

PUBLIC LEGAL EDUCATION EVALUATION FRAMEWORK

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1 Introduction to the Public Legal Education evaluation framework

Public legal education (PLE) and the concept of legal capability are relatively new ideas in the UK. In order to move policy and practice forward in this important area, it is necessary for the PLE community to consider three key questions:

- What is legal capability?
- How legally capable are we as a population?
- How effective is public legal education at tackling deficits in legal capability and helping people to become more legally capable?

The Public Legal Education Network (Plenet)¹ commissioned this evaluation framework to help answer two of these three questions: what is legal capability and what impact do PLE projects and programmes have on individual's legal capability? The question of how legally capable we are as a population was outside the scope of this project, although we do consider options for measuring levels of legal capability.

The evaluation framework starts by describing what we mean by legal capability, in other words, what should we know and be able to do when faced with law-related issues in everyday life (section 2). Conceptualising legal capability in this way is an important first step because it can help us think about PLE project design and evaluation and it can also help us think about how we might measure legal capability in the future.

The framework also aims to promote robust evaluations of the impact of PLE interventions, so that over time we develop a better understanding of what works and why and to provide a sound basis for forward planning. Section 3 explores some of the broad issues pertinent to evaluating PLE, while Section 4 outlines a core set of evaluation goals, measures, questions and research methods to help organisations assess the impact of their PLE interventions on participants' legal capability and to provide consistent and comparative evaluation evidence. These goals, measures, questions and research methods are structured around the conceptualisation of legal capability outlined in Section 2.

The framework is intended to encourage an approach to evaluation that is integrated with routine organisational and project operations so that both learners and educators can reflect on what is

¹ The Public Legal Education Network was established by Advice Services Alliance in June 2007 with funding from the Ministry of Justice to take forward the recommendations of the PLEAS Task Force. In the summer of 2011 Plenet evolved into Law for Life – the Foundation for Public Legal Education.

being done and the extent to which things are working well. The emphasis is on practical, ongoing evaluation strategies that involve all stakeholders, not just evaluation experts.

In Section 5, we describe some of the different approaches to evaluation and theories of change that might be used in designing and implementing PLE projects and evaluations. The framework also includes a discussion of different target audiences in PLE (Section 6); factors that may help explain levels of legal capability (Section 7); the possible wider impacts of PLE that projects and programmes might think about capturing (Section 8); and finally the measurement and monitoring of legal capability among the population as a whole (Section 9).

Accompanying the framework is a separate set of guidance which provides general information about planning, implementing and reporting an evaluation. This guidance draws on a range of evaluation resources which organisations may wish to consult when thinking about project evaluation. These resources have been selected on the basis that they offer good coverage of a specific topic; there are of course a variety of other evaluation resources freely available that organisations may choose to use. The links to resources provided in the guidance were active at the time of writing.

2 What is legal capability?

Legal capability is an emerging concept, and there is currently no strong consensus on what it means for someone to be legally capable. In this framework, we conceive legal capability in a broad sense, focusing on the ability of individuals to recognise and deal with law-related issues that they might face. In this sense, it may be useful to think of ‘legal capability for everyday lives, which aims to help people deal with *‘...the problems of everyday life – the problems people face as constituents of a broad civil society. Today, following the establishment over the last thirty years of an extensive range of rights and obligations related to child support, education, employment, debt, health, housing and welfare benefits these problems involve numerous issues of basic social well-being.’* (Pleasance, 2004).

Our conceptual work has been guided by three principles:

- Legal capability should go beyond knowledge of legal systems and processes.
- Legally capable individuals should be able to critically engage with the law.
- Legally capable individuals should be empowered to deal with law-related issues.

In helping individuals or groups to become more legally capable, public legal education should aim to provide a new range of possibilities in terms of their abilities to take more control of their lives and so improve them. This transforming power is at the heart of our vision of legal capability. Drawing from wider capabilities theory (Sen, 2010), legal capability aims to incorporate functional capabilities or ‘substantive freedoms’ that individuals need to assert effective choices over their own well-being.

To be able to evaluate the impact of PLE interventions on legal capability, and to help us understand what works well and why, it is important to set out more precisely what it means for someone to be legally capable. This in turn allows the development of meaningful outcome measures that can be evaluated.

2.1 What does it mean for someone to be ‘legally capable’?

A legally capable individual has been described as someone who has the knowledge, skills and attitudes to deal effectively with law-related issues (Jones, 2009). A key challenge in developing this framework was to determine what the different ‘domains’ or areas of legal capability might be. Put another way, what should a legally capable person be expected to know and be able to do when faced with a law-related issue in their everyday life?

One model for achieving this is offered by the conceptualisation and measurement of financial capability in the UK (funded by the Financial Services Authority). This involved an initial year-long development process, followed by a national baseline survey of over 5,000 people (Atkinson et al, 2006). Analysis of the survey data identified four domains of financial capability (managing money, planning ahead, choosing financial products and staying informed), and assessed the general public's performance in relation to each of them. The findings were used to inform the FSA's strategy to improve the financial capability of the UK population.

It was not possible to replicate this process to produce a conceptualisation and baseline measure of legal capability. Instead, based on a review of literature and research evidence and feedback from PLE experts, four domains of legal capability have been identified, which describe at a high level what a legally capable person might reasonably be expected to know and be able to do when faced with common issues. These domains are described in the following sections.

2.2 Four domains of legal capability

The four domains of legal capability we identified are:

- Recognising and framing the legal dimensions of issues and situations
- Finding out more about the legal dimensions of issues and situations
- Dealing with law-related issues and situations
- Engaging and influencing.

These legal capability domains are of course 'artificial', and in reality things are far less clear-cut and much more inter-related, so that different capabilities may arise in any order and overlap or occur concurrently. The domains are not therefore in a fixed chronological sequence. For example, someone may want to find out more about a law-related issue or situation at any point, and they may do so more than once over the course of dealing with any issue or any life situation. We also anticipate that the domains will be adjusted and refined, for example based on feedback from practitioners or as more research evidence becomes available.

We do not expect that a person will require all the elements of legal capability at once. Different combinations will apply at different times and to different situations in people's lives. Neither are we expecting a legally capable person to be a 'legal expert'; rather they require the basic building blocks needed to manage the law-related issues and situations they encounter. The aim of PLE is to provide people with these building blocks.

The following sections describe the four domains of legal capability in more detail. It is clear from these descriptions that skills and personal qualities feature strongly in legal capability including, for example, negotiation, communication and decision-making skills, as well as personal qualities like confidence and perseverance. A legally capable person will be able to deal sooner and better with an issue or situation, which in turn may help prevent a spiral of worsening problems. This makes planning an inherent and crucial aspect of legal capability across all four domains. The capacity for critical thinking and questioning assumptions about how the law relates to everyday life is a further aspect of capability that is implicit across all four domains.

Having these qualities and applying these skills will be factors in determining someone's level of legal capability. The importance of these skills and qualities for individuals to be able to deal effectively with law-related issues should also be taken into account when designing and evaluating PLE interventions. The four domains and their component parts are summarised in Section 2.4.

2.2.1 Recognising and framing the legal dimensions of issues and situations

It is tempting when thinking of legal capability to consider only, or mainly, of helping people to deal with problems. In fact law-related issues arise both from specific problems and from the sorts of situations that commonly occur in everyday life. A problem might include getting a refund on something you have bought or feeling unfairly passed over for promotion at work. In such cases, legal capability may help an individual achieve a positive result.

At the same time, many ordinary life situations have complex law-related aspects, but are not necessarily seen as problems. Examples include life events such as getting a new job or retiring, moving into a rented home for the first time, or planning to start a family. Legal capability has much to offer all of these circumstances – not to turn a negative into a positive, but to help people plan, anticipate and avoid pitfalls, to see the new opportunities that are on offer, and to make better decisions in their own interests.

Four concepts are incorporated into this domain. First, a legally capable person understands that there are some basic legal dimensions to everyday life, including the concepts of rights and obligations, and will be able to use these to recognise and frame the law-related issues that arise in everyday life - for example understanding that renting a flat from a private landlord may involve signing a tenancy agreement that is legally binding on the tenant and the landlord.

Second, someone who is legally capable will recognise the basic differences between civil and criminal legal issues, and realise that the law may offer a means to deal with an issue or a life situation. Third, they will also be aware of the basic legal principles that underpin the legal system

and be able to apply them to issues or situations. There is currently no agreement about what these basic legal principles might include, and this is an issue which would benefit from wider debate. These are very basic principles, for example knowing that a contract is an agreement that is legally binding or being aware that laws are created by parliament. More specific principles that relate to particular areas of law would fall under 'Finding out more about the legal dimensions of issues and situations' (Section 2.2.2 below).

Finally, a legally capable person has the confidence and communication skills to explain a law-related issue or situation, and ask and answer questions about it in an appropriate way.

2.2.2 *Finding out more about the legal dimensions of issues and situations*

Finding out about the legal dimensions of issues and situations is a crucial aspect of legal capability, which goes beyond gathering enough information to understand more. It requires individuals to assess the reliability of sources of information and advice, as well as the clarity and usefulness of the information and advice provided. Some law-related issues may bring the individual into conflict with powerful individuals or institutions, and early recognition of this will make planning and use of knowledge, skills and advice more effective.

Seven elements are included in this domain. First, a legally capable person is able to find out what rights and obligations apply in a particular situation. If a disabled person is physically unable to access a public service, for example, they would know how to find out their rights and the public service provider's obligations in respect of accessibility.

Second, if someone is legally capable they can find out what basic legal processes apply. This might include, for example, the processes involved in renting a flat, including the rules on accommodation agencies, the law on deposits, and the need for a tenancy agreement between the landlord and the tenant. Closely related to this, the third element is being able to find out what steps to take in order to deal with an issue or situation.

The fourth element of capability in this domain is the skill to assess different sources of information, so that credible information is preferred over hearsay or anecdote. It requires the individual to understand and critically assess the information gathered for example to determine whether information is likely to be accurate, relevant, impartial, free-of-charge, and so on. Effective use of paper sources such as leaflets and books, and the internet also requires good judgment.

Fifth, finding out more means knowing when to seek expert advice and when you can deal with an issue yourself. This might include, for example, knowing when expert advice can provide additional

benefits or opportunities. Sixth, in instances when expert advice is required, a legally capable person knows about different sources of advice (or how to find out what sources of advice exist) and how to choose an appropriate advice service.

2.2.3 *Dealing with law-related issues and situations*

Dealing effectively with law-related issues and situations is much more than a reactive process. Individuals need to plan their actions, using their abilities to assess their own position and those of other parties. It is also important that individuals work out what they want from an issue or situation. In part this is about gathering reliable information and getting good advice, but it is also about being aware of what each person wants and needs. Many law-related issues will have aspects that offer real opportunities to make progress or effect change. Similarly, there may be aspects of an issue that carry real risks. Both must be identified and planned for.

This domain incorporates seven key concepts. First, a legally capable person is able to apply any relevant information or advice they have obtained and feels able to assert their own independent decisions and choices. Second, they are able to decide what a satisfactory outcome to an issue looks like for them.

Third, a legally capable person is able to anticipate situations and plan ahead in order to maximise opportunities or to prevent escalation. Anticipating opportunities or planning for difficult issues can make it easier to deal effectively with a law-related issue. The fourth element is the ability to weigh up the possible options for reaching the desired outcome; and then identifying, planning and following-through an appropriate course of action (which might include taking no action).

Negotiation, communication and interpersonal skills comprise the fifth important element of dealing effectively with law-related issues. Among other things, this means that individuals are able to express their views and wishes appropriately, while at the same time listening and understanding the opinions of others.

The sixth element relates to the range of personal attributes that are required to deal effectively with an issue and with the people involved (which may include those you are in dispute with). These attributes include the confidence to make independent decisions and choices, the motivation and perseverance to follow through a course of action, and the ability to stay calm in difficult situations. Other interpersonal skills such as assertiveness and co-operation may all come into play when dealing with a law-related issue or situation.

Finally, capability in this domain requires some organisational skills, for example to keep relevant evidence in accessible ways; to keep and organise paperwork; to keep track of people's names, job titles and telephone numbers; or to keep a record of events.

2.2.4 *Engaging and influencing*

The final legal capability domain moves beyond individuals' capabilities, to think about how individuals can act either on their own or jointly with others to influence the world in which they live, by understanding the relationships between the law in their everyday lives and wider social issues and democratic processes. Legal capability should facilitate active participation in decision-making processes and enable individuals to exert influence over changes in the law both locally and nationally. This could include a range of actions, from holding public services to account, addressing systemic issues or unequal institutional frameworks, through to working to improve the way in which the private legal profession operates.

There are five key concepts in this domain. First, a legally capable person must be aware of the impact of the law and legal institutions on their lives and the lives of others, in order to identify where change may be needed. Second, they will understand the relevant structures, processes and institutional mechanisms, and how to act individually or collectively to exert an influence and achieve change. The ability to assess situations critically to weigh up opportunities and possible risks is the third concept. Fourth, a legally capable person requires the communication and interpersonal skills to communicate their interests and to engage and influence others to achieve the changes they want. The fifth concept relates to the personal skills and attributes that an individual needs to effect change either individually or collectively, which are likely to include confidence, motivation, and self-belief.

2.3 Legal capability domains: some illustrations

The three scenarios outlined below are intended to illustrate how the legal capability domains might be relevant to law-related issues that arise in everyday life. This is intended to help evaluators and programme managers think about the aims and objectives of PLE interventions in terms of the legal capabilities required to deal with a particular issue.

<p>Scenario 1: Darren works for a high street bank. He is to be redeployed to another department as a result of the economic situation. This involves moving to a different job with reduced opportunities for career development. Darren has never got on with his boss and believes he is being discriminated against.</p>	
<p>What legal capabilities might be relevant in this situation?</p>	
<p>Recognising and framing the legal dimensions of issues and situations, for example:</p> <ul style="list-style-type: none"> • Being able to apply the concepts of rights and obligations to understand his situation • Recognising that civil law (rather than criminal law) might help him deal with this issue • Feeling confident to explain to his employer or others why he thinks he has been discriminated against and to answer questions about it 	<p>Finding out more about the legal dimensions of issues and situations, for example:</p> <ul style="list-style-type: none"> • Being able to find out about the rights and obligations that he and his employer have • Being able to find out who to ask for reliable and accurate information (e.g. human resources, union representative) • Recognising when he needs to seek advice and when he can deal with things on his own • Being able to identify different sources of advice and to choose one that's appropriate
<p>Dealing with law-related issues, for example:</p> <ul style="list-style-type: none"> • Deciding what outcome he wants, and what outcome he might be prepared to accept • Being able to find out the possible courses of action open to him and his employer • Being able to weigh up the advantages and disadvantages of different courses of action • Being able to express his views appropriately and discuss the situation with his employer or others • Being able to cope with a stressful situation and managing emotions • Keeping notes, paperwork etc that might be relevant 	<p>Engaging and influencing, for example:</p> <ul style="list-style-type: none"> • Being aware that colleagues might be in a similar situation • Having the confidence to share information and experience with co-workers in a similar situation • Influencing the employers' policies and practices, for example through a formal complaints process

Scenario 2: Amina is nineteen years old and in her first job. She wants to leave home and rent a flat which she will share with two girlfriends. The three of them are about to start looking for a flat to rent.

What legal capabilities might be relevant in this situation?

<p>Recognising and framing the legal dimensions of issues and situations, for example:</p> <ul style="list-style-type: none"> • Recognising that different housing options exist e.g. private rentals, social housing, lettings through estate agents and private landlords • Recognising that tenants and landlords have rights and obligations that are set out in a legally binding contract • Recognising the financial aspects of renting a home e.g. deposits and rent, bill payment, council tax, maintenance charges • Recognising the issues related to sharing a flat e.g. what happens if one friend cannot afford to pay the rent? Do they need a licence for every TV they have? How do they work out the level of contents insurance they need? 	<p>Finding out more about the legal dimensions of issues and situations, for example:</p> <ul style="list-style-type: none"> • Being able to find out and understand the rights and obligations that exist between tenants and landlords, and how these vary between landlords • Being able to find out who to ask for reliable and accurate information about the issues related to sharing a flat • Being able to find out who to ask for help with tenancy agreements
<p>Dealing with law-related issues, for example:</p> <ul style="list-style-type: none"> • Being able to explain housing options to her two friends, based on information and advice she has received • Being able to weigh up and agree the best option with her friends • Being able to plan and follow through a course of action to secure a tenancy e.g. securing deposit, getting guarantors or references, negotiating particular terms of the contract 	<p>Engaging and influencing, for example:</p> <ul style="list-style-type: none"> • Sharing information and experiences with friends, relatives or colleagues in a similar situation • Writing to a local MP to highlight poor practice by a landlord or letting agent

Scenario 3: Martha has lived with her partner Dave, a successful business man, for 18 years and worked with him to build up his business. He has now started a relationship with a younger woman and has asked Martha to move out of their home, which he owns. Martha is shocked to discover that she has few rights to her home and is angry that the law doesn't support women in her position. She thinks the law should be changed to protect other women like her.

What legal capabilities might be relevant in this situation?

<p>Recognising and framing the legal dimensions of issues and situations, for example:</p> <ul style="list-style-type: none"> • Recognising that the concepts of rights and obligations apply to this situation • Recognising that civil law may help to frame this issue in terms of the rights and obligations that she and her partner have/do not have • Feeling confident to explain her situation to someone else and to answer difficult or upsetting questions about it 	<p>Finding out more about the legal dimensions of issues and situations, for example:</p> <ul style="list-style-type: none"> • Being able to find out about the rights and obligations that she and her ex-partner have/don't have, e.g. in relation to financial matters such as bank accounts, outstanding debts • Being able to find out who to ask for reliable and accurate information about her rights • Being able to find out more about finding a new home, financial support that might be available • Being able to recognise when she might benefit from expert advice
<p>Dealing with law-related issues, for example:</p> <ul style="list-style-type: none"> • Being able to find out about the possible courses of actions for dealing with issues that arise such as disagreements over financial liabilities • Being able to decide the best course of action for her and following it through • Being able to discuss issues with her ex-partner (or his representative) , and to listen to their views • Being able to manage feelings of anger, hurt, anxiety 	<p>Engaging and influencing, for example:</p> <ul style="list-style-type: none"> • Carrying out research to find out how many other people are in a similar situation • Sharing information and experiences with other people in a similar situation, for example through an online forum or local pressure group • Being able to find out how to lobby for changes to the law e.g. writing to her MP, organising a petition

2.4 Legal capability: The four key domains for evaluation

Recognising and framing the legal dimensions of issues and situations	Is aware of the concept of rights and obligations and can recognise where the law applies to a situation.	Is able to frame a situation in terms of the law and distinguish between civil and criminal legal issues.	Is aware of the basic legal principles that underpin the legal system and can apply them to issues	Has the communication skills and confidence to explain a law-related issue and ask and answer questions about it.			
Finding out more about the legal dimensions of issues and situations	Able to find out what rights and obligations apply in a particular situation	Able to find out about basic legal processes and procedures that apply to particular situations	Able to find out about the steps involved in dealing with a law-related issue	Able to assess the different sources of information about a law-related issue	Able to assess risks and opportunities, and decide when they can deal with a law-related issue themselves and when they might need expert advice	Able to find out about different sources of advice and to choose one which will meet their needs	
Dealing with law-related issues	Able to apply relevant information or advice that has been obtained.	Able to decide what a satisfactory outcome to a law-related issue looks like for them.	Able to anticipate and plan ahead, to identify opportunities and obstacles.	Able to identify and assess different courses of action for dealing with a law-related issue (which may include doing nothing) , then plan and follow through an appropriate course of action	Has communication and interpersonal skills to manage relationships and deal with the other parties involved.	Has personal skills and attributes such as confidence, self-esteem, motivation calmness to persevere throughout the process	Able to keep a good record of events, information and correspondence, and keep track of evidence.
Engaging and influencing	Aware of the impact of the law and legal institutions on their lives and on the lives of others	Is aware of relevant processes, structures and institutions that can be used to influence and participate in decision-making in order to achieve change.	Is able to critically assess situations in order to weigh up opportunities	Has communication and interpersonal skills necessary to engage and influence	Has personal skills and attributes such as confidence, self-belief and strength to effect change either individually or collectively.		

3 Evaluating projects that aim to improve legal capability

In conceptualising legal capability, we have viewed individuals as active rather than passive actors, who are empowered to be able to critically engage with the law. In this context, the aim of public legal education (PLE) is to transform people's abilities to deal with law-related events in their lives, to bring about beneficial changes at least partly through their own efforts. In evaluating PLE, it is therefore important to try and assess the changes in people's abilities in a relatively broad sense.

There are a number of challenges to evaluating the impact of projects that aim to improve legal capability through public legal education. The first challenge is to define a set of measurable outcomes that a PLE intervention might reasonably be expected to achieve, for example changes in knowledge, attitudes, skills, confidence or behaviours. The second is to robustly assess any change that occurs. The third challenge is to attribute any change to a specific PLE project or programme, in other words to ascribe impact to a PLE activity (Plenet, 2009), which will generally require:

- A baseline measure and a follow-up measure of participants that tests specific areas of knowledge, skills etc or asks participants to assess their own level of knowledge, skills etc
- Similar measures with a control or comparison group will help identify whether any change is the result of the intervention.
- To demonstrate whether the skills, abilities and understanding fostered by PLE interventions are actually used by participants to prevent or deal with issues in the future requires longitudinal research, e.g. participants are followed up three months after the intervention.

The guidance section contains more information about the research methods that can be used to evidence impact. It is also important for evaluations to ask questions about how, why and under what circumstances an intervention works or fails to work. Details about this type of evaluation (called process or formative evaluation) are included in the guidance and also in Section 6.

3.1 The nature of public legal education

Other evaluation challenges stem from the nature of PLE activities: PLE often makes up only one element of a project (and possibly a small element); the subjects covered by PLE may be very varied; and the activities used to deliver PLE can be diverse, including among many other things leaflets or a pack, a training course or classroom teaching, a theatre production, a TV programme, or a

mentoring scheme (Public Legal Education Taskforce 2007) . Evaluators must also take into account the target audience of the intervention that is being evaluated, as we discuss in Section 6.

When first thinking about designing an evaluation, it is important to ask whether or not a project or programme can be evaluated at all. Some interventions can be so complicated and diffuse that they have little chance to meeting the main requirements of evaluability: that the interventions and the target population are clear and identifiable, that the outcomes are clear, specific and measurable, and that an appropriate evaluation design can be implemented (HM Treasury, 2011).

4 Evaluation goals, measures and research methods

The following sections set out specific evaluation goals, measures, example questions and possible research methods for each of the legal capability domains. Clearly not all measures, questions or methods will be relevant to all PLE interventions. It is the job of project co-ordinators and evaluators to identify which measures, questions and methods are appropriate, and where possible this should take place when an intervention is being designed.

The example questions are illustrative and are not intended to be a prescriptive or exhaustive list. Some are adapted from PLE evaluations that have been carried out, others have been drafted for this framework.

The example research methods in the tables below are similarly illustrative and should not be used as formulas for an evaluation design. Decisions about research methods will be strongly influenced by the nature of the project itself. For example, if a project involved face-to-face interactions with target groups such as training sessions, discussion groups, fun days, or theatre workshop events, then opportunities for face-to-face data collection will be presented more readily. Similarly, if a project is online only, or involves use of information resources provided at a distance then research methods will reflect this – questionnaires, diaries, telephone interviews, and so on.

There are a wide range of research methods that can be used to evaluate a project or programme, for example questionnaires, interviews, live recordings of activities and views, through participant observation, ethnographic research, or the administration of tests, quizzes and scenarios – for example to test knowledge, critical thinking, problem-solving skills, confidence and so on. Before and after assessments – which feature as regular suggestions in the tables – are especially useful for exploring and mapping changes.

The example questions are sometimes framed as part of suggested research methods such as quizzes, tests, case studies and scenarios. Future evaluation of legal capability is likely to require the generation of an appropriate set of case studies and scenarios for a range of law-related issues and situations, along with some indication for project co-ordinators and evaluators about what might be considered more or less capable in each instance. Where appropriate, the scenarios may be replaced by people's real-life experiences.

Participant observation (and other ethnographic methods) can be useful for assessing the effectiveness of delivery and the immediate effects of face-to-face projects. Observation guides can be developed using the evaluation themes, questions and examples in the tables.

Live recording of project events and recording of participant views on camera in the course of events are likely to prove useful for evaluation in face-to-face projects, but can also provide more vivid evidence of people’s views, capacities and knowledge as projects develop, whether face-to-face or more distant. These days it is a simple matter to make and deliver electronically recordings of both sound and visuals via the internet. The questions and issues raised in the tables can guide thinking on what to ask of users and how to ask it. As with any research data, it is important that audio-visual data are collected and analysed in a systematic and robust way.

Domain 1: Recognising and framing the legal dimensions of issues and situations

The overall goal of PLE interventions that aim to improve people’s ability to recognise and frame the legal dimensions of issues and situations can be described as follows:

Through PLE, people are able to apply the concepts of rights and obligations in order to recognise and frame the legal dimensions of issues and situations. They build up the confidence and skills to communicate with individuals and organisations about issues. PLE can also help to dispel any misapprehensions that people have about dealing with law-related issues.

The following measures and questions can help assess the progress that has been achieved in reaching this goal, both in relation to PLE projects individually and across PLE projects as a whole.

Evaluation measure: What do you want to achieve through your intervention?	Evaluation questions: What do you have to ask to find out whether you have achieved it?	Examples of evaluation techniques and questions that might be used to capture this information
1. Through PLE, participants learn more about the concepts of rights and obligations as a means of recognising and framing law-related issues	<ul style="list-style-type: none"> • Do participants know more about the concepts of rights and obligations after PLE than they did before? • Do participants know more about the concepts of rights and obligations than people who did not take part in this PLE? • Are participants more confident about their abilities to find things out and apply them? 	<ul style="list-style-type: none"> • Before-and-after general knowledge quiz or test about rights and obligations before • Before-and-after guided discussions using scenarios or case studies about relevant rights and responsibilities • Direct questions about how confident participants were before and after, asking for specific examples of any changes • Direct questions about taking up issues, asking for specific examples

Evaluation measure: What do you want to achieve through your intervention?	Evaluation questions: What do you have to ask to find out whether you have achieved it?	Examples of evaluation techniques and questions that might be used to capture this information
2. Participants are able to apply learning about the concepts of rights and obligations to law-related issues in their lives	<ul style="list-style-type: none"> • Have participants' applied any learning about the concepts of rights and obligations to issues that occur in their lives? 	<ul style="list-style-type: none"> • Before-and-after scenario-based discussion to test the application of learning to issues that may arise in everyday life • Direct questions about what participants feel they have achieved as a result of the learning, asking for specific examples
3. Through PLE, participants learn to identify that civil law might be relevant to deal with issues in their lives	<ul style="list-style-type: none"> • Are participants better able to identify that civil law is relevant to dealing with an issue after PLE than they were before? • Are participants better able to identify that civil law is relevant to dealing with an issue than people who did not take part in this PLE? 	<p>Using appropriate case studies or scenarios, ask:</p> <ul style="list-style-type: none"> • Are there any aspects of this situation that might be covered by law? If yes: <ul style="list-style-type: none"> ○ What are they? ○ Do you think they might be covered by civil or criminal law (or both)?
4. Through PLE, participants feel more confident about explaining an everyday issue and asking/answering questions about it	<ul style="list-style-type: none"> • Do participants feel more confident about explaining an everyday issue after PLE than they did before? • Do participants feel more confident about asking and answering questions about an everyday issue after PLE than they did before? 	<ul style="list-style-type: none"> • Give out a short account of an issue with law-related aspects and ask people to explain it to you or to their group, before and after PLE. Assess accuracy, clarity and confidence using standard criteria. • Ask participants questions about their explanation and assess clarity accuracy and confidence of the answers using standard criteria.

Domain 2: Finding out more about the legal dimensions of issues and situations

The overall goal of PLE interventions that aim to help people find out more about the legal dimensions of issues and situations can be described as follows:

Through PLE, people learn about how to deal with the legal dimensions of issues and situations. This includes how to find out about the rights and obligations that may apply to an issue; the steps, processes and structures required to deal with it; and learning about the obstacles, risks and consequences they might face. They are also able to assess when they might benefit from expert advice.

The following measures and questions can help assess the progress that has been achieved in reaching this goal, both in relation to PLE projects individually and across PLE projects as a whole.

Evaluation measure: What do you want to achieve through your intervention?	Evaluation questions: What do you have to ask to find out whether you have achieved it?	Examples of evaluation techniques and questions that might be used to capture this information
5. Through PLE, participants learn what rights and obligations apply to a particular issue	<ul style="list-style-type: none"> • Do participants know more about the concepts of rights and obligations related to a specific issue after PLE than they did before? • Do participants know more about the concepts of rights and obligations related to a specific issue than people who did not take part in this PLE? 	<ul style="list-style-type: none"> • Use before-and-after quiz, test or guided discussion to assess understanding of rights and obligations in relation to an issue • Direct questions about impact focusing on increased awareness of rights and obligations, greater confidence to apply learning, and greater confidence to take up this issue. Ask for specific examples
6. Through PLE, participants learn how to find out what steps are involved in dealing with a law-related issue	<ul style="list-style-type: none"> • Are participants better able to find out what steps are involved in dealing with an issue after PLE than they were before? • Are participants better able to find out what steps are involved in dealing with an issue than people who did not take part in this PLE? • Are participants more confident about questioning individuals or organisations to find out what steps are involved in dealing with an issue after PLE than they were before? 	<p>Using appropriate case studies or scenarios, ask:</p> <ul style="list-style-type: none"> • How would you (did you) go about finding out what steps you need to take to deal with this issue? • How confident did you feel about asking questions of individuals and organisations before today/this intervention? • How confident do you feel about asking questions of individuals and organisations after today/this intervention?

Evaluation measure: What do you want to achieve through your intervention?	Evaluation questions: What do you have to ask to find out whether you have achieved it?	Examples of evaluation techniques and questions that might be used to capture this information
7. Through PLE, participants learn how to find out more about a law-related issue	<ul style="list-style-type: none"> • Are participants better able to find out more about an issue from a reliable source after PLE than they were before? • Are participants better able to find out more about an issue from a reliable source than people who did not take part in this PLE? 	<p>Using appropriate case studies or scenarios, ask:</p> <ul style="list-style-type: none"> • How would you (did you) go about finding out more about this issue? <ul style="list-style-type: none"> ○ What sources of information do you know about e.g. internet, leaflets available from library? ○ How would you assess whether a source of information was reliable? ○ Are there agencies or individuals you might approach? ○ How would you know if they were reliable?
8. Through PLE, participants learn how to critically assess different sources of information	<ul style="list-style-type: none"> • Are participants better able to assess different sources of information after PLE than they were before (e.g. is it impartial? Is it relevant to my situation?)? • Are participants better able to assess different sources of information than people who did not take part in this PLE? 	<ul style="list-style-type: none"> • Direct questions about which factors they considered when deciding the source or sources of information to use (e.g. difficulty of access, relevance, impartiality, cost, personal knowledge or recommendation)? • Are some of these factors more important than others – which ones and why?
9. Through PLE, participants learn how to assess when they can deal with a law-related issue themselves and when they need expert advice	<ul style="list-style-type: none"> • Are participants better able to assess when they can deal with an issue themselves and when they need expert advice after PLE than they were before? • Are participants better able to assess when they can deal with an issue themselves and when they need expert advice than people who did not take part in this PLE? 	<p>Use appropriate case studies or scenarios, with agreed parameters for self-help/advice-seeking and ask:</p> <ul style="list-style-type: none"> • Would you feel able to deal with some or all this issue yourself? <ul style="list-style-type: none"> ○ Why/why not? • At what point (or points) do you think you might need expert advice? <ul style="list-style-type: none"> ○ Why? • Are there specific aspects of the scenario you think will need advice or help?

Evaluation measure: What do you want to achieve through your intervention?	Evaluation questions: What do you have to ask to find out whether you have achieved it?	Examples of evaluation techniques and questions that might be used to capture this information
<p>10. Through PLE, participants learn about different sources of advice and how to choose one that meets their needs</p>	<ul style="list-style-type: none"> • Do participants know more about sources of advice that are available to deal with law-related issues after PLE than they did before? • Do participants know more about sources of advice that are available to deal with issues than people who did not take part in this PLE? • Do participants feel more confident about choosing an appropriate source of advice after PLE than they did before? • Do participants feel more confident about choosing an appropriate source of advice than people who did not take part in this PLE? 	<ul style="list-style-type: none"> • Use before-and-after quiz or test to assess awareness of sources of advice <p>Using appropriate case studies or scenarios, ask:</p> <ul style="list-style-type: none"> • If you were faced with this issue, are there any individuals or organisations that you could turn to for advice? <ul style="list-style-type: none"> ○ Who/what are they? ○ If more than one source, how would you choose which one to use (e.g. location, opening hours, cost, quality standards, personal recommendation) • Ask participants to explain in detail why they have chosen specific sources, with an account of the specific offers available from each. This will offer some measure of their confidence
<p>11. Through PLE, participants are better able to identify the obstacles, risks and consequences of law-related issues</p>	<ul style="list-style-type: none"> • Are participants better able to identify obstacles, risks and consequences after PLE than they were before? • Are participants better able to identify obstacles, risks and consequences than people who did not take part in this PLE? 	<p>Using appropriate case studies or scenarios, ask:</p> <ul style="list-style-type: none"> • What obstacles and risks might you face in dealing with this issue? • What might the consequences be of taking a particular course of action? • What might the risks be if you ignored this issue?

Domain 3: Dealing with law-related issues

The overall goal of PLE interventions that aim to help people deal with law-related issues can be described as follows:

Through PLE, people learn about different ways of dealing with law-related issues, including how to prevent them getting worse. They also develop the skills and confidence to plan and implement an appropriate course of action to deal with issues, which includes being able to apply information or advice in an effective way.

The following measures and questions can help assess the progress that has been achieved in reaching this goal, both in relation to PLE projects individually and across PLE projects as a whole.

Evaluation measure: What do you want to achieve through your intervention?	Evaluation questions: What do you have to ask to find out whether you have achieved it?	Examples of evaluation techniques and questions that might be used to capture this information
12. Participants are able to apply information or advice to law-related (this could include information or advice provided through PLE, as well as external information or advice sought by participants)	<ul style="list-style-type: none"> • Have participants applied any of the information or advice they received to deal with an issue in their own life? 	<ul style="list-style-type: none"> • Ask participants to describe ways in which they have applied any of the information they received to deal with a recent issue, asking for specific details
13. Through PLE, participants learn about different courses of action for dealing with law-related issues	<ul style="list-style-type: none"> • Do participants know more about the different courses of action for dealing with issues after PLE than before? • Do participants know more about the different courses of action for dealing with issues than people who did not take part in this PLE? 	<ul style="list-style-type: none"> • Use before-and-after quiz or test or scenarios to assess knowledge of courses of action • Use appropriate case studies or scenarios to explore what courses of action participants think would be open to them to deal with an issue, before and after PLE
14. Through PLE, participants learn how to critically assess different courses of action for dealing with law-related issues (which might include taking no action)	<ul style="list-style-type: none"> • Are participants better able to assess different courses of action after PLE than they were before? • Are participants better able to assess different courses of action than people who did not take part in this PLE? 	<p>Using appropriate case studies or scenarios, ask:</p> <ul style="list-style-type: none"> • What are the advantages and disadvantages of these different courses of action in your view? • What factors would you (did you) need to consider in deciding the course of action to take? • What are the possible consequences of taking no action at all? (for you, your family, others)

Evaluation measure: What do you want to achieve through your intervention?	Evaluation questions: What do you have to ask to find out whether you have achieved it?	Examples of evaluation techniques and questions that might be used to capture this information
15. Through PLE, participants feel able to plan and follow-through a course of action to deal with a law-related issue	<ul style="list-style-type: none"> • Are participants better able to plan and follow through a course of action after PLE than they were before? • Are participants better able to plan and follow through a course of action than people who did not take part in this PLE? • Do participants feel more confident to plan and follow through a course of action after PLE than they did before? 	<p>Using appropriate case studies or scenarios, before and after:</p> <ul style="list-style-type: none"> • Ask participants to describe how they plan to deal with a specific issue, e.g. what steps they would take • Assess the coherence and clarity of participants' explanations (using standard criteria) as a measure of their confidence
16. Through PLE, participants learn to organise and keep track	<ul style="list-style-type: none"> • Are participants better able to organise and keep track? 	<ul style="list-style-type: none"> • To what extent do you agree or disagree with the following statement: 'I am well-organised and can easily find relevant paperwork and correspondence when I need it'. • Direct questions about how participants keep their records and the advantages/disadvantages of this
17. Through PLE, participants learn how to communicate appropriately and effectively as a way of dealing with law-related issues	<ul style="list-style-type: none"> • Are participants better able to communicate appropriately and effectively after PLE than they were before? • Do participants feel more confident to do this after PLE than they did before? 	<ul style="list-style-type: none"> • Direct questions about what participants have learned about communication • Ask for examples of how and where participants have applied what they learned about communication • Assess explanations clarity and accuracy (using standard criteria) as a measure of their confidence
18. Through PLE, participants learn how to manage their feelings appropriately and effectively	<ul style="list-style-type: none"> • Are participants better able to manage their feelings appropriately and effectively after PLE than they were before? • Do participants feel more confident to do this after PLE than they did before? 	<ul style="list-style-type: none"> • Direct questions about the main things participants have learned about managing their feelings • Ask for examples of practical situations where this has been helpful to participants, why and how • Assess the credibility of their explanations (using standard criteria) as a measure of their confidence

Domain 4: Engaging and influencing

The overall goal of PLE interventions that aim to encourage people to engage with and influence their own and others' everyday lives can be described as follows:

Though PLE, people learn about ways in which they can act collectively to legitimately engage with and influence the world in which they live. This action may impact upon themselves but also upon other people either locally, nationally or internationally. They are able to apply what they have learned to a range of situations and issues.

The following measures and questions can help assess the progress that has been achieved in reaching this goal, both in relation to PLE projects individually and across PLE projects as a whole.

Evaluation measure: What do you want to achieve through your intervention?	Evaluation questions: What do you have to ask to find out whether you have achieved it?	Examples of evaluation techniques and questions that might be used to capture this information
19. Through PLE, participants become aware of issues that might impact positively or negatively on their lives and the lives of others	<ul style="list-style-type: none"> • Are participants more aware of issues that might impact on their lives and the lives of other after PLE than they were before? 	<ul style="list-style-type: none"> • Use before-and-after quiz or test to assess awareness of issues • Direct questions about the impact of this new awareness, asking for specific examples
20. Through PLE, participants learn how to engage with and influence the world in which they live	<ul style="list-style-type: none"> • Do participants know more about the ways in which they can legitimately engage and influence the world in which they live after PLE than they did before? 	<ul style="list-style-type: none"> • Use before-and-after quiz or test to assess participants' knowledge about the ways they could get involved and influence these issues • Direct questions about actual involvement before and after PLE • Direct questions about willingness to get involved in these issues before and after PLE
21. Through PLE, participants learn how to seek changes in the laws and procedures that affect their lives and the lives of others	<ul style="list-style-type: none"> • Do participants know more about the ways in which they can seek changes in laws and procedures after PLE than they did before? 	<ul style="list-style-type: none"> • Direct questions to test knowledge of the ways in which individuals can seek changes in laws and other procedures, before and after PLE • Ask participants to outline ways in which they have used anything they learned, with specific examples of achievements

Evaluation measure: What do you want to achieve through your intervention?	Evaluation questions: What do you have to ask to find out whether you have achieved it?	Examples of evaluation techniques and questions that might be used to capture this information
22. Through PLE, participants learn critical thinking and analysis skills to help them engage and influence (e.g. how to research a topic and assess different sources of evidence)	<ul style="list-style-type: none"> • Are participants better able to think critically and analytically after PLE than they were before? • Are participants better able to think critically and analytically than people who did not take part in this PLE? 	<p>Using appropriate case studies or scenarios, ask:</p> <ul style="list-style-type: none"> • What steps could you take in order to try and bring about a change in the law in this situation? • What factors would you take into account when trying to bring about a change in the law in this situation?
23. Through PLE, participants learn how to communicate appropriately and effectively as a way of engaging and influencing law-related issues	<ul style="list-style-type: none"> • Are participants better able to communicate appropriately and effectively after PLE than they were before? • Do participants feel more confident to do this after PLE than they did before? 	<ul style="list-style-type: none"> • Ask participants to consider and then explain a relevant scenario, before and after PLE • Direct questions about whether participants have applied any of the communication skills <ul style="list-style-type: none"> ○ If yes, how? What was the outcome? ○ If no, why not? • Assess clarity and reasonableness of their account (using standard criteria) as a measure of confidence

5 Other approaches to evaluation and theories of behaviour change

The evaluation framework presented in this document is primarily based on what is called a 'managerialist' approach to evaluation, in other words project or programme evaluations that assess and measure outputs, outcomes and impacts. There are other approaches to evaluation and theories of behaviour change that may be relevant to evaluating PLE projects and programmes. We describe some of these below.

5.1 Other approaches to evaluation

Other approaches to evaluation that Law for Life is interested to explore focus on the evaluation of practice (rather than the evaluation of particular projects or programmes), in which learners and educators can reflect on what is being done and the extent to which things are working well. In the field of social development, Rowland (1991) describes a dialogical approach to evaluation, which has the following characteristics:

- Evaluation is viewed as an integral part of the development or change process and involves 'reflection-action'. Subjectivity is recognized and appreciated.
- There is a focus on dialogue and enquiry rather than measurement, and a tendency to use less formal methods like unstructured interviews and participant observation.
- It is approached as an 'empowering process' rather than control by an external body.
- The approach recognises that different individuals and groups have different perceptions. Negotiation and consensus is highly valued, in terms of the evaluation process, the conclusions reached, and recommendations made.
- The evaluator takes on the role of facilitator, rather than being an objective and neutral outsider. Such evaluation may well be undertaken by 'insiders' - people directly involved in the project or programme.

Empowerment evaluation focuses on building capacity among programme participants so that they can carry out their own programme evaluation. According to Fetterman (1997: 382):

Empowerment evaluation has an unambiguous value orientation – it is designed to help people help themselves and improve their programs using a form of self-evaluation and reflection.

There are four steps to empowerment evaluation (Fetterman, 2000: 396):

- “Taking stock or determining where you stand as a program including where you want to go in the future with an explicit emphasis on program improvement
- Focusing on establishing goals, determining where you want to go in the future with an explicit emphasis on program improvement
- Developing strategies and helping participants determine their own strategies to accomplish program goals and objectives
- Helping program participants determine the type of evidence required to document progress credibly toward their goals.”

5.2 Behavioural theory and models of behaviour change

There has been increasing interest among public policy makers to better understand the processes of behaviour change (see for example: Halpern et al, 2004; Australian Government/Australian Public Service Commission, 2007; Reeves, 2010). A recent comprehensive review of behaviour change models (Darnton, 2008) includes a practical guide to selecting and using models in developing behaviour change interventions. A study of the implications of behavioural theory for public policy-making (Cabinet Office/Institute for Government, 2010) includes a checklist for policy-makers of the most (non-coercive) influences on behaviour, captured in the mnemonic MINDSPACE:

Messenger: We are heavily influenced by who communicates information.

Incentives: Our responses to incentives are shaped by predictable mental shortcuts such as strongly avoiding losses.

Norms: We are strongly influenced by what others do.

Defaults: We ‘go with the flow’ of pre-set options.

Saliency: Our attention is drawn to what is novel and seems relevant to us.

Priming: Our acts are often influenced by sub-conscious cues.

Affect: Our emotional associations can powerfully shape our actions.

Commitments: We seek to be consistent with our public promises, and reciprocate acts.

Ego: We act in ways that make us feel better about ourselves.

Some of these models and theories may provide useful guidance in the design of PLE interventions, which can be followed through in evaluation.

5.3 Health promotion and risk prevention

Theory-based approaches to developing programmes and interventions take into account the mechanisms by which behaviour change might be expected to come about. As Weiss (1997) describes, this approach is well-established in health promotion and risk prevention and uses some of the behavioural change models covered by Darnton (2008). For example, based on social learning theory, a health promotion campaign to reduce smoking might provide knowledge (e.g. about ways of breaking the smoking habit), which leads to a change in motivation and intention (willingness to try to reduce smoking), which in turn leads to a change in behaviour (cessation of smoking). The change in behaviour is assumed to result in the desired outcome, such as a reduction in lung disease. In addition, social-reinforcement theory might call for the provision of social supports to sustain smoking cessation.

Social-cognitive theories are often present in risk prevention interventions such as drug abuse. The mechanisms expected to effect change may include changes in knowledge and attitudes, increased feelings of self-efficacy and motivation, gaining skills and a heightened sense of responsibility, which lead to intentions to change behaviour and ultimately to the desired outcome (Weiss, 1997: 45). In such cases, evaluations would be designed to capture the sequence of changes over time.

Linked to the idea of theory-based project or programme development, theory-based evaluation focuses on identifying:

the '*mechanisms* that intervene between the delivery of program service and the occurrence of outcomes of interest. It focuses on participants' responses to program service. The mechanism of change is not the program activities per se but the response that the activities generate' (Weiss, 1997: 46).

In the example of a teaching programme, the mechanism for achieving positive outcomes (as measured in an evaluation) is what students get from the teaching, such as knowledge or heightened interest. 'An evaluation that attempts to track the theoretical underpinnings of the programme has to devise ways to define and measure the psychosocial, physiological, economic, sociological, organizational or other processes that intervene between explore to the program and participant outcomes' (Weiss, 1997: 48).

Applying a theory-based approach to PLE, for example an advice service for people experiencing discrimination at work, we might set out the following stages for project implementation and evaluation:

- Increase participants' knowledge and skills through role play and workshops
- Increase participants' self-efficacy to address an issue
- Change participants' intention to address an issue (e.g. from feeling unable or unwilling to deal with an issue to feeling willing and able to do so)
- Increase participants' skills (such as communication and negotiation skills) and foster confidence to use these skills.

The desired outcome in this example could be that participants are able to prevent the escalation of discrimination at work. We have drawn on some of the ideas of theory-based evaluation in devising the evaluations goals, measures and questions described in Section 4. We also explore (in Section 6) the possible use of psychological constructs such as self-efficacy in explaining levels of legal capability.

5.4 Education and training

There is a significant body of literature on approaches to the evaluation of learning and training which may be relevant to PLE. Eseryel (2002) identifies two main approaches: goal-based and systems-based approaches. One of the most influential goal-based models of evaluation was produced by Kirkpatrick (1959), which aimed to measure four levels of learning:

1. Reaction: what the learner thought and felt about the education or training;
2. Learning: the resulting increase in knowledge or capability;
3. Behaviour: the extent of behaviour and capability change and application; and
4. Results: the effects on the organisation or environment resulting from the learner's performance.

Systems-based models include the CIPP model (1987), which comprises:

1. **Context:** obtaining information about the situation to decide on education needs and to establish programme objectives
2. **Input:** identifying educational strategies likely to achieve the desired result
3. **Process:** assessing the implementation of the educational intervention
4. **Product:** gathering information regarding the results of the interventions to interpret its worth and merit (Eseryel, 2002).

Goal-based approaches can help practitioners think about the purpose of evaluation, whereas systems-based models appear to be more useful in thinking about the overall context and situation. Eseryel (2002) notes, however, that these and other models fall short in terms of

comprehensiveness and fail to provide tools to guide education and training organisations in their evaluation systems and procedures.

Our evaluation framework focuses primarily on the elements of outcome and impact from these models: learning and behaviour in the case of the Kirkpatrick model, and process and product in relation to the CIPP model. PLE projects and evaluators may find some of the other elements of these models useful in thinking about the design and implementation of their evaluations.

5.5 Psychology

Cognitive behavioural therapy (CBT) seems to offer potential insight into the development of PLE interventions, as it focuses on patterns of thought, emotions, bodily feelings and actions. The following information is taken from the website of the UK’s Royal College of Psychiatrists:²

CHANGE VIEW: 10 key facts about CBT

Change: your thoughts and actions	View: events from another angle
Homework: practice makes perfect	I can do it: self-help approach
Action: don't just talk, do!	Experience: test out your beliefs
Need: pinpoint the problem	Write it down: to remember progress
Goals: move towards them	
Evidence: shows CBT can work	

Other learning from the field of health psychology that might be relevant when thinking about effecting behaviour change through PLE includes:

- The use of online feedback to participants to try and effect change, based on their current attitudes and behaviours (Brown-Peterside et al, 2000)
- The use of online narrative evidence (i.e. personal accounts) in relation to perceptions of risk (in other words, another form of delivering peer information) (de Wit et al, 2008).
- The creation of distinct market segments of young people in order to tailor social marketing interventions more effectively (Kolodinsky and Reynolds, 2009).

² www.rcpsych.ac.uk/mentalhealthinformation/therapies/cognitivebehaviouraltherapy.aspx

- Structural features of computer games that have been shown to be effective with young people in terms of promoting a healthy diet, including interactive tailoring, role playing, the element of fun and narrative (Peng, 2009).

6 Target audiences

To date, PLE activities in the UK have targeted a variety of different groups, including young people (IARS), young asylum seekers and refugees (Citizenship Foundation) and homeowners facing repossession (Southwark Law Centre). Other potential target audiences include older people, people with mental health problems, and people with physical health problems or disabilities.

It is crucial for the target audience to be placed at the centre of evaluation design. This allows project co-ordinators and evaluators to consider if there are particular steps they need to take to facilitate people's participation in the evaluation and to ensure the safety of participants and researchers. There is a considerable body of literature on conducting research with different target audiences, which we cannot cover in this framework. Some common factors to consider are:

How to enable participation by people who do not speak English as a first language. This might include the use of multi-lingual interviewers or interpreters. If using an interpreter, it is important to consider issues such as the relationship between the interpreter and the participant (for example, are they from the same family or community?) as this may impact on a participant's willingness to speak freely and openly.

How to enable participation by people who may be vulnerable such as children or people with mental health problems. Here, the appropriate checks (such as CRB checks) must have been carried out. Steps should be taken to ensure both participant and researcher safety, which might include having an advocate or other third party present during research interviews, or making sure that the location of the research is appropriate (such as in a public place rather than in the participant's home). The accessibility and convenience of the research location is also a key consideration for people with limited mobility.

How to design research materials that are appropriate for the target audience, such as qualitative topic guides, survey questionnaires. For people who do not speak English, this might involve translating any questionnaires that are used, along with information about the research and any written communications. Cultural sensitivity may also be an issue when discussing particular topics.

How to design research materials that can be easily understood by the target audience. It is important that participants understand the terms that are written or spoken so that they can respond appropriately and fully to questions. Cognitive testing of questions and/or piloting research materials are useful for this purpose. For some target audiences (such as children), non-verbal stimulus materials such as pictures or diagrams, may be appropriate.

Project co-ordinators and evaluators must also take into account the ethical considerations of conducting an evaluation, such as ensuring that participants give their consent in an informed way and that participants' data are handled appropriately. There may be instances where it is not ethical to include particular groups of people in an evaluation, for example older people who are significantly cognitively impaired. Research ethics are covered in the guidance that accompanies this framework.

It is important for these and other issues related to the target audience to be taken into account when considering how, why and under what circumstances a particular intervention works or fails to work – in other words, to have an understanding of the process of setting up and delivering an intervention as well as its impact. A PLE intervention, for example, may involve a partnership between an organisation that acts as a gatekeeper to a particular target audience (such as a school or a faith group) and the agency delivering the PLE. The nature of the relationship between these two actors may be fundamental to understanding issues such as the take-up of PLE.

In order to capture this type of information, process evaluations explore the set-up and delivery of projects and programmes from the perspective of a range of stakeholders (at strategic and operational levels) as well as people who have participated and possibly also people who were eligible to participate but did not. The types of questions covered in a process evaluation might include:

- The nature of a project and programme and any changes to it over time, for example changes in the delivery channels, changes to target audiences, why these occurred and the effect of changes.
- Levels of staffing and staff retention, why these occurred and their effect on delivery.
- Partnership arrangements, how these were decided and implemented, how well they worked and why.
- Marketing and communication to intended beneficiaries, whether different strategies were used and why, what strategies were most/least effective and how this was evidenced.
- Performance against targets, and reasons for under or over-performance.

7 Explanatory factors

A range of factors are likely to influence legal capability at an individual level. Except where directly applicable to a legal capability domain, these factors are not currently included as domains in their own right. It will, however, be important to take account of these factors in any research to measure levels of legal capability and to be mindful of them when designing PLE interventions and evaluations.

Some of the socio-demographic information that is routinely collected to help explain evaluation findings includes: age, gender, ethnicity, household composition, housing tenure, level of education, household income, employment status, health status. Examples of standard questions used to capture this information are widely available, for example from national surveys.

Other factors such as attitudes and motivations may also help to explain someone's level of legal capability. For example, an individual's self-efficacy (that is, their belief in their ability to succeed in specific situations) may play a considerable role in how that individual approaches goals, tasks and challenges (Luszczynska and Schwarzer, 2005). Other psychological constructs, such as action-orientation, may also prove to be significant in explaining someone's legal capability. There are standard psychological questions and scales that can be used to measure these constructs, but it is also important to consider how the data that is collected will be analysed.

8 Capturing the wider impact of PLE

As well as developing tools to evaluate PLE projects and programmes, Law for Life is interested to explore the potential for capturing any wider impacts of PLE that go beyond changes to people's levels of legal capability. Trying to identify and measure any longer-term outcome from a project or programme is challenging, particularly for more complex community-based initiatives such as PLE:

Defining interim activities and interim outcomes, and then linking those to longer-term outcomes, appears to be the hardest part of the ... process. (Connell and Kubisch, 1998: 23, cited by Judge and Bauld, 2001).

The task is made harder by the fact that, at present, PLE projects are typically small-scale, local initiatives; there are currently no national PLE projects or programmes. Trying to generalise from individual PLE projects or programmes in terms of changes to legal capability or any wider impacts (referred to as external validity) is therefore inadvisable. The ability to attribute outcomes that occur over time to a particular PLE project or programme (referred to as internal validity) is also problematic.

It is possible, however, to start to build up a picture of the sorts of wider impacts that seem to result from PLE, so that these can be explored in appropriate ways on a larger scale in the future. With the support of Law for Life, PLE projects and programmes may want to think about capturing some of this information in the evaluations that they conduct. As discussed in Section 2, this is likely to require longitudinal research with PLE participants. The sorts of subjects that projects or evaluators could collect information about include:

- Whether PLE helps to prevent law-related issues arising or escalating. In the US, for example, the Save Our Streets initiative resulted in lower re-arrest rates among young offenders who had received PLE than those who had not.
- Whether PLE helps improve access to justice (for example because participants decide to follow through issues as a result of PLE that they would not have done previously). In Canada, for example, an evaluation of the British Columbia Supreme Court self-help information centre examined the degree to which the centre increased unrepresented litigants' access to justice and in turn facilitated efficiencies in the court system.
- Whether PLE can impact on the health and well-being of participants, such as changes in levels of anxiety or stress. There are a range of standard measures that can be used to

capture these types of information in large-scale surveys, such as the Personal Wellbeing Index which measures life satisfaction.

- Whether PLE has any effect on the everyday lives of participants and their families, such as reduced levels of friction or arguments in a family.
- Whether PLE has any effect on participants' employment, such as improvements in productivity, reduced stress or anxiety in the workplace. Measures that could be used here include the number of days absent from work because of sickness.

This information is likely to be self-reported by participants so trying to validate such changes in any way (e.g. by accessing medical records) is clearly difficult. For this reason, it is also difficult to place an economic or monetary value on these benefits in any robust way.

As the field of PLE policy, practice and research develops, there may be opportunities for more ambitious efforts to capture the wider impacts of PLE, including for example cost-benefit analysis. Other models such as the Social Return on Investment (SROI) may also be useful. This is a framework for measuring and accounting for the value of a project or organisation in broad terms, to incorporate social and environmental as well as economic costs and benefits. It enables a ratio of benefits to costs to be calculated, for example, a ratio of 3:1 indicates that an investment of £1 delivers £3 of social value (Cabinet Office/Office of the Third Sector, undated).

Other initiatives, in the international arena and in the UK, may provide helpful models and guides for planning future work and for devising legal capability indicators. There are examples from the development literature (e.g. UNDP 2006), although these operate at a very high level and the indicators used (such as expenditure on health care) are unlikely to be directly relevant to legal capability.

In addition, work at the London School of Economics (LSE) aim to identify indicators of capability for the UK. These cover a wide range of domains including health, physical security, legal security, standard of living, education and learning, productive and valued activities, individual/family and social life, identity and self-respect, participation/influence and voice (Vizard and Burchardt 2007). This work suggests that deriving high-level indicators from routine datasets can be a challenging process that involves identifying potential indicators and then validating them with experts and members of the public alike (Burchardt and Vizard 2009; Vizard 2010).

9 Measuring and monitoring legal capability in the UK population

Public legal education and the concept of legal capability are relatively new phenomena in the UK. As the field develops, it will be important to establish robust information systems that are able to measure and monitor legal capability over time. As PLE activities grow across the country, these systems can also be used to evidence the impact of PLE initiatives and the benefits of investment in this area to help tackle issues relating to social justice and social exclusion. In this section we scope the potential and possibilities for measuring legal capability in the general population and demonstrating impacts and broader social benefit.

Broadly speaking there are three main options – or combinations of options – available for measuring levels of legal capability in the population:

- A new national survey of legal capability
- The use of existing routine administrative data, and
- Small-scale research projects and PLE evaluations.

We appraise the options below, considering some of the opportunities, strengths and weaknesses.

9.1 A new large-scale survey of legal capability

There is no specially designed survey currently in existence that sets out to monitor legal capability in the UK. Having a generally accepted operational definition of legal capability is of course a prerequisite, but if legal capability in the population is to be measured accurately and across time, then it is likely to require investment in new data collection systems or investment in a specially designed representative sample survey. With regular surveys of this kind, legal capability could be assessed over time and the impact of larger-scale PLE programmes evaluated.

The value of a well-designed specialist survey is that it would produce good quality data to shed new light on national levels of legal capability; results could be analysed and reported by key socio-demographic population characteristics (some of which are described in Section 7). The findings could also help shape future PLE policy and practice. A model for this approach is provided by the field of financial capability where there have been recent efforts to measure levels of financial capability in the UK population, with much of the work funded by the Financial Services Authority (Financial Services Authority 2005; Atkinson *et al.* 2006; Financial Services Authority 2006a, 2006b; Meza *et al.* 2008; McQuaid and Egdell 2010).

Developing and implementing a large-scale, comprehensive social survey of legal capability, largely from scratch, is a costly option, however, which would require major investment and sponsorship similar to that provided for financial capability.

9.2 Existing routine administrative data

In the absence of a national survey of legal capability, Law for Life may have to rely on existing social survey data and administrative data collected by government, charities, business and the research community. There is a lot of information and data that can potentially be used to attempt to monitor legal capability. It is important to note, however, that existing social survey data and administrative data has not primarily been collected for this purpose. As a result, there may be issues around data and data interpretation, not to mention questions over inference, reliability and validity of any measure or indicator that is used. That said, there is good information available which we review below in terms of the potential for monitoring or at least providing useful indications of legal capability in the population.

The English and Welsh Civil Social Justice Survey (CSJS) attempts to measure and examine people's ability to use the law in order to protect their rights and to hold others to their responsibilities (Pleasence *et al.* 2008; Hanson and Sullivan 2009). The CSJS, first conducted in 2001, was a cross sectional random sample survey of 3,000-4,000 adults (18 years and above). The latest survey (2007) achieved a response rate of 27 per cent in the main and follow-up interviews. It is now being redesigned as a longitudinal panel survey.

The CSJS offers information relevant to legal capability across a number of domains. It identifies if a respondent has had a difficult problem in any of 18 distinct categories (Pleasence *et al.* 2008): consumer, discrimination, divorce, employment, relationship breakdown, domestic violence, neighbours, children, owned and rented housing, personal injury, clinical negligence, mental health, money/debt, immigration, welfare benefits, and unfair treatment by the police. It also provides a detailed breakdown on the incidence of justice problems.

CSJS indicates that many people in England and Wales are potentially very vulnerable because of their ignorance of legal rights (Buck *et al.* 2007, 2008). Results from the 2004 CSJS found high levels of self-reported lack of knowledge, for example:

- only 38% said they knew their legal rights and 69% did not know anything of formal legal processes

- 62% of respondents said they did not know at the time of their problem what their legal rights were relating to that problem
- 16% of respondents said they wished they had known about their rights/formal processes at the time of problem experience; 6% said they would have wanted to know that they should have obtained advice (Buck *et al.* 2007).

Perhaps unsurprisingly, CSJS shows that legal capability is not equally distributed within the population. Those without any academic qualifications, for example, are more likely to report that they did not know their legal rights and legal processes. It is apparent from the literature that the burden of unresolved legal problems falls more heavily on the socially excluded who are less likely than the average citizen to take any action or seek help with their problems.

9.3 Small scale research projects and PLE evaluations

Small scale research projects and PLE evaluations continue to shed some light on levels of legal capability in the population. In 2008, Plenet, for instance, commissioned Independent Academic Research Studies (IARS) to carry out an exploratory study on young people's legal capability (Plenet 2009). It is questionable however, as to the extent to which these small-scale enquiries could be used to represent a national picture for monitoring legal capability over time. The evaluations also tend to be ad-hoc, small-scale and are usually conducted within particular service areas and/or on particular service user populations in defined localities. The challenge is to aggregate across the projects to develop a national picture of legal capability and this would be difficult with local PLE evaluators using different methodologies, surveys and questions, with little or no methodological consistency between the studies.

This framework, the accompanying guidance and Law for Life's role in co-ordinating PLE evaluations aim to overcome some of these difficulties. In the absence of a national survey, it is intended that they support a more strategic approach to monitoring legal capability within the national population.

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