



Progress Report 1

January 2012

Administrative tasks

In 2011, the project established its website, to which all partners have previously been referred (<http://www.jcu.edu.au/ilnp/>). The site, at this stage, provides information on the Indigenous Legal Needs Project (ILNP) to the public, including stakeholder organisations which may be participating or which have been invited to participate in interviews for the project and/or community members. The site is also intended to be used to update partners and others on progress of the ILNP and ultimately, as we input more material, as a resource for community and others to access information relating to Aboriginal and Torres Strait Islander needs in civil and family law areas.

Reports, academic papers and documents of relevance will all be stored and/or listed on the site (including any project outputs such as ILNP publications). We are currently researching material that can then be uploaded into this section of the site in the next couple of months. Once the initial information is uploaded, partners may wish to make suggestions in relation to any other material that might be appropriately placed on this part of the site. We welcome your input in this regard.

Considerable time was also spent in establishing the methodology to be used for the ILNP. Although we had already completed our pilot project for NSW Legal Aid in 2008, it was necessary to revisit the methodology used in that instance and to ensure that it was appropriate (initially) for NT communities, including very remote communities both in preparation for our first site visits, but also throughout fieldwork conducted in 2011. For instance, English language difficulties and literacy problems posed significant hurdles in some communities, and because of this 'focus groups' as originally envisaged (and as used in NSW) were not possible in every community. As we discuss further below, we sought to adapt research methods as we progressed. We expect to need to be similarly adaptable when completing the research with Vic, WA and Qld communities.

Fieldwork

In 2011, the ILNP completed all site visits in the NT. Eight NT communities in total were visited. These communities were Alpururulam, Papunya, Alice Springs, Tennant Creek, Katherine, Wadeye, Darwin and Bulman. We also completed a site visit in Mt Isa, Qld. All of the visits were conducted over a three month period (late August – late November 2011),



with two or three communities visited during a single trip. Each of these communities was selected for the project in collaboration with our project partners in the NT.

Focus Groups

The researchers conducted two focus groups (FGs) at each of the above 9 sites – one for men and one for women: a total of 18 groups. We spoke with close to 10 community members in every FG (20 people in each community). All FG participants completed a questionnaire with ILNP team members to identify priority legal needs and issues relating to access to legal services. In most cases, FG participants also engaged in a group discussion about the latter with project staff. We now have a total of 171 completed questionnaires.



Basics Card Reader, Katherine (with and without a queue).

FGs were run according to the needs and circumstances of individual communities. As was expected, it was necessary to respond to the diversity of communities. Some communities and/or individuals, for instance, needed more assistance with completing the questionnaire than others and in these cases questionnaires were completed one-on-one or as a small group with an ILNP team member. Some preferred to complete the task as a group. Importantly, those from communities who have attended the FGs have reported that the process of sitting down and talking about civil/family law issues has been worthwhile as they 'never get to talk about this sort of stuff'. Some FG participants took (or indicated that they would take) action in relation to legal issues raised during the FG, including by talking with a partner legal service. One FG indicated that it would try to organise a community forum on housing – a major issue in the NT. We are aware of FG follow-up with either Legal Aid or NAAJA solicitors in specific matters relating to child custody, life insurance policies, deceased estates (royalty payments), victims compensation, and stolen generation.

We had originally intended to ask partner solicitors to sit in with us for the FGs in order to address any legal issues arising. But given that we are seeking feedback in part in relation to legal service delivery this was considered inappropriate. However, in most cases we have had a solicitor available from one of the partner organisations to provide advice on completion of the focus group. In general we now run the FGs with only an ILNP male team member facilitating the male FGs and a female ILNP team member facilitating the female FGs to ensure that participants are able to speak confidentially about legal services.



In this context, as you will probably be aware we had a male PhD scholar working on the ILNP who was to assist with fieldwork. As he withdrew from the scholarship in August 2011, we were fortunate enough to be able to ask Larissa Behrendt's colleague from UTS – Paddy Gibson – to travel with us and work with the male FG participants. Paddy will also travel with us to some communities this year.

At each of the sites, as intended, we employed local people to coordinate FGs for us. The FG Coordinators are generally Aboriginal or Torres Strait Islander community members who are paid to gather for us community members who will participate in the FGs. The Coordinator also assists during the groups with interpreting and other tasks. Project partners were asked to help in locating individuals who might work as Coordinator. It has not always been easy to find people who could undertake this work for various reasons, including because often those who were nominated as having capacity for the role were already working hard for their respective communities in other ways (including on a voluntary basis), but also because of movement of people in and out of remote communities for funerals or other matters (eg. rodeos!). In the very few instances where FG Coordinators were not available when we arrived in a community, partners and community members or service providers located on communities assisted us to either find a Coordinator and/or to find FG participants.

The FG Coordinators were generally outstanding in the work that they did for the project. In two communities, non-Aboriginal organisations with strong connections with local community coordinated the groups for us. Despite some initial reservations about using these groups rather than local individuals, the coordination that they both provided was excellent.



After the men's focus group, Katherine.

The focus groups have provided us with valuable information relating to civil/family law needs and related legal service provision in the NT and in Mt Isa. We are currently conducting a preliminary analysis of the quantitative data that has been gathered in the NT, given that this jurisdiction is now finished. This should give us some indication of the



priority legal areas for communities in this jurisdiction, and we hope to be able to provide a brief overview of findings to partners in early 2011. The major NT issues appear to relate to housing, credit/debt, child protection and social security. However we will have a clearer idea once the data from the questionnaires has been fully analysed. We also note that discussing and identifying legal needs is a complex task. Some individuals identify issues they feel might have a legal solution, only to find that the behaviour or activity is lawful (eg actions by Centrelink). Others may be unaware of their legal entitlements (eg victim's compensation), making it difficult for them to identify legal problems.

We also hope to provide more qualitative feedback, informally, to *NT partners* specifically now that travel to this jurisdiction has been completed. This feedback will cover some key issues raised by community members and stakeholders in relation to service delivery. More detailed information will be provided more formally further down the track to partners in this regard. We hope to provide similar initial qualitative feedback to other partners once travel is completed in each jurisdiction.



Legal Aid visits Alpururulam

We are also currently working on ways in which key findings can be fed back into communities (at least in relation to the priority legal issues for relevant communities and State/Territory-wide). Many FG participants indicated that they would like to be kept informed about what the ILNP is discovering in this regard. Social media may be one method of achieving this.

Stakeholder interviews

We have now completed numerous interviews with stakeholder organisations at all sites. Stakeholder organisations are those that provide legal or associated services to communities in civil/family law areas. We have begun to list those organisations we met with on the ILNP website. As is evident from the list on the website, the stakeholders have ranged from Court Registrars, partner legal services, non-partner legal services and other advocacy bodies, community organisations (such as welfare organisations providing financial counselling, homelessness, family violence and other relevant services),

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government bodies such as ACCC, ASIC or Cth Indigenous Coordination Centres, unions, health service provider staff, shire councils, *inter alia*.

In most instances, stakeholders have been keen to assist. Stakeholders are asked to comment again about priority needs and legal service delivery for their respective communities. They are identifying, for the most part, similar priority issues to those raised during FGs. In many instances they have been keen to 'stay in the loop' with the project post-interview (including by receiving information on ILNP key findings). We are thus in the process of thinking about how stakeholders might stay connected in a meaningful way.

Upcoming travel

We intend, if all goes well, to complete all fieldwork this year. In Feb-April (and possibly also Nov-Dec), we hope to travel to Victoria; and in May-October to WA and Qld.

By now, partners in Victoria, Qld and WA have been contacted and asked for feedback about upcoming travel in 2012 (that is, which communities to visit and best dates for visits). We have, again, 8 communities in each remaining jurisdiction to visit (other than in Qld, where we have already visited Mt Isa). Dates and communities will be listed on the ILNP website as they are finalised.

Some of the participants in the women's focus group Alpururulam



Working with partners

As you would all be aware, we have asked partners to select a single staff member with whom we could liaise in relation to the project. In the NT, for instance, this meant working with either legal service Coordinators, Principal Solicitors, Senior Policy Officers and/or Practice Managers (Civil/Family Law). For most partners in Vic, Qld and WA we now have designated staff members with whom we can work to organise fieldwork in these States.

We would like to sincerely thank all our partners in the NT for the hard work that they have patiently put into the project in 2011 – NTLAC, NAAFVLS, CAAFLU and NAAJA. Partners in the NT assisted by locating FG Coordinators and otherwise assisting with FGs (including in finding a venue etc, where appropriate) and identifying relevant stakeholder organisations

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for interview. Further assistance was provided by driving and/or otherwise providing transport to communities; helping with accommodation for team members on communities; liaising with community members/service providers; and providing information and/or written resources on current legal/policy issues, *inter alia*. Prior to the above travel (from February 2011), we also worked with partners to ensure that the methodology to be used at the nominated sites was appropriate.



INFORMED CONSENT FORM AND RECEIPT FOR PAYMENT – FOCUS GROUP PARTICIPANT

PRINCIPAL INVESTIGATOR	Chris Gunneen
PROJECT TITLE:	Indigenous Legal Needs Project
SCHOOL	Calma Institute

I understand the research project aims to find out what sort of legal needs are important to Aboriginal people, as well as what is working and what is not working in how legal and other services are currently being provided to Aboriginal people. I agree to participate in this project, the details of which have been explained to me. I acknowledge that I have been provided with a written information sheet to keep.

I understand that my participation will involve attending a focus group and completion of a questionnaire (with assistance) during the focus group. I also understand that I will be audio-taped at the focus group. I agree that the researcher may use the information provided at the focus group and in the questionnaire as described in the information sheet.

I acknowledge that:

- any risks and possible effects of participating in the focus group have been explained to me and the fact that the researchers are able to give me contact details of a local counselling service (such as the Aboriginal Medical Service) if I need it;
- taking part in this study is voluntary and I am aware that I can stop taking part in it at any time without having to give the researchers a reason for this and without being judged if I do stop taking part;
- I am able to ask the researchers to not use any information provided during interviews or focus groups (if it has not already been used in reports or publications) if I am uncomfortable about it being used;
- that any information I give will be kept strictly confidential and that no names will be used to identify me with this study unless I agree to this;
- when participating in a focus group, others will know that I have participated in this research.

(Please tick to indicate consent)

I consent to complete a questionnaire	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
I acknowledge receipt of \$25 to cover completion of the questionnaire	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
I consent to participate in focus group	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
I acknowledge receipt of \$25 to cover participation in the focus group	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

Name: (printed)	<i>N. DAVID</i>
Signature:	<i>[Handwritten Signature]</i>
Date:	24/11/11

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A consent form signed by a mark, and witnessed. Katherine Women's focus group.

