

# **ASA Conference '09**

## **Advice Services and Legal Capability**

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# Findings from the Legal Services Research Centre's English and Welsh Civil and Social Justice Survey

**“Knowledge of rights and  
processes”**

**63%** did not know their legal rights

Q: At the time of the problem, did you know what your **legal rights** were relating to this problem?

**68%** suggested that they had no knowledge of processes

Q: At the time of the problem did you know what **formal processes** (such as court proceedings and tribunals) are sometimes used to deal with these sorts of problems?

..and only **23%** knew their rights  
*and* the processes

Those who knew their rights met all of their objectives **59%** of the time compared to only **29%** for those who did not know their rights.

# Pleas Task Force Report

*'PLE provides people with **awareness, knowledge and understanding** of rights and legal issues, together with the **confidence and skills** they need to deal with disputes and gain access to justice. Equally important, it helps people recognise when they may need support, what sorts of advice are available, and how to go about getting it.'*

*'PLE has a further key role in helping citizens to better understand everyday life issues, making better decisions and anticipating and avoiding problems'.*

Pleas Task Force Report

# More than problem solving

- Using the law
- Community
- Learning

# PLE comes before advice

- Avoiding problems
- Taking action early
- Managing problems better

## Developing Capable Citizens

- What combination of **knowledge, skills and attitudes** do people need in order to deal effectively with the law related issues that they are likely to meet in the course of their lives?

# Developing Capable Citizens

- **Darren** works for a leading bank. He is to be redeployed to another department as a result of the economic situation. This involves moving to a significantly different job with reduced opportunities for career development. Darren has never got on with his boss and believes he is being discriminated against.

What capabilities will Darren need in to deal with this situation?

- **Amina** is nineteen years old and in her first job. She wants to leave home and move into a flat which she will share with two girlfriends. The three of them are about to start the search for a flat to rent.

What 'law-related' capabilities will Amina need to manage this stage in her life?

# Legal Capability

- Knowledge
  - Awareness and recognition
  - Know where to find out more
  - Understand the issues
  - Know the routes to a solution
  - Know when and where to get help

# Legal Capability

- Skills
  - Be able to communicate effectively
  - Decision making skills
  - Be able to keep track

# Legal Capability

- Attitudes (emotional skills)
  - Confidence
  - Determination
  - Belief in the process
  - Detachment

# Case study:

# Progress towards equality

## Is that fair?

How to tackle discrimination



**Introduction**

It's possible you're being discriminated against because of your age, sex, race, religion, sexual orientation, disability, or other characteristics. This guide will help you understand your rights and what you can do if you think you've been discriminated against.

**What is a grievance procedure?**

A grievance procedure is a formal process for dealing with complaints. It's usually set out in your company's handbook or a separate document. It's important to follow the procedure carefully, as it may be a condition of your employment.

**Contents**

- 1. What is a grievance procedure?
- 2. How to start a grievance procedure
- 3. What to do if you're not satisfied with the outcome
- 4. How to get help
- 5. How to get a grievance procedure
- 6. How to get a grievance procedure

## Sort it!

How to deal with discrimination

**CONTENTS**

- 1. Introduction
- 2. What is discrimination?
- 3. How to deal with discrimination
- 4. What to do if you're not satisfied with the outcome
- 5. How to get help
- 6. How to get a grievance procedure

**LETTERS**

Dear Sir/Madam,

I am writing to you regarding the discrimination I have experienced at work. I have been discriminated against because of my race and religion. I have been treated unfairly and I have been subjected to harassment. I have been asked to leave the company and I have been told that I am not welcome back. I have been discriminated against because of my race and religion. I have been treated unfairly and I have been subjected to harassment. I have been asked to leave the company and I have been told that I am not welcome back.

## You don't have to put up with it

How to deal with discrimination



**Introduction**

If you think someone is discriminating against you, you don't have to put up with it. It doesn't matter whether it's your boss, a colleague, or a service provider. Discrimination is illegal, unfair, and it may cause significant harm.

**What you can do:**

- 1. Talk to your employer or service provider about the problem.
- 2. If you're not satisfied with the outcome, you can make a complaint to the Equality Commission for Wales.
- 3. You can also take legal action if you've been discriminated against.

**Contents**

- 1. What is discrimination?
- 2. How to deal with discrimination
- 3. What to do if you're not satisfied with the outcome
- 4. How to get help
- 5. How to get a grievance procedure

# Legal Capability

- What methods would you use to develop people's capability in the three areas of:
  - Knowledge
  - Skills
  - Attitudes

## Website addresses:

- [www.plenet.org.uk](http://www.plenet.org.uk)
- [www.isthatdiscrimination.org.uk](http://www.isthatdiscrimination.org.uk)
- [www.advicenow.org.uk](http://www.advicenow.org.uk)