



Public
Understanding
of Law
Survey

In brief

Young people's experience of legal problems

Georgina Rychner and Rochelle Jupp

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Level 13, 140 William Street, Melbourne 3000, Australia

Phone: 03 9604 8100

Email: research@victorialawfoundation.org.au

Web: www.victorialawfoundation.org.au

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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 findings in this briefing paper are drawn from the *Public Understanding of Law Survey Volume 1: Everyday Problems and Legal Need* by Balmer, N., Pleasence, P., McDonald, H.M. & Sandefur, R. (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.

Young people's experience of legal problems

This briefing paper presents data about the prevalence of justiciable problems among young people (aged 18–24) in Victoria, drawn from the Victoria Law Foundation's Public Understanding of Law Survey (PULS).

Justiciable problems are problems in people's lives that raise legal issues (e.g. problems with rented housing, being injured in a car accident, being unfairly sacked from work), even though they may not recognise them as legal.¹

The PULS had 6,008 survey respondents, with 2,525 (42%) reporting having experienced one or more justiciable problem over the last two years. People aged 18–24 years made up 639 respondents, with 42% of young people reporting one or more justiciable problems.²

What types of problems do young people face?

Experience of legal problems tends to change as people move through life. Previous legal needs surveys demonstrate that age is a significant factor in the prevalence and nature of civil legal problems. Younger people tend to experience certain types of legal problems at a higher rate, and problems tend to peak and then decline after middle age.³ The youngest (18–24 years old) and oldest (65+ years old) age groups of PULS respondents reported the lowest rates

of justiciable problems, with problem prevalence peaking for respondents in middle-aged groups.⁴

However, when young people experienced justiciable problems, they were more likely to experience large clusters of problems simultaneously. Of the young people who reported problems, one in five (20%) reported more than five problems — the highest of any age group.⁵ Experience of large clusters (five or more problems) tended to decline with age.

Table 1 shows the type of justiciable problems that young people were most likely to report in the PULS. Goods and services were the most prevalent problem type (19%), followed by housing (11%) and employment (11%). While young people experienced the lowest rate of problems overall, they experienced the highest rate of employment problems compared to older age groups.

Young people experienced comparatively lower rates of debt or money problems (3%) or business and investment problems (1%).

Table 1. Problem prevalence by problem type for young respondents

Problem type	Young people (18-24 years old)	
	N=	%
Goods and services	123	19.3
Housing	73	11.4
Employment	69	10.8
Fines	63	9.9
Government payment	36	5.6
Family	31	4.9
Injury or illness	18	2.8
Government and public services	16	2.5
Debt or money	16	2.5
Business or investment properties	7	1.1

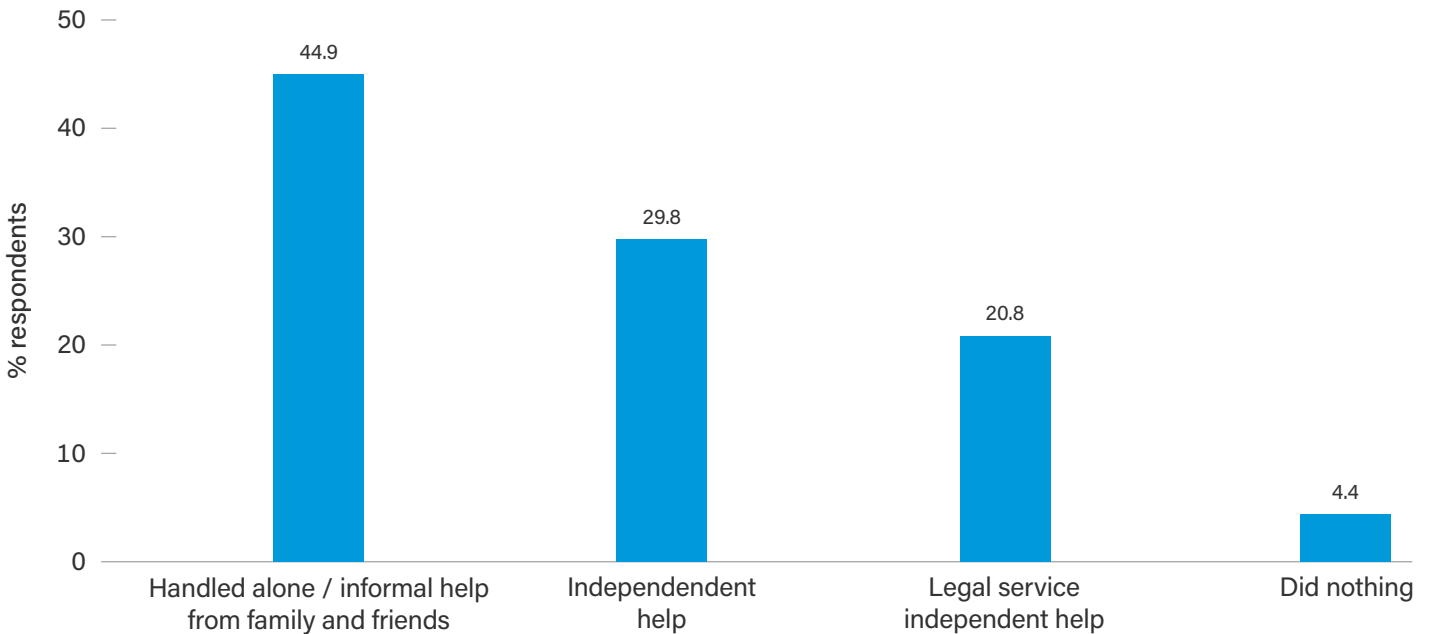
Problem-solving strategies

People are more likely to seek out legal advice when they recognise their problems as legal.⁶ When compared to other age groups, young respondents were the least likely to recognise their problem as legal (only 19%).

This goes some way to explaining the problem-solving strategies adopted by young respondents. Young respondents were most likely to rely on family and friends for advice (20%) compared to all other age groups, the next highest cohort being 55–64 year olds, at 15%.

Among the young people reporting justiciable problems, Figure 1 shows that young people were more likely to handle their legal problems alone, or seek informal advice from family and friends, than other sources. They were also more likely to turn to independent advice rather than seek out legal services for their problems.

Figure 1. Broad problem-solving strategy by young people⁷



Adverse consequences

Young respondents presented higher rates of mental distress than any other age group, with over half (52%) reporting some level of mental distress at the time of interview.

The PULS findings show that respondents experiencing moderate or severe mental distress had higher problem prevalence, higher number of justiciable problems, and problems that went unresolved for longer periods of time.⁸

Legal problems have a deleterious effect on mental health. Over half (54%) of young people reported stress as an adverse consequence of their legal problems. Over a fifth (21%) reported that legal problems had led to a loss of self-confidence.

Unmet legal need

The PULS was designed to measure unmet legal need using a schema that categorised problems as having no legal need, legal need which was met, and legal need which was unmet at the time of interview.⁹ 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.

Overall, the PULS found that 44% of young people had an unmet legal need. The rate of unmet legal need generally increased with age. In addition, the rate of unmet legal need was also higher for certain problem types. For example, legal need was unmet for 70% of the employment problems reported by young people, a much higher rate than PULS respondents overall.¹⁰

Legal capability

Understanding legal capability

Legal capability refers to the knowledge, skills, attributes, resources and opportunities required to access and make effective use of the justice system.¹¹ Legal capability can be internal (e.g. legal literacy), external (e.g. limited access to legal services), or a combination of both.¹²

The PULS findings on legal capability shed light on how young people perceive and make use of the law in Victoria, and in turn, how legal help for young people might be improved.¹³

Young people were less cynical in their views of the law and lawyers. For example, trust in lawyers was highest among the youngest PULS respondents and decreased with age. The two youngest age categories (18–24 and 25–34 year olds) were the least likely to report that they perceived lawyers as being inaccessible.

Young people were less likely to harbour negative narratives about the law than other age groups. They tended to view the law as a practical tool rather than something to resist, or remote to their lives. However, when it came to specific scenarios, young people were less likely than older age groups to perceive the law as being relevant to their everyday life.

Legal knowledge, legal literacy and confidence

Practical legal literacy concerns the ability to obtain, understand and navigate information and services needed to deal with everyday legal problems.¹⁴ This was measured in the PULS using a number of questions about whether respondents had difficulty or required assistance in carrying out tasks that are related to accessing legal assistance, e.g. filling in forms, understanding information in forms. Young people generally demonstrated high levels of practical legal literacy, which generally declined with age.¹⁵ The results

showed that young people were among the least likely cohorts to require assistance with these tasks. This suggests that high rates of problem clustering and unmet legal need among young people generally aren't due to practical legal literacy barriers, but as the data suggests, more to do with lack of knowledge and confidence regarding their rights, and not knowing where to find legal services.

Despite more positive attitudes toward the law and higher levels of legal literacy, young people also showed lower levels of legal knowledge and legal confidence.¹⁶ There was a highly significant relationship between legal knowledge and age.¹⁷ Young people generally yielded the lowest legal knowledge scores of all age groups, with a mean of 5.9 correct and confident answers out of 15.

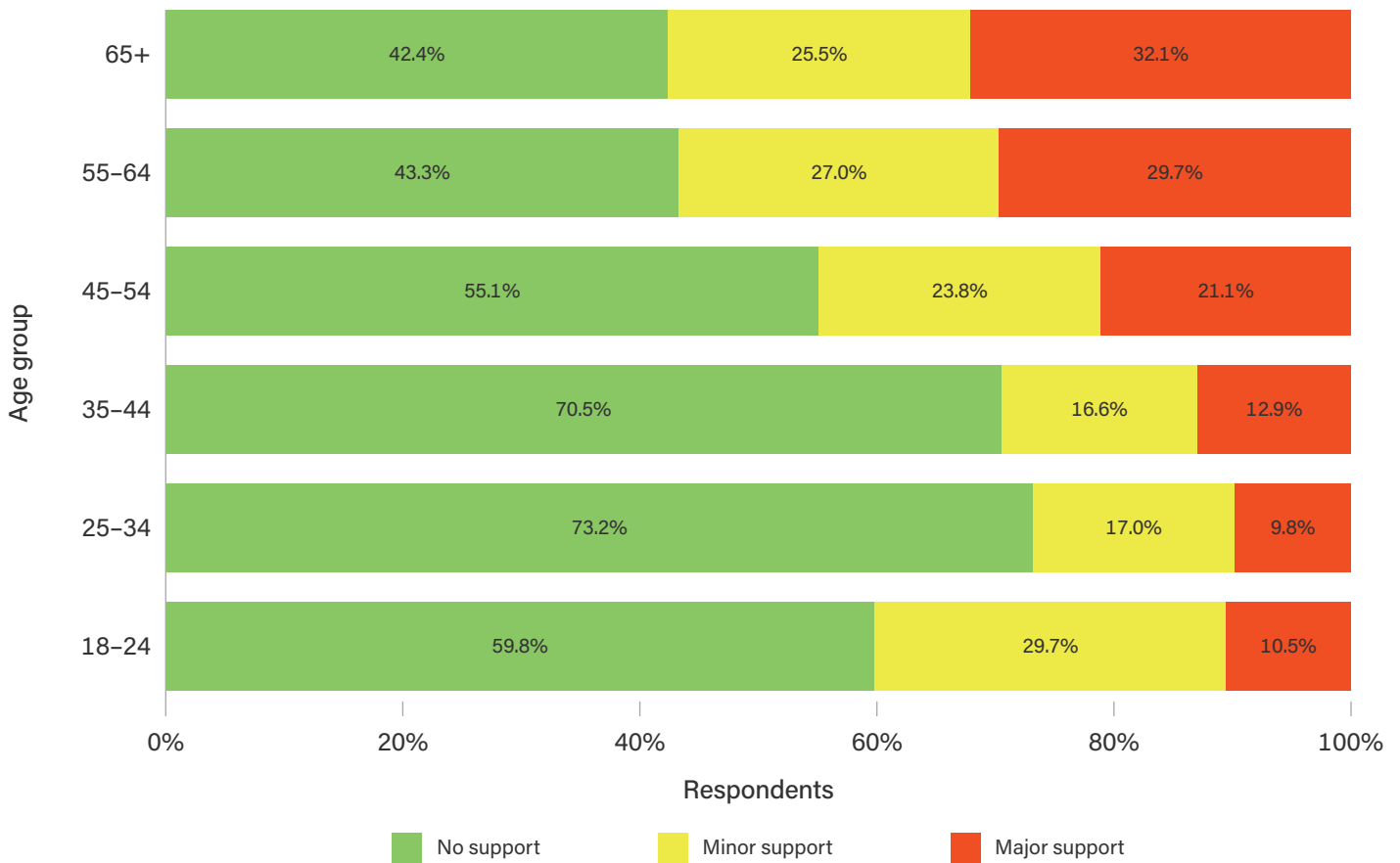
Young people were less likely to demonstrate high levels of general legal confidence (19%), with the majority (59%) indicating medium levels of confidence, and 22% indicating low legal confidence.¹⁸ By comparison, the 25–34 year old age group exhibited the highest levels of general legal confidence (34%), with 17% demonstrating low legal confidence.

Digital capability

While young people scored highly in terms of PULS measures of practical legal literacy, the findings also signalled a deficit in digital capability compared to some older age groups.¹⁹

The results showed that, while younger people still exhibit higher levels of digital capability than respondents 45 years and older, more younger people are likely to require support with digital tasks compared to the 25–34 and 35–44 age groups.

Figure 2. Percentage of each age group falling into each digital capability group, having controlled for other variables²⁰



What capability tells us

The PULS analyses brought together capability composite skill and attitude scores for each demographic.²¹ Table 2 presents the composite capability for young people, and whether they held negative or positive attitudes to the law, compared to the total PULS respondent population.

Table 2. Predicted skills/attitudes to law²²

Cohort	Lower skill, more negative attitude	Higher capability, more negative attitude	Lower capability, more positive attitude	Higher capability, more positive attitude
All PULS respondents	32.4%	22.8%	18.0%	26.8%
Young people (18–24 years)	31.6%	11.8%	31.4%	25.3%

Table 2 further demonstrates that the 18–24 age group are a unique cohort, in that while they generally have lower legal capability, for a range of reasons, they tend to have more positive attitudes toward the law.

One important explanation is that young people tend to have less experience with the law and legal services, and of trying to use these to deal with their legal problems. This is true even where they do have legal problems, as they are less likely than older age groups to recognise their problems as legal. Findings from the PULS Volume 2 report on understanding and capability found that legal capability tends to increase with problem experience. However, young people learning legal capability only through experiencing problems is not ideal.²³

Policy practice and response

Young people tend to have lower levels of legal knowledge and confidence, higher levels of mental distress, and often do not characterise their problems as legal. These all act as substantial barriers to making use of law to help resolve legal problems. These capability deficits go some way in explaining why younger people often handle legal problems alone, or consult family and friends, rather than obtaining help from legal services.

As demonstrated above, young people have the lowest levels of legal knowledge but highest levels of trust in the legal system. The findings suggest that careful consideration is required to frame and deliver legal information to younger demographics.²⁴ Targeted and tailored engagement may be required to successfully meet the particular legal and capability needs of young people, to empower them, and build legal understanding and skills for navigating future challenges.

Summary

- Young people are more likely than older age groups to experience multiple problems simultaneously.
- Close to half of young people handled their problem alone, or with help from friends and family, rather than seeking legal assistance.
- Young people reported higher rates of mental distress than other age groups, with 52% reporting some level of mental distress at the time of interview.
- Of young people who reported one or more justiciable problems, 44% had unmet legal need.
- Compared to other age groups, young people reported the highest rate of employment problems.
- Young people having high legal literacy does not correlate with also having sufficient awareness to identify their legal problems, and consequently seek legal information or assistance.
- The findings suggest that targeted and tailored engagement with young people is necessary to increase awareness of their everyday justiciable problems and legal services.

Endnotes

- 1 For more comprehensive discussion of justiciable problems, and the justiciable problem legal needs survey approach, see Genn, H., (1999). *Paths to Justice: What People Do and Think About Going to Law*, Oxford: Hart; Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L., (2023). *The Public Understanding of Law Survey (PULS) Volume 1: Everyday Problems and Legal Need*. Melbourne: Victoria Law Foundation, p.9.
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- 7 Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L., (2023). *The Public Understanding of Law Survey (PULS) Volume 1: Everyday Problems and Legal Need*. Melbourne: Victoria Law Foundation, p.110.
- 8 Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L., (2023). *The Public Understanding of Law Survey (PULS) Volume 1: Everyday Problems and Legal Need*. Melbourne: Victoria Law Foundation, p.139.

- 9 Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L., (2023). *The Public Understanding of Law Survey (PULS) Volume 1: Everyday Problems and Legal Need*. Melbourne: Victoria Law Foundation, 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/Open Society Foundations (2019). *Legal Needs Surveys and Access to Justice*. Paris: OECD Publishing.
- 10 Rychner, G., & McDonald, H. M. (2024). *Problems at Work: Young people, employment and legal need*. Melbourne: Victoria Law Foundation, p.13.
- 11 Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L., (2024). *The Public Understanding of Law Survey (PULS) Volume 2: Understanding and Capability*. Melbourne: Victoria Law Foundation, p.22.
- 12 Nussbaum, M., (2011). *Creating Capabilities: The Human Development Approach*. Massachusetts: Harvard University Press; Habbig, A.K. and Robeyns, I., (2022). Legal Capability, *Journal of Human Development and Capabilities*, 23(4), 611–629.
- 13 The PULS measured several dimensions of legal capability: legal knowledge, legal confidence, legal information literacy, recognition of the relevance of law, attitude to law, attitude to lawyers, trust in lawyers, and digital legal capability. For more on the capability measures used in PULS, see Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L., (2024). *The Public Understanding of Law Survey (PULS) Volume 2: Understanding and Capability*. Melbourne: Victoria Law Foundation, pp.14–19.
- 14 Respondents were asked, ‘in general, thinking about dealing with organisations such as banks, doctors, Centrelink or government departments, how often do you’ and presented with six items related to literacy, e.g. ‘find it difficult to understand written information from them.’ Respondents scored their answers on a Likert scale from ‘always’ to ‘never’. For more on methodology, see Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L., (2024). *The Public Understanding of Law Survey (PULS) Volume 2: Understanding and Capability*. Melbourne: Victoria Law Foundation, pp.68–69.
- 15 Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L., (2024). *The Public Understanding of Law Survey (PULS) Volume 2: Understanding and Capability*. Melbourne: Victoria Law Foundation, p.72.
- 16 Respondents were asked 15 questions across five areas about knowledge of legal rights. See Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L., (2024). *The Public Understanding of Law Survey (PULS) Volume 2: Understanding and Capability*. Melbourne: Victoria Law Foundation, p.46.

- 17 Testing the age group model terms together; $\chi^2_{26} = 90.77$, $p < 0.001$. See Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L., (2024). *The Public Understanding of Law Survey (PULS) Volume 2: Understanding and Capability*. Melbourne: Victoria Law Foundation, p.48.
- 18 To measure general legal confidence, respondents were presented with six scenarios and asked to rate how confident they were that they could achieve a fair outcome, from 'not at all confident' to 'very confident'. See Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L., (2024). *The Public Understanding of Law Survey (PULS) Volume 2: Understanding and Capability*. Melbourne: Victoria Law Foundation, pp.50–53.
- 19 Respondents were asked 'have you ever used the internet to do any of the following' and presented with eight scenarios, e.g. 'send an email, set up 2-step ID verification'. See Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L., (2024). *The Public Understanding of Law Survey (PULS) Volume 2: Understanding and Capability*. Melbourne: Victoria Law Foundation, pp.146–148.
- 20 Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L., (2024). *The Public Understanding of Law Survey (PULS) Volume 2: Understanding and Capability*. Melbourne: Victoria Law Foundation, p.154.
- 21 Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L., (2024). *The Public Understanding of Law Survey (PULS) Volume 2: Understanding and Capability*. Melbourne: Victoria Law Foundation, pp.162–184.
- 22 Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L., (2024). *The Public Understanding of Law Survey (PULS) Volume 2: Understanding and Capability*. Melbourne: Victoria Law Foundation, p.172.
- 23 See further Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L., (2024). *The Public Understanding of Law Survey (PULS) Volume 2: Understanding and Capability*. Melbourne: Victoria Law Foundation; Rychner, G., & McDonald, H. M. (2024). *Problems at Work: Young people, employment and legal need*. Melbourne: Victoria Law Foundation.
- 24 Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L., (2024). *The Public Understanding of Law Survey (PULS) Volume 2: Understanding and Capability*. Melbourne: Victoria Law Foundation, p.7.

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