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# Purpose

The National Legal Assistance Data Standards Manual gives best practice guidance to legal assistance service providers to facilitate the collection of consistent and comparable data.[[1]](#footnote-1) It is acknowledged that the transition to the collection of consistent and comparable data collection is an iterative process.

This manual is relevant for all Commonwealth, state and territory government funded legal assistance service providers, including legal aid commissions, community legal centres, Indigenous legal assistance providers and family violence prevention legal services. It applies to data collected through regular service provision across all services and law types, as well as data collected through snapshot surveys and other mechanisms.

The manual was developed by the Commonwealth Attorney-General’s Department, in close consultation with the legal assistance sector, to facilitate best practice in data collection and recording. It is not a representation of the data required by the Australian Government as part of reporting requirements. The Australian Government will only require a small subset of the data for reporting purposes, which will be outlined in funding agreements.

The manual may be amended from time to time.

# Introduction

To achieve a national, integrated system of legal assistance, service providers must work together to improve access to justice, address disadvantage and maximise service delivery within the resources available.

Consistent and comparable data collection provides the foundation for a strong, reliable evidence base that informs legal assistance policy and supports planning and resource allocation decisions to ensure that limited resources are directed to areas where services will have the greatest benefit. A reliable evidence base also provides a comprehensive overview of legal assistance services delivered and the people and organisations accessing those services, and helps service providers respond to current and emerging legal need. Finally, reliable evidence demonstrates how effectively the legal assistance system, and the justice system more broadly, is functioning in Australia.

# Principles

The collection of legal assistance data is guided by five principles:

**Principle 1**

In collecting data, Service Providers should note the overarching principles from the National Strategic Framework for Legal Assistance 2015-20:

* legal assistance services focus on, and are accessible to people facing disadvantage
* legal assistance services are appropriate, proportionate and tailored to people’s legal needs and capabilities
* legal assistance services, government services and other services collaborate to provide joined‑up services to address people’s legal and other problems
* legal problems are identified and resolved in a timely manner before they escalate, and
* people are empowered to understand and assert their legal rights and responsibilities and to address, or prevent, legal problems.

**Principle 2**

Service Providers will spend more time helping people and less time collecting and recording data. In practice, this will mean collecting fewer data items to reduce the burden on Service Providers and ensuring that the data collected is meaningful and useful.

**Principle 3**

Data collection will be consistent over time to establish a strong evidence base and allow for comparisons to be made across the legal assistance sector.

**Principle 4**

When analysing legal assistance data, data users will take into account the different operational contexts in which Service Providers operate to ensure that appropriate and accurate conclusions are made.

**Principle 5**

Data will be collected, stored and disseminated in accordance with Australian Privacy Principles or the equivalent state or territory privacy law, as well as the relevant legislative and professional requirements.

# Overview of the manual

The manual is divided into three parts.

Part 1 defines types of services and provides guidance on how services are to be counted, facilitating consistency across the legal assistance sector.

Part 2 provides best practice guidance on what data items may be collected for each service type to establish a strong evidence base for the sector.

Part 3 defines data items to improve the consistency of data collected by Service Providers.

It is helpful to define the common terms used in the manual, including:

*Service Provider*: This is a legal assistance service provider, or an individual acting on behalf of the legal assistance service provider, that delivers a service to a Service User.

*Service User:* This is an individual, group or organisation that receives a service from a Service Provider.

*Service Category:* These are broad categories that group together similar Service Types (for example, Representation). The Service Categories and Service Types are set out in Figure 1 below.

*Service Type:* This is a particular type of service (for example Dispute Resolution).

***Figure 1: Legal assistance services***

***Legal assistance services are divided into services for individuals and services for the community. Services for individuals is defined to include services for individuals, groups and organisations. Discrete Assistance, Facilitated Resolution Process, Duty Lawyer and Representation fall under the category of Services for individuals. Discrete Assistance is then further divided to information, referral, legal advice, non-legal support and legal task. Facilitated Resolution Process and Duty Lawyer have no further divisions. Representation is then further divided to dispute resolution, court/tribunal and other representation.
Community Legal Education, Community Education and, Law and Legal Services Reform and Stakeholder Engagement fall under Services for the community. Community legal education is further divided into resources and activities. Community education had no further divisions. Law and Legal Services Reform and Stakeholder Engagement is further broken down into Law and Legal Services Reform and stakeholder engagement.***

\* This includes services for individuals, groups and organisations.

# Part 1 – Service definitions and counting rules

This section defines Service Types and provides best practice guidance on how services are to be counted.

This section does not aim to create homogeneity of services within the legal assistance sector. Instead, it seeks to cluster similar services together under common headings to facilitate analysis of data to inform business planning, service planning and delivery, legal assistance policy and evaluation.

The demand for a variety of service delivery methods to meet the diverse needs of Service Users is acknowledged and respected.

## Discrete Assistance

Discrete Assistance is the provision of unbundled, discrete, legal and non-legal services to Service Users.

These intermittent services differ from Representation Services, where a Service Provider takes carriage of a matter in an ongoing, representative capacity.

Discrete Assistance may be provided at any location (for example, in a Service Provider’s office or in an outreach location).

They may also be delivered in a range of modes:

* in person
* telephone
* letter
* email, mail or fax
* video conference
* online chat.

### Information Services

**Definition**

An Information Service is the provision of information to a Service User in response to an enquiry about:

* the law, legal systems and processes,
* legal and other support services to assist in the resolution of legal and related problems.

The information provided is of general application.

An Information Service involves a direct communication and/or a provision of material by a Service Provider to a Service User. Information Services do not include administrative tasks such as booking appointments for legal advice sessions or information obtained from a Service Provider’s website.

**Counting rules**

Where information is provided about one or more problems at the same time, it is counted as one Information Service. Different problem types may be recorded in the service characteristics.

Where the same information is provided to a Service User by more than one method at the same time (for example by telephone, followed by mailing a Community Legal Education resource), it is counted as one Information Service.

Where information is provided to a Service User in the course of providing another service, it should **not** be counted as an Information Service and is subsumed by the other service. For example, information provided in the course of a Legal Advice Service is **not** counted separately as an Information Service, but as a Legal Advice Service. Similarly, information provided by a duty lawyer to a Service User in a court or tribunal is **not** counted as an Information Service, but as a Duty Lawyer Service.

### Referral

**Definition**

A Referral is when a Service Provider determines that a Service User can be assisted by another individual or organisation and provides the User with the contact details to that service.

A Referral may be recorded as either a Simple Referral or a Facilitated Referral. These types of referrals are defined in Table 18 in Part 3 of this manual.

**Counting rules**

Each Referral to an individual or organisation is counted.[[2]](#footnote-2)

Internal referrals, where a Service Provider refers a Service User to another individual or section within the same organisation, are not counted as a referral.

Incoming referrals, where an external individual or organisation refers a Service User to the Service Provider, are not counted as a referral.

### Legal Advice Services

**Definition**

A Legal Advice Service is the provision of fact-specific legal advice to a Service User in response to a request for assistance to resolve specific legal problems.

**Counting rules**

If a Service User receives advice for more than one problem from the same lawyer, it is counted as one Legal Advice Service. Different problem types may be recorded in the service characteristics. If two lawyers are required to provide advice, it is counted as two Legal Advice Services.

Where the same advice is provided to a Service User by more than one method (for example where advice provided in person is confirmed by letter the following day), it is not counted separately. Where a Service User makes subsequent contact with a Service Provider and new advice is provided, it is counted as a separate Legal Advice Service. This is the case whether it is in relation to the same problem for which advice was initially sought or a different problem.

Where information is provided in the same session as a Legal Advice Service, it should **not** be counted as an Information Service and is subsumed as part of the Legal Advice Service. Legal advice provided by a duty lawyer to a Service User at a court or tribunal is **not** counted as a Legal Advice Service but as a Duty Lawyer Service.

### Non-Legal Support Services

**Definition**

A Non-Legal Support Service is provided by an appropriately qualified person (either through an internal or external appointment) to a Service User in response to a request for assistance to resolve specific, non-legal problems. Examples include general counselling, financial counselling, trauma-informed counselling, Aboriginal and Torres Strait Islander community liaison, and mental health assessments and support.

Non-Legal Support Services may be recorded as either a Discrete or an Ongoing Non‑Legal Support Service. These types of services are defined in Table 13 in Part 3 of this manual.

**Counting rules**

Where a Service User receives non-legal support from a Service Provider, an individual or an organisation, it is counted as one Non‑Legal Support Service. This includes where a Service User receives Ongoing Non-Legal Support.

Where the same support is provided to a Service User by more than one method at the same time (for example by telephone, followed by mailing a letter), it is counted as one Non-Legal Support Service.

Where non-legal support is provided to a Service User in the course of providing another service, it iscounted as a Non‑Legal Support Service and is **not** subsumed by the other service.

### Legal Task

**Definition**

A Legal Task is where a Service Provider completes a discrete piece of legal work to assist a Service User to resolve a problem or a particular stage of a problem. Examples of a Legal Task include:

* preparation or assistance with the drafting of documents (such as a will)
* writing a submission letter to the Police to negotiate charges
* writing a letter to another party asking them to do something or stop doing something, or
* advocating on behalf of a Service User without taking ongoing carriage of the matter.

If a Service Provider takes carriage of a matter in an ongoing, representative capacity, including representing a Service User in court or tribunal proceedings, this is no longer a Legal Task but a Representation Service.

**Counting rules**

Where a Service User receives assistance with a Legal Task(s) to resolve a matter, it is to be counted as one Legal Task. For example, if a Service Provider assists a Service User by drafting a letter and making a phone call, this is counted as one Legal Task.

Where a Service User makes subsequent contact with a Service Provider and assistance with a Legal Task(s) is provided again, whether in relation to the same matter for which assistance was initially sought or a different matter, it is counted as a separate Legal Task.

Where information is provided in the same session as a Legal Task, it should **not** be counted as an Information Service and is subsumed as part of the Legal Task.

Assistance with Legal Tasks provided by a duty lawyer to a Service User at a court or tribunal is **not** counted as a Legal Task but as Duty Lawyer Service.

## Facilitated Resolution Processes

Facilitated Resolution Processes include specific processes that are aimed at resolving disputes without going to court. This category is relevant for the process only. The actual representation of a Service User within a Facilitated Resolution Process is defined as a Dispute Resolution Service.

**Definition**

A Facilitated Resolution Process is where a Service Provider conducts an activity (for example a conference) to assist the parties to resolve or narrow issues in dispute. Generally, a facilitated resolution process will involve a screening process and the provision of an independent, suitably qualified professional to facilitate resolution of the issues in dispute.

A Facilitated Resolution Process may be provided:

* in person at any location
* by telephone or videoconference.

There are a number of Activity Types within this Service Category, including:

* screening
* arbitration
* conferences
* mediation.

**Counting rules**

A Service Provider should count all Activity Types undertaken as part of one matter as one Facilitated Resolution Process. For example, if a Service Provider conducts two screening processes (one for each party) and a conference for the same matter, this is counted as one Facilitated Resolution Process.

If the Service Provider is representing a party attending a Facilitated Resolution Process, this is counted separately as a Dispute Resolution Service and is not categorised as a Facilitated Resolution Process. For example, if a Service Provider conducts a conference and also provides representation for two parties attending the conference, this is counted as one Facilitated Resolution Process and two Dispute Resolution Services.

If a Facilitated Resolution Process is organised but not conducted (for example where a screening process is undertaken and it is determined that it is not appropriate for a Facilitated Resolution Process to be continued), it is counted as a Facilitated Resolution Process.

Service Providers should record the results of the Facilitated Resolution Process, in accordance with the options specified in Table 12 in Part 3 of this manual.

## Duty Lawyer Services

**Definition**

Duty Lawyer Services are legal services provided by a duty lawyer to a Service User at a court or tribunal.

There are a number of duty lawyer activity types—these are defined in Table 13 in Part 3 of this manual.

**Counting rules**

Where a Service User receives a Duty Lawyer Service, it is counted as one Duty Lawyer Service.

Where a Service User makes subsequent contact with a Service Provider and duty assistance is again provided, it is counted as a separate Duty Lawyer Service. This is the case whether the subsequent Duty Lawyer Service is about the same legal problem for which advice was initially sought or a different legal problem.

Where a Service User receives a Duty Lawyer Service and the Service Provider subsequently takes carriage of the matter in an ongoing, representative capacity, this is counted as two separate services. The first service is counted as one Duty Lawyer Service and the subsequent service is counted as a Representation Service.

## Representation Services

Representation Services are where a Service Provider takes carriage of a matter in an ongoing, representative capacity.

There are three service types within this service category.

### Dispute Resolution Service

**Definition**

This service is the legal representation of a Service User in a Facilitated Resolution Process, or an alternative dispute resolution process. This service type does not include court/tribunal based alternative dispute resolution, which is incorporated in the definition of Court /Tribunal Services.

A Dispute Resolution Service includes preparation for, and representation at, a Facilitated Resolution Process. It also includes the work involved in recording agreement following a Facilitated Resolution Process.

Assistance provided to self-representing parties preparing to attend Facilitated Resolution Processes should be categorised as Legal Task or Duty Lawyer Service as relevant.

**Counting rules**

If a Service User is represented by a Service Provider in an ongoing matter, all services provided in relation to the matter are counted together as one Dispute Resolution Service. For example, Information, Legal Advice and assistance with Legal Tasks are considered to be part of, and subsumed by the Dispute Resolution Service and are **not** counted separately.

One Dispute Resolution Service can involve multiple problem types that arise in the same matter. The different problem types are recorded as service characteristics.

### Court/Tribunal Service

**Definition**

A Court/Tribunal Service relates to any ongoing representation for any matter before a court, tribunal or inquiry where a Service Provider provides legal representation to a Service User and takes carriage of a matter in an ongoing, representative capacity. This includes court/tribunal based alternative dispute resolution.

A Court/Tribunal Service does not include services provided by a duty lawyer or assistance to self-representing parties where a Service Provider does not take carriage of a matter in an ongoing, representative capacity. This type of service is counted as a Legal Task, Legal Advice or Duty Lawyer Service, as appropriate.

**Counting rules**

All services provided in relation to a matter are counted together as one Court/Tribunal Service. For example, Information, Legal Advice and assistance with Legal Tasks are considered to be part of, and subsumed by the Court/Tribunal Service and are **not** counted separately.

One Court/Tribunal Service can involve multiple problem types. The different hearing types and problem types in a Court/Tribunal Service may be recorded as service characteristics.[[3]](#footnote-3)

Any court/tribunal based alternative dispute resolution undertaken in relation to a Court/Tribunal Service is considered to be part of, and subsumed by, the Court/Tribunal Service and is **not** counted separately. For example, a court-ordered mediation process.

### Other Representation Services

**Definition**

Other Representation Services relates to any matter where the Service Provider:

* takes carriage of a matter in an ongoing, representative capacity, but due to the nature of the matter it does not proceed to a court, tribunal or inquiry, or
* is not required to appear before a court, tribunal or inquiry.

Other Representation Services does not include assistance to self-representing parties where a Service Provider does not take carriage of a matter in an ongoing, representative capacity. This type of service is counted as a Legal Task, Legal Advice or Duty Lawyer Service, as appropriate.

**Counting rules**

All services provided in relation to a matter are counted together as one Other Representation Service. For example, Information, Legal Advice and assistance with Legal Tasks are considered to be part of, and subsumed by the Other Representation Service and are **not** counted separately.

One Other Representation Service can involve multiple problem types. The different problem types may be recorded as service characteristics.

If a Service User is represented by a Service Provider in more than one ongoing matter, each ongoing matter is counted as a separate Other Representation Service. Again, the different problem types may be recorded as service characteristics, if appropriate.

## Community Legal Education

Community Legal Education (CLE) is provided to the general community, community services, community groups, organisations or schools. These services inform and build individual and community resilience by enhancing:

* awareness and understanding about the law and how to identify, prevent and deal with problems
* awareness of the help available from legal and support services.

There are two service types within this service category.

### Community Legal Education Resources

**Definition**

CLE Resources involve the development or substantial amendment of publications and resources that provide:

* information about the law and legal system
* information about legal and support services
* guidance for identifying, preventing or dealing with particular legal problems.

Examples of CLE Resources include:

* booklets
* pamphlets
* self-help kits
* legal information websites
* development of CLE Activities (for example, modules, workshops or presentations).

CLE Resources may be developed to be delivered via a variety of media including:

* printed/hard copy
* audio products
* DVD/video
* web based
* workshops or presentations.

**Counting rules**

Each CLE Resource developed and/or published is counted as one CLE Resource, regardless of the number of copies that may be printed or published. For example, if a DVD is produced about juvenile crime and 1 000 copies of the DVD are made, then this is counted as one CLE Resource **not** 1 000 resources. The number of copies distributed may be recorded as a service characteristic, where applicable.

A resource that has been translated or amended substantially to meet the needs of different client groups is regarded as a separate CLE Resource. A resource that is produced in significantly different formats, for example as a pamphlet and a DVD, is regarded as two CLE Resources.

### Community Legal Education Activities

**Definition**

CLE Activities are delivered to raise awareness and educate other service providers, community groups, organisations, schools, or the general community about the law and how to recognise, prevent and deal with legal problems.

CLE Activities may be delivered through a variety of formats, including:

* workshops, presentations and meetings in person
* web-based and electronic media.

**Counting rules**

Each time an activity is delivered, it is counted as one CLE Activity. The target audience, problem type(s) and the number of people in attendance at each session may be recorded as service characteristics.

The development of a CLE Activity is counted as a CLE Resource.

## Community Education

Community Education (CE) aims to resolve non-legal associated issues, social welfare, learning outcomes and personal development of people involved in the legal process and experiencing disadvantage. The focus is on addressing related non-legal problems that directly impact upon people’s ability to access or participate in the justice system, to prevent legal matters escalating. These programmes and sessions are often facilitated by non-lawyers such as client support officers.

**Definition**

CE promotes learning and social development work with groups in the general community using a range of formal and informal methods. A common crucial feature is that programmes and activities are developed in discussion with communities and participants. The purpose of community education and development is to develop the capacity of people and groups of all ages through their actions, the capacity of communities and to improve quality of life and control over personal circumstances. Central to this is people’s ability to participate in the justice processes and become aware of their individual rights and responsibilities.

There are a range of skills and approaches for engaging local communities/groups and in particular disadvantaged people. These include less formal educational methods, community activities and group skills. Community development enables community members to be better informed and to have an active voice in seeking solutions for the issues affecting their circumstances/lives.

Examples of CE include:

* managing finances
* self-esteem and healthy relationships sessions
* behavioural programmes
* empowerment/leadership programmes
* access to services; housing, social services, support programmes
* parenting programmes
* group therapy.

**Counting Rules**

Each time a CE activity (for example a workshop) is delivered it is counted as one CE activity. The target audience and the number of people in attendance at each session could be recorded as service characteristics.

CE that has been translated or amended substantially to meet the needs of different groups is regarded as a separate CE activity. Each revised CE activity should be counted as a separate CE activity.

CE delivered to an individual is counted as a Non-Legal Support Service.

## Law and Legal Service Reform

Law and Legal Service Reform include activities undertaken to change the law and legal process, or to improve the provision of legal assistance services. These activities often seek to improve equitable access to, and the effectiveness of, the justice system for the benefit of particular disadvantaged groups within the community and the Australian community as a whole.

**Definition**

Law and Legal Service Reform activities may include:

* participation in research, analysis and evaluation activities (including programme evaluation)
* developing papers about legal assistance services and systems
* developing submissions to government, parliamentary body or other inquiry to provide factual information and/or advice
* strategic advocacy, such as law reform work.

Law and Legal Service Reform activities focus upon resolving systemic issues affecting the ability of people facing economic, social and other disadvantage to access or receive justice. While in some cases, this involves services delivered to a disadvantaged client, these services focus upon maximising benefits for the wider community or a vulnerable group within the community.

**Counting rules**

Each relevant project undertaken is counted as one Law and Legal Reform activity.

## Stakeholder Engagement

**Definition**

Stakeholder Engagement activities may include the following activities:

* participating in national, state, territory and local forums to improve the co-ordination and delivery of legal assistance services
* participating in national, state, territory and local bodies to represent the interests of the legal assistance providers and Service Users
* making and implementing collaborative arrangements with other legal and non-legal service providers to integrate and improve coordination across the legal assistance system.

**Counting rules**

Each relevant activity is counted as one Stakeholder Engagement Activity. For example, a Service Provider may prepare for and attend two successive state/territory jurisdictional forums. This would be counted as two Stakeholder Engagement activities. The number of people in attendance at each Stakeholder Engagement Activity could be recorded as a service characteristic.

# Part 2 – Data collection

Part 2 provides best practice guidance to the sector on what data items may be collected for each service.

The data that may be collected by Service Providers has been split in to two types:

1. **National legal assistance data set** – It is optimal that all Service Providers collect this data consistently to establish a reliable evidence base to inform business planning, service delivery, legal assistance policy and evaluation.
2. **Additional data** – Service Providers may choose to collect this additional data. The additional data has been included so that where a Service Provider does collect this data, it is collected in a consistent manner across the sector. This category reflects the fact that Services Providers may require additional data for internal operational requirements.

***Table 1: Key***

| **Collection category** | **Key** |
| --- | --- |
| **Data not collected for service types** | Data not collected is represented with a blank square |
| **National legal assistance data set** | National Legal Assistance data is represented with a check mark on a coloured background. |
| **Additional data** | Additional data is represented by a check on a blank background. |

Tables 2, 3 and 4 provide a checklist of the data that may be collected for each service, broken down into data for all services, services provided to individuals and for services provided to the community.

Part 3 defines the data items.

**Data for all services**

Case management systems automatically collect a range of data items.

***Table 2: Data for all services***

| Data | Collection category |
| --- | --- |
| Service Provider Details | Service Provider details are collected as part of the national legal assistance data set. |
| Date(s) of Service | The dates of service are collected as part of the national legal assistance data set. |

**Data for services provided to individuals**

***Table 3: Data for services provided to individuals***

| Data | Information | Referrals | Legal Advice, Non-Legal Support,  Legal Task | Facilitated Resolution Processes | Duty Lawyer[[4]](#footnote-4) | Dispute Resolution, Court/Tribunal,  Other Representation |
| --- | --- | --- | --- | --- | --- | --- |
| Service Type | The service type is collected as part of the national legal assistance data set for information services. | The service type is collected as part of the national legal assistance data set for referrals. | The service type is collected as part of the national legal assistance data set for legal advice, non-legal support and legal task services | The service type is collected as part of the national legal assistance data set for facilitated resolution process. | The service type is collected as part of the national legal assistance data set for duty lawyer services. | The service type is collected as part of the national legal assistance data set for dispute resolution, court/tribunal, other representation services. |
| Service User  Basic Data | Service user basic data is not collected for information services. | Service user basic data is not collected for referrals. | Service user basic data is collected as part of the national legal assistance data set for legal advice, non-legal support and legal task services. | Service user basic data is not collected for referrals. | Service user basic data is collected as part of the national legal assistance data set for duty lawyer services. | Service user basic data is collected as part of the national legal assistance data set for dispute resolution, court/tribunal and other representation services. |
| Service User Detailed Data | Service user detailed data is not collected for information services. | Service user detailed data is not collected for referrals. | Service user detailed data may be collectead as additional data for legal advice, non-legal support and legal task services. |  | Service user detailed data may be collectead as additional data for duty lawyer services. | Service user detailed data may be collectead as additional data for dispute resolution, court/tribunal and other representation services. |
| Basic Service Characteristics | Basic service characteristics are not collected for information services. | Basic service characteristics are not collected for referrals. | Basic service characteristics may be collected as additional data for legal advice, non-legal support and legal task services. | Basic service characteristics may be collected as additional data for facilitated resolution processes. | Basic service characteristics may be collected as additional data for duty lawyer services.. | Basic service characteristics are collected as part of the national legal assistance data set for dispute resolution, court/tribunal and other representation services. |
| Detailed Service Characteristics | Detailed service characteristics are not collected for information services. | Detailed service characteristics are not collected for referrals. | Detailed service characteristics may be collected as additional data for legal advice, non-legal support and legal task services. | Detailed service characteristics may be collected as additional data for facilitated resolution processes. | Detailed service characteristics may be collected as additional data for duty lawyer services. | Detailed service characteristics may be collected as additional data for resolution, court/tribunal and other representation services. |
| Service Results | Service results are not collected for information services. | Service results are not collected for referrals. | Detailed service characteristics may be collected as additional data for legal advice, non-legal support and legal task services. | Service results are collected as part of the national legal assistance data set for facilitated resolution processes. | Service results are not collected for duty lawyer services. | Service results are collected as part of the national legal assistance data set for dispute resolution, court/tribunal and other representation services. |
| Activity Type | The activity type is not collected for information services. | The activity type is not collected for referrals. | The activity type is not collected for legal advice, non-legal support and legal task services. | The activity type is collected as part of the national legal assistance data for facilitated resolution processes. | The activity type is collected as part of the national legal assistance data for duty lawyer services. | The activity type is not collected for dispute resolution, court/tribunal and other representation services. |
| Other Party Type | The other party type is not collected for information services. | The other party type is not collected for referrals. | The other party type may be collected as additional data for legal advice, non-legal support and legal task services. | The other party type is may be collected as additional data for facilitated resolution processes. | The other party type is not collected for duty lawyer services. | The other party type may be collected as additional data for dispute resolution, court/tribunal and other representation services. |
| Problem Type | The problem type is not collected for information services. | The problem type is not collected for referrals. | The problem type may be collected as additional data for legal advice, non-legal support and legal task services. | The problem type may be collected as additional data for facilitated resolution processes. | The problem type may be collected as additional data for duty lawyer services. | The problem type may be collected as additional data for dispute resolution, court/tribunal and other representation services. |
| Hearing Type | The hearing type is not collected for information services. | The hearing type is not collected for referrals. | The hearing type is not collected for legal advice, non-legal support and legal task services. | The hearing type is not collected for facilitated resolution processes. | The hearing type is not collected for duty lawyer services. | The hearing type may be collected as additional data for dispute resolution, court/tribunal and other representation services. |
| Court/Tribunal Type | The court/tribunal type is not collected for information services. | The court/tribunal type is not collected for referrals. | The court/tribunal type is not collected for legal advice, non-legal support and legal task services. | The court/tribunal type is not collected for facilitated resolution processes. | The court/tribunal type may be collected as additional data for duty lawyer services. | The court/tribunal type may be collected as additional data for dispute resolution, court/tribunal and other representation services. |
| Referral Data | The referral type is not collected for information services. | The referral type may be collected as additional data for referrals. | The referral type may be collected for legal advice, non-legal support and legal task services. | The referral type is not collected for facilitated resolution processes. | The referral type is not collected for duty lawyer services. | The referral type is not collected for dispute resolution, court/tribunal and other representation services. |

## Data for services provided to communities

***Table 4: Data for services provided to communities***

| Data | CLE Resources and Activities | Law and Legal Service Reform | Stakeholder Engagement |
| --- | --- | --- | --- |
| Service Type | The service type is collected as part of the national legal assistance data set for CLE resources and activities. | The service type may be collected as additional data for law reform and stakeholder engagement activities. | The service type may be collected as additional data for law reform and stakeholder engagement activities. |
| Primary Law Type | The primary law type is collected as part of the national legal assistance data set for CLE resources and activities. | The primary type may be collected as additional data for law reform and stakeholder engagement activities. | The primary type may be collected as additional data for law reform and stakeholder engagement activities. |
| Problem Type | The problem type may be recorded as additional data for CLE resources and activities. | The problem type may be recorded as additional data for CLE resources and activities. | The problem type may be recorded as additional data for CLE resources and activities. |
| Service location | The service location is collected as part of the national legal assistance data set for CLE resources and activities. | The service location may be collected as additional data for law reform and stakeholder engagement activities. | The service location may be collected as additional data for law reform and stakeholder engagement activities. |
| Target audience for service | The target audience for service is collected as part of the national legal assistance data set for CLE resources and activities. | The target audience for service may be collected as additional data for law reform and stakeholder engagement activities. | The target audience for service may be collected as additional data for law reform and stakeholder engagement activities. |
| Number of persons accessing CLE/CE activities | The number of persons accessing CLE or CE activities may be collected as additional data for CLE resources and activities. | The number of person accessing CLE or CE activities is not collected for law reform and stakeholder engagement activities. |  |
| Number of CLE/CE activities delivered | The number of activities delivered may be collected as additional data for CLE resources and activities. | The number of activities delivered is not collected for law reform and stakeholder engagement activities. |  |
| Number of CLE/CE copies of each publication distributed | The number of copies of each publication distributed may be collected as additional data for CLE resources and activities.. | The number of copies of each publication distributed is not collected for law reform and stakeholder engagement activities. |  |
| Law and Legal Services Reform Activities undertaken | The law and legal services reform undertaken is not collected CLE resources and activities. | The law and legal services reform undertaken may be collected as additional data for law reform and stakeholder engagement activities. |  |
| Nature of Stakeholder Engagement activity | The nature of stakeholder engagement activity is not collected for CLE resources and activities. |  | The nature of stakeholder engagement activity may be collected as additional data for law reform and stakeholder engagement activities. |
| Collaborative arrangement | Collaborative arrangements are collected as part of the national legal assistance data set for CLE resources and activities. | Collaborative arrangements may be collected as additional data for law reform and stakeholder engagement activities. | The nature of stakeholder engagement activity may be collected as additional data for law reform and stakeholder engagement activities. |
| Interpreter/ translator required | Whether an interpreter/translation was required may be collected as additional data for CLE resources and activities. | Whether an interpreter/translation was required is not collected for law reform and stakeholder engagement activities. | The nature of stakeholder engagement activity may be collected as additional data for law reform and stakeholder engagement activities. |
| Website access (where applicable) | Website access, where applicable may be recorded as additional data for CLE resources and activities. | Website access, where applicable is not recorded for law reform and stakeholder engagement activities. |  |
| Resources applied | The resources applied may be recorded as additional data for CLE resources and activities. | The resources applied may be recorded as additional data for law reform and stakeholder engagement activities. | The nature of stakeholder engagement activity may be collected as additional data for law reform and stakeholder engagement activities. |
| Estimate of time spent | An estimate of the time spent may be collected as additional data for CLE resources and activities. | An estimate of the time spent may be collected as additional data for law reform and stakeholder engagement activities. | The nature of stakeholder engagement activity may be collected as additional data for law reform and stakeholder engagement activities. |

# Part 3 – Data definitions

Part 3 defines the data that Service Providers may collect for each service. This part seeks to improve data consistency by ensuring that when Service Providers collect data, that data is collected in the same way. This will help the legal assistance sector develop a strong, consistent and reliable evidence base.

This part is broken down into three sections:

* data for all services
* data for services provided to individuals (including organisations and groups), and
* data for services provided to communities.

## Data for all services

### Service Provider Details

The following information is to be collected about a Service Provider.

***Table 5: Service Provider details***

| Data item | Information to be recorded | Definition/comments |
| --- | --- | --- |
| Service Provider name | *Complete field:*   * *(organisation name)* |  |
| Suburb | *Complete field:*   * *(suburb)* | ‘Postcode’ can be collected in addition to ‘Suburb’. |

### Date of Service

***Table 6: Date of service***

| Data item | Information to be recorded | Definition/comments |
| --- | --- | --- |
| Date | *Complete field:*   * dd/mm/yyyy | This is the date on which a service was provided. |
| Date  (for ongoing services including Representation Services and services for the community) | *Complete fields:*  Matter open date   * dd/mm/yyyy   Matter closed date   * dd/mm/yyyy | The matter open date is the date on which the Service User first receives assistance/service to the community commences.  The matter closed date is the date on which the matter file is closed/service to the community is finalised.    If a date is unknown, the default should be 01/01/1900. |

## Data for services provided to individuals

### Service Type

Service type data provides information about which legal assistance services are being used.

***Table 7: Service Type***

| Data item | Information to be recorded | Definition/comments |
| --- | --- | --- |
| Service Type | *Select one:*   * Information Service * Referral * Legal Advice Service * Non-Legal Support Service * Legal Task * Facilitated Resolution Process * Duty Lawyer Service * Dispute Resolution Service * Court/Tribunal Service * Other Representation Service * Community Legal Education Resource * Community Legal Education Activity * Community Education * Law and Legal Service Reform * Stakeholder Engagement | These services are defined in Part 1 of the manual. |

#### Service User Basic Data

This data provides basic information about the Service Users receiving legal assistance. In accordance with this manual, it is best practice to collect this data for services identified in Part 2.

The basic information that should be collected about a Service User includes:

***Table 8: Service User basic data***

| Data item | Information to be recorded | Definition/comments |
| --- | --- | --- |
| Unique Client Identifier | *Complete field:*   * ID number | This is an automatically generated number given to each Service User and is collected to identify repeat users of legal assistance services and to map pathways through the legal assistance system.  This item does not need to be collected for Information Services, Referral, Legal Advice Services delivered over the telephone.  Over time, Service Providers could transition to a sector-wide approach to determining the unique client identifier. For example, the first 3 letters of the name plus 5 digit numeric value. |
| Name | *Complete fields:*   * First name * Last name * Other names | This information does not need to be collected for Legal Advice Services delivered over the telephone. |
| Location of Service User | *Complete field:*   * Suburb | Service Providers may prefer to collect the Service Users full address. |
| Age | *Complete appropriate field:*   * Date of birth * Unknown * Not stated * Estimate of year of birth | If age is unknown, it is preferable to enter the default as 01/01/1900.  An estimate of the year of birth should be entered where possible. |
| Gender | *Select one or more:*   * Male * Female * Other/not further defined: * X not male or female * Transgender * Intersex or indeterminate * Other * Unknown |  |
| Aboriginal and Torres Strait Islander status | *Select one or more:*   * No * Yes, Aboriginal * Yes, Torres Strait Islander * Not stated / inadequately described | ABS Indigenous Standard (cat. no. 1200.0.55.008).  For persons of both Aboriginal and Torres Strait Islander origin, mark both ‘yes’ boxes.  The ‘not stated / inadequately defined’ category should not be provided to Service Users as a response option. This field is used where an answer is refused, where the question was not able to be asked because a Service User was unable to communicate, or where data has been imported/entered from another data source that does not contain 'mappable' data. |
| Requires Interpreter/Translator | *Select one or more:* *(If yes, select from drop down menu)*   * Yes (spoken language other than English) [drop down menu of language] * Yes (non-spoken communication) * No | Service Providers may determine the relevant list of languages. Where a list is provided, the languages used should correspond to an entry in the Australian Standard Classification of Languages, 2011 (cat. no. 1267.0).  This includes Auslan interpreting services. |

#### Service User Detailed Data

This data provides additional information about the Service Users receiving legal assistance. In accordance with this manual, this is additional data that may be collected for services identified in Part 2.

***Table 9: Service User detailed data***

| Data item | Information to be recorded | Definition/comments |
| --- | --- | --- |
| Country of birth | *Select one: (If applicable, specify country)*   * Australia * Other country: [specify] * Inadequately described | Standard Australian Classification of Countries (cat. no. 1269.0). |
| Main language spoken at home | *Select one: (If applicable, select from drop down menu)*   * English * A language other than English: [drop down menu] * Inadequately described | Service Providers may determine relevant list of languages. Where a list is provided, the languages used should correspond to an entry in the Australian Standard Classification of Languages, 2011 (cat. no. 1267.0).  This includes Auslan interpreting services. |
| Proficiency in English - spoken | *Select one:*   * Very well * Well * Not well * Not at all * Not stated/inadequately described | Service User self-identifies level of spoken proficiency in English.  ABS Language Standards, 2012 (cat. no. 1200.0.55.005) |
| Proficiency in English - written | *Select one:*   * Very well * Well * Not well * Not at all * Not stated/inadequately described | Service User self-identifies level of written proficiency in English. |

#### Basic Service Characteristics

This data provides information about basic characteristics that are service or matter specific. In accordance with this manual, it is best practice to collect this data for services identified in Part 2.

***Table 10: Basic service characteristics***

| Data item | Information to be recorded | Definition/comments |
| --- | --- | --- |
| Family violence indicator | *Select one:*   * Yes * No * Unknown | Service User self-identifies family violence status.  For reference, section 4AB of the *Family Law Act 1975* defines family violence as:  violent, threatening or other behaviour by a person that coerces or controls a [member](http://www.austlii.edu.au/au/legis/cth/consol_act/fla1975114/s90md.html#member) of the person's family (the family [member](http://www.austlii.edu.au/au/legis/cth/consol_act/fla1975114/s90md.html#member)), or causes the family [member](http://www.austlii.edu.au/au/legis/cth/consol_act/fla1975114/s90md.html#member) to be fearful.  Examples of behaviour that may constitute [family violence](http://www.austlii.edu.au/au/legis/cth/consol_act/fla1975114/s4.html#family_violence) include, but are not limited to:   1. an assault; or 2. a sexual assault or other sexually abusive behaviour; or 3. stalking; or 4. repeated derogatory taunts; or 5. intentionally damaging or destroying [property](http://www.austlii.edu.au/au/legis/cth/consol_act/fla1975114/s4.html#property); or 6. intentionally causing death or injury to an animal; or 7. unreasonably denying the family [member](http://www.austlii.edu.au/au/legis/cth/consol_act/fla1975114/s90md.html#member) the financial autonomy that he or she would otherwise have had; or 8. unreasonably withholding financial support needed to meet the reasonable living expenses of the family [member](http://www.austlii.edu.au/au/legis/cth/consol_act/fla1975114/s90md.html#member), or his or her [child](http://www.austlii.edu.au/au/legis/cth/consol_act/fla1975114/s4.html#child), at a time when the family [member](http://www.austlii.edu.au/au/legis/cth/consol_act/fla1975114/s90md.html#member) is entirely or predominantly dependent on the person for financial support; or 9. preventing the family [member](http://www.austlii.edu.au/au/legis/cth/consol_act/fla1975114/s90md.html#member) from making or keeping connections with his or her family, friends or culture; or 10. unlawfully depriving the family [member](http://www.austlii.edu.au/au/legis/cth/consol_act/fla1975114/s90md.html#member), or any [member of the family](http://www.austlii.edu.au/au/legis/cth/consol_act/fla1975114/s4.html#member_of_the_family) [member](http://www.austlii.edu.au/au/legis/cth/consol_act/fla1975114/s90md.html#member)'s family, of his or her liberty. |
| Disability status | *Select one:* *(If yes, select all that apply from drop down menu)*   * Yes   *[Drop down menu]*   * + Sensory/speech   + Intellectual   + Physical   + Psychological   + Head injury, stroke or brain damage   + Other * No * Unknown | Service User self-identifies disability status.  *ABS definition*  Disabilities can be broadly grouped depending on whether they relate to functioning of the mind or the senses, to anatomy or physiology. A person may be classified to one or more of the following five disability groups:   * Sensory or speech (loss of sight, hearing or speech difficulties) * Intellectual (difficulty with learning, or understanding things) * Physical (breathing difficulties, blackouts, fits, chronic or recurrent pain, incomplete use of arms, finger, feet or legs, restriction in physical activities or in doing physical work, disfigurement) * Psychological (nervous or emotional condition, mental illness) * Head injury, stroke or brain damage (with long-term effects that restrict everyday activities) * Other |
| Financial disadvantage indicator | *Select one: (If yes, select all that apply from the drop down menu)*   * Yes   *[Drop down menu]*  Service User:   * + Centrelink benefit   + Legal aid commission means test   + Exempt from legal aid commission means test   + Henderson Poverty Line   + Cannot access finances temporarily * No * Unknown | Under the National Partnership Agreement on Legal Assistance Services (2015-2020), *financial disadvantage* means:  a person who does not have the means to pay for their legal representation without incurring serious financial difficulty, including a person who:   1. is in receipt of Centrelink benefits as their main source of income; or 2. satisfies a means test applied by a legal aid commission; or 3. is exempt from the legal aid means test, such as people seeking merits review of decisions about eligibility for Commonwealth military entitlements or military compensation payments and children; or 4. has an income equal to or below the Henderson Poverty Line[[5]](#footnote-5); or 5. cannot access finances temporarily due to circumstances outside of their control. For example, people experiencing, or at risk of, family violence who cannot access finances without risk to their personal safety or the safety of others. |
| Primary law type | *Select one:*   * Commonwealth law * State/territory law   *Select one:*   * Family * Civil * Criminal | Primary law type data provides information about the problem that is having the most substantial impact on a Service User. |
| Service location | *Complete field:*   * Suburb | Suburb of the physical location at which the service is delivered. This allows mapping of the physical location of service points.  Where a service is delivered at an outreach location, the outreach suburb should be recorded.  Where a service is delivered by videoconference or telephone, the location is the Service Provider’s office from which the telephone or videoconference call is made.  ‘Postcode’ can be collected in addition to ‘Suburb’. |
| Category of location at which a service is provided | *Select one:*   * Service Provider office * Court/tribunal * Prison/detention centre/hospital locked ward * Occasional community clinic * Home visit * Other | This field is designed to capture information about outreach locations.  Note this data item does not need to be recorded for telephone services. |
| Mode of service delivery | *Select one or more:*   * In person * Telephone * Letter, fax, email * Online chat * Videoconference * Other |  |

#### Detailed Service Characteristics

This data provides additional information about characteristics that are service or matter specific. In accordance with this manual, this is additional data that may be collected for services identified in Part 2.

***Table 11: Detailed service characteristics***

| Data item | Information to be recorded | Definition/comments |
| --- | --- | --- |
| Estimate of time spent | *Enter the time spent*  Or  *Select one:*   * Less than 15 minutes * Between 15 – 30 minutes * 30 – 60 minutes * 1 – 5 hours * 6 – 20 hours * 20 – 50 hours * more than 50 hours | Estimate the amount of time spent providing the whole service.  For grants of aid, the time estimate can be the notional number of hours allowed on the grant. |
| Interpreter/Translator used | *Select one:*   * Yes (spoken language other than English) * Yes (non-spoken communication) * No, not required * No, interpreter/translator not available | The interpreter/translator used may be a family member, in-house staff member or external provider. |
| Homelessness status | *Select one:*   * Yes * No * Unknown | Service User self-identifies homelessness status. |
| Employment status | *Select one:*   * Employed * Unemployed * Other * Unknown | For reference, to be classified as unemployed, a person needs to meet the following three criteria:   * not working more than one hour in the reference week * actively looking for work in previous four weeks, and * be available to start work in the reference week.   ABS Australian Labor Market Statistics (cat. no. 6202.0). |
| Centrelink status | *Select one: (If yes, select all that apply from drop down menu)*   * Yes   [drop down menu]   * Age pension * Disability support * Newstart allowance * Parenting payment * Veterans benefit * Youth allowance * Abstudy * Other [open field] * No * Unknown | Service User self-identifies Centrelink status.  ABS Australian standards for income variables 2010 (cat. no. 1287). |
| Individual income level[[6]](#footnote-6) | *Enter individual income*  *Or*  *Select one:* Weekly personal income (or annual)   * Negative income * Nil income * $1-199 ($1-10,399) * $200-299 ($10,400-15,599) * $300-399 ($15,600-20,799) * $400-599 ($20,800-31,199) * $600-799 ($31,200-41,599) * $800-999 ($41,600-51,999) * $1,000-1,249 ($52,000-64,999) * $1,500-1,999 ($78,000-103,999) * $2,000 or more ($104,000 or more) | ABS 2011 Census, personal income ranges |
| In custody status | *Select one: (If yes, select all that apply from the drop down menu)*   * Yes [drop down menu] * No * Unknown | Note that custody status should be recorded at the time of application for legal assistance, as it may change during the course of the service. |

#### Service Results

***Table 12: Service results***

| Data item | Information to be recorded | Definition/comments |
| --- | --- | --- |
| Service Results (Facilitated Resolution Processes only) | *Select one:*   * Fully settled * Partially settled * Not held * Not resolved |  |
| Service Results (Other services) | *Select one:*   * Resolved * Partly resolved * Not resolved * Ongoing | * Resolved – where assistance has been provided to meet the presenting service need and the Service Provider does not expect to take any further action in relation to the issue unless further contact is made by a Service User. * Partly resolved – where assistance has been provided, but the presenting service need is not fully met. * Not resolved – where a Service Provider was unable to meet the presenting service need. For example, a matter may remain unresolved if:   + the service requested is outside the scope of service offered by a Service Provider   + the service is within scope but a Service Provider does not have capacity to provide the service   + no viable referral can be made   + contact with a Service User is lost   + a Service User is traumatised or unwell   + an Interpreter/translator could not be found   + a Service User has engaged in unlawful, aggressive or extreme antisocial behaviours. * Ongoing – where assistance is currently being provided to meet the presenting need but no result has been reached yet. |

#### Activity Type

***Table 13: Activity type***

| Data item | Information to be recorded | Definition/comments |
| --- | --- | --- |
| Activity Type (for Facilitated Resolution Processes only) | *Select one:*   * Screening * Arbitration * Conferences * Mediation |  |
| Activity Type (for Duty Lawyer Services only) | *Select one:*  *Criminal law matters*   * Advice only * Minor appearance: adjournment; uncontested bail application; mention * Contested application * Plea and submissions: a plea of guilty is entered and sentence submissions are made.   *Civil and family law matters*   * Advice only * Minor appearance: adjournment or procedural orders only * Legal assistance: advice and drafting court documents, and/or negotiating with the other party on behalf of the Service User; may include appearance for adjournment * Appearance: submissions made, including interim applications; court-based conferences. | Service Providers should identify the primary type of work undertaken in each Duty Lawyer Service. The type of work selected should be that which best reflects the substance of the work done (for example if advice is provided prior to a court appearance, it is recorded as an appearance). For ease of identification, the activity types have been divided into law type. |

#### Other Party Type

***Table 14: Other party type***

| Data item | Information to be recorded | Definition/comments |
| --- | --- | --- |
| Other Party Type | *Select one:*   * An individual * An organisation, or * A government body or agency. |  |

#### Problem Type

The table below provides guidance on the problem types that commonly fall under each law type. This distribution may differ between jurisdictions. This list is not exhaustive.

***Table 15: Problem type***

| Law type | Information to be recorded | Definition/comments |
| --- | --- | --- |
| Family Law | *Select one or more:*   * Abduction * Child support * Child representation /Independent Children’s Lawyer * Divorce, de-facto separations and/or annulment * Family law property * Parenting arrangements * Surrogacy * Spouse maintenance * Other family law problem type [drop down menu] | Problems for resolution under the *Family Law Act 1975 (Cth).*  Under each law type, record the problem type. |
| Civil Law | *Select one or more:*   * Child protection * Consumer * Consumer credit * Credit and debt * Discrimination * Domestic violence protection orders * Employment * Environment * Guardianship for adults * Health * Housing * Immigration law * Injury compensation * Mental health law * Neighbourhood disputes * Other services for victims of violence * Proceeds of crime * Social Security * Veterans entitlements * Victim compensation * Wills and estates * Other civil law problem type [drop down menu] | Problems under State or Federal Civil laws other than Family Law.  Under each law type, record the problem type. |
| Criminal Law | *Select one or more:*   * Abduction, harassment and other offences against the person * Acts intended to cause injury * Dangerous or negligent acts endangering persons * Domestic/Family violence * Drug importation * Environmental pollution * Fraud, deception and related offences * Homicide and related offences * Illicit drug offences * Miscellaneous offences * Motor vehicle property damage * National Security offences * Offences against government procedures, government security and government operations * People smuggling * Prohibited and regulated weapons and explosives offences * Property damage * Public order offences * Robbery, extortion and related offences * Sexual assault and related offences * Theft and related offences * Traffic and vehicle regulatory offences * Unlawful entry with intent/burglary, break and enter * Other criminal law problem type [drop down menu] | Problems where a Service User is charged with, or at risk of being charged with, an offence under Federal or State Criminal Law.  Under each law type, record the problem type. |
| Legal System and Legal Help  (for services for the community) | *Select one or more:*   * Australian legal system * Legal services/getting legal help * Other |  |

#### Hearing Type

***Table 16: Hearing type***

| Data item | Information to be recorded | Definition/comments |
| --- | --- | --- |
| Hearing Type | *Select one:*   * Appeal * Inquest * Interim * Summary * Trial |  |

#### Court/Tribunal Type

***Table 17: Court/Tribunal type***

| Data item | Information to be recorded | Definition/comments |
| --- | --- | --- |
| Court/Tribunal Type | *Select one:*   * Lower court:   + Magistrates Court * Intermediate Court   + District Court   + Federal Circuit Court * Superior Court   + Family Court   + Federal Court   + High Court   + Supreme Court * Specialist Court   + Children’s Court   + Coroner’s Court   + Indigenous Court   + Other * Tribunal |  |

#### Referral data

***Table 18: Referral data***

| Data item | Information to be recorded | Definition/comments |
| --- | --- | --- |
| Referral type | *Select one:*   * Simple referral * Facilitated referral | ASimple Referral is when the contact details of an individual or organisation (whether legal or non‑legal) are provided and it is up to a Service User to make contact with that Service Provider.  A Facilitated Referral is when a Service User is directly assisted to make contact with another individual or organisation (whether legal or non-legal). A Facilitated Referral may include one or all of the following:   * making an appointment on behalf of a Service User * contacting the target service to check a Service User’s eligibility and the availability of service within the appropriate timeframes * attending the target service with a Service User providing (with the Service User's approval) background information or a professional assessment relevant to the provision of the target service. |
| Service Provider category and type  (for Facilitated Referrals only) | *Select one or more: Legal assistance service provider*   * Indigenous legal assistance service * Community legal service provider * Family violence prevention legal service * Legal aid commission   *Private lawyer*   * Pro bono service * Fee paying service * Not known   *Dispute resolution service*   * Court/Tribunal * Family relationship centre * Family dispute resolution service * Other dispute resolution service   *Government agency*   * Centrelink (including family assistance offices) * Child support agency * Ombudsman * Police * Office of Fair Trading (or equivalent) * Other   *Other service provider*   * Domestic violence support service * Family support service * Financial counselling service * Health service * Housing service * Mental health service * Other |  |
| Reasons for Referral | *Select one:*  The Service Provider:   * does not offer the service required * does not have capacity to deliver the service * offers the service, but another provider is more appropriate for the particular Service User, or * offers the service, but the Service User is not able to access the service because of:   + conflict;   + Service User’s eligibility to access services; or   + Service User’s breach of conditions of assistance. | For referrals during casework only. |

#### Non-Legal Support Services

***Table 19: Non-Legal Support Services***

| Data item | Information to be recorded | Definition/comments |
| --- | --- | --- |
| Non-Legal Support Services | *Select one:*   * Discrete Non-Legal Support Service * Ongoing Non-Legal Support Service | ADiscrete Non-Legal Support Serviceis when a service is provided to a Service User once only.  An Ongoing Non-Legal Support Service is when a service is provided to a Service User in an ongoing capacity. |

## Data for services provided to communities

### Service Type

***Table 20: Service type***

| Data item | Information to be recorded | Definition/comments |
| --- | --- | --- |
| Service Type | *Select one:*   * CLE Resource * CLE Activity * Law and Legal Service Reform * Stakeholder Engagement. |  |

#### Service Characteristics

The service-specific information that may be collected about services provided to communities includes:

***Table 21: Service characteristics***

| Service characteristic | Information | Definition/comments |
| --- | --- | --- |
| **Primary law type** | *Select one:*   * Commonwealth law * State/territory law   *Select one:*   * Family * Civil * Criminal * Legal system and legal help | This is the primary law type about which the CLE material is being developed. |
| **Problem type** | *As above* | The information that may be collected about problem types is set out in Table 15 above. |
| **Service location** | *Complete field:*   * Suburb | Suburb of the physical location at which the service is delivered. This allows mapping of the physical location of service points.  Where service is delivered at an outreach location, the outreach suburb should be recorded. Where a service is delivered by videoconference or telephone, the location is the Service Provider’s office from which the telephone or videoconference call is made.  ‘Postcode’ can also be collected. |
| **Target audience for the service** | *Select one:*   * Community group * Particular demographic group (including geographic) * Other legal service providers * Non-legal service providers * Other stakeholders * Commonwealth Government agency or state/territory government agency |  |
| **Number of persons accessing a CLE or CE activity** | *Enter the number of persons*  *Or*  *Select one:*   * Less than 30 * Between 31-100 * More than 100 * Unknown * Not applicable | Estimate the number of people accessing a particular CLE or CE Activity, within the reporting period. |
| **Number of CLE or CE activities delivered** | *Enter the number of CLE or CE activities*  *Or*  *Select one:*   * 1 * between 2 – 5 * between 6 – 10 * more than 10 * Unknown * Not applicable | Estimate the number of CLE or CE Activities delivered on a particular topic. |
| **Number of copies of each CLE or CE resource distributed** | *Enter the number of CLE or CE resources*  *Or*  *Select one:*   * Less than 100 * Between 100-1000 * Between 1000-5000 * More than 5000 * Unknown * Not applicable | Estimate the number of education resources distributed. |
| **Law and Legal Services Reform activities undertaken** | *Select one:*   * Participation in research, analysis and evaluation activities * Papers about legal assistance services and systems * Submissions to government, parliamentary body or other inquiry to provide factual information and/or advice * Strategic advocacy, such as law reform work and engagement with stakeholders | Indicate which activities were undertaken as part of the service. |
| **Nature of Stakeholder Engagement activity** | *Select one:*   * Participation in national, state and local forums to improve the coordination and delivery of legal assistance services * Participation in national, state and local bodies to represent the interests of the legal assistance providers and the users of legal assistance services * Collaborative arrangements made and implemented with other legal and non-legal service providers to integrate and improve coordination across the system | Indicate the nature of the service. |
| **Collaborative arrangement** | *Select one:*   * Community group * Commonwealth Government agency * State/territory government agency * Court/Tribunal * Legal service provider * Non-legal service provider * Not applicable | Indicate who the service was undertaken in collaboration with. |
| **Interpretation / Translation** | *Select one:*   * Yes (spoken language other than English)   [drop down menu of languages]   * Yes (non-spoken communication) * No | Extent to which services have been translated.  Service Providers may determine relevant list of languages. Where a list is provided, the languages used should correspond to an entry in the Australian Standard Classification of Languages, 2011 (cat. no. 1267.0).  This includes Auslan interpreting services. |
| **Website access** | *Complete appropriate field:*   * Average monthly volume of traffic [open field] * Unique visitors [open field] * Percentage of new visits [open field] * Average pages per visit [open field] * Average duration [open field] * Referring sites [open field] |  |
| **Resources applied** | *Complete fields:*   * Total staff hours [open field] * Estimated direct cost [open field] | Extent of resources applied to all services provided in the twelve month period. |
| **Estimate of time spent** | *Enter the time spent*  *Or*  *Select one:*   * Less than 15 minutes * Between 15 – 30 minutes * 30 – 60 minutes * 1 – 5 hours * 6 – 20 hours * 20 – 50 hours * More than 50 hours | Estimate the amount of time spent providing the service. |

1. This is consistent with the recommendations in independent reports, including: Productivity Commission, 2014, *Access to Justice Arrangements*, Inquiry Report No. 72, Canberra and the Allen Consulting Group, 2014, *Review of the National Partnership Agreement on Legal Assistance Services*, Canberra. [↑](#footnote-ref-1)
2. Service Providers do not need to count referrals separately in ongoing Representation Services. [↑](#footnote-ref-2)
3. Different case and file management practices amongst Service Providers may mean that Service Providers count separate legal problems being resolved together, or are dealt with finally on the same day, differently. The National Legal Assistance Data Standards Working Group will consider this issue during the 2015-16 transition year to facilitate a more consistent approach of collecting this data. [↑](#footnote-ref-3)
4. The optimal data is to be collected in duty lawyer services conducted by in-house duty lawyers only. Private practitioners are encouraged to collect this data, where practicable. [↑](#footnote-ref-4)
5. Melbourne Institute of Applied Economic and Social Research, The University of Melbourne. 2015, *Henderson Poverty Line*, <http://www.melbourneinstitute.com/miaesr/publications/indicators/poverty-lines-australia.html>. [↑](#footnote-ref-5)
6. As at 30 June 2015, CLSIS records income as low, medium and high to mean low < $26000, medium > $26000 and < $52000, and high as > $52000. [↑](#footnote-ref-6)