

# Civil Justice in England and Wales

Report of the 2007 English and Welsh  
Civil and Social Justice Survey

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First edition, 2007

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# Acknowledgements

The English and Welsh Civil and Social Justice Survey is made possible by the contribution of, literally, thousands of people. In 2007, 3,658 people gave up their time for no personal reward to be interviewed about sometimes very personal and life-changing experiences. To all these people we extend our thanks. In addition, we would like to thank Bruce Hayward, Andrew Phelps, Tim Hanson and Sam Sullivan of BMRB Social Research, who expertly prepared the questionnaires and managed the fieldwork in 2007, along with the many BMRB fieldworkers who conducted the 2007 survey interviews. Also, for making possible the 2007 fieldwork, we would like to thank the many past and present Commissioners and staff members of the Legal Services Commission and Ministers and Staff of the Ministry of Justice who have recognised the role of the English and Welsh Civil and Social Justice Survey in giving voice to the users and potential users of legal services in England and Wales, and in providing a basis for the improvement of such services and the better targeting of public funds to ensure that as many people as possible are afforded effective access to justice.

# Executive Summary

People's ability to use the law to protect their rights and hold others to their responsibilities is crucial to bringing about social justice and addressing social exclusion. The English and Welsh Civil and Social Justice Survey (CSJS) examines this in detail.

This annual report describes the main findings from the 2007 interviews for the CSJS. A further annual report will be produced in 2009 before the CSJS becomes a longitudinal panel survey.

## *Introduction to the Survey*

The CSJS details people's experiences of problems involving their rights and the strategies they used to resolve them. The 2007 survey took the same form as the 2001, 2004 and 2006 surveys. Respondents completed a general interview aimed at identifying if a difficult problem had been experienced in each of the 18 distinct categories: discrimination; consumer; employment; neighbours; owned housing; rented housing; homelessness; money/debt; welfare benefits; divorce; relationship breakdown; domestic violence; children; personal injury; clinical negligence; mental health; immigration and unfair treatment by the police.

Respondents were also asked whether they had been a victim of crime or whether they had been arrested during the previous 12 months. The two most recent problems identified in each category (other than crime) were further addressed in depth. Demographic and household details were also collected.

In the 2007 survey, 3,658 adults (18 years and above; drawn from a random sample) were interviewed. Twenty-seven per cent of respondents completed both the main and follow-up interview, an increase from the 2004 survey.

### *The Incidence of Civil Justice Problems*

Thirty-six per cent of respondents reported having a civil justice or rights problem. This was the same figure reported in 2006. Similarly, incidence remained much the same for the majority of problem types between 2006 and 2007, though the largest relative changes were with children problems, problems ancillary to the breakdown of relationships, and homelessness problems. The 2007 survey indicated changes in the proportion of incidences reported in certain categories from 2006. There was a rise in consumer and money/debt problems, a decrease in neighbours and rented housing problems, and a stable response level in other categories of the survey.

As in previous surveys, problems were far from randomly distributed across the 2007 survey population. For example, those more vulnerable to social exclusion tended to report more problems than others. Moreover, lone parents, 25-34 year olds, and a small number of black or 'other' ethnicity respondents had a slightly higher problem incidence in 2007 compared to 2006.

### *The Impact of Civil Justice Problems*

For over half of the respondents in the 2007 survey, civil justice problems were reported to have led to at least one adverse consequence (i.e. social, economic and/or health problems). This was similar to previous surveys. Stress related illnesses were seen as a result of over a quarter of the problems. Physical ill health, loss of confidence and loss of income were also reported as consequences of more than one in eight problems. Over four-fifths of those who suffered physical and stress related ill health visited a GP, hospital or health worker as a direct result of their problem(s). Stress-related ill health was most often reported to have resulted from domestic violence, homelessness, and children problems.

Some of the problem types 'clustered' together. In the 2007 survey, four clusters were identified: family problems (domestic violence, divorce and relationship breakdown), economics (consumer, money/debt, employment and neighbour), homelessness (renting and homelessness), and discrimination and clinical negligence clustered together.

### *Problem Resolution Strategies*

Of those who experienced a civil justice problem, 8.8 per cent took no action to resolve them, though this figure appears to be falling over time (10.5 per cent in 2004, 9.8 per cent in 2006). Nearly half of the respondents who indicated having experienced a civil justice problem managed to obtain advice successfully. Advice was typically sought for problems respondents considered more important to resolve. As previously, strategy was strongly related to problem type and, to a lesser extent, socio-demographic indicators.

### *The Use of Advisers*

Those who sought advice for their civil justice problems did so using a wide range of advisers. Solicitors were the most commonly used source of advice – although Citizens Advice Bureaux, the local council, and the police were also frequently used. Use of the Internet for advice seeking has increased from 4 per cent in 2001 to 11 per cent in 2004 to 14 per cent in 2006 to 16 per cent in 2007.

When individuals were referred to more than one adviser, some respondents felt that they were unable to persist in following up on these referrals. This referral fatigue demonstrates the importance of obtaining appropriate advice as early as possible and creating awareness among people of appropriate sources of help and assistance. It also highlights the role of individuals outside of the recognised advice sector from whom people may initially seek advice (such as health professionals, social workers and politicians) in directing people to appropriate advisers.

People also turn to different advisers for different reasons. Whether people obtained general support or advice of a specific legal nature depended on both problem type and adviser type. Satisfaction with advisers was generally high; four-fifths would recommend their first advisers, though as previously, satisfaction varied with adviser type.



### *The Outcomes of Problems*

Conclusions of problems were unsurprisingly related to the resolution strategies used. Those who obtained advice, and those who handled their problems alone, were more likely to reach an agreement for their problem. This contrasted markedly with problems where respondents tried but failed to get advice, where the vast majority simply gave up or did nothing. This confirms 2004 and 2006 survey findings. Outcomes of problems also varied significantly by problem type.

### *Attitudes to the Justice System*

The 2007 survey included questions that gauged people's attitudes towards the justice system. The majority of respondents thought they would receive a fair hearing at court, that most judges were out of touch with people, that courts are an important way for ordinary people to enforce their rights, and that the legal system works better for the rich than the poor. Those who had more civil justice problems, moreover, tended to have a less favourable view of the justice system, particularly with respect to the prospect of a fair hearing.

### *The Experience of those Eligible for Legal Aid*

The patterns (and clusters) of problems experienced by respondents eligible for legal aid were broadly similar to those of the general population, although problems associated with poverty were somewhat more pronounced.

Respondents eligible for legal aid were less likely to handle problems alone and slightly more likely to obtain advice, try but fail to obtain advice, or try, fail, and then handle their problem alone.

Legal aid eligible respondents also reported more negative consequences of problems, particularly with relation to stress-related ill health. Thirty-eight per cent of legal aid eligible respondents reported stress-related ill health as a consequence of their problem compared to 23 per cent of other respondents.

## *Introduction to the Survey*

As is argued in *Causes of Action: Civil Law and Social Justice*,<sup>1</sup>

“The problems to which the principles of civil law apply today are not abstract legal problems. They are not problems familiar only to lawyers, or discussed only in tribunals and civil courts. They are for the most part the problems of everyday life – the problems people face as constituents of a broad civil society.”

The law and the ability of people to use the law to protect their rights and hold others to their responsibilities are, thus, of central importance to bringing about social justice and addressing social exclusion.<sup>2</sup>

This report describes the main findings from 2007 interviews for the annual English and Welsh Civil and Social Justice Survey (CSJS). It provides a means by which broad trends in people’s experiences of civil justice problems can be illustrated. More detailed analysis is set out in the two editions of *Causes of Action* and will continue to be elaborated upon in a wide range of research papers produced by the Legal Services Research Centre. Papers produced using CSJS data are detailed in Appendix A.

### THE ENGLISH AND WELSH CIVIL AND SOCIAL JUSTICE SURVEY

The CSJS provides detailed information on the nature, pattern and impact of people’s experience of problems involving their rights. It also represents the primary source of

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<sup>1</sup> Pleasence, P. (2007) *Causes of Action: Civil Law and Social Justice*, Norwich: TSO, p.1.

<sup>2</sup> See, for example, Lord Chancellor’s Department (1998) *Modernising Justice*, London: HMSO (Cmd. 4155); Lord Chancellor’s Department and Law Centres Federation (2001) *Legal and Advice Services: A Pathway out of Social Exclusion*, London: Lord Chancellor’s Department; Department for Constitutional Affairs and Law Centres Federation (2004) *Legal and Advice Services: A Pathway to Regeneration*, London: Department for Constitutional Affairs; Department for Constitutional Affairs (2006) *DCA Departmental Report*, Norwich: HMSO; Legal Services Commission (2007) *Corporate Plan 2007/8-2009/10*, London: Legal Services Commission.

general data on the strategies that users and potential users of legal services employ in order to resolve their problems. The survey constitutes a core method by which the Legal Services Commission is able to inform itself about the need, provision and quality of services operating as part of the Community Legal Service,<sup>3</sup> provides a means by which progress against Public Service Agreement (PSA) targets can be measured<sup>4</sup> and is central to the empirical base upon which broad civil justice policy develops.

The survey was first conducted in 2001, then again in 2004 and, since January 2006, has been being conducted on a continuous basis; meaning that fieldwork is now conducted every month of every year. This will enable even greater analysis of changes in public experience of civil law over time. From 2009, the CSJS will become a longitudinal panel survey. This will allow for an even greater range of analyses aimed at identifying the long-term impact of problems and advice, along with progressions in advice seeking behaviour.

In terms of detail, the CSJS is the most extensive survey of its kind so far undertaken. The survey has its distant origin in surveys of 'legal need' undertaken during the recession at the United States' Bar in the 1930s.<sup>5</sup> Its more recent origins, though, are in the two *Paths to Justice* surveys, carried out in England and Scotland in the late 1990s.<sup>6</sup> However, the CSJS has advanced substantially upon the *Paths to Justice* approach. The focus of the survey has been shifted onto initial problem resolution decision-making, a wealth of demographic information has been added, questions have been improved to address problems with the *Paths to Justice* surveys and the content of the survey is continuously adapted to enable analysis to build upon emerging findings.

The form of the 2007 survey was the same as the previous surveys. All respondents completed a general interview, in which they were asked if they had experienced 'a problem' since January 1998 or 2001 that had been 'difficult to solve'

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<sup>3</sup> Access to Justice Act 1999, Section 4(6)

<sup>4</sup> E.g. Ministry of Justice SR2004 PSA5

<sup>5</sup> C. Clark and E. Corstvet (1938) *The Lawyer and the Public: An A.A.L.S. Survey*, 47 *Yale Law Journal*, p.1972. For a history, see P. Pleasence et al. (2001), above, n.19, pp.7-27.

<sup>6</sup> H. Genn (1999) *Paths to Justice: What People Think and Do About Going to Law*, Oxford: Hart; H. Genn and A. Paterson (2001) *Paths to Justice Scotland: What People in Scotland Think and Do About Going to Law*, Oxford: Hart.

in each of 18 distinct ‘civil justice’ problem<sup>7</sup> categories: discrimination; consumer; employment; neighbours; owned housing; rented housing; homelessness; money/debt; welfare benefits; divorce; relationship breakdown; domestic violence; children; personal injury; clinical negligence; mental health; immigration and unfair treatment by the police. To assist recall and to allow some assessment of the relative incidence of the different types of problem falling within these categories, respondents were presented with ‘show cards’ for most of the problem categories. These cards set out detailed lists of constituent problems, and respondents were asked to indicate which of them, if any, matched their own problems.<sup>8</sup> So, for example, constituent problems relating to employment included unfavourable changes being made to terms and conditions of employment, the work environment being unsatisfactory or dangerous, and being sacked or made redundant. Problems relating to rented housing included difficulties in getting a landlord to make repairs, difficulties in obtaining repayment of a deposit and eviction. Problems relating to money/debt included difficulties getting someone to pay money owed, disputes over bills, being threatened with legal action to recover money owed and mismanagement of a pension fund. Problems relating to children included difficulties fostering or adopting children, difficulties with children going to a school for which they are eligible and children being unfairly excluded or suspended from school. Finally, problems relating to mental health included unsatisfactory treatment or care in hospital, unsatisfactory care after release from hospital and difficulties obtaining a discharge from hospital.<sup>9</sup>

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<sup>7</sup> ‘A matter experienced by a respondent which raised legal issues, whether or not it was recognised by the respondent as being “legal” and whether or not any action taken by the respondent to deal with the [matter] involved the use of any part of the civil justice system’: H. Genn (1999) *Paths to Justice: What People Do and Think About Going to Law*, Oxford: Hart Publishing, p.12.

<sup>8</sup> No constituent problems were presented to respondents regarding the categories of homelessness, divorce, personal injury, clinical negligence and unfair treatment by the police. For these, it was deemed sufficient to refer to ‘being homeless or threatened with being homeless,’ ‘divorce,’ ‘injuries or health problems ... (caused) by an accident or ... poor working conditions’, ‘suffer(ing) as a result of negligent or wrong medical or dental treatment’ and being ‘unfairly treated by the police ... (by) for example being assaulted by a police officer or being unreasonably arrested.

<sup>9</sup> In full, constituent discrimination problems comprised difficulties relating to discrimination because of: (a) race; (b) gender; (c) disability; (d) sexual orientation; (e) age, and (f) religion. Constituent employment problems comprised difficulties relating to: (a) being sacked or made redundant; (b) being threatened with the sack; (c) getting pay or a pension to which entitled; (d) other work rights (e.g. maternity pay, sickness pay, holiday entitlement, working hours); (e) changes to terms and conditions; (f) unsatisfactory or dangerous working conditions; (g) unfair disciplinary procedures, and (h) harassment. Constituent owned housing problems comprised difficulties relating to: (a) obtaining planning permission or consent; (b) buying or selling property (e.g. misleading surveys, problems with a lease); (c) communal repairs or maintenance; (d) repossession of the home; (e) being several

Respondents to the survey were also asked whether they had been a victim of crime during the survey reference period, or whether they had been arrested during the previous 12 months.

For the two most recent problems identified in each category (other than crime), respondents were asked what help they had tried to obtain to resolve them, whether any formal dispute resolution processes had been utilised and what these were, whether and when the problems concluded, what impact problems had had on respondents' lives and, if nothing was done to deal with problems, why this was so.

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mortgage payments in arrears; (f) squatters, and (g) boundaries or rights of way or access to property. Constituent rented housing problems comprised difficulties relating to: (a) unsafe living conditions; (b) otherwise unsuitable living conditions; (c) getting a deposit back; (d) being several rent payments in arrears; (e) getting a landlord to make repairs; (f) getting a landlord to provide other services; (g) agreeing with a landlord on rent, council tax, housing benefit payments or other terms of a tenancy agreement; (h) getting a written tenancy agreement; (i) transfer of tenancy on death or separation; (j) harassment by a landlord; (k) eviction or threat of eviction; (l) flatmates (non-relatives) not paying the rent or behaving in an antisocial manner; (m) renting out rooms to lodgers or sub-letting, and (n) boundaries or rights of way or access to property. Constituent money/debt problems comprised difficulties relating to: (a) getting someone to pay money they owed; (b) insurance companies unfairly rejecting claims; (c) incorrect or disputed bills (excluding rent/mortgage payments); (d) incorrect or unfair tax demands; (e) incorrect information or advice that led to the purchase of financial products; (f) mismanagement of a pension fund; (g) unfair refusal of credit as a result of incorrect information; (h) disputed (repeated) penalty charges by banks or utilities; (i) unreasonable harassment by creditors; (j) division of the content of a will or property after the death of a family member; (k) severe difficulties managing money; (l) being threatened with legal action to recover money owed, and (m) being the subject of a county court judgment. Constituent welfare benefits problems comprised difficulties relating to: (a) entitlement to welfare benefits; (b) entitlement to state pension/pension credits; (c) entitlement to student loans; (d) entitlement to grants; (e) the amount of welfare benefits; (f) the amount of state pension/pension credits; (g) the amount of student loans, and (h) the amount of grants. Constituent relationship breakdown problems comprised difficulties relating to: (a) the division of money, pensions or property on divorce or separation; (b) obtaining maintenance for self; (c) agreeing to pay maintenance to a former partner (other than for children); (d) obtaining child support payments; (e) agreeing to pay child support payments; (f) residence (custody) arrangements for children, and (g) access (contact) arrangements for children. Constituent domestic violence problems comprised: (a) suffering violence or abuse from a partner, ex-partner or other family member, and (b) children suffering violence or abuse from a partner, ex-partner or other family member. The additional constituent problem of 'being violent or abusive to a partner, ex-partner or other family member' was removed in 2004. Constituent children problems comprised difficulties relating to: (a) fostering or adopting children, or becoming a legal guardian; (b) children being taken into care or being on the Child Protection Register; (c) abduction or threatened abduction of children by a parent or family member; (d) children going to a school for which they are eligible; (e) children receiving an appropriate education (e.g. special needs); (f) children being unfairly excluded or suspended from school, and (g) children's safety at school or on school trips. Constituent mental health problems comprised difficulties relating to: (a) treatment or care received in hospital; (b) treatment or care received after leaving hospital; (c) other treatment or care; (d) admission to hospital; (e) obtaining discharge from hospital, and (f) restrictions or conditions of discharge. Constituent immigration problems included difficulties relating to: (a) obtaining UK citizenship; (b) disputes over nationality; (c) obtaining authority to remain in the UK; (d) change of conditions under which it is possible to remain in the UK; (e) a partner or children entering the UK, and (f) asylum.

All respondents were also asked for a range of details about themselves and the household in which they resided.

If respondents reported at least one problem in the general interview, they progressed to a follow-up interview, which addressed *a single problem* in more depth.<sup>10</sup> Areas covered by the follow-up interview included: sources of advice that respondents considered; awareness and prior use of advice services; obstacles faced in obtaining advice; the nature of assistance provided by advisers; respondents' objectives in taking action; the impact and outcome of problems and resolution strategies; respondents' regrets about resolution strategies; sources of financial assistance; and general attitudes to the civil justice system.

All interviews were conducted face-to-face in respondents' own homes and were arranged and conducted by BMRB Social Research. 3,658 adults were included in the 2007 survey, drawn from a random selection of 2,174 residential household addresses across 188 postcode sectors of England and Wales.<sup>11</sup> Seventy-five per cent of adult household members (over 18 years of age) were interviewed. The household response rate was 78 per cent (84 per cent where successful contact was made with an adult occupant), and the cumulative eligible adult response rate was 58 per cent. This compares to response rates of 52 and 57 per cent in 2001 and 2004 respectively and 53 per cent in 2006.

Twenty-seven per cent of respondents completed both a main interview and a follow-up interview. This is an increase on 2004, and a small increase on 2006, reflecting an increase in reported problem incidence since 2004.

Thirty-three per cent of survey households contained just one adult, 55 per cent contained two adults and the remainder contained three or more<sup>12</sup>. The average number of adults in each household was 1.8. Overall, the average household size was 2.4, the same as the 2001 census estimate. Also, 25 per cent of respondents aged between 25 and 74 years old reported a long-term limiting illness or disability, compared to the 2001 census estimate of 24 per cent.

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<sup>10</sup> The one problem was selected on an otherwise random weighted basis, to ensure the main section questions were asked of a reasonable number of all the main problem categories, and as many of the smaller categories as possible.

<sup>11</sup> The small user Postcode Address File (PAF) was used as the sampling frame.

<sup>12</sup> Apart from one household which had no adults.

Unless indicated otherwise, all figures and analyses reported below are weighted for non-response using the Labour Force Survey, so that the information can be generalised to the adult population of England and Wales.

## LIMITATIONS OF THE CIVIL AND SOCIAL JUSTICE SURVEY SAMPLE FRAME

As the Civil and Social Justice Survey draws on a sample of residential addresses taken from the small user Postcode Address File (PAF) – as is standard in large scale national probability sample surveys – some sections of the population fall outside its sample frame. In total these populations amount to around 2 per cent of the population. However, some of these populations are particularly vulnerable in their nature and can be expected to experience civil justice in a different way to the general population. While the experience of people who share many of the characteristics of such ‘out of sample’ populations will be captured by the Civil CSJS – and will cast good light on what the experience of ‘out of sample’ populations is likely to be like, it is important to bear this limitation of the survey in mind when considering its findings.

The two largest population groups that fall outside of the survey’s sample frame are elderly people in residential care and students living in education establishments, such as halls of residence. The 2001 Census recorded that more than 320,000 people over the age of 60 were living on communal medical and care establishments, as were a further 70,000 people under the age of 60. Of these, around 15,000 people would have been patients involuntarily detained in hospitals under the Mental Health Act 1983 and other legislation. The 2001 Census also recorded that more than 200,000 students were living in communal establishments. As Edwards and Fontana have described, the experience of civil justice problems of groups such as older people in care are likely to be very different from people in the general population.<sup>13</sup>

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<sup>13</sup> Edwards, S. and Fontana, A. (2004) *The Legal Information Needs of Older People*, Sydney: Law and Justice Foundation of New South Wales.

Three other large population groups living within communal establishments falling outside the survey's sample frame are prisoners and military personnel living in defence establishments. There are over 80,000 people in prison in England and Wales. The 2001 Census also recorded just under 50,000 military personnel living in defence establishments.<sup>14</sup> Again, the experience of prisoners and military personnel living in defence establishments is likely to be different from the general population. Both populations are relatively young, and the prison population is characteristic of core socially excluded groups. In relation to prisoners, some information about civil justice will soon become available through the Ministry of Justice's current prisoner cohort study, to which the LSRC has provided some of the questions used in interviews. The CSJS now asks about periods of imprisonment, but the recent ex-prison population is so small that this is not an ideal method to explore prisoner specific civil justice issues.

There are around 85,000 people living in local authority provided temporary accommodation in England, of whom over 11,000 are in hostels, refuges or bed and breakfast accommodation.<sup>15</sup> Around one-tenth of this number again live in hostels, refuges or bed and breakfast accommodation in Wales. Under 500 people also reported by the Government to sleep rough on the streets of England, although there are problems in counting 'non-visible' rough sleepers.<sup>16</sup> Although people in temporary accommodation often fall outside the CSJS sample frame, in this instance we have a better idea of their experience of civil justice problems as a result of the LSRC's 2001 survey of people living in temporary accommodation. Those people not living in hostels, refuges or bed and breakfast accommodation live in self-contained private sector or social housing and will generally fall into the survey sample frame.

In addition to the above, there are also around 2000 bed spaces in immigration detention centres.

A large non-communal establishment population falling outside of the CSJS sample frame are Gypsies/travellers. It has been estimated that there are between

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<sup>14</sup> Bajekal, M., Wheller, L and Dix, D. (2006) *Estimating Residents and Staff in Communal Establishments from the 2001 Census*, London: Office for National Statistics.

<sup>15</sup> Department of Communities and Local Government (2007) *Statistical Release: Statutory Homelessness, 2<sup>nd</sup> Quarter 2007, England*. London: DCLG.

<sup>16</sup> Department of Communities and Local Government (2007) *Rough Sleeping Statistics, June 2007*. London: DCLG. A small number of people will also sleep rough in Wales.



90,000 and 120,000 Gypsies/travellers in the United Kingdom, the majority of whom are in England.<sup>17</sup> In addition there are an unquantifiable number of ‘hidden’ members of the population, such as some immigrants who live or work in non-standard England and Wales without an appropriate visa.

As well as population groups that fall outside the survey sample frame, there are those people who live in accommodation within the sample frame, but who chose not to participate in the survey. Also, there are other populations that, by virtue of their size relative to the population as a whole, are difficult to study through the survey. For example, well under one per cent of the population of England and Wales live in sparsely populated rural areas.<sup>18</sup> Similarly, 12.5 percent of people in the 2001 Census were Black and Minority Ethnic (BME), this figure masks tremendous ethnic diversity within the 12.5 per cent. Thus, while the CSJS covers a sizeable number of BME respondents, important patterns of experience can be missed if they relate to small and specific BME populations.<sup>19</sup>

Finally, while provision is made for the CSJS to be conducted in Welsh in Wales, not all first languages spoken within England and Wales can be catered for. A very small number of people each year cannot be interviewed as a result.

## STRUCTURE OF THE REPORT

Section 2 sets out the pattern of incidence of civil justice problems across England and Wales. It provides details of how differences in life circumstances are associated with differences in levels of problem reporting, both in general terms and within individual problem categories. It then sets out the types of civil justice problem that are commonly experienced in combination. Finally, it demonstrates how people who experience multiple problems become disproportionately more likely to experience the problems that play a direct role in social exclusion.

Section 3 sets out the reported impact of problems on people’s lives. It details the extent to which problems lead to physical and mental health problems, personal

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<sup>17</sup> Niner, P.M. (2002) *The Provision and Condition of Local Authority Gypsy/Traveller Sites in England*. London: Office of the Deputy Prime Minister.

<sup>18</sup> 2001 Census.

<sup>19</sup> O’Grady, A., Balmer, N.J., Carter, B., Pleasence, P., Buck, A. and Genn, H. (2005) Institutional Racism and Civil Justice, 28(4) *Ethnic and Racial Studies*, 620-628.

violence, relationship breakdown, loss of employment, loss of income, loss of a home and loss of confidence.

Section 4 describes the ways in which people deal with civil justice problems. It highlights the sense of powerlessness and helplessness often experienced by those who face problems, and confirms there is a general lack of knowledge about obligations, rights and procedures on the part of the general public. It reveals that inaction is common in relation to some serious problem types, and also more common among some population groups.

Section 5 details the many sources from which people attempt to obtain advice and the nature of the advice and additional help received by those who are successful in doing so. It exposes the phenomenon of referral fatigue, whereby the more times people are referred on by one adviser to another, the less likely they become to act on referrals. The chapter also demonstrates the relatively infrequent use of court, tribunal and, particularly, alternative dispute resolution processes in problem resolution.

Section 6 sets out the ways in which problems conclude. In doing this, it describes the different outcome patterns that are associated with different problem resolution strategies.

## 2

### *The Incidence of Civil Justice Problems*

This section sets out the pattern of experience of civil justice problems across England and Wales. It provides a detailed account of the different rates of problem incidence associated with differently constituted population groups, both in general terms and within individual problem categories. It then describes the distribution of civil justice problems among those who reported having experienced multiple problems, and sets out a series of problems that tend to co-occur, or ‘cluster’.

#### *The Incidence of Civil Justice Problems*

Thirty-six per cent of respondents (1,115 out of 3,087) to the 2006 survey and, again, 36 per cent of respondents (1,321 out of 3,658) to the 2007 survey reported having experienced one or more civil justice problems.

As with the previous surveys carried out in the United States, Canada, Australia, New Zealand, Japan and the Netherlands, as well as in England and Wales in previous years, certain problems were reported much more often than others. Consumer problems, for example, were reported most frequently in both 2006 and 2007 surveys. Table 1 reveals the variation in reported incidence among problem types in both the 2006 and 2007 surveys. Immigration and mental health problems are the least frequently reported problem types. However, as is shown in a later section, they have particularly severe adverse consequences for people.

Incidence remained much the same for the majority of problem types between the 2006 and 2007 survey periods. The largest relative changes from 2006 to 2007 were for children problems, problems ancillary to the breakdown of relationships and homelessness problems. In general, however, incidence of particular problem types remains similar across each of the 2001, 2004 and 2006 surveys.

Table 1. Incidence of Civil Justice Problems

Problem type	Incidence in 2006		Incidence in 2007	
	% respondents	N	% respondents	N
Consumer	12.0%	371	12.9%	468
Neighbours	8.9%	276	7.9%	288
Money/debt	5.5%	169	6.5%	237
Employment	5.3%	165	5.1%	185
Personal injury	3.6%	112	3.7%	136
Housing (rented)	3.2%	99	2.5%	93
Welfare benefits	3.0%	93	3.6%	131
Divorce	2.2%	68	2.1%	75
Housing (owned)	2.0%	61	1.8%	66
Discrimination	2.0%	63	2.2%	80
Clinical negligence	2.0%	61	1.6%	57
Children	1.9%	59	1.2%	43
Rel'ship b'down	1.6%	49	2.1%	78
Homelessness	1.1%	35	1.6%	58
Unfair police t'ment	0.9%	28	0.9%	33
Domestic violence	0.8%	25	1.0%	35
Immigration	0.3%	9	0.3%	10
Mental health	0.3%	9	0.2%	7

### *The Distribution of Civil Justice Problems*

Although 36 per cent of 2006 and 2007 survey respondents reported one or more civil justice problems, the experience of problems was far from randomly distributed across the survey populations. Certain population groups more often reported certain types of problem.

The general incidence of problems among differently constituted population groups is set out in Table 2. As has been observed elsewhere,<sup>20</sup> people vulnerable to social exclusion (e.g., lone parents<sup>21</sup>, those on benefits, those who have a long-term

<sup>20</sup> Pleasence, P. (2006) *Causes of Action: Civil Law and Social Justice (2<sup>nd</sup> edition)*, Norwich: TSO, Chapter 2.

<sup>21</sup> Buck, A., Pleasence, P., Balmer, N.J., O'Grady, A., and Genn, H. (2004). Lone parents and civil law: their experience of problems and their advice seeking behaviour. *Social Policy and Administration*, Volume 38, Number 3.

illness or disability<sup>22</sup> and victims of crime<sup>23</sup>) report problems more often than others. The association between high incidence consumer problems and affluence also results in higher income respondents reporting problems more frequently.

In simple percentage terms, some of the most marked changes in incidence between 2006 and 2007 were associated with lone parents, 25-34 year-old and higher income respondents. In addition, relatively small numbers of black and other ethnicity respondents had high problem prevalence in 2007 relative to 2006.

The incidence of problems of different types among differently constituted population groups is set out in Tables 3 to 20.

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<sup>22</sup> Pleasence, P., Balmer, N.J., and Buck, A. (2008). The health cost of civil-law problems: further evidence of links between civil-law problems and morbidity, and the consequential use of health services. *Journal of Empirical Legal Studies*. Volume 5, Number 2.

<sup>23</sup> Kemp, V., Pleasence, P., and Balmer, N.J. (2007). *Crime, social exclusion and the civil society*. London: Centre for Crime and Justice Studies, Briefing 5/2007.

Table 2. General Problem Incidence by Respondent Characteristics

Variable	Level	Incidence in 2006		Incidence in 2007	
		1 or more problems	N	1 or more problems	N
Gender	Female	36.2%	580	36.8%	697
	Male	36.0%	534	36.2%	632
Ethnicity	White	36.4%	1042	36.6%	1218
	Black	31.5%	17	49.7%	36
	Asian	30.8%	41	26.9%	49
	Other	36.6%	15	46.2%	26
House type	Detached	31.1%	258	33.9%	317
	Semi	35.5%	387	31.8%	421
	Terrace	39.4%	322	41.1%	398
	Flat	42.0%	148	46.4%	194
Own transport	No transport	33.5%	231	34.0%	260
	Transport	36.9%	884	37.2%	1069
Family status	Married with children	38.7%	239	35.2%	252
	Married no children	30.0%	406	31.0%	416
	Lone parents	60.6%	71	67.4%	121
	Single no children	38.2%	254	35.0%	351
	Co-habiting with children	51.4%	50	56.5%	77
	Co-habiting no children	40.1%	96	42.4%	111
Tenure	Own	27.4%	247	28.8%	315
	Mortgage	37.9%	448	39.0%	549
	Public sector rent	42.6%	182	46.0%	236
	Private sector rent	47.4%	192	42.6%	172
	Rent free	27.1%	43	26.8%	58
Economic activity	Active	32.7%	419	32.8%	514
	Inactive	38.6%	696	39.3%	815
Ill or disabled	Not ill nor disabled	34.6%	808	35.4%	957
	Ill or disabled	40.6%	307	39.7%	371
Academic Qualifications	None	26.3%	220	28.4%	288
	Some	39.8%	895	39.6%	1041
Benefits	None	32.8%	761	33.6%	894
	On benefits	45.9%	354	44.5%	435
Age	18-24	37.4%	131	35.5%	142
	25-34	40.8%	208	45.8%	253
	35-44	46.2%	281	44.1%	301
	45-59	37.4%	291	37.8%	354
	60-74	28.5%	167	29.8%	222
	75+	13.7%	34	17.2%	55
Income	<£10,000	35.3%	301	35.3%	345
	All others	35.1%	667	35.2%	799
	>£50,000	44.2%	146	47.2%	185
Crime Victim	Non-victim	33.2%	821	33.6%	984
	Victim	47.8%	294	48.3%	345

*Table 3. Incidence of Discrimination Problems by Respondent Characteristics*

Variable	Level	Incidence in 2006		Incidence in 2007	
		1 or more discrimin'n problems	N	1 or more discrimin'n problems	N
Gender	Female	2.1%	34	2.6%	49
	Male	1.9%	29	1.7%	30
Ethnicity	White	1.8%	52	1.9%	63
	Black	4.0%	2	9.6%	7
	Asian	5.3%	7	2.2%	4
	Other	2.8%	1	9.2%	5
House type	Detached	2.3%	19	2.2%	21
	Semi	1.2%	14	1.9%	25
	Terrace	2.0%	16	2.4%	23
	Flat	4.0%	14	2.7%	11
Own transport	No transport	2.6%	18	1.7%	13
	Transport	1.9%	45	2.3%	67
Family status	Married with children	1.6%	10	1.6%	12
	Married no children	1.7%	23	2.3%	31
	Lone parents	2.5%	3	3.9%	7
	Single no children	3.0%	20	2.2%	22
	Co-habiting with children	0.0%	0	3.8%	5
	Co-habiting no children	2.5%	6	.8%	2
Tenure	Own	1.3%	11	2.1%	23
	Mortgage	1.8%	21	2.3%	33
	Public sector rent	2.6%	11	2.3%	12
	Private sector rent	3.7%	15	2.1%	8
	Rent free	2.0%	3	1.8%	4
Economic activity	Active	2.5%	32	2.4%	38
	Inactive	1.7%	30	2.0%	42
Ill or disabled	Not ill nor disabled	1.7%	40	1.9%	51
	Ill or disabled	3.0%	23	3.1%	29
Academic qualifications	None	0.9%	8	1.1%	11
	Some	2.4%	55	2.6%	69
Benefits	None	1.6%	38	2.0%	54
	On benefits	3.2%	25	2.7%	26
Age	18-24	2.9%	10	1.7%	7
	25-34	2.7%	14	2.7%	15
	35-44	1.6%	10	2.1%	15
	45-59	2.0%	15	2.4%	23
	60-74	2.1%	12	2.5%	19
	75+	0.8%	2	.3%	1
Income	<£10,000	3.0%	26	2.3%	23
	All others	1.7%	32	2.0%	45
	>£50,000	1.5%	5	3.2%	12
Crime victim	Not a victim	2.0%	51	1.9%	55
	Victim	1.9%	12	3.4%	24

*Table 4. Incidence of Consumer Problems by Respondent Characteristics*

Variable	Level	Incidence in 2006		Incidence in 2007	
		1 or more consumer problems	N	1 or more consumer problems	N
Gender	Female	11.4%	182	12.6%	238
	Male	12.7%	189	13.2%	230
Ethnicity	White	12.2%	349	13.0%	434
	Black	8.1%	4	13.4%	10
	Asian	8.4%	11	7.1%	13
	Other	15.5%	6	21.4%	12
House type	Detached	11.6%	97	15.5%	145
	Semi	12.3%	133	10.8%	142
	Terrace	12.4%	102	12.6%	122
	Flat	11.2%	39	14.2%	59
Own transport	No transport	7.4%	51	7.0%	54
	Transport	13.3%	320	14.4%	415
Family status	Married with children	17.0%	105	16.1%	115
	Married no children	10.2%	138	11.8%	158
	Lone parents	17.0%	20	17.3%	31
	Single no children	11.2%	74	10.7%	107
	Co-habiting with children	8.2%	8	13.3%	18
	Co-habiting no children	10.8%	26	14.8%	39
Tenure	Own	9.5%	86	11.9%	130
	Mortgage	15.4%	182	16.5%	232
	Public sector rent	9.2%	39	8.6%	44
	Private sector rent	13.2%	54	9.4%	38
	Rent free	6.0%	10	11.0%	24
Economic activity	Active	9.2%	118	10.5%	165
	Inactive	14.0%	253	14.6%	304
Ill or disabled	Not ill nor disabled	11.7%	272	13.2%	358
	Ill or disabled	13.1%	99	11.8%	110
Academic qualifications	None	5.3%	44	7.1%	72
	Some	14.5%	327	15.1%	397
Benefits	None	11.7%	271	12.7%	338
	On benefits	13.0%	100	13.3%	130
Age	18-24	8.6%	30	9.6%	39
	25-34	14.7%	75	15.8%	87
	35-44	16.5%	100	16.7%	114
	45-59	13.7%	107	14.0%	131
	60-74	8.8%	51	11.1%	82
	75+	3.0%	8	4.5%	14
Income	<£10,000	9.9%	84	9.9%	97
	All others	11.5%	219	12.6%	286
	>£50,000	20.4%	68	21.9%	86
Crime victim	Not a victim	11.1%	273	12.1%	353
	Victim	15.9%	98	16.1%	115



Table 5. Incidence of Employment Problems by Respondent Characteristics

Variable	Level	Incidence in 2006		Incidence in 2007	
		1 or more employment problems	N	1 or more employment problems	N
Gender	Female	4.5%	72	5.2%	99
	Male	6.2%	92	4.9%	86
Ethnicity	White	5.5%	156	5.2%	172
	Black	4.1%	2	10.4%	8
	Asian	2.2%	3	1.6%	3
	Other	7.7%	3	5.0%	3
House type	Detached	4.6%	38	4.6%	43
	Semi	5.1%	56	4.7%	62
	Terrace	6.1%	50	5.2%	50
	Flat	5.9%	21	7.3%	30
Own transport	No transport	4.3%	29	4.2%	33
	Transport	5.6%	135	5.3%	152
Family status	Married with children	5.6%	34	6.8%	49
	Married no children	4.7%	63	3.2%	43
	Lone parents	2.5%	3	8.1%	15
	Single no children	5.9%	39	5.2%	52
	Co-habiting with children	6.2%	6	6.3%	9
	Co-habiting no children	7.9%	19	7.0%	18
Tenure	Own	3.5%	31	2.6%	29
	Mortgage	5.9%	69	6.8%	95
	Public sector rent	5.5%	23	5.8%	30
	Private sector rent	7.8%	31	5.5%	22
	Rent free	5.2%	8	4.1%	9
Economic activity	Active	3.6%	46	2.7%	43
	Inactive	6.6%	119	6.9%	142
Ill or disabled	Not ill nor disabled	5.3%	125	5.4%	145
	Ill or disabled	5.3%	40	4.3%	40
Academic qualifications	None	2.0%	17	2.3%	24
	Some	6.6%	148	6.1%	161
Benefits	None	5.3%	124	4.8%	128
	On benefits	5.3%	41	5.9%	57
Age	18-24	6.1%	21	5.7%	23
	25-34	6.5%	33	8.8%	48
	35-44	6.7%	40	5.8%	40
	45-59	6.6%	52	6.8%	64
	60-74	2.9%	17	1.3%	10
	75+	.4%	1	.0%	0
Income	<£10,000	4.7%	40	4.1%	40
	All others	5.3%	102	5.1%	116
	>£50,000	6.8%	23	7.4%	29
Crime victim	Not a victim	4.7%	117	4.4%	130
	Victim	7.7%	47	7.8%	55

Table 6. Incidence of Neighbour Problems by Respondent Characteristics

Variable	Level	Incidence in 2006		Incidence in 2007	
		1 or more neighbour problems	N	1 or more neighbour problems	N
Gender	Female	9.3%	148	8.4%	160
	Male	8.6%	128	7.3%	128
Ethnicity	White	9.1%	260	8.0%	265
	Black	7.4%	4	3.9%	3
	Asian	6.3%	8	6.1%	11
	Other	9.6%	4	15.0%	9
House type	Detached	5.9%	49	5.3%	49
	Semi	9.1%	99	6.5%	86
	Terrace	10.8%	88	10.1%	98
	Flat	11.4%	40	13.2%	55
Own transport	No transport	7.8%	54	8.1%	62
	Transport	9.3%	222	7.8%	226
Family status	Married with children	6.7%	41	6.1%	44
	Married no children	8.9%	120	7.5%	101
	Lone parents	9.9%	12	11.9%	21
	Single no children	10.6%	70	6.6%	66
	Co-habiting with children	14.6%	14	22.0%	30
	Co-habiting no children	7.9%	19	10.0%	26
Tenure	Own	8.2%	74	7.6%	83
	Mortgage	7.7%	92	6.9%	97
	Public sector rent	13.6%	58	16.2%	83
	Private sector rent	10.7%	43	4.9%	20
	Rent free	5.1%	8	2.7%	6
Economic activity	Active	10.0%	128	8.5%	134
	Inactive	8.2%	148	7.4%	154
Ill or disabled	Not ill nor disabled	7.4%	174	6.9%	187
	Ill or disabled	13.6%	103	10.8%	101
Academic Qualifications	None	7.9%	66	8.6%	88
	Some	9.3%	210	7.6%	200
Benefits	None	8.6%	199	6.9%	183
	On benefits	10.0%	77	10.7%	105
Age	18-24	8.9%	31	5.7%	23
	25-34	8.8%	45	9.7%	54
	35-44	10.3%	62	9.8%	67
	45-59	9.4%	74	6.4%	60
	60-74	10.1%	59	8.5%	63
	75+	1.8%	5	6.9%	22
Income	<£10,000	8.9%	76	7.9%	77
	All others	9.4%	179	8.0%	181
	>£50,000	6.4%	21	7.4%	29
Crime victim	Not a victim	7.3%	181	6.2%	180
	Victim	15.5%	96	15.0%	107

Table 7. Incidence of Owned Housing Problems by Respondent Characteristics

Variable	Level	Incidence in 2006		Incidence in 2007	
		1 or more owned housing problems	N	1 or more owned housing problems	N
Gender	Female	2.2%	34	1.7%	32
	Male	1.8%	26	2.0%	34
Ethnicity	White	2.1%	60	1.9%	62
	Black	0.0%	0	1.3%	1
	Asian	0.8%	1	1.2%	2
	Other	0.0%	0	1.6%	1
House type	Detached	2.3%	19	2.8%	26
	Semi	1.9%	20	1.1%	14
	Terrace	1.1%	9	1.6%	15
	Flat	3.4%	12	2.4%	10
Own transport	No transport	.9%	6	.8%	6
	Transport	2.3%	55	2.1%	60
Family status	Married with children	1.8%	11	2.1%	15
	Married no children	1.9%	26	1.8%	24
	Lone parents	1.9%	2	3.2%	6
	Single no children	2.2%	15	.9%	9
	Co-habiting with children	3.1%	3	3.8%	5
	Co-habiting no children	1.7%	4	2.8%	7
Tenure	Own	2.9%	26	1.4%	15
	Mortgage	2.3%	27	3.2%	45
	Public sector rent	0.2%	1	.8%	4
	Private sector rent	1.2%	5	.5%	2
	Rent free	1.2%	2	.0%	0
Economic activity	Active	1.9%	24	1.0%	16
	Inactive	2.0%	36	2.4%	50
Ill or disabled	Not ill nor disabled	2.0%	46	1.8%	50
	Ill or disabled	1.9%	14	1.7%	16
Academic Qualifications	None	2.1%	17	.5%	5
	Some	1.9%	43	2.3%	61
Benefits	None	1.7%	39	1.7%	45
	On benefits	2.8%	21	2.2%	21
Age	18-24	1.1%	4	.0%	0
	25-34	1.6%	8	3.0%	17
	35-44	2.1%	13	3.1%	21
	45-59	1.8%	14	2.3%	22
	60-74	2.9%	17	.7%	5
	75+	2.0%	5	.3%	1
Income	<£10,000	1.8%	15	1.3%	13
	All others	2.0%	38	1.7%	38
	>£50,000	2.4%	8	4.0%	16
Crime victim	Not a victim	1.9%	48	1.5%	44
	Victim	2.1%	13	3.1%	22

Table 8. Incidence of Rented Housing Problems by Respondent Characteristics

Variable	Level	Incidence in 2006		Incidence in 2007	
		1 or more rented housing problem	N	1 or more rented housing problem	N
Gender	Female	3.7%	59	2.6%	49
	Male	2.7%	39	2.5%	43
Ethnicity	White	3.2%	92	2.4%	81
	Black	3.4%	2	7.1%	5
	Asian	2.9%	4	1.6%	3
	Other	2.8%	1	6.5%	4
House type	Detached	1.3%	11	.4%	3
	Semi	2.1%	23	1.4%	19
	Terrace	3.7%	30	3.5%	33
	Flat	9.7%	34	8.8%	37
Own transport	No transport	5.3%	37	6.3%	48
	Transport	2.6%	62	1.5%	44
Family status	Married with children	1.0%	6	1.3%	9
	Married no children	2.3%	31	.9%	12
	Lone parents	12.0%	14	9.3%	17
	Single no children	3.7%	25	3.7%	37
	Co-habiting with children	10.6%	10	3.0%	4
	Co-habiting no children	5.2%	13	5.3%	14
Tenure	Own	0.3%	3	.2%	2
	Mortgage	0.1%	1	1.1%	16
	Public sector rent	10.2%	43	7.8%	40
	Private sector rent	11.9%	48	8.1%	33
	Rent free	1.6%	3	.9%	2
Economic Activity	Active	4.2%	54	2.7%	42
	Inactive	2.5%	45	2.5%	51
Ill or disabled	Not ill nor disabled	2.9%	67	2.5%	69
	Ill or disabled	4.2%	32	2.6%	24
Academic Qualifications	None	3.4%	29	2.6%	27
	Some	3.1%	70	2.5%	66
Benefits	None	2.2%	50	1.9%	49
	On benefits	6.3%	49	4.4%	43
Age	18-24	8.9%	31	4.3%	17
	25-34	4.2%	22	4.7%	26
	35-44	2.4%	15	4.0%	27
	45-59	2.3%	18	1.6%	15
	60-74	1.3%	7	1.0%	7
	75+	2.0%	5	.0%	0
Income	<£10,000	4.1%	35	3.5%	34
	All others	2.7%	52	2.3%	52
	>£50,000	3.4%	11	1.7%	7
Crime victim	Not a victim	2.4%	60	2.0%	59
	Victim	6.2%	38	4.8%	34

Table 9. Incidence of Money or Debt Problems by Respondent Characteristics

Variable	Level	Incidence in 2006		Incidence in 2007	
		1 or more money/debt problems	N	1 or more money/debt problems	N
Gender	Female	5.2%	83	6.6%	125
	Male	5.8%	87	6.4%	112
Ethnicity	White	5.5%	159	6.6%	218
	Black	5.5%	3	9.5%	7
	Asian	3.9%	5	4.7%	9
	Other	7.0%	3	6.0%	3
House type	Detached	5.1%	43	6.1%	57
	Semi	6.5%	71	6.2%	81
	Terrace	5.2%	42	6.9%	67
	Flat	4.0%	14	7.5%	31
Own transport	No transport	4.7%	32	5.9%	45
	Transport	5.7%	137	6.7%	192
Family status	Married with children	6.1%	38	6.8%	49
	Married no children	4.3%	58	4.4%	58
	Lone parents	11.2%	13	13.9%	25
	Single no children	5.7%	38	7.2%	72
	Co-habiting with children	9.2%	9	8.4%	12
	Co-habiting no children	5.7%	14	8.1%	21
Tenure	Own	3.8%	34	4.1%	45
	Mortgage	5.5%	65	6.7%	94
	Public sector rent	5.8%	25	8.3%	43
	Private sector rent	9.2%	37	11.1%	45
	Rent free	5.1%	8	5.2%	11
Economic activity	Active	4.3%	55	4.8%	76
	Inactive	6.3%	114	7.8%	161
Ill or disabled	Not ill nor disabled	5.0%	115	6.1%	166
	Ill or disabled	7.1%	54	7.6%	71
Academic qualifications	None	2.6%	22	5.2%	53
	Some	6.6%	147	7.0%	184
Benefits	None	4.9%	113	5.9%	156
	On benefits	7.3%	56	8.3%	81
Age	18-24	3.6%	13	7.6%	31
	25-34	7.4%	38	8.8%	49
	35-44	7.1%	43	8.5%	58
	45-59	5.7%	45	6.7%	62
	60-74	4.1%	24	4.3%	32
	75+	2.7%	7	1.7%	5
Income	<£10,000	5.0%	43	6.3%	61
	All others	5.7%	109	6.3%	143
	>£50,000	5.3%	17	8.3%	33
Crime victim	Not a victim	5.0%	124	5.9%	174
	Victim	7.3%	45	8.9%	63

Table 10. Incidence of Welfare Benefits Problems by Respondent Characteristics

Variable	Level	Incidence in 2006		Incidence in 2007	
		1 or more welfare benefits problems	N	1 or more welfare benefits problems	N
Gender	Female	3.8%	62	4.1%	77
	Male	2.1%	31	3.1%	53
Ethnicity	White	3.2%	91	3.7%	122
	Black	.0%	0	5.8%	4
	Asian	1.7%	2	1.8%	3
	Other	.0%	0	1.6%	1
House type	Detached	1.5%	13	2.1%	20
	Semi	3.5%	38	3.9%	51
	Terrace	3.1%	26	3.8%	37
	Flat	4.7%	17	5.4%	23
Own transport	No transport	3.2%	22	3.8%	29
	Transport	2.9%	71	3.5%	102
Family status	Married with children	4.1%	25	3.8%	27
	Married no children	1.5%	20	2.2%	29
	Lone parents	10.5%	12	11.1%	20
	Single no children	3.0%	20	2.7%	27
	Co-habiting with children	11.9%	12	9.7%	13
	Co-habiting no children	1.7%	4	5.1%	13
Tenure	Own	1.4%	12	1.8%	20
	Mortgage	2.9%	35	3.1%	44
	Public sector rent	5.1%	22	6.0%	31
	Private sector rent	5.1%	21	7.9%	32
	Rent free	1.9%	3	2.1%	5
Economic Activity	Active	4.0%	51	4.3%	67
	Inactive	2.3%	42	3.1%	63
Ill or disabled	Not ill nor disabled	2.5%	59	3.0%	82
	Ill or disabled	4.5%	34	5.2%	49
Academic Qualifications	None	2.4%	20	2.9%	29
	Some	3.2%	73	3.9%	102
Benefits	None	1.8%	41	2.2%	58
	On benefits	6.7%	52	7.4%	73
Age	18-24	4.3%	15	3.3%	13
	25-34	3.6%	19	4.7%	26
	35-44	4.4%	27	5.5%	38
	45-59	2.7%	21	2.9%	28
	60-74	1.8%	10	3.0%	23
	75+	0.4%	1	.6%	2
Income	<£10,000	4.2%	36	5.4%	53
	All others	2.6%	50	3.1%	71
	>£50,000	2.1%	7	1.7%	7
Crime victim	Not a victim	2.5%	63	3.1%	90
	Victim	4.8%	30	5.7%	41

Table 11. Incidence of Divorce by Respondent Characteristics

Variable	Level	Incidence in 2006		Incidence in 2007	
		1 or more divorce	N	1 or more divorce	N
Gender	Female	2.4%	39	2.3%	43
	Male	2.0%	29	1.8%	32
Ethnicity	White	2.3%	65	2.1%	70
	Black	1.8%	1	4.3%	3
	Asian	1.5%	2	1.3%	2
	Other	0.0%	0	.0%	0
House type	Detached	1.7%	14	1.2%	11
	Semi	2.8%	30	1.8%	24
	Terrace	1.9%	16	3.5%	34
	Flat	2.4%	9	1.5%	6
Own transport	No transport	2.7%	18	1.5%	11
	Transport	2.1%	50	2.2%	64
Family status	Married with children	0.6%	4	.4%	3
	Married no children	0.7%	10	.2%	3
	Lone parents	11.3%	13	16.4%	29
	Single no children	3.3%	22	2.3%	23
	Co-habiting with children	8.3%	8	5.0%	7
	Co-habiting no children	4.9%	12	3.8%	10
Tenure	Own	0.5%	5	.6%	7
	Mortgage	2.4%	28	2.4%	34
	Public sector rent	4.0%	17	2.1%	11
	Private sector rent	3.3%	13	5.2%	21
	Rent free	2.5%	4	1.4%	3
Economic activity	Active	.7%	9	1.3%	21
	Inactive	3.3%	59	2.6%	54
Ill or disabled	Not ill nor disabled	2.3%	53	2.2%	58
	Ill or disabled	2.1%	16	1.8%	17
Academic qualifications	None	1.1%	9	1.1%	11
	Some	2.6%	60	2.5%	65
Benefits	None	1.6%	37	1.3%	36
	On benefits	4.0%	31	4.1%	40
Age	18-24	0.4%	1	.0%	0
	25-34	2.0%	10	3.2%	18
	35-44	5.4%	33	4.4%	30
	45-59	2.8%	22	2.7%	25
	60-74	0.3%	2	.4%	3
	75+	0.0%	0	.0%	0
Income	<£10,000	1.6%	14	2.0%	20
	All others	2.4%	45	2.1%	49
	>£50,000	2.9%	10	1.8%	7
Crime victim	Not a victim	2.0%	49	1.8%	53
	Victim	3.2%	20	3.1%	22

Table 12. Incidence of Problems Ancillary to Relationship Breakdown by Respondent Characteristics

Variable	Level	Incidence in 2006		Incidence in 2007	
		1 or more relationship breakdown	N	1 or more relationship breakdown	N
Gender	Female	1.6%	26	2.7%	51
	Male	1.6%	23	1.5%	27
Ethnicity	White	1.7%	48	2.1%	71
	Black	1.8%	1	5.4%	4
	Asian	0.0%	0	1.1%	2
	Other	0.0%	0	2.3%	1
House type	Detached	0.7%	6	.9%	8
	Semi	2.1%	23	1.8%	24
	Terrace	1.8%	15	3.8%	36
	Flat	1.5%	5	2.3%	9
Own transport	No transport	1.3%	9	1.8%	13
	Transport	1.7%	40	2.3%	65
Family status	Married with children	1.3%	8	.9%	6
	Married no children	0.7%	10	.4%	5
	Lone parents	12.6%	15	21.3%	38
	Single no children	1.5%	10	1.7%	17
	Co-habiting with children	3.9%	4	4.2%	6
	Co-habiting no children	1.3%	3	2.5%	6
Tenure	Own	0.4%	4	.5%	5
	Mortgage	1.5%	18	2.3%	32
	Public sector rent	4.2%	18	3.5%	18
	Private sector rent	1.7%	7	4.2%	17
	Rent free	2.1%	3	2.9%	6
Economic activity	Active	1.1%	14	1.7%	26
	Inactive	1.9%	35	2.5%	52
Ill or disabled	Not ill nor disabled	1.7%	41	2.3%	61
	Ill or disabled	1.1%	9	1.8%	17
Academic Qualifications	None	0.9%	8	1.0%	10
	Some	1.8%	41	2.6%	68
Benefits	None	1.0%	23	1.2%	32
	On benefits	3.4%	26	4.8%	47
Age	18-24	0.7%	3	1.0%	4
	25-34	1.8%	9	4.1%	23
	35-44	3.4%	21	4.5%	31
	45-59	1.8%	14	2.2%	20
	60-74	0.5%	3	.1%	1
	75+	0.0%	0	.0%	0
Income	<£10,000	1.6%	14	2.1%	20
	All others	1.4%	27	2.2%	49
	>£50,000	2.7%	9	2.4%	9
Crime victim	Not a victim	1.4%	34	1.8%	52
	Victim	2.4%	15	3.7%	27



Table 13. Incidence of Domestic Violence by Respondent Characteristics

Variable	Level	Incidence in 2004		Incidence in 2006	
		1 or more domestic violence problems	N	1 or more domestic violence problems	N
Gender	Female	0.9%	15	1.5%	29
	Male	0.7%	10	.4%	6
Ethnicity	White	0.9%	25	1.0%	34
	Black	0.0%	0	1.3%	1
	Asian	0.0%	0	.0%	0
	Other	0.0%	0	.0%	0
House type	Detached	0.6%	5	.5%	5
	Semi	0.5%	6	.8%	11
	Terrace	1.3%	11	.9%	9
	Flat	1.2%	4	2.5%	11
Own transport	No transport	0.8%	5	1.4%	11
	Transport	0.8%	20	.9%	25
Family status	Married with children	0.6%	4	.4%	3
	Married no children	0.4%	6	.0%	0
	Lone parents	2.7%	3	8.5%	15
	Single no children	1.1%	8	1.2%	12
	Co-habiting with children	1.0%	1	1.4%	2
	Co-habiting no children	1.6%	4	1.2%	3
Tenure	Own	0.2%	2	.4%	5
	Mortgage	0.7%	8	.6%	9
	Public sector rent	2.1%	9	2.6%	14
	Private sector rent	1.4%	6	1.3%	5
	Rent free	0.6%	1	1.4%	3
Economic activity	Active	0.9%	11	.9%	14
	Inactive	0.8%	14	1.0%	21
Ill or disabled	Not ill nor disabled	0.7%	17	.8%	22
	Ill or disabled	1.1%	8	1.5%	14
Academic qualifications	None	0.5%	4	.4%	4
	Some	1.0%	22	1.2%	31
Benefits	None	0.7%	15	.5%	13
	On benefits	1.3%	10	2.3%	22
Age	18-24	1.1%	4	.6%	3
	25-34	1.0%	5	1.7%	9
	35-44	1.3%	8	2.4%	17
	45-59	0.6%	5	.7%	7
	60-74	0.5%	3	.0%	0
	75+	0.0%	0	.0%	0
Income	<£10,000	1.2%	10	1.5%	14
	All others	0.7%	13	.8%	18
	>£50,000	0.9%	3	.8%	3
Crime victim	Not a victim	0.7%	17	.7%	20
	Victim	1.3%	8	2.2%	15

Table 14. Incidence of Children Related Problems by Respondent Characteristics

Variable	Level	Incidence in 2004		Incidence in 2006	
		1 or more children problems	N	1 or more children problems	N
Gender	Female	1.8%	46	1.6%	29
	Male	1.2%	28	.8%	14
Ethnicity	White	1.6%	74	1.2%	41
	Black	0.8%	1	.0%	0
	Asian	0.0%	0	1.2%	2
	Other	0.0%	0	.0%	0
House type	Detached	1.3%	16	.8%	7
	Semi	1.9%	34	1.1%	15
	Terrace	1.6%	19	1.9%	19
	Flat	0.4%	2	.7%	3
Own transport	No transport	1.2%	15	.5%	4
	Transport	1.6%	61	1.4%	39
Family status	Married with children	3.6%	34	2.6%	19
	Married no children	0.5%	10	.3%	4
	Lone parents	7.1%	13	6.0%	11
	Single no children	0.5%	7	.0%	0
	Co-habiting with children	3.1%	7	6.5%	9
Tenure	Co-habiting no children	1.0%	3	.5%	1
	Own	0.4%	6	.5%	5
	Mortgage	2.1%	43	1.5%	21
	Public sector rent	2.1%	16	1.9%	10
	Private sector rent	1.5%	6	1.8%	7
Economic activity	Rent free	1.0%	4	.0%	0
	Active	1.8%	52	1.0%	16
Ill or disabled	Inactive	1.1%	23	1.3%	27
	Not ill nor disabled	1.5%	55	1.4%	37
Academic qualifications	Ill or disabled	1.6%	20	.7%	7
	None	0.8%	13	.4%	4
Benefits	Some	1.8%	62	1.5%	39
	None	1.1%	42	.6%	17
Age	On benefits	2.6%	33	2.7%	26
	18-24	0.9%	5	.3%	1
	25-34	1.7%	16	1.7%	10
	35-44	3.4%	33	3.1%	21
	45-59	1.6%	20	1.2%	11
	60-74	0.0%	0	.0%	0
Income	75+	0.0%	0	.0%	0
	<£10,000	1.1%	10	1.2%	12
	All others	1.4%	51	1.1%	26
Crime victim	>£50,000	2.6%	14	1.6%	6
	Not a victim	1.2%	47	1.0%	30
	Victim	2.8%	28	1.8%	13

Table 15. Incidence of Personal Injury Problems by Respondent Characteristics

Variable	Level	Incidence in 2006		Incidence in 2007	
		1 or more personal injury problems	N	1 or more personal injury problems	N
Gender	Female	3.8%	60	3.8%	72
	Male	3.5%	51	3.7%	64
Ethnicity	White	3.8%	109	3.8%	127
	Black	1.8%	1	4.2%	3
	Asian	0.0%	0	2.1%	4
	Other	5.2%	2	3.2%	2
House type	Detached	2.1%	18	3.3%	31
	Semi	4.3%	47	3.5%	46
	Terrace	3.5%	29	4.5%	43
	Flat	5.4%	19	3.6%	15
Own transport	No transport	4.1%	28	3.5%	27
	Transport	3.5%	84	3.8%	109
Family status	Married with children	3.6%	22	2.6%	18
	Married no children	2.5%	34	2.7%	36
	Lone parents	3.5%	4	5.0%	9
	Single no children	5.3%	35	5.2%	52
	Co-habiting with children	3.3%	3	6.7%	9
Tenure	Co-habiting no children	5.6%	13	4.1%	11
	Own	2.2%	20	2.4%	27
	Mortgage	4.1%	48	3.5%	49
	Public sector rent	3.9%	17	5.3%	27
	Private sector rent	4.3%	18	5.8%	23
Economic activity	Rent free	6.1%	10	4.4%	10
	Active	3.0%	39	3.8%	60
Ill or disabled	Inactive	4.0%	73	3.7%	76
	Not ill nor disabled	3.1%	71	3.1%	84
Academic qualifications	Ill or disabled	5.4%	41	5.5%	52
	None	3.1%	26	4.1%	41
Benefits	Some	3.8%	86	3.6%	94
	None	3.4%	78	3.4%	90
Age	On benefits	4.3%	33	4.7%	46
	18-24	4.6%	16	6.0%	24
	25-34	4.1%	21	5.0%	28
	35-44	3.5%	21	2.5%	17
	45-59	3.3%	26	4.3%	40
	60-74	3.5%	21	2.5%	19
Income	75+	1.9%	5	2.5%	8
	<£10,000	3.1%	26	3.6%	35
	All others	4.0%	76	3.8%	87
Crime victim	>£50,000	2.8%	9	3.6%	14
	Not a victim	3.3%	80	3.4%	98
	Victim	5.1%	32	5.2%	37

Table 16. Incidence of Clinical Negligence Problems by Respondent Characteristics

Variable	Level	Incidence in 2006		Incidence in 2007	
		1 or more clinical negligence problems	N	1 or more clinical negligence problems	N
Gender	Female	2.1%	34	1.7%	32
	Male	1.8%	26	1.4%	25
Ethnicity	White	1.9%	55	1.5%	50
	Black	3.7%	2	3.0%	2
	Asian	.8%	1	1.7%	3
	Other	7.0%	3	3.4%	2
House type	Detached	1.5%	13	1.7%	15
	Semi	2.0%	22	1.2%	16
	Terrace	2.6%	21	1.8%	17
	Flat	1.6%	5	1.9%	8
Own transport	No transport	1.2%	8	1.8%	14
	Transport	2.2%	53	1.5%	43
Family status	Married with children	2.3%	14	1.3%	9
	Married no children	1.8%	25	1.3%	18
	Lone parents	1.7%	2	2.3%	4
	Single no children	1.6%	11	2.0%	20
	Co-habiting with children	1.1%	1	1.4%	2
	Co-habiting no children	3.5%	8	1.2%	3
Tenure	Own	2.0%	18	1.8%	19
	Mortgage	1.4%	17	.9%	12
	Public sector rent	2.8%	12	3.0%	15
	Private sector rent	2.3%	9	1.9%	8
	Rent free	1.4%	2	1.1%	2
Economic activity	Active	1.9%	24	2.2%	34
	Inactive	2.0%	36	1.1%	23
Ill or disabled	Not ill nor disabled	1.4%	34	1.1%	29
	Ill or disabled	3.6%	27	3.0%	28
Academic qualifications	None	1.2%	10	1.3%	13
	Some	2.3%	51	1.7%	44
Benefits	None	1.6%	38	1.3%	34
	On benefits	2.9%	23	2.3%	23
Age	18-24	1.4%	5	1.3%	5
	25-34	2.7%	14	2.4%	13
	35-44	1.4%	9	1.1%	8
	45-59	2.7%	21	1.6%	15
	60-74	1.6%	9	1.2%	9
	75+	1.1%	3	2.0%	6
Income	<£10,000	1.7%	15	1.5%	15
	All others	1.9%	36	1.7%	39
	>£50,000	3.1%	10	.8%	3
Crime victim	Not a victim	1.9%	48	1.5%	44
	Victim	2.1%	13	1.7%	12

Table 17. Incidence of Mental Health Problems by Respondent Characteristics

Variable	Level	Incidence in 2006		Incidence in 2007	
		1 or more mental health problems	N	1 or more mental health problems	N
Gender	Female	0.3%	5	.2%	3
	Male	0.3%	4	.2%	4
Ethnicity	White	0.3%	9	.2%	7
	Black	0.0%	0	.0%	0
	Asian	0.0%	0	.0%	0
	Other	0.0%	0	.0%	0
House type	Detached	0.0%	0	.1%	1
	Semi	0.2%	2	.2%	2
	Terrace	0.5%	4	.0%	0
	Flat	0.9%	3	1.1%	4
Own transport	No transport	0.0%	0	.4%	3
	Transport	0.4%	9	.1%	4
Family status	Married with children	0.0%	0	.0%	0
	Married no children	0.1%	2	.2%	2
	Lone parents	0.8%	1	.0%	0
	Single no children	0.6%	4	.3%	3
	Co-habiting with children	0.0%	0	.0%	0
	Co-habiting no children	1.0%	2	.8%	2
Tenure	Own	0.2%	2	.0%	0
	Mortgage	0.2%	3	.1%	2
	Public sector rent	0.5%	2	.4%	2
	Private sector rent	0.6%	2	.9%	4
	Rent free	0.0%	0	.0%	0
Economic activity	Active	0.6%	7	.3%	5
	Inactive	0.1%	2	.1%	2
Ill or disabled	Not ill nor disabled	0.1%	2	.1%	3
	Ill or disabled	0.9%	7	.5%	4
Academic qualifications	None	0.3%	2	.2%	2
	Some	0.3%	7	.2%	6
Benefits	None	0.2%	5	.1%	2
	On benefits	0.5%	4	.5%	5
Age	18-24	0.4%	1	.3%	1
	25-34	0.4%	2	.6%	3
	35-44	0.3%	2	.1%	1
	45-59	0.4%	3	.0%	0
	60-74	0.0%	0	.2%	2
	75+	0.4%	1	.0%	0
Income	<£10,000	0.6%	5	.8%	7
	All others	0.2%	3	.0%	0
	>£50,000	0.3%	1	.0%	0
Crime victim	Not a victim	0.3%	7	.2%	6
	Victim	0.3%	2	.2%	1

Table 18. Incidence of Immigration Problems by Respondent Characteristics

Variable	Level	Incidence in 2006		Incidence in 2007	
		1 or more immigration problems	N	1 or more immigration problems	N
Gender	Female	0.3%	5	.3%	6
	Male	0.3%	4	.2%	3
Ethnicity	White	0.1%	3	.1%	3
	Black	3.7%	2	5.9%	4
	Asian	3.2%	4	1.3%	2
	Other	0.0%	0	.0%	0
House type	Detached	0.2%	2	.0%	0
	Semi	0.2%	2	.1%	1
	Terrace	0.4%	3	.4%	4
	Flat	0.6%	2	1.1%	5
Own transport	No transport	0.4%	3	.6%	5
	Transport	0.3%	6	.2%	5
Family status	Married with children	0.3%	2	.0%	0
	Married no children	0.3%	4	.3%	3
	Lone parents	0.0%	0	.6%	1
	Single no children	0.3%	2	.2%	2
	Co-habiting with children	1.0%	1	.0%	0
	Co-habiting no children	0.0%	0	1.3%	3
Tenure	Own	0.1%	1	.0%	0
	Mortgage	0.3%	3	.1%	2
	Public sector rent	0.0%	0	.4%	2
	Private sector rent	1.3%	5	1.4%	6
	Rent free	0.0%	0	.0%	0
Economic activity	Active	0.3%	4	.1%	2
	Inactive	0.3%	5	.4%	8
Ill or disabled	Not ill nor disabled	0.4%	8	.4%	10
	Ill or disabled	0.1%	1	.0%	0
Academic qualifications	None	0.5%	4	.2%	2
	Some	0.2%	5	.3%	8
Benefits	None	0.3%	8	.4%	10
	On benefits	0.1%	1	.0%	0
Age	18-24	0.0%	0	.6%	3
	25-34	1.0%	5	.4%	2
	35-44	0.5%	3	.3%	2
	45-59	0.1%	1	.2%	2
	60-74	0.0%	0	.1%	1
	75+	0.0%	0	.0%	0
Income	<£10,000	0.6%	5	.1%	1
	All others	0.2%	4	.3%	8
	>£50,000	0.0%	0	.3%	1
Crime victim	Not a victim	0.3%	8	.2%	5
	Victim	0.2%	1	.6%	5

Table 19. Incidence of Problems Concerning Unfair Police Treatment by Respondent Characteristics

Variable	Level	Incidence in 2006		Incidence in 2007	
		1 or more unfair police treatment problem	N	1 or more unfair police treatment problem	N
Gender	Female	0.5%	8	.3%	5
	Male	1.4%	21	1.6%	28
Ethnicity	White	0.9%	27	.8%	27
	Black	0.0%	0	5.1%	4
	Asian	1.0%	1	.8%	1
	Other	0.0%	0	2.1%	1
House type	Detached	0.6%	5	.8%	8
	Semi	0.8%	9	.6%	7
	Terrace	1.0%	8	1.1%	11
	Flat	1.9%	7	1.7%	7
Own transport	No transport	1.6%	11	1.6%	12
	Transport	0.7%	18	.7%	21
Family status	Married with children	0.6%	4	.4%	3
	Married no children	0.6%	9	.4%	6
	Lone parents	0.0%	0	.5%	1
	Single no children	1.5%	10	1.7%	17
	Co-habiting with children	1.0%	1	.0%	0
Tenure	Co-habiting no children	2.0%	5	2.4%	6
	Own	0.7%	7	.2%	2
	Mortgage	0.6%	7	.8%	11
	Public sector rent	2.0%	9	1.1%	6
	Private sector rent	0.8%	3	2.4%	10
Economic activity	Rent free	2.1%	3	2.2%	5
	Active	1.2%	16	.5%	8
Ill or disabled	Inactive	0.7%	13	1.2%	25
	Not ill nor disabled	0.7%	17	.9%	26
Academic qualifications	Ill or disabled	1.5%	12	.8%	7
	None	1.8%	15	.8%	8
Benefits	Some	0.6%	14	.9%	25
	None	0.7%	15	.9%	25
Age	On benefits	1.7%	13	.8%	8
	18-24	2.2%	8	3.1%	12
	25-34	1.3%	6	.9%	5
	35-44	0.8%	5	1.4%	9
	45-59	0.6%	5	.4%	4
	60-74	0.8%	5	.4%	3
Income	75+	0.0%	0	.0%	0
	<£10,000	0.9%	8	.7%	6
	All others	1.0%	20	1.0%	23
Crime victim	>£50,000	0.3%	1	1.0%	4
	Not a victim	0.7%	16	.7%	21
	Victim	1.9%	12	1.6%	11

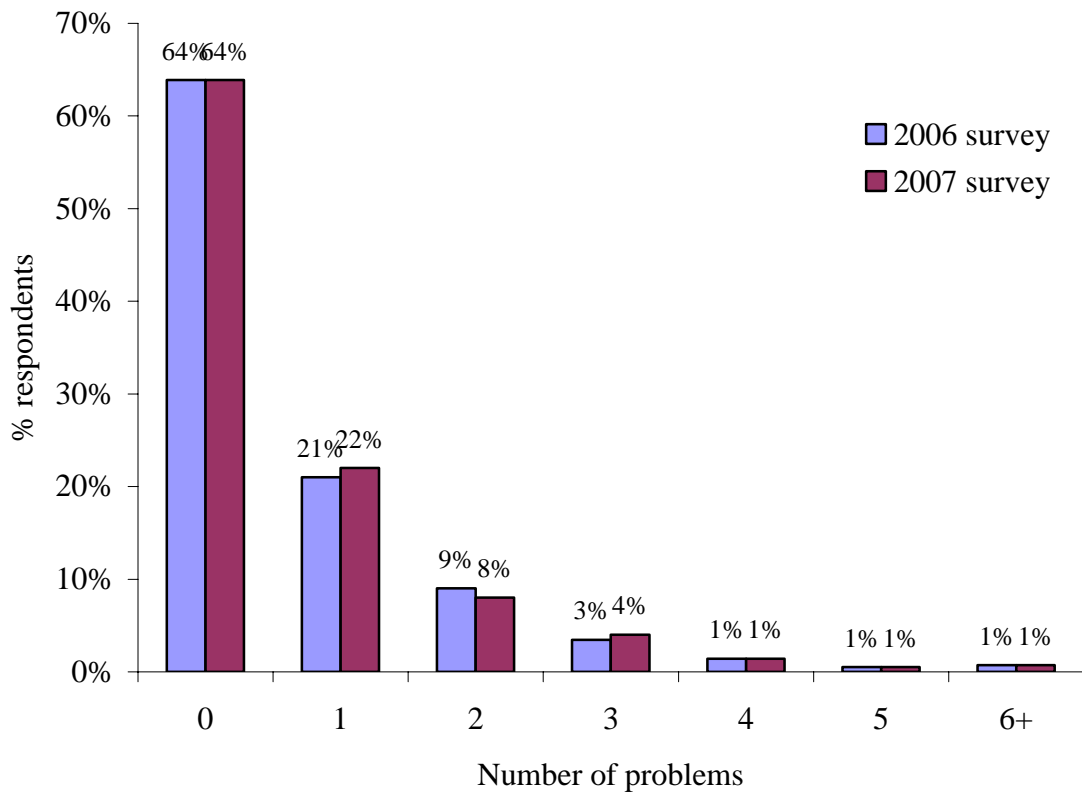
Table 20. Incidence of Problems Concerning Homelessness by Respondent Characteristics

Variable	Level	Incidence in 2006		Incidence in 2007	
		1 or more homelessness problems	N	1 or more homelessness problems	N
Gender	Female	1.2%	18	2.0%	37
	Male	1.1%	17	1.2%	20
Ethnicity	White	1.1%	32	1.6%	53
	Black	2.4%	1	3.3%	2
	Asian	1.5%	2	.6%	1
	Other	0.0%	0	2.1%	1
House type	Detached	0.2%	2	.1%	1
	Semi	1.0%	10	.9%	13
	Terrace	1.2%	10	2.6%	25
	Flat	3.6%	13	4.7%	20
Own transport	No transport	2.5%	17	4.8%	37
	Transport	0.7%	18	.7%	21
Family status	Married with children	0.3%	2	.3%	2
	Married no children	0.5%	7	.4%	5
	Lone parents	6.9%	8	14.1%	25
	Single no children	1.4%	9	2.0%	20
	Co-habiting with children	4.4%	4	3.1%	4
	Co-habiting no children	2.0%	5	.5%	1
Tenure	Own	0.0%	0	.0%	0
	Mortgage	0.2%	2	.4%	5
	Public sector rent	4.3%	18	6.1%	31
	Private sector rent	3.1%	13	4.3%	17
	Rent free	1.4%	2	1.8%	4
Economic activity	Active	1.5%	19	2.3%	37
	Inactive	0.9%	16	1.0%	21
Ill or disabled	Not ill nor disabled	1.2%	27	1.2%	34
	Ill or disabled	1.0%	8	2.6%	24
Academic qualifications	None	1.1%	9	1.8%	18
	Some	1.1%	26	1.5%	39
Benefits	None	0.3%	6	.6%	16
	On benefits	3.7%	29	4.3%	42
Age	18-24	3.5%	12	2.6%	10
	25-34	2.3%	12	4.1%	23
	35-44	1.6%	10	2.6%	18
	45-59	0.1%	1	.7%	7
	60-74	0.0%	0	.0%	0
	75+	0.0%	0	.0%	0
Income	<£10,000	2.0%	17	3.1%	30
	All others	1.0%	18	1.2%	28
	>£50,000	0.0%	0	.0%	0
Crime victim	Not a victim	1.1%	26	1.4%	41
	Victim	1.5%	9	2.4%	17



### *The Experience of Multiple Civil Justice Problems*

Figure 1 depicts the total number of problems reported by respondents in 2006 and 2007. As can be seen, the patterns in 2006 and 2007 were very similar.



*Figure 1. Number of Problems Reported*

As illustrated, certain population groups are more vulnerable than others to civil justice problems. It has been shown that problems can also act to bring about or reinforce characteristics of vulnerability (such as unemployment, relationship breakdown and illness).<sup>24</sup> Thus, as Figure 2 shows, representation of respondents in vulnerable groups increases as the number of problems reported increases. For instance, of those with no problems, only 2.5 per cent were lone parents compared to over 30 per cent of those with six or more problems.

<sup>24</sup> Pleasence, P. (2006) *Causes of Action: Civil Law and Social Justice (2<sup>nd</sup> edition)*, Norwich: TSO; Pleasence, P., Balmer, N.J., Buck, A., Smith, M., and Patel, A. (2007). In Pleasence, P., Buck, A., and Balmer, N.J. (eds.) *Transforming Lives: Law and Social Process*. Norwich: TSO.

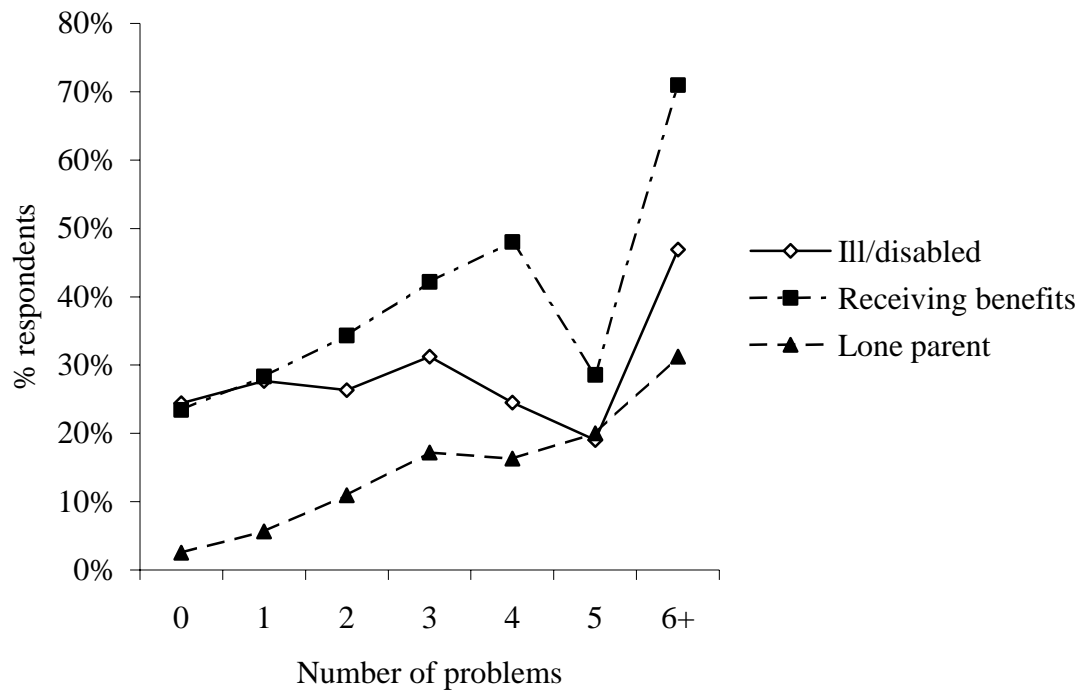


Figure 2. Proportion of Vulnerable Respondents by Number of Problems

Table 21 shows the percentage of various social-demographic indicators with one, two, three and four or more problems. For example, lone parents, those renting publicly, those in receipt of benefits, 25-34 years olds and victims of crime were all more likely to report higher numbers of problems.

Table 21. Number and percentage reporting one, two, three, or four or more problems for a range of socio-demographic indicators

Variable	Level	%	N	%	N	%	N	%	N
		respondents 1 problem		respondents 2 problems		respondents 3 problems		respondents 4+ problems	
Gender	Female	21.5%	406	8.4%	160	3.8%	73	3.0%	57
	Male	22.4%	391	8.0%	140	3.2%	55	2.6%	45
Ethnicity	White	21.9%	730	8.4%	278	3.5%	116	2.7%	91
	Black	25.5%	19	11.1%	8	5.9%	4	7.1%	5
	Asian	18.8%	34	3.9%	7	3.0%	5	1.2%	2
	Other	25.9%	15	11.6%	7	3.2%	2	5.5%	3
House type	Detached	21.4%	200	6.9%	65	3.4%	32	2.1%	19
	Semi	19.5%	257	7.1%	94	3.2%	42	2.1%	27
	Terrace	24.3%	235	10.0%	97	3.6%	34	3.2%	31
	Flat	25.1%	105	10.6%	44	4.8%	20	5.9%	25
Motorised transport	No transport	20.4%	156	8.4%	64	2.5%	19	2.7%	21
	Transport	22.3%	641	8.2%	236	3.8%	109	2.8%	81
Family status	Married with children	20.4%	146	8.0%	58	3.7%	26	3.1%	22
	Married no children	22.4%	301	5.7%	76	1.8%	24	1.0%	14
	Lone parents	25.0%	45	18.1%	33	12.1%	22	12.2%	22
	Single no children	20.8%	208	8.2%	82	3.1%	31	2.8%	28
	Co-hab with children	27.3%	37	14.4%	20	9.5%	13	5.3%	7
	Co-hab no children	22.4%	59	12.2%	32	4.6%	12	3.3%	9
Tenure	Own	20.3%	222	5.7%	63	1.9%	21	.8%	9
	Mortgage	23.2%	327	8.7%	122	4.0%	57	3.0%	42
	Public sector rent	26.2%	134	10.2%	53	3.8%	19	5.8%	30
	Private sector rent	20.3%	82	11.6%	47	5.5%	22	5.2%	21
	Rent free	14.7%	32	7.3%	16	3.7%	8	.4%	1
Economic Activity	Active	20.6%	323	7.1%	111	2.7%	42	2.4%	38
	Inactive	22.9%	474	9.1%	189	4.1%	85	3.1%	64
Ill or Disabled	Not ill nor disabled	21.3%	577	8.2%	221	3.2%	88	2.6%	71
	Ill or disabled	23.6%	221	8.4%	79	4.3%	40	3.3%	31
Academic quals	None	19.5%	197	6.2%	63	1.1%	12	1.6%	16
	Some	22.8%	600	9.0%	237	4.4%	116	3.3%	86

(Table 21 Cont ...)

Benefits	None	21.4%	571	7.4%	197	2.8%	74	1.9%	50
	On benefits	23.1%	226	10.5%	103	5.5%	54	5.3%	52
Age	18-24	20.9%	84	9.2%	37	3.7%	15	1.3%	5
	25-34	23.1%	128	10.4%	57	6.2%	34	6.1%	34
	35-44	22.2%	152	11.1%	76	5.9%	40	4.9%	33
	45-59	23.3%	218	8.5%	80	3.1%	29	2.8%	26
	60-74	22.5%	167	5.7%	43	1.1%	8	.5%	4
	75+	14.9%	47	2.0%	6	.3%	1	.0%	0
Income	<£10,000	20.9%	204	7.5%	73	3.6%	35	3.3%	32
	All others	21.1%	480	8.2%	185	3.3%	75	2.5%	58
	>£50,000	28.7%	113	10.6%	41	4.5%	18	3.1%	12
Crime vict.	Not a victim	21.2%	620	7.7%	224	2.7%	80	2.0%	58
	Victim	24.8%	177	10.6%	76	6.7%	48	6.2%	44

## *The Impact of Civil Justice Problems*

This section sets out the impact of civil justice problems, as described by respondents to the CSJS. It also details the extent to which problems co-occur, or ‘cluster’ together.

### *The Broad Impact of Civil Justice Problems*

Civil justice problems can bring about a range of social, economic and health problems. Table 22 sets out the percentage of problems for which respondents to the CSJS reported having experienced a range of adverse consequences.

Over half of problems (51 per cent) were reported to have led to at least one adverse consequence in the 2007 survey, similar to that in the 2004 and 2006 surveys. As can be seen, over a quarter of problems in both surveys led to stress related illness, with physical ill health, loss of confidence and loss of income also being reported to follow from more than one in eight problems.

*Table 22. The Adverse Consequences of Civil Justice Problems*

<b>Adverse consequences reported as following from problems</b>	<b>% of problems in 2006 survey</b>	<b>N</b>	<b>% of problems in 2007 survey</b>	<b>N</b>
Physical ill health	13.5	241	14.2	300
Stress related illness	27.3	487	27.7	586
Relationship breakdown	3.5	63	4.0	85
Violence aimed at me	4.2	76	4.2	88
Damage to property	5.5	99	5.3	111
Had to move home	4.8	86	4.7	99
Loss of employment	4.9	87	4.0	84
Loss of income	14.9	266	13.4	284
Loss of confidence	16.6	297	15.2	322

Over four-fifths (83 per cent) of 2007 respondents who suffered from physical ill health as a direct result of a problem visited a GP, hospital, or other health care worker about it. This was similar in 2006 (78 per cent) and 2004 (80 per cent). Similarly, 82 per cent of 2007 respondents who suffered from stress-related ill health as a direct result of a problem visited a GP, hospital, or other health care worker about it.

Adverse consequences and interference in day-to-day life did not follow uniformly from all problem types. Table 23 shows the range of adverse consequences that followed different problem types. As would be expected, physical ill-health most often followed from accidents, clinical negligence and domestic violence.

Stress-related ill-health was most often reported to have resulted from domestic violence, mental health, homelessness and children problems. This was a consequence for more than half of such problems.

Loss of confidence was especially likely to result from a small number of mental health problems. It was also relatively common for domestic violence (and other family related problems) as well as employment and immigration issues.

Table 23. Adverse Consequences by Problem Type in 2007 Survey (Row Percentages)

<b>Problem Type</b>	<b>Physical ill health</b>	<b>N</b>	<b>Stress- related illness</b>	<b>N</b>	<b>Rel. b'kdown</b>	<b>N</b>	<b>Personal Violence</b>	<b>N</b>	<b>Prop. Damage</b>	<b>N</b>	<b>Had to move home</b>	<b>N</b>	<b>Loss of empl't</b>	<b>N</b>	<b>Loss of income</b>	<b>N</b>	<b>Loss of conf'nce</b>	<b>N</b>
Discrimination	7.6%	6	29.3%	23	2.5%	2	2.4%	2	1.4%	1	1.4%	1	9.3%	7	13.0%	10	22.5%	17
Consumer	3.7%	19	13.6%	71	.7%	4	.2%	1	3.8%	20	.2%	1	.2%	1	4.8%	25	9.2%	48
Employment	16.7%	29	32.2%	56	4.4%	8	2.9%	5	.7%	1	.6%	1	25.4%	44	40.3%	70	28.6%	50
Neighbours	7.7%	22	28.7%	81	2.2%	6	8.7%	25	19.2%	55	6.7%	19	.0%	0	2.0%	6	14.0%	40
Housing (own)	11.5%	7	22.9%	15	2.9%	2	1.5%	1	9.2%	6	1.5%	1	.0%	0	14.3%	9	10.3%	7
Housing (rent)	14.2%	13	31.6%	29	1.2%	1	1.2%	1	3.3%	3	12.9%	12	1.3%	1	3.5%	3	8.7%	8
Homelessness	12.8%	7	55.7%	32	6.4%	4	8.6%	5	.0%	0	31.7%	18	6.3%	4	11.6%	7	22.2%	13
Money/debt	6.1%	15	29.6%	72	3.8%	9	.4%	1	1.2%	3	.4%	1	.4%	1	11.6%	28	13.4%	33
Welfare benefits	11.7%	15	27.0%	35	.0%	0	.0%	0	.0%	0	.8%	1	1.5%	2	30.9%	40	8.2%	11
Divorce	13.1%	9	31.9%	21	17.9%	12	10.7%	7	4.4%	3	29.3%	19	4.3%	3	13.9%	9	27.0%	18
Rel. b'down	17.6%	14	47.3%	38	19.6%	16	14.8%	12	4.7%	4	10.1%	8	2.6%	2	25.6%	21	29.2%	24
Domestic viol.	28.9%	11	57.8%	21	45.7%	17	45.6%	17	13.9%	5	37.9%	14	10.6%	4	19.0%	7	37.0%	14
Children	4.4%	2	50.1%	23	4.5%	2	4.2%	2	2.1%	1	2.4%	1	2.4%	1	2.4%	1	6.5%	3
Personal injury	70.2%	95	26.8%	36	.9%	1	.9%	1	7.1%	10	.0%	0	7.6%	10	24.4%	33	14.7%	20
Clin. negligence	57.2%	29	26.6%	13	2.0%	1	.0%	0	.0%	0	.0%	0	6.1%	3	11.7%	6	9.8%	5
Mental health	38.1%	3	74.9%	6	.0%	0	14.8%	1	.0%	0	14.8%	1	.0%	0	13.9%	1	61.4%	5
Immigration	9.6%	1	35.8%	4	.0%	0	.0%	0	.0%	0	.0%	0	9.6%	1	32.3%	3	30.4%	3
Police treatment	7.1%	2	24.7%	8	3.5%	1	21.1%	7	.0%	0	.0%	0	.0%	0	10.0%	3	13.3%	5

More generally, certain problem types were more likely to result in adverse consequences (of any type). Table 24 shows, for example, that problems concerning mental health, domestic violence, personal injury, homelessness, and employment led to adverse consequences on more than 70 per cent of occasions.<sup>25</sup> On the other hand, only 26 per cent of respondents reported adverse consequences as a result of their consumer problems.

*Table 24. Adverse Consequences by Problem Type 2007*

<b>Problems for which respondents suffered any adverse consequence</b>		
	<b>%</b>	<b>N</b>
Mental health	100%	9
Domestic violence	95%	35
Personal injury	82%	110
Homelessness	77%	44
Employment	73%	127
Relationship breakdown	70%	57
Clinical negligence	67%	34
Divorce	60%	39
Immigration	56%	6
Children	55%	25
Discrimination	54%	42
Neighbours	53%	150
Welfare benefits	53%	69
Police treatment	52%	18
Rented housing	50%	46
Money/debt	44%	105
Owned housing	40%	26
Consumer	26%	134

<sup>25</sup> Note that numbers were small for some problem types.



### *Problem Clusters*

Certain civil justice problems have a tendency to co-occur, or ‘cluster’ together. This means that when one problem type occurs, other problems are more likely to be of particular types. This does not mean that problems have to cause or be caused by one another. They may, for instance, both be caused by a third factor (e.g. poor health). However, it is useful to understand which problems tend to co-occur.

Hierarchical cluster analysis was used to establish general and underlying connections between different problem types. Average between groups linkage was employed as the clustering method.

The results of the hierarchical cluster analyses are summarised in two dendrograms set out in Figures 3 (2006) and 4 (2007). These dendrograms illustrate the complete clustering procedure and the divisions made at each stage of analysis. The closer the ‘forks’ or ‘branches’ are to the left side of the dendrogram, the stronger the association between problem types. The illustrated associations, or ‘clusters’ are similar to clusters from previous research.<sup>26</sup>

### *‘Family’ Cluster*

As has also been shown elsewhere,<sup>27</sup> family problems (comprised of domestic violence, divorce and relationship breakdown problems) cluster together strongly in the 2004, 2006 and 2007 surveys. As Table 25 shows, 22 per cent of those who reported suffering from domestic violence in the 2007 survey also suffer divorce problems, and 35 per cent also suffer from relationship breakdown problems. Likewise, 33 per cent of those with relationship breakdown problems suffer from divorce problems, and 16 per cent suffer from domestic violence.

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<sup>26</sup> Pleasence, P. (2006). *Causes of Action: Civil Law and Social Justice (2<sup>nd</sup> edition)*, TSO: Norwich; Pleasence, P., Balmer, N.J., Buck, A., O’Grady, A., and Genn, H. (2004). Multiple justiciable problems: problem clusters, problem order and social and demographic indicators. *Journal of Empirical Legal Studies*, Volume 1, Number 2.

<sup>27</sup> *Ibid.*

### *'Economic' Cluster*

The 2004, 2006, and 2007 surveys all also reveal a second cluster among consumer, money/debt, employment, and neighbours problems. As Table 25 shows, 29 per cent of those who reported having employment problems also had consumer problems, 11 per cent had problems with neighbours, and 18 per cent had money or debt problems.

### *'Homelessness' Cluster*

A third 'homelessness' cluster appeared among renting, homelessness, and welfare benefits problem in the 2004 and 2006 surveys. Renting and homelessness problems clustered together in the 2007 data; however, welfare benefits problems were separate. As in 2004 and 2006, discrimination and clinical negligence tended to cluster together to some extent in 2007.

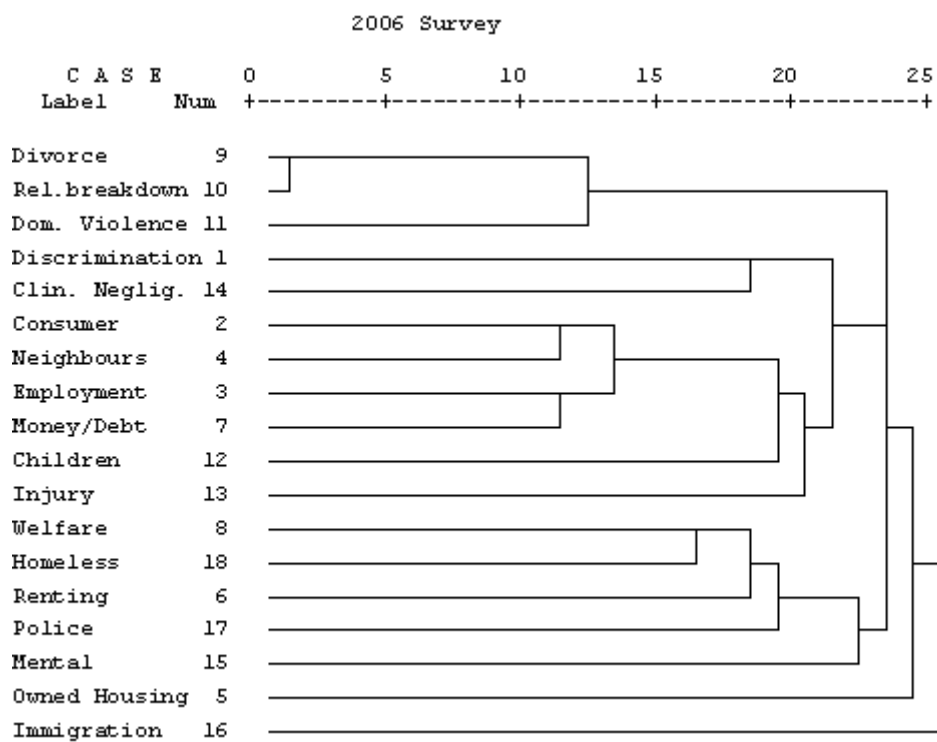


Figure 3. Dendrogram of Problems Clusters in 2006 Survey

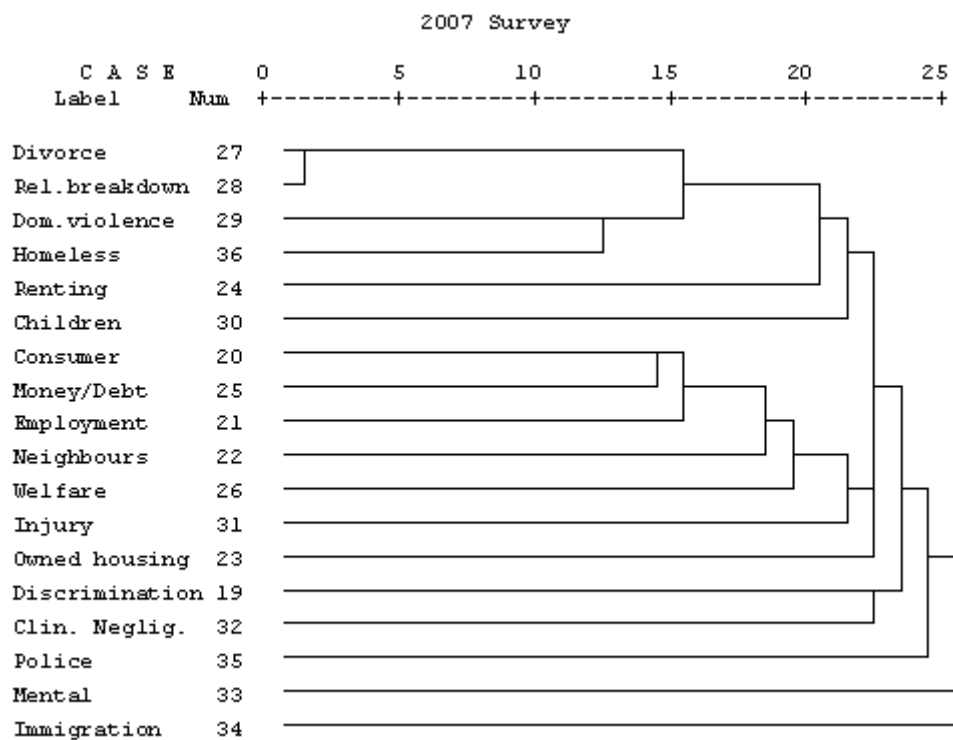


Figure 4. Dendrogram of Problems Clusters in 2007 Survey

### *Degree of Problem Overlap*

Table 25 sets out the degree of overlap between the experience of different problem types in the 2006 survey. Percentages of column problems are reported here, for example, 19 per cent of those with discrimination problems (15 respondents) also had consumer problems.

*Table 25. Overlap in the Experience of Problems Reported in the 2007 Survey (column percentages)*

	Disc.	N	Cons.	N	Empl.	N	Neig.	N	Own.	N
Discrimination	100%	80	3%	15	5%	9	3%	10	0%	0
Consumer	19%	15	100%	468	29%	53	20%	58	43%	28
Employment	11%	9	11%	53	100%	185	7%	21	19%	12
Neighbours	13%	10	12%	58	11%	21	100%	288	14%	9
Housing (own)	0%	0	6%	28	7%	12	3%	9	100%	66
Housing (rent)	4%	3	4%	17	9%	16	8%	22	0%	0
Money/debt	10%	8	14%	64	18%	34	11%	32	21%	14
Welfare ben's	9%	7	7%	34	10%	19	6%	18	4%	3
Divorce	2%	2	3%	12	3%	5	2%	6	4%	3
Rel. b'down	6%	5	4%	20	6%	12	4%	10	8%	5
Dom. violence	2%	2	2%	8	4%	8	1%	4	1%	1
Children	4%	3	2%	8	4%	8	3%	8	2%	1
Personal injury	10%	8	5%	22	8%	15	6%	17	5%	3
Clin. .negl.	5%	4	1%	7	5%	9	1%	3	3%	2
Mental health	2%	1	0%	1	0%	0	1%	2	2%	1
Immigration	3%	2	0%	2	1%	1	0%	0	0%	0
Police	1%	1	2%	10	1%	2	2%	6	2%	1
Homelessness	3%	2	3%	12	3%	6	3%	9	6%	4

(cont ...)

Table 25 Cont ...)

	Rent.	N	Money/ debt	N	Welf.	N	Div.	N	Rela. b'down	N
Discrimination	3%	3	3%	8	6%	7	3%	2	6%	5
Consumer	19%	17	27%	64	26%	34	16%	12	25%	20
Employment	17%	16	14%	34	15%	19	7%	5	15%	12
Neighbours	24%	22	13%	32	14%	18	8%	6	13%	10
Housing (own)	0%	0	6%	14	2%	3	4%	3	6%	5
Housing (rent)	100%	93	9%	21	7%	9	6%	4	10%	8
Money/debt	23%	21	100%	237	19%	24	18%	14	31%	24
Welfare ben's	10%	9	10%	24	100%	131	10%	8	11%	9
Divorce	5%	4	6%	14	6%	8	100%	75	33%	26
Rel. b'down	9%	8	10%	24	7%	9	35%	26	100%	78
Dom. violence	5%	5	3%	8	3%	4	10%	8	16%	12
Children	3%	3	3%	8	5%	7	5%	4	11%	9
Personal injury	9%	8	9%	20	2%	3	6%	4	4%	3
Clin. .negl.	5%	5	3%	6	4%	5	3%	2	1%	1
Mental health	0%	0	2%	4	3%	3	1%	1	1%	1
Immigration	5%	4	0%	1	1%	1	0%	0	0%	0
Police	5%	4	4%	8	1%	1	4%	3	4%	3
Homelessness	14%	13	5%	11	6%	7	11%	8	17%	13

(Table 25 Cont ...)

	Dom. viol.	N	Chil.	N	Pers. Inj.	N	Clin. Neg.	N
Discrimination	6%	2	7%	3	6%	8	7%	4
Consumer	23%	8	18%	8	16%	22	12%	7
Employment	22%	8	18%	8	11%	15	17%	9
Neighbours	11%	4	19%	8	13%	17	6%	3
Housing (own)	3%	1	3%	1	2%	3	3%	2
Housing (rent)	14%	5	7%	3	6%	8	9%	5
Money/debt	22%	8	18%	8	15%	20	11%	6
Welfare ben's	12%	4	16%	7	2%	3	9%	5
Divorce	22%	8	9%	4	3%	4	3%	2
Rel. b'down	35%	12	20%	9	2%	3	2%	1
Dom. violence	100%	35	10%	4	3%	4	3%	2
Children	12%	4	100%	43	1%	1	2%	1
Personal injury	11%	4	2%	1	100%	136	9%	5
Clin. .negl.	5%	2	2%	1	4%	5	100%	57
Mental health	3%	1	0%	0	1%	1	0%	0
Immigration	0%	0	0%	0	1%	1	0%	0
Police	6%	2	0%	0	0%	0	2%	1
Homelessness	26%	9	7%	3	3%	4	5%	3

(Table 25 Cont ...)

	Ment. health	N	Immi.	N	Police treat.	N	Homelessness	N
Discrimination	16%	1	21%	2	3%	1	4%	2
Consumer	14%	1	22%	2	30%	10	21%	12
Employment	0%	0	13%	1	7%	2	11%	6
Neighbours	27%	2	0%	0	18%	6	16%	9
Housing (own)	14%	1	0%	0	3%	1	7%	4
Housing (rent)	0%	0	44%	4	13%	4	22%	13
Money/debt	54%	4	11%	1	25%	8	19%	11
Welfare ben's	44%	3	10%	1	3%	1	12%	7
Divorce	12%	1	0%	0	10%	3	14%	8
Rel. b'down	13%	1	0%	0	10%	3	23%	13
Dom. violence	13%	1	0%	0	6%	2	16%	9
Children	0%	0	0%	0	0%	0	5%	3
Personal injury	13%	1	10%	1	0%	0	7%	4
Clin. .negl.	0%	0	0%	0	3%	1	5%	3
Mental health	100%	7	0%	0	0%	0	4%	2
Immigration	0%	0	100%	10	0%	0	0%	0
Police	0%	0	0%	0	100%	33	8%	5
Homelessness	33%	2	0%	0	14%	5	100%	58

## 4

### *Problem Resolution Strategies*

This section sets out the ways in which people deal with civil justice problems. It examines the different rates of action and use of advice services that are associated with different population groups and different problem types.

#### *How People Respond to Civil Justice Problems*

Not everyone who experiences a civil justice problem will take action to resolve it. Table 26 reveals the actions (or inaction) respondents take in response to civil justice problems. The 2007 survey indicated that a substantial proportion of those who experience civil justice problems take no action to resolve them (8.8 per cent, compared to 9.8 per cent in 2006 and 10.5 per cent in 2004<sup>28</sup>), though this percentage appears to be falling over time to some extent. About half of respondents managed to successfully obtain advice. The percentage of problems about which respondents obtained advice stayed the same from 2006 to 2007.

*Table 26. Problem Resolution Strategies*

	2006	N (2006)	2007	N (2007)
Did nothing	9.8%	184	8.8%	193
Handled alone	33.1%	620	34.6%	761
Obtained advice	48.9%	913	49.1%	1081
Tried and failed to obtain advice	2.0%	38	1.7%	38
Tried, failed and handled alone	6.0%	114	5.8%	128

<sup>28</sup> Overall, using a simple chi-square test, the effect of year on rate of inaction was non-significant,  $\chi_{(2)}^2 = 3.88$ ,  $p = .14$ . However, comparing 2007 to 2004 using logistic regression showed differences bordering on significant,  $Wald_{(1)} = 3.85$ ,  $p = .05$ .

Table 27 sets out the different responses to civil justice problems associated with different population groups. The figures are broadly similar to those from the 2006 survey.

Problem type was strongly associated with form of response to problems.<sup>29</sup> This is illustrated in Table 28, with high rates of inaction for discrimination, homelessness, personal injury, clinical negligence and problems concerning unfair police treatment. Consumer and rented housing problems continued to have high rates of handling alone, while owned housing problems, problems ancillary to the breakdown of relationships, divorce and immigration issues continued to have high rates of obtaining advice.

As is shown in Table 29, respondents generally tended to obtain advice more often for problems that are more important for them to resolve. This finding supports previous research showing the likelihood of respondents seeking advice increases along with the seriousness of the problems they faced.<sup>30</sup>

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<sup>29</sup> Buck, A., Pleasence, P., and Balmer, N.J. (2008). Do citizens know how to deal with legal issues? Some empirical insights. *Journal of Social Policy*. Volume 37, Number 4; Pleasence, P. (2006) *Causes of Action: Civil Law and Social Justice*, Norwich: TSO.

<sup>30</sup> *Ibid.*



Table 27. Response to Civil Justice Problems by Respondent Characteristics in 2007

Variable	Level	% did nothing	N	% handled alone	N	% obtained advice	N	% tried and failed to obtain advice	N	% tried, failed and handled alone	N
Gender	Female	8.4%	103	32.6%	402	51.5%	635	1.4%	17	6.1%	75
	Male	9.3%	90	37.0%	359	46.0%	446	2.2%	21	5.5%	53
Ethnicity	White	8.6%	175	34.3%	694	49.6%	1004	1.6%	32	5.9%	119
	Black	9.1%	6	40.9%	27	39.4%	26	4.5%	3	6.1%	4
	Asian	9.2%	6	40.0%	26	43.1%	28	4.6%	3	3.1%	2
	Other	13.0%	6	30.4%	14	50.0%	23	.0%	0	6.5%	3
House type	Detached	7.3%	37	38.5%	195	48.0%	243	.8%	4	5.3%	27
	Semi	9.3%	64	35.6%	244	48.2%	330	2.5%	17	4.4%	30
	Terrace	8.5%	56	32.2%	212	51.4%	338	1.7%	11	6.2%	41
	Flat	10.2%	36	31.3%	110	48.3%	170	1.7%	6	8.5%	30
Own transport	No transport	10.0%	42	29.9%	126	49.8%	210	3.8%	16	6.6%	28
	Transport	8.5%	151	35.7%	635	49.0%	871	1.2%	22	5.6%	100
Family status	Married with children	6.3%	26	34.6%	144	51.9%	216	1.9%	8	5.3%	22
	Married no children	9.4%	58	37.9%	233	46.1%	283	.8%	5	5.7%	35
	Lone parents	5.8%	17	25.4%	75	61.4%	181	1.7%	5	5.8%	17
	Single no children	9.5%	53	35.9%	200	46.0%	256	2.2%	12	6.5%	36
	Co-hab with children	12.6%	17	28.9%	39	51.1%	69	2.2%	3	5.2%	7
	Co-hab no children	12.0%	22	38.0%	70	41.3%	76	2.7%	5	6.0%	11
Tenure	Own	8.4%	40	39.7%	190	45.8%	219	.8%	4	5.2%	25
	Mortgage	8.8%	78	36.0%	321	48.5%	432	1.2%	11	5.5%	49
	Public sector rent	9.0%	40	25.1%	111	54.4%	241	4.1%	18	7.4%	33
	Private sector rent	8.6%	26	34.7%	105	50.2%	152	1.0%	3	5.6%	17
	Rent free	10.5%	9	39.5%	34	43.0%	37	2.3%	2	4.7%	4
Economic activity	Active	9.6%	83	33.4%	288	49.2%	424	1.7%	15	6.0%	52
	Inactive	8.2%	110	35.3%	473	49.1%	657	1.7%	23	5.7%	76

(Cont ...)

(Table 27 Cont ...)

Ill or disabled	Not ill nor disabled	8.8%	136	34.7%	534	49.0%	753	1.7%	26	5.7%	88
	Ill or disabled	8.6%	57	34.2%	227	49.4%	328	1.8%	12	6.0%	40
Academic qualifications	None	10.0%	44	26.0%	115	54.3%	240	2.7%	12	7.0%	31
	Some	8.5%	149	36.7%	646	47.8%	841	1.5%	26	5.5%	97
Benefits	None	9.8%	133	37.5%	509	45.5%	617	1.3%	17	5.9%	80
	On benefits	7.1%	60	29.8%	252	54.9%	464	2.5%	21	5.7%	48
Age	18-24	12.9%	22	38.2%	65	41.2%	70	3.5%	6	4.1%	7
	25-34	8.9%	40	34.1%	153	49.9%	224	1.1%	5	6.0%	27
	35-44	7.4%	43	33.3%	193	51.9%	301	1.9%	11	5.5%	32
	45-59	8.9%	54	32.9%	199	51.4%	311	1.5%	9	5.3%	32
	60-74	8.3%	27	38.0%	123	44.8%	145	1.5%	5	7.4%	24
	75+	9.9%	7	39.4%	28	40.8%	29	2.8%	2	7.0%	5
Income	<£10,000	8.8%	52	30.0%	178	52.0%	309	2.5%	15	6.7%	40
	All others	9.3%	122	34.7%	454	48.4%	634	1.4%	18	6.2%	81
	>£50,000	6.4%	19	43.3%	129	46.3%	138	1.7%	5	2.3%	7
Victim of crime	Not a victim	8.5%	131	35.7%	549	48.3%	743	1.5%	23	6.0%	93
	Victim	9.4%	62	32.0%	212	51.1%	338	2.3%	15	5.3%	35

Table 28. Response to Civil Justice Problems by Problem Type

Variable	% did nothing	N	% handled alone	N	% obtained advice	N	% tried and failed to obtain advice	N	% tried, failed and handled alone	N
Discrimination	35.8%	29	17.3%	14	39.5%	32	4.9%	4	2.5%	2
Consumer	3.9%	21	61.1%	332	28.2%	153	.2%	1	6.6%	36
Employment	6.4%	12	22.3%	42	61.7%	116	.5%	1	9.0%	17
Neighbours	12.8%	39	18.0%	55	58.4%	178	4.9%	15	5.9%	18
Housing (owned)	4.3%	3	18.6%	13	75.7%	53	.0%	0	1.4%	1
Housing (rented)	4.4%	4	45.1%	41	39.6%	36	.0%	0	11.0%	10
Homelessness	20.4%	11	9.3%	5	64.8%	35	3.7%	2	1.9%	1
Money/debt	2.4%	6	47.8%	121	43.1%	109	.0%	0	6.7%	17
Welfare benefits	5.2%	7	38.5%	52	45.9%	62	.0%	0	10.4%	14
Divorce	4.3%	3	15.9%	11	78.3%	54	.0%	0	1.4%	1
Post-relationship	4.8%	4	16.9%	14	73.5%	61	.0%	0	4.8%	4
Domestic violence	10.8%	4	21.6%	8	64.9%	24	2.7%	1	.0%	0
Children	2.2%	1	32.6%	15	63.0%	29	.0%	0	2.2%	1
Personal injury	20.6%	29	9.9%	14	63.1%	89	5.0%	7	1.4%	2
Medical negligence	17.9%	10	25.0%	14	50.0%	28	5.4%	3	1.8%	1
Mental health	.0%	0	25.0%	2	62.5%	5	12.5%	1	.0%	0
Immigration	.0%	0	11.1%	1	77.8%	7	.0%	0	11.1%	1
Unfair police treatment	31.3%	10	21.9%	7	31.3%	10	9.4%	3	6.3%	2



*Table 29. Advice Seeking and Worry*

<b>Amount of time spent worrying about the problem or dispute</b>	<b>% problems for which respondents obtained advice in 2007 survey</b>	<b>N</b>
All of your time	64.0%	210
Most of your time	58.7%	269
Some of your time	49.8%	328
Little of your time	35.9%	154
None of your time	29.9%	70

## *The Use of Advisers*

Supporting previous findings from both the United Kingdom and elsewhere, the 2004, 2006 and 2007 surveys indicated that respondents who sought formal rights-based or personal advice in dealing with civil justice problems did so from a wide range of types of adviser.<sup>31</sup> These include solicitors' firms, Citizens Advice Bureaux and other advice agencies, local authorities, the police, health workers, trade unions and professional bodies, employers, insurance companies, politicians, social workers, Jobcentres, financial institutions, court staff, churches, government departments, claims agencies, housing associations, the media, banks, schools and trade associations. Table 30 shows main sources of advice.

As Table 30 reveals, the use of advisors in the 2006 and 2007 surveys are broadly similar. Solicitors are the most often used source of advice for civil justice problems. Citizens Advice Bureaux and police officers are also common sources of advice for these problems.

The percentage of respondents who tried to obtain information from a leaflet, book, or booklet increased slightly, though it did not reach the 11 per cent observed in 2004. Those using the internet for their problems continued to increase from 2006 to 2007 (Table 31).

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<sup>31</sup> *Ibid.*

Table 30. Advisers Used

	<b>% problems for which respondents tried to obtain information in 2006</b>	<b>N</b>	<b>% problems for which respondents tried to obtain information in 2007</b>	<b>N</b>
<b>Local Council</b>				
General Enquiries at your local council	5.4%	101	5.2%	116
The Council Advice Service	1.8%	34	3.4%	75
Trading Standards	2.9%	54	2.7%	60
Another Council Department	7.5%	141	5.9%	130
<b>Advice Agency</b>				
Citizens Advice Bureau	8.4%	158	8.5%	188
The Law Centre advice agency	0.8%	15	0.5%	10
Another Advice Agency	2.0%	38	2.3%	51
<b>Trade Union/Professional body</b>				
Trade Union/Professional Body	3.7%	70	3.4%	75
<b>Lawyer</b>				
Solicitor	13.0%	245	13.5%	298
Barrister	0.5%	10	1.1%	25
<b>Other person or organisation</b>				
The Police	7.9%	149	8.3%	184
Your employer	4.1%	76	4.1%	91
An insurance company	2.6%	49	3.7%	82
A doctor or other health worker	6.3%	119	5.2%	115
A Jobcentre	1.3%	25	1.1%	24
A social worker	1.1%	21	1.5%	34
An MP or local councillor	1.8%	33	2.3%	51

Table 31. Use of Leaflets, Books, Booklets and the Internet

	<b>% problem cases for which respondents tried to obtain information in 2006</b>	<b>N</b>	<b>% problem cases for which respondents tried to obtain information in 2007</b>	<b>N</b>
A leaflet, book, or booklet	7.8%	144	8.9%	195
The internet	13.9%	262	15.5%	339

Table 32 reveals how respondents initially contacted their adviser. In the 2004, 2006 and 2007 survey periods, calling for advice on the *telephone* was most common means of establishing contact. It was also relatively common to contact advisers *in person* in the first instance.

*Table 32. Initial Mode of Contact with Adviser*

	<b>% problems for which respondents tried to obtain information in 2006</b>	<b>N</b>	<b>% problems for which respondents tried to obtain information in 2007</b>	<b>N</b>
In person	39.0%	284	35.3%	317
By telephone	51.2%	373	52.4%	470
By post	3.7%	27	4.5%	40
By email/internet	2.0%	15	2.5%	22
Through someone else	3.8%	28	5.1%	46

### *Referral Fatigue*

The phenomenon of referral fatigue (Figure 5), whereby people become increasingly unlikely to obtain advice on referral as the number of advisers they use increases – first quantified using data from the 2001 survey – suggests a degree of exhaustion among members of the public as a result of being pushed from adviser to adviser. This is consistent with the vivid descriptions reported in *Paths to Justice* of respondents having sometimes to make ‘Herculean’ efforts to be seen by an adviser.<sup>32</sup>

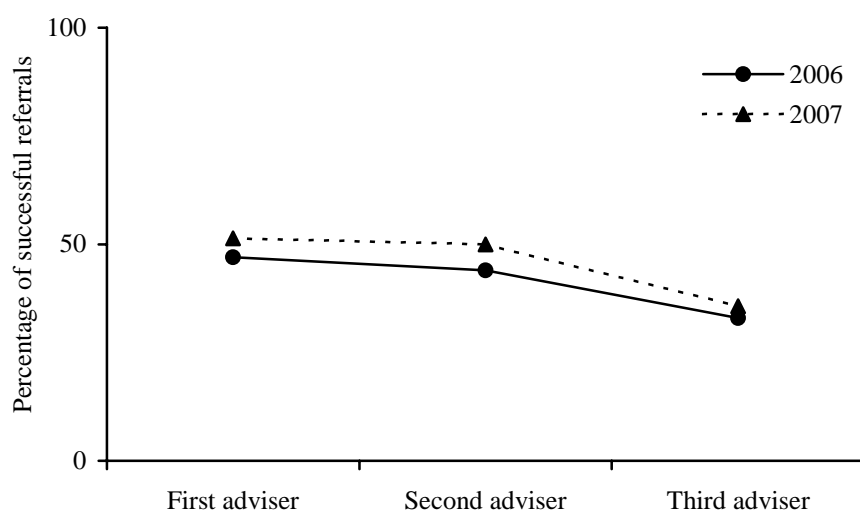
It is perhaps not surprising that some respondents felt unable to maintain the necessary level of persistence or to invest the necessary amount of time to follow up repeated referrals in order to obtain the help they were looking for. In any event, the phenomenon of referral fatigue again demonstrates the importance of public education to create awareness among people of appropriate sources of help and assistance<sup>33</sup>. It demonstrates the importance of equipping those many individuals outside of the

<sup>32</sup> Genn, H. (1999) *Paths to Justice: What People Do and Think About Going to Law*, Oxford: Hart Publishing.

<sup>33</sup> Buck, A., Pleasence, P., and Balmer, N.J. (2007). *Education Implications from the English and Welsh Civil and Social Justice Survey*, Annexe to the PLEAS Task Force Report, London: PLEAS Task Force.



recognised advice sector from whom people may initially seek advice (such as health professionals, social workers and politicians) with the means to effectively direct them on to appropriate advisers if necessary, through professional education and awareness raising and through making appropriate advisers more accessible to those who are referred on to them. It also demonstrates the importance of continued efforts to develop effective referral systems among legal advisers.



*Figure 5*  
*Percentage of Referrals that are Successful*

### *Forms of Advice*

People may turn to advisers for different reasons. Some may need advice that is *specifically* of a legal nature, whereas others may just want to receive *general* support and advice. As Table 33 reveals, the latter is particularly common in relation to certain problem types. For most problem types, respondents obtain general support and advice. For example, for neighbours problems, 64 per cent of 2007 respondents received only general support and advice for neighbours problems, whereas only 12 per cent received advice of a solely legal nature. This pattern was similar for rented housing and homelessness problems. Divorce problems, on the other hand, were more frequently associated with overtly legal advice. Thus, 37 per cent of respondents

received advice of a legal nature for divorce problems, and a further 29 per cent received both legal advice and general support/advice.

As Table 34 shows, the form of advice people obtain also varies substantially by adviser type. As would be expected, solicitors and barristers concentrate their advice about civil justice problems on specific legal advice, whereas doctors provide more advice of a generally supporting nature.

Tables 33 and 34 amalgamate cases for the first four advisers respondents turned to when faced with a civil justice problem. Row percentages are shown.

*Table 33. Form of Advice by Problem Type*

	% problems for which respondents received advice of a <b>legal nature</b>	N	% problems for which respondents just received <b>general support and advice</b>	N	% problems for which respondents received <b>both</b>	N	% problems for which respondents received <b>neither</b>	N
Discrimination	22%	9	53%	22	14%	6	12%	5
Consumer	24%	50	54%	114	15%	31	8%	17
Employment	27%	40	44%	67	17%	25	13%	19
Neighbours	12%	21	64%	116	13%	24	10%	19
Owned housing	35%	22	45%	29	8%	5	12%	8
Rented housing	13%	9	65%	45	11%	7	11%	8
Homelessness	13%	5	67%	29	10%	4	11%	5
Money/debt	21%	31	51%	75	19%	28	10%	14
Welfare benefits	10%	8	66%	50	17%	13	6%	5
Divorce	37%	22	33%	20	29%	18	2%	1
Relationship breakdown	36%	27	36%	27	23%	17	6%	5
Domestic violence	35%	15	44%	19	12%	5	9%	4
Children	3%	1	73%	22	17%	5	6%	2
Personal injury	23%	32	45%	64	21%	30	12%	17
Clinical negligence	6%	2	58%	20	12%	4	24%	8
Mental health	0%	0	100%	3	0%	0	0%	0
Immigration	31%	3	54%	4	15%	1	0%	0
Police treatment	21%	3	64%	11	15%	2	0%	0

Table 34. Form of Advice by Adviser Type

	% legal	N	% general support and advice	N	% both	N	% neither	N
<b>Local Council</b>								
General Enquiries	9%	11	67%	77	9%	10	15%	17
Advice Service	13%	11	68%	58	14%	12	5%	5
Trading Standards	18%	6	59%	20	24%	8	0%	0
Another Department	17%	18	53%	58	17%	19	13%	14
<b>Advice Agency</b>								
Citizens Advice Bureau	24%	50	47%	98	21%	45	8%	17
Law Centre	58%	12	31%	6	5%	1	5%	1
Another Advice Agency	23%	10	58%	24	9%	4	9%	4
<b>Trade Union/Professional body</b>								
Trade Union	22%	19	45%	38	21%	18	12%	10
<b>Lawyer</b>								
Solicitor	37%	132	34%	120	23%	81	6%	22
Barrister	66%	16	4%	1	26%	7	4%	1
<b>Other person or organisation</b>								
The Police	17%	36	57%	116	15%	31	11%	22
Your employer	18%	21	55%	64	13%	15	14%	16
An insurance company	29%	29	50%	50	12%	12	9%	8
Health worker	13%	24	58%	103	13%	24	15%	28
A Jobcentre	22%	4	57%	10	11%	2	10%	2
Social worker	20%	10	53%	27	12%	6	15%	7
MP or local councillor	8%	5	58%	37	20%	13	14%	9

### *Satisfaction with Advisers*

Respondents who obtained advice were asked whether they would recommend the advisers they had consulted. They indicated that they would definitely or probably recommend over four-fifths of them (81 per cent, compared to 88 per cent in 2006 and 84 per cent in 2004).

However, there were some differences in respondents' views of different adviser types. So, while around 82 per cent of those who obtained advice from Citizens Advice Bureaux said they would definitely recommend them, the same was true for only 48 per cent of general enquires at the local council.

Other adviser types that were particularly favoured by users included barristers, solicitors, trade unions and health professionals. The fact that health professionals were also reported to have offered only limited assistance to respondents, though, indicates that attitudes to advisers are based on a wider range of adviser characteristics than simply technical knowledge, skill or assistance.<sup>34</sup>

Table 35 shows respondents' recommendations of advisers.

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<sup>34</sup> For further details on client satisfaction as an outcome measure for advice, see, for example, A. Sherr, R. Moorhead, and A. Paterson (1994) *Lawyers – The Quality Agenda, Volume 1: Assessing and Developing Competence and Quality in Legal Aid; The Report of the Birmingham Franchising Pilot*, London: HMSO; H. Sommerlad, (1999) English Perspectives on Quality: The Client-Led Model of Quality – A Third Way, 33(2) *University of British Columbia Law Review*, p.491; R. Moorhead, A. Sherr, L. Webley, S. Rogers, L. Sherr, A. Paterson and S. Domberger (2001) *Quality and Cost: Final Report on the Contracting of Civil, Non-Family Advice and Assistance Pilot*, London: TSO.

Table 35. Whether or Not Respondents Would Recommend First Advisers by Adviser Type

	Yes – definitely		Yes – probably		No – probably not		No – definitely not	
	%	N	%	N	%	N	%	N
<b>Local Council</b>								
General Enquiries	48%	26	33%	18	12%	6	7%	4
Advice Service	76%	35	8%	4	5%	2	12%	6
Trading Standards	83%	15	17%	3	0%	0	0%	0
Another Department	61%	39	28%	18	6%	4	4%	3
<b>Advice Agency</b>								
Citizens Advice Bureau	82%	86	13%	13	5%	5	1%	1
Law Centre	87%	7	0%	0	0%	0	13%	1
Another Advice Agency	81%	20	12%	3	4%	1	3%	1
<b>Trade Union/Professional body</b>								
Trade Union	61%	28	29%	13	4%	2	6%	3
<b>Lawyer</b>								
Solicitor	74%	136	17%	32	6%	12	3%	5
Barrister	100%	14	0%	0	0%	0	0%	0
<b>Other person or organisation</b>								
The Police	60%	63	29%	30	5%	5	6%	6
Your employer	67%	33	19%	9	4%	2	10%	5
An insurance company	74%	35	17%	8	6%	3	2%	1
Health worker	77%	59	18%	14	1%	1	4%	3
A Jobcentre	49%	6	42%	5	0%	0	9%	1
Social worker	57%	11	23%	4	0%	0	21%	4
MP or local councillor	57%	15	32%	8	7%	2	3%	1

## 6

### *The Outcomes of Problems*

This section describes the different outcomes associated with different resolution strategies and problem types. It points to evidence that problems conclude in a more positive manner where people have obtained advice.

#### *How Problems Conclude*

Unsurprisingly, different problem resolution strategies were associated with different manners of problem conclusion. Figure 6 shows that respondents who obtained advice saw their problems conclude through a court or tribunal process far more frequently. Those who obtained advice or handled their problems alone also reached agreement on the problem more often than those who tried and failed to obtain advice or those who did nothing. Moreover, they tended to give up less frequently than those who tried and failed to obtain advice or (obviously) those who did nothing. These findings confirm those from the 2004 and 2006 surveys.

Figure 7 (and Table 36) describes the problem outcomes that follow from specific problem types.

Family problems, most often associated with advice, were naturally more likely than other problem types to conclude through a court or tribunal process. Elsewhere, consumer problems had particularly high rates of agreement, neighbours problems frequently resolved themselves, while rented housing and personal injury problems had high rates of respondents giving up.

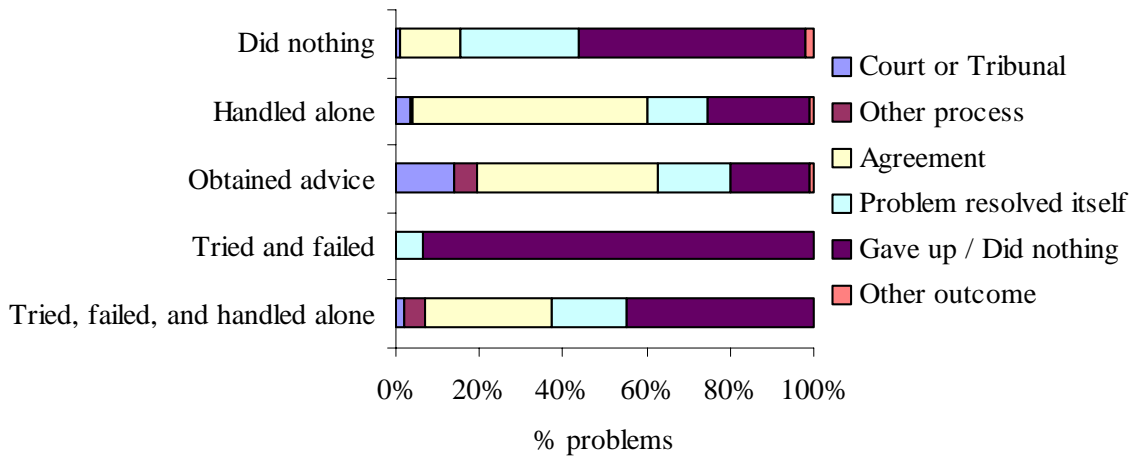


Figure 6. Advice Strategies and Problem Outcomes in 2007 Survey

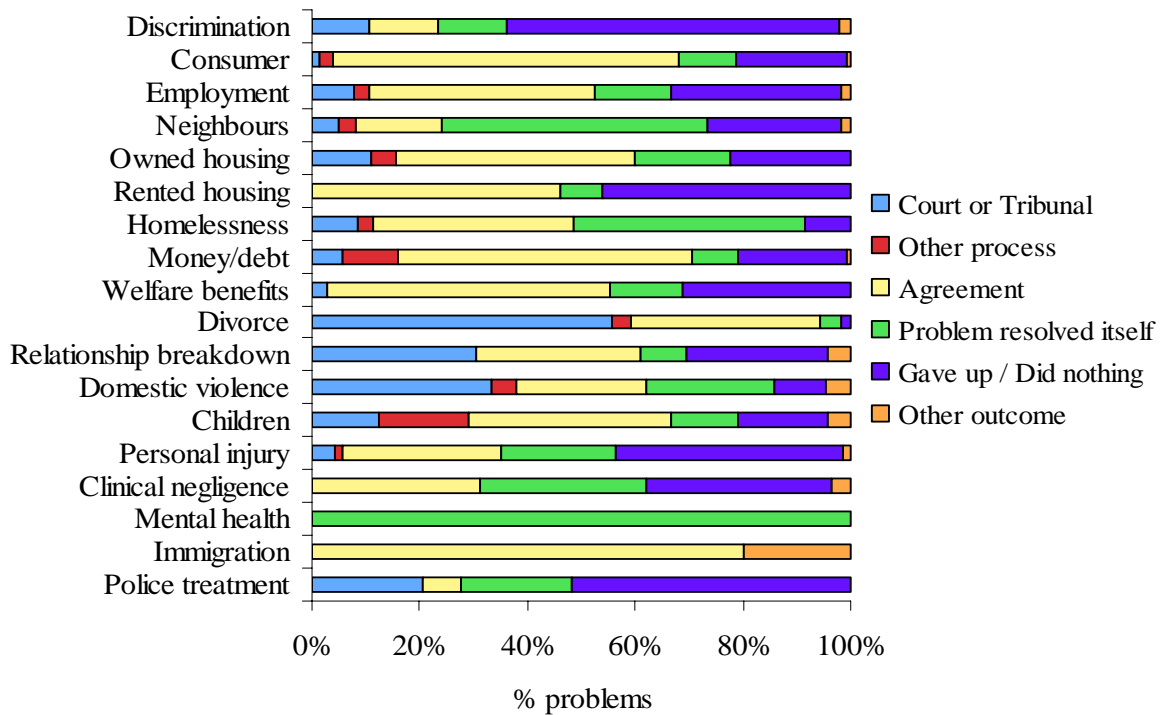


Figure 7. Outcome by Problem Type in the 2007 Survey

Table 36. Outcome by Problem Type (row percentages)

	Court/ tribunal		Other process		Agreement		Resolved itself		Gave up/did nothing		Other outcome	
	%	N	%	N	%	N	%	N	%	N	%	N
Discrimination	10.6%	5		0	12.8%	6	12.8%	6	61.7%	29	2.1%	1
Consumer	1.3%	5	2.4%	9	64.4%	241	10.4%	39	20.9%	78	.5%	2
Employment	7.9%	9	2.6%	3	42.1%	48	14.0%	16	31.6%	36	1.8%	2
Neighbours	5.0%	6	3.3%	4	15.7%	19	49.6%	60	24.8%	30	1.7%	2
Owned housing	11.1%	5	4.4%	2	44.4%	20	17.8%	8	22.2%	10		0
Rented housing		0		0	45.9%	17	8.1%	3	45.9%	17		0
Homelessness	8.6%	3	2.9%	1	37.1%	13	42.9%	15	8.6%	3		0
Money/debt	5.8%	8	10.1%	14	54.7%	76	8.6%	12	20.1%	28	.7%	1
Welfare benefits	3.0%	2		0	52.2%	35	13.4%	9	31.3%	21		0
Divorce	55.6%	30	3.7%	2	35.2%	19	3.7%	2	1.9%	1		0
Relationship breakdown	30.4%	7		0	30.4%	7	8.7%	2	26.1%	6	4.3%	1
Domestic violence	33.3%	7	4.8%	1	23.8%	5	23.8%	5	9.5%	2	4.8%	1
Children	12.5%	3	16.7%	4	37.5%	9	12.5%	3	16.7%	4	4.2%	1
Personal injury	4.2%	3	1.4%	1	29.6%	21	21.1%	15	42.3%	30	1.4%	1
Clinical negligence		0		0	31.0%	9	31.0%	9	34.5%	10	3.4%	1
Mental health		0		0		0	100.0%	1		0		0
Immigration		0		0	80.0%	4		0		0	20.0%	1
Police treatment	20.7%	6		0	6.9%	2	20.7%	6	51.7%	15		0



## *Attitudes to the Justice System*

This section briefly outlines attitudes to the justice system reported by respondents to the 2007 survey and sets out how these relate to the number of problems experienced. It suggests that ‘civic exclusion’, an institutional aspect of social exclusion, may be more common among those respondents who report multiple problems.

### *Attitudes to the Justice System*

As part of the follow-up survey respondents to the 2007 survey were asked the extent to which they agreed with the following statements:

1. *“If you went to a court with a problem, you would be confident of getting a fair hearing”*
2. *“Most judges are out of touch with ordinary people’s lives”*
3. *“Courts are an important way for ordinary people to enforce their rights”*
4. *“The legal system works better for rich people than for poor people”*

A five-point scale was used to record answers. Table 37 sets out the responses of all those respondents who took part in the follow-up survey. Table 38 sets out the proportion of positive responses by the number of problems that respondents experienced.

As can be seen from Table 37, while only 16 per cent of respondents did not agree that courts are an important way for people to enforce their rights, a greater proportion lacked confidence they would receive a fair hearing in court and a majority perceived judges as being out of touch. A majority also stated that the legal system favours the rich.

Table 38 offers some evidence that people who experience more problems have less favourable views of the justice system. Thus, fewer than half of those people who reported 5 or more problems believed they would get a fair hearing in court, and

only 10 per cent thought that the legal system works equally for rich and poor. This presents a warning that those people who may be most in need of utilising the civil justice system may be least inclined to do so. This predisposition, linked to social exclusion, might be termed ‘civic exclusion’. However, this predisposition is not reflected in people’s attitudes towards the importance of the courts.

*Table 37. Attitude to the Civil Justice System 2007*

Overall Response	Statement							
	Fair hearing		Judges out of touch		Courts are important		Legal system better for rich	
	%	N	%	N	%	N	%	N
Agree strongly	6.7	61	20.2	181	13.9	129	28.5	263
Agree	53.5	484	37.6	337	58.5	543	36.9	339
Neither agree nor disagree	19.7	178	20.8	186	12.1	113	16.8	155
Disagree	15.1	136	19.1	171	11.8	109	16.2	149
Disagree strongly	5.1	46	2.1	19	3.7	35	1.7	16

*Table 38. Positive Attitude to the Civil Justice System by Number of Problems*

Number of problems	Statement							
	Fair hearing		Judges out of touch		Courts are important		Legal system better for rich	
	%	N	%	N	%	N	%	N
1	64.4%	288	21.3%	92	75.5%	346	19.2%	86
2	57.0%	138	21.1%	52	68.3%	172	16.0%	40
3	57.0%	65	21.6%	25	66.1%	78	20.2%	24
4	52.5%	21	22.5%	9	73.8%	31	17.1%	7
5+	47.1%	24	20.4%	10	71.4%	35	9.8%	5

## 8

# *The Experience of Those Eligible for Legal Aid*

This section sets out the pattern of experience of civil justice problems reported by those 2007 survey respondents who were likely to be eligible for legal aid.<sup>35</sup> It details the general incidence of problems among this population group, the experience of multiple problems, and the consequences of these problems. This section also describes problem clusters for legal aid eligible respondents and their problem resolution strategies, including how respondents seek advice and information for their rights based problems (in person, over the telephone, on the internet etc.) and what kinds of advice they receive (advice specifically of a legal nature or just general support and advice). The outcomes of respondents' problems strategies are then outlined. Lastly, legal aid eligible respondents' attitudes towards the civil justice system are described.

### *Incidence of Problems Among those Eligible for Legal Aid*

As can be seen from Table 39, the pattern of problems reported by respondents who were eligible for legal aid was broadly similar to that reported for the general population, though problems associated with affluence were less evident and problems associated with poverty were more pronounced.

Legal aid eligible respondents reported comparable levels of multiple problems (Figure 8), with the proportion of eligible people only increasing slightly with the number of problems reported (Figure 9). There was some evidence of increased adverse consequences among legal aid eligible respondents (see Table 40),

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<sup>35</sup> Eligibility is based on a benefits and income related proxy. This is composed of respondents who receive unemployment related benefits or National Insurance Credits or income support, or have a household income of less than £10,000 or overall personal income of less than £10,000.

particularly with respect to stress-related ill health (38 per cent of legal aid eligible respondents compared to 23 per cent of other respondents).

*Table 39. Incidence of Civil Justice Problems*

Problem type	Incidence (general)		Incidence (legal aid eligible)	
	% respondents	N	% respondents	N
Consumer	12.8	470	10.0	113
Neighbours	8.0	292	9.1	103
Money/debt	6.3	232	6.0	68
Employment	4.9	179	5.5	62
Personal injury	3.6	132	3.9	44
Welfare ben's	3.5	129	3.6	41
Housing (rent)	2.4	87	3.3	37
Discrimination	2.2	81	3.0	34
Rel. b'down	2.1	77	2.2	25
Divorce	2.1	75	2.0	23
Housing (own)	1.8	66	1.9	21
Medical negligence	1.6	57	1.8	20
Homelessness	1.5	54	1.4	16
Children	1.2	43	1.2	14
Dom. violence	1.0	35	1.2	14
Police	0.8	29	0.7	8
Immigration	0.2	9	0.6	7
Mental health	0.2	7	0.1	1

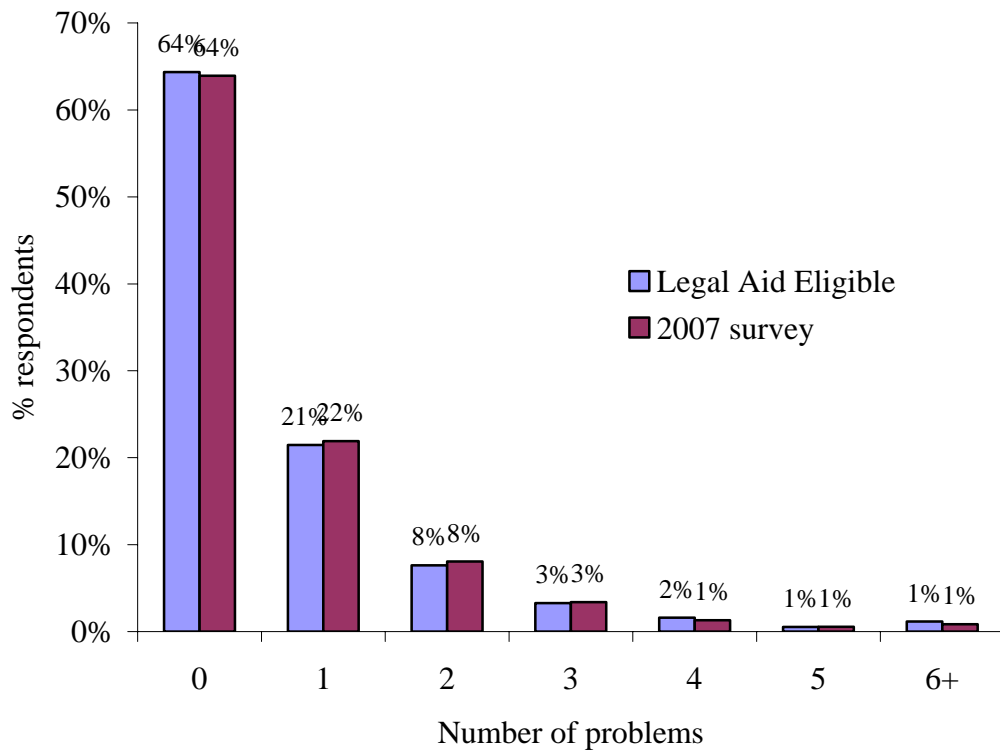


Figure 8. Number of Problems Reported

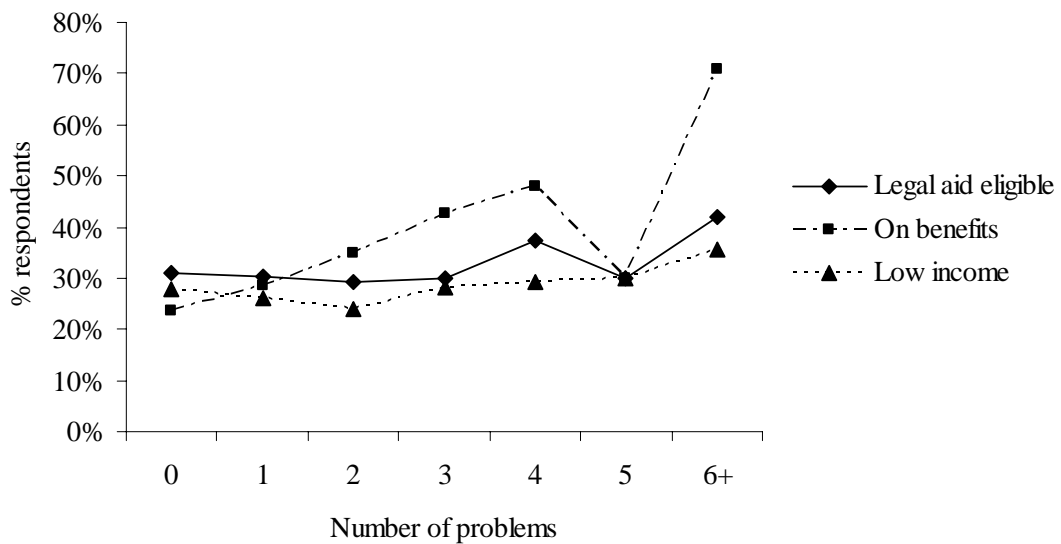


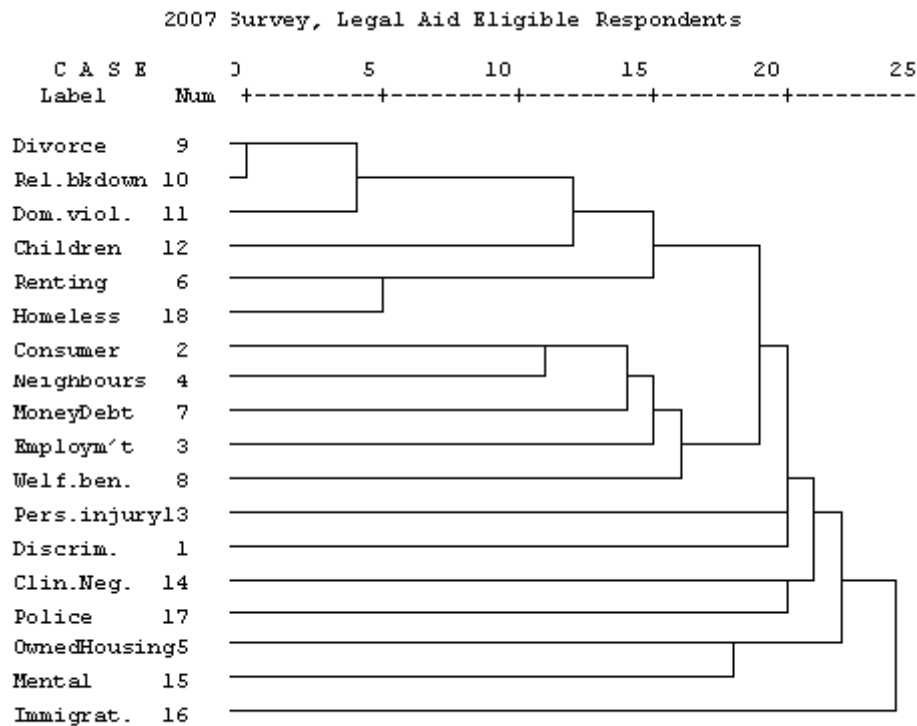
Figure 9. Proportion of Respondents Eligible for Legal Aid by Number of Problems

*Table 40. The Adverse Consequences of Civil Justice Problems*

<b>Adverse consequences reported as following from problems</b>	<b>% of problems in 2007 survey</b>	<b>N</b>	<b>% of problems (legal aid eligible only)</b>	<b>N</b>
Physical ill health	14.2	300	17.3	121
Stress related illness	27.7	586	37.9	266
Relationship breakdown	4.0	85	4.5	32
Violence aimed at me	4.2	88	4.3	30
Damage to property	5.3	111	5.8	41
Had to move home	4.7	99	6.1	43
Loss of employment	4.0	84	5.3	37
Loss of income	13.4	284	14.6	103
Loss of confidence	15.2	322	15.9	111

*Problem Clusters Associated with Legal Aid Eligibility*

Problem clusters for respondents eligible for legal aid were similar to those for respondents in general (see Section 3). As Figure 10 shows, family problems are closely linked. The economic cluster is also clearly discernible. Renting problems also cluster together with homelessness problems.



*Figure 10. Problem Clusters (Those Eligible for Legal Aid Only)*

#### *Problem Resolution Strategies and Eligibility for Legal Aid*

As can be seen from Table 41, respondents to the 2007 CSJS who were eligible for legal aid were slightly less likely to handle problems alone and slightly more likely to obtain advice, try but fail to obtain advice, or try, fail then handle their problem alone. As indicated by the negative consequences reported by legal aid eligible respondents (Table 40), the strategies adopted may link to problem severity.

Table 42 shows initial mode of contact for legal aid eligible respondents and respondents as a whole. In both cases, telephone advice made up over 50 per cent of initial contact. Legal aid eligible respondents appeared to have low rates of contacting advisers through someone else compared to other respondents. Table 43 shows form of advice received by legal aid eligible respondents and respondents overall.

Table 41. Problem Resolution Strategies

	All 2007	N	Legal Aid Eligible	N
Did nothing	8.9%	198	9.1%	64
Handled alone	34.6%	772	29.7%	209
Obtained advice	49.0%	1092	52.0%	365
Tried and failed to obtain advice	1.8%	40	2.8%	20
Tried, failed and handled alone	5.7%	128	6.3%	44

Table 42. Initial Mode of Contact with Adviser

	% problems for which respondents tried to obtain information in 2007	N	% problems for which respondents tried to obtain information (legal aid eligible)	N
In person	35.5%	321	36.9%	113
By telephone	52.2%	473	51.1%	156
By post	4.4%	40	5.9%	18
By email/internet	2.6%	24	5.4%	16
Through someone else	5.2%	47	.6%	2

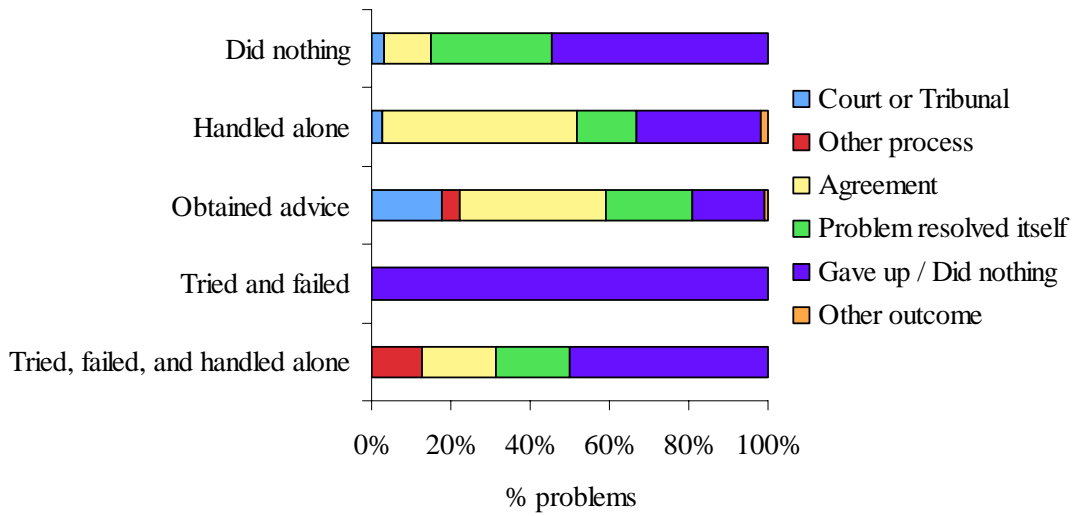
Table 43. Form of Advice

	% respondents who received advice of a legal nature	N	% respondents who just received general support and advice	N	% respondents who received both	N	% respondents who received neither	N
Not legal aid eligible	15.8%	12	47.4%	36	26.3%	20	10.5%	8
Legal aid eligible	16.3%	14	51.2%	44	24.4%	21	8.1%	7



*Problem Outcomes for those Eligible for Legal Aid*

As illustrated by Figure 11, the relationship between strategy and problem outcome reported by respondents who were eligible for legal aid is very similar to that of the general population. It is clear that those who obtain advice fare substantially better than those who try, but fail, to obtain advice.



*Figure 11. Outcome by Strategy (Legal Aid Eligible Respondents Only)*

## Appendix A

### *Papers using the English and Welsh Civil and Social Justice Survey*

#### *Forthcoming*

- Pleasence, P., and Balmer, N.J. (forthcoming) Mental health and the experience of social problems involving rights: findings from the United Kingdom and New Zealand. *Psychiatry, Psychology and Law*.
- Pleasence, P., and Balmer, N.J. (forthcoming) Understanding advice seeking behaviour: findings from New Zealand and England and Wales. *Academia Sinica Law Journal*.
- Patel, A., Balmer, N.J., and Pleasence, P. (forthcoming) The Geography of Advice Seeking. *GeoForum*.
- Pleasence, P., Balmer, N.J., and Tam, T. (forthcoming) Failure to Recall: Indications from the CSJS of the Relative Severity and Incidence of Civil Justice Problems, in Sandefur, R. (ed.) *Access to Justice*. Oxford: Elsevier Science.
- Tam, T., Christian, J., Balmer, N.J., and Pleasence, P. (forthcoming) Civil Justice Problem Experiences of People Living in Temporary Accommodation. *Journal of Housing Law*.

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- Buck, A., Pleasence, P., and Balmer, N.J. (2008) Do Citizens Know How to Deal with Legal Issues? Some Empirical Insights. *Journal of Social Policy*, Volume 37: 661-681.
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