Digital Divide Older People And Online Legal Advice

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“Many older people are not aware where and when advice is available. Furthermore they may be unaware that advice is needed”

- Need for providing affordable, accessible legal advice

- Older people are at particular risk of being those who are most disadvantaged by the digital exclusion
RESEARCH QUESTIONS

- To determine how older people in Northern Ireland go about accessing legal advice
- To establish whether the statutory authorities are fulfilling their legal requirements and official guidance in some of these areas.
- To explore the potential contribution of innovative methodologies to help older people in accessing legal advice
- To identify the gaps in the research
A mixed methods approach to data collection

- Semi-structured interviews
- Focus groups
- Observational experiment

Interviews with individuals and organisations with an interest in older people’s issues
Theorising Age

Why do older people have particular Legal needs?
- Law Relevant to Older People
- Objectives of Law Relating to Older People
- Sources of Advice

Policy Context
- Australia
- United States
- Republic of Ireland
- United Kingdom
- Northern Ireland

Digital Context
KEY THEMES

- Priority legal issues and common legal issues affecting the older people
- Legal problems of the older people from ethnically diverse backgrounds
- Older people from rural regions in regard to legal problems
- Mechanisms through which older people solve legal problems
KEY FINDINGS

COMMON LEGAL ISSUES FOR OLDER PEOPLE

- Estate management
- Wills
- Care home fees
- Debt
- Small claims
- Age Discrimination
- Pensions and benefits
- Human rights issues
- Anti social behaviour
- Hate crime
- Fraudulent callers

Bar chart showing the frequency of different legal issues for older people.
Older People’s engagement with the Law and Legal System

- “Younger older people are more likely to use a lawyer than the old older people”
- “sense of fear expressed about what might happen to older people if they complain”
- “vulnerability results in a heightened sense of insecurity”
- “general sense of apathy towards the legal system”
Access to Legal Information

- older people from poorer backgrounds are less likely to have access to information and assistance
- not knowing or being aware of where or who to turn to for legal information

“There is a fear of liability and an attitude that it is not my job for example as a podiatrist to provide welfare or legal information.” (Interview Respondent)

- who does provide information? And crucially, who should provide information?
Older People’s engagement with the Legal Service Providers

- higher level of expectations from the legal service providers
- “legal jargon and language can be difficult to understand.”
- did not have faith in the legal system to provide the redress they sought

Lack of Specialised Service Providers

Cost Issues

Minorities and Marginalised Groups

we should not generalise about the legal needs of older people
Other Ways to Better Meet Legal Needs of Older People

- Directory of legal services
- Use of plain English
- Increased funding and resources
- Advocacy Service
- Extension of Age legislation to GFS
- Joined up approach from legal, medical and...
- Leaflets in other languages
- Charter of basic costs
- Increased training of solicitors
- Confusion between NI and GB law
- Increase awareness of need
- One stop information shop
- Advertising campaign
- Extension of legal aid
KEY FINDINGS: USE OF TECHNOLOGY

PROVISION OF BASIC LEGAL ADVICE ONLINE

- Useful for others: 44%
- Useful for older person if IT literate: 37%
- Not useful for older person: 19%
RECOMMENDATIONS

- Improved communication between health and social care professionals and the legal profession
- Jargon free and accessible, understandable language in all levels of communication with older people.
- Provide specialist legal services
The production of a generic Legal Guide and Directory of Services for older people

Legal education at undergraduate level needs to include specialist curriculum content

On-line/Internet services should be developed for providing legal advice for older people
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