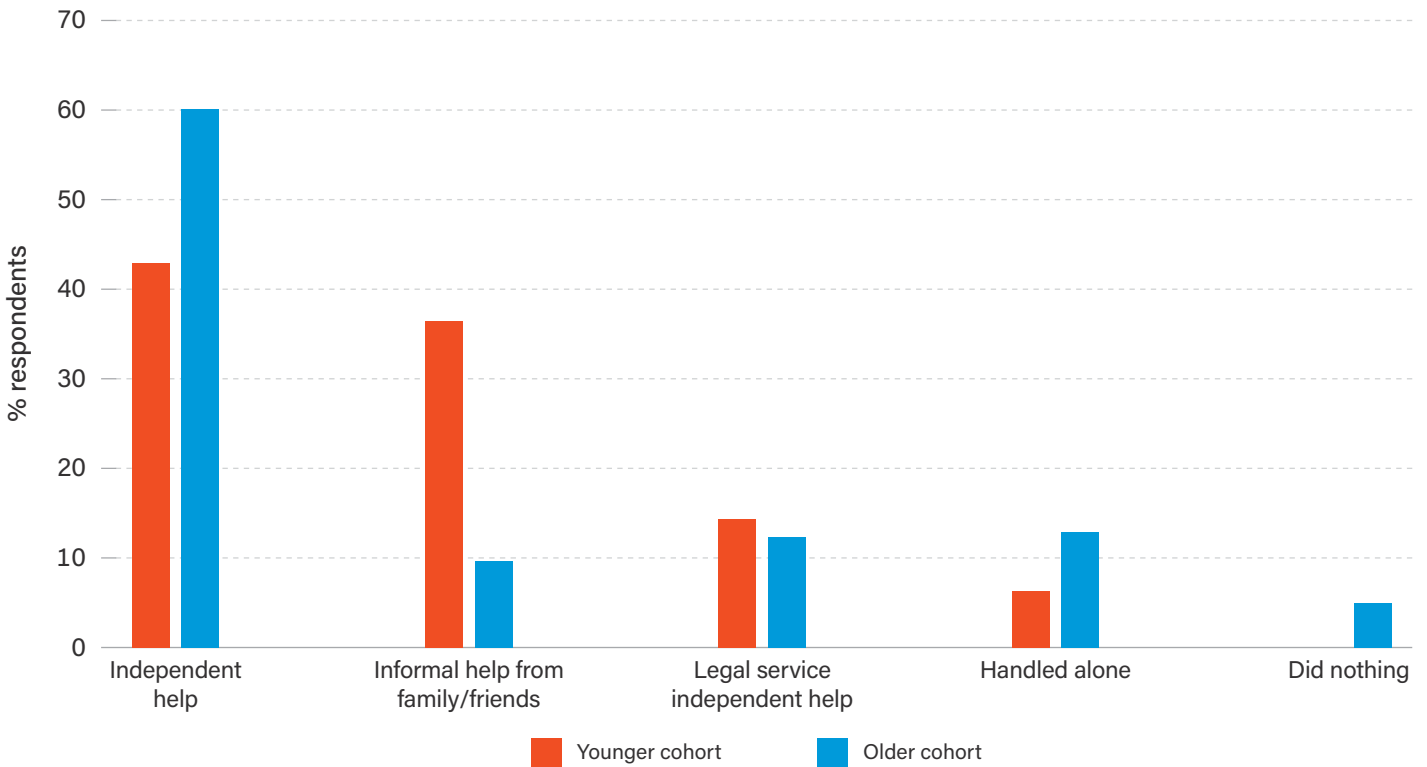
27 Respondents were asked a series of follow-up questions about one legal problem they had experienced in the prior two years, even where they had experienced more than one legal problem in that time. For 15.4% (n=41) of young people and 9.6% (n=174) of the older cohort, an employment problem was recorded as their main problem. The following sections refer to this smaller group of respondents. For methodology, see the PULS Annotated Questionnaire (Balmer et al. 2022, p. 34).

28 Kessler et al. (2010). Based on the K6 Scale. Fitting a binary logistic regression model controlling for a broad range of respondents social and demographic characteristics, the relationship between age and mental distress remained statistically significant. Testing the age group terms together: $\chi^2_6 = 164.5, p=0.0000$.

29 12.9% (n= 8) of young people and 8.9% (n=18) of the older cohort reported using a private lawyer.

30 Three per cent (n=2) of young people sought out information or advice from Legal Aid, an Aboriginal legal service or a community legal centre regarding their employment problems, compared to 5.1% (n=10) of the older cohort who accessed the same services.

Figure 6. Strategies taken to address employment problems

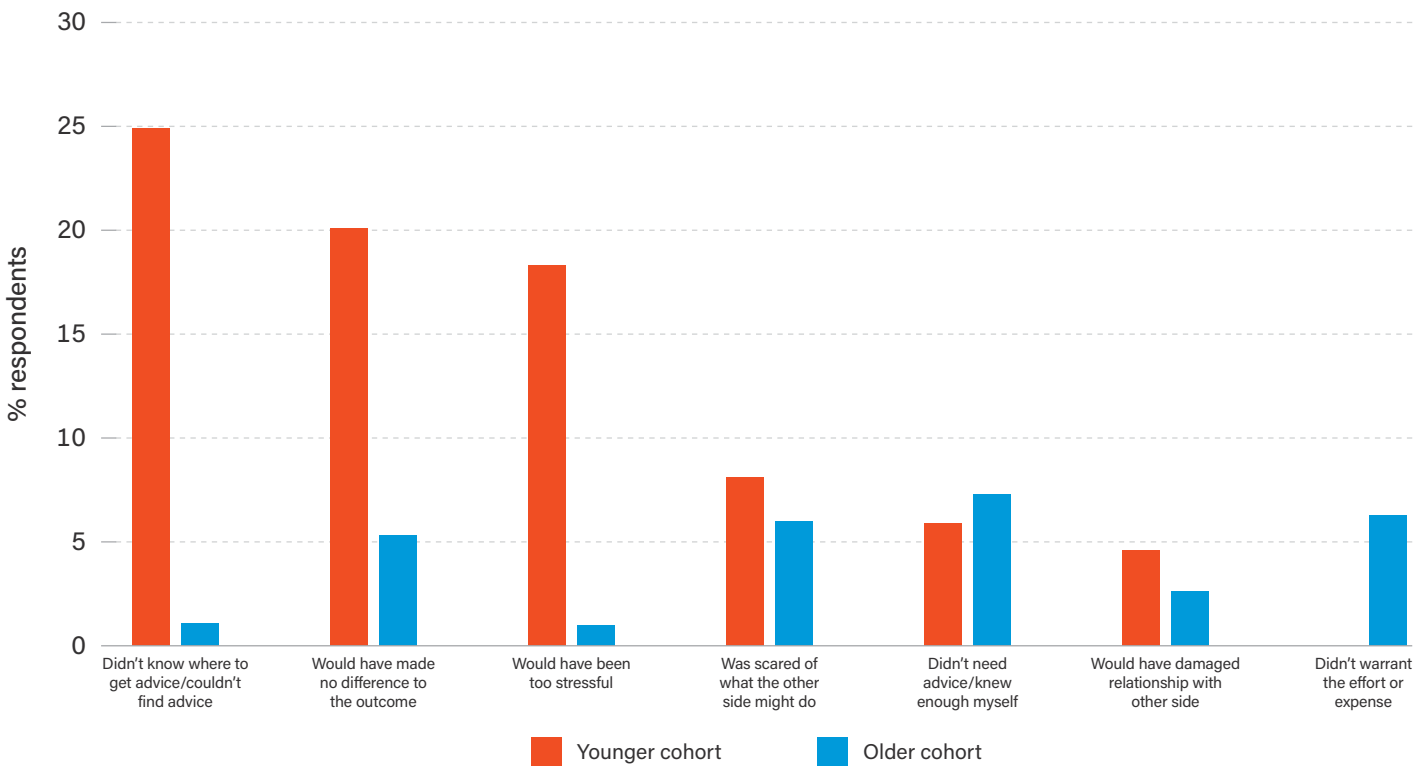


Independent advice was the main source of help that young people reported using (42.9%, n=26). In fact, the most frequently used source of help used by young people for employment problems was their employer (28.2%, n=17) followed by doctors or health professionals (14.3%, n=9). Fewer young people consulted their union compared to the older cohort (4.3%, n=3, compared to 15.5%, n= 31). However, young people were much more likely than those in the older cohort to seek help from family and friends in addressing their employment problems (36.4%, n=22 and 9.7%, n=19, respectively).

Just over half (51.1%) of young people with characterised their employment problem as legal – a slightly higher figure than the older cohort (43.4%, n=86). Interestingly, only 32.9% of young people obtained information online (from a website or app) for their employment problem, significantly lower than the older cohort (48.6%, n=96).

The PULS asked respondents why they did not seek information about their justiciable problems. Figure 7 sets out the reasons why young people did not obtain information, advice or representation from sources outside of family or friends. Twenty-five per cent (n=15) of young people said they didn't know where to get advice, or that they couldn't find advice, for their employment problem – a much higher rate than those in the older cohort (1.1%, n=2).

Figure 7. Reasons for not obtaining information, advice or representation (excluding friends or family)



Aside from not knowing where to obtain information or advice, young people also exhibited relatively higher levels of stress as well as fatalistic sentiment when it came to seeking help for employment problems beyond friends and family. Twenty per cent (n=12) reported that seeking advice would have made no difference to the outcome, and 18.3% (n=11) indicated it would have been too stressful to do so. In comparison, the older cohort were slightly more likely to report that they didn't need advice (7.3%, n=15, cf. 5.9%, n=4 of young people), and that seeking advice did not warrant the effort or expense (6.3%, n=12, cf. 0.0%, of young people). For both groups, fear of what the other side might do was also a concern, with young people reporting this at slightly elevated rates compared to the older cohort.³¹

31 Among young people, 8.1% (n=5) reported being scared of what the other side might do, compared to 6.0% (n=12) among the older cohort.

Problem resolution and whether legal needs were met

The PULS was designed to measure unmet legal need using a schema that categorised problems in three ways: as having no legal need, legal need which was met, and legal need which was unmet at the time of interview.³² Unmet legal need was the norm, not the exception, for legal problems of all types, with 48.5% of problems reported in the PULS involving an unmet legal need.³³ Legal need was unmet for 70.4% (n=43) of the employment problems reported by young people, met for 17.8%, while there was found to be no legal need for only 11.8% of employment problems. When asked about their employment problem, only 1.4% of young people strongly agreed that they were able to get all the expert help they needed compared to nearly one-fifth (18.0%) of the older cohort.

At the time of the interview, 41.2% of young people's employment problems were reported to have been resolved. Of the 58.5% of young people who reported that the problem was ongoing, only 17.3% thought that the problem might be resolved in future. The remaining 41.2% of young people recorded that the problem persisted, but that they had given up trying to resolve it.³⁴

Of particular concern, three times as many younger people (30.1%, n=18) than the older cohort (10.6%, n=21) reported that their employment problem had been resolved by moving away from the problem — either by quitting, changing jobs or moving home.

These findings further signal the heightened vulnerability of young people with employment problems. It is not uncommon for employment problems in this cohort to persist and remain unresolved. Young people experience

high levels of unmet legal need when it comes to employment problems, likely due to a range of factors: just under half of young people do not identify their employment problem as a legal problem; young people are unlikely to seek out legal services for employment problems; and even when they do, young people experience high levels of stress and fatalism that act as substantial barriers to problem resolution.

Legal capability of young people

In addition to survey questions canvassing legal problem experience, the PULS also contained several legal capability measures to gauge how respondents understood and perceived the law.³⁵ In general, findings indicate that young people are not disengaged from the legal system. Young people were less likely to harbour negative narratives about the law than other age groups; they were less likely to view the law as inaccessible; and they demonstrated comparatively higher levels of trust in lawyers.³⁶ Young people, however, demonstrated lower levels of knowledge of legal rights, including employment rights.

PULS respondents were asked a series of 15 questions designed to test knowledge of a variety of legal rights across five areas of civil law. These covered a range of common justiciable problems: rented accommodation, neighbours, consumer, employment and family law matters.³⁷ Considering these knowledge questions together, there was a highly significant relationship between legal knowledge and age, with youngest respondents getting the fewest items correct of any age group.³⁸ Turning to the three questions on knowledge of employment rights, young people generally scored lower than older age groups, as shown in Table 1.

32 Balmer et al. (2023), pp.149–60. Categorisation considered problem seriousness, problem duration, legal awareness/understanding, legal confidence, process fairness, expert help obtained, and adequacy of support. It was originally developed in OECD/OSF (2019).

33 Using a broad definition of expert help. Where a narrow definition is used (legal services only), 56.5% of problems had unmet legal need. Balmer et al. (2023), p.153.

34 In comparison, the older cohort reported 32.8% of employment problems as resolved, 4.0% as too early to say, 31.3% as ongoing, and 31.9% as the problem persisting but had given up all efforts to resolve the problem. 31.8% (n=63) problems that persisted but they had given up trying to resolve, and 31.3% (n=62) problems ongoing.

35 For more in-depth discussion of legal capability, see Balmer et al. (2024); Pleasence and Balmer (2014), pp. 123–4.

36 Balmer et al. (2024).

37 Rights of knowledge questions were developed with VLF's research team and reviewed by subject matter experts to ensure a binary yes/no answer. See the PULS annotated questionnaire: Balmer et al. (2022).

38 Fitting a binary logistic regression model controlling for a broad range of respondents social and demographic characteristics, the relationship between age and legal knowledge remained statistically significant. Testing the age group terms together: $\chi^2_e = 90.77$, $p < 0.0000$.

Findings

While younger people scored lower on all knowledge of rights questions, they scored higher on employment problems in isolation — particularly where questions were likely to apply to their own employment situations. They scored higher on the question about casual work and minimum wage, presumably as many had recently or were currently in entry level or minimum wage casual roles. In contrast, only 50% of young people correctly answered the employment question about unfair dismissal, which, by definition, is more relevant to the circumstances of those in permanent employment.

Table 1 also makes it clear that those young people who had experienced an employment problem consistently recorded a higher percentage of correct answers about employment rights compared to young people more generally. This suggests that knowledge of rights may increase with experience of related rights problems. The same phenomenon is observed among the older cohort with respect to employment problems.

Table 1. Number and percentage of correct answers, employment rights questions

Knowledge of employment rights question	Young people (all)		Younger cohort with an employment problem		Older cohort (all)		Older cohort with an employment problem	
	N	%	N	%	N	%	N	%
Is a permanent employee at a company which has 45 employees covered by unfair dismissal laws after 7 months working there? Correct answer: Yes	319	50.0	48	70.0	2,541	64.7	213	68.2
Is an employer allowed to consider employees' ages when making decisions about who to make redundant? Correct answer: No	447	70.1	54	78.5	3,267	83.2	268	86.0
Is a company allowed to pay an adult casual employee \$15 an hour if that's all they can afford and the employee agrees? Correct answer: No	513	80.3	60	86.4	3,172	80.8	268	86.0

Discussion

Analysis of the PULS clearly identifies age as a significant factor in legal problem experience, with legal problems shifting or accumulating as individuals enter different life stages.³⁹ While 18–24 year olds were less likely to experience justiciable problems overall, they were more likely to report employment problems. PULS data analysis also clearly paints a picture of a cohort at heightened risk of legal need and susceptible to particular types of employment issues, such as harassment and bullying, being sacked or threatened with being sacked, and problems with other employment rights.

PULS findings also reflect the changing nature of the labour market, showing a substantial number of young people employed casually or as part of the gig economy. Other research demonstrates that each year the percentage of young people starting work in casual employment increases.⁴⁰ Research also indicates that casualised employment leads to disadvantage and the creation of further justiciable issues, such as difficulty in paying bills or fines, and higher rates of workplace injury.⁴¹

Successive legal needs surveys demonstrate that legal problems rarely exist in isolation.⁴² The PULS findings similarly show that the majority of young people who experienced an employment problem experienced more than one legal problem. The findings also confirm the prevalence of stress as an adverse consequence of justiciable issues.⁴³ In the case of young people, more than 90% reported stress as a result of employment problems. Links between employment problems and psychological distress were also particularly strong for young people, suggesting a bi-directional relationship that warrants further examination.⁴⁴

The PULS showed that young respondents experienced higher rates of moderate or severe mental distress.

Young people struggled to find the assistance they needed to successfully resolve their employment problems. Young people had a very high percentage (70.4%) of employment problems with unmet legal need and a very low percentage (1.4%) where respondents felt strongly that they obtained all of the expert help needed. While a reasonable percentage of young people sought legal advice or other independent advice, and a far higher percentage consulted friends and family about their employment problems, this only told part of the story. Research has shown the crucial role family and friends play in the advice-seeking process.⁴⁵ The reliance on informal assistance points to a young cohort which may become isolated from assistance should they move further away, or if those networks become strained.⁴⁶

Where young people failed to obtain independent advice for their problems, they presented concerning reasons for not doing so. These included a higher percentage expressing fatalistic views about the value of advice, or simply not knowing where to go, compared with the older cohort.⁴⁷ In addition, concerns about stress featured as a reason for not obtaining advice. Not only did a high number of young people experience stress as a consequence of their employment problems, but comparatively more young people were concerned about the stress involved in addressing those problems, leading them to seek out informal advice instead. Stress appears in the PULS as a key barrier for young people, not only to obtaining independent legal advice, but also in building legal confidence.⁴⁸

39 Coumarelos, Wei and Zhou (2006); Dignan (2006); Pleasence (2006).

40 McKenzie and Dawson (2023).

41 Gillfillan (2021); McKenzie and Dawson (2023).

42 Coumarelos et al. (2012); Pleasence et al. (2014); Pleasence et al. (2011); Balmer (2013).

43 Macourt (2013); Balmer (2013).

44 For further work on the relationship between law and health, see Genn (2019). See also Pleasence (2006).

45 Buck and Smith (2014).

46 Pleasence, Balmer and Hagell (2015); Pleasence (2011).

47 This aligns with research from the Monash Centre for Youth Policy and Education Practice (2023), which has found pessimism and fatalism in young people's attitudes to employment and housing.

48 PULS volume 2 found young people were more likely to have low levels of general legal confidence. See Balmer et al. (2024).

The need for joined-up legal services

Community legal centres specialising in youth employment problems are successfully reaching many young workers in need.⁴⁹ The PULS findings indicate however that there are many more young workers facing employment related legal need who are likely to benefit from access to such services. So why are so many young people struggling to access the help they need? One possible answer is that substantial numbers of young people do not identify their employment problems as legal, and are therefore unlikely to be searching for legal help. Another is that while the internet is ubiquitous in the lives of most 18–24 year olds, there were lower levels of digital capability among the younger cohort (18–24 year olds) compared to the 25–34 year old age group for finding legal information or conducting legal-type tasks.⁵⁰ A minority of young people obtained information online for their employment problem, suggesting that the younger cohort may require more diverse signposting toward legal services.

Research has previously demonstrated digital capability deficits among this young demographic, particularly in using search engines to seek information regarding employment and other types of legal problems.⁵¹ Turning to the search engines that produce these results, a 2020 audit by Stanford Legal Design Lab found that search engines are not prioritising public legal assistance in search results, particularly in response to the key word searches that are typical of young people.⁵² Whether new generative AI developments can do better at returning specific information in response to general legal queries remains to be seen. Legal and digital capability dimensions, however, need to be taken into account in the design of generative AI for employment and other types of legal problems.

In particular, findings on the experience and impact of problems point to a continued need for targeted and joined-

up legal assistance services.⁵³ A substantial number of young people with employment problems have other legal problems, such as with housing, family and debts/money. Services that can assist with more than one legal matter type might go some way to addressing the high rate of unmet legal need, particularly for young people's employment problems as shown in the PULS data. Services that can assist with more than one problem type, and that are more attuned to young people's capabilities, may help to make independent advice and legal assistance more accessible.

For example, the Ballarat and Grampians Community Legal Service, in collaboration with Youthlaw, operates a health justice partnership with Ballarat Community Health.⁵⁴ Here, a youth lawyer works alongside health specialists to assist young people with a range of civil legal issues, including employment. As another example, Youth Law Australia provides extensive legal information for young people, including information about employment issues tailored to each Australian state and territory, as well as free and confidential legal advice, assistance and referral.⁵⁵

The PULS shows that high rates of young people with employment problems self-identified as having moderate to severe levels of mental distress, either caused or exacerbated by their legal problems. Joined-up legal assistance with youth counselling services could go some way in addressing legal problem clusters. Health justice partnerships and other joined-up services are examples of clear gateways for young people into the system of legal service provision.⁵⁶ For example, Headspace, Australia's national youth mental health foundation, provides links to information about workplace rights and a support hotline that supports young people, and might play a critical triage role in connecting them to appropriate legal services or information for their employment problem.⁵⁷

49 In 2022–23 the Young Workers Centre assisted 488 young people aged 30 and under, JobWatch assisted 1,333 calls from workers aged 24 and under, and YouthLaw continues to assist young people in Victoria.

50 Balmer et al. (2024).

51 Denvir (2016); Denvir (2011); Puustinen & Rouet (2008).

52 Hagan and Li (2020). Younger people are less likely to include contextual information such as place, jurisdiction or occupation. For example, the search 'what to do if my payslip is wrong', unsurprisingly, does not return any results for Victorian community legal centres specialising in young people or employment problems.

53 Pleasence et al. (2006); Pleasence et al. (2014).

54 See Camilleri M. et al. (2018) Central Highlands Health Justice Partnership: Evaluation Report.

55 Youth Law Australia (2024).

56 Pleasence et al. (2014).

57 Headspace (2024).

The role of law reform

Legislative reform efforts tackling identified consequences of casualisation point to the importance of law and other systemic reforms. Such reforms go above and beyond legal reforms to legal services, and can benefit those in the community at heightened risk of having their rights infringed and unenforced, such as young people and employment issues.

The work of statutory bodies and legal reform can also make a crucial difference in how people recognise and address employment problems.⁵⁸ One example is the widespread recognition of wage theft in Australia. The Fair Work Ombudsman's inquiry into 7-Eleven identified that wage theft can be intentional, and sometimes a consequence of the way in which the business model operates.⁵⁹ The inquiry prompted amendments to the Fair Work Act and, later, the criminalisation of wage theft in Victoria under the Wage Theft Act 2020.⁶⁰

The Fair Work Ombudsman and other legal services prepare advice and information for employers regarding employee rights, recognising that employment problems are not solely the responsibility of workers.⁶¹

The opportunity for CLE

While young people held more positive attitudes to law than other age groups, they also had the lowest levels of knowledge of the law and their rights, including employment rights. This finding is reinforced by the literature on knowledge of rights among young Australians. Focusing on high school students (15–18 years), McDonald, Price and Bailey's study of Australian students found that while they had high knowledge of rights around anti-discrimination and harassment — likely due to anti-bullying education in schools — their knowledge of workplace safety, hours of work, remuneration and trade unions was poor.⁶² Other reports similarly indicate that legal knowledge does not necessarily improve once students leave high school. For instance, a Young Workers Centre study of Victorians aged 15–30 found high deficits of knowledge regarding minimum wage and entitlements.⁶³ A survey by WEstJustice also recently found that young people tended to learn about their employment rights in an ad hoc fashion, principally on the job, and 38% of respondents self-identified as not knowing what their rights at work were.⁶⁴

PULS analysis further demonstrates that, while young people are not disengaged from the legal system, and while they tend to express more positive attitudes and higher levels of trust in the law, they nevertheless also demonstrate lower levels of general legal confidence.⁶⁵ More positive attitudes to justice, paired with comparatively low levels of knowledge of rights among young people, suggests this group may be more receptive to education interventions. Studies have shown that community legal education (CLE) initiatives are particularly effective when they are 'just in time', that is, presented just before or just after an individual may need to draw upon that knowledge.⁶⁶

58 See, for example, Engage Victoria (2024).

59 Fair Work Ombudsman (2016).

60 Hardy (2020); Fair Work Amendment Act (2017); Wage Theft Act 2020.

61 Fair Work Ombudsman (2022).

62 McDonald, Price and Bailey (2013).

63 Young Workers Centre (2017).

64 WEstjustice (2021).

65 Balmer et al. (2024).

66 Maule (2014); Forell and McDonald (2015).

Discussion

Young people who have started part-time or casual employment, as many do in later years of high school, therefore appear likely candidates to benefit from 'just in case' CLE interventions. Among other civics and legal education that might better equip young people to enter and manage adulthood, education about employment rights and responsibilities may help build 'law for everyday life'. A targeted school-based CLE program, covering employment problems, may be an effective and efficient way to engage with those who have started or may soon commence working, as well as those about to leave school and transitioning to fulltime work, and who may have to start working part-time to support themselves and family as they continue any further studies.⁶⁷

The findings in this paper provide significant and compelling reasons to help build that case for employment-related matters as a key focus for civics and legal education amongst an already crowded curriculum.

Conclusion

This analysis of the PULS builds on research and empirical evidence about the nature and experience of legal need, and points to important policy implications. In particular, the findings spotlight the higher employment related legal needs of young people, and clearly show that young people tend to have relatively lower capability to deal effectively deal with them compared to older age groups. The findings also pinpoint employment as an important area of law where young people stand to benefit from effective access to legal information and assistance.

While it appears that things improve with age and experience, relying on young people to learn through experiences of exploitation should not be the solution. Community legal information sessions, signposted and targeted digital services and those joined up with mental health resources are some of the opportunities to equip young people with the knowledge and confidence to assert their rights and safeguard their wellbeing.

⁶⁷ Community legal centres such as Moonee Valley Legal Service and WEstJustice provide CLE sessions by request in Victorian schools and youth centres. However, a state-funded, state-wide program would be beneficial to school leavers.

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