



Department of Justice
Canada

THE NEEDS OF COMMUNITY GROUPS FOR PUBLIC LEGAL INFORMATION



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ERRATUM

"pages 59-61 and 78-82" on page 58
should read "pages 41-42 and 51-55"

**THE NEEDS OF COMMUNITY GROUPS FOR
PUBLIC LEGAL INFORMATION**

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EXECUTIVE SUMMARY

A. PURPOSE OF THE STUDY

The Federal Department of Justice commissioned this study as a policy-related assessment of the needs of community groups for Public Legal Information (PLI). Using community groups is potentially a cost-effective method of delivering PLI. Before developing a policy for providing PLI to groups however, information on what groups' PLI needs are and how they can most effectively be met is required.

B. STUDY METHOD

Time and budget restraints limited the scope of the study. After discussions with Department officials, the study was designed with two components:

- Telephone interviews with community groups in B.C.
- A nation-wide mail survey of provincial organizations that provide PLI.

1. Telephone Interviews

Telephone interviews were conducted with 60 non-profit groups in B.C. Ten groups were selected in each of six categories:

- Senior Citizens' groups
- Family and Community Support groups
- Disabled Persons' groups
- Environmental groups
- Housing-related groups
- Anti-poverty groups

Within each category, groups were selected to reflect a range of organizational maturity and a variety of geographical locations.

The telephone interviews explored groups' PLI needs within the context of their particular problems or concerns. In addition, groups were asked about their activities in disseminating PLI and about steps the Federal Government could take to improve PLI delivery.

2. Mail Survey

Questionnaires were mailed to 117 governmental and non-governmental PLI providers across the country. The questionnaire explored topics such as the kinds of groups worked with, the kinds of information groups request, methods used to reach groups and difficulties with Federal PLI. The PLI providers were also asked to suggest ways that Federal PLI could be improved.

C. MAJOR FINDINGS

1. Groups Need and Use Legal Information on Federal Law

a. Groups need detailed information on particular problems or issues

Over 80% of the B.C. groups interviewed encountered problems with a legal aspect of problems and sought legal solutions for their problems. Sixty percent of these have concerns that involve Federal legislation. PLI providers in other provinces also reported that community groups ask for such legal information. Some groups need information on what laws and regulations apply so they can conform to applicable rules. Other groups need information on legal rights, so

they can protect the interests of their group members. Some groups need information on adversarial procedures. Others need information on the law-making process, so they can participate in making and changing laws.

b. Groups need information making them aware of the legal aspects of their problems

Although the majority of groups recognized the legal aspect to particular problems, 10% of the groups did not see a legal aspect which probably existed. In addition, four groups commented that they were unsure about the interface between Federal and provincial legislation. PLI providers also reported that groups request this kind of information.

c. Groups need information to disseminate to group members, clients, the general public and other groups

In B.C., 75% of the groups were involved in providing information on Federal laws to group members, clients and the general public. They use a variety of methods -- newsletters, distributing government pamphlets, sponsoring speakers, and providing information and referral on an individual basis. In addition, some groups act as information resources for groups with similar interests. Through newsletters, conferences and individual contacts, these groups disseminate to local level groups.

2. Provincial PLI Providers are Active in Delivering Federal PLI to Community Groups

Sixty-two PLI providers completed and returned the mail questionnaire. These included responses from all provinces and territories except Quebec and the N.W.T. Three Federal Departments also responded.

In all provinces except PEI, at least one organization provides Federal PLI to groups. B.C. and Ontario have central commissions that operate and/or fund community law offices, the majority of which work with groups. Saskatchewan also has community law offices but few of these work with groups. Instead, the Public Legal Information and Education Association of Saskatchewan is involved with groups.

The provincial PLI providers work with a wide variety of groups. In all provinces except PEI, PLI providers have contact with Family Support groups, Poverty groups, Seniors' groups and Women's groups. Many other disadvantaged groups receive information in most provinces.

PLI providers use a number of methods to provide information. The most frequently reported methods were:

- Providing written information in the form of pamphlets and booklets.
- Providing verbal information through speaking engagements and workshops.
- Providing information through "solicitor" type relationships.

3. Some Federal Departments Work with Groups

Only three Federal Departments responded to the mail survey. Of these, the Income Securities Program, Health and Welfare Canada and Public Relations, Environment Canada work with groups. Their approaches appear to be different. Health and Welfare Canada actively seeks contact with community groups while Environment Canada is passive, waiting for groups to contact the Department. Their different approaches were reflected in the comments of the B.C. groups. A number

of Senior Citizens and Disabled groups mentioned the Minister of Health and Welfare by name and commented that they regularly receive information. In contrast, many of the Environmental groups complained about the difficulties of getting information.

4. Both Community Groups and PLI Providers Have Difficulties with Federal PLI

The comments made by community groups and PLI providers were remarkably similar. Both reported difficulties related to language used in legislation, accessibility, content and timeliness.

5. Both Community Groups and Provincial PLI Providers Lack Resources to Acquire and Disseminate PLI

The majority of community groups in this study have limited resources. Only three of the groups can be described as having extensive human and financial resources. Less than 15% of the groups were able to retain lawyers to provide legal advice. The remaining 85% of groups must rely on their staff (who have other duties), on volunteers or on provincial PLI providers. Over 40% of groups report contacting PLI providers for legal information.

The provincial PLI organizations are funded primarily through provincial and non-governmental sources. Although they provide Federal PLI, they receive little financial support from the Federal government. Because their resources are limited, they cannot work with all groups affected by Federal legislation; they cannot always provide complete and current information; they cannot develop and distribute innovative PLI materials.

INTRODUCTION

A. PURPOSE OF THIS STUDY

The Federal Department of Justice commissioned this study as a policy related assessment of the provision of Public Legal Information (PLI). The Department is concerned with making PLI accessible to all Canadians.

The rationale for providing federal PLI is derived from the notion that citizens' knowledge of law and access to legal services are critical to the functioning of an equitable and just society (Brickey and Bracken, 1982). This concept contributed to the Federal Government's involvement in funding Legal Aid services. Individualized Legal Aid services are, however, a relatively costly way to improve citizens' knowledge of and access to the law. An alternate approach is to provide PLI through the media, government information services and a variety of Public Legal Education and Information (PLEI) organizations.

While the Department of Justice, as well as other government departments, is already active in providing legal information and in providing support for the PLI activities of numerous organizations, federal PLI policy is constantly being reviewed and reformulated. This study of one element in this process. This study examines the provision of PLI to "group-level consumers." It explores the needs of groups for PLI and identifies steps which can be taken to meet their needs effectively.

B. WHY FOCUS ON GROUP-LEVEL CONSUMERS?

In this study, "group-level consumers" are defined as "organizations: groups of people associating together within the framework of a formal structure to share and promote a common interest"¹ (Pross, 1975:2). Group-level services are potentially a cost-effective way to deliver PLI to large numbers of citizens.

Carol Pfeifer (1982) has made a cogent argument concerning the advantages of "marketing" public legal information through community groups. Many existing PLI mechanisms are designed for sophisticated, well-educated individuals. For example, an evaluation of the Vancouver People's Law School Distance Delivery program (Rusnell and McGregor, 1980) found that the average readability level of People's Law School booklets was Grade 12. As Pfeifer pointed out, people who make use of libraries, attend lectures and carefully read the newspaper have relatively good access to public legal education or information. Many people, however, are not comfortable either in a lecture situation or using print materials. Using community groups as a PLI delivery vehicle is one way to reach these people.

"Many community groups are organized around social issues, such as poverty, discrimination, human rights, etc. Often their work already involves some form of public legal education. Community groups know their community and are recognized by their target group or members. For this reason, they can develop useful programs in terms of content area, level of complexity, educational method and the selection of appropriate resources. Members of self-help groups have the necessary motivation to acquire knowledge which will

-
1. The term "group" can be understood in a number of different ways. Brickey and Bracken (1982:23), in their paper on Public Legal Needs, have defined a group as: "a collectivity of individuals who share a common social identity and who see themselves as possessing certain ideas, cultural traits, positions in society, or common experiences which serve to differentiate the collectivity from others in society." They differentiate "aggregates" from "groups". Aggregates are seen as collectivities of individuals who share a common need (Brickey and Bracken, 1982:36).

From a sociological perspective, these definitions may serve a heuristic purpose. But for the purpose of providing PLI, a definition of "group" based on organizational qualities seems more appropriate. Providing PLI to group-level consumers is seen as an alternative to providing PLI to individuals. If "group" is understood in the Brickey and Bracken sense, the federal government could produce PLI directed at certain types of people. The delivery, however, would still be on an individual basis. If "group" is instead understood to refer to a certain type of organization, the relation to PLI delivery is clearer.

assist them to act. Issue specific groups have the motivation to inform people of their concerns." (Pfeifer, 1982:2)

Other authors have recognized the advantages of group-level PLI. For example, Galanter (1976) outlined the advantages a group has over individuals in knowing the law, obtaining enforcement of law and acting to modify the law. Groups have strategic advantages:

- the ability to utilize advance intelligence, structure the next transaction, build a record.
- to develop expertise; have ready access to specialists; economies of scale and low start-up costs.
- to develop relations with institutional incumbents.
- to establish and maintain credibility.
- ability to play the odds.
- ability to play for rules as well as immediate gains.

A number of reports have described how community law centres have been drawn into group-level work through the expressed needs of the community. An English study describes the work of a community law centre with citizens' groups over housing clearance and pavement repair (Grace, 1978). In a Canadian example, John McCosh (1979) describes how individual contact with senior citizens evolved to a group-level approach as a less costly and more effective way of delivering service.

Obviously, group-level services have potential advantages for cost-effective delivery of PLI. Concentration on groups, however, should also recognize the important role of groups in Canadian society.

Pross (1975) has described some of the contributions groups make to social order. First, they perform an important communications function. By transmitting information on their concerns to government, they help government identify the interests of particular segments of the community. They also act as a channel from government, allowing government to test opinion.

Second, they serve legitimation functions. Government can invite groups to participate in developing policy and legislation. This process helps to legitimate government decisions.

Third, groups can supplement the work of government agencies. They provide services to their members and the community that would otherwise be performed by government.

Because groups play such an important part in Canadian society, their ability to carry out their roles is important to the government. While this ability has many dimensions, the specific interest in this study is what contribution PLI programs can make to groups' knowledge of and access to the law.

C. THE IMPORTANCE OF PLI FOR GROUPS

1. Legal Competence

Galanter (1974) has suggested that lack of legal competence "is the most fundamental barrier" to access to the law. Legal competence is essentially a set of capacities which can be brought to bear when a group is confronted with a problem. Galanter has described these capacities. They include:

- ability to perceive the legal aspects of a problem.
- information about the availability of remedies.
- psychic readiness to use legal remedies, if appropriate.
- ability to manage claims competently.
- ability to seek and use appropriate resources.

By increasing the legal competence of groups, one basic legal need will be met. There may be other legal needs, such as lawyer services, which are unmet; there will be many other unmet social and economic needs, even if legal needs are satisfied. Nonetheless, enhancing groups' legal competence is a first, essential step in meeting group needs.

2. PLI and Legal Competence

Legal competence, as defined by Galanter, clearly has a number of informational components. To be legally competent, groups must have:

- information making them aware that their problems have a legal aspect.
- information on what legal solutions to their problems are possible. (Here, legal solutions can mean a change in the group's ordering of its affairs, litigation, acting to have the law changed, etc.).
- information on how to act to obtain a legal solution.
- information on resources available to help them obtain a legal solution.

Problems that groups encounter tend to be multi-dimensional. The legal aspects of a problem may be only one consideration for a group. A group may not recognize the legal aspects of a problem and hence not consider legal solutions. Or, they may recognize that a legal solution is possible but decide to take some other approach (White, 1973). So if

groups are asked about their legal needs, varying answers will be received. Some may say they have no legal needs. Others may say their problems require economic, not legal solutions. Given the pervasiveness of law in Canadian society, however, groups with some level of legal competence have an advantage in problem-solving.

3. PLI and Problem-Solving

Zander (1982:14) has described four steps in problem-solving.

- "1. Describing the problem that requires a response and why a response is necessary.
2. Identifying a number of possible solutions.
3. Deciding on the best solution from among these alternatives.
4. Taking action to implement the decision."

As shown in Exhibit I-1, different types of legal information are needed in different stages of problem solving.

EXHIBIT I-1 INFORMATION NEEDED IN PROBLEM-SOLVING

<u>STAGES IN PROBLEM-SOLVING</u>	<u>TYPE OF INFORMATION NEEDED</u>
Describe Problem _____	Awareness of legal aspects
Identify possible solutions _____	Legal solutions possible
Decide on best solution _____	Resources available to assist
Take action to implement decision _____	How to act to obtain legal solution

If the Federal Government can ensure that groups are getting these kinds of information, their abilities to solve problems will be enhanced. But before the Government can devise appropriate PLI programs and policies, it needs to know something about what information is currently available to groups and what their further information needs are.

D. SCOPE OF THE RESEARCH

This study has two major components:

- A telephone survey of 60 non-profit community groups in B.C.
- A national mail survey of governmental and non-governmental organizations who are involved in providing PLI.

Both the time and the money available to conduct this study were limited. A trade-off had to be made between the intensity with which groups' PLI needs could be examined and the number and variety of groups that could be contacted. After discussion with Department of Justice officials, a number of decisions were made to limit the scope of the study.

First, the study is limited to non-profit groups. That is, groups:

- whose activities do not generate revenues, or
- that are registered non-profit corporations under the Societies Act.

Both "profit" and "non-profit" groups have needs for PLI. Non-profit groups, however, are less likely to have resources available to devote to acquiring PLI. Organizations such as the Canadian Manufacturers' Association can use revenues from profit-making activities to hire experts -- lawyers, tax accountants, labour specialists -- to manage the groups' PLI needs. Non-profit groups typically cannot afford to hire these experts but must rely on the skills of their members. That is, they probably have greater difficulty in acquiring PLI. Since the Federal Government is interested in removing barriers to access to the law, a focus on groups facing greater barriers seems appropriate.

Second, the study is limited to groups in B.C. Having decided that telephone interviews were required to assess groups' PLI needs, budget restrictions effectively limited the study to one province. The budget did not allow a sufficiently large national sample to make inter-provincial comparisons meaningful. Therefore, the specific findings of the group survey apply only to B.C.

To supplement the group survey, a national mail survey was conducted of organizations who provide PLI to individuals and for groups. It was anticipated that, from their experience, these

organizations would be able to describe the PLI needs of groups and offer valuable suggestions on effective ways of delivering group-level PLI. In addition, the non-governmental organizations are themselves constant consumers of Federal PLI. They can usefully comment in the present difficulties in obtaining Federal PLI.

Finally, this study is a preliminary exploration of groups' PLI needs. Its findings are suggestive -- pointing at directions that federal PLI policy could take. The study is concerned with the design of PLI policy, not with the design of specific PLI programs. The study does not address in detail questions such as readability levels in PLI materials, appropriate media for PLI delivery or the content of PLI programs. These are important questions but could not be answered within the limits of this research. This study should be followed by similar assessments in other provinces and by more rigorous research on how groups acquire and use PLI.

II

STUDY METHOD

A. SELECTING A SAMPLE OF GROUPS FOR A TELEPHONE SURVEY

1. Categories of Groups

The groups selected for inclusion in the study sample fell in six categories:

- Senior citizens' groups
- Family and community support groups
- Disabled persons' groups
- Environmental groups
- Housing-related groups
- Anti-poverty groups

A number of reasons justify limiting the study to these groups. Having restricted the study to non-profit groups, there remained a very large number of organizations that were eligible for the survey. No comprehensive listing of non-profit groups in B.C. was, however, easily available. Further, a sample drawn from a comprehensive listing would have included groups with a very wide variety of interests. Their answers to study questions would be so idiosyncratic as to make generalization difficult. Instead, certain categories of groups based on interest or purpose were selected to form the sample. The specific categories were chosen for three reasons:

- These groups can be expected to face barriers in acquiring PLI.
- These groups can be expected to have an interest in areas of Federal jurisdiction.
- An up-to-date listing of the groups in each category was readily available.

2. Types of Groups

The information that groups have and need was expected to vary with the groups' objectives and with their degree of sophistication. To explore this systematically, a typology of groups developed by Pross (1975) was adapted. This typology is shown in Exhibit II-1.

The typology represents a continuum of group types, following the diagonal of the diagram. Many groups will clearly fall into one of the four categories. Others will exhibit a mixture of objectives and organizational features. Some of the anomalous groups may be at a transitional stage -- having multiple objectives but no staff, for

example. Others may be very mature in an organizational sense but have limited and specific objectives.

In selecting groups for the telephone survey, groups in each category were chosen to capture the range of group types. Based on the limited information available with the lists of groups, groups were selected that, it was hoped, would show some variation in objectives and sophistication. Final placing of groups within each type was done after the interviews had been completed.

3. Sample Selection

Ten groups from each of the six categories were selected to form the study sample. Within each category, groups were first roughly typified as institutionalized, mature, fledgling or issue-oriented.

Then two or three groups of each type were selected, primarily on a geographic basis. Very few groups appeared to be institutionalized or mature; these were usually located either in Vancouver or Victoria. The remaining groups were selected to represent as many different locations in B.C. as possible.

The list of groups in the sample appears in Exhibit II-2.

B. DESIGNING THE INTERVIEW GUIDE

The interview guide (Appendix A) was designed to explore groups' PLI needs within the context of problem-solving, as described in Chapter I. Based on an approach used in assessing individual needs (Grace, 1978), this approach was adopted on the assumption that groups' needs for information are dynamic and issue-specific -- a group acquires information as it is needed in the problem-solving process.

The interview guide begins by asking group respondents to describe problems the group has solved in the past. Their needs for PLI are then explored within the context of particular problems. Having established a context, more direct questions about PLI are introduced.

A draft interview guide was prepared and used in trial interviews with six non-sample groups. The guide was then revised. The interview guide (Appendix A) was, however, only a guide. Interviewers were allowed discretion to re-phrase questions, follow-up answers and at times, omit certain questions.

C. INTERVIEWS

The interviews were conducted over a three week period by a team of two interviewers. The interviewer contacted the president or chairperson of the group, explained the purpose of the study and the type of information required, and scheduled an interview. In some cases, the president or chair preferred that a staff member act as a respondent for the study. The interview was then conducted with that individual.

D. MAIL SURVEY OF PLI PROVIDERS

1. Identifying PLI Providers

A number of sources were used to identify non-governmental providers of PLI. These included:

- Canadian Law Information Council's PLEI directory.
- Directories published by the Federal Department of Justice.
- The list of those attending a recent conference on PLEI.

In B.C., Saskatchewan, Ontario and Quebec, a central commission or society operate and/or fund a number of community law offices. Senior officials in these central organizations were contacted and asked for permission to distribute a questionnaire to the community offices. Officials in B.C., Saskatchewan and Ontario agreed to this; they co-operated by providing current mailing addresses. The official in Quebec preferred that the questionnaire be sent only to the central commission.

To identify Federal departments and agencies active in providing PLI, the Service Bureau in Vancouver was contacted. An official there was able to provide names and addresses of branches receiving frequent referrals from the Service Bureau.

2. Questionnaire Design

A draft questionnaire was devised. This was reviewed with two staff members at the B.C. Legal Services Society and two staff members at the People's Law School. Their suggestions were incorporated into the revised questionnaire. A French version to be sent to Quebec was prepared by a professional translator.

3. Mailing and Follow-Up

The questionnaire was mailed to the 117 organizations listed in Appendix B. A stamped, addressed return envelope was provided. Two weeks after the initial mailing, a follow-up letter was posted to those organizations who has not returned their questionnaires.

The initial covering letter, questionnaire and follow-up letter are shown in Appendix C.

EXHIBIT II-1 TYPOLOGY OF GROUPS

OBJECTIVES	ORGANIZATIONAL FEATURES			
	Small Membership, No Paid Staff	Membership Can Support Small Staff	Alliances With Other Groups; Staff Staff Includes Professionals	Extensive Human and Financial Resources
Single, narrowly defined	ISSUE-ORIENTED			
Multiple but closely related		FLEDGLING		
Multiple, broadly defined and collective			MATURE	
Multiple, broadly defined; collective and selective				INSTITUTIONALIZED

EXHIBIT II-2 NAMES AND LOCATIONS OF GROUPS

SENIOR CITIZENS

- | | |
|------------------------------------------------------------|---------------------------|
| 1. Wynndel Senior Citizen's Club | Wynndel |
| 2. OK Mission Retired Citizens' Group | Kelowna |
| 3. James Bay New Horizons | Victoria |
| 4. Vancouver Second Mile Society | Victoria |
| 5. Prince George and District Senior Citizens' Association | Prince George |
| 6. Clearbrook Golden Age Society | Clearbrook |
| 7. Seniors Lottery Association | Vancouver |
| 8. Senior Citizens' Association of B.C. | Halfmoon Bay (President) |
| 9. Gerontology Association of B.C. | Vancouver |
| 10. Old Age Pensioners' Organization | Cortes Island (President) |

FAMILY AND COMMUNITY SUPPORT

- | | |
|----------------------------------------------------------|------------|
| 1. Morning Out for Moms | Sparwood |
| 2. Single Parents Resource Centre | Victoria |
| 3. Burnaby Family Life Institute | Burnaby |
| 4. White Rock Coordinating Centre | White Rock |
| 5. Greater Vancouver Information and Referral | Vancouver |
| 6. Burns Lake Community Development Association | Burns Lake |
| 7. Armstrong-Spallumcheen Community Services Association | Armstrong |
| 8. Nanaimo Family Life | Nanaimo |
| 9. B.C. Council for the Family | Victoria |
| 10. Kitimat Community Services | Kitimat |

DISABLED PERSONS

- | | |
|-------------------------------------------------------|--------------|
| 1. People First | Kamloops |
| 2. B.C. Stroke Association | Vancouver |
| 3. Allied Handicap Association | Kelowna |
| 4. Disabled of the South Peace | Dawson Creek |
| 5. Voice of the Cerebral Palsied of Greater Vancouver | Vancouver |
| 6. Physically Handicapped Action Committee | Victoria |
| 7. North Okanagan Handicap Association | Vernon |
| 8. B.C. Coalition of Disabled | Vancouver |
| 9. B.C. Association for the Mentally Retarded | Vancouver |
| 10. Canadian Paraplegic Association | Vancouver |

III

FINDINGS FROM INTERVIEWS WITH COMMUNITY GROUPS

A. OVERVIEW OF CHAPTER

The interviews with community groups were designed to answer a number of questions about groups' PLI needs:

- Do groups encounter problems with a legal aspect?
- Do groups seek legal solutions for problems?
- Where do groups get information on legal aspects of problems and solutions?
- What role do groups play now in providing PLI?
- What additional PLI do groups need?
- What do groups think should be done to improve PLI provision?

This chapter explores the answers to these questions. First, the typology of groups presented in Chapter II is used to type the groups in the study sample. Then, succeeding sections explore different aspects of groups' PLI needs in terms of the different types and categories of groups.

B. TYPES OF GROUPS

After the interviews were completed, information from the first section of the interview guide was used to place groups in the typology. Exhibit III-1 shows the results of typing the groups.

The exhibit demonstrates that groups have limited resources with which to solve their problems. Only three groups -- the Canadian Paraplegic Association, Ducks Unlimited and Outdoors Unlittered -- are Institutionalized. Fully one-third of the groups are Issue-oriented or Fledgling. Further, 23 of the 60 groups are anomalous; they do not fit into any of the four types. Of these, 16 (those lying below the diagonal) have objectives that are more extensive than their resources. In sum, very few groups have extensive human and financial resources which can be used to acquire legal information.

In some categories, more groups conform to the typology than in other categories. In the Senior Citizens category, all but three groups fit into the typology. The three Anomalous groups -- the Senior Citizens' Association of B.C., the B.C. Old Age Pensioners' Organization and the Gerontology Association of B.C. -- have objectives similar to Institutionalized groups. Their memberships are large but they do not have paid staff. The Senior Citizens' Association and the Old Age Pensioners are provincial associations; their members are primarily retired citizens who can volunteer both time and a wide range of expertise. The Gerontology Association is also a provincial

ENVIRONMENTAL

- | | |
|--------------------------------------------------|----------------|
| 1. Valhalla Wilderness Society | New Denver |
| 2. Kootenai Conserver Society | Nelson |
| 3. Sierra Club of Western Canada | Victoria |
| 4. Ducks Unlimited | Kamloops |
| 5. Outdoors Unlittered | Vancouver |
| 6. Save our Salmon | Campbell River |
| 7. Comox Strathcona Natural History Society | Comox |
| 8. Timberline Trail and Nature Club | Dawson Creek |
| 9. Federation of B.C. Naturalists | Vancouver |
| 10. Society Promoting Environmental Conservation | Vancouver |

HOUSING

- | | |
|--------------------------------------------------|--------------|
| 1. Mountain View Tenants Association | Houston |
| 2. Upper Capilano Rate Payers Association | N. Vancouver |
| 3. Skeena-Terrace Tenants Group | Vancouver |
| 4. Victoria Housing Registry | Victoria |
| 5. Victoria Innovative Housing | Victoria |
| 6. Victoria Senior Citizens' Housing Association | Victoria |
| 7. Abbotsford Villa Co-op | Abbotsford |
| 8. B.C. Housing Foundation | Vancouver |
| 9. Red Door | Vancouver |
| 10. B.C. Co-operative Housing Federation | Vancouver |

ANTI-POVERTY

- | | |
|---------------------------------------------|-----------------|
| 1. Castlegar Community Services | Castlegar |
| 2. CO-PRO | W. Vancouver |
| 3. Self-Development Centre | Victoria |
| 4. Poverty Information and Advocacy Service | Victoria |
| 5. Trail Community Action Group | Trail |
| 6. Stepping Up | Prince George |
| 7. Federation of Anti-poverty Groups | Vancouver |
| 8. Self-Aid Never Ends | New Westminster |
| 9. St. Vincent de Paul | Victoria |
| 10. Salvation Army | Victoria |

Exhibit III-1 Types of Groups in Study Sample

Organizational Characters				
Objectives	Small Membership No Paid Staff	Membership Can Support Small Staff	Alliances With Other Groups; Staff Includes Professionals	Extensive Human and Financial Resources
Single, narrowly defined	<u>Issue-Oriented</u> S--1,2 F--1 D--1 E--1 H--1,2	E--6 H--6,7,8		
Multiple but closely related	E--7,8 P--3,4,5,6	<u>Fledgling</u> S--3,4,5 F--2,3 D--2,3,4 E--2 H--3,4 P--1,2	P--8,9,10	
Multiple, broadly defined, and collective	P--7	F--9,10 E--9	<u>Mature</u> S--6,7 F--4,5,6,7,8 D--5,6,7,8,9 E--3 H--5	
Multiple, broadly defined, collective and selective		S--8,9,10	E--10 H--9,10	<u>Institutionalized</u> D--10 E--4,5

Letter Key:

- S--Senior Citizens
- F--Family and Community Support
- D--Disabled
- E--Environmental
- H--Housing
- P--Anti-Poverty

Number Key: See list of groups, Exhibit II-2

association. Its members are primarily professionals working in the field of gerontology. They therefore have considerable expertise and may be able to contribute time to the association as part of their paid employment.

Amongst the Family and Community Support groups, only two groups are Anomalous. One group -- the B.C. Council for the Family -- is a provincial association, formed to provide advice on family policy to the provincial government. It has a small staff but its members are representatives of other groups who can contribute time and expertise. The other group -- Kitimat Community Services -- is unusual. It has broad objectives related to community development. It plays a catalyst role -- identifying issues and developing programs -- but as it does not operate programs directly, it has a small staff.

All the Disabled persons' groups fit into one of the four types. Amongst the Environmental groups, there are four Anomalous groups. In all of these, objectives are more extensive than resources. Two groups -- Comox-Strathcona Natural History Society and Timberline Trail and Nature Club -- have no paid staff. The B.C. Federation of Naturalists has only a part-time secretary. In this group, however, many members are professionals and can contribute their skills. The fourth group -- Society for Promoting Environmental Conservation (S.P.E.C.) -- is one of the most active environmental groups in B.C. It is concerned with broad issues of environmental conservation and also takes on specific cases of environmental damage. It has only 16 professional staff, many funded through government job creation programs, to carry out its activities.

The Housing category has five Anomalous groups. Three of these have limited objectives; Victoria Senior Citizens' Housing Association, the Abbotsford Villa Co-op and the B.C. Housing Foundation all have the single objective of providing housing. They have staff to operate their housing developments. The other two groups -- Red Door and B.C. Co-op Housing Federation -- have broad objectives as well as providing specific services. They each have a small number of professional staff but their resources are not extensive.

The Anti-Poverty category shows the greatest deviation from the typology. Only two groups -- Castlegar Community Services and Co-Pro -- fit into the typology as Fledgling groups. Three of the Anomalous groups -- S.A.N.E., St. Vincent de Paul and the Salvation Army -- have the limited objectives of providing services to the poor and have resources to do this. Four other Anomalous groups -- the Self-Development Centre, the Poverty Information and Advocacy Centre, the Trail Community Action Committee, and Stepping Up -- are self-help groups. They provide information and referral services but have no paid staff. Their activities are carried out by volunteers. The fifth Anomalous group is an umbrella organization; the Federation of Anti-Poverty Groups (FAPG) has the broad objectives of public education and offering support to affiliated groups. It has no paid staff.

Exhibit III-2 Number of Groups With Legal Aspect to Problems

Legal Aspect to Problem		
	Yes	No
Seniors	7	3
Family & Community	7	3
Disabled	8	2
Housing	9	1
Environmental	10	
Anti-Poverty	8	2

C. LEGAL PROBLEMS OF GROUPS

1. Do Groups Have Problems with a Legal Aspect?

The first question in this study is whether groups have problems with legal aspects. The answer is an unequivocal "yes". Exhibit III-2 shows the number of groups in each category who described their major problems or concerns as having a legal aspect. In all categories, the majority of groups have problems with a legal aspect.

2. Examples of Groups' Problems

The problems that groups encounter cover a range of legislation. For example, the B.C. Stroke Association distributes funds to local chapters. The chapters use these funds to pay an honorarium to local representatives. The Stroke Association was unsure whether it stood as an employer to the honorarium recipients. The president had to contact Revenue Canada to determine if the Association was responsible for deducting U.I.C. and C.P.P. pensions and for issuing T-4 slips.

One of the Senior Citizens' groups -- the Clearbrook Golden Age Society -- operates a number of small businesses. To maintain their tax-free status, the Society must be aware of and conform to provisions of the Income Tax Act governing non-profit corporations. This group also runs a ham radio club; they must apply annually to CRTC for licensing.

Many groups depend on funding from both Federal and Provincial sources. Knowing and conforming to the regulations of funding programs can create difficulties. For example, the Canadian Paraplegic Association tried to develop a community residence for high lesion respiratory patients. Funding for land purchase would come from the B.C. Ministry of Lands, Parks and Housing; CMHC would provide funding to build the residence; B.C. Ministry of Human Resources would provide operational funds. The group had to try to satisfy the multiple and at times conflicting regulations of the three funding sources. By the time a plan which satisfied all three funders and local zoning regulations had been developed, the land had become too expensive.

Other groups have experienced problems because of multiple jurisdictions. Victoria Innovative Housing and the B.C. Co-operative Housing Federation assisted a group of members from a housing co-operative in litigation against their Board of Directors. According to the B.C. Co-operatives Act, co-op Boards must be elected democratically; to expel a member, three-quarters of the members must agree. In this particular situation, the provincial government had allowed the co-operative to incorporate without these provisions in its constitution. CMHC had provided a mortgage to the "illegally" constituted co-op. The group of members had been expelled by a non-elected Board without a membership vote. They approached both the provincial government and CMHC for redress.

Environmental groups are frequently involved with problems that involve both the Federal Fisheries Act and various provincial acts. The Fisheries Act is supposed to protect salmon spawning grounds. Both S.P.E.C. and the Federation of B.C. Naturalists have been involved in pressing charges against the Municipality of Richmond, the Fraser Valley Harbour Commission and other parties for allowing landfill projects to destroy a salmon spawning stream. Save our Salmon (S.O.S.) has been trying to prevent the development of a coal strip mining operation on the Quinsam River. The provincial government is responsible for inland waters and mining; the Federal government has jurisdiction over salmonid habitats.

Two of the Disabled Persons' groups--the B.C. Association for the Mentally Retarded and the B.C. Coalition of the Disabled -- were involved in trying to amend the Bill of Rights. They wanted to remove a clause allowing employers to discriminate on the grounds of "disruptive behaviour". To approach this problem, the groups needed to understand the legal implications of the clause and to know what steps to take to have the legislation amended.

One Senior Citizens' group--the B.C. Old Age Pensioners Association--is intervening before the CRTC in a B.C. Tel rate hearing. Acting in conjunction with the Public Interest Advocacy Centre, they are trying to achieve reduced telephone rates for Seniors. The group is providing the human and social element for the intervention. They are making an appeal on the bases of seniors' needs for telephones to maintain their independence and the financial difficulties faced by single people living on fixed incomes.

Many of the groups assist their members with individual problems. Typically, these are problems with U.I.C. appeals, applying for pensions, and completing income tax forms. One Housing group described one of its problems as "pimp removal", a matter which involves the Federal Criminal Code.

These are only a few examples of the types of legal problems groups encounter. The examples demonstrate that groups do have problems with a legal aspect and that they need legal information to solve their problems.

3. Are Groups Aware of the Legal Aspect of their Problems?

Obviously, the majority of groups are aware of the legal aspects of their problems. Groups that do not describe their problems as legal are interesting. Exhibit III-3 shows the number of groups, by category and type, who did not describe their problems as legal. No clear relationship emerges between group category and/or type and legal problems. Groups in all categories and types say their problems have no legal aspect.

Amongst the 11 groups that said their problems had no legal aspect, only three appear to have been correct. One, a Senior Citizens' group, had no problems of any kind. This group -- James Bay New

Horizons -- is involved in providing social and recreational activities from its members. Another group -- People First -- is a self help group of mentally disabled individuals; it concerns itself mainly with activities at the local workshop. The third group -- Abbotsford Villa Co-op -- is a well-established housing co-op; it has no problems beyond the day-to-day running of the co-op.

Four of the groups said their problems had no legal aspect but later described their solutions as having a legal element. Initially, they may have understood "legal" in a very narrow sense. On describing their solutions, however, the respondents realized that the law is involved in signing contracts, conforming to government regulations and so on.

Exhibit III-3 Number of Groups Without Legal Aspect to Problem, by Type and Category

Type	Category				
	Seniors	Family and Community	Disabled	Housing	Anti-Poverty
Issue	1		1		
Fledgling	2	1			1
Mature		2			
Institutionalized			1		
Anomalous				1	1

Three groups described both their problems and solutions as having no legal aspect. One group -- Wynndel Senior Citizens -- carried out minor renovations to a building owned by the municipality. Since a lease of some sort was involved, this problem probably has a legal aspect. The Burnaby Family Life Institute and the Greater Vancouver Information and Referral Service said that obtaining funding was their major problem. In a broad sense, funding is not a legal problem. Government funding programs are, however, established by legislation and governed by regulations; groups sign contracts with the government to obtain funding. In this sense, funding is a legal problem.

One Family and Community Support group described its problems as political rather than legal. This group is active in promoting a variety of social services. The respondent was aware of the legal aspect of the problem but nonetheless described the problem as political.

3. How do groups become aware of the legal aspects of problems?

For the majority of groups, the legal aspect of problems is obvious. The group members or staff have experience with issues confronting them and draw on this general knowledge base when a new problem arises. In all categories of groups, a provincial association or umbrella organization helps local-level groups to identify issues and to share information among them.

Groups have become generally aware that many problems have a legal aspect. For example, one Disabled persons' group has adopted the procedure of immediately researching the legislative aspect of any new issue. Two other Disabled Persons' group mentioned having attended seminars dealing with the Disabled and the Law.

D. GROUPS' PROBLEMS WITH FEDERAL LEGISLATION

1. Jurisdiction of Problems

No groups encountered only problems that involved Federal jurisdictions. Exhibit III-4 shows the jurisdictions involved in groups' described problems. Sixteen groups are concerned only with provincial/municipal regulations. Twenty-nine of the 49 groups who have legal problems have concerns that involve both federal and provincial/municipal levels of government.

Four groups were unsure which level of government was involved in their problems. This uncertainty, in itself, evidence of the need for public legal information. Other groups showed varying degrees of confusion. In some areas, both the Federal and provincial government have jurisdiction. These include Labour law, Human Rights, Income Tax and income supplement programs. Groups were unsure how the two levels of legislation interface. Interestingly, the Environmental groups, who frequently encounter joint jurisdictions, showed little confusion about who is responsible for what.

Exhibit III-4 Jurisdiction of Problems

	Federal Only	Prov/Mun. Only	Both	Unsure
Seniors	-	3	4	-
Family & Community	-	2	3	2
Disabled	-	2	5	1
Environmental	-	3	7	-
Housing	-	3	5	1
Anti-Poverty	-	3	5	-

EXHIBIT III-5 AREAS OF FEDERAL LEGISLATION AFFECTING GROUPS

Seniors

Income tax (non-profit corps.)
Income tax (individual benefits)
CRTC
CMHC (mortgage regs.)
Criminal Code (lotteries)
C.P.P.

Family & Community

Divorce Act
Human Rights
U.I.C.
E.I.C. (funding regs.)
Young Offenders

Disabled

Labour Code
CMHC (mortgage regs.)
EIC (funding regs.)
Human Rights
Income tax (non-profit corps)
Income tax (individual benefits)

Housing

CMHC (mortgage regs.)
Criminal Code
Income tax (individual benefits)
Immigration

Environmental

Fisheries
National Parks

Anti-Poverty

U.I.C.
C.P.P.
Human Rights
Income tax (child tax credit)

2. Federal Legislation Affecting Groups

Very few groups identified Federal legislation in specific terms. The exceptions were Environmental groups, who mentioned the Fisheries Act and the National Parks Act, and Disabled Persons' groups, who mentioned the Bill of Rights.

Exhibit III-5 shows the general areas of Federal legislation that affected groups in different categories. Many groups were concerned about regulations on tax-free status for non-profit groups, about the regulations of government funding programs, and about the regulations of various benefit schemes for individuals. Groups seem confused about these types of regulations. Ostensibly, the regulations were established to provide special benefits. The regulations are so complex, however, that groups have difficulty applying for the benefits. Groups appear to have little understanding of how and why regulations are established or how much room for interpretation they allow.

E. LEGAL SOLUTIONS

1. Do groups seek and use legal solutions?

In describing actions considered or taken with regard to problems, 51 of the 60 groups said their actions had a legal aspect. This includes the four groups who said their problems did not have a legal aspect but their solutions did.

The three groups who accurately described their concerns as having no legal aspect also said their activities did not have a legal aspect. Similarly, the three groups who did not see the possible legal aspects to their problems did not see a legal aspect to their solutions. The Family and Community group that saw its problem as political also saw the solution as political.

Two Anti-Poverty groups -- Poverty Information and Advocacy Service and St. Vincent de Paul -- saw their concerns as having a legal aspect but not their solutions. The first group had not carried out any action as yet; they intend to provide information and referral services to welfare and U.I.C. recipients. The second group assists clients with problems concerning U.I.C., housing and welfare. As this assistance takes the form of referral rather than advocacy, the respondent felt this action did not have a legal solution.

2. What kind of legal solutions do groups use?

a. Five main kinds of solutions

Groups mentioned five main kinds of legal solutions that were used to solve specific problems or issues. These are:

- Conform to the requirements of contracts, legislation, government regulations or procedures.
- Litigate, intervene in hearings, appeal before a board, commission or tribunal.
- Persuade others to enforce existing legislation
- Act to Change rules, regulations or to have new legislation established.
- Inform others about legal rights; refer.

Exhibit III-6 shows the number of groups in each category using each kind of legal solution. (Some groups reported more than one problem or more than one solution. Each kind of solution used is counted separately.)

Exhibit III-6 Kinds of Legal solutions Used, by Category of Group

Solution	Seniors	Family and Community	Disabled	Environmental	Housing	Anti-poverty
Conform	4	2	5	1	-	1
Litigate	1	2	1	6	7	4
Persuade	-	-	2	-	-	-
Act to	3	2	3	8	4	2
Inform	-	2	1	2	3	3

b. Groups who conform

Of those groups whose solutions or action involved conforming to contracts or regulations, five groups specifically mentioned regulations of government funding programs. As the respondent for a Disabled Persons' group said, "They're under the surface, but you need to conform to the contract to get your money."

Five groups were concerned with meeting the requirements for non-profit groups under the B.C. Societies Act and Federal Income Tax

regulations. Two of these groups had experienced difficulty gaining non-profit status because they were "too political". One group operated a number of small businesses; the revenues from these were creating difficulties. The other two groups had difficulties understanding procedures involved in incorporation, applying for a tax number, annual reporting and so on. (Of course, many other groups may have had these concerns but did not mention them as a specific issue.)

Two groups had applied for licenses to run lotteries. One group carried out renovations in accordance with a building code. Another group had applied to the CRTC for a license to operate a ham radio. A third group described itself as conforming to land and water use regulations in the development of waterfowl habitats.

c. Groups who litigate, intervene or appear

Groups in all categories were involved in some form of litigation, interventions before boards or hearings before boards, commissions or tribunals. One Senior Citizens' group is intervening in a CRTC hearing on telephone rates. One Disabled Persons' group, two Family and Community Support groups and three Anti-Poverty groups assist members and/or clients with welfare and U.I.C. appeals. One Anti-Poverty group and five Housing groups have been involved in appeals to the B.C. Rentalsman.

Three of the Housing groups have been involved in extensive litigation. In one case, a ratepayers' association fought a legal battle to stop a sub-development. In another, a group of members were expelled from an illegally constituted co-op. In the third case, a tenants' group challenged a rent increase through the Rentalsman and then appealed to the Supreme Court.

The Environmental groups are in a special situation with regard to legal proceedings. The process of assessing environmental damage has developed as an adversarial one. Consequently, six of the ten Environmental groups have been directly involved in environmental hearings. In one group, a member has acted as an individual to bring charges against violators of environmental laws.

d. Groups who persuade

Two Disabled personal groups have tried to persuade others to enforce existing legislation. In both cases, groups were working with building inspectors and fire marshalls to persuade local governments and merchants to conform to the B.C. Building Code.

e. Groups who act to change legislation

In all categories, groups have been involved in trying to bring about changes to existing legislation or to have new legislation enacted. One Senior Citizens' group, two Family and Community Support groups and three Disabled Persons' groups have carried out low-key

lobbying -- writing letters and submitting briefs. Four groups were involved in consultations with government to develop or change legislation:

- A Senior Citizens' group working with National Health and Welfare.
- A Disabled Persons' group researching regulations on long-term care.
- A Housing group working on new regulations for the B.C. Residential Tenancy Act.
- A Housing group working on changes to the acts governing co-operatives.

One Senior Citizens' group, one Family and Community Support group and one Disabled Persons' group reported on-going discussions with government. As the Disabled group's representative commented, "We've reached the stage of consultation instead of confrontation."

The Environmental groups are again in a special situation. Many of the existing environmental hearing processes have been established through the efforts of such groups. Eight of the ten Environmental groups continue to be involved in efforts to change or establish environmental legislation.

f. Groups who inform or refer

Information and referral were mentioned by a number of groups as a solution to problems or issues. In the Family and Community Support groups, Housing groups and Anti-Poverty groups, clients and/or group members are given information about their rights and referred to appropriate sources for redress. One Disabled Persons' group had recently sponsored a conference on the Rights of the Disabled. One Environmental group had provided background information to other groups rather than intervene directly in a utility hearing; the group lacked the resources and expertise needed to make a formal intervention.

3. Group Types and the Kind of Legal Solutions Used

No relationship is apparent between the type of group and the type of legal solution used. Exhibit III-7 shows the number of groups of each type that have used each kind of solution. With the exception of the "persuasion" strategy, all kinds of solutions have been used by all types of groups.

Based on anecdotal evidence, the kind of solution used appears related to the nature of the particular problem, the legislation affecting the group and the group's philosophy or orientation. For the Environmental and Housing groups, the existence of established adversarial processes encourages groups of all degrees of maturity to use them. Groups in other categories stressed their non-political orientation. This opinion was expressed by, for example, a fledgling Senior Citizens' group and a mature Family and Community Support group.

F. INFORMATION ON LEGAL SOLUTIONS

1. Where do groups get information?

a. Major sources for information

Acquiring information on legal solutions requires effort on the part of groups. While a group may be aware that a particular problem or issue has a legal aspect, some kind of research is necessary to find out what kind of solutions are possible. Exhibit III-8 shows where groups go for information on legal solutions.

Different categories of groups tend to use some sources more than others. The Environmental, Housing and Anti-Poverty groups use community law organizations extensively. Seven of the Environmental groups have used the West Coast Environmental Law Association (W.E.C.L.A). The Housing and Anti-Poverty groups mentioned a number of community law organizations: B.C. Legal Services, the Justice Institute of B.C., Vancouver Community Legal Assistance, The Law Centre of Victoria, and People's Law School.

Senior Citizens' groups and Disabled Persons' groups use government contacts extensively. Both Health and Welfare Canada and the B.C. Ministry of Human Resources were mentioned as sources of information.

It is notable that a number of groups retained lawyers to give advice on specific issues. Of the eight groups that retained lawyers, three are Mature and two are Institutionalized groups. Three are Anomalous groups. In each of these -- two Housing groups and one Anti-Poverty group -- the groups have organizational resources similar to mature organizations.

Some groups have professional or managerial staff who can carry out some research on legal solutions. Exhibit III-9 shows the percentage of groups in each category who have professional staff.

Exhibit III-7 Number of Groups Using Different Kinds of Solutions, by Type

Group Type					
Solution	Issue	Fledgling	Mature	Institution- alized	Anomalous
Conform	2	3	4	2	2
Litigate	2	5	3	-	11
Persuade	-	1	1	-	-
Change	1	4	6	1	8
Inform	-	2	4	1	4
Number of Groups in Type	7	13	14	3	23

Exhibit III-8 Sources of Legal Information

Source				
	Gov't Contact	Retained Lawyer	Comm. Law Orgs.	Other Groups
Seniors	6	1	1	2
Family & Community	3	1	2	1
Disabled	8		3	
Environmental	4	2	7	2
Housing	3	3	5	
Anti-Poverty		1	8	3

Exhibit III-9 Groups With Professional Staff

<u>Seniors</u>	<u>Family & Community</u>	<u>Disabled</u>	<u>Environmental</u>	<u>Housing</u>	<u>Anti-Poverty</u>
40%	90%	70%	60%	80%	50%

Typically, the duties of these individuals are to manage and/or provide on-going activities or services of the group. Only five groups have staff whose primary duties are research-related. These are:

- Sierra Club, Ducks Unlimited and SPEC, all Environmental groups
- Victoria Innovative Housing and B.C. Co-op Housing Federation, both Housing groups whose function is to act as resource services.

Another resource available to groups is volunteer experts. Some groups are fortunate to have lawyers among their members. Exhibit III-10 shows the percentage of groups who have access to volunteer experts.

Exhibit III-10 Groups With Volunteer Lawyers

<u>Seniors</u>	<u>Family & Community</u>	<u>Disabled</u>	<u>Environmental</u>	<u>Housing</u>	<u>Anti-Poverty</u>
60%	10%	30%	20%	10%	10%

Interestingly, the groups with volunteer experts are, with the exception of three Seniors' groups, the same groups that have paid staff. Most of the groups in the study receive some or all of their funding from government. Groups with volunteer experts may be more successful in obtaining funding to hire staff.

Groups with paid staff and/or volunteer experts use other, additional resources to acquire legal information. Exhibit III-11 shows where groups with paid staff and/or volunteer experts acquired information.

Groups without paid staff or volunteer lawyers use the same sources as other groups. (See Exhibit III-12). The major difference is that these groups did not retain lawyers to provide information.

b. Other Resources

Groups were asked to identify other resources they could have consulted to obtain information, in addition to those they had mentioned. The only new resources mentioned were libraries and universities. Five groups gave the opinion that many other resources are available: the resources used would depend on what problem the group is trying to solve. Six other groups, however, commented that resources are limited. Five of these groups are located some distance from major population centres -- Nelson, Comox, Dawson Creek, Kitimat, Kelowna. The sixth group is located in North Vancouver.

2. Difficulties Getting Information

Groups were asked about difficulties they encountered obtaining information on legal solutions. Exhibit III-13 shows the percentage of groups which experienced difficulty getting information.

Exhibit III-11 Sources of Information, Groups With Paid Staff

	Source			
	Gov't Contact	Retained Lawyer	Comm. Law Orgs.	Other Groups
Seniors	1	1	1	2
Family & Community	1	1	2	1
Disabled	5		3	1
Environmental	2	2	4	
Housing	2	3	4	
Anti-Poverty		1	3	

Exhibit III-12 Sources of Information, Groups Without Paid Staff

	Source			
	Gov't Contact	Retained Lawyer	Comm. Law Orgs.	Other Groups
Seniors	1	-	-	-
Family & Community	1	-	-	-
Disabled	2	-	-	-
Environmental	1	-	2	-
Housing	1	-	1	-
Anti-Poverty	-	-	5	3

Exhibit III-13 Percentage of Groups Encountering Difficulties

	Difficulties	No Difficulties	No Legal Solution
Seniors	30%	50%	20%
Family & Community	30%	40%	30%
Disabled	40%	50%	10%
Environmental	60%	40%	-
Housing	30%	50%	20%
Anti-Poverty	30%	60%	10%

Seven of the twenty-four groups who experienced no difficulties specifically attributed this to good resources. For example, "If you have a good lawyer, you don't have problems" or "The action would have been impossible without WECLA" or "The Legal Services Society is very helpful".

Groups who did encounter difficulties gave a number of reasons. Seven groups mentioned that they are often unsure what questions to ask or who to talk to. One respondent commented that her clients have difficulties because they cannot articulate their problems effectiverly. Another respondent mentioned that they have problems if "we don't know what we're looking for; there isn't a neat package" that tells groups what legislation applies. A third respondent pointed out that this is a problem "only in the early days" of a group's existence.

Six groups mentioned problems with information from the Federal government. One respondent described government agencies as "excruciatingly slow" in providing information. An environmental group cannot get interpretations of Fisheries regulations; another Environmental group finds both Crown prosecutors and judges are unfamiliar with environmental protection legislation. A respondent for a Family and Community support group commented that government publications are "either not in clear English or too grass-rootsy." This comment was echoed by the respondent for a Disabled Persons' group who said that pertinent information is not available in readable form. Similarly, a Senior Citizens' respondent pointed out that many of their members either do not read or do not write English.

Three groups mentioned their own lack of resources as a barrier in acquiring information. As one respondent said, "There are legal connotations to many issues, but we have no lawyer on the Board and no money to hire one."

Three groups suggested that recent budget cutbacks in funding to the B.C. Legal Services Society would make getting information more difficult. One Anti-Poverty group has started to accompany members to U.I.C. appeals and to Family Court; the para-legal staff at the Victoria Law Centre can no longer do this. Another respondent described the waiting room at the local community law office as "packed".

G. GROUPS' INFORMATION PROVIDING ACTIVITIES

1. Many Groups Provide Some PLI

Groups need legal information to solve problems. In addition, groups need legal information because many of them act as intermediaries in providing PLI to group members, clients or the public. Exhibit III-14 shows the percentage of groups who are at present providing information on Federal laws, regulations and procedures.

Exhibit III-14 Percentage of Groups Providing PLI

<u>Seniors</u>	<u>Family & Community</u>	<u>Disabled</u>	<u>Environmental</u>	<u>Housing</u>	<u>Anti-Poverty</u>
100%	70%	100%	50%	70%	60%

Fifty-four of the sixty groups are involved to some extent in providing PLI. The Senior Citizens' groups and Disabled Persons' groups are most active. Based on anecdotal comments, this seems to be the result of Health and Welfare efforts to reach community groups. Several respondents spoke of the Minister of Health and Welfare by name, as if she is personally responsible for the good communication between groups and the Department. Clearly, Federal departments can do an effective job of providing PLI to groups.

2. Groups Provide Different Kinds of PLI

The extent of groups involvement in providing PLI varies. Groups were asked which of several kinds of information they provide. The kinds of information were:

- Practical information on what laws, regulations or procedures apply in particular situations
- Information on what government department or branch is responsible for particular laws
- Information on legal rights
- Information on other groups with similar problems
- Information on court procedures or procedures for hearings before boards, commissions or tribunals
- Information on resources available to help with legal problems
- Information on how groups or individuals can participate in making or changing laws.

Exhibit III-15 shows the kind of information provided by different categories of groups. Senior Citizens' groups and Family and Community Support groups tend to limit themselves to providing information that helps people recognize legal aspects of problem and that assists people to seek help elsewhere. Few of them provide information on adversarial procedures or on making and changing laws. In both categories, a number of respondents were emphatic about the non-political nature of their activities. Two of the Family and Community support groups are information resource centres in the Vancouver area. Because many specialized services are available in Vancouver, these two groups limit their activities to making referrals.

Disabled Persons' groups are the most active in providing all kinds of information.

Environmental groups provide all kinds of information, with the exception of information on resources to help with legal problems. The main resource available to environmental groups is WECLA; most groups already know about its services.

Both Housing groups and Anti-Poverty groups provide all types of information. In the Housing category, four groups -- Victoria Housing Registry, Victoria Innovative Housing, Red Door, and B.C. Co-op Housing Federation -- are resource centres and provide advice on all aspects of housing laws.

3. Mechanisms Used to Provide

Groups use a number of mechanisms to provide information. Exhibit III-16 shows the main methods used.

A number of groups publish newsletters on a monthly or quarterly basis. Information on legislation is provided in the newsletters. Thirteen of the sixteen groups who publish newsletters are provincial-level associations; their publications receive wide circulation. In addition to newsletters, three groups have prepared pamphlets or manuals concerning the law.

- B.C.A.M.R. prepared a Human Rights Manual
- B.C. Co-op Housing Federation has prepared manuals on the legal aspects of housing co-operatives
- Ducks Unlimited has published pamphlets on land and water regulations.

Most groups distribute publications prepared by another organization. Many groups have pamphlet racks, used to display government pamphlets or People's Law School booklets.

Much information is passed on in the form of advice given to individuals. Frequently, this advice consists of referrals to other information sources.

In sponsoring speakers, workshops and so on, groups have used the resources of community law organizations. Organizations mentioned include:

- B.C. Legal Services Society
- Justice Institute of B.C.
- People's Law School
- Public Interest Advocacy Centre
- Vancouver Community Legal Assistance Society
- WECLA

Exhibit III-15 Number of Groups Providing Different kinds of Information

Kinds of Information							
	Practical	Gov't Depts.	Rights	Other Groups	Procedures	Resources	Change Law
Seniors	8	6	4	3	1	7	4
Family & Community	4	5	6	4	2	5	3
Disabled	9	9	7	7	5	8	8
Environmental	4	5	4	4	5	2	4
Housing	7	6	6	6	5	6	6
Poverty	5	6	6	6	6	6	6

Exhibit III-16 Number of Groups Using Different Methods to Provide PLI

	Publish Newsletters etc.	Distribute Gov't Pamphlets, etc.	Speakers, Workshops, etc.	Advise, Refer, Inform
Seniors	3	8	5	9
Family & Community	-	6	5	7
Disabled	6	7	7	9
Environmental	4	4	5	4
Housing	2	7	5	7
Poverty	1	6	5	7

Exhibit III-17 Topics Of Interest to Groups

SENIORS	FAMILY AND COMMUNITY
Managing Money Income Tax Pensions Housing Assistance Wills And Estates Legal Rights of Seniors	Drug Abuse Wife Battering Supreme Court Employment Pensions Family Law Human Rights U.I.C. Bankruptcies Young People and the Law Women and the Law
DISABLED	HOUSING
Pensions Housing Human Rights Income Tax Gas Rebate Wills and Estates	Housing Family Law Tenancy Co-ops Wills Human Rights Income Problems
ENVIRONMENTAL	ANTI-POVERTY
Advocacy Model By-laws Bonding Crown Land Access Income Tax (non-profit corps.)	Income tax Employment U.I.C. Family Law Pensions Human Rights Housing Consumer Protection

Exhibit III-18 Number of Groups Wanting Different Kinds of Information

Information - Useful							
	Practical	Gov't Depts.	Rights	Other Groups	Procedures	Resources	Change Law
Seniors	4	4	4	2	3	2	3
Family & Community	5	7	9	9	5	6	9
Disabled	10	10	9	9	6	7	10
Environmental	9	6	7	7	6	8	7
Housing	8	8	8	8	7	8	8
Anti-Poverty	10	9	10	10	9	8	8

Information - Not Useful							
	Practical	Gov't Depts.	Rights	Other Groups	Procedures	Resources	Change Law
Seniors	1	1	1	1	1	1	1
Family & Community	2	1	1	1	5	4	1
Disabled	-	-	-	-	4	2	-
Environmental	1	-	2	1	4	2	2
Housing	1	-	-	-	2	2	2
Anti-Poverty	-	1	-	-	1	2	2

Exhibit III-18 (continued)

Information - Not Needed							
	Practical	Gov't Depts.	Rights	Other Groups	Procedures	Resources	Change Law
Seniors	5	5	5	7	6	7	6
Family & Community	3	2	-	-	-	-	-
Disabled	-	-	1	3	-	1	-
Environmental	-	4	1	4	-	-	-
Housing	1	2	2	-	1	-	-
Anti-Poverty	-	-	1	1	-	-	-

H. GROUPS' PLI NEEDS

To this point, the discussion has shown that groups need PLI both to solve their own problems and to pass on to group members, clients and the public. To further explore PLI needs, groups were asked if they needed legal information on any specific topics.

As seen in Exhibit III-17, groups are interested in many different topics. In addition, thirteen groups commented that they want to know what laws apply to them.

Groups were then asked whether certain kinds of information would be useful or not useful to them. Groups were asked about these kinds of information:

- Practical information on what laws, regulations or procedures apply in particular situations
- Information on what government department or branch is responsible for particular laws
- Information on legal rights
- Information on other groups who have similar problems

- Information on procedures for court hearings or hearings before boards, commissions or tribunals.
- Information on resources available to help with legal problems
- Information on how groups can participate in making or changing laws.

Exhibit III-18 shows the number of groups' in each category who felt that information would be useful, not useful or not needed because they already have it. The Senior Citizens' groups are least interested in having additional information. A number of Seniors' respondents made comments to the effect that they "have or can get all the information they need". Anti-Poverty groups, in contrast, are eager to have information of all kinds. Respondents for Anti-Poverty groups frequently commented that information would be "very important" or "very helpful", particularly with reference to information on rights, adversarial procedures and participation in the law-making process.

Disabled Persons' groups and Housing groups also want all kinds of information but their comments were less emphatic.

Environmental groups are selective in their information wishes. Some groups felt they already have the information they need; what they lack is resources to use the information effectively. Other groups do not participate in formal intervention hearings or in the law-making process; these groups felt such information would not be useful.

I. GROUPS' SUGGESTIONS FOR IMPROVING PLI

One of the major purposes of this study is to identify steps the Federal Government can take to improve PLI. In an open-ended question, groups were asked to suggest ways that PLI could be improved. Although phrased in different words, many groups made similar suggestions.

1. Publish Summaries of Legislation

Twenty groups felt the Federal Government should publish summaries of what legislation affects particular categories of groups. These summaries should also identify who to contact to get further information. They should explain the relationship of Federal and provincial laws. They should be available free of charge.

2. Fund PLI Activities

Nineteen groups felt that the Federal government should provide funding to groups to carry out PLI activities. This funding could go to both community law organizations and to groups themselves.

3. Provide Speakers

Seventeen groups felt that Federal departments should provide speakers or hold seminars with community groups. Several respondents commented that written material is effective only if recipients have first heard verbal presentation and had an opportunity to ask questions.

4. Layman's Language

Fifteen groups felt statutes and regulations should be written in layman's language.

5. Notify Group of Changes

Ten groups felt the government should notify groups when changes to regulations were being considered or had been made. Groups are often unaware of changes when they are made through Orders-in-Council. Groups could then publish articles on changes in their own newsletters.

6. Toll-Free Numbers

Ten groups felt the government should establish a central resource centre, with a toll-free number, to provide information on Federal government activities. (Only two groups in the sample were aware of the Service Bureaux).

7. Maintain Mailing Lists

Eight groups felt government departments should maintain mailing lists of community groups. Information pertinent to the group should be mailed automatically. (According to the Seniors' groups, Health and Welfare already follows this practice.) Departments should provide pamphlets in bulk, so that groups can distribute them.

8. Other Suggestions

A number of other suggestions were made by individual groups:

- make more use of the media
- use enclosures with Family Allowance and Pension cheques
- provide courses on government and bureaucracy at the high school level.
- Develop Telidon systems to provide up-to-date information.
- Distribute information where people are -- beauticians, doctors, grocery stores.

9. Groups in Remote Locations

Groups outside the Vancouver and Victoria areas, were particularly concerned about the information available. Many remote communities do not have federal offices or have small offices whose staff are not familiar with all policies and legislation. Groups in remote communities were particularly interested in toll-free telephone access to offices in Vancouver. But as one respondent said, "Anything would help."

10. Provide Feedback

As a final comment, a number of respondents were emphatic about receiving feedback on this study. These respondents felt the government frequently imposes on groups to collect information but rarely reciprocates by providing feedback. Twenty-five of the sixty groups spontaneously requested a copy of this study.

IV

FINDINGS FROM SURVEY OF PLI PROVIDERS

A. OVERVIEW OF CHAPTER

This chapter presents the results of the national survey of PLI providers. The survey was designed to supplement the interviews with community groups in B.C. The survey asked a number of questions about the activities of PLI providers in relation to groups:

- Are PLI providers working with community groups?
- What categories of groups do they reach?
- What kinds of delivery methods do PLI providers use to reach groups?
- What kinds of information do groups request?

The survey also asked questions about improving PLI provision. First, PLI providers were asked to identify difficulties they encountered in obtaining legal information from the Federal Government. Second, they were asked to offer suggestions on how the provision of PLI to groups can be improved.

The answers presented in this chapter are based on 62 responses:

- 20 responses from B.C.
- 3 responses from Alberta
- 4 responses from Saskatchewan
- 1 response from Manitoba
- 25 responses from Ontario
- 1 response from New Brunswick
- 1 response from Nova Scotia
- 1 response from Prince Edward Island
- 1 response from Newfoundland
- 2 responses from the Yukon
- 3 responses from Federal Departments

Disappointingly, replies were not received from Quebec and the N.W.T. Organizations returning questionnaires are indicated by the asterisks in Appendix B.

B. PLI PROVIDERS' WORK WITH GROUPS

1. Description of Provincial Situations

The development of PLI providing organizations has varied across the country. In B.C., Saskatchewan, Ontario, and Quebec, central societies or commissions fund and/or operate community law offices. These local offices administer provincial legal aid, provide legal

information and advice, and carry out public legal education. In addition, some organizations in these provinces are specifically involved in public legal education and information. These include:

- People's Law School in Vancouver
- The Justice Institute of B.C.
- The Public Legal Education Association of Saskatchewan
- Community Legal Education Ontario
- Community Law Programs at the University of Windsor and University of Ottawa.

In other provinces, the network of community based PLI providers is less extensive.

- Alberta has the Legal Resource Centre at the University of Alberta and Student Legal Assistance Offices at the Universities of Alberta and Calgary.
- In New Brunswick, Public Legal Information Services operates from the Faculty of Law, University of New Brunswick.
- In Nova Scotia, the Public Legal Education Society of Nova Scotia provides PLI.

In Manitoba, Nova Scotia and Newfoundland, the Legal Aid Commissions provide some PLI. The Yukon Legal Aid Commission and PEI Legal Aid are not involved in PLI activities.

Native Courtworker associations in B.C., Alberta, Saskatchewan and the Yukon also provide PLI.

2. Extent of Provincial PLI Organizations Work with Groups

Some work with community groups is occurring in all provinces and territories that replied to the survey. The extent of work with groups, however, varies. Exhibit IV-1 shows the number of organizations in each province who report providing Federal PLI with groups. B.C. and Ontario, with their extensive networks of community law offices, are clearly the most involved in providing PLI to groups. In Saskatchewan, which also has community law offices, two of these offices report working with groups while one office reports working with individuals only. The head office of the Saskatchewan Legal Services Commission indicated that Public Legal Education Association of Saskatchewan is responsible for public legal information.

Exhibit IV-1 Number of PLI Organizations Providing Federal PLI to Group

	Work With Groups	No Group Work	Number of Respondents
B.C.	19	1	20
Alberta	3	-	3
Saskatchewan	4	2	6
Manitoba	1	-	1
Ontario	21	4	25
N.B.	1	-	1
N.S.	1	-	1
P.E.I.	-	1	1
Nfld.	1	-	1
Yukon	1	1	2

3. Rationale for Group Work

The PLI organizations were asked why they feel work with groups is an effective way to deliver PLI. Expressed in different ways, the primary reasons given are:

- Groups represent the public; they are concern focal points.
- Groups have better contacts in the community; they work with all levels of society; they are the best way of reaching individuals with special needs.
- Groups can assess their members' interests and needs.
- The group process reinforces the use of information; information stays alive; group members are motivated to learn and effectively use what they learn; group meetings are a comfortable milieu for people who may not be comfortable in educational settings.
- Delivering PLI through groups is cost-effective; information is disseminated more widely.

Five respondents felt that the effectiveness of community groups is limited:

- Three respondents felt that they are effective only for certain types of problems.
- Two respondents felt that access to a knowledgeable lawyer is essential for complex legal problems.

4. Provincial Organizations Actively Promote PLI to Groups

Reflecting the belief that group work is an effective PLI delivery method, PLI providers actively seek contact with groups. Rather than merely responding to groups' request for information, they use a variety of methods to make groups aware of their services. Exhibit IV-2 shows the number of respondents who report using different methods to contact groups.

A number of respondents elaborated on the form their community contacts take. Many PLI organizations are themselves non-profit corporations. Representatives from other community groups sit on their Boards of Directors. In addition, staff of PLI organizations are frequently involved as members or volunteers with other community groups. This kind of interaction gives the PLI providers special insight into the needs of community groups.

5. PLI Providers Work with Many Different Groups

PLI providers were asked to indicate the categories of groups to whom they have provided Federal PLI. Exhibit IV-3 shows the categories of groups who have received Federal PLI in each province or territory. PLI providers in B.C., Alberta, Saskatchewan and Ontario have worked with many different groups. In B.C. and Ontario, the pattern of providing PLI to groups may be different. Community law offices in B.C. each work with many different groups. In Ontario, specialized offices have developed -- the Advocacy Resource Centre for the Handicapped and the Industrial Accidents Victims' Group, for example. The Legal Resources Centre in Alberta and the Public Legal Education Association in Saskatchewan are largely responsible for work with many different groups in these two provinces.

Exhibit IV-2 Number of PLI Providers Using Differing Methods to Contact Groups

	Advertise	Maintain Lists	Community Contacts	Assist New Groups	Passive
B.C.	17	8	17	13	-
Alberta	1	3	3	1	-
Saskatchewan	2	1	4	2	-
Manitoba	-	-	-	1	1
Ontario	11	5	13	5	3
N.B.	-	-	1	-	-
N.S.	1	1	1	-	-
Nfld.	-	1	1	-	-
Yukon	-	1	1	-	-

Four categories of groups receive PLI in every province:

- Family support groups
- Poverty groups
- Seniors' groups
- Women's groups

In addition, Community Service groups, Civil Liberties groups, and Disabled Persons' groups are receiving information in every province except one.

Seven other categories receive PLI in all but two provinces:

- Consumers' groups
- Health-related groups
- Housing groups
- Immigrants' groups
- Native groups
- Sports/Recreational groups
- Unemployed

In sum, the provincial PLI organizations are already working with groups who are most in need of information and have the fewest resources to obtain it.

6. Kinds of Information Groups Request

The PLI providers were asked to indicate what kinds of information groups request. The different kinds were:

- Practical information on what the law is in regard to particular problems.
- Information on what department or branch of government is responsible for administering particular laws or regulations.
- Information on legal rights and responsibility.
- Information on other groups with similar problems.
- Information on resources available to help groups with legal problems.

- Information on taking legal action.
- Information on how groups can participate in making or changing laws.

Exhibit IV-4 shows the number of respondents who report that groups ask for each kind of information. Apparently, the majority of respondents receive requests for information related to groups' practical problems: which laws apply, what their legal rights are, how they can take legal action, who can assist them with legal problems.

This point deserves further emphasis. Public legal information is often conceived as a preventative legal service. People are provided with information so that by becoming better informed they will be able to avoid legal problems. The information provided by these organizations indicates that a great deal of PLI is required in response

of problems of an immediate and sometimes pressing nature. The demands for information experienced by PLI organizations indicates that there are needs for legal information to satisfy practical and existing problems as well as to provide group with the information and resources to prevent legal problems.

Fewer respondents report requests for more general information -- other groups with similar concerns and how groups can participate in the law-making process. Interestingly, less than half the respondents report requests for information on what government department or branch is responsible for particular laws.

The responses from the PLI providers echo the responses from community groups. The major difference is that B.C. community groups appear more interested in information on the responsibilities of government departments and information on participation in the law-making process than is apparent from the PLI providers' experience. Perhaps community groups do not recognize PLI providers as potential sources for these kinds of information.

7. PLI Providers Use a Variety of Delivery Methods

PLI providers were asked if they use a number of different methods to deliver PLI to groups. The methods were:

- Pamphlets and booklets
- Newsletters

- Media presentations
- Phone-in advice lines
- Organizing courses, workshops, conferences
- Providing speakers
- Training intermediaries (teachers, librarians, social service workers)
- Providing information and advice through "solicitor" type relationships.

Exhibit IV-5 shows the number of PLI providers who report using the different methods. The methods used by most PLI providers are:

- Providing written information in the form of pamphlets and booklets.
- Providing verbal information through speaking engagements and workshops.
- Providing information through "solicitor" type relations.

Newsletters, media presentations, training intermediaries and phone-in advice lines are used less frequently.

Three additional methods of providing PLI deserve special mention:

- B.C. Legal Services Society funds community based groups to provide PLI and carry out educational activities. In 1981, for example, the Consumers Association of Canada (B.C.) received funds to produce brochures on various aspects of consumer law; the North Shore Information and Referral Service received a grant to implement a series of workshops with Senior Citizens' Centres.
- People's Law School in Vancouver produces video-taped docu-dramas which portray various problems and their legal solutions.
- The Legal Resource Centre in Edmonton offers consulting services to groups who are developing legal education materials. Research services and a full reference library are also provided.

C. FEDERAL DEPARTMENTS' WORK WITH GROUPS

1. Extent of Departments' Work with Groups

Response from Federal Departments to the survey was poor. Only three of seven questionnaires were returned. These came from:

- Health and Welfare Canada, Income Security Programs.
- Environment Canada, Public Relations.
- Immigrant Reception Centre, Vancouver.

Of these, the first two departments work with groups, while the Immigrant Reception Centre does not.

2. Rationale for Group Work

The respondent for Health and Welfare felt that, based on his experience making public presentations, work with groups is an effective method to provide information. The respondent for Environment Canada did not have an opinion on this subject.

3. Departments' Activities to Promote PLI with Groups

The two Departments show different approaches to contacting groups. Health and Welfare Canada advertises, maintains lists of groups and distributes information on a regular basis. Environment Canada is passive, providing information when groups contact the department.

4. Departments' Work with Certain Categories of Groups

Federal Departments appear to work with fewer categories of groups than do other PLI providers. Exhibit IV-6 shows the categories of group in contact with the two Departments. Given the nature of departmental activities, their focus on certain categories of groups is not surprising. The two Departments each work with groups who are affected by legislation administered by the Department.

5. Kinds of Information Groups Request

The kinds of information requested are quite different for the two Departments. Health and Welfare Canada reports that groups want information on what government department is responsible for administering particular laws. In contrast, Environment Canada receives requests for:

- Practical information on what the law is in regard to particular problems.
- Information on legal rights and responsibilities.
- Information on what department or branch of government is responsible for administering particular laws or regulations.
- Information on taking legal action.
- Information on how groups can participate in making or changing laws.

6. Federal Departments' Delivery Methods

Both Federal Departments report the same delivery methods:

- Providing written information in the form of pamphlets and booklets.
- Providing verbal information through speaking engagements and participation in workshops and conferences.

D. DIFFICULTIES ACQUIRING PLI

PLI organizations both consume and provide PLI. They stand in the position of PLI "wholesalers" (Pfeifer, 1982). That is, they obtain legal information and re-package it for the public. If PLI organizations have difficulties obtaining PLI, this has implications for PLI delivery to groups.

- PLI organizations have skills and resources to acquire legal information. If they encounter difficulties, community groups, who lack resources, will have even greater difficulties.

**Exhibit IV-6 Categories of groups in contact with two
Federal Departments**

	Health & Welfare	Environment
Arts/Culture	-	-
Civil Liberties	-	-
Comm. Services	q	-
Consumers	q	q
Disabled	q	-
Disarmament	-	q
Environmental	-	q
Family Support	-	-
Foreign Aid	-	-
Health	-	q
Housing	-	-
Immigrants'	-	-
Natives	-	-
Poverty	q	-
Seniors'	q	-
Sports/Rec	-	-
Unemployed	-	-
Unions	q	q
Women's	q	-
Other	-	q

Exhibit IV-7 Number of Respondents Reporting Different Kinds Of Difficulty

	Content	Format	Access- ibility	Time- liness	Cost	No Diff- iculties
British Columbia	1	3	4	6	3	9
Alberta	-	2	3	1	-	-
Saskat- chewan	-	1	1	3	-	1
Manitoba	-	1	1	-	-	1
Ontario	3	3	9	-	4	13
New Brunswick	-	1	-	-	-	-
Nova Scotia	1	-	-	-	-	-
Newfound- land	-	1	-	-	-	-
Yukon	-	-	-	-	-	1
TOTAL	5	12	18	10	7	25

- PLI organizations distribute information to groups. If their information is incomplete or out-dated, the information given to groups will reflect these deficiencies.

PLI providers were asked to describe difficulties they experience in acquiring Federal PLI. Their comments fall into five main categories. Exhibit IV-7 shows the number of respondents reporting each major kind of difficulty. Twenty-five PLI providers report no difficulties in obtaining information. The organizations who did experience difficulties commented extensively.

1. Content

Two major difficulties with content were described:

- Access to statutes and regulations alone is not sufficient. PLI providers need to know how these are interpreted by the courts and by Departments. Departments' staff are often unclear or inconsistent about policies.
- Pamphlets prepared by Departments are public relations material; they do not provide sufficient information on legislation, regulations and appeal procedures.

2. Format

Two major types of complaint about format were made:

- The language used in statutes and regulations and in explanatory material is incomprehensible to the public. According to one respondent, the readability level should be Grade 7 or 8.
- The format of the Revised Statutes of Canada is inconvenient. Better indexing and easier access to regulations is needed. Consolidated volumes should be published annually rather than only at the end of Parliamentary sessions.

3. Timeliness

Problems of timeliness relate primarily to lags in receiving notification of changes to statutes and regulations and passage of new bills. Because changes occur so frequently, PLI organizations have difficulty monitoring changes. In addition, the process of passage of Bills is so prolonged, PLI providers have difficulty monitoring it. A regular Progress of Bills report was suggested as a remedy.

4. Accessibility

Two types of comments were made about accessibility:

- Some PLI providers have no local access to information on Federal Legislation.

- Federal departments are slow in responding to written requests for information; pamphlets and publications are difficult to obtain in large quantities; phone lines to important departments (e.g. U.I.C., Income Tax and C.P.P.) are often busy; Departments do not advertise that information is available.

5. Cost

Many of the PLI providers are themselves non-profit community groups, with limited resources. The cost of obtaining basic Federal legal material is heavy.

E. WAYS TO IMPROVE PLI

PLI providers were asked to suggest ways that the Federal government could improve PLI provision to groups. Their suggestions are very similar to those made by community groups in B.C.

1. Provide Funding

PLI providers want to see funding provided to provincial organizations and/or community groups who provide Federal PLI.

2. Layman's Language

Like the community groups, PLI providers want simpler language in statutes, regulations and explanatory materials. Respondents suggested that the Department of Justice conduct readability studies, rather than having lawyers write Bills.

3. Make Information Available at the Local Level

PLI providers suggested a number of ways to improve accessibility.

- Provide central information sources, with information officers and toll-free telephone lines.
- Place information in public libraries -- copies of statutes and regulations, update letters and pamphlets.
- Provide printed material in bulk to PLI organizations.
- Provide speakers and hold more seminars to explain new legislation.

4. Reform the Law-Making Process

A number of respondents commented that excessive legislation and the complex law-making process are responsible for PLI problems. If less and simpler legislation were passed, and the process stream-lined, many PLI problems would disappear.

SUMMARY AND CONCLUSION

A. SUMMARY OF MAJOR FINDINGS

1. Groups Need and Use Legal Information

Both the survey of B.C. community groups and the survey of PLI providers demonstrate that many groups encounter problems with a legal aspect. Many have problems that involve Federal legislation. Groups use PLI to help them solve their problems. Some groups need information on what laws and regulations apply so they can conform to applicable rules. Other groups need information on legal rights, so they can protect the interests of their group members or clients. Some groups need information on adversarial procedures. Others need information on the law-making process, so they can participate in making or changing laws.

2. Groups Lack Resources to Acquire Information

Only three of the sixty groups surveyed could be described as having extensive human and financial resources. Less than 15% of the groups were able to retain lawyers to provide legal advice. The remaining 85% of groups must rely on their staff (who have other duties), on volunteers, or on provincial PLI providers. Over 40% of groups report contacting PLI providers for legal information.

3. Groups Need Up-To-Date Information on What Federal Legislation and Regulations Apply to Them

While most groups are aware of the legal aspects of particular problems, many B.C. groups commented that they are unsure what Federal laws and regulations apply to them. They are also unclear about which legislation is Federal and which is provincial. In addition, they have difficulty monitoring changes to legislation and regulations. PLI providers also report that groups need these kinds of information.

4. Some Groups Need More Detailed Information on Specific Topics

Groups are motivated to acquire information and effectively use what they learn if it is related to particular issues or concerns. When involved in specific problems, groups want detailed information on what legal solutions are possible and how to act to obtain a legal solution. Groups who are not involved with particular issues do not, however, want detailed information nor do they use it if it is provided. A PLI delivery system should, therefore, be designed to respond to groups' particular interests rather than to provide the same information to all groups.

5. Many Groups are Already Active in Disseminating PLI to Group Members, Clients and the General Public

In B.C., the majority of groups are involved to some extent in disseminating Federal PLI. They use a variety of methods -- newsletters, distributing government pamphlets, sponsoring speakers, and providing information and referrals on an individual basis. Their resources to carry out these activities are, however, limited; they cannot do extensive research or develop PLI materials appropriate to their audiences. A PLI delivery approach that supports groups in these activities would be an effective method of reaching large numbers of individuals.

6. Through Formal and Informal Networks, Groups with Similar Interests Share Information About Legislation Affecting Them

In B.C., some groups in all categories surveyed are provincial-level associations, umbrella groups or resource groups. Some of these also have affiliations with groups in other provinces. Through newsletters, conferences and individual contacts, these groups provide information to local-level groups. Potentially, these networks of groups are an effective mechanism for delivering PLI.

7. Provincial PLI Providers Already Work with Groups

Organizations in all provinces except PEI are involved in providing Federal PLI to a wide variety of groups. Because their resources are limited, however, they cannot work with all groups affected by Federal legislation; they cannot always provide complete and current information; they do not have the resources to develop and evaluate innovative PLI materials and programs.

Nonetheless, the provincial organizations are recognized by groups as valuable sources of both provincial and Federal information. Groups have concerns that involve both levels of government. They naturally turn to organizations who are able to cross jurisdictional boundaries.

8. Both Community Groups and PLI Providers Have Difficulties with Federal-Level PLI

The difficulties reported by both community groups and PLI providers are remarkably similar. Difficulties include problems with content, format, accessibility and timeliness of Federal legislation. The complexity of legislation and of the law-making process exacerbates the problems. A PLI delivery system is needed to ensure that groups will have access to understandable information.

B. CONCLUSION

This report does not formulate specific recommendations. The major findings of the study make the case for greater support for group level public legal information relating to federal law. The report contains a wealth of detailed information which will fuel the policy formation process.

Many of the suggestions made by the consumer groups and the PLI wholesalers (especially on pages 59-61 and 78-82) are not too different from the public legal information activities which are currently funded by the Department of Justice. The group level approach is presently employed by a number of public legal information organizations in Canada, with variations from one to the next. Thus this report can only add to what is already firmly in place throughout the country. On the one hand the study shows that there is substantial demand for public legal information relating to federal law while at the same time there is a real need to support organizations already trying to deliver it. Second the report presents a theoretical and empirical argument that the group level approach to delivering public legal information offers an effective way to attempt to meet these needs.

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APPENDIX A

INTERVIEW GUIDE

INTERVIEW GUIDE

INITIAL CONTACT

The initial contact should:

- Explain the study
- Identify an appropriate respondent
- Schedule an appointment for the interview

In the initial contact, the interviewer should use a natural, informal approach. The interviewer should convey the following pieces of information:

- Her name
- The study is being conducted for the Federal Department of Justice.
- The study is concerned with finding out about the needs of non-profit groups for legal information.
- By legal information we mean information about any laws, rules or regulations established by the federal government.
- We are interviewing 60 groups in B.C. This group has been selected for an interview.
- The study will be asking questions about problems or concerns the group has had. The respondent should be familiar with the group's activities but does not need to be an expert on federal laws.
- We would prefer to talk to the president or chairperson of the group. This person may suggest another suitable respondent.
- The interview will take about half an hour. We can conduct it now or we can make an appointment to call back.

COVER PAGE

Name of Group:

Category of Group:

Telephone Number:

Type of Group:

Location:

Date of Initial Contact:

Initial Contact Made With:

Name:

Position

Outcome of Initial Contact:

Refused to Participate:

Suggested Alternate Respondent

Name:

Position:

Telephone:

Interview Scheduled For:

INTRODUCTION

As I explained before, I have some questions to ask you about your group's need for information concerning federal government laws. By "laws" I mean any kind of rules or regulations established by the federal government.

SECTION ONE: ORGANIZATIONAL CHARACTERISTICS

I'd like to begin by asking some questions about your group:

1. First, what are the objectives of your group?

RECORD BRIEFLY

2. Now, approximately how many members do you have _____?

3. (a) Does your group have any paid staff?

_____ No GO TO QUESTION 4

_____ Yes

- (b) How many paid staff? _____

- (c) Are the duties of these staff mainly

_____ Clerical

_____ Management or Professional

_____ Other

4. Does your group have any affiliations with other, similar groups?

_____ Yes _____ No

SECTION TWO: AWARENESS OF LEGAL ASPECTS OF PROBLEMS

5. Now, I'd like you to describe any problems or issues or major activities that your group has been involved in during the past six months.

RECORD BRIEFLY

6. (a) As far as your know, did the problems you just describe have a legal aspect?

_____ No **GO TO QUESTION 9**

_____ Yes

- (b) (If respondent has mentioned more than one problem)

Which Ones?

7. How did you become aware that the problem had a legal aspect?

INTERVIEWER CODE RESPONSE) _____ Media

_____ Government Contact

_____ Affiliated Group

_____ Other **DESCRIBE BRIEFLY**

8. As far as you know, did the problem you just describe, have anything to do with federal laws?

_____ No _____ Yes

SECTION THREE: INFORMATION ON LEGAL SOLUTIONS

9. What kind of action did your group take with regard to your problem?

RECORD BRIEFLY

10. (a) Did your action have a legal aspect?

IF THE RESPONDENT QUERIES, READ LIST

Taking steps to fulfill the requirements of Federal rules, regulations or procedures.

Considering litigation, intervening in a hearing, appearing before a Board or Commission.

Taking steps to get rules or regulations changed or acting to get new rules or regulations established.

_____ No GO TO QUESTION 15

_____ Yes

INTERVIEWER CODE RESPONSES

_____ Fulfilling Legal Requirements

_____ Litigation, Intervention, etc.

_____ Acting to Change Law

_____ Other **BRIEFLY DESCRIBE**

11. Where did you get information on what legal solutions might be possible?

INTERVIEWER CODE RESPONSES

_____ Media
_____ Affiliated Group
_____ Federal Government Contact
_____ Other **BRIEFLY DESCRIBE**

12. How did you get the information? Was it from:

_____ A Pamphlet a Publication
_____ Attending a Lecture or Course
_____ Personal Contacts with Government Officials
_____ Other **BRIEFLY DESCRIBE**

13. (a) Did you have any difficulties getting the information you needed?

BRIEFLY DESCRIBE

- (b) Were you able to get the information when you needed it?

_____ Yes _____ No

- (c) Were you able to get all the information you needed?

_____ Yes _____ No

14. What happened as a result of your actions?

RECORD BRIEFLY

SECTION FOUR: INFORMATION ON RESOURCES

15. (Other than the ones you've already mentioned).

Do you know of any resources you could have used to get information that would have helped you with your problem?

_____ No

_____ Yes **BRIEFLY DESCRIBE**

SECTION FIVE: PLI ACTIVITIES

Now I have some questions about any activities your group has been involved in, in providing information to your group members or clients.

16. (You mentioned that your group provides information). Do you ever provide information on federal laws, regulations or procedures?

_____ No **GO TO QUESTION 20**

_____ Yes

17. Do you provide this information to:

_____ **Group Members**

_____ **Clients**

_____ **General Public**

18. In what form do you provide information? Do you

_____ Prepare and distribute pamphlets and other publications

_____ Distribute pamphlets prepared by another organization

_____ Sponsor speakers or courses

_____ Refer individuals to other sources of information

_____ other **BRIEFLY DESCRIBE**

19. Now I'm going to read a list of different kinds of legal information. I'd like you to tell me if you have provided each kind of information.

_____ Practical information on what laws, regulations or procedures apply in particular situations.

_____ Information on what government department or branch is responsible for a particular law.

_____ Information on legal rights and responsibilities

_____ Information on other groups who have similar problems

_____ Information on procedures for courts or hearings before boards or commissions

_____ Information on resources available to help with legal problems

_____ Information on how groups or individuals can participate in making or changing laws.

SECTION SIX: IMPROVING PLI

Now I'd like to ask some questions about the kind of legal information you might like to have.

20. First, are there any particular topics your group, group members or clients need legal information on?

LIST

21. Now I have a question about the kind of information your group needs. I'm going to read a list of different kinds of information and I'd like you to tell me if it would be useful or not useful for your group.

Practical information on what laws, regulations or procedures apply in particular situations

_____ Useful _____ Not Useful

Information on what government department or branch is responsible for particular laws.

_____ Useful _____ Not Useful

Information on legal rights and responsibilities

_____ Useful _____ Not Useful

Information on other groups who have similar problems

_____ Useful _____ Not Useful

Information on procedures for courts or hearings before boards or commissions.

_____ Useful _____ Not Useful

Information on resources available to help your group with legal problems.

_____ Useful _____ Not useful

Information on how groups can participate in making or changing laws.

_____ Useful _____ Not Useful

22. What do you think the Federal Government could do to improve the way it provides legal information to groups like yours?

That is all the questions I have. Do you have any questions or comments? Thank you for your time.

COMMENTS:

APPENDIX B

ORGANIZATIONS RECEIVING AND RETURNING PLI QUESTIONNAIRE

BRITISH COLUMBIA

<u>Name</u>	<u>Location</u>
*Abbotsford Community Services Society	Abbotsford
*A.I.D. Community Law Centre	Nanaimo
*B.C. Legal Services Society	Vancouver
*B.C. Public Interest Advocacy	Vancouver
*Burns Lake Community Law Centre	Burns Lake
*Fort St. John Indian Friendship Centre	Fort St. John
Haida Counselling and Legal Assistance	Skidegate
*Justice Institute	Vancouver
Langley Para Legal Project	Langley
Legal Services Society	Burnaby
Legal Services Society	Campbell River
Legal Services Society	Dawson Creek
Legal Services Society	Kelowna
*Legal Services Society	Prince George
Legal Services Society	Vancouver
*Legal Services Society	Williams Lake
Maple Ridge Legal Information Service	Maple Ridge
*Mission Indian Friendship Centre	Mission
*Native Courtworker and Counselling Assoc.	Vancouver
Penticton Legal Service	Penticton
*People's Law School	Vancouver
Port Alberni Friendship Centre	Port Alberni
*Powell River Civil Liberties Society	Powell River
*Quesnel Human Rights and Civil Liberties	Quesnel
*Smithers Indian Friendship Centre	Smithers
Smithers Law Centre	Smithers
*The Law Centre Assoc of Victoria	Victoria
Upper Skeena Counselling and Legal Assistance Society	Hazelton
*Vancouver Community Legal Assistance	Vancouver
*West Coast Environmental Law Association	Vancouver
*Westminster Community Legal Services Society	New Westminster

ALBERTA

Calgary Legal Guidance	Calgary
Calgary Student Legal Assistance Society	Calgary
*Communitas Inc.	Edmonton
*Legal Resources Centre	Edmonton
Native Counselling Services of Alberta	Edmonton
St. Paul Community Legal Services	St. Paul
*Student Legal Services of Edmonton	Edmonton

SASKATCHEWAN

Battlefords and Area Legal Assistance	North Battleford
Meadow Lake and District Legal Aid	Meadow Lake
*Moose Jaw Community Legal Services	Moose Jaw
Native Courtworker Service of Saskatchewan	Regina
*Northern Legal Services	La Ronge
Parklands Legal Services	Yorkton
Pasqua Community Legal Services	Melfort
Prince Albert and District Community Legal Aid Services	Prince Albert
*Public Legal Education Association	Saskatoon
Qu'appelle Region Community Legal Services	Regina
*Regina Community Legal Services	Regina
Saskatchewan Community Legal Services Commission	Saskatoon
Saskatchewan Community Legal Services Commission	Swift Current
*Saskatoon Legal Assistance Society	Saskatoon
S.E. Saskatchewan Legal Services Society	Estevan
Valley Legal Assistance Clinic	Saskatoon

MANITOBA

The Law Society of Manitoba	Winnipeg
*Legal Aid Services of Manitoba	Winnipeg

ONTARIO

*Advocacy Resource Centre for the Handicapped	Toronto
Bloor-Bathurst Information and Legal Services	Toronto
Canadian Environmental Law Association	Toronto
*Central Toronto Community Legal Clinic	Toronto
*Centre for Spanish Speaking People Community Law Program	Toronto
*Community Legal Education Ontario	Windsor
*Community Legal Services of Niagra South	Toronto
*Community Legal Services of Ottawa-Carleton	Welland
*Dundurn Community Legal Services	Ottawa
*Flemingdon Community Legal Services	Hamilton
Halton Hills Community Legal Clinic	Don Mills
Hastings and Prince Edward Legal services	Georgetown
*Industrial Accident Victims Group of Ontario	Belleville
*Injured Workers' Consultants	Toronto
Jane-Finch Community Legal Services	Toronto
Justice for Children	Donwsvie
*Kenora Community Legal Clinic	Toronto
Kinna-aweysa Legal Clinic	Kenora
*Keewaytinok Native Legal Services	Thunder Bay
	Moosonee

Landlord's Self-Help Centre	Toronto
Legal Assistance-Kent	Chatham
*Legal Assistance of Windsor	Windsor
*London Legal Clinic	London
*McQueston Legal and Community Services	Hamilton
Metro Tenants Legal Services	Toronto
*Mississauga Community Legal Services	Mississauga
*Neighbourhood Legal Services	Toronto
*Niagra North Community Legal Services	St. Catherine's
Parkdale Community Legal Services	Toronto
Preventative Law Program	Ottawa
*Public Interest Advocacy Centre	Toronto
*Queen's Correctional Law Program	Kingston
Rexdale Community Information Directory	Rexdale
*Riverdale Socio-Legal Services	Toronto
*Rural Legal Services	Kingston
Scarborough Community Legal Services	Scarborough
*Simcoe Legal Services Clinic	Orillia
Sioux Lookout Community Legal Clinic	Sioux Lookout
*Sudbury Community Legal Clinic	Sudbury
Waterloo Region Community Legal Services	Kitchener
West End Legal Services	Ottawa
*York Community Services	Toronto

QUEBEC

Commission des services juridiques	Montreal
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NEW BRUNSWICK

Legal Aid New Brunswick	Fredricton
*Public Legal Information Service	Fredricton

NOVA SCOTIA

*Continuing Legal Education Society of Nova Scotia	Halifax
Nova Scotia Legal Aid	Halifax

PRINCE EDWARD ISLAND

*P.E.I. Legal Aid	Charlottetown
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NEWFOUNDLAND

*Newfoundland Legal Aid

St. John's

NORTH WEST TERRITORIES

Legal Services Board NWT
NWT Court Workers Association

Yellowknife
Yellowknife

YUKON

*Yukon Legal Aid Committee
*Yukon Native Courtworker Service

Whitehorse
Whitehorse

FEDERAL GOVERNMENT

Canadian Human Rights Commission
Consumer Consultant, Consumer & Corporate
Affairs Canada
Employment & Immigration
*Immigrant Reception Centre
*Public Affairs, Environment Canada
*Health & Welfare Canada
Family Allowances
Old Age Security
Canada Pension Plan
Public Relations, Revenue Canada

Vancouver
Vancouver

Vancouver
Vancouver
Vancouver
Victoria

Vancouver

APPENDIX C

PLI QUESTIONNAIRE, COVERING LETTER AND FOLLOW-UP LETTER

CHRISTINE WIHAK
SOCIAL RESEARCH CONSULTANT

#3 - 2344 West 8th Avenue
Vancouver, B.C.
V6K 2A9

February 4, 1983

Dear Sir or Madam:

On behalf of the Federal Department of Justice, I am conducting a study on the needs of community groups for PLI. By community groups, we mean non-profit groups with a degree of formal structure, organized around specific interests or issues. The purpose of the study is to identify groups' needs for PLI and to explore ways the Federal Government can meet these needs.

As part of this study, I am conducting a nationwide survey of organizations that are involved in providing PLI to community groups. Your perspective on group needs and effective PLI delivery approaches will be a valuable contribution to our understanding of PLI needs.

I ask your co-operation in completing the enclosed questionnaire as soon as possible. The final study report must be submitted by March 31. If at all possible, please return your questionnaire by February 25. I have enclosed a return envelope for your convenience.

If you have questions about the study please feel free to contact me -- Christine Wihak, at (604) 738-7802 or Dr. Ab. Currie, Department of Justice (613) 992-9709.

Thank you for your co-operation.

Yours sincerely,

Christine Wihak

Enclosure

**SURVEY OF PUBLIC LEGAL INFORMATION PROVIDERS
ON THE NEEDS OF COMMUNITY GROUPS FOR FEDERAL PLI**

Name of Organization:

Address:

Name of Respondent:

Respondent's Position:

1. Has your organization provided federal PLI to groups representing the following interests: (Remember that group means non-profit organizations with some degree of formal structure.)

<u>Yes</u>	<u>No</u>	
_____	_____	Women
_____	_____	Poverty Groups
_____	_____	Unemployed
_____	_____	Disabled
_____	_____	Natives
_____	_____	Environmentalists
_____	_____	Civil Liberties
_____	_____	Housing
_____	_____	Consumers
_____	_____	Senior Citizens
_____	_____	Disarmament
_____	_____	Foreign Aid
_____	_____	Immigrants
_____	_____	Health-related
_____	_____	Sports/Recreation
_____	_____	Arts/Culture
_____	_____	Community Services
_____	_____	Family Support
_____	_____	Trade Unions

Other (please specify):

2. What kinds of information do groups request? (Check appropriate items).

_____ Practical information on what the law is in regard to particular problems.

_____ Information on legal rights and responsibilities.

_____ Information on what department or branch of government is responsible for administering particular laws or regulations.

_____ Information on other groups with similar problems.

_____ Information on resources available to help groups with legal problems.

_____ Information on taking legal action.

_____ Information on how groups can participate in making or changing laws.

Other (please specify)

3. (a) What mechanism(s) does your organization use to provide PLI to groups?

_____ Pamphlets and books

_____ Newsletters

_____ Media Presentations

_____ Phone-in advice lines

_____ Organizing courses, workshops, conferences

_____ Providing speakers

_____ Training intermediaries (teachers, librarians, social service workers)

_____ Funding groups to develop PLI programs for their members or clients.

_____ Providing information and advice through "solicitor" type relationship.

Other (please specify)

4. How do you make groups aware of your PLI services?

_____ Advertise

_____ Passive; wait for groups to contact

_____ Maintain lists of groups; distribute information on a regular basis

_____ Use contacts in the community

_____ Assist new groups to form

Other (please specify)

5. (a) Where do you get information on federal laws and regulations?

(b) How frequently do you up-date your information?

(c) Please describe any problems you have encountered in obtaining federal PLI. (Problems can include timeliness, accessibility, format and so on).

6. Do you think using community groups is an effective way to deliver federal PLI? Why?

7. What steps do you think the Federal Government could take to meet groups' PLI needs more effectively?

8. Any other comments you would like to make?

Thank you.

If the Department of Justice distributes the report on this study, would you like to receive a copy?

_____ Yes _____ No

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CHRISTINE WIHAK
SOCIAL RESEARCH CONSULTANT

#3 - 2244 West 8th Avenue
Vancouver, B.C.
V6K 2A9

February 18, 1983

Dear Sir or Madam:

A couple of weeks ago, I sent you a questionnaire regarding Federal PLI. First, I apologize for the lack of definition of PLI. By PLI, I mean public legal information concerning laws, rules, regulations established by the Federal Government and its agencies.

Second, I urge you to complete and return your questionnaire as soon as possible, if you have not already done so. This study will contribute to the development of a Federal PLI policy. If you wish to have your experience and opinions reflected, please return your questionnaire quickly.

Thank you for your co-operation.

Yours sincerely,

Christine Wihak

CW:des