Thesis

Does Community Legal Education work?

Educating English language students about consumer contracts

A thesis submitted in fulfilment of the requirements for the degree of Med MR018

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Declaration

I certify that except where due acknowledgement has been made, the work is that of the author alone; the work has not been submitted previously, in whole or in part, to qualify for any other academic award; the content of the thesis/project is the result of work which has been carried out since the official commencement date of the approved research program; any editorial work, paid or unpaid, carried out by a third party is acknowledged; and, ethics procedures and guidelines have been followed.

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Date of submission 25/2/15
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Figure 1. (Mandela, 2003)

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Glossary

Analysis of Variance (ANOVA) - statistical models used to analyse variation within and between independent groups.

Communication language teaching - developed in the 1970s to teach people how to use language effectively when communicating, as opposed to achieving linguistic competence through understanding structure and norms of language.

Community Legal Centres - independent not for profit organisations funded by state and federal governments to provide free legal advice, assistance and representation, community legal education and undertake law reform activities.

Community legal educators - staff employed in the justice sector, community sector or other sectors to work with people to educate them about the law as it relates to their lives.

Community legal education - the practice of educating individuals and the community about legal issues. In the UK and Canada CLE is often referred to as Public legal education (PLE).

Cross-tabulation - a statistical table showing the distribution of one categorical variable across the levels of another categorical variable.

Neighbourhood houses - are not-for-profit centres where people meet other people, develop skills, volunteer, get involved in their community or join a class.

Post-positivist - knowledge developed by post-positivists is based on observation and measurement and is often reflected in developing numeric measures of observations.

Statistical significance – refers to the process of statistical hypothesis testing. This processes calculates the probability of observing a particular sample statistic, or one more extreme, based on the assumption that there is no effect in the population (null hypothesis). If this probability is very small, typically less than a significance level of 0.05, the result can be considered statistically significant.

Standardised effect sizes - an effect size is a quantitative measure of the strength of an effect. A standardised measure of effect (such as Cohen's d) can be used when conveying the size of an effect relative to the variability in the population.

Technical and Further Education (TAFE) - provide vocational education and training.

Victoria Legal Aid – a statutory authority funded by state and federal governments to provide free legal information and education to all Victorians. More intensive legal services such as legal advice and representation are provided to people depending on their financial situation, the nature and seriousness of their problem and individual circumstances. VLA uses its practice experience to undertake systemic advocacy and law reform to improve access to justice for the community.
### Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>AMES</td>
<td>Adult Migrant Education Service</td>
</tr>
<tr>
<td>AMEP</td>
<td>Adult Migrant English Program</td>
</tr>
<tr>
<td>CALD</td>
<td>Culturally and linguistically diverse</td>
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<td>CLE</td>
<td>Community legal education</td>
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<td>CLC</td>
<td>Community Legal Centres</td>
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<tr>
<td>CLT</td>
<td>Communication language teaching</td>
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<tr>
<td>ESL</td>
<td>English as a second language</td>
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<tr>
<td>FCLCV</td>
<td>Federation of Community Legal Centres Victoria</td>
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<td>FCLC</td>
<td>Footscray Community Legal Centre</td>
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<tr>
<td>LRE</td>
<td>Law related education</td>
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<tr>
<td>LAWA</td>
<td>Legal Aid Western Australia</td>
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<tr>
<td>LSCSA</td>
<td>Legal Services Commission of South Australia</td>
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<tr>
<td>NMIT</td>
<td>Northern Metropolitan Institute of TAFE</td>
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<tr>
<td>NTLAC</td>
<td>Northern Territory Legal Aid Commission</td>
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<tr>
<td>PLE</td>
<td>Public legal education</td>
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<tr>
<td>TAFE</td>
<td>Technical and Further Education</td>
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<td>VLA</td>
<td>Victoria Legal Aid</td>
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<td>WTL</td>
<td><em>What’s the law? Australian law for new arrivals</em></td>
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Abstract

Community Legal Education (CLE) is undertaken by legal aid commissions and community legal centres. It aims to build legal capability so people can identify and address or avoid legal problems. The need to demonstrate the effectiveness of CLE arises in the context of limited funding for legal aid services and increasing demand for these services. While CLE is a small component of the legal assistance sector it is often seen as a way to address preventable legal issues or de-escalate legal problems.

While CLE is evaluated there is a very limited amount of empirical research published in peer-reviewed journals. Evaluations were found in the Justice Sector and a meta-analysis was located in the International Aid sector. Most relevant research was found in the UK, Canada and North America. This study builds on this work by generating an evidence-base within the Australian context. It also provides a research model for undertaking studies that involve people who have English as a second language.

This study examined the effectiveness of a CLE intervention that focuses on consumer contracts, as part of a national program called What’s the law? Australian law for new arrivals. Two research questions address the question of whether CLE works:

1. Is there a measurable difference between students’ understandings of the legal issues associated with buying a car, borrowing money and seeking help, after they participate in a class on this topic?

2. Did students find the class about buying a car helpful and if so, how?

The mixed methods study used a pre/post research design, which involved developing and testing a survey used in an interview setting. English as a second language students were interviewed before and after they participated in a class about buying a car.

The study involved 67 students at four sites including Victoria, South Australia (SA), the Northern Territory and Western Australia. Most participants were students in the Adult Migrant English Program. All students were studying to achieve a Certificate in Spoken and Written English.

Forty-seven completed pre and post interviews were included in the data analysis. Participants responses to 13 close-ended questions were scored based on the key messages in the CLE and responses expected from well-informed and assertive consumers. A repeated measures analysis of variance (ANOVA) was used to analyse changes in interview scores. This showed that participants’ mean pre score was 9.38, which increased to a mean post score of 11.68. There was an improvement of 2.3 between the pre and post scores. The ANOVA found that this was a statistical significant improvement. The Cohen’s effect size for the mean change, corrected for paired data, was estimated to be $d = 1.21$, 95% CI (0.83, 1.58). This suggests a ‘strong effect’. The results show a measurable difference in participants’ understandings of the legal issues associated with buying a car.
There was a large difference between the state categories with the SA cohort being more likely to have purchased a car (81% vs 27%), to be older (average age of 50 vs 23 for other participants) and SA participants being more likely to have lived in Australia for longer (5yrs vs 2.31). Despite this, participants’ baseline results were similar to those of newer arrivals and the trend towards higher post scores was consistent across the state categories. The difference between the pre and post scores of SA participants remained statistically significant, \( F(1,43) = 60.64, p < .001 \) and is considered a large effect. This suggests that the benefit of the CLE was similar for the SA participants who had previous experience of buying a car.

While the overall change score provided evidence of a positive shift in participants’ attitudes, an item analysis showed where the shifts occurred by looking at changes in relation to specific questions. The participants were asked for example about the degree to which they agreed or disagreed with the statement ‘Car sellers always tell the truth’. The study found 24% (11) of participants who agreed in the pre-interview, disagreed in the post interview. Likewise 59% (27) of participants indicated in both the pre and post interview that when they bought things that cost a lot, they liked to find out everything that they could before deciding. Eleven (24%) participants who originally reported impulsively buying costly items, changed their responses in the post interview to indicate that they would do the same. While these shifts were not statistically tested it is worth considering their potential impact in light of the legal problems that arise when people with limited financial resources buy expensive items and/or trust people who sell cars.

The qualitative results added depth, reinforcing the results from the item analysis by drawing on the participants’ words to show which aspects of the learning experience were most helpful and indicating how the CLE may influence participants’ actions. A thematic and frequency analysis showed that participants most frequently commented on the importance of reading and understanding contracts before signing them, issues associated with borrowing money and interest, the need to be wary of people who sell cars, the consequences of not taking care when buying expensive items and knowing that help is available. In many cases participants’ comments indicated intended actions.

While this research project did not test the application of participants’ knowledge or intentions, these results demonstrate that the CLE in question ‘worked’ for these participants. This outcome may be replicated in similar cohorts through further application of the survey.

This research confirms that the buying a car story in What’s the law? Australian law for new arrivals had a positive impact on the attitudes of the participants involved. Further research that builds on the sample size would enable stronger conclusions to be reached. In particular the incorporation of a control group could identify other influences on participants attitudes and potentially strengthen the link between the learning experience and any change in attitude. A longer-term follow up is also recommended to assess the stability of the change over time and determine how participants respond in ‘real-life’ situations. An unexpected outcome of this study was the development of a research model that addressed a number of barriers in undertaking research with people who have English as a second language. This outcome and initial positive results warrant further application of this research design.
Chapter 1 Introduction

Background

I have worked at Victoria Legal Aid (VLA) as a community legal educator for 17 years, identifying legal needs, developing legal content, working with groups and presenting to different communities. Since 2011 I have been responsible for the Community Legal Education (CLE) program, leading a team of seven staff with a budget of approximately $1m, to set the direction for the program across Victoria and to collaborate on national CLE projects. This role requires an understanding of legal needs, the public sector and the ability to leverage my experience, and the skills of VLA staff, to maximise the impact of CLE for our clients and the community more broadly.

One issue that has been raised repeatedly over the years is that there is limited evidence that CLE works. This has confounded me as I see its impact first hand, in the delivery of CLE sessions, and I hear about the value of the work from CLE staff, from community workers and teachers. They tell me stories about older people who say they did not know that they could tell door-to-door sellers to go away or young people who did not realise how much trouble they could get into for sending sexy pictures on their phones. It is clear that when we engage people with legal information that is relevant to their lives, they want to know more and apply it.

The challenge for us is to capture and convey this impact in credible ways. Limited funding for legal aid, coupled with consistent scrutiny from government has only increased the need to produce evidence about the impact of CLE activities.

The CLE team at VLA has responded to this issue by establishing reflective work practices, improving our project planning, and building our skills. This means we are in a better position to ask whether our CLE interventions met their objectives and look more closely at the impact they have on clients. In recent years the quantity and quality of our evaluative work has increased. While this has been valuable, and will continue, evidence-based research adds another dimension. It allows us to contribute to a body of knowledge about a little known component of education practice. It increases the rigour of all our evaluative work, benefitting the CLE team, VLA and the practice of CLE more broadly. It also benefits the community, many of whom experience preventable legal problems.
Evidence of whether CLE works

Does CLE work? The problem is that in the Australian justice sector, outside of anecdote and evaluation, we have very little evidence to draw on. Most of the published work about CLE is produced in the UK and in Canada where there are agencies dedicated to the resourcing and development of this field of education. Research in these countries indicates that communities often lack awareness and confidence in dealing with legal issues (Balmer, Buck, Patel, Denvir, & Pleasence, 2010; Buck, Pleasence, & Balmer, 2007, 2008; Pleasence, Balmer, & Denvir, 2013). This has been noted more recently in Australia, through the Legal Australia-wide survey: legal need in Australia (Coumarelos et al., 2012). In addition, it is evident that a lack of legal knowledge is associated with a lack of action and that lack of action can have negative financial and health outcomes, particularly for vulnerable people (Balmer, et al., 2010; Coumarelos, et al., 2012; Pleasence, et al., 2013).

A question for community legal educators is whether the converse applies - whether the provision of legal information and education enhances knowledge, encourages action and contributes to better outcomes for individuals and communities.

There are many reports, from government, justice and community sectors, that call for more legal education (Australian Government, 2009; Australian Human Rights Commission, 2010; Dimopolous, 2010; Family Court of Australia, 2008; Fraser, 2009, 2011; In Touch Multicultural Centre Against Family Violence, 2010; Parliament of Victoria, 2013; Women's Legal Resources Centre, 2007). The quantity and consistency of these calls suggest that CLE is regarded as an effective mechanism to address legal problems. Additionally, and increasingly, CLE is expected to fill gaps created by reduced funding for some legal services (Denvir, Balmer, & Pleasence, 2013; Passmore, 2013).

Law for Life, a charity in the UK dedicated to CLE, known there as Public Legal Education (PLE), have argued that:

PLE is becoming increasingly essential to help ordinary people to cope as funding cuts reduce the availability of legal and general advice services (Mackie, 2013, p. 4).
This literature is discussed in more detail in Chapter Two.

It is clear that CLE is important to governments and funders, yet there are very few studies, if any, in the Australian justice sector that show whether CLE improves access to legal services, or prevents legal problems from occurring. There is some evidence to support the effectiveness of CLE from the justice sector in America and the international aid sector, discussed further in Chapters Two and Three.

This absence of impact-based research is noted within the justice sector which has called for more evaluative work and evidence-based practice (Biondo, 2002; Digiusto, 2012; Fackrell, Hawkins & Kay, 2011; Fraser, 2009, 2011; McEwen, 2002; Public Legal Education and Support Task Force, 2007; Public Legal Education Network, 2009; Wilczynski, Karras & Forell, 2014). The problem of not knowing whether CLE works is widespread, acknowledged in Australia, the UK, America and Canada.

The reason for this absence is partly due to the challenge of evaluating how well CLE has effected change in the lives of people. For example, the Public Legal Education and Support Task Force (2007) stated that, ‘The gains that Public Legal Education initiatives seek to achieve are often both subtle and difficult to measure’ (p. 20). The absence of impact-based research about CLE is a problem because not being able to identify CLE as a specific and useful activity has been a ‘major barrier to progress, leaving the gains and benefits that may result from a range of PLE activities intrinsically difficult to recognise, monitor and learn from’ (p. 19).

While there is some relevant and useful evaluative and research work, a greater focus on measuring the value and impact of CLE for people is needed. This evidence places the purveyors of CLE in a better position to determine the extent to which CLE can meet the widening gap between legal service availability and clients’ needs or indeed the capacity of CLE to assist people to avoid legal issues.

**Research question and objectives**

In order to address the limited amount of impact-based research about CLE in the justice sector, this research project looks at the impact of CLE within the context of consumer contracts.
A topic that addressed consumer contracts was one of ten topics offered in an education kit called *What’s the law? Australian law for new arrivals* referred to in short as *What’s the law? (WTL)* and discussed in more detail below (Victoria Legal Aid, 2011b). The consumer contracts topic focuses on the legal issues associated with buying a car, told via Maryam’s experience shown in a digital story (still images with an audio overlay). The topic was chosen because it is widely applicable to participants, many of whom are new to Australia and hoping to purchase a vehicle. There are many risks in buying a car which results in an over representation of new arrivals in the justice system, particularly in civil law matters such as debt and driving matters (Fraser, 2009, 2011).

There are two sub-questions that provide a focus for the research project.

3. Is there a measurable difference between students’ understandings of the legal issues associated with buying a car, borrowing money and seeking help, before and after they participate in a class on this topic?

4. Did students find the class about buying a car helpful and if so, how?

These questions were designed to show whether participants had changed their position on a range of issues associated with buying a car, in the hope that any positive shift would then impact their choices in the future. In answering these questions this research project aims to generate evidence of the impact of the learning experience for these participants.

**Educational context for the research**

Fraser (2009, 2011) has argued that many people from a refugee background do not have a good understanding of some Australian laws, particularly around driving, contracts to buy goods and services and personal loans. Fraser (2011) has demonstrated that:

> lack of information and scams give rise to complex legal and financial problems in the first few years after arrival in Australia. These problems can result in high levels of debt, negative credit reports and bankruptcy, all of which are barriers to successful long-term settlement...many of these problems could be prevented if new migrants were given information that
could help them avoid legal problems, as well as recognise a legal problem and seek appropriate assistance in a timely manner (p. 8).

**Prevention**

An underpinning concept in this research is prevention. This is based on the idea that if people get simple information about a preventable legal problem, such as signing up to a contract that is not in their interests, and that legal problem arises in their lives, they will be better able to manage the situation and avoid legal problems (Biondo, 1998; Bruce, Moorst, & Panagiotidis, 1992; Fraser, 2011).

While this research did not set out to determine whether a legal problem has been prevented, measuring changes in participants’ attitudes may indicate whether the participant will enter into a consumer contract that is not in their interests. For example, if participants’ results show they no longer would believe a salesperson can be trusted, they may well be less likely agree to buy something they cannot afford. In this case it may be fair to assume that a legal problem has or will be prevented (Patton, 2002). This is discussed further in Chapter Two.

**What’s the law? Australian law for new arrivals**

*What’s the law?* (Victoria Legal Aid, 2011b) is a legal education kit designed for use in the Adult Migrant English Program (AMEP).

*Figure 2. What’s the law? kit and its contents. (Victoria Legal Aid, 2011c)*
The kit is also applicable in community settings and in other English as a second language (ESL) programs. The kit was developed in 2010-11 by legal aid commissions across Australia and distribution of the kit started in October 2011.

The kit is based on ten common legal issues faced by new arrivals in the first years of settlement. Each topic has:

- a video (digital story) about common legal problems
- activity sheets to build students’ comprehension and reinforce key messages
- answer sheets, including notes for teachers about how to use the kit.

*What’s the law?* (2011b) is the central educative tool in a national community legal education strategy for new arrivals undertaken by the National Legal Aid CLE Working Group (CLEWG).

The national strategy was developed in response to the need to better inform new arrivals about their legal rights and responsibilities in Australia. It involved engaging with the former Department of Immigration and Citizenship (DIAC) to gain endorsement of the kit and support for its promotion. The strategy also involved building relationships with AMEP providers in each state and territory to support the distribution and delivery of the kit.

The national strategy was informed by a wide range of research and reports produced by government agencies and the community sector about the pressing need to address preventable legal issues experienced by new arrivals (Australian Government, 2009; Australian Human Rights Commission, 2010; Family Court of Australia, 2008; Footscray Community Legal Centre & Australian Communications Consumer Action Network, 2011; In Touch Multicultural Centre Against Family Violence, 2010; Moore, Nicholas, & Deblaquiere, 2008; Women’s Legal Resources Centre, 2007).

Two reports produced by Footscray Community Legal Centre underpinned the development of the national strategy (Fraser, 2009, 2011). Fraser argues that to work effectively with new arrivals, community agencies in the justice sector need to work more collaboratively and strategically. This approach was echoed widely in the Australian justice sector and provided the impetus for legal aid commissions
to work together on the creation of *What’s the law?* (Victoria Legal Aid, 2011b). Fraser’s work provided a ‘road map’ to guide this process.

An impact evaluation of *What’s the law?* (2011b) was undertaken in 2012 (Ferrari & Fraser, 2013). This evaluation provided evidence of the usefulness and benefits of the kit for teachers, who use it in English language classes. While the evaluation also established that students respond well to content in the kit, it did not look at whether the content made any difference to students’ perceptions of legal issues.

This research project builds on the initial evaluation, extending it by generating additional evidence relating to another audience, students. This research project also offers a research model, building on work undertaken in the legal and health sectors, that may be of assistance in future CLE research, particularly in undertaking research with people who have English as a second language and other vulnerable communities (Caliber Associates, 1998; Mackie, 2013; Milat, Carroll, & Taylor, 2005). It locates and appraises other efforts to measure legal knowledge and the impact of legal education, as a means to collate similar work and also understand the limitations in different methodologies. This work may be helpful to others who want to build an evidence base to support the practice of CLE.

**Community legal education and adult education**

Community legal education is a type of education that focuses on legal issues. CLE can be for children or adults and can take place in an educational setting, in a community setting or online. The type of CLE that is the focus of this research project sits within the field of adult education (this is discussed in more detail in Chapter Two). Foley (2004) identifies the primary locations of adult education as universities, community based education and technical or vocational educational sites.

CLE practitioners utilise a range of media to engage and educate different audiences about the law. CLE can take many forms and, as technology develops, so does the range of media available to all educators. Common tools used in CLE are booklets, fact-sheets, posters, stickers, videos, phone apps, e-books, digital stories, story telling, role-plays, animation, and dynamic visual presentations (Bruce, et al., 1992; Federation of Community Legal Centres Victoria, 2010).
CLE is usually generated based on a demonstrated need. The content and tools are tested with the primary audience, who are commonly involved in the development of these tools. CLE is often supported by an implementation strategy then evaluated and the outcomes are shared internally and externally (Biondo, 2002; Federation of Community Legal Centres Victoria, 2010).

One of the purposes of sharing CLE outcomes is to attract review from colleagues, clients and other agencies. This engagement and discussion about CLE projects and their outcomes assist in developing programs and making well-informed choices about where to locate effort and resources. Responses also inform future evaluative models. Sharing CLE outcomes contributes to a body of knowledge about CLE and it builds the profile of this type of work. There are many bodies of CLE knowledge; local, national, international. There are also different types of knowledge; agency based, government based and academic. See Chapter Two for review of relevant literature.

CLE is a type of education. What differentiates it from other types of education is primarily its content. CLE is often premised on legal rights, which are not canvassed in mainstream secondary curriculum. For example, the national Civics and Citizenship curriculum addresses legal and administrative systems and legal
responsibilities. CLE is easily incorporated into secondary and other forms of education and there is evidence of this working well in adult education settings (Gannaway & Casey, 2009). This is discussed further in Chapter Two.

Biondo (1998) asserts that intrinsic to the definition of CLE is that not all members of the community have equal access to, understanding of, or ability to participate in and influence, the legal system. In Victoria the priority clients for legal aid services and CLE include people who are living with a disability, people on low incomes, people who have English as a second language, young people, and Indigenous Victorians (Victoria Legal Aid, 2014a).

While *What’s the law?* does not aim to help culturally and linguistically diverse (CALD) communities ‘influence the system’, it is premised on the idea that these communities do not have equal access to information about the law (Victoria Legal Aid, 2011b). Having English as a second language is a recognised barrier to community participation and access to justice (Cohl & Thomson, 2008; Coumarelos, et al., 2012; Family Court of Australia, 2008; In Touch Multicultural Centre Against Family Violence, 2010; Moore, et al., 2008; Riggs et al., 2012). These barriers, combined with other factors, increase the likelihood of encountering legal problems, making CALD communities vulnerable.

The National CLE Advisory Group (1995) defined CLE as:

> the provision of information and education to members of the community on an individual or group basis, concerning the law and legal processes, and the place of these in the structure of society (p. 1).

The Public Legal Education Network provides a more recent definition:

> 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 sort of advice is 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 (Public Legal Education and Support Task Force, 2007, p. 9).
The first definition emphasises, in limited terms, how CLE happens and the link between law and social structures. This approach reflects the commitment within the community legal sector to the broader goals of social change (Bruce, et al., 1992; Federation of Community Legal Centres Victoria, 2010).

The second definition focuses on the intended impacts of CLE for individuals. It sets the scene for this research project by asserting that PLE provides people with knowledge and understanding of legal issues, the ability to get help when needed or to take action to anticipate or avoid legal problems.

This research project was designed to test some of these assertions, generating evidence of a change in attitude about legal issues associated with buying a car and seeking help. While caution needs to be exercised in extrapolating research outcomes to behaviours, some of the questions asked of students in this research link to behaviour, for example, the likelihood of seeking help if they had a legal problem. The research design enables comparison of responses before and after a learning experience, which may indicate whether a change in assistance seeking behaviour is likely or not. Goodwin and Maru (2014) argue that a change in attitude or knowledge could be a basis for ‘other impacts over time, including willingness to take action and pursuit of other remedies or entitlements’ (p. 31).

While arguably CLE may have happened informally in many settings over the years, in Australia its existence is grounded in the delivery of legal services through legal aid commissions and community legal centres (Biondo, 1998; Bruce, et al., 1992). Legal aid commissions are mandated through legislation to provide education and CLE has been practised since the 1970s, when the first Legal Aid Act was drafted in Victoria (Legal Aid Act, 1978). The Act gives VLA the power to:

- Initiate and carry out additional programs designed to promote an understanding by the public, and by sections of the public who have special needs in this respect, of their rights, powers, privileges and duties under the laws in force in the State (Legal Aid Act, 1978, s6.d, p. 12).

Previously, in Australia most of the commentary about CLE has come from the community legal sector (Biondo, 1998, 2002; Bruce, et al., 1992; Federation of Community Legal Centres Victoria, 2010; Goldie C, 1997; Nash, 2001). These sources all distinguish between the provision of information and the provision of education.
Information refers to stand-alone resources or pieces of information that exist in isolation such as booklets and pamphlets that can be given to or selected by people, see Figure 3. This is ‘CLE at its most basic level’ (Biondo, 1998, 2002). Education for Biondo (1998) is ‘about developing a deeper understanding of legal rights and responsibilities and assessing the appropriate course of action’ (p. 170). For Goldie (1997), CLE enables people to do things differently and for Nash (2001) it ‘needs to be seen as a tactic or tool for achieving change’ (p. 141). The connecting feature of these aims is action and change, which is what this research project aims to measure.

The education kit What’s the law? is an example of community legal information (Victoria Legal Aid, 2011b). However, the implementation of this information takes it beyond basic CLE. The What’s the law? (2011b) project aimed to facilitate a deeper understanding of legal issues by meeting the needs of both teachers and students. The strategy that supported the creation of What’s the law? (2011b) equipped teachers with an education tool that aimed to increase students’ knowledge and confidence to avoid or address common legal issues. This research project is designed to test the degree to which the learning experience, associated with What’s the law (2011b), facilitated a ‘deeper understanding’ for participants as represented through a change in attitude.

Biondo (1998) argues that empowerment is an ‘essential feature of CLE’ (p. 170). The question is, what does empowerment look like when it happens? If, as Nelson Mandela (2003) suggests, ‘Education is the most powerful weapon we can use to change the world’, how will we know when that change has occurred? While this research project does not provide evidence of empowerment, it does measure a change in perception that could impact on behaviour. In this way the research is linked to the central tenants of CLE.

Another characteristic of CLE projects is that they are developed to meet local needs. While this is critical in terms of developing targeted CLE activities, it is important to note there are over 50 legal centres in Victoria and legal aid has 13 offices. VLA is rightly not the sole provider of CLE, as it alone could not meet demand. This gives rise to the challenge of multiple providers of CLE in an environment of limited funding for the provision of legal services. The justice sector must ensure available funds are expended in the most appropriate way, avoiding duplication of effort.
In Australia CLE is a small component in a large legal business with multiple players including the private sector as well as the community legal sector. This research project has confirmed that CLE could have a stronger presence in both the legal and academic spheres, discussed further in Chapter Two. CLE is a relatively little known discipline that lacks the history and institutional support of mainstream education. There is also little current public discussion about CLE, beyond broad references to need and potential value or questions about its value. This creates uncertainty about this field of work, how should it be undertaken and, in some cases, who is best placed to provide it. These challenges make CLE vulnerable to criticism and, potentially, funding cuts.

As referenced earlier, CLE is better established in the UK and Canada. In the UK in 2007 a Public Legal Education and Support (PLEAS) Task Force developed an analysis of PLE provision in the UK, focusing on its strengths and the main challenges to its growth. The task force concluded that while a wide range of agencies undertook CLE and it was recognised as a powerful and positive tool for citizens:

There are, however, currently very few coherent PLE programmes. In comparison with other key components of the legal system, PLE is dramatically underdeveloped, and has not reached its potential (p. 29).

One of the five obstacles that limited the development of PLE is ‘the lack of evaluation and quality tools’ (p. 29).

The need for more strategic CLE tools and evidence of impact underpins the national community legal education strategy for new arrivals and this research project.

In this local and international context it is critical that good local CLE initiatives are identified and leveraged so they can be rolled out more widely. Legal aid commissions are well placed to use their relative size and infrastructure to support sound community-based CLE work and gain ‘buy in’ from other arms of government and the justice sector. It is also critical that commissions and Community Legal Centres (CLCs) build sound evidence for their CLE work so that it can improve, reach its potential, and deliver greater benefits for our communities. This research project contributes to this goal.
Research and community legal education

For community legal educators the outcomes for clients are critical, perhaps meaning the difference between, for example, avoiding fines or accumulating debt that cannot be paid. Therefore it is useful and important to know whether and how CLE work is making a difference for clients. While this can be explored through internal evaluation, the potential rigour that research offers makes this approach an attractive option.

As previously discussed, CLE is undertaken by legal aid commissions and community legal centres, and is funded by governments. The economic imperatives associated with accountability for the expenditure of public funds combine powerfully with the social imperative to understand how CLE work affects legal aid clients.

The challenge in evaluating community legal education is working out what has changed for individuals or communities (Collard, Deeming, Wintersteiger, Jones, & Seargeant, 2011; Diguisto, 2012; Wilczynski, Karras & Forell, 2014). This issue cuts to the very heart of community legal education initiatives and, as Mandela (2003) suggests, education more broadly, as change is what educators seek. Whether it be the aim to increase legal literacy or ‘legal capability’, discussed further in Chapter Two, legal educators want to effect change in the attitudes, the behaviours and levels of confidence of clients (Public Legal Education Network, 2009).

Changes in any or all of these areas are challenging to assess, and ‘perhaps even more difficult to attribute to a specific programme or project’ (Public Legal Education Network, 2009, p. 4). This, combined with the resources required to undertake the type of evaluation required to measure change, may be one reason for the well-recognised lack of research about the impact of community legal education interventions (Diguisto, 2012; Dimopolous, 2010; Fraser, 2011; Public Legal Education and Support Task Force, 2007; Wilczynski, Karras & Forell, 2014).

While community legal educators evaluate their efforts, it is often output focused and designed to count and report on the number of events or products distributed (Public Legal Education Network, 2009). Funding bodies often require output-based reporting. Curran (2013) argues that the problem with this type of
reporting is that ‘the focus can become the number of tasks completed, which may have little bearing on the actual effect of the intervention’ (p. 22).

Qualitative evaluation is often applied to determine the usefulness of CLE initiatives for participants and this data is used to shape initiatives. This work usually involves a small number of participants and is often for an internal audience. The results are valuable but limited in application (Digiusto, 2012; Public Legal Education and Support Task Force, 2007).

What is missing is published empirical data, particularly data that is generated in Australia, which provides evidence of impact and contributes to academic knowledge about CLE. However, this type of work is challenging for legal aid commissions and community legal centres, which face competing priorities, skills deficit and limited budgets. A lack of time, skills and budget are often noted as major obstacles to organisations seeking to evaluate their work (Polonsky & Grau, 2011; Public Legal Education Network, 2009; Wilczynski, Karras & Forell, 2014).

Research, with its additional conventions and structure, necessarily requires increased organisational support and resources. This places research beyond the reach of many agencies (Polonsky & Grau, 2011). It is challenging for CLE, as a small area of legal practice, to secure the kind of resources required to undertake empirical evaluation and research.

Community legal educators can and do evaluate short-term outcomes, but determining longer-term outcomes poses difficulties (Wilczynski, Karras & Forell, 2014). Law for Life argue that evaluations are ‘found only in some better-resourced initiatives but are rarely known about or drawn on by other practitioners’ (Public Legal Education and Support Task Force, 2007, p. 20; Public Legal Education Network, 2009). While this is not a long-term research project, the process of undertaking the research and in reviewing other research has made the prospect of rigorous and longer-term CLE research seem more achievable.

The criticisms made by Law for Life that there is not much evaluation of community legal education may be arguable (Public Legal Education Network, 2009). If indeed much of the existing CLE evaluation addresses process and outputs then it is likely to used and kept by the agencies that generate it, rather than being shared more widely. This type of evaluation may well exist in large quantities.
Impact evaluation and research that focuses on outcomes for clients could also remain internal to organisations. However, given the difficulty in generating this type of evaluation, it is likely to exist in smaller quantities. This is supported by a recent systematic review that identified 47 studies generated between 2000 and 2012 that evaluated the outcomes of CLE (Wilczynski, Karras & Forell, 2014). Of the 47 studies only two were considered methodologically appropriate to include in the systematic review. This review is discussed further in Chapter Two.

There are many factors that influence the choices organisations make about how or if they evaluate and what they do with their evaluative work and, again, it becomes a trade-off. In the justice sector, for example, the need for services often exceeds organisational capacity to respond. Prioritising resource intensive forms of evaluation, such as research, could impact on client facing services. While evaluation may benefit the organisation and clients in the long run, redirecting resources away from the immediate needs of clients is a hard decision.

Organisations can also be fearful of what they will find out if they start to look critically at their programs. This is a risk but as expectations increase for transparency around service choices and how funds are allocated, so does the need to demonstrate the value of CLE and other early intervention services.

This research project has multiple drivers but is ultimately designed to determine whether CLE content has had an impact on the attitudes of the students it was intended for. In doing so it generates evidence that responds to the broader question about whether CLE works. Other outcomes may be achieved, such as reinvigorating discussion in Australia about CLE to clarify and strengthen its place within the justice sector. These outcomes ensure that CLE, in whatever form it takes, continues to be available to assist disadvantaged communities to understand and apply the law to their circumstances. In this way the outcomes are directly useful to legal educators and the organisations and governments that support this work. Ultimately the outcomes of this research will be of use to communities who benefit from CLE that is generated and adapted based on evidence of impact.
**Thesis overview**

Chapter Two grounds this research project in literature relating to adult education, ESL education, and community legal education. It looks at other relevant research and establishes what has been said about CLE in the justice sector, the international aid sector, adult education, and English as a second language (ESL) teaching. The review locates this research project in the discipline of adult ESL education and links this to the broader field of adult education. While there is literature about the theory, practice and impact of adult and ESL education, there is little to date about community legal education. This research project contributes knowledge to an underrepresented component of adult education.

Chapter Three outlines the approach to research design detailing the methodology and the lengthy process to develop and refine appropriate data collection tools. The survey is summarised and its structure is discussed. This chapter also outlines the pragmatic basis of the research project and its theoretical underpinnings. The case for adopting mixed methods and the need for applying statistical analyses is argued. The many ethical issues that were considered and encountered are also documented. The differences and similarities between evaluation and research, introduced in Chapter One, are explored further. This chapter pays specific attention to limitations in the research design by looking at similar evaluative work and other relevant research.

Chapter Four focuses on data analysis and results of the research project. It details the questions that were asked of the data and describes the statistical tests that were applied to the quantitative data and the thematic analysis. The results are interpreted and critically discussed.

Chapter Five concludes by revisiting the question of whether CLE works and why this is important. The implications of the results are discussed in relation to the practice of CLE and for the justice sector. There is, of course, scope for further scholarly research where some of the limitations identified in this research project could be addressed.
Chapter 2 Literature review

Introduction

The purpose of this literature review is to convey the range of ideas that inform the context in which the research project was undertaken (Creswell, 2009). This literature review locates the research within the fields of adult education, English as a second language (ESL) education and the justice sector. It demonstrates how the research contributes to the literature from these disciplines.

I undertake a preliminary review of influential theorists Knowles (2005) and Mezirow (1978, 2000) whose work represents humanist and transformative perspectives on the theory and practice of adult education. I also canvass more contemporary and critical adult education theory, which raises issues about the risks in taking a post-positivist approach to research. I draw on current research to argue that a post-positivist approach is warranted in this project, on the basis that different theories about adult education research can coexist and help to provide a more comprehensive understanding of the field.

Critical theory (Hartree, 1984; McIntyre & Grudens-Schuck, 2004; Mezirow 1978, 2000; Pennycook, 1997; Shore, 2001; Sparkes & Butterwick, 2004), with its concerns around knowledge, power, race, class, gender and sexuality, provides a useful link to literature about the ESL learning environment, in which this research project took place. I look at what has been said about educating culturally and linguistically diverse (CALD) communities and the application of community legal education (CLE) for and within these communities.

This review locates this research project, and the CLE it relates to, in the discipline of adult ESL education and links this to the broader field of adult education. It demonstrates that while there is literature about the theory, practice and impact of adult and ESL education, there is little to date about community legal education. In this way the research project contributes knowledge to an underrepresented component of adult education.

Literature and reports from the justice sector are reviewed to establish what has been said about CLE in Australia, the UK and in Canada. This discourse routinely calls for more education, makes claims about its value but at the same time identifies challenges in measuring its impact. A recent systematic review into the
effectiveness of CLE adds significantly to this research project as it is underpinned by a similar question – does CLE work (Wilczynski, Karras & Forell, 2014)? This review confirms the absence of research into the effectiveness of CLE, particularly in Australia.

A recent meta-analysis from the international aid sector challenges, as discussed in detail later in this chapter, claims of a lack of evidence about the impact of CLE (Goodwin & Maru, 2014). This work extends the contexts in which CLE occurs beyond the justice sector and points to its fragmented nature, discussed below. CLE is practised widely but is not well recognised, supported or coordinated (Passmore, 2013; Public Legal Education and Support Task Force, 2007). This research project has the potential to contribute to an evidence base that is relevant to a number of disciplines.

**Adult education – theories and practices**

Two theories of adult learning are canvassed here; Knowles’ idea of andragogy (Knowles et al., 2005), and Mezirow’s theory of transformative learning (Mezirow, 1978, 2000) as discussed later in this chapter. Foley’s work (2004) introduces a range of, largely critical, views that consider the theory and practice of adult education in the Australian context.

Theories around andragogy and transformative learning, as well as many others, ground and inform the field of adult education. Aspects of these theories, and the learning processes that they expound, are present in *What’s the law?* (Victoria Legal Aid, 2011b), the education tool that is the subject of this research project. The impact of educational theories on the creation of *What’s the law?* (2011b) and the learning environment in which it is delivered, are outside the scope of this research. It is useful, however, to understand what has been said about adult education as a means to locate this research project in this body of knowledge.

As mentioned in Chapter One, Foley (2004) identifies the primary locations of adult education as universities, community agencies and technical or vocational educational sites. He expands on this by saying that there are ‘numerous fields of practice’ which have ‘generated their own forms of education’ (p. 3). While CLE is not used as an example here, it would be considered as a field of practice within a ‘fragmenting, diversifying and expanding’ discipline (p. 4).
Foley (2004) identifies four main types of adult education; formal, non-formal, informal and incidental. Each can apply to CLE, but the educational tool that is the subject of this research project fits within the formal education category, it is ‘organised by professional educators, there is a defined curriculum, and it often leads to a qualification’ (p. 4).

Figure 4. *What’s the law?* delivered to ESL class at NMIT, Victoria. Note: participants consented to their images being used publically (Victoria Legal Aid, 2014b).

*What’s the law?* (Victoria Legal Aid, 2011b) was created by educators in the Adult Migrant Education Service (AMES). *What’s the law?* uses legal content to build English literacy. It was designed to assist teachers in the Adult Migrant English Program (AMEP). The AMEP has been available since the early 1990s and enables newly arrived migrants aged 18 and older to get up to 510 hours of approved English tuition if they are assessed as having ‘less than functional English’ (Moore, et al., 2008, p. 3). *What’s the law?* (2011b) was designed to assist AMEP providers to meet contractual requirements to provide legal education. It is used in Certificate in Spoken and Written English classes.

It is clear that adult education is highly diverse in its delivery. It is also a well-theorised but contested space. Foley (2004) argues that adult education theory
has been dominated by literature from the USA where most work within the ‘positivist and/or interpretive paradigms’ (p. 15). The third paradigm identified by Foley is critical theory, which is influenced by theorists such as Mezirow (2000).

The US theorist Malcolm Knowles is known as the ‘father of andragogy’ and is credited with popularising adult education (Knowles, et al., 2005). While his work to establish a unified theory of adult learning or andragogy has enjoyed broad appeal, Hartree (1984) argues that this is ‘in part attributable to the fact that it makes the kinds of points that adult educators tend to support instinctively for emotional reasons’ (p. 203).

Hartree’s (1984) critique of Knowles is based on its individualistic approach, an absence of any philosophical base and inadequate acknowledgement of antecedents such as Mezirow (1977 as cited in Hartree) and Freire (1972 as cited in Hartree) and in particular Dewey (1938 as cited in Hartree).

Hartree (1984) is also critical of the dichotomous and reductive nature of Knowles’ work which posits the learning of children as fundamentally different to the learning of adults based on adults being ‘self-directing’ learners rather than dependent learners, adults defining themselves through life experience rather than via ‘relations and school’, and that adults are ‘ready to learn’ based on need, whereas children ‘ought’ to develop and learn in certain ways. Lastly Knowles asserts that children ‘have been conditioned to subject-centred learning, whereas the orientation of the adult is to problem-centred learning’ (Knowles 1978 as cited in Hartree, p. 205).

While these views could be challenged on many fronts, what is pertinent to this research project is the conflation of ‘the adult learner’ as one type of person to which all the assumptions and distinctions listed above could apply. While Knowles et al. (2005), particularly in later years, recognised diverse learning styles, it appears that the adult learner addressed by Knowles speaks the same language as the educator. If this language difference were present, it would challenge, at the very least, the notion of a subject-centred learner versus a problem-centred adult learner. CALD learners are both, requiring education about the environment they are in as well as education about how to navigate and ‘problem-solve’ in this environment (Moore, et al., 2008).
The problem is with Knowles’ preference for a binary model of education, one that is either pedagogical or andragogical, each with a clear set of distinctions which are unique to his theory of adult education. Knowles et al. (2005) attempt to bridge this gap by indicating that:

when leading a group of learners who are totally new to a body of information, then pedagogical strategies are often necessary until they have mastered the basics. Or, when leading learners with low levels of confidence, then strategies more appropriate for dependent learners would be recommended (p. 236).

While this allows for difference in learning needs and abilities, applying a binary model of learning to CALD adult learners infantilises these learners, entrenching an already challenging power dynamic. No doubt there are many other learners that do not fit into Knowles’ neat categories and whom would benefit from a more nuanced and flexible understandings of learning and teaching.

These concerns are taken much further by Shore (2001) who offers a searing critique of Knowles’ work, and adult education in general, asserting that the adult child binary is effectively a discursive mechanism to avoid:

the assumptions of liberal individualism built into the literature on adult learning principles and the degree to which this work continues to promote generic (White) understandings of the adult learner (p. 47).

While this research project does not address the ‘whiteness’ of adult education, it is important to remember that the learners who generously participated in this study are not white, nor do they have English as a first language.

As discussed in Chapter Three, the research design was constructed with the participant fully in mind. Likewise, the learning experience that the research is based on was designed for a CALD adult learner, one who is learning in an environment far from the idealised environment, with adequate ventilation, ‘comfortable chairs’, temperature control and nice decorations described by Knowles (2005). This is discussed later in this chapter.

The development and delivery of What’s the law? (2011b) and the research project was undertaken within a social justice framework, one that has a long
tradition in adult education (Young 1990 as cited in Sparkes & Butterwick, 2004). Social justice is defined as:

Full participation and inclusion of everyone is a society’s major institutions and the socially substantive opportunity for all to develop and exercise their capacities and realise their choices (Sparkes & Butterwick, 2004, p. 276).

The critical theorists cited here demonstrate how easily broader power relations can undermine this framework. For example, Sparkes and Butterwick (2004) see adult education as a cultural practice that is challenged because it ‘exists within the larger framework of society’ in which the ‘dominant society imposes its concept of reality (pp. 276-278). They raise issues around taking an individualist and/or deficit orientated approach to education, in which adult learners are perceived as empty vessels, and not looking at the broader social context and how issues of race, class and gender impact on the agency of adult learners.

The issues raised by Sparkes and Butterwick (2004) and Shore (2001) are bought to life in recent Victorian research about the value of regional adult education programs for CALD communities (Townsend, 2008).

Using mixed methods Townsend interviewed fifteen adult learners from CALD backgrounds, which resulted in the ‘development of vignettes as snapshots of habitual narratives’ (p. 72). He found that the content of the adult education programs was driven by policy agendas and funding needs, over the needs of the CALD clients. Despite an ‘educational pedagogy of inclusion’, he identified a ‘cultural blindness’ linked to the white, Anglo-Saxon protestant history in which the services were developed and delivered (p. 79).

This suggests that no amount of awareness will protect adult educators, or indeed researchers, from power relations that often position some of us well. Educators and researchers are never outside these relations, we are embedded in them and often vehicles for them. The transformative theory outlined here offers another way of viewing power relations, but does not remove them.

Mezirow’s (Mezirow & Associates, 2000) more recent work to update the theory of transformative learning started from a different premise to that of Knowles. It grew from the experiences of feminists in the 70s and is about a process ‘in which understanding and action interact to produce an altered state of being’ (p. xii).
Drawing on science, philosophy and medicine, transformative learning was influenced by Kuhn’s concept of paradigm (1962), Freire’s concept of conscientization (1970) and the work of psychiatrist Roger Gould (1978), (Kuhn, Freire and Gould as cited in Mezirow, 1991, pp. xvi-xvii). While this project can make no substantive claims about ‘action’ or ‘altered state of being’, it is interested in the ‘interaction’ between education and ‘understanding’ as represented in a measurement of change in participants’ positions about consumer contracts and buying a car.

Transformative learning is influenced by critical theory that emphasises ‘contextual understanding, critical reflection on assumptions and validating meaning by assessing reasons’ (Mezirow, 2000, p. 3). Mezirow (2000) acknowledges that ‘The justification for much of what we know and believe, our values and our feelings, depends on the context – biographical, historical, cultural – in which they are embedded’ (p. 3).

In taking this approach, Mezirow’s adult education theory aligns to this research project as it recognises the located nature of all knowledge. Mezirow’s theory also articulates change, not as a natural linear progression, as Knowles appears to suggest, but in terms of challenging ‘taken-for-granted frames of reference’ (p. 7), which necessarily challenges all learning.

Mezirow (2000) argues that ‘as language and culturally specific social practices are implicated in learning, understanding will be enabled and constrained by historic knowledge-power networks in which it is embedded’ (p. 7). ‘We need to focus on who is doing the learning and under what circumstances to understand the transformative learning process’ (p. 7).

This point is supported by McIntyre and Grudens-Schuck (2004) who argue that ‘a hallmark of high-quality, contemporary adult education research is recognition of context’ (p. 172). However, the goal of fully understanding the transformative learning process, the participant and their learning context, is outside the scope of this project. Nevertheless, this kind of investigation may well be challenged by the post-positivist or ‘empirical analytic’ approach taken in this research project (p. 170). McIntyre and Grudens-Schuck argue that empirical analytic approaches risk not hearing the voices of the ‘less powerful’, simplifying human complexities that are then ‘purged of their subjective qualities’ (p. 182). While this is a very real
issue, the survey design and data collection methods applied in this research project address this problem by centralising participants’ needs and voices in the research process.

There is a tension between adopting a post-positivist paradigm, as is the case in this research project, that is results-focused and the potential to elide the diversity and lived-reality of the participants, their learning preferences and indeed the role of the teacher in the delivery of the content. McIntyre and Grudens-Schuck (2004) correctly identify that ‘empirical analytic’ approaches appeal to government and reflect a more ‘corporate agenda’ (p. 182). This context was flagged in Chapter One and reflects the perceived research needs surrounding CLE at this point in time.

These competing issues are canvassed to acknowledge and attempt to address this tension. This research is, in part, driven by the need to generate evidence for government funders and the organisation, Victoria Legal Aid, which supported its development. It may be possible to mitigate this tension, for example, by deploying a post-positivist approach while recognising that knowledge is always created in a social context. The mixed methods research design creates space for this with opportunities for participant to influence the content and process. This is discussed further in Chapter Three.

This research project does not seek a ‘truth’, but looks for meanings that can, will and should be contested. While the aim is to produce evidence, it is not to do so at the expense of the participants who were active in shaping the data collection instrument and contributing data. Their input was and is valued and will be recognised at every stage of this research process.

The pragmatic reasons for adopting this research design are echoed in the adult education literature where there are calls for research that shows whether ‘andragogical techniques lead to better outcomes’ (Knowles, et al., 2005, p. 239). While this research project does not aim to employ or measure andragogical techniques, the research is based on an adult learning experience and the outcomes of that.

The contested nature of adult education theory is paralleled in contested ideas about how to research in this field. McIntyre and Grudens-Schuck (2004) argue:
Adult education is not a unified field in which goals and methods of research are settled among experts. Rather there are deep ideological differences about adult education and training that affect what is seen as the meaning and purpose of research (p. 190).

This section has canvassed different and largely critical theories as they apply in the adult education setting. These are relevant as they highlight the challenges in delivering and researching adult education, particularly when it involves CALD communities. The review of adult education literature has confirmed the place of CLE within this discipline, by inference rather than reference. This creates an opportunity for CLE, as a less considered aspect of this field, to contribute evidence about the impact of an adult education learning experience and the discipline of CLE.

**Adult education - English language instruction**

English language instruction or ESL, as it is sometimes known, is a specialised form of adult education and, as such, it is helpful to look at what the literature says about it and the relevant research. ESL instruction is delivered formally, through universities and TAFEs and through non-formal settings such as a neighbourhood houses. In Australia it is offered through publically funded courses, such as the AMEP, through language schools and in the TAFE setting.

This research project focuses on ESL instruction in a formal setting as part of a certified course offered through a TAFE in Port Adelaide and via the AMEP offered at multiple sites.

Burns and De Silva Joyce (2007) note that Australia is unique in providing new arrivals with settlement and second-language programs and that the AMEP is well regarded and applied internationally. They also note that its content and delivery is influenced by government policy and vulnerable to shifting funding priorities. This point is exemplified by the de-funding of the AMEP research centre in 2009 which amongst other things ‘conducted a major annual research program’ (p. 13).

Between 1985 and 2009 the AMEP research centre published a journal for professionals involved in ESL teaching and applied linguistics, reflecting research and professional issues. The director of the Adult Migrant English Program indicated that in 2015 the AMEP program will undergo a major ‘outcomes-based’ review (Wendy Richardson in conversation March 2013). The withdrawal of the
journal, and resulting reduction in research, as well as the review of the AMEP
can explain the interest from the Department of Industry, in the progress and
outcomes of this research project. While this is another example of the potential
influence of government, it is important to note that when research is
undertaken:

with social justice goals in mind, it does not have to cede control of
education to governments or corporations but can also advocate the rights of
learners (McIntyre & Grudens-Schuck, 2004, p. 168).

While control of the research is not at stake, the rights of learners are implicit in
the content and design of this research.

Pennycook (as cited in Hall, 2011) argues that second language education is
‘strangely isolated’ from educational theory and suggests that this is because
language is both the content and medium in ESL classrooms. Language teaching
theory has tended to ‘look in on itself’, focusing on how language works and how
people learn ‘at the expense of other issues’ (p. 219).

This point is supported by Townsend’s (2008) research of adult and community
education for CALD communities in regional Victoria where he noted:

a disconnection from the pedagogical frameworks that are particularly
effective with diverse groups of learners (Townsend, 2008, p. 84).

Like adult education, there are many views on the intersection between theory
and politics and power in the delivery of ESL education. This is well canvassed by
Pennycook (1997). These arguments are similar to those discussed earlier in the
broader adult education field.

Pennycook (1997) offers a useful way forward in addressing how to research
effectively and mindfully in this field. He notes that pragmatism is widely held to
be logical and sensible in ESL programs but that there is a tension:

between the need to acknowledge cultural difference and the need at the
same time to give people access to the cultural, linguistic and discursive
conventions that matter (p. 265).
Pennycook (1997) argues for 'critical praxis' based on a ‘reflexive integration of thought, desire, and action’ (p. 266). As discussed earlier, this research attempts to achieve this within a post-positivist framework.

Hall (2011) notes that ‘English language classrooms are complicated places’ (p. 8). This relates to the physical location, pedagogic function and social nature as well as the expectations of agencies, government and families. This was reflected in my experience of engaging with ESL teachers and institutions, where it was difficult to communicate with busy teachers who were often unable to return calls or emails. The quality of the facilities varied considerably with some providing very poor learning environments through lack of equipment, ventilation and space.

There are also many different ways of teaching English (Hall, 2011). It can focus on grammar and sentence construction or on ‘English in use’, where ‘language forms and skills are taught in their context of real life purposes for communication (Moore, et al., 2008). Hall describes this approach as ‘communication language teaching’ (CLT), a method which developed in the mid 70s to teach people how to use language effectively when communicating as opposed to achieving linguistic competence through understanding the structure and norms of language (Hall, 2011). This approach is reflected in What’s the law? (Victoria Legal Aid, 2011b) which focuses on what is said and the implications of this, rather than how it is said. This locates What’s the law? (2011b) as an ESL tool that adopts a CLT approach.

What this literature points to is significant variability in the conditions in which CLT, and ESL education, is delivered. In relation to this research project, these variables impact on how participants received the education, and on the responses participants provided in the interview setting. The inability of this research project to accommodate this variability reflects the tensions identified by Pennycook (1997). While Pennycook is talking about tension in the delivery of ESL content, it applies also to the research in the tensions between the specificity of student learning and the desire to aggregate results.

Most references to ESL education in adult education journals focus on the barriers experienced by CALD communities accessing adult and ESL education (Riggs, et al., 2012; Townsend, 2008). Other key ESL journals canvass approaches to teaching
including assessment and curriculum. There is very little research about the delivery of CLE in the ESL or adult education setting. There is a report on the potential fit of CLE in the adult learning environment and others have talked about the need for CLE in ESL settings. These are discussed in the following two sections of this chapter.

**Adult education - Community legal education**

The Public Legal Education Network (2009) has argued that community legal education ‘may, over time, have many theoretical partners’. Without excluding any they suggest that currently ‘socio-legal studies and education are the most likely source of fruitful collaboration’ (p. 25).

The intersection between formal and non-formal education and CLE is of interest in the Justice Sector (Cohl & Thomson, 2008; Gannaway & Casey, 2009; Mathews, Rimmington, & Vazquez, 2013). This is, in part, linked to increasing attention being paid to the role of ‘trusted intermediaries’, such as community workers and teachers, who are seen as critical in facilitating good legal outcomes for more vulnerable members of the community (Gannaway & Casey, 2009; Mathews, et al., 2013; Parle, 2009).

Research undertaken by CLEO Ontario, involving 214 workers, identified that one of the best ways to deliver CLE was via workers who had good relationships with clients and access to quality legal information (Mathews, et al., 2013). In this scenario workers were able to use this information to educate and refer clients into the legal system. This is an example of non-formal adult education, where a person sees ‘a need for some sort of systematic instruction, but in a one-off or sporadic way’ (Foley, 2004, p. 4).

In 2009 the Public Legal Education Network in the UK commissioned the National Institute of Adult Continuing Education to undertake research to ‘signpost the ways in which Public Legal Education can develop in the adult learning world.’ (Gannaway & Casey, 2009, p. 1). The network was specifically interested in the links between PLE and existing adult education around financial capability and looking at how PLE could link better with different types of adult learning.

What they found, albeit through a sample of ten, was that PLE was already being incorporated in more formal adult learning settings and had been for some time. They identified that PLE was occurring in ESL settings where ‘considerable success’
occurred when legal educators produced content that could be taught by ESL instructors (p. 4). This approach appealed to learners who sought to improve their literacy and numeracy and ‘were attracted to the idea of studying this through the medium of an everyday life skill’ (p. 4). The educators were drawn to the legal content based on recognition of their learners needs and the potential of ‘impact for good on people’s lives’ and the role of PLE in encouraging active citizenship (p. 1).

While Gannaway and Casey (2009) do not claim to provide rigorous evidence, their report does back up some of the theory around the value of, for example the ‘English in use’ method of ESL education discussed earlier. The report also notes the value of PLE being delivered via specific courses of education:

for the people who will most benefit from PLE (poor and excluded people) the information giving side of education is useless without a strong development of skills, competencies, confidence and awareness, which is usually driven through the provision of courses (p. 11).

What’s the law? is purpose built for the AMEP curriculum and its ‘English in use’ approach appeals to other ESL settings too (Victoria Legal Aid, 2011b). Fraser (2011) has written about how well placed settlement agencies and AMEP providers are ‘to deliver legal and financial education to a large number of people in a systematic way’ (p. 8). While this research project does not explore the model of delivery, it does look at impact of legal education delivered in this setting. The results could be considered as further evidence of the role intermediaries can play in the delivery of CLE. It is also positive to note that the application of What’s the law? (2011b) dovetails with current thinking about the optimal ways to deliver legal education.

Relying on trusted intermediaries to deliver CLE could be seen as cost shifting, reducing the impost on legal aid budgets by mobilising others to deliver CLE. However, services contracted to deliver the AMEP are required to provide legal information to new arrivals (Fraser, 2011). While they are well placed to do this, they ‘are not trained providers of legal services and therefore not best suited to create this information’ (p. 8).

The creation, delivery and evaluation of What’s the law? represents a partnership between different arms of government including justice and immigration (Victoria
Legal Aid, 2011b). It meets the needs of each agency and, in doing so, both targets the delivery of CLE and maximises access to legal information. In this way the AMEP and other ESL teachers are ‘essential partners in an integrated system’ (Cohl & Thomson, 2008, p. 55), one that works across government, mobilising adult educators to deliver CLE for an audience that are vulnerable to legal problems.

**Community Legal Education**

As discussed in Chapter One, CLE has a long tradition in Australia and is well supported by agencies that provide this and other legal services; community legal centres and legal aid commissions. CLE is delivered differently in the UK and Canada where Community Legal Education Ontario (CLEO) and Law for Life solely deliver CLE and support its development (www.cleo.on.ca/en; www.lawforlife.org.uk). These organisations provide legal information to the public, build the capacity of CLE practitioners to undertake CLE work, share information and undertake research to support the field. They produce and house much of the recent justice sector literature about CLE, via a wide range of referenced reports and research, some published and others not, available through their websites. This work canvasses the different ways of delivering CLE, the legal needs of different audiences, ways of educating on specific legal issues, and how to evaluate this work. These agencies identify the need for more evidence-based work around the impact of CLE (Collard, Deeming, Wintersteiger, Jones, & Seargeant, 2011; Department of Justice Canada, 2013; Community Legal Educaition Ontario, Public Legal Education and Support Task Force, 2007; Public Legal Education Network, 2009).

The absence of similar organisations in Australia may well be the reason for the lack of Australian research and evaluation of CLE. One exception, albeit with a broader focus, is the Law and Justice Foundation of NSW, a statutory authority that provides similar services to the UK and Canadian CLE agencies (www.lawfoundation.net.au/). The foundation produces a wide range of research and report-based work to support the delivery of legal services. While most of their work focuses on NSW, the Legal Australia-Wide Survey (LAW Survey) provided:
the first comprehensive quantitative assessment across Australia of an extensive range of legal needs on a representative sample of the population (Coumarellos, et al., 2012, p. xiii).

Like other legal needs research (Balmer, et al., 2010; Buck, et al., 2007, 2008) the LAW Survey identifies the ‘potential value of more targeted legal information and education strategies’ (Coumarellos, et al., 2012, p. 213). As argued in Chapter One, there are similar calls made in government and community reports.

In Victoria in the late 1970s through to the early 1990s there were frequent journal articles about CLE. However, these focused on defining and defending the practice of CLE, in the face of funding cuts and to help the wider profession understand the place of CLE (Churchman, 1987; Cullen, 1987; Inglis, 1989; Keon-Cohen, 1978; Nicholl, 1987; Panagiotidis, Moorst, & Bruce, December 1992; Phillips, 1991). This emphasis continued into the late 1990s and early 2000s, albeit with less frequency (Biondo, 1998, 2002).

More recent Australian literature focuses on legal need (Coumarellos, et al., 2012; Coumarellos, Wei, & Zhou, 2006), on the need to measure the effectiveness of legal services, including CLE (Curran, 2013; Digiusto, 2012; Dimopolous, 2010; Wilczynski, Karras & Forell, 2014), on further instructional work about how to undertake CLE (Federation of Community Legal Centres Victoria, 2010) and on examples of CLE activities and their evaluation (Ferrari & Costi, 2011, 2012; Ferrari & Fraser, 2013; Fraser, 2009, 2011; Mandelbaum, 2010).

In general locating peer-reviewed, published literature about CLE is difficult. This was confirmed by a systematic study undertaken by the Law and Justice Foundation of NSW (Wilczynski, Karras & Forell, 2014).

There is little literature to date about CLE in adult education journals, as discussed previously. Legal journals, on the other hand, tend to focus on legislation, case law and legal policy. Some legal journals, however, have canvassed CLE issues, for example Eagly (1998) published an article that demonstrated the potential of CLE via a case study. Mandelbaum’s work also provided a case study of effective CLE in New Jersey (Mandelbaum, 2010). More recently Denvir, Balmer and Pleasence (2013) published work about the measurement of legal knowledge, which is relevant to this research project and discussed later in this chapter.
Some legal journals have produced editions dedicated to CLE, for example a 1987 edition of the Legal Services Bulletin (the precursor to the *Alternative Law Journal*), a 2002 edition of the *Bulletin of Good Practice in Popular Education* and a 2013 edition of the *Solicitors Journal* (UK) (Centre for Popular Education, 2002; *Solicitors Journal*, 2013). These are rich, though infrequent, sources of information.

The absence of studies and discussion of CLE in peer-reviewed journals, relating to education and law, is not so much about the fit of the content for the journal, but the limited availability of relevant content. Noone (2006) identified an absence of a culture of sharing research or evaluative work. While Noone is referring mostly to legal needs research, which has since been addressed, in part, via work done by the *Law and Justice Foundation of NSW* (2012), she argues that this is a broader issue in the justice sector. This is supported by the Public Legal Education and Support Task Force in 2007, and again in 2009, which identifies difficulties in attracting funds to research and evaluation activities as well as a lack of awareness of existing CLE work (2006).

While CLE research and evaluation may exist and not be shared, it could also be that its absence is linked to practical difficulties in measurement (Collard, Deeming, Wintersteiger, Jones, & Seargeant, 2011; Digiusto, 2012; Public Legal Education and Support Task Force, 2007; Public Legal Education Network, 2009; Wilczynski, Karras & Forell, 2014). As argued in Chapter One, CLE is about effecting change, for example in attitude, behaviour and confidence, all of which are ‘famously difficult to assess and perhaps even more difficult to attribute to a specific project or programme’ (Public Legal Education Network, 2009, p. 4). Denvir et al. (2013) argue that ‘measuring public knowledge of rights or for that matter the benefits that flow from increased knowledge is no easy feat’ (p. 140).

Another explanation for the absence of literature about CLE and its impact is that it is a relatively new discipline and it struggles in the face of significant demand for direct legal services. It can be perceived as ‘not a good use of lawyers time’ (Eagly, 1998). More recently it has been described as ‘the Cinderella of legal services’ (Passmore, 2013, p. 20). Passmore (2013) argues that ‘even where there are statutory duties in relation to PLE, it has remained a minority interest’ (p. 20).
This is surprising given the emphasis in the literature and reports about the need for more legal education based on its potential to prevent or deescalate legal problems. It does however reflect the competing demands for the provision of legal aid services.

CLE may have conflicted status in the legal sphere, where its potential is recognised but where it occupies a relatively small part of public legal services, which manage competing demands, and the often complex legal issues of disadvantaged clients. In this context, evidence of impact is particularly beneficial to the practice of CLE and to legal aid clients.

CLE exists in other disciplines too, such as secondary education and international aid, where it has been subject to more research (Goodwin & Maru, 2014). The American Bar Association published a bulletin in the early 1990s demonstrating that in the 1970s and 1980s ‘law related education’ (LRE) was established as an ‘important influence in the social studies curriculum’ (Naylor, 1991, p. 1). Naylor (1991) notes that, despite this, information about LRE is ‘remarkably absent from the professional literature’ (p. 1). Naylor (1991) makes a case for increasing impact-based research and cites a number of examples that were underway at the time. These have a wide-variety of subjects including teachers’ conceptions of justice and the impact of mediation techniques in resolving student disputes.

While the context and purpose of this type of CLE is different to that outlined in this research project, the content and methodology of some of these studies is relevant.

More recently Namati (2014), an international organisation funded by aid agencies, published a report that maps evidence of legal empowerment projects (Goodwin & Maru, 2014). The report analyses 199 studies, identifying six broad areas for review, including legal empowerment strategies, impacts, the legal issues addressed, the institutions engaged in the process, the political regimes in which these programs take place and the scale of the CLE interventions. The data collection methods used in the studies that were reviewed were very broad including randomised control trials, surveys, interviews and case studies.

Of particular relevance to this study is impact, which Goodwin and Maru (2014) break down into categories, with ‘legal knowledge’ and ‘agency’, being the top two outcomes of the CLE interventions that they reviewed. The authors note that
the most frequent approach to CLE was building ‘legal literacy’, which appeared in 113 of the 199 interventions and was associated with ‘positive impacts in willingness to act’ (p. 21).

Changes in knowledge may be a foundation for other impacts over time, including willingness to take action and pursuit of other remedies or entitlements (p. 31).

While the actions of participants are beyond the scope of this research, the survey includes action-based questions and some responses to open-ended questions indicate the future intentions of participants. These are discussed in Chapter Four. Further research that focuses on actions following CLE interventions would be valuable to the justice sector.

Importantly the authors of the report also argue that:

The breadth and richness of this body of work suggest we should revisit previous perceptions that there is little evidence on what legal empowerment can achieve (Goodwin & Maru, 2014, p. 15).

While this may be true, attempts to locate some of the work canvassed in this study proved difficult. Time permitting, further searching would be warranted.

Wilczynski, Karras and Forell (2014) undertook a systematic review to locate studies that evaluated the outcomes of CLE. They looked for ‘published and unpublished studies reported in English between 2000 and 2012’ (p. 4). Of an initial 160 studies, only two met their inclusion criteria. This work confirmed that while evidence may exist, it is limited and it is not in Australia. Goodwin and Maru’s work (2014) suggests that other impact evaluation may exist outside the justice sector.

What is clear is the fragmented and siloed nature of research about CLE. CLE lacks a number of supports that would provide cohesion and connection. This includes a clear academic ‘home’ and institutional support, such as exists in the northern hemisphere. When this study was first presented at a student conference, an academic in the School of Education suggested it ‘was not education’ and would sit better in the social sciences. While this was only one view, in general these factors should encourage CLE practitioners to draw on resources produced by Law
for Life and CLEO and build relationships with these agencies to enrich the practice of CLE in Australia.

As discussed in this chapter, the majority of literature around CLE focuses on definition, defence and description of CLE practice. Broader research and discourse from the justice sector often references the need for CLE and makes recommendations on where to focus effort. What is missing from this mix is Australian research that measures the impact of CLE efforts. The research examples provided by the systematic review (Wilczynski et al., 2014) and the research from the aid and secondary education sectors could provide useful methodology to support this work. Closer investigation of this work is outside the scope of this literature review. This is discussed further in Chapter three.

The need for CLE, the limited amount of published research about it and challenges in measuring impact, sets the scene well for the contribution made by this project. In this context it is worth looking at other research projects that have focused on measuring legal knowledge.

**Measuring legal knowledge**

This research project aims to answer the question of whether CLE works by measuring a change in participants’ attitudes or position following a learning experience. Research that attempts to measure legal knowledge and attitudes is therefore highly relevant to this project.

Over the last 12 years there has been a growing body of work about measuring legal knowledge and community awareness of legal issues (Atkinson, et al., 2006; Australian Securities & Investments Commission, 2002; Balmer, et al., 2010; Buck, et al., 2008; Collard, et al., 2011; Denvir, et al., 2013; Meager, Tyers, Perryman, Rick, & Willison, 2002; Parle, 2009). This work often links lack of legal knowledge to an inability to then take action to address or prevent legal problems from arising (Balmer, et al., 2010; Parle, 2009; Pleasence, et al., 2013).

CLE is routinely seen as the means to address ‘knowledge deficits’ and, by implication, encourage action. While Goodwin and Maru (2014) argue that 68% of the 199 legal empowerment studies showed a positive effect on agency, these studies are not referenced making it difficult to assess the methods used to measure agency (p. 29). These results are, however, encouraging and a close examination of each of these studies is warranted.
Other recent work from the UK justice sector focuses on measuring public knowledge of legal rights in relation to an individual’s capacity to ‘self-help’ when faced with a civil justice problem (Denvir, et al., 2013). This capacity is expressed in terms of ‘legal capability’. Denvir et al. acknowledge that defining capability ‘remains an issue of some debate’. However, ‘one factor generally considered relevant is the extent to which individuals know their legal rights’ (p. 140).

Knowing whether people understand their rights is a key issue facing the justice sector in the UK, based on reduced funding for legal assistance services and an expectation that self-help and self-representation will ‘become a key route of resolving civil justice problems’ (Denvir, et al., 2013, p. 139). Denvir et al. (2013) asserts that this far-reaching policy decision ‘anticipates a level of existing competence from the population’ (p. 140). CLE is seen as a way to increase legal competence and address ‘knowledge deficits’ but to do this ‘requires an understanding of the existing level of knowledge amongst the general population’ (p. 140).

While this research project does not measure the level of general community knowledge about buying a car, borrowing money or seeking legal help, it does gather baseline data from a self-selected group and attempts to determine whether there has been a change in participants’ attitudes by measuring the difference between their responses before and after a learning experience (see Chapter Three for detailed discussion of methodology).

This research project differs from studies that measure legal knowledge in that its focus is on measuring change. It concentrates on what participants think and what they did, or would do, in certain situations and then assesses whether the participant changes their position after a learning experience. The recent systematic review (Wilczynski et al., 2014) is also interested in determining change related to CLE. They found two studies that demonstrated participants changed their behaviours, in the short to medium term, as a result of a CLE intervention.

Denvir et al. (2013) are also interested in changes, but to rights-based knowledge over time without attempting to influence that knowledge via CLE. The researchers analysed two ‘waves’ of data from the English and Welsh Civil and Social justice panel survey (Balmer, 2012). This survey has been run since 2001
and refined over the years. Denvir et al.’s. (2013) work focuses on comparing results from the 2010 survey where data was collected via face-to-face survey of 3806 participants with data from a follow up survey in 2011.

As part of this, participants who identified as having a civil or social justice problem were asked to what extent they understood their legal position. Those who answered in the positive were asked to describe that position. Those who answered in the negative were asked about the extent to which they now understood their legal position, to determine if a change had occurred. The same questions were asked in a follow up survey in 2011. Thirty-nine per cent (147) of participants claimed to have gained knowledge, 36% claimed the same level of knowledge and 25% claimed they had lost knowledge. What is not known is how participants gained knowledge or why they lost it. In general, the majority of people who reported a lack of knowledge at the outset of their problem (61%) did not go on to acquire knowledge.

Denvir et al. (2013) cautions against relying on self-assessment as a means to measure legal knowledge. They found that ‘asking individuals whether they knew their rights yields a greater number of individuals saying yes than those capable of articulating these rights’ (p. 156).

They also caution against relying on ‘tests of knowledge’, as these ‘may just reflect the extent to which respondents guess correctly, rather than reflecting any real knowledge’ (p. 156). Denvir et al. (2013) identify a range of limits that are relevant to this research project, which also relies on self-assessment. The limitations are discussed in in detail in Chapter Three.

Denvir et al. (2013) also identifies benefits, associated with the use of open-ended questions. Benefits include:

• validating the fact-based or close-ended questions
• providing ‘insight into knowledge not acquired by other formats’ (p. 155)
• the value in articulating one’s rights given the general expectation in the UK that the public will self-help and self-represent when they experience civil and social justice issues.
In this research project nine of the 22 questions were open-ended. For reasons of scope, only one is included in the data analysis process (see explanation in Chapter Three). Further analysis of the open-ended responses may, or may not act to validate responses provided to the close-ended questions.

Ultimately Denvir at al. (2013) found that, as with self-assessed, fact-based, and hypothetical questions, an open-ended question is not, in itself, capable of providing conclusive insight into public knowledge of rights. These approaches may work better in combination and applied in a pre/post research design. This may assist in addressing, to some degree, the question of how the knowledge was acquired.

The next chapter describes how this research project is designed to generate impact-based evidence about a CLE intervention that will contribute to the justice sector as well as the fields of adult education and ESL instruction.
Chapter 3 Methodology, research design and implementation

Introduction

This chapter introduces the research design, the methodology and data collection methods chosen to support this design. I outline the pragmatic reasons for this approach and the theoretical perspectives that underpin these choices. I explore further the differences between evaluation and research as they apply and combine in this project.

This chapter details the research procedures including a lengthy, reflexive process to develop an effective survey instrument that enabled respectful engagement with the participants.

The survey questions are summarised and discussed to illustrate how information about participants’ attitudes were sought. The process to set up the research and recruit participants is explained, as is the approach to recording, scoring and then analysing the data.

This chapter pays specific attention to the strengths and weaknesses in the research design and data collection methods by discussing similar research work, some of which directly influenced this project. The case for adopting mixed methods and the need for applying statistical analyses is argued. The limitations of this approach are fully explored.

Ethical issues encountered in the design and implementation of the project, and their influence on data collection, are discussed in detail.

Epistemology and paradigm

‘Does Community Legal Education work?’

This research question could be answered in many different ways. There is no right way or perfect answer. The methodological choices were made on a pragmatic basis, that is arising out of ‘actions, situations and consequences rather than antecedent conditions’ (Creswell, 2009, p.10).

The limited amount of data and research in the justice sector about the impact of community legal education, discussed in Chapters One and two, was the pragmatic context for this research. This, combined with an emphasis on
qualitative, internal and report-based work, discussed in ‘Evaluation and research’ below, encouraged the quantitative approach taken in this project.

Underpinning this is the epistemological belief that change can be objectively measured – an essentially post-positivist position (Creswell, 2009). However, as discussed in Chapter two, this position is not taken uncritically.

While this research design adopts conventional criteria for measuring social phenomena, such as validity and reliability it takes a fallibilistic approach to knowledge (Crook & Garratt, 2005). That is the ‘Philosophical principle that human beings could be wrong about their beliefs’ (Fallibilism, 2013, para 1). Crook and Garratt (2005) argue that the most useful research often succeeds by creating ‘perturbations of an existing activity system’, that is that the mathematical methods employed provide an approximate solution to a problem that can not be solved exactly (p. 210).

It is impossible to know fully to what extent the learning experience influenced the attitudes of the students, and this is discussed further in ‘Limitations to methodology’ below. This research design and its results are ‘points on a trajectory of enquiry’, intended to make a contribution to a small and largely unrecognised component in the field of education (Crook & Garratt, 2005, p. 210).

This research design also has a reflexive component, generated through the qualitative as well as the quantitative results. The outcomes will inform the educational program the research is based on and will ‘become a resource in our further engagements within the community of concern’ (Crook & Garratt, 2005, p. 210). These features are not hallmarks of typical post-positivist research design, but point to a reappropriation that has been linked to other educational research (Crook & Garratt, 2005).

**Evaluation and research**

The epistemology underpinning this research project is linked to the object of the study, an education tool that is designed to make a difference in the lives of English language students. The project aims to evaluate the effectiveness of the education kit *What’s the law?*, for students in the Adult Migrant English Program (AMEP) (Victoria Legal Aid, 2011b). This type of enquiry takes the research into the realms of evaluation.
When one examines and judges accomplishments and effectiveness, one is engaged in evaluation. When this examination of effectiveness is conducted systematically and empirically through careful data collection and thoughtful analysis, one is engaged in evaluation research (Patton, 2002, p. 10).

This research project is evaluative because it focuses on evaluating the impact of an education program. Patton (2002) argues that evaluation becomes research, based on how the task is approached and the quality of the outcome.

However, this definition of evaluative research could incorporate standard evaluation practices too. The distinction between evaluation and evaluative research lies in the purpose of the work, the intended audience for the work, how it is written up and used and the process and structures that support the data collection, such as ethics approvals, and reporting (Patton 2002).

Evaluation is undertaken by organisations to assess, adapt and/or report on activities. It is generally action-based, used to develop and improve programs. It is usually written up informally, as a report that may not be referenced or employ recognised research methods, such as a literature review and statistical analysis (Public Legal Education Network, 2009). Evaluation reports generally do not reflect the conventions seen or expected in research reports. These evaluations are often for internal use and not intended for an academic audience.

Qualitative methods are often used in both evaluation and evaluative research, however the purpose of research, in its purest sense is to ‘contribute to knowledge for the sake of knowledge’ (Patton, 2002, p. 10). Action is not the primary purpose of research. Evaluative research bridges this gap by combining the rigour of research to examine a program designed to cause action.

This is important here because most of the impact-based enquiry in the field of Community Legal Education (CLE) has been evaluative. This research project signals a departure from that model by adopting a post-positivist, mixed methods approach that has a reflexive component. It is however grounded in the evaluation of an educative tool. This means that while the research project generates knowledge, it does not do so just for the sake of it. The knowledge it generates will improve the tool and may lead to other types of CLE tools and research.
Research design

Mixed methods
This research project used mixed methods, a combination of qualitative and quantitative methodologies which were applied in the research design, data collection and data analysis (Creswell, 2009). Mixed methods were chosen to collect different types of data to assist in answering the research question. They were also chosen because of the needs of participants, which are discussed later.

A survey was developed and applied in an interview setting. Interviews are recognised as data collection methods in qualitative research and surveys are recognised as data collection methods in quantitative research (Creswell, 2009). The survey included open-ended questions, generally associated with qualitative research, and closed-ended questions, generally associated with quantitative research. The data analysis is primarily quantitative but a qualitative analysis was applied to one of the open-ended questions.

Patton makes a compelling case to ensure that ‘numbers can be understood as representing meaningful changes in the lives of real people’ (Patton, 2002, p. 152). The reality that ‘numbers are subject to selection and distortion’ is a sound case for considering mixed methods in any study (Patton, 2002, p. 152). Rowntree (2000) argues that observations or recorded values are ‘really just approximations to some true values’. However, ‘if we’ve counted carefully and enjoyed good cooperation from our questionnaire respondents, our data should contain minimal error’ (p. 36). Mixed methods were applied in this study to collect a broader range of data, enable a more flexible and supportive approach with participants and as a means to reduce error.

The quantitative aspects of the research design and data analysis enabled measurement of change, addressing the first sub-question:

Is there a measurable difference between students’ understandings of the legal issues associated with buying a car, borrowing money and seeking help, before and after they participate in a class on this topic?

This approach was pragmatic, as discussed earlier. However, using close-ended questions alone would have been ineffective, given that the participants had
English as a second language. Also the participants would have found a survey, in itself, difficult to understand and complete.

These issues were encountered in a recent CLE evaluation undertaken with a similar audience which used paper-based questionnaires discussed further below (Mackie, 2013). Mackie found that it was difficult for some participants to complete the survey, particularly those ‘with poor literacy or English language skills’. They speculated that this might be ‘less about English language skill and more to do with being unfamiliar with this type of questionnaire’ (p. 23). These challenges were addressed, in part, through group discussion that meant ‘responses to some questions may perhaps reflect the group response, rather than individual views’ (p. 24). Mackie (2013) reflects that this may have skewed results, as there was some unexpected data.

While interviews take more time, they provide an opportunity to engage the participants and assess their language skills, build rapport and provide support to complete the survey. Working patiently and intensively with one participant at a time may increase the likelihood of a ‘true’ response and reduce the likelihood of skewed results.

The inclusion of open-ended questions, which largely mirrored the close-ended questions (discussed later), also enabled the interviewer to informally validate the responses to the close-ended questions. Again this approach was important given the English language skills of the participants. The inclusion of open-ended questions contributed to the intended reflexivity of this research project, generating data that will be drawn on in different ways and over time, allowing a deeper understanding of impact. For these reasons, a mixed method research methodology was appropriate, enabling a response to the research question and to providing more support for the participants.

This research design borrows from the post-positivist approach but adapts it by including qualitative features, not usually associated with this paradigm. Mixed methods have been identified as a ‘dominant feature’ in the reappropriation of post-positivist approaches in educational research projects (Crook & Garratt, 2005, p. 209).
Quantitative methods

Quantitative methods were used in both research design and data analysis as a means to measure change.

The research design can be described as a single-group, pre/post design. This design included a baseline assessment and a follow up assessment. It involved one group of participants whose responses were recorded before the learning experience, and then again following the learning experience, enabling changes in the participants’ responses to be measured over time (Digiusto, 2012). In the justice sector in the UK this design has been acknowledged as ‘especially useful for exploring and mapping changes’ (Collard, et al., 2011, p. 15).

A pre/post design was applied in Mackie’s impact evaluation commissioned by Law for Life (Mackie, 2013). The Legal capability for everyday life evaluation generated data about how CLE can increase participants’ legal capability (Mackie, 2013). The project was undertaken in partnership with three community agencies that assist clients with disabilities and clients from culturally and linguistically diverse backgrounds (CALD). Law for Life worked with these agencies to design and deliver a CLE course for groups of 10 to 15 people over six two-hour sessions. Thirty-seven self-administered surveys were completed before and after the learning experience. A control group was also used but only six completed pre and post surveys were received (Mackie, 2013).

This work and the Save our streets program, discussed below, are significant as they are the only two pre/post studies of CLE activities from the justice sector that could be located as part of this research project. These studies differ in their methodology and data analysis and it is useful to briefly consider these differences.

It should be noted that these studies were generated in 1998 and 2013 respectively and outside the time frame applied in the recent systematic review produced by the Law and Justice Foundation of NSW (Wilczynski et al., 2014). Likewise the systematic review was published in early 2015, which placed it outside the timeframe of this research project. The two studies included in the systematic review (Ellis & Anderson, 2003; Fackrell, Hawkins & Kay, 2011) were considered and included in this research project where relevant but broader consideration of the 160 studies was not possible. It is possibly that there were
pre/post studies identified by Wilczynski et al., 2014 that were not identified as part of the literature review for this study and close examination of the appendices to the review is warranted for any future pre/post research design undertaken in relation to CLE.

One of the challenges in generating data about impact is knowing to what degree the results could be broadly applicable to the population and how statistically significant any change in score is (Digiusto, 2012; Milat, Carroll and Taylor, 2005; Public Legal Education and Support Task Force, 2007; Public Legal Education Network, 2009; Wilczynski, Karras & Forell, 2014). In the Legal capability for everyday life evaluation, where descriptive data was presented, the authors did not test the statistical significance of the change score. Statistical significance testing allows us to determine the probability of a mean change score occurring by chance, assuming a program has no effect. If this probability is very small, typically less than a 5% significance level, the change is considered statistically significant. In other words, the statistical test can provide statistical evidence of a program’s effectiveness, assuming sound methodology is used to collect the data.

Mackie’s (2013) results show the maximum rating for each indicator, which is then averaged. This is done for data from the pre and post interviews. Mackie then looked for a change in the average and presented this as a percentage change. The results showed for each indicator the degree to which participants’ responses changed and this is, of course, interesting. What the reader does not know is whether this difference was statistically significant. For example, what does it mean for an average rating to go from 3.6 to 4.0?

Another issue related to statistical significance testing is that it does not tell us about the magnitude or practical significance of a change (Kirk, 1996). Thompson (2002) advocates for the reporting of effect size estimates to overcome this limitation. Standardised effect sizes, such as Cohen’s d, express the magnitude of the change, which can be used to judge the practical significance of a program and compare the performance of a program to other studies. While the percentage change reported by Mackie (2013) is an attempt to standardise the effect, it focuses solely on the average change and does not address the variability in change between participants.
Mackie (2013) did use a control group to determine what change would exist without the education and to assess whether the change could be attributed to the education. However a very low response rate meant that comparison was not possible.

*Save our streets* was run by Street Law, an American non-profit organisation that creates classroom and community programs that teach people about law, democracy, and human rights (Caliber Associates, 1998). SOS was a 16-week program for young people ‘who have been taken into custody for gun possession, but have not yet been convicted of a violent offence’ (1998, p. 1). The program aimed to increase participants’ understanding of relevant laws, increase their capacity to resolve conflict non-violently, and develop more favourable attitudes towards law-abiding behaviour.

The *Save our streets* impact evaluation used a pre/post design to measure changes in knowledge as well as behaviours of participants. Data was collected via surveys, results were scored and analysed statistically, using cross-tabulations and *t*-tests. Street Law (1998) applied these techniques in order to ‘determine if the changes in participants’ scores were statistically significant’ (p. 9). The empirical, results-based focus of this evaluation appealed as a means to answer the research question, ‘Does CLE work?’

Caliber Associates (1998) use statistical tests and a control group to show that a significantly smaller proportion of graduates were re-arrested for delinquent offences and weapons-related charges than youth who never entered the program or attended fewer than three classes. Youth who attended three or more classes had re-arrest rates that were one-third (33.6%) lower than those youth who did not enter the program or had limited exposure. Most importantly, youth who attended at least three classes had re-arrest rates for weapons-related charges that were more than ninety percent (93.5%) lower than youth who failed to attend at least three classes (Caliber Associates, 1998).

Like Mackie (2013), Caliber Associates encountered some problems with confounding factors that impacted their results i.e., some participants increased their delinquent behaviours, reporting ‘never’ at the beginning of the program to ‘about once’ at the end of the program. They associate this with participants’ reluctance to self-report i.e., participants did not want to disclose negative
behaviour at the beginning of a 16-week program. However, they built relationships and trust over the course of the program and, at the end, felt more able to be honest (p. 16).

This example illustrates both the value and limitations of a purely quantitative approach. It allows the measurement of difference, but measurement is arbitrary and cannot explain why certain results were achieved. While this limitation is present in all quantitative research, it can be mitigated by the use of qualitative methods such as interviews. For example, if the Save our streets survey had been delivered orally, the interviewers may have been able to build trust and avoid confounding results.

Working in the health sector, Milat, Carroll & Taylor (2005) argue that in evaluating the impact of social marketing campaigns for CALD communities, pre/post designs which utilise control groups provide the clearest evidence of effectiveness. They acknowledge however that this design may not be feasible given the relatively smaller size of CALD communities and the difficulty in finding suitable control groups that match the demographic profile of research participants. There are also ethical issues to consider in using control groups in educational and other settings, for example the exclusion of control group members from potentially beneficial learning opportunities. In this case, Milat, Carroll and Taylor (2005) advocate for a pre/post design without a control group, which has been applied in this research project.

This research project was designed to measure whether participants’ understandings about consumer contracts and the process of buying a car changes after they participated in a What’s the law? session that focuses on buying a car (Victoria Legal Aid, 2011b). While this study does not specifically measure the impact of the learning experience on participants’ behaviour, some of the qualitative results indicate this possibility (see Chapter Four).

Data about behaviour was collected via quantitative and qualitative questions in the survey. Six close-ended questions related to the behaviour of participants, in terms of their willingness to seek help or determining what the participant would do when asked to sign papers or buy expensive items. These questions are indicated in ‘Survey structure and content’ below. For example, one question asks ‘If you were worried about bills would you talk to a community service?’ The data
analysis process looks at whether participants’ responses to this, and other behavioural questions, changed. The results were aggregated and represented as a change score. An item analysis was also undertaken to look at the change scores as they apply to specific questions, allowing a closer look where participants’ attitudes changed (see Chapter Four). All open-ended questions have the potential to provide evidence of behavioural change but only one question is included in the data analysis. As discussed, analysis of all open-ended questions was outside the scope of this project.

Seven of the close-ended questions relate to the participants’ attitudes and knowledge around buying cars and borrowing money. For example, one question asks ‘When you buy a car, how important is the warranty? Again, the data analysis process looks at whether participants’ responses to this, and other knowledge based questions, changed at a broad level via the change score and at an individual level via the item analysis.

**Qualitative methods**
As discussed, the use of qualitative data collection methods, such as the use of open-ended questions applied in a semi-structured interview, were appropriate for the audience.

The nine open-ended questions were initially included in the survey to collect data, and a method for scoring these responses was developed. This is discussed below in ‘Data analysis’. The process of interviewing showed that these questions effectively covered the same topics as the close-ended questions and acted as important ‘ice-breakers’ in the interview setting. These questions were critical in helping the interviewer assess the English language skills of the participant, focusing the participants’ attention on the topic, and building rapport and trust between the interviewer and participant. While the responses to the open-ended questions could provide useful additional or validating data, the quantity of data that was gathered was such that full analysis was impossible in this project. On this basis only one of the open-ended questions was included in the data analysis phase of the project.

**Limitations to methodology**
There are a number of practical and methodological limitations in this research.
There are limitations, relating to the relative size of the sample, in considering the results representative of the entire target population. However the initial positive results warrant further application of the survey, which would enable a larger sample.

While the survey content was extensively tested, the survey metrics were not. This means the survey has not been validated with the same population which would give a better indication of what the change scores represents – that is, to what degree a score of 13, the highest score possible, would prepare someone to manage the legal issues associated with buying a car? Or how a score of 13 differs from a score of 10.

While the data analysis looks at the statistical significance of the scores, it does so in a vacuum. This means that we do not know what the numbers represent metrically but also in a real-life situation, in relation to behaviour, where participants were actually buying a car and subject to the emotion and pressure that may accompany such a decision.

The study had a limited follow-up period and did not assess the long-term stability of the change or what would happen in a real-life situation. While results show that controlling for the time delay of up to eight weeks follow-up did not change the conclusion of the statistical tests, the research methodology does not allow for the impact of longer periods time, for example, how would participants’ scores change six months after they had the learning experience?

These limitations could be addressed by applying the same survey again and comparing results between data sets as well as undertaking follow up research that looked at if and how participants had applied the learning. This would assist in addressing the challenge offered by Patton (2002) to better understand numbers as ‘representing meaningful changes in the lives of real people’ (p. 152).

It is also assumed that the changes detected are linked to the learning experience, but life experience or any independent reading and discussion that the participant did outside the class may have also influenced them. Further exploration of these influences would be useful. The use of a control group would address these potentially confounding effects. It would also enable a determination of whether there would have been a change if no education had been given. A control group
was outside the scope of this project but should be considered in future similar work.

The question of why participants’ understandings may have changed is addressed, indirectly, in the analysis of one open-ended question about why participants liked the learning experience. Many participants indicated that the experience had made a difference to their perceptions about buying a car (see Chapter Four for detailed discussion of qualitative results). Other insights would be gained through analysis of the remaining open-ended questions.

Epistemological challenges in measuring knowledge were discussed earlier in this chapter. Denvir et al. (2013) also outline methodological limitations in measuring knowledge. These researchers identify two main approaches to measuring knowledge of legal rights; self-reporting and fact-based questions ‘with or without a contextual hypothetical scenario’ (p. 141). Participants in this research project were asked to say what they would do and what they thought about a range of legal issues associated with buying a car and getting legal help. In this way, they are being asked to self-report. They were not, however, asked fact-based questions to test their knowledge. If participants had not bought a car or borrowed money they were asked to imagine they had, so that they could put themselves in this situation and tell us what they would do. This scenario was not detailed for the participant and was not designed to test knowledge. So while this study effectively involved self-reporting and hypothetical scenarios it did so for different reasons and applied these methods in different ways. Importantly this study did not ask participants to self-assess and report on their levels of legal knowledge. Despite this, the limitations of self-reporting and fact-based questions remain relevant to this project.

Denvir et al. (2013) identified challenges in self-reporting as the:

- potential for long reference periods in surveys to impact on memory recall (Deming, 1950, Bradburn et al., 1987 as cited in Denvir et al., 2013, p. 141)
- possibility that participants involved in face-to-face surveys may answer in certain ways and for different reasons, such as to please or to pick the right answer (Groves et al., 2009; Calahan, 1968 as cited in Denvir et al., 2013, p. 141)
• possibility that knowledge gained after the event may lead participants to incorporate post-event information in their memory of the experience. (Groves et al., 2009 in Denvir et al., 2013, p. 141).

The first limitation does not apply, in part, as the survey did not rely on recall and there was an active disassociation between the interview and the learning experience (except at the very end of the second interview when participants were asked directly about their memory of the learning experience and its value to them). Participants were asked about their thoughts and beliefs in relation to buying a car, not about the learning experience itself. The impact of long reference periods is however relevant. A statistical test, the repeated measures analysis of variance (ANOVA), was applied and found that time delay between the learning experience and the second interview did not significantly impact the change score of participants.

In relation to this research project Denvir et al.’s (2013) second point is relevant and was indeed present, though explicable, in both the Save our streets and Law for Life evaluation (Caliber Associates, 1998; Mackie, 2013). Linked to this limitation is the potential for respondents to overestimate their knowledge, for example, by claiming to know their rights when in fact they may not. Denvir et al., (2013) identify other work that indicates people ‘answer more confidently when given fixed-choice questions’ (Schuman & Presser, 1982; Schwarz & Hippler, 1991, as cited in Denvir et al., 2013, p. 141).

The pre/post methodology in this study mitigates risks of ‘educated guesses’ and ‘wild guesses’, (Nadeau & Niemi, 1995 as cited in Denvir et al., 2013, p. 141) or the likelihood that participants will ‘construct attitudes’ when asked a question (Tourangeau & Rasinski, 1988 as cited in Denvir et al., 2013, p. 142). While participants in this research project may have done all of these things, doing so in similar ways in both interviews would be evident in the results, which would show no change or evidence of random change, consistent with an ineffective program.

It is possible that participants made educated guesses or constructed attitudes that were more favourable in the second interview than those provided in the first interview. This would indeed skew results. This possibility has not been factored into this research design and is a limiting factor.
In this research project the possibility that participants would answer questions in certain ways, or overestimate their knowledge, was identified when the survey instrument was tested. Steps were taken to mitigate this through the introduction of broader ordinal scales and actively encouraging participants to consider responses that reflected their position or likely behaviour as opposed to selecting an answer they perceived as correct. This issue was raised with the interviewers too. While this is not ‘foolproof’ both the Save our streets (Caliber Associates, 1998) and Law for Life (Mackie, 2013) evaluations used self-administered surveys, whereas in this research project the survey was delivered orally in an interview setting. As discussed, this personal mode of delivery allowed interviewers to develop rapport with participants who were encouraged to respond openly. Interviewers were prompted in the survey to remind participants that they were not being tested. These factors may have made a difference, but this is hard to assess.

The third limitation identified by Denvir et al. (2013) relates to incorporating knowledge gained after the event into participants’ memories of the experience. This limitation is also relevant. It was mitigated, to some degree, by allowing a relatively short time between the learning experience and the second interview. The majority of participants were interviewed within three weeks of the learning experience. The average time between the learning experience and the second interview was 4.25 weeks. Regardless, any knowledge gained in the period between the learning experience and the second interview remains an unknown influence on participants’ responses and is a limitation in the research design. A control group would assist in addressing this limitation by identifying ‘natural’ changes in attitude and isolating the effect of the intervention.

Denvir et al. (2013) note that this final challenge also has implications in ‘any attempt to link the presence of knowledge with the problem-resolution strategies that individuals may adopt’ (p. 141). While this research project did not investigate a link between participants’ knowledge and their actions in a ‘real-life’ situation, it suggests this may be possible when participants show a positive change score in relation to action based questions and in responses to the open-ended question about the value of the learning experience. Regardless, the research cannot indicate a link between results and behaviour with certainty. A
longitudinal component to similar research would assist in addressing this limitation (see Chapter Five for further discussion).

Denvir et al. (2013) also note that Pleasence and Balmer (2012) and Meager et al. (2002) use hypothetical scenarios to validate self-reported knowledge by asking questions to determine whether participants can identify laws breached in hypothetical scenarios. Meager et al.’s (2002) results support the argument that people are likely to overestimate their legal knowledge level, as two thirds of participants claimed to be well informed but their substantive legal knowledge varied.

While this research project does not use hypothetical scenarios in this way, it is useful to consider a focus on knowledge of statute to validate responses. This approach is likely to favour educated participants and would not have worked for the participants in this research project, who would be unlikely to know about the legislation that underpins the common legal events canvassed in the learning experience. Also, as noted in Chapter One, What’s the law? aims to help participants avoid legal problems (Victoria Legal Aid, 2011b). The learning experience does not aim to increase knowledge of legislation.

Denvir et al. (2013) argues that regardless of this ‘responses to hypothetical questions may, like self-reporting, provide only a rough measure of knowledge’ (p. 142). While I agree, I would argue that the pre/post model applied in this research project, with the collection of data occurring in an interview setting by well-prepared and skilled interviewers, may result in a stronger measure of ‘knowledge’. This is firstly because the participant is supported to contribute data. Secondly, the research is based on differences between responses, following targeted education, rather than on self-reported knowledge of rights, evidenced via knowledge of statute. This means that responses that are the same or different, in a less favourable way, will be evident in the results, ruling out many of the limitations identified by Denvir et al. (2013). As discussed, responses that differ, but in a favourable way, could be present, skewing the results in a way that could not be detected.
Research procedures

Participants
After ethics approval was obtained in late 2011, discussed below in ‘Ethics’, permission to recruit and interview ESL students was sought from the Director of the Adult Migrant English Program (AMEP) in the former Department of Immigration and Citizenship (DIAC). The DIAC were pro-active in establishing the credibility of this research project and were keen to protect students’ class time and personal information.

Once the department provided approval, in July 2012, the interviewers approached their local AMEP and TAFE sites to establish contacts, gauge interest and identify a teacher and class to work with.

Most interviewers worked with one or two classes and started by visiting the class to introduce themselves, explain the research and invite students’ participation. This was important given students’ limited English skills, many were young and some had uncertain visa status. It was important to introduce the interviewer and research slowly to ensure comprehension and remove any sense of obligation.

During the first class visit the teacher introduced the interviewer who then explained what legal aid was and why they were there. Words like ‘research’ and ‘consent’ were written on the board and explained. Interviewers explained the research and why students were being invited to participate. No incentives were offered but interviewers outlined the benefits of being involved, including the opportunity to practice English skills and having their ideas and experiences valued.

Teachers identified potential benefits such as:

- the value to participants in seeing how a research process works, making this a possibility in students’ educational pathways
- the potential to increase, through reinforcement, education around consumer contracts.

Interviewers carefully explained to students what would happen if they agreed to participate, stressing it was not compulsory or linked to students’ study. In some
cases the class teacher would play an active role, by noticing if students needed more information or reinforcing key ideas.

At the end of this short presentation questions were taken and a one-page information sheet was handed out (see Appendix A). Students were given time to think about their involvement and talk to their teacher or to contact the interviewer if they wanted to discuss it further.

In the following days the teacher collected the names of students who wanted to participate and set up a time with the interviewer to hold the first interview.

In some cases the teacher would schedule the interview day, decide on a date to run the class and show the DVD and then schedule a day for the second interview. In other cases this was negotiated at each stage, depending on other activities in the class and the workload of the teacher.

Data collection
Data was collected via a survey that was delivered orally. The survey was web based, built in Survey Monkey (see Appendix B and C). The benefit of this approach is that it automatically captured the data and reduced double handling which would have increased the margin for error, an issue encountered by Mackie’s (2013) evaluation which used hard-copy surveys that in some cases were difficult to collate.

Before interviews started, the survey was tested and refined over an 18-month period. The survey design changed significantly during this time to ensure the development of a useful, meaningful and appropriate data collection tool. This is discussed further in ‘Developing the survey instrument’ below.

Responses were recorded in the Survey Monkey template, via desktop computer or iPad, by the interviewer. In some cases the participants chose to select and enter their responses, but always with the interviewer present. This flexible approach to collecting data suited the differing English skills of the participants. For example, some students found it easier to read text on the iPad, rather than being asked a question. Some students preferred to enter their own responses to the close-ended questions, often after reading the options out aloud. This interactive process increased interviewers’ confidence that students were engaging with the process and understood the questions.
Developing the survey instrument

Two surveys were developed, a pre and a post survey. These surveys were tested and changed over 18 months and the final version (see Appendix B and C) was adopted in August 2012. This lengthy process was essential to ensure useful data was collected, reflecting and respecting participants’ thoughts and their time.

The initial survey instrument was drafted in late 2011, after ethics approval was provided by RMIT. Two volunteers from the target population were interviewed in December 2011 at the Footscray Community Legal Centre (FCL) using a hard-copy survey and a series of open-ended questions. This process did not yield enough data as the volunteers were inclined to provide yes/no responses, or not respond.

The survey was redrafted and restructured to include a combination of closed and open-ended questions. In June 2012 the research project was introduced to students in the AMEP program at NMIT. Five students agreed to participate. Again the survey was delivered orally, with responses noted on a hard-copy form. The intention was to formally start data collection, however it became evident that there were still problems with the survey design.

Issues arose in this setting with students wanting to provide the ‘correct’ response. The limitations of binary, close-ended questions were encountered again. These questions were too arbitrary to generate a ‘true’ response. For example, one question was ‘would you believe what a salesperson said?’ A student that answered ‘yes’ might still have some reservations about the veracity of the sales pitch, but the question did not allow for this. The survey did not provide sufficient options to allow the participant a more nuanced position.

Given the propensity for students to try and select the ‘correct’ answer, results from the binary close-ended questions would have made it difficult to detect a change in attitude after the learning experience. It was clear after these interviews that the questions needed to include a range of possible positions, reflecting the degree to which students agreed or disagreed with the statements or felt a certain way. As a result, ordinal scales similar to those used in parts of the Save our streets evaluation, were introduced to the close-ended questions (Caliber Associates, 1998).

In undertaking the testing process some participants appeared reserved. Some participants offered little information, particularly if they had not had the
experience of buying a car. These issues were present, to varying degrees, throughout the data collection process, however testing enabled the questions to be reviewed and adapted in order to mitigate these problems. This involved drafting notes to support interviewers to engage with teachers and students. It also involved modifying the survey by adding introductory text to explain and reassure the participant.

The data collection process changed too so that the survey was in Survey Monkey, as opposed to hard copy. This allowed the interviewer to complete the data entry at the time of the interview. It also allowed the participant to easily see and read the survey content if they wanted to.

The final survey was developed in the second half of 2012. This survey was reviewed by interstate interviewers, tested with volunteers from the target audience and via role-play with one interviewer taking on the role of a participant and the other taking on the role of interviewer. Five of the seven interviewers involved in the research provided written feedback about the survey and a phone link up was held to discuss the survey, which was finalised in August 2012.

**Survey structure and content**
The survey is structured around three key areas; buying a car, borrowing money and seeking help (see surveys in appendix B and C). In the pre-survey there are 15 close-ended questions and seven open-ended questions. Of the 15 close-ended questions, 13 were included in the data analysis and scoring, see ‘Data analysis’ below.

In the post-survey there were 17 close-ended questions and nine open-ended questions. The same 13 close-ended questions were included in the data analysis and scoring. The excluded close-ended questions were not relevant because they were asked to trigger a split in the survey flow or they were only asked once, so did not generate comparative data.

The first set of open-ended questions focus on buying a car but also introduce the idea of borrowing money and getting help, concepts that were revisited in other parts of the survey. These first questions were predominantly and consciously open-ended to ease the participant into the interview process and allow the interview to gauge the participant’s comprehension and English language skills. These questions created space in which the participant could respond, rather than
providing a series of answers that the participant chose from. There were fewer questions asked in following sets of questions, which were close-ended.

The first set of questions was introduced and participants were encouraged to take their time and ask questions. Other questions were introduced, particularly if it might involve an unfamiliar concept, such as warranty. For example:

   Question 22. I am going to ask you about the warranty. Do you know what a warranty is? Note to interviewer: Listen to participant explain concept in their own words and add or clarify if need be.

Some questions included prompts, for example:

   Question 14. When you bought your car, what did you do first?
   Prompt: What steps did you take to buy the car? What did you do after that?

These introductions and prompts allowed time for the participant to consider the ideas and reflect.

Some of the close-ended questions included an agreement scale. In these cases the interviewer would say:

   I'd like to know if you agree or disagree with this statement (and it is ok to disagree).

This was to put the participant at ease and encourage a frank response.

At the end of the pre and post interviews, participants were asked if there was anything that they would like to ask the interviewer.

The way the questions are asked in the pre-survey changed depending on whether the participant had or had not had the experience of buying a car. For example, if the participant had not bought a car, the interviewer asks them to imagine buying a car in the future. Participants who had bought a car were asked directly about their experiences.

Likewise this approach was applied to questions about borrowing money to buy a car. Participants who had not borrowed money, were asked to imagine doing so. This approach resulted in a split in the survey flow. This split was not required in
the post-survey as all participants were asked to imagine that they were either buying a car or buying their next car.

The questions are the same in the post survey, however the tense changes between the surveys. Also the post survey includes three additional questions to gauge whether the participant saw the DVD about buying a car, whether they thought it was useful and, if so, how. It must be noted that participants were asked about seeing the DVD, on the assumption that they would remember this as opposed to a class about buying a car. This question was open-ended and the responses were included in the data analysis process. The responses to this question proved very helpful as in three cases it became apparent that these participants had missed the class, in which case their responses were excluded.

**Interviewing**

Interviewing started in September 2012 and was completed in June 2013. Data was collected in four states and territories and at five sites (see Table 2). Four sites were part of the Adult Migrant English Program and one site, in South Australia was a Language Literacy & Numeracy Program – at a TAFE in Adelaide.

A total of 67 participants completed the first interview and 50 completed both, with three participants being removed from the post survey results after it was discovered that they had not participated in the class about buying a car. The impact of this drop-off rate is considered further in the results section.

**Table 2: Number of participants who completed pre and post survey by state and territory**

<table>
<thead>
<tr>
<th>State</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern Territory</td>
<td>4</td>
</tr>
<tr>
<td>South Australia</td>
<td>21</td>
</tr>
<tr>
<td>Western Australia</td>
<td>5</td>
</tr>
<tr>
<td>Victoria</td>
<td>17</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>47</strong></td>
</tr>
</tbody>
</table>
Seven interviewers were involved, including the lead researcher. All interviewers were employees of legal aid commissions and had experience working with CALD communities. Some of the interviewers had previous experience in social research. Interviewers were recruited based on their interest in the research, their skill-set and ability to work with new arrivals with respect and sensitivity.

All interviewers were supported to participate in the research via regular phone and email briefings. Written materials were developed to assist interviewers approach AMEP and TAFE sites and for students. Interviewers were invited to reflect on the interviews and this feedback was useful to other interviewers and in writing up the outcomes.

The consent process and survey content structured the interviews. However, unlike most structured interviews these interviews were flexible (Denzin & Lincoln, 2005). Interviewers were encouraged to check on comprehension, clarify words, invite participants to read from the survey on the iPad or computer and enter their own responses to close-ended questions. The participant was encouraged to ask questions. In some cases, words or concepts were drawn as a picture. Time was taken to engage and connect with participants throughout the interviews, some of which ran for 45 minutes.

Informal debriefing with participants occurred after most interviews. This approach was appropriate for and respectful to the participants. It was also pragmatic. Without these considerations it would have been very difficult to collect data effectively. After the second interview the participants were given a $20 gift card as a token of appreciation.

The final sample size was 47. The sample was maximised within the timeframe of the study and limited by the time available to interviewers to engage with schools, teachers and students and then undertake the interviews.

Data analysis

Approach to quantitative data analysis
In September 2012 a scoring system was developed to assist in responding to the first sub-question in this research project:
1. Is there a measurable difference between students’ understandings of the legal issues associated with buying a car, borrowing money and seeking help before and after they participate in a class on this topic?

Note: consideration was also given to how participants’ location, age, gender, level of education and length of time in Australia impacted on their change scores.

To prepare the scoring system, outcome indicators were developed for each question. Indicators were based on responses expected from well-informed and assertive consumers. The indicators, and associated questions, were checked against the key messages in the DVD and activities to ensure they reflected the content that participants were exposed to in class.

In November 2012 data was prepared for analysis. This involved exporting data from Survey Monkey into Excel to create a master data set and applying a system to score the close-ended questions.

The data was prepared and sorted. This involved allocating participants a unique identifier and removing extraneous data and resolving inconsistencies in naming and date conventions. Each variable was given a unique heading.

This process confirmed that 67 pre interviews and 50 post interviews were completed. As discussed, three responses were removed from the data set as the participants identified that they had not viewed the DVD, meaning their post interviews would not have provided valid data.

Responses were scored using a dichotomous scale, where participants could receive a score of either one or zero, based on the indicators discussed earlier. One point was allocated to responses that indicated the behaviour or demonstrated knowledge of an informed and assertive consumer. This scoring method assumed equal weighting to each item.

Once the closed-ended questions had been scored the results were exported into SPSS for analysis. This is discussed further in Chapter Four.

**Approach to qualitative data analysis**

A thematic and frequency analysis of the qualitative data was undertaken to answer the second sub-question of this research project, that is:

2. Did students find the class about buying a car helpful and if so, how.
There were 44 responses to the question ‘how was (the learning experience) helpful?’ This question was asked only of participants who had indicated the experience was helpful. Participants provided diverse responses, commenting on the many different ways the learning experience had been helpful. One participant said:

It showed me about car sales people, and how they just want to sell their cars. It showed me that the interest it not always told to the customer. It showed me that if you don’t pay all the loan, they can take the car off you.

See Appendix D for a full list of participants’ responses.

There were many consistent themes in participants’ responses. These themes were given titles, or coded. The coding process was based on noticing, and looking for, patterns of meaning and issues of potential interest in the data (Braun & Clarke, 2006).

Kvale and Brinkman (2009) divide interview analysis techniques into three types; analysis that focus on meaning, analysis that focus on language, and general analysis (p. 197). Thematic analysis falls within the analysis of meaning, which can be useful for small segments of text or interaction (p. 201). The comments provided by participants ranged between 12 and 70 words.

Coding can be ‘concept driven or data driven’ (Kvale & Brinkman, 2009, p. 202). Concept driven codes are ‘developed in advance by the researcher’ (p. 202). The codes in this research were data driven, as a means to prioritise the views of the participants. Checking was undertaken to ensure that only the codes that were consistently seen by all checkers were identified in the results. An intraclass correlation coefficient (ICC) was calculated to measure the degree of agreement between reviewers on the frequency of each of the 13 codes appearing in the text. This is discussed in Chapter Five.

Data driven coding implies that the researcher started off without codes in mind and developed them by reading the comments of participants (Kvale & Brinkman, p. 202). While concept driven themes around attitudinal change and participants’ willingness to take action were a curiosity for the researcher, they were not part of the qualitative data analysis.

Kvale and Brinkman (2009) argue that:
the interview is an intersubjective enterprise of two persons talking about common themes of interest. The interviewers’ questions, active listening and following up answers co-determines the course of the conversation. The interviewees’ statements are not collected - they are co-authored by the interviewer (p. 192).

While it is clear this is not a simple process of presenting participants’ ‘facts’, there are risks in ‘co-authoring’ participants’ comments, then interpreting the comments to create codes. In being so involved in each of these steps, I am in a sense reifying content, shaping it and turning it into something concrete. While coding has been useful in legitimating qualitative data analysis by ‘presenting legitimate strategies in the form of a codified research process’, like any method, it has its limitations’ (Kvale & Brinkman, 2009, p. 202).

Indeed, one of the ‘hermeneutical canons of interpretation’ is that text is not presuppositionless (Kvale & Brinkman, 2009, p. 210). The interpreter cannot be outside ‘the tradition of understanding’ that they live in (p. 211). ‘The interpreter of a text may, however, attempt to make presuppositions explicit, and may attempt to become conscious of how certain formulations of a question to a text already determine which forms of answers are possible’ (p. 211).

Common objections to interview analysis is that different people find different meaning in the same interview and this means that the interview is not a scientific method (Kvale & Brinkman, 2009, p. 211). This objection is based on the 'demand for objectivity’, in the sense that the statements made by participants can have one correct and objective meaning, and the task of analysis is to find the one and only true meaning (p. 211).

To mitigate the risk that the codes and meanings derived from participants’ comments simply reflect my own needs for supportive data, two other people repeated the data analysis component. Sharing the task of analysing the qualitative data is not so much about finding the ‘truth’ but limiting the degree to which I see and find meanings that suit my research needs.

**Ethical issues**

‘Because the objects of inquiry in interviewing are human beings, researchers must take extreme care to avoid any harm to them’ (Fontana & Frey, 2000,
The risks of doing harm are arguably heightened when undertaking research with refugees and migrants. Turner and Fozdar (2010) list a host of issues including power imbalance, cultural difference, consent, representation and trust.

While some of these issues are present in all interview settings, in the refugee context they are palpable. For example, during interviews for this project an interviewer had gone to a class to pick up two students for interviewing. On the way she encountered two students walking towards her and she assumed they were the participants. The students came into the interview room, engaged in conversation about the interview, signed consent forms and were interviewed. The interviewer noted one student appeared nervous and worked to reassure him. Soon after the interviewers she discovered that these students had been from a different class and were on their way to the cafeteria. They knew nothing about the research and had simply complied.

These interviews were not taken into consideration, the student’s teacher was approached and an apology was made to the students.

This example highlights the challenges in achieving informed consent, as these two students would have had no idea what they were agreeing to, yet they agreed to participate. All other participants had been involved in a class conversation about consent.

Ironically, the consent form was a real-life example of the legal issues highlighted in the learning experience about buying a car and signing contracts. Consent was also discussed in the interview setting before the interview started. Interviewers were asked to pay particular attention to conversations with participants about consent to ensure they understood the concept and content of the consent form. In some cases this involved reading key aspects of the form aloud, checking comprehension and explaining key concepts. Some interviews reported spending up to 20 minutes working through this form. Participants were asked to read the consent form and sign it if they were willing to participate.

The experience of interviewers in attempting to gain informed consent is mirrored in the literature. Turner and Fozdar (2010) argue that notions of consent go beyond form-filling, becoming ‘apparent through the processes, styles and outcomes of interaction in the research situation’ (Turner & Fozdar, 2010, p. 188).
Interviewers also emphasised the option for participants to withdraw at any point. One participant withdrew during testing, and another withdrew at first interview. It was reassuring to see that these participants felt able to take up this option.

Ethical issues were considered in a theoretical sense during the set-up phase of this research project and during research design. However, they were encountered during the survey design and testing stage, as discussed in ‘Research procedures’ above. Open discussion of these issues influenced the survey design and how interviewers interacted with participants. While this process took considerable time it strengthened the work.

After completing a checklist to assess the level of risk involved in this research project I submitted a ‘Negligible and Low Risk’ ethics application to RMIT University in May 2011. This application was amended in November, taking into account multiple interviewers working in different states and territories. Approval was granted in December 2011 (see Appendix E).
Chapter 4 Data analysis and results

Introduction

This chapter focuses on the data analysis and results of the research project. It details the questions that were asked of the data and then describes the data analysis process. This includes discussion of the statistical tests applied to the quantitative data as well as the coding process and frequency analysis applied in the thematic analysis of the qualitative data. In this chapter the data is presented, analysed and discussed.

Data analysis

As discussed in Chapter One, two sub-questions were developed to assist in responding to the research question ‘Does Community Legal Education work?’

1. Is there a measurable difference between students’ understandings of the legal issues associated with buying a car, borrowing money and seeking help, before and after they participate in a class on this topic?

2. Did students find the class about buying a car helpful and if so, how?

The data analysis process to respond to question one applied quantitative methods to determine if a change occurred. In this case, statistical tests were used. The data analysis process to respond to question two focuses on thematic and frequency analysis, as discussed in Chapter Three.

Questions asked of the data

A data analysis plan was developed in September 2013 to identify questions to ask of the data. This was reviewed and updated in September 2014.

While participants overall change score was of primary interest, individual questions were reviewed as part of an item analysis. The item analysis enabled changes to be detected in relation to individual questions, for example, the number of participants who did not know what interest was in pre stage and the degree to which this changes after the learning experience. Another example is participants’ positions on whether ‘car sellers always tell the truth’. These responses are presented as descriptive statistics and were not subject to the same
statistical tests as the whole data set. This means that while a change may be present, the significance of this change relative to the population is not known.

Questions were also asked of the whole data set to determine whether co-variants or other influences were present, such as the age of participants, the location of participants, their level of education, the number of years they had been in Australia and the time between participating in the learning experience and participating in the follow up interview.

**Statistical tests**

To undertake the data analysis of the responses to the close-ended questions, a series of statistical tests were conducted. A repeated measure ANOVA test was the primary statistical analysis for this thesis because it analyses a change in interview scores before and after the program. This test shows whether any mean change in the sample could be considered statistically significant. The repeated measures ANOVA also allows a mean change to be considered after controlling for the effect of other variables that may influence a change.

All statistical tests begin with the assumption that nothing has changed or nothing is different, that is the null hypothesis. A test for statistical significance is marked by a change or difference that is not consistent with this assumption, thus providing statistical evidence supporting a change.

Statistical significance is reached when a statistical test’s p-value falls below a significance level of 0.05. This indicates whether or not the change score happened by chance alone, assuming the null hypothesis is true. If a p-value is more than 0.05 the result is deemed not statistically significant. If a p-value falls below the level of significance, the results of a statistical test are said to be statistically significant.

It is important to note that statistical tests do not prove anything. They provide probabilistic evidence to supported research findings and must be interpreted carefully within the context of the research design and quality of data collection.
Qualitative analysis

The qualitative analysis focused on responding to the second sub-question of this research project,

2. Did students find the class about buying a car helpful and if so, how?

Qualitative analysis was applied to one question, asked at the end of the second interview. At this stage, participants were asked if they found the learning experience helpful. Forty-four participants answered ‘yes’. These participants were then asked how they found the learning experience helpful.

I undertook initial thematic analysis of the responses to determine codes. This involved the following steps:

1. Review - reading through the comments
2. Coding – making note of the key concepts expressed by participants and naming these
3. Frequency analysis – allocating comments to codes using the number 1. Note: A comment could be allocated to more than one code as participants often identify multiple reasons why the learning experience was helpful
4. Review - reflect on the codes to check if they are a reasonable representation of the ideas that participants have expressed
5. Checking - two ‘raters’ not previously involved in interviewing participants, were asked to repeat steps three and four as a means of checking the frequency analysis. These results are shown below.

Results

Descriptive statistics

A total of 47 students across the Northern Territory (NT), South Australia (SA), Victoria (VIC) and Western Australia (WA) completed the pre and post interviews.

The majority of students came from VIC (N = 17, 36.2%) and SA (N = 21, 44.7%). Only 4 (8.5%) and 5 (10.6%) came from NT and WA respectively. The possibility of a state effect is considered in later analysis, where SA (N = 21, 44.7%) was compared to all other states (N = 26, 55.3%).
Table 1 compares participant demographics between state categories. When compared to all other states, the SA group were more likely to have previously purchased a car in Australia (81% vs. 26.9%), have a higher average age (49.95, SD = 9.05, vs. 23.23, SD = 8.34) and number of years lived in Australia (4.95 vs. 2.31). The SA group also had a consistent follow-up time of 14 days, whereas all other states had a mean of 30 days (SD = 21).

Table 1. Descriptive characteristics of participants between state categories

<table>
<thead>
<tr>
<th>Characteristics</th>
<th>All other states</th>
<th>South Australia</th>
<th>Total</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Female</td>
<td>9</td>
<td>11</td>
<td>20</td>
<td>42.6</td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>17</td>
<td>10</td>
<td>27</td>
<td>57.4</td>
<td></td>
</tr>
<tr>
<td>&gt;1 yr</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>4.3</td>
<td></td>
</tr>
<tr>
<td>Highest level education</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1-2 yrs</td>
<td>9</td>
<td>8</td>
<td>17</td>
<td>36.2</td>
<td></td>
</tr>
<tr>
<td>2-3 yrs</td>
<td>11</td>
<td>11</td>
<td>22</td>
<td>46.8</td>
<td></td>
</tr>
<tr>
<td>3-4 yrs</td>
<td>4</td>
<td>2</td>
<td>6</td>
<td>12.8</td>
<td></td>
</tr>
<tr>
<td>Have you bought a car in Australia?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>7</td>
<td>17</td>
<td>24</td>
<td>51.1</td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>19</td>
<td>4</td>
<td>23</td>
<td>48.9</td>
<td></td>
</tr>
<tr>
<td>Age</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M</td>
<td>23.2</td>
<td>50</td>
<td>35.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SD</td>
<td>8.3</td>
<td>9.1</td>
<td>15.9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Years in Australia</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M</td>
<td>2.3</td>
<td>5</td>
<td>3.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SD</td>
<td>1.2</td>
<td>0.2</td>
<td>1.6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Follow-up time (days)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M</td>
<td>30</td>
<td>14</td>
<td>23</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SD</td>
<td>21</td>
<td>0</td>
<td>17</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note. N = Sample size, M = Mean, SD = Standard deviation.

The descriptive statistics for the pre and post interview scores by state category and gender are reported in Table 2. Descriptively, the results show an overall improvement from pre to post interview. This change is shown visually in Figure 1. Table 2. Figure 2 suggests that the trend towards higher post scores is consistent across the state categories.

Table 2. Descriptive statistics for pre and post interview scores by state category and gender

80
<table>
<thead>
<tr>
<th>State category</th>
<th>All other states</th>
<th></th>
<th>South Australia</th>
<th></th>
<th>Total</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$M$</td>
<td>$SD$</td>
<td>$N$</td>
<td>$M$</td>
<td>$SD$</td>
<td>$N$</td>
</tr>
<tr>
<td>Pre score</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Female</td>
<td>10.1</td>
<td>1.8</td>
<td>9</td>
<td>8.5</td>
<td>2.4</td>
<td>11</td>
</tr>
<tr>
<td>Male</td>
<td>9.2</td>
<td>1.6</td>
<td>17</td>
<td>10</td>
<td>1.5</td>
<td>10</td>
</tr>
<tr>
<td>Total</td>
<td>9.5</td>
<td>1.7</td>
<td>26</td>
<td>9.2</td>
<td>2.1</td>
<td>21</td>
</tr>
<tr>
<td>Post score</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Female</td>
<td>11.8</td>
<td>0.8</td>
<td>9</td>
<td>11</td>
<td>1.7</td>
<td>11</td>
</tr>
<tr>
<td>Male</td>
<td>11.9</td>
<td>1.0</td>
<td>17</td>
<td>11.9</td>
<td>0.7</td>
<td>10</td>
</tr>
<tr>
<td>Total</td>
<td>11.9</td>
<td>0.9</td>
<td>26</td>
<td>11.4</td>
<td>1.4</td>
<td>21</td>
</tr>
</tbody>
</table>

*Note. $M$ = Mean, $SD$ = Standard deviation, $N$ = Sample size.*
The boxplots show the quartiles of the distributions with the thick middle line being the median. Also displayed are participants’ individual scores, shown as jittered data points (+). Extreme scores, at either end of the scale, are shown as possible outliers (•). Also shown is the mean (▲). The mean pre score was 9.38 (SD = 1.89) and the mean post score was 11.68 (SD = 1.16). Overall, there is an improvement of 2.3 between the pre and post scores. These results are discussed further shortly.

A repeated measures analysis of variance (RM-ANOVA) was performed to test whether the mean change between pre and post interview scores was statistically significant. A statistically significant mean improvement from pre to post scores was found, F(1,46) = 70.54, p < .001. The Cohen’s effect size for the mean change, corrected for paired data, was estimated to be d = 1.21, 95% CI (0.83, 1.58). This can be considered a large effect based on empirical guidelines (Turner & Fozdar, 2010). A Cohen’s d of 1.21 indicates that the average post score improved by 1.21 standard deviations, or 2.3 points.

The next step was to test whether this effect was consistent after controlling for factors that could potentially impact the outcome of the learning experience.
Factors to be controlled in this analysis needed to be independent from each other or the model could be biased by issues related to multicollinearity. Multicollinearity can obscure the results of statistical tests by providing biased estimates of effect when highly related variables are added into the same statistical model. Table 1 demonstrated that the state category was highly associated with a participant’s pre-car ownership, age, years spent in Australia and follow-up time. Table 3 presents a matrix of the correlations, measured using Pearson’s r, between these factors.

Gender was independent from all the other factors as it shared no significant correlations. However, state category, years in Australia, follow-up time and previous car purchase were significantly related to each other.

This suggested substantial differences in the characteristics of participant cohorts from SA compared to all other states. Therefore, only state category and gender were selected to be included in the following mixed-model ANOVA.

Figure 2. Side-by-side boxplots showing the change in pre and post interview scores by state category

The boxplots show the quartiles of the distributions with the thick middle line being the median. Also displayed are the individual, jittered data points (+),
possible outliers (•) and the mean (▲). Both state categories demonstrate a trend towards improvement on post interview scores.

Table 3. Correlation matrix showing evidence of multicollinearity between factors considered for inclusion into a mixed-methods ANOVA

<table>
<thead>
<tr>
<th>Variables</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Age</td>
<td></td>
<td>-.843**</td>
<td>.723**</td>
<td>-.484**</td>
<td>-.680**</td>
<td>-.141</td>
</tr>
<tr>
<td>2. State category&lt;sup&gt;a&lt;/sup&gt;</td>
<td></td>
<td></td>
<td>-.831**</td>
<td>-.452**</td>
<td>-.537**</td>
<td>-.179</td>
</tr>
<tr>
<td>3. Years in Australia</td>
<td></td>
<td></td>
<td></td>
<td>-.353*</td>
<td>-.598**</td>
<td>-.196</td>
</tr>
<tr>
<td>4. Follow-up time (days)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>.418**</td>
<td>.278</td>
</tr>
<tr>
<td>5. Have you bought a car in Australia&lt;sup&gt;b&lt;/sup&gt;</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>.154</td>
</tr>
<tr>
<td>6. Gender</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note. *<sup>p</sup> < .05  **<sup>p</sup> < .01  <sup>a</sup> 0 = All other states, 1 = South Australia, 1 = Yes, 2 = No.  N = 47.

A final mixed-model ANOVA was performed to determine if the mean improvement identified in the RM-ANOVA interacted with state category and gender. The mixed-model ANOVA was used because the model required both repeated measures (pre and post scores) and between group (state and gender) effects to be considered.

Two non-significant Levene’s tests indicated the assumption of homogeneity of variance was upheld for both pre and post scores across state category and gender, F(3, 43) = 1.143, p = .343 and F(3, 43) = 2.304, p = 0.09, respectively. The mean improvement from pre to post scores remained statistically significant, F(1, 43) = 60.64, p < .001, after controlling for state category and gender. Cohen’s d based on the mixed-model’s estimated marginal means and corrected for paired data was d = 1.15, 95% CI (0.78, 1.52). This was still considered a large effect. The entire model’s main effects and interactions are reported in Table 4.
The Mixed Methods ANOVA also found a statistically significant state category by gender interaction (Table 4). This interaction is plotted in Figure 3. This interaction suggests that, based on the estimated marginal means of the average scores across pre and post-tests, males scored significantly higher, $M = 11$, 95% CI (10.23, 11.77) than females, $M = 9.73$, 95% CI (9.00, 11.15) in SA, whereas in all other states, males, $M = 10.56$, 95% CI (9.97, 11.15) and females, $M = 10.94$, 95% CI (10.14, 11.75) were not significantly different. This finding indicates a significantly lower level of baseline and follow-up knowledge for females in SA, however, the
non-significant Time by Gender by State Category interaction suggested SA females still had a significant knowledge gain.

**Figure 3.** A mean and error-bar (95% CI) plot showing the state category by gender interaction on average (combined pre/post) scores.

**Item analysis**
The item analysis enabled a view of participant responses to individual questions. It shows the degree to which participants changed their position on specific issues associated with buying a car. As discussed earlier, these results are presented as descriptive statistics and were not subject to the same statistical tests as the whole data set. This means that it is not possible to assess the significance of these individual changes relative to the population. The overall statistically significant change in total score was tested using RM-ANOVA and Mixed Methods ANOVA. The item analysis was an exploratory exercise to gain further insight into the areas of the program making the biggest difference to the statistically significant changes observed as well as possible areas in need of future improvement.

The following tables were selected based on the level of change. Responses to questions that show a strong level of change were included. Responses to
questions that did not show a strong level of change are included in the appendices.

The item analysis tables report the number and percentages of participants changing or keeping their responses the same across the pre and post interview. For example, Table 5 shows that 32 (68%) participants responded ‘yes’ to the question ‘Did you think about the other costs that go with buying a car?’ at both the pre and post, thus staying the same. A ‘yes’ response was indicative of an informed consumer. The study was interested mostly in participants changing from ‘no’ at pre interview to ‘yes’ at post interview. Table 5 shows that 11 (23%) participants made this improved change, which was indicative of an improved consumer attitude. The opposite can also happen. For example, 2 (4%) participants originally responded ‘yes’ they would consider other costs when purchasing a car but later changed their response to ‘no’.

The observed positive changes, within each table for each question, are shaded green. Negative changes are highlighted red. The large number of positive changes contributed to the statistically significant change observed in the total interview scores previously analysed.

Table 5. (Q.1) Did/Will you think about other costs that go with buying a/your next car?

<table>
<thead>
<tr>
<th></th>
<th>Post</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Pre</td>
<td>N</td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>32</td>
<td>2</td>
</tr>
<tr>
<td>%</td>
<td>68%</td>
<td>4%</td>
</tr>
<tr>
<td>No</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>%</td>
<td>23%</td>
<td>4%</td>
</tr>
</tbody>
</table>
Table 6, below, shows that 22 (48%) participants said at both pre and post interview that they would take their time and look at lots of cars before deciding which one they wanted. Eight (17%) of participants reported in the pre interview that they would only look at a few cars before purchasing and later changed their response to consider a lot of cars on the post interview.

Table 6. (Q.2) Which statement best describes what you will do when you buy a/your next car?

<table>
<thead>
<tr>
<th>Post</th>
<th>Pre</th>
<th>I took my time and looked at lots of cars before I decided which one I wanted</th>
<th>I looked at a few cars before I decided which one I wanted</th>
<th>I saw the right car and I bought it on the spot</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N</td>
<td>22</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>%</td>
<td>48%</td>
<td>2%</td>
<td>2%</td>
</tr>
<tr>
<td></td>
<td>N</td>
<td>8</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>%</td>
<td>17%</td>
<td>11%</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td>N</td>
<td>4</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>%</td>
<td>9%</td>
<td>4%</td>
<td>7%</td>
</tr>
</tbody>
</table>
Table 7 shows that there was a strong shift in the post interview with 12 (27%) participants changing their response to ‘the warranty was very important’.

**Table 7. (Q.3) When you buy a/your next car, how important will the warranty be to you?**

<table>
<thead>
<tr>
<th>Post</th>
<th>Pre</th>
<th>The warranty was not important</th>
<th>The warranty was a little bit important</th>
<th>The warranty was very important</th>
</tr>
</thead>
<tbody>
<tr>
<td>The warranty was not important</td>
<td>N</td>
<td>1</td>
<td>3</td>
<td>12</td>
</tr>
<tr>
<td>%</td>
<td></td>
<td>2%</td>
<td>7%</td>
<td>27%</td>
</tr>
<tr>
<td>The warranty was a little bit important</td>
<td>N</td>
<td>1</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>%</td>
<td></td>
<td>2%</td>
<td>9%</td>
<td>5%</td>
</tr>
<tr>
<td>The warranty was very important</td>
<td>N</td>
<td>2</td>
<td>2</td>
<td>17</td>
</tr>
<tr>
<td>%</td>
<td></td>
<td>5%</td>
<td>5%</td>
<td>39%</td>
</tr>
</tbody>
</table>
Table 8 shows that 4 (9%) participants agreed a little in both the pre and post interviews with the statement that ‘people who sell cars always tell the truth’. There was a strong shift in the post interview with 11 (24%) of participants changing their responses to ‘disagree a little’ or ‘disagree a lot’.

Table 8. (Q.5) People who sell cars always tell the truth.

<table>
<thead>
<tr>
<th></th>
<th>Pre</th>
<th>Post</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Agree a little</td>
<td>Agree a lot</td>
</tr>
<tr>
<td>Agree a little</td>
<td>N 4, %9</td>
<td>0, 0</td>
</tr>
<tr>
<td>Agree a lot</td>
<td>N 0, 0%</td>
<td>0, 0%</td>
</tr>
<tr>
<td>Disagree a little</td>
<td>N 2, 4%</td>
<td>0, 0%</td>
</tr>
<tr>
<td>Disagree a lot</td>
<td>N 1, 2%</td>
<td>0, 0%</td>
</tr>
</tbody>
</table>
Table 9 shows that 28 (60%) of participants knew what interest was in both the pre and post interviews. This increased by 15 (32%) in the post interview.

Table 9. (Q.8) Do you know what interest is?

<table>
<thead>
<tr>
<th></th>
<th>Pre</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>N</td>
<td>28</td>
<td>1</td>
</tr>
<tr>
<td>%</td>
<td></td>
<td>60%</td>
<td>2%</td>
</tr>
<tr>
<td>No</td>
<td>N</td>
<td>15</td>
<td>3</td>
</tr>
<tr>
<td>%</td>
<td></td>
<td>32%</td>
<td>6%</td>
</tr>
</tbody>
</table>
Table 11 shows that when participants were asked what they would do when given papers to sign, 11% (5) of participants changed their response from reading some of the papers to reading all the papers.

**Table 11.** (Q.12) Which answer best describes what you will do when you get papers to sign?

<table>
<thead>
<tr>
<th></th>
<th>Post</th>
<th>Pre</th>
<th>I did not read all the papers</th>
<th>I tried to read some of the papers</th>
<th>Read all the papers</th>
<th>Not applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>N</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>I did not read all the papers</td>
<td></td>
<td></td>
<td>N</td>
<td>0</td>
<td>2</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>%</td>
<td>0%</td>
<td>4%</td>
<td>11%</td>
</tr>
<tr>
<td>I tried to read some of the papers</td>
<td></td>
<td></td>
<td>N</td>
<td>0</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>%</td>
<td>0%</td>
<td>2%</td>
<td>51%</td>
</tr>
<tr>
<td>Read all the papers</td>
<td></td>
<td></td>
<td>N</td>
<td>2</td>
<td>1</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>%</td>
<td>4%</td>
<td>2%</td>
<td>51%</td>
</tr>
<tr>
<td>Not applicable</td>
<td></td>
<td></td>
<td>N</td>
<td>1</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>%</td>
<td>2%</td>
<td>0%</td>
<td>13%</td>
</tr>
</tbody>
</table>

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Table 12 shows that 27 (59%) of participants indicated in both the pre and post interview that when they buy things that cost a lot they like to find out everything that they can before making this decision. Eleven (24%) of participants changed their responses in the post interview to indicate that they would do the same.

**Table 12.** (Q.13) Which statement best describes you? When I buy things that cost a lot...

<table>
<thead>
<tr>
<th>Post</th>
<th>I like to find out everything I can</th>
<th>I just buy it if I need it</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I like to find out everything I can</td>
<td>N: 27, %: 59%</td>
<td>N: 1, %: 2%</td>
</tr>
<tr>
<td>I just buy it if I need it</td>
<td>N: 11, %: 24%</td>
<td>N: 7, %: 15%</td>
</tr>
</tbody>
</table>
Thematic analysis

Forty-four participants responded to the questions ‘Was the class helpful?’ and, if so, ‘How was it helpful?’ (see Appendix D for a full list of participants’ comments).

After participants’ responses were coded, a frequency analysis was undertaken to identify if some codes were stronger than others. Two ‘raters’ who did not participate in the interview process repeated the frequency analysis. The codes and frequency analysis are shown in Table 5 below.

Table 5. Coding and frequency analysis

<table>
<thead>
<tr>
<th>Code</th>
<th>Rater 1</th>
<th>Rater 2</th>
<th>Rater 3</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Read &amp; understand contract before signing contract</td>
<td>23</td>
<td>26</td>
<td>24</td>
</tr>
<tr>
<td>2</td>
<td>Borrowing money and interest</td>
<td>11</td>
<td>11</td>
<td>10</td>
</tr>
<tr>
<td>3</td>
<td>Beware salespeople</td>
<td>10</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>4</td>
<td>Maryam’s story was helpful</td>
<td>10</td>
<td>12</td>
<td>9</td>
</tr>
<tr>
<td>5</td>
<td>Can get help</td>
<td>9</td>
<td>8</td>
<td>9</td>
</tr>
<tr>
<td>6</td>
<td>Consequences</td>
<td>11</td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td>7</td>
<td>Take more care</td>
<td>5</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>8</td>
<td>Identifying specific issues to consider (warranty and cooling off period)</td>
<td>5</td>
<td>11</td>
<td>8</td>
</tr>
<tr>
<td>9</td>
<td>Get car checked</td>
<td>3</td>
<td>11</td>
<td>8</td>
</tr>
<tr>
<td>10</td>
<td>Know what I have to do now (research and shop around)</td>
<td>8</td>
<td>3</td>
<td>8</td>
</tr>
<tr>
<td>11</td>
<td>New ideas to think about</td>
<td>4</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>12</td>
<td>Hard to understand and participant still confused</td>
<td>1</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>13</td>
<td>Film was not aimed at me (young people)</td>
<td>1</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>
The first five codes had the most consistent frequency allocation i.e., the numbers are within a narrow range, which indicates that raters found almost the same number of comments relating to a code. Codes 6-13 had less consistent frequency allocation, for example one rater found three comments that related to a code and another rater found 11 comments that related to the same code. Codes 12 and 13 have consistent allocation but low frequency. This analysis focuses on codes 1-5, which have a consistent frequency allocation and a higher frequency.

An intraclass correlation coefficient (ICC) was calculated to measure the degree of agreement among the three raters on the frequency of the presence of each code appearing in the qualitative data. This measure provided a useful indication of inter-rater reliability. ICC can range from 0, no agreement, to 1 perfect agreement. The ICC was found to be .96 (95% CI, .89, .99). This was regarded as very high agreement among the three raters.

The most frequently mentioned code related to reading and understanding contracts before signing them. Participants then most frequently linked the helpfulness of the learning experience to knowing about borrowing money and interest, the need to be wary of salespeople, Maryam’s personal story and knowing they can get help when needed.

Some of the codes reflect the participants’ intentions to take action, such as ‘read & understand contract’, ‘shopping around’, ‘get car checked’ and ‘can get help’. These codes were indicated by comments such as:

Don't go alone buying a car, have someone who can help you.

Reminded me about how important it is to read carefully before I sign.

I learnt the tips on what questions I should ask.

We can get help from legal aid or other services when we have a problem.

I learnt more things to do when I buy my next car. It gave me an idea on what to think about.

Some codes reflect the acquisition of new ideas or knowledge such as gaining a sense of ‘consequences’, ‘learning from the story’, being ‘wary of sales people’
and knowing about ‘warranties and cooling off periods’. These codes were indicated by comments such as:

It showed me about car sales people, and how they just want to sell their cars. It showed me that the interest is not always told to the customer. It showed me that if you don't pay all the loan, they can take the car off you.

Helpful because it gave practical info...gave consequences...the woman lost her car. For some students it was a shock. New information. More cautious after seeing it.

Money I borrow is not always what I have to pay back.

I now know about warranties, cooling off period, the importance of reading contracts before signing them.

Discussion

These results show a measurable difference in participants’ understandings of the legal issues associated with buying a car. This is demonstrated by the statistically significant change in participants’ mean pre score from 9.38 to a mean post score of 11.68, with the highest possible score being 13. This shows an improvement of 2.3 between the pre and post scores. The effect size calculated in this research project indicates that this was a ‘strong effect’.

There is some suggestion of gender variation in the SA cohort, where the female participants had a lower than expected baseline knowledge. It is useful to note that the SA cohort were different from all other participants. This group were part of an ESL class, as opposed to the Adult Migrant English Program, which is designed for newer arrivals. This is confirmed by the demographic data that shows that the average age of SA participants was close to 50 compared to participants in all other states, who had an average age of 23. The SA participants had lived in Australia for approximately five years, whereas participants in all other states had lived in Australian on average for 2.31 years. The SA interviewers noted that many of the SA participants had retired after years of working and were taking time to improve their language skills. Most of the AMEP participants were starting out, wanting to find work or start studying. Unsurprisingly 81% of the SA group was
more likely to have purchased a car in Australia, whereas most of the AMEP participants aspired to car ownership with only 26.9% having taken this step.

It is interesting to note that despite the SA participants’ length of time living in Australia and their experience of car ownership, their baseline results were similar to those of newer arrivals and the trend towards higher post scores was consistent across the state categories. This suggests that for SA participants the experience of buying a car did not increase their knowledge about this process.

One consistent factor across all participants is limited English language skills. It may be possible that some participants had bought cars without really understanding some of the legal issues associated with this decision. For example, one of the SA participants, who had bought a car, asked in the interview whether the interviewer thought that cars sold on the side of the road were good quality. While this is impossible to answer, it is of concern that this participant thought that the interviewer may have been able to provide some form of assurance.

The decisions associated with buying a car are complex and they are compounded when there are communication and cultural differences between the seller and buyer (Cohl and Thomson, 2008).

In this context it is worth looking at where participants changed their positions on specific issues by looking at the results of the item analysis. For example, Question 5 asked participants about the degree to which they agreed or disagreed with the statement ‘Car sellers always tell the truth’. The study found 11 (24%) of participants who agreed with this statement in the pre-interview, disagreed with it in the post interview.

Question 13 asked participants ‘Which statement best describes you’.... ‘When I buy things that cost a lot I.... ‘like to find out everything I can’ or ‘I just buy it if I need it’. Eleven (24%) participants stated in the pre interview that they were inclined to just buy something if they needed it but then later changed their minds to liking to find out everything they could.

While these shifts were not statistically tested it is worth considering their potential impact in light of the legal problems that arise when people with limited financial resources buy expensive items impulsively and/or blindly trust people who sell cars, for example, on the side of the road. If almost a quarter of the
sample indicate they will take a more considered approach, then this is a good outcome.

The qualitative results provide a level of detail that helps explain the overall change score. They strengthen the results of the item analysis by showing not only which aspects of the learning experience were most helpful for participants but also how it may influence their actions. The qualitative results show that 44 of the 47 participants found the learning experience helpful and most comments related to the importance of reading and understanding contracts before signing them, issues associated with borrowing money and interest, the need to be wary of people who sell cars, the consequences of not taking care and that help is available. Participants also found the digital story (DVD) engaging.

The following participant’s comment reflects most of the key themes emerging in the qualitative analysis:

Like Maryam in the story, in the past I did the same things as her. I was not careful about letters I received. I now read things and solve the problem early by calling. Especially it applies to buying anything, not just a car. I wanted to buy a laptop on a plan but considered the high interest I would have to pay. I decided instead to save more money.

See Appendix D for a full list of participants’ responses.

In talking about the helpfulness of the learning experience the participants have relayed key messages in ‘Buying a car’ (Victoria Legal Aid, 2011b) and in many cases indicate intended actions in relation to these messages. These results, and some of the item analysis results, are useful when considering Fraser’s point that:

many legal problems could be prevented if new migrants were given information that could help them avoid legal problems, as well as recognise a legal problem and seek appropriate assistance in a timely manner (Fraser, 2011, p. 8).

While this research project did not test the application of participants’ knowledge or intentions, these results and comments are very encouraging and indicate that the CLE in question has worked for these participants.
These results add weight and rigour to previous evidence from Law for Life (2013) in which interesting descriptive data was presented but the authors did not test the statistical significance of the change score or look at the magnitude of the effect. This evaluation and its methodology are described in detail ‘Research design’ in Chapter Three.

Both the Law for Life and Save our streets evaluations used a self-administered survey to collect data from vulnerable participants (Caliber Associates, 1998; Mackie, 2013). As discussed, this posed some challenges in data collection and in the results, discussed in Chapter Three.

In conclusion, the results of the statistical tests demonstrate that the change in scores was statistically significant, meaning that the observed positive change was very unlikely to have occurred by chance, assuming the program was ineffective. However, what is not known is whether this change can be attributed directly to the program or other factors. To isolate the true effectiveness of the program, results would need to be compared to a control group.

The results from the qualitative analysis applied in this research project demonstrate the value in incorporating open-ended questions and also interviewing participants, who are then able to describe the impact and value of the learning experience through their words and also their interaction with the interviewer.

The qualitative results expand and support the quantitative results by helping explain the how participants’ attitudes have changed. The qualitative and quantitative results also work together. So, while the quantitative results show an overall improvement in participants’ attitudes to buying a car, the item analysis show where the specific improvements are. The results from the thematic and frequency analysis also do this, but use the participants’ words to do so. This brings the participants’ voices into the analysis and results, adding depth in a respectful and useful way.
Chapter 5 Conclusion

This research set out to determine whether CLE works by looking at education provided to English language students about consumer contracts. There are many ways to determine whether CLE works including anecdote, participant feedback, reflection, evaluation, reporting and research. All approaches are useful and indeed necessary as the practice and role of CLE develops. Research offers another mode of reflection and evaluation and is different to the methods usually employed to evaluate CLE.

I have argued that there is a need to generate more evidence about the impact of CLE, to demonstrate its potential, to respond to queries about its value, to meet the expectations of funders and to assist in shaping the delivery of legal services more broadly. Evidence, of any kind, helps community legal educators, agencies and funders know if programs are effective and if they make a difference for clients, many of whom are vulnerable to legal problems but ill equipped to navigate the legal system.

In an effort to ensure that the experiences and ‘voices’ of participants were central in this project, a mixed methods approach was taken. A survey was designed to collect both qualitative and quantitative data and this was applied in an interview setting that aimed to maximise participants’ comfort and comprehension. The questions that guided the research were:

1. Is there a measurable difference between students’ understandings of the legal issues associated with buying a car, borrowing money and seeking help, before and after they participate in a class on this topic?
2. Did students find the class about buying a car helpful and if so, how?

The results confirm that there was a measurable difference and that the students found the class helpful, in many different ways. In addition, the process of designing the research, and in particular the survey, has resulted in a useful and respectful data collection model. This outcome was unanticipated.

Does Community legal education (CLE) work?

The question of whether CLE works has been asked before and is still being asked (Eagly 1998; Collard, Deeming, Wintersteiger, Jones, & Seargeant, 2011; Diguisto, 2012; Fraser 2011; Wilczynski, Karras & Forell, 2014). Eagly (1998) argues that:
One’s response, of course, depends on how one defines “successful” legal practice and how one weighs the alternative outcomes afforded by a litigation-intensive strategy (p. 483).

Low cost and early intervention services, such as CLE, are attractive options when considering allocation of funds but only if these services can credibly demonstrate their fiscal and social value. Governments and justice sector agencies are increasingly interested in how to measure success and compare results across the diverse array of legal services provided to our communities. There is much guidance from research and reports that look at the communities’ level of legal knowledge or legal capability, at how to measure effectiveness of legal services and how best to deliver these services (Balmer, Buck, Patel, Denvir & Pleasence, 2010; Denvir, Balmer & Pleasence, 2013; Collard, Deeming, Wintersteiger, Jones, & Sargeant, 2011; Diguisto, 2012; Pleasence, Coumarelos, Forell, 2014; Wilczynski, Karras & Forell, 2014). There are fewer examples of research that demonstrates the effectiveness of legal services, particularly of CLE and particularly in Australia. The clearest evidence of the effectiveness of CLE was identified by the Law and Justice Foundation of NSWs’ systematic review, which found that some CLE works in the short to medium term (Wilczynski, Karras & Forell, 2014). However, the studies the review drew on were located in America. Likewise the Save our streets evaluation was undertaken in America (Caliber Associates, 1998).

Successful legal practice in the context of this study is based on identifying a change in participants’ attitudes about buying a car, borrowing money and getting legal help. The research provides evidence of this change. The application of statistical tests shows that this change is statistically significant. That is, it did not occur by chance alone. It also shows that the effect was strong. This is a positive outcome. These results, in combination with the qualitative results, support the provision of this type of CLE for this type of audience. It also suggests that similar community legal education activities are likely to bring about change. However, further research is warranted to strengthen these results and test these assumptions.

While statistical testing showed that the effect did not diminish over time, which suggests it may be sustained, we do not know what the change means for participants over time. This result could be strengthened through research that
involved follow up with participants.

The research attempts to link the attitudinal change to the learning experience by focusing the questions in the survey on the educative content in the ‘buying a car’ story in What’s the law? (Victoria Legal Aid, 2011b). This does not however prove a connection between the results and the learning experience or preclude the influence of other learning that may have occurred between the first and second interviews. The use of a control group would strengthen the association between the knowledge acquisition and the learning experience.

While this research project does not test participants’ application of new attitudes in a ‘real life’ setting, signs of changes in attitude are reflected in the aggregated change score. The potential for this change to translate into actions was indicated in some of the item analysis and qualitative results. While this is impossible to prove categorically, the reverse is perhaps more easily argued, for example, without a measurable change or comments that signify future intentions, there can be no action.

Credible research from the UK has linked lack of legal knowledge to lack of action and poor outcomes for people, particularly vulnerable groups (Balmer, et al., 2010; Pleasence, et al., 2013). If nothing is gained, then the status quo remains. If something is gained, then actions may follow. The challenge is then determining what actions followed. While this, as the literature suggests, is difficult it is by no means impossible. Changes in knowledge may be a basis for other effects over time, including a willingness to take action (Goodwin & Maru, 2014).

Eagly’s (1988) question about how one defines successful legal practice (translated in this content to the practice of community legal education) remains pertinent 26 years later and is increasingly relevant as governments expect more evidence to underpin decisions about how to spend decreasing revenue available to the legal assistance sector. This research project provides empirical data that contributes to the goal of defining success. It has also provided a clear indication of how the data could be strengthened, though the use of control groups and participant follow up.

Ultimately this research project cannot fully answer the question of whether CLE ‘works’ or not, it does, however, contribute to a body of knowledge about CLE and its measurement. The research does show that the CLE that is the focus of this
research project ‘worked’ by impacting positively on the attitudes of CALD participants. This is shown numerically, as per a change score, and orally, though participants comments.

An unexpected outcome of this research project was the development of a research model and data collection tool that worked particularly well in undertaking research with people who have English as a second language. The lengthy and careful process to consider how to gather data effectively and respectfully resulted in a survey tool that addressed a number of barriers in undertaking the research. This approach could be applied with other audiences. The survey could also be used again with CALD audiences. This is particularly warranted given the relatively small size of the current sample and the value in building a bigger sample to test some of the early findings.

This research has addressed calls for empirical evidence of the impact of CLE. It has also built the capacity of the CLE team at Victoria Legal Aid to increase the rigour of its evaluative work and to undertake and share research work. This means Australian practitioners of CLE are now in a stronger position to determine whether and how CLE ‘works’.

**Future considerations**

This research project has confirmed that building an evidence base for CLE is within the capacity of CLE practitioners and legal aid commissions. It has also confirmed the need for research and evaluation to better inform discussion about the place of early intervention services alongside other types of legal services and in collaboration with other agencies, such as the AMEP. There is scope for future collaborative research projects, reflecting the collaborative nature of CLE and the need to share expertise and resources in undertaking this type of work. Work is underway to plan research that builds on this study and attempts to address some of its limitations.

There is potential for CLE to better establish itself as a practice in Australia, one that is recognised academically and is better connected to the agencies in the UK and Canada that are dedicated to this type of work. The limited amount of research about CLE in the justice sector and in adult education creates an opportunity for new and further work. The systematic review produced by the Law and Justice Foundation of NSW (2014) and the meta-analysis compiled in the
international aid sector (Goodwin & Maru, 2014) warrant further investigation to identify good models for measuring the effectiveness of CLE.

This research project has facilitated connections with Law for Life in the UK and CLEO. Building on these relationships would be a positive step for the practice of CLE in Australia, as would the regular availability of statewide and national forums to encourage professional development and increase the profile of this component of our legal assistance sector. This would provide opportunities to share CLE evaluations and research, as well as build relationships and the capacity of CLE practitioners to undertake this kind of work.

There are many challenges and tensions for CLE practitioners and the agencies that support this work. There are also many opportunities. Evidence of effectiveness and impact will increase awareness of CLE, contributing to its development with the goal of better engaging and assisting vulnerable communities to avoid or manage and resolve their legal issues.
References


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57A91001F76F0
Appendices

Appendix A: Information sheet for students

Do you want to help with some research?

What is the research about?
This research is about what you do when you buy a car. It is ok if you have not bought a car. Your ideas about how to buy a car are all that I need.

What do I have to do?
You need to come to two interviews in May. At the interview I will ask you some questions. It would take about 30 minutes each time.

What do I do if I want to help out?
You need to sign a consent form. This means you agree that:

• you want to help with the research
• you will come to two interviews to talk about buying a car.

Think about if you want to help. Talk to your friends or teacher about it.

How will the information be used?
After talking to lots of students I will write a report. Your name will not be used in the report. I will send James some information about what we found out.

I will not share information about your age and background with anyone else.

What if I change my mind?
You can stop helping at any time. If you do this, I will not use the information you gave me in the report.

What are the good things about helping out?
The research will tell us if our education works. I will use this information to make our education better. By helping you will:

• get to practice speaking English.
• get to tell me what you know about buying a car
• will help other students like you.
Appendix B: Pre survey

**1. Interview details**

1. State or territory where interview is being held
   - [ ] NT
   - [ ] WA
   - [ ] SA
   - [ ] VIC

2. Enter date of interview
   
   Date: [ ] / [ ] / [ ]

3. Assign participant code (your initials, participant’s first name and their year of birth i.e., AH_Aden_1995). Make a note of the code so you can use it in the second interview.

   

**2. Demographic information**

First I will ask you some questions about yourself. Your name will not be included in any reports.

4. Participant’s first name

   

5. How old are you?

   

6. Participant’s gender is...
   - [ ] female
   - [ ] male

7. Country of origin

   

8. How many years have you been in Australia?
   - [ ] Less than one year
   - [ ] 1 - 2 years
   - [ ] 2 - 3 years
   - [ ] 3 - 4 years
   - [ ] Other (please specify)
<b>Pre survey</b>: participants' experiences and attitudes about

9. What is the highest level of education you completed before you came to Australia?
   - did not go to school
   - primary School
   - high school
   - university
   - post graduate
   - Other (please specify)

3. Car ownership

10. Have you bought a car in Australia?
    - yes
    - no

4. Your plans to buy a car

11. Do you plan to buy a car in the future?
    - yes
    - no

5. Car ownership details: for participants who have bought a car

12. Where did you buy your car from?
    - auction
    - private sale i.e., friend, family, online add
    - car sales yard
    - Other (please specify)
13. When did you buy the car?

- 2012
- 2011
- 2010
- 2009
- 2008
- Other (please specify)

6. Buying the car: for participants who have bought a car

Now I will ask you about when you bought your car.

You might not have thought about this before so please take time to think before you answer.

There are no right or wrong answers.

You need to understand what I am asking, so let me know if it does not make sense to you. If I am not sure what you are saying to me, I will check with you too.

14. When you bought your car, what did you do first?

Prompt: What steps did you take to buy the car? What did you do after that?
15. What did you do when you were asked to sign papers?

16. What do you think are the most important things to think about when buying a car?

17. When you bought the car, how did you decide how much you could spend?

18. Did you think about other costs that go with buying a car?
   - [ ] yes
   - [ ] no

7. Buying the car: continued

19. What other costs did you think about?

8. Buying the car: continued
20. If you needed help or advice about buying a car, where did you get it?

21. Which statement best describes what you did when you bought your car?
   - I took my time and looked at lots of cars before I decided which one I wanted
   - I looked at a few cars before I decided which one I wanted
   - I saw the right car and just bought it on the spot

22. Oral introduction: I am going to ask you about the warranty. Do you know what a warranty is?

Listen to participant explain concept in their own words and add or clarify if need be.

When you bought the car, how important to you was the warranty?
   - The warranty was not important
   - The warranty was a little bit important
   - The warranty was very important

23. Did you borrow money to buy the car?
   - Yes
   - No

9. For participants who have not bought a car

You told me before that you haven’t bought a car before, but that you’d like to.

To answer these questions, imagine that you are ready to buy a car.

You might not have thought about this before so please take time to think before you answer.

There are no right or wrong answers.

Let me know if you don’t understand my questions, so I can explain. If I am not sure what you are saying to me, I will check with you.
24. When you are ready to buy a car, what will you do first?

Prompt: What are the steps you would take to buy a car? What would you do after that?

25. What would you do if you were asked to sign papers?

26. What do you think are the most important things to think about when buying a car?

27. When you are ready to buy a car, how will you decide how much you can spend?
Pre survey: participants' experiences and attitudes about

28. Will you think about other costs that go with buying the car?
- yes
- no

29. What other costs will you think about?

11. Buying a car in the future: continued

30. If you needed help or advice about buying a car, where would you get it?

31. Which statement best describes what you will do when you buy a car?
- I will take my time and look at lots of cars before I decide which one I want
- I will look at a few cars before I decide which one I wanted
- If I see the right car I will buy it on the spot
**Pre survey:** participants' experiences and attitudes about

32. Oral introduction: I am going to ask you about the warranty. Do you know what a warranty is?

Listen to participant explain concept in their own words and add or clarify if need be.

When you buy a car, how important will the warranty be to you?

- [ ] the warranty will be very important
- [ ] the warranty will be a little bit important
- [ ] the warranty will not be important

33. When you buy a car, will you borrow money to buy it?

- [ ] yes
- [ ] no

### 12. Getting help when buying a car

34. I’d like to know if you agree or disagree with this statement (and it is ok to disagree).

If I bought a car, I would get advice from someone I trusted first

- [ ] agree a little
- [ ] agree a lot
- [ ] disagree a little
- [ ] disagree a lot

35. I’d like to know if you agree or disagree with this statement (and it is ok to disagree).

People who sell cars always tell the truth

- [ ] agree a little
- [ ] agree a lot
- [ ] disagree a little
- [ ] disagree a lot

36. If you were worried about your bills, would you talk to a community service?

Note: please adapt reference to 'community service' so that is meaningful in your context and use an example that the student recognises ie, in the NT John will say 'would you talk to a settlement service, like Anglicare?'

- [ ] maybe
- [ ] no
- [ ] yes
<b><u>Pre survey</u></b>: participants' experiences and attitudes about

37. If you were asked to sign papers to buy a car, but you didn't understand what the papers said, would you...

- feel like you had to sign them and just do it
- ask to take papers home to read
- get help to understand what the papers said

13. Borrowing money - for participants who borrowed money to buy their car

You told me before that you borrowed money to buy your car. I'd like to ask you about that.

38. Where did you borrow money from?

- borrowed money from the bank
- borrowed money from a friend or family member
- borrowed money from a car yard

Other (please specify): __________

39. Do you know what interest is?

Note: if participant says 'no', you do not need to explain what interest is. It is covered in the digital story.

- yes
- no

14.

40. I'd like to know if you agree or disagree with this statement. It is ok to disagree.

When I borrowed money, I thought about how much interest I had to pay

- agree a little
- agree a lot
- disagree a little
- disagree a lot

41. Do you agree or disagree with this statement? It is ok to disagree.

I thought about how long it would take me to pay the loan back

- agree a little
- agree a lot
- disagree a little
- disagree a lot

42. How would you finish this sentence? Not paying the loan back is....

- good
- OK
- bad
- very bad
<b><u>Pre survey</u></b>: participants' experiences and attitudes about

43. Which answer best describes what you did when you got papers to sign?

- I did not read the papers
- I tried to read some of the papers
- I read all the papers
- not applicable (for people who borrow from friends or family)

44. Which statement best describes you? When I buy things that cost a lot....

- I like to find out everything I can
- I just buy it if I need it

15. Borrowing money - in the future or imagining borrowing money

I know that you have not borrowed money to buy a car, but for these these questions I need you to imagine that you are. Is that OK?

45. Where would you borrow money from?

- borrow money from the bank
- borrow money from a friend or family member
- borrow money from a car yard

Other (please specify):

46. Do you know what interest is?

Note: if participant says 'no', you do not need to explain what interest is. It is covered in the digital story.

- yes
- no

16.

47. I'd like to know if you agree or disagree with this statement (and it is ok to disagree).

If I borrow money from a bank or a car yard, I will find out how much interest I have to pay.

- agree a little
- agree a lot
- disagree a little
- disagree a lot
**Pre survey:** participants' experiences and attitudes about

48. I’d like to know if you agree or disagree with this statement (and it is ok to disagree).

I will think about how long it will take me to pay the loan back

☐ agree a little  ☐ agree a lot  ☐ disagree a little  ☐ disagree a lot

49. How would you finish this sentence? Not paying the loan back is....

☐ good  ☐ ok  ☐ bad  ☐ very bad

50. Oral introduction: When you borrow money, you have to sign papers to say you agree to do certain things....like pay money for the car or to pay interest on a loan.

Which answer best describes what you will do when you get papers to sign?

Remember this is not a test. I just want you to think about what you would do in real life.

☐ I did not read the papers  ☐ I tried to read some of the papers  ☐ I read all the papers  ☐ not applicable (for people who borrow from friends or family)

51. Which statement best describes you? When I buy things that cost a lot....

☐ I like to find out everything I can  ☐ I just buy it if I need it

17. Does the participant want to say or ask anything?

This is to allow the participant some space to ask questions or share information they may have thought of during the interview but didn't get a chance to ask.

52. Is there anything you'd like to tell me or ask?

18. No plans to buy a car

Thanks for agreeing to help me but I don't need to ask you any more questions. I am just talking to people who will
<b><u>Pre survey</u></b>: participants' experiences and attitudes about buy a car in the future or who have already bought a car.

Thanks for your time today and for wanting to help.

19. Thanks

Thanks for your time today. It has been great to talk with you. You have helped me.

I will be back in ____ weeks to ask you some of these questions again, but not all of them. It won't take as long next time.

But I do need to meet with you again, otherwise I can't use the information you gave me today.

Your teacher will remind you when I am coming in again and it will be good to see you then.

Bye.
Appendix C: Post survey

<table>
<thead>
<tr>
<th>1. Interview details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. State or territory where interview is being held</td>
</tr>
<tr>
<td>□ NT</td>
</tr>
<tr>
<td>□ WA</td>
</tr>
<tr>
<td>□ SA</td>
</tr>
<tr>
<td>□ VIC</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>2. Enter date of interview</th>
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<tbody>
<tr>
<td>Date DD MM YYYY</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>3. Assign participant code (this code needs to be the same as the one you used in the first interview ie, your initials, participant's first name and their year of birth ie, AH_Aden_95).</th>
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</thead>
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<table>
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<tr>
<th>4. Participant's first name</th>
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</table>

<table>
<thead>
<tr>
<th>2. Car ownership</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. Have you bought a car in Australia?</td>
</tr>
<tr>
<td>□ yes</td>
</tr>
<tr>
<td>□ no</td>
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</table>

<table>
<thead>
<tr>
<th>3. Buying the car: for participants who have bought a car</th>
</tr>
</thead>
<tbody>
<tr>
<td>Now I will ask you about when you bought your car.</td>
</tr>
<tr>
<td>I have asked you about this before, but since we talked you might have remembered other things about when you bought the car.</td>
</tr>
<tr>
<td>Take your time to answer the questions. There are no right or wrong answers.</td>
</tr>
<tr>
<td>Note: you may need to reassure students that if they don't remember anything else about their experience of buying a car, that it is ok to give the same answers as last time.</td>
</tr>
</tbody>
</table>
6. When you bought your car, what did you do first?

Prompt: What steps did you take to buy the car? What did you do after that?

7. What did you do when you were asked to sign papers?

8. What do you think are the most important things to think about when buying a car?
9. If you needed help or advice about buying a car, where did you get it?

4. Buying a car in the future: for participants who have bought a car

You told me that you have already bought a car, but for these questions I need you to imagine that you are ready to buy another car.

There are no right or wrong answers. I am just interested in your ideas.

10. The next time you buy a car, how will you decide how much you can spend?

11. When you buy your next car, will you think about other costs that go with buying a car?
   - yes
   - no

5.

12. What other costs will you think about?

6.
13. Thinking about buying your next car, which statement best describes what you will do?

- I will take my time and look at lots of cars before I decide which one I want
- I will look at a few cars before I decide which one I want
- When I see the right car, I will just buy it on the spot

14. When we met last time we talked about warranties. Do you remember what a warranty is? Add or clarify if need be.

When you buy your next car, how important will the warranty be to you?

- The warranty will not be important
- The warranty will be a little bit important
- The warranty will be very important

15. When you buy your next car, will you borrow money?

- Yes
- No

7. For participants who have not bought a car

For these questions, you need to imagine that you are ready to buy a car.

I have asked you about this before but since we talked you might have thought about what you would do when you buy a car.

Please take time to think about the question before you answer. There are no right or wrong answers.

Let me know if you don't understand my questions so I can explain better.
**Post survey: participants’ experiences and attitudes**

16. When you are ready to buy a car, what will you do first?

**Prompt:** What are the steps you would take to buy a car? What would you do after that?

17. What would you do if you were asked to sign papers?

18. What do you think are the most important things to think about when buying a car?

19. When you are ready to buy a car, how will you decide how much you can spend?
## Post survey: participants' experiences and attitudes

### 20. Will you think about other costs that go with buying the car?
- [ ] Yes
- [ ] No

### 8.

### 21. What other costs will you think about?

### 9. Buying a car in the future: continued

### 22. If you needed help or advice about buying a car, where would you get it?

### 23. Which statement best describes what you will do when you buy a car?
- [ ] I will take my time and look at lots of cars before I decide which one I want
- [ ] I will look at a few cars before I decide which one I wanted
- [ ] If I see the right car I will buy it on the spot

### 24. When we met last time we talked about warranties. Do you remember what a warranty is? Add or clarify if need be.

**When you buy a car, how important will the warranty be to you?**
- [ ] the warranty will not be important
- [ ] the warranty will be a little bit important
- [ ] the warranty will be very important
25. When you buy a car, will you borrow money to it?
   - [ ] yes
   - [ ] no

## 10. Getting help when buying a car

26. I'd like to know if you agree or disagree with this statement (and it is ok to disagree).
   - If I bought a car, I would get advice from someone I trusted first
     - [ ] agree a little
     - [ ] agree a lot
     - [ ] disagree a little
     - [ ] disagree a lot

27. I’d like to know if you agree or disagree with this statement (and it is ok to disagree).
   - People who sell cars always tell the truth
     - [ ] agree a little
     - [ ] agree a lot
     - [ ] disagree a little
     - [ ] disagree a lot

28. If you were worried about your bills, would you talk to a community service?
   - [ ] maybe
   - [ ] no
   - [ ] yes

29. If you were asked to sign papers to buy a car, but you didn't understand what the papers said, would you...
   - [ ] feel like you had to sign them and just do it
   - [ ] ask to take papers home to read
   - [ ] get help to understand what the papers said

## 11. Borrowing money: for participants who plan to borrow or who won't borrow mo...

For these questions I need you to imagine that you are borrowing money to buy a car. Is that ok?
30. Where would you borrow money from?

- borrow money from the bank
- borrow money from a friend or family member
- borrow money from a car yard

Other (please specify):

31. Do you know what interest is?

- Yes
- No

32. I’d like to know if you agree or disagree with this statement (and it is ok to disagree).

If I borrow money from a bank or a car yard, I will find out how much interest I have to pay.

- agree a little
- agree a lot
- disagree a little
- disagree a lot

33. I’d like to know if you agree or disagree with this statement (and it is ok to disagree).

I will think about how long it will take me to pay the loan back.

- agree a little
- agree a lot
- disagree a little
- disagree a lot

34. How would you finish this sentence? Not paying the loan back is....

- good
- ok
- bad
- very bad

35. Oral introduction: When you borrow money, you have to sign papers to say you agree to do certain things....like pay money for the car or to pay interest on a loan.

Which answer best describes what you will do when you get papers to sign?

Remember this is not a test. I just want you to think about what you would do in real life.

- I will not read all the papers
- I will try and read some of the papers
- I will read all the papers
- not applicable (for people who borrow from friends or family)
### Post survey: participants’ experiences and attitudes

#### 36. Which statement best describes you? When I buy things that cost a lot....
- I like to find out everything I can
- I just buy it if I need it

#### 13. About 'Buying a car’

Since I saw you last time, your teacher has shown you a DVD called ‘buying a car’.

#### 37. Do you remember it?
- yes
- no

#### 38. Do you think it was helpful?
- yes
- no

#### 39. How was it helpful?

#### 40. Why wasn’t it helpful?

#### 17. Does the participant want to say or ask anything?

This is to allow the participant some space to ask questions or share information they may have thought of during the interview but didn’t get a chance to ask.
41. Is there anything you’d like to tell me or ask?

18. Thanks

Thanks again for your time. You have given us really useful information that will help other students in the future.

I will not come back again but we will send your teacher some information about the research. You can ask your teacher about this.

It has been great to talk with you. Here is a Coles voucher to say thank-you.

Good-luck with your studies and in the future.

Bye.
## Appendix D: Responses to final question in post survey

<table>
<thead>
<tr>
<th>Was the class helpful? If so, why?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1  We often don't think about things like interest or salespeople and it told me I have to read paper before I sign and if getting a cheap car I have to get info about its condition</td>
</tr>
<tr>
<td>2  Like Maryam in the story, in the past I did the same things as her. I was not careful about letters I received. I now read things and solve the problem early by calling. Especially it applies to buying anything, not just a car. I wanted to buy a laptop on a plan but considered the high interest I would have to pay. I decided instead to save more money.</td>
</tr>
<tr>
<td>3  Don't trust people selling the car. If you get in trouble, you can go to legal service for help. You need to read the letter they give you very carefully. Don't ignore it. It is very important.</td>
</tr>
<tr>
<td>4  Remind me when I buy something I have to be careful. If I don't read the paper and just sign it, you can have trouble, like the lady in the movie...they took back the car and she still had to pay money. I also learnt that we could get help from legal aid or other services when we have a problem.</td>
</tr>
<tr>
<td>5  Very good idea about being careful and not always believing the car dealer</td>
</tr>
<tr>
<td>6  Some help about doing right thing like checking everything with car still bit hard to understand still bit confused</td>
</tr>
<tr>
<td>7  It taught me to take home papers, not sign if you don't understand</td>
</tr>
<tr>
<td>8  Showed how when you have a problem with a car and you buy off car dealer if warranty expired he couldn't help and that borrowing money can get you in trouble she lost everything</td>
</tr>
<tr>
<td>9  The DVD is for younger people. It is meant for people in the present and is not oriented towards the future. The young person in the DVD did not think about the future. But the DVD was very helpful to me.</td>
</tr>
<tr>
<td>10  Very (helpful) and especially for younger people who need the information and when younger people don't listen movie they watch and learn teaches not to look for radio or colour they should know about what is important when buying a car</td>
</tr>
<tr>
<td>11  It gave me ideas on what I can do when buying a car. I learnt that I should understand anything I am signing for. I must take time to understand every word.</td>
</tr>
<tr>
<td>12  It was helpful. I learnt more things to do when I buy my next car. It gave me an idea on what to think about.</td>
</tr>
<tr>
<td>13  I now know about warranties, cooling off period, the importance of reading contracts before signing them, etc.</td>
</tr>
<tr>
<td>14  I learnt about being careful by reading the forms completely and not to trust sellers.</td>
</tr>
<tr>
<td>15  It was helpful because it taught me how to buy a car, how to check it or have it checked and the importance of reading papers. It was helpful to me.</td>
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<tr>
<td>16  It says about what you need to know to buy a car</td>
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<td><strong>44</strong></td>
</tr>
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</table>
Dear Monica,

Re: Human Research Ethics Application – Register Number CHEAN A-2000599-10/11

The Deputy Chair of the Design and Social Context College Human Ethics Advisory Network (CHEAN), Prof Joseph Siracusa, reviewed your amended ethics application for the following research project:

Does educating students, in the Adult Migrant English Program, about consumer contracts influence their decision making as consumers?

I am pleased to inform you that your application has been approved at a Low Risk classification. This will be reported to the University Human Research Ethics Committee for noting.

Your ethics approval expires on 22 December 2014.

Please note that all research data should be stored on University Network systems. These systems provide high levels of manageable security and data integrity, can provide secure remote access, are backed on a regular basis and can provide Disaster Recover processes should a large scale incident occur. The use of portable devices such as CDs and memory sticks is valid for archiving, data transport where necessary and some works in progress. The authoritative copy of all current data should reside on appropriate network systems; and the Principal Investigator is responsible for the retention and storage of the original data pertaining to the project for a minimum period of five years.

You are reminded that an Annual/Final report is mandatory and should be forwarded to the College Ethics Officer by mid-December 2012. This report is available at http://www.rmit.edu.au/browse;ID=8sqx5sd0wpk or can be located by following the link under Policy at http://www.rmit.edu.au/dsc/chean.

Should you have any queries regarding your application please seek advice from the Deputy Chair of the College Human Ethics Advisory Network (CHEAN) Prof Joseph Siracusa on (03) 9925 1744, joseph.siracusa@rmit.edu.au or contact Lisa Mann on (03) 9925 2974, lisa.mann@rmit.edu.au

On behalf of the DSC College Human Ethics Advisory Network I wish you well in your research.

Yours sincerely,

Lisa Mann
Ethics Officer
DSC College Human Ethics Advisory Network (CHEAN)
**Appendix F: Additional item analysis**

**Table 1.** (Q.4) If I bought a car, I would get advice from someone I trusted first.

<table>
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<tr>
<th></th>
<th>Post</th>
<th>Agree a little</th>
<th>Agree a lot</th>
<th>Disagree a little</th>
<th>Disagree a lot</th>
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<td><strong>Pre</strong></td>
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<td>Agree a little N</td>
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<tr>
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<td>Disagree a little N</td>
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<tr>
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</table>

**Table 2.** (Q.6) If you were worried about bills would you talk to a community service?

<table>
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<th></th>
<th>Post</th>
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<th>Yes</th>
</tr>
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<td><strong>Pre</strong></td>
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</tr>
<tr>
<td>No N</td>
<td></td>
<td>3</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>%</td>
<td>6%</td>
<td>13%</td>
<td>6%</td>
</tr>
<tr>
<td>Yes N</td>
<td></td>
<td>2</td>
<td>3</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>%</td>
<td>4%</td>
<td>6%</td>
<td>32%</td>
</tr>
</tbody>
</table>
Table 3. (Q.7) If you were asked to sign papers to buy a car, but you didn't understand what the papers said, would you...

<table>
<thead>
<tr>
<th>Post</th>
<th>Pre</th>
<th>Post</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Feel like you had to sign them and just do it</td>
<td>Ask to take the papers home to read</td>
</tr>
<tr>
<td>Feel like you had to sign them and just do it</td>
<td>N 0 1 0</td>
<td>% 0% 2% 0%</td>
</tr>
<tr>
<td>Ask to take the papers home to read</td>
<td>N 0 8 8</td>
<td>% 0% 17% 17%</td>
</tr>
<tr>
<td>Get help to understand what the papers said</td>
<td>N 0 15 15</td>
<td>% 0% 32% 32%</td>
</tr>
</tbody>
</table>

Table 4. (Q.9) If I borrow money from a bank or a car yard, I will find out how much interest I have to pay.

<table>
<thead>
<tr>
<th>Post</th>
<th>Agree a little</th>
<th>Agree a lot</th>
<th>Disagree a little</th>
<th>Disagree a lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre</td>
<td>N 0 5 0 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agree a little</td>
<td>% 0% 15% 0%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agree a lot</td>
<td>N 1 20 1 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disagree a little</td>
<td>% 0%</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Table 5. (Q.10) I will think about how long it will take me to pay the loan back.

<table>
<thead>
<tr>
<th></th>
<th>Post</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Agree a little</td>
<td>Agree a lot</td>
<td>Disagree a little</td>
<td>Disagree a lot</td>
</tr>
<tr>
<td>Pre</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agree a little</td>
<td>N</td>
<td>2</td>
<td>9</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>%</td>
<td>4%</td>
<td>20%</td>
<td>2%</td>
<td>2%</td>
</tr>
<tr>
<td>Agree a lot</td>
<td>N</td>
<td>3</td>
<td>27</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>%</td>
<td>7%</td>
<td>59%</td>
<td>2%</td>
<td>0%</td>
</tr>
<tr>
<td>Disagree a little</td>
<td>N</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Disagree a lot</td>
<td>N</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>%</td>
<td>4%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>

This item analysis shows that there was a 4% (n=2) increase in the number of participants who agreed that would think about how long it would take to pay a loan back.
Table 6. (Q.11) Not paying the loan back is...

<table>
<thead>
<tr>
<th></th>
<th>Post</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Pre</td>
<td>Good</td>
<td>OK</td>
<td>Bad</td>
<td>Very bad</td>
<td></td>
</tr>
<tr>
<td>Good</td>
<td>N</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>%</td>
<td>0%</td>
<td>0%</td>
<td>4%</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>OK</td>
<td>N</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>2%</td>
<td></td>
</tr>
<tr>
<td>Bad</td>
<td>N</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>%</td>
<td>0%</td>
<td>0%</td>
<td>6%</td>
<td>6%</td>
<td></td>
</tr>
<tr>
<td>Very bad</td>
<td>N</td>
<td>0</td>
<td>0</td>
<td>10</td>
<td>28</td>
<td></td>
</tr>
<tr>
<td></td>
<td>%</td>
<td>0%</td>
<td>0%</td>
<td>21%</td>
<td>60%</td>
<td></td>
</tr>
</tbody>
</table>

This item analysis shows that there was a 6% (n=3) increase in the number of participants who were able to identify that not paying the loan back was bad or very bad.