Potential for Public Legal Education in Adult Learning

Report on a Consultation with Adult Learning Experts

prepared for Plenet

by

Howard Gannaway and Lorraine Casey
NIACE

September 2009





Contents

Foreword	1
Executive summary	2
Introduction	4
Conclusions	22
Appendix 1	24
Appendix 2	25
Appendix 3	. 28

Foreword



NIACE is committed to supporting adults to participate in learning to achieve their aspirations and to lead more satisfying lives, and we are pleased when new areas of learning emerge that help to that end. We are particularly pleased that Plenet has chosen to focus on the learning needs of adults as well as those of our children. As a nation we rightly place a great deal of emphasis on the education of our children and sometimes overlook the importance of learning throughout our lives – not least because it presents a good example for our children to follow, and has a major impact on their practice.

NIACE is privileged to have been able to support Plenet in its early stages of developing the ideas and an evidence base for this exciting new learning opportunity. Our long-standing work in Financial Learning has shown us that improving capability in these life-skill subjects can have a great impact for good on people's lives. Increasingly, the world of personal finance is bound up with legal relationships and agreements and we are sure that Public Legal Education will soon come to be seen as equally important as Financial Capability in helping the public navigate these challenges.

We also see Public Legal Education as an important cornerstone in our roles as citizens. We elect our Members of Parliament to create laws for us which are then administered through Government offices, the judiciary, the police and other agencies. The strength of our democracy can only be reinforced if our citizens have an understanding of these processes and how they come to affect their lives.

Our most recent piece of research for Plenet draws on the combined knowledge and skills of ten of our most experienced adult learning professionals to help signpost ways in which Public Legal Education can develop in the adult learning world. They are not shy and have been forthright in their views and in their enthusiasm for this new area of learning! We are confident that their reflections will provoke much discussion and NIACE stands ready to be of further help in researching what will work best and in developing programmes and resources for our adult learners."

Alan Tuckett
Director
NIACE, the National Institute of Adult Continuing Education

Executive Summary

This report follows on from earlier work commissioned by Plenet from NIACE, which looked at the relationship between Public Legal Education and Financial Capability

The aim of this report was to seek the views of experienced adult educators on the potential for introducing Public Legal Education into the various elements of adult learning.

Ten expert adult learning practitioners were asked to respond to an openquestionnaire. The report summarises their views and draws conclusions for future policy consideration.

- There was universal enthusiasm among the experts for Public Legal Education both from the point of view of its value to learners and also its potential for incorporating into their sessions. Adult learning professionals are generally an enthusiastic bunch but their appetite for this new opportunity surprised us!
- "I can foresee a world where PLE is part of routine daily life and people will then need to pay less for advice and/or have a better understanding of what they do, leading to less mistakes and a happier life!" (MS)
- Most of the experts said that they had experience of incorporating legal information into the content of their learning. Many of the experts had experience of delivering Financial Learning and the instances of incorporating legal content drew heavily on the points of connection between personal finance and the law, such as contracting with financial service providers for loans and insurance products. The experts were enthusiastic about embedding legal education into personal finance but also mentioned subjects such as citizenship where there was obvious relevance for knowledge of the law.
- There was enthusiasm for the relevance of Public Legal Education both as an important element in a "general" understanding of social life with all the potential for avoiding problems that this brings. In addition, it was noted that there are opportunities for "just in time" learning where someone has already encountered difficulties.

- "Information and guidance about how to complain is always useful, now that I am aware of the 'Seven Steps...' document, I am more likely to use it or give out copies of these during workshops. Also, in general I am likely to use the Advicenow website for personal and professional use" (EO)
- Adult learning is becoming increasingly professionalised, for example, through
 the raising of educational entry levels for those working in the Learning and Skills
 sector. The Financial Learning community is becoming increasingly aware that this
 professionalisation must be embraced if the subject is to gain respect and benefit
 from public funding opportunities. If Public Legal Education is to become accepted
 in this way, it must also seek to develop practitioners' knowledge and skills
 through professional development programmes. Further research is needed to
 identify how best to structure these.
- Sustainable funding from Government and other organisations is vital to ensure long-term success. Professional development of practitioners is critical important for this but, in addition, we would suggest that the subject needs to establish a definition, a clear intellectual framework and a respected body of academic support through independent research and commentary.

This has been an exciting project for NIACE. Our mission drives us to seek and promote new learning opportunities for adults and we see Public Legal Education as serving a very valuable need for the country's learners.

Introduction

This paper sets out the findings of an inquiry among a group of adult learning experts that sought their views and experiences around Public Legal Education (PLE). It followed on from previous work carried out for Plenet by NIACE that had two main themes. The first of these was to explore links between the development of PLE and that of Financial Capability learning while the second was to examine how PLE could make links with the various areas of adult learning.

The links with Financial Capability were explored in a paper that was presented to a conference organised by the Civil Justice Council in Cardiff on 13th November 2008 as part of *Pro Bono* Week. This paper looked at the lessons that could be drawn from the growth of Financial Capability as an area of public learning and pointed some directions in terms of engagement with Government and other areas of the Law.

The second thread, that of examining the potential "space" for PLE in adult learning was started with an in-depth analysis from the perspective of adult literacy and numeracy learning of a number of legal information leaflets produced by Advicenow. The rationale behind this approach was twofold: firstly, considerable success had been experienced by the Basic Skills Agency in producing learning materials and methodologies that enabled literacy and numeracy tutors to use content from personal finance contexts in their lessons. Many learners seeking to improve their levels of literacy and numeracy are attracted to the idea of studying this through the medium of an everyday life skill such as personal finance. Secondly, in the same way that many basic skills learners also have challenges in their lives around the management of money, it was thought that basic skills tutors would also recognise the need for many of their learners to improve their understanding of legal issues.

This analysis concluded that the materials would be of use and interest in basic skills learning although it was pointed out that the writing and production of the leaflets had not taken sufficient regard for the learning needs of less skilled readers. This is a feature of much public information literature from a wide range of organisations and sections of Government. Much of this information is frequently of little use to those with poor reading skills or those with groundings in other cultural backgrounds, a not insignificant number of the British public.

The adult learning experts mini-survey

Having obtained an authoritative view on some of the written materials currently available, Plenet then wished to further explore how Public Legal Education might extend its reach among the adult population. Adult learning has a range of challenges in this respect that are quite different from those seeking to change learning opportunities for children, where the compulsory nature of schooling makes for

a more narrow focus – some might say, an easier target. Adult learning is of course not compulsory and, while one would not suggest that school is the only place that children learn, the range of contexts in which adults learn is inevitably far more diverse.

Informal learning can occur in a wide range of contexts for both adults and children. However, for adults formal learning opportunities can take place in FE Colleges, universities, vocational colleges, community centres, private training companies, workplaces, and other providers. While it would not have been feasible to explore the full range of learning contexts and how these might incorporate Public Legal Education, it was decided to make a first step by looking at the experiences and views of a small group of experts in adult learning.

The most recent phase of this work involved inviting a number of adult learning experts, largely unfamiliar with Public Legal Education, to acquaint themselves with the subject and to consider if it could be incorporated into their own areas of work. They were provided with a reading list of relevant documents and directions to the Plenet website before being requested to complete a questionnaire by means of freetext responses.

The group of experts contained some people currently working within one learning provider organisation, some working across a number of organisations and some currently acting in more of a consultancy role, providing help to learning providers at an organisational level, policy makers and others.

The range of contexts in which they had experience of teaching included:

Adult and Community Learning

Family Learning

Further Education

Local Authority Staff Training Money Advice sector Older Learners

Prisons Refugees and Asylum Seekers

Schools Trade Unions Voluntary Sector Workplace Learning

Young Adults

The range of subjects in which they had experience included:

ESOL

Horticulture

Maths

Financial Capability

ICT

Numeracy

Financial Planning (vocational)

Literacy

All had been involved in teaching non-vocational personal finance. Further details on the experts are included in Appendix 1.

Method of inquiry

As the aim of the inquiry was to extend Plenet's knowledge of the various fields of adult learning, we adopted the method of a written questionnaire inviting free-form written answers. The experts were asked to first acquaint themselves with the subject by reading a set list of documents and looking at the Plenet website before giving written answers to a set of questions. (see Appendix 2)

In forming the questions, we wanted to make some quite fine distinctions, for example, between whether the respondents had been involved in any learning activities that included information about legal issues and whether they had ever been involved in a working relationship with any organisation with an interest in the law or legal education. However, some responses covered issues in one section that might properly have been divided between two sections. In looking at the responses to the questions below and drawing out the main themes, we have taken a relaxed approach to this, sometimes moving responses into a section we thought more appropriate and sometimes, to preserve the flow of argument, leaving comments in the section where they were originally written.

We feel this approach is justified on the grounds that this paper is not intended to be a research paper where views expressed need to be associated, for example, with specific events. It is instead a collection of the experiences and views of experts, drawn together in themes that we hope will contribute to future discussion.

Q7: Have you or your organisation ever been involved in delivering any learning activities that included information etc about legal issues? If not, are there any particular reasons? Please give details.

Key themes

- Everyone answered yes to this question and provided examples. This is interesting as the respondents were chosen for their experience of financial learning. Prior to them being involved in this piece of work, NIACE had no idea that they had experience of working with legal learning.
- The types of examples were diverse e.g. developing financial literacy resources to leading a dissemination programme on the impact on education, training and employment of the 2006 (Age) Equality regulations
- Most participants made links to finance matters but examples were not limited to this area.
- Participants worked with a range of individuals. Some mentioned specific target groups, for example, older adults, asylum seekers and migrant workers, professionals.
- The format of the learning activities varied one-to-one work, courses, providing information resources
- One person posed a question about definitions, specifically in relation to this question and also more broadly:

"Their discussion on the Plenet about what is meant by 'legal capability' in terms of knowledge, skills and attitudes is beginning to be helpful and echoes a great deal of work which has been done about 'financial capability'. Indeed there seems to be a great deal of overlap! The gap for me is the definition of the actual knowledge base that they want legally empowered citizens to have. This was tackled in the financial capability world by the Adult Financial Capability Framework". (GH)

 As well as stating what they had been involved in, some participants spoke about the value of legal education.

"I can foresee a world where PLE is part of routine daily life and people will then need to pay less for advice and/or have a better understanding of what they do, leading to less mistakes and a happier life!" (MS)

 However, some issues encountered were also reported e.g. limited time to discuss topics, limited knowledge

"Many people are still unclear about the difference between secure and unsecure debts, what bailiffs can and can't do, or the difference between illegal and legal doorstep money lenders. However, although these issues are covered, the legal details are only covered in brief and this is mainly due to my own lack of knowledge or fear of providing incorrect information. At times a participant may require more in-depth information and I feel that it is better to refer people onto a specialist advice agency such as Capitalise or the CAB". (EO)

"Clients seeking debt advice and support would be offered referral to our financial capability projects in an effort to help them to stay out of debt in the future. However, this proved not to be very successful. The emphasis was later changed to include serial debt clients ie those who came back time and time again with similar issues. These clients were then precluded from accessing the debt support services until and unless they undertook a series of money management sessions. This change reflected the Legal Services Commission's refusal to allow legal aid funding for clients who returned for further advice on the same issue within a 6 month period". (LC)

- Links to other agencies were mentioned by several participants. These agencies were: Age Concern England, Resolution, Capitalise, Citizens Advice Bureau and EHRC. The roles of these agencies varied e.g. supporting delivery, funding learning provision, referral agencies.
- Two participants spoke about making use of the resources (highlighted through this project) in the future:

"I am working with Resolution (previously the Solicitors Family Law Association) to help promote divorce through collaboration rather than the well-established adversarial approach. The PLE resources in this context would be very helpful and I notice that the web site does refer to collaboration". (MS)

"Information and guidance about how to complain is always useful, now that I am aware of the 'Seven Steps...' document, I am more likely to use it or give out copies of these during workshops. Also, in general I am likely to use the Advicenow website for personal and professional use". (EO) Q8: Have you or your organisation ever been involved with any working relationship with an organisation with an interest in the law or legal education? Please give details.

Key themes

- All but one participant said yes to this question and in most cases numerous relationships were
 highlighted. It is worth noting that partnerships of this sort are probably far more common in post-16
 education than in the schools environment. This means that, if PLE makes inroads into adult learning,
 it should be aware of the opportunities for "viral" marketing opportunities created by partnerships of
 this sort.
- Organisations/agencies included: various government departments, Experian, Prison/Probation Service, Trade Union Learning Centre, Toynbee Hall, Age Alliance, Age Concern, Commission for Race Equality, Resolution, solicitors, Citizens Advice Bureau, NACAB, advice agencies, Housing Officers, Capitalise, NIACE, legal profession, Shelter Cymru, Trading Standards, National Debtline, Consumer Credit Counselling Service, Welfare Rights Units, Citizenship Foundation, Law Centres Federation, Citizens Advice, CPAG, Federation of Independent Advice Centres.
- A few organisations were mentioned by two or more participants e.g. Toynbee Hall, Citizens Advice Bureau, solicitors.
- Links were established for various purposes e.g. to inform the development of resources or training, to deal with specific issues, signposting/referral, commissioned by organisation to provide advice or disseminate information about their services, discussion groups/networks.
- One participant noted that they do not currently link with an organisation that provides legal education but could see the value of this to their learners and teachers.

Q9: Describe any benefits you could see for your learners in dealing with learning about personal/community/workplace etc legal matters. Include comments on personal growth issues as well as vocational or qualification issues.

Key themes

- All participants identified benefits to learners in learning about legal matters. A range of benefits for individual learners were put forward.
- Increased knowledge and understanding about legal matters supports people in their daily lives. It can improve a person's quality of life and their health. It can reduce the risks of homelessness, unemployment and offending.

"In practical aspects of job-seeking, citizenship, settlement and asylum processes, in dealing with schools, consumer issues, hospitals, housing organisations, police and government departments, an awareness of relevant law is of inestimable value to the groups of learners with whom I have been working" (RL)

"Operating within the legal framework of the UK and knowing your rights and responsibilities" (GH)

"The levels of anxiety that is experienced as a result of having to face often quite serious debt problems inhibits an individual's ability to even begin to resolve a matter for themselves".(KB)

"In terms of the adult learners we have worked with, it was clear that one of the major outcomes was their own personal gains particularly in regard to greater confidence in dealing with money, budgets and creditors". (KB)

"Assisting residents who are employed to improve their money management skills can help to keep them in work. The same set of skills can also assist those who are unemployed to find work". (LC)

"With regards to the credit and debt topic, legal information is very important as people need to understand the terms and conditions they agree to, the fact that contracts are legally binding and what consequences there are for breaking these contracts". (EO)

"As mentioned previously, my current financial capability course has a session during week 6 called 'Buying goods and services'... the objectives i.e. by the end of the session, learners will be able to:

- > identify their main rights/responsibilities when buying goods & services,
- > role play making a complaint
- > list the information needed for a written complaint (letter or email) and discuss appropriate tone and language" (CS)

"I can foresee a world where PLE is part of routine daily life and people will then need to

pay less for advice and/or have a better understanding of what they do, leading to less mistakes and a happier life!" (MS)

"If it is targeted at all students prior to them leaving [school], at least they will be armed with sufficient knowledge to hopefully prevent getting themselves into undesirable situations". (CS)

"Encouraging public access to an area of knowledge which has traditionally been the exclusive preserve of specialists is to be applauded because it will promote autonomous citizenship if done well". (AG)

"I believe that you have to do more than teach how to take remedial action. Hopefully, if you've got it right, PLE will prevent some people from needing remedial action... PLE has to be part of the armoury of the capable citizen in the same way that financial capability is important for people in a very wide sense". (GH)

"I believe there will be a basic body of knowledge which all citizens could usefully gain". (GH)

"Information and advice about the real powers which bailiffs have and the rights which debtors have in the recovery process will empower the victims". (LC)

"Certainly in terms of the people who will most benefit from PLE (poor and excluded people) the information-giving side of education is useless without a strong development of skills, competences, confidence and awareness, which is usually driven through the provision of courses". (RL)

"We need to ensure that those working in the community understand the value of the work, have access to information and are confident to use it themselves. As this information is passed to the community and within the community, with the right support we will see people more able to take control and make positive changes in their lives". (EO)

 Learning about legal matters can engage people into adult learning, and support different adult learning activities.

"It was (is) vital for those in adult education to reach communities of older people through those agencies that are closest to them and build up trust to explore need, solving immediate crises and building up confidence in ability and existing skills to 'progress'". (JS)

"Like financial capability, legal matters are an ideal context for teaching literacy, language, numeracy and ICT skills (Skills for Life) as they are relevant to a lot of adult learners whether linked to personal or workplace issues, provide opportunities to use the skills in real-life situations, help develop confidence and empower people to take control of their lives". (CL)

Wider benefits at a family, community and society level were also noted

"The benefits to the individual ... can encourage them to become more involved in their neighbourhoods and this in turn can improve community sustainability". (LC)

"As individuals become successful in this area they are likely to tell 'train' others and therefore contributing to an empowered community" (EO)

"PLE could take the form of community activism" (EO)

• Some mixed views about qualifications were raised in response to this question.

"Our workshops sessions received OCN accreditation in 2007 when we worked with a group of women on a local estate, with 12 starting and 8 finishing and receiving certificates. I would not generally accept that 'qualification' issues are foremost in the minds of participants, but the pride and sense of achievement displayed by these women may give me reason to reconsider this position". (KB)

"The benefits are undoubted but it would have to be as an additional 'after hours' aspect because the learners have to focus on examination aspects relevant to their qualifications". (MS)

Q10: Would you envisage incorporating PLE into existing courses/ lessons or would you prefer to see it occupying its own position in the learning framework?

Key themes

- Nine out of ten people responded to this question. There were mixed views amongst participants.
- The majority of people could see it being incorporated into existing provision and some felt this was already happening

"I would have thought a lot of what we are talking about could be embedded (and might already be so) in existing programmes". (GH)

"I think that it will be very straightforward to incorporate PLE into existing courses/lessons linked to financial capability, consumer issues, literacy/numeracy/ESOL(English for Speakers of Other Languages)/Information and Communication Technology, re-settlement in prisons and debt advice". (CL)

Some noted the benefits of incorporating PLE into existing provision.

"If the necessary resources were dedicated to building PLE into existing frameworks I think it could be successful in that it would be considered a necessary part of the tools, skills, knowledge required to negotiate modern life". (EO)

Some challenges in incorporating it into existing provision were put forward.

"I believe that PLE could have a more prominent place within financial capability, to a certain extent it is already there but perhaps in practice it could be drawn out in a more concrete way. The challenges in doing this may include the way in which we design and deliver our workshops which are much more discussion, activity and participatory based. This is a challenge because some groups may view the information as too technical, boring or even difficult" (EO)

"From my point of view I would like to see PLE as an addition to any relevant courses I run subject to time constraints". (MS)

Several people felt that PLE should also occupy its own position (at some point).

"There is every advantage in it both being recognised as a legitimate area in its own right and in its permeating other areas of teaching and learning". (RL)

"The answer is "both"... A holistic approach to learning – as opposed to the current fashion for consigning subject areas to silos – will ensure that related subject areas will find a place within each other's curricula". (AG)

"It only becomes possible to think of a topic, such as PLE, becoming a subject in its own right (and therefore occupying a position in the learning framework) after some time and a lot of work having gone into defining exactly what it is. PLE isn't in this position at the moment". (GH)

A few people raised concerns about PLE occupying its own position.

"If PLE was offered separately it might be more difficult to convince all but those passionate about active citizenship and empowerment to put any real effort into it" (EO)

"I can also envisage potential learners, such as those that I currently work with who would struggle to see the value of learning about legal matters as a separate framework or who just would not engage" (EO).

"PLE could perhaps occupy its own position in the learning framework, but given its vast scope it may prove difficult to bring all the strands together to consolidate into one course". (KB)

"So broadly the challenge for PLE as a discrete subject in the adult education sphere seems to be one of focusing on areas which are broad enough to be a logical and holistic course with a personal development aspect, while also being tightly focused enough to be attractive to the target groups. Along with this, the inculcation of PLE approaches into a range of adult education domains, from Skills for Life to Open University courses, would be very beneficial". (RL)

• Whether incorporated into existing courses or occupying its own position, two participants noted the importance of PLE being contextualized.

"PLE would be an exciting new addition to any curriculum development and outreach with and for older learners (and all adults) but mainly contextualised within their own personal development – with its complex concerns". (JS)

"I would suggest it is important that any PLE is linked to a task, so seeking to ensure that PLE has a practical application may help in engaging with the public to do courses". (KB)

Q11: Do you think you or your colleagues would feel capable of dealing with issues such as those contained in the leaflets? If not, do you think the appropriate response is to amend staff training to improve internal capacity or to seek specialist help from elsewhere, for example, local solicitors?

Key themes

• Some participants said they/their colleagues would feel capable of dealing with the issues or at least some of them.

"Many of those delivering Skills for Life or financial capability will feel able to cover the issues based in the leaflets as the leaflets are very clear". (CL)

"Educators will feel comfortable dealing with the more generic aspects of PLE, such as developing the skills and attitudes" (GH)

"Some educators/trainers will have some specialised knowledge. For example, CAB debt advisors running financial inclusion programmes will know the legal framework for dealing with debt. Those running return to work courses will know employment rights". (GH)

"I would doubt the need to incorporate specialist help within the financial capability [course]" (CS)

• It was noted that teaching staff may not have sufficient knowledge/ skills, or be best placed, to deal with some issues themselves. Access to support is important.

"It is important to ensure that teachers do not overreach themselves and stray into areas of advice-giving (and 'expert' roles) for which they are not equipped... Teachers need to be aware of their limitations and have routes to refer learners to, including where appropriate self-standing teaching modules delivered by a PLE expert". (RL)

"What becomes problematic is lack of in-depth knowledge. To some extent this can be mitigated by good teaching & learning resources". (GH)

"Many learners benefit from a joint approach ('embedded learning') by special subject expert and their own regular teacher". (RL)

"We have the benefit of having specialist help on site and so we can make referrals". (EO)

"I would expect that some of our more experienced advice staff would identify an issue that may be outside of their own particular expertise, and to point a client in the right direction and this could certainly be to these leaflets". (KB)

"The problem ... arises if they [Trainers] are asked to go outside their comfort zone". (GH)

"Educators/trainers may not be aware of the gaps in their own knowledge – knowing what you can and can't say is paramount". (GH)

"I truly believe that when you have people with the required technical and communication skills in place to undertake the training of others, only then can the success of a programme be truly assessed". (CS)

Many participants would welcome further guidance/support, and various suggestions were proposed.
It is worth noting here that the Learning and Skills/Further Education sector is currently undergoing
a process of professionalisation similar to that which has existed for many years in compulsory
education. This means that both learning providers and individual practitioners are highly attuned
to issues of expertise, qualifications, initial training and continuing professional development.

"We would very much welcome training in PLE as part of our Continuing Professional Development" (AG)

"It seems to me that PLE teachers would require training to ask the right questions—diplomatically—and keep an eye out for symptoms of issues which may not be presented immediately or consciously by the client. This is certainly our own experience: people turn up to Personal Finance courses with basic skills issues, sometimes with debt-associated mental health issues. It is not difficult to imagine similar issues within a PLE context, with implications for staff training". (AG)

"If there were some form of guide trainers could refer to in order to gain information about the various topics they should be able to give suitable delivery. The Plenet web site seems to be the prime source and hopefully it will be expanded in time to provide information that is more detailed for trainers". (MS)

"I think that there needs to be clear guidance on where different areas of expertise lie". (CL)

"There will be a need to build internal capacity by 'training the trainers'. And by getting intermediaries to realise that PLE would be a good thing to incorporate in their work – this is not always obvious to them". (GH)

"I feel they would welcome some guidance on issues that they should be aware of before they touch on legal matters. This could be written guidance or more useful perhaps would be a one-day course similar to that offered by NIACE – 'Introduction to Delivering Literacy and Numeracy in the Context of Finance', accredited through the NOCN at L2 and 3. If PLE is an area of learning in its own right then there may be a need to develop subject knowledge" (CL)

"Pointing people in the direction of the PLE website and its information would help fill gaps where direct advice is not available to them at that time". (KB)

 The value of seeking specialist help was recognised, but some issues were raised in relation to specialist input

"The problem with getting specialist input, such as solicitors, is actually they are often very poor at delivering. They don't have the skills (why should they have?) to make what they are talking/writing about understandable and engaging for a general audience. Again training in delivery, and thus capacity building, would help with this problem. But you would need to be really sure that they wanted to do it and for the right reasons! There have been IFAs who have wanted to get into delivery as a means of drumming up business!" (GH)

"Local solicitors might be helpful but not all are competent to deliver in this type of situation. I do think that their involvement would be beneficial as their support in the whole project could be invaluable. Of course many solicitors and barristers do already undertake pro bono work and some might appreciate a different type of involvement in the community". (MS)

[Specialist help] no doubt they would charge for the privilege. (CS)

Q12: Do you think that PLE would benefit from its own subject/curriculum and professional framework as exists, for example, with Skills for Life or vocational subjects or is it best left on a more informal basis?

Key themes

It was difficult to draw key themes from these responses as they covered all stages between fully informal and highly structured. However, from these, we can see the notions of a developmental journey that probably underpin many of these responses. This might be characterised as follows:

- In the early stages, steps are taken to map where the subject can currently be identified as existing on an informal basis, together with links to its potential partners
- A learning framework is developed that draws together potential curriculum content
- PLE is more formally "embedded" in other taught subjects
- Instances are identified where PLE can take on a subject existence of its own

"I think that it would be helpful to develop a framework similar to that developed for financial capability... I think a curriculum such as the adult literacy or numeracy curriculum would seem too formal for some sectors which need to be involved. A start has already been made in the Discussion theme (Plenet website) on Legal Capability with knowledge, skills and attitudes identified... if a framework is developed, I think it would be helpful to identify the underpinning Skills for Life required for legal skills, knowledge and attitudes" (CL)

"In my opinion, there is no incentive (or statutory obligation) for the legal professions to consider how the adult populace understands or interprets the law; nor to undertake pro bono work". (JS)

"Its own framework would be the best option as that would give it the status it deserves. This would create a 'pigeon hole' that people could seek and easily find and access knowledge required at the appropriate time...I can see a place for PLE in the work place. Human Resources departments are very well placed to deliver this" (MS)

"I think PLE would benefit from acquiring status as a bona fide curriculum... learners would benefit from access to a discrete PLE curriculum, particularly if related curricula are cross referenced". (AG)

"Although I do not believe that PLE should be delivered as a subject on its own, I do think that it would be useful to have a framework and modules that could be used to slot into existing courses, workshops etc...

I also believe that there will always be demand for a subject in an accredited form, especially as the government appears to put a heavy emphasis on accreditation, (at least in the area of young people it does) but if the overall aim to empower people and the community, then informal channels are very important...In terms of the informal dissemination of PLE, I think a very successful example of this in the area of financial capability is Martin Lewis' 'Money Saving Expert' website". (EO)

"PLE does need to be more than informal in order to engage as wide an audience as possible. However, how,

as a subject in itself it could be attractive to individuals I have no idea... There may be a case for some PLE to be delivered through public information mediums" (KB)

"At the moment it needs to remain at an informal level...at some point in the future it may make sense to define it more as a subject/curriculum" (GH)

"Unless there were strong motivation by learners (eg newly unemployed seeking redress against ex-employer), this could be a difficult subject to recruit for at self-financing fee levels. If there is government funding, and a strong promotional campaign, it could be successful. Involving learners in PSE via other subjects – SfL, ICT and so on – may be more effective". (RL)

Q13: If you were to introduce PLE into your adult learning, could this be done within current funding arrangements? If not, where would you look for additional funding?

Key themes

This was perhaps a slightly unfair question as many of our experts would not consider themselves experts in the funding regimes that apply to different areas of adult learning. However, the responses did illustrate the considerably more complex funding landscape for post-compulsory education than is the case in schools.

Some respondents noted the fact that Skills for Life, the Government's flagship programme for
improving adult literacy and numeracy standards, can make use of other subjects as contexts for
delivering Skills for Life outcomes. In brief, funding for Skills for Life is heavily weighted to achieving
qualification outcomes. However, the learning materials used to reach those qualifications can
include other "subjects". There is a now quite well-work path for using personal finance content as a
context for Skills for Life.

"If PLE is used as a context for teaching Skills for Life then there is not a problem with funding... unless PLE is linked to accreditation it could well be difficult to fund". (CL)

"The mapping of PLE against a core literacy curriculum could help obtain funding from LSC and successor.

PLE in my opinion:

- > Requires the cross Government support advocated in the report
- > Greater support from the legal professions even to the extent of a compulsory financial contribution [0.5% of annual earnings say]
- > More action research
- > Better engagement with research communities
- > Input into legal professional training
- > Piloting local networks for communication and experimentation that are built around local authorities which have various statutory obligations around citizenship, well-being etc. [if these were located in towns/cities where there were Universities offering degree and post graduate work in law hen there would be opportunities to build on the existing moot processes and other consultation commented on in the report.

I understand that the Government in looking at its adult IAG strategy is considering a life stages/transition approach. PLE has to be an integral part of that process". (JS)

This last respondent's point about the importance of obtaining Government support was also
mentioned by others. It is probably also worth noting that the source of Government funding will have
a distinct effect on the final location and "appearance" of delivery. It is virtually impossible to
penetrate formal learning without buy-in from one of the two departments dealing with this. Funding
from other departments will almost inevitably lead to delivery through the voluntary sector.

"PLE ...has no natural home in Government (in terms of commitment – money!!)" (JS)

I am not a funding expert, but a lot depends on whether there is Government backing for the programme. (AG)

Government funding would be essential (RL)

• Malcolm Smith operates mainly in the private sector and consequently sees the world from quite a different vantage point. We shall pick up the point about private sector sponsorship in our conclusion.

I see no problems with current funding in my situation. I do see that some organisations might have difficulty in convincing finance departments of the need to divert funds from elsewhere. I can see that sponsorship from legal firms might well be successful. (MS)

Q14: Additional comments

Key themes

As these covered an extremely wide range of topics and themes, we have included a selection in Appendix ${\bf 3}$

Conclusions

So what conclusions can be drawn from this exercise? We propose to address this by making some observations about the comments that have been made and also by suggesting some lines of thought about points that have not been made specifically but which we feel follow on from the general direction of these comments.

We have been struck by the enthusiasm for PLE shown by our respondents. The adult learning community tends to attract enthusiastic types but we were still impressed by the sense of excitement communicated by many of them. This does not mean they are uncritical – some of the comments have indeed been critical. However, what can be taken from this is that PLE seems to have a potential to be taken up enthusiastically by the adult learning community, if suitable frameworks and development plans can be put in place

Our expert respondents shared the fact that they all had experience of financial learning. They could easily see the links between this and PLE. Indeed, many said that they had already taught subjects with legal aspects or connections and most had worked with organisations that they identified as having an interest in legal issues. While this may add an additional complication to mapping existing practice, it means that PLE is not coming at this task "cold".

Most respondents stressed the benefits to learners in terms of helping in times of crisis or avoiding problems, recognising, no doubt, the fact that PLE, like financial learning, is destined to be a "just in time" learning opportunity for most adults. Financial learning practitioners recognised some time ago that, the majority of the public, particularly those on low incomes, were unlikely to settle down on the sofa on a Friday evening with their nearest and dearest to update their understanding of cap-and-collar mortgages. Instead, interest is far more likely to be born out of a particular situation they find themselves in. This does not necessarily have to be a potential "crash and burn" situation. It might be the offer of membership of an employer's pension scheme on taking up a new job.

However, mention was made of citizenship, a subject yet to fully gain the formal place in the adult learning landscape that it now has in the school curriculum. There is a Government-funded Support Programme for Citizenship in post-16 learning that has been running for some years and may well provide fertile ground for PLE.

It is evident from the responses that respondents considered practitioner skills and qualifications an issue. They were not clear about all of the skills and knowledge required to deliver PLE learning beyond those associated with financial learning. At the same time, several commented on the need to make it accessible through CPD.

Comments about funding, although not as extensive as for some other questions, went to the heart of the issue and also raised important strategic questions as well. A subject or programme only gains the full support of practitioners and managers once it has secured sustainable funding. Innovation in government social policy in recent years has tended to make extensive use of pilot projects, often granted through competitive bidding to an initially small number of organisations but with the proviso that these organisations must develop solutions to sustainability in the course of their projects. It has to be said that sustainability is frequently a tough nut to crack, based as it often is on quasi-commercial models. Our respondents are clear in their own minds that PLE requires Government funding in order to become sustained. However, this has not been the entire story with financial learning. It has only been very recently that it has gained sustained funding from government. Its early growth was mainly supported by the private sector through Corporate Social Responsibility (CSR) programmes and also through the compulsory levy paid by the financial services industry to the Financial Services Authority, part of which funded the FSA's national financial capability strategy.

There is no parallel to the FSA in the legal world but some of our respondents have made reference to the *pro bono* activities of legal practitioners and their firms. We suggest that the whole question of the possible involvement of the legal profession in funding PLE should not be undertaken without extensive consultation as there are lessons to be learned from the involvement of the financial services sector in the development of financial learning. These include discussions about the roles of professional lawyers in PLE delivery in relation to the development of the skills of the adult learning sector. We would also draw attention to the relationship between CSR and corporate reputation in the private sector which frequently acts as a driver to firms wishing to differentiate their CSR offering from that of other competitors, which can have an effect of skewing the content of programmes across the entire sector.

As an example, in the early days of financial capability programmes, it was much easier to draw funding from the private sector for programmes targeted at children and young adults than at less visible or attractive groups such as older people or ethnic minority groups.

In conclusion, we hope that this piece of consultation has produced some insights into the world of adult learning that will help the PLE community develop strategies for the future. Certainly, the enthusiasm and the willingness of our respondents to engage are clear signs for optimism.

Appendix 1

The expert practitioners

Kathryn Burgess Executive Director of Leicester Money Advice

Alan Gorman Education Services Manager at South West Pound

Caroline Stephens Family Learning practitioner

Caryn Loftus Freelance Education Consultant

Erel Onyecherelam Qualified Youth Worker currently working on

Financial Inclusion at Toynbee Hall

Gill Hind Freelance Education Consultant, formerly with

the Financial Services Authority's Financial

Capability Team

Jim Soulsby Freelance Education Consultant specialising in

older learners

Les Cooper Financial Capability Co-ordinator at Wales and West

Housing Association

Malcolm Smith Private training provider specialising in the financial

services industry

Rob Leach Freelance Education Consultant with experience

across all areas of adult education

Appendix 2

The brief

- 1. Reviewing two consumer leaflets and the brief papers that were written about them by the Literacy and Numeracy specialist (leaflets plus 9 pages in total)
- 2. Reading my discussion document about relationships between Public Legal Education and Financial Learning (7 pages)
- 3. Reading the Report of the PLEAS Task Force that launched the current initiative (36 pages)
- 4. Reviewing the www.plenet.org.uk website
- 5. Write responses to a number of questions about your own work and the potential for incorporating Public Legal Education into this work with learners

Your Background Reading

1. Advice UK Legal Information Leaflets

These are provided for you because, at this time, the PLE "movement" has little in the way of bespoke learning resources. These leaflets were offered as examples of the information they currently have for the public. We commissioned a Literacy and Numeracy specialist to review them for potential usage in Skills for Life sessions. The leaflets can be located as follows:

"...Our Seven Steps guide is unusual in that it deals explicitly with the generic knowledge, skills and techniques needed to manage legal issues. http://static.advicenow.org.uk/files/seven_steps-27.3.06-1-1246.pdf

The 'Breaking-Up Checklist' is part of our LivingTogether campaign and is our most popular guide. People really like the checklist approach. http://static.advicenow.org.uk/files/9639_Breaking.p_checklist_6-1123.pdf

'Divorce a Survival Toolkit' is also very popular and we get a lot of very positive feedback on it. It goes further than most law related publications in dealing explicitly with the emotional issues and gives support and help on practical issues. http://static.advicenow.org.uk/files/divorce-16-7-08-1-16.pdf

'Getting Good Asylum Advice' is aimed at asylum seekers and gives basic information. http://static.advicenow.org.uk/files/asylum-advice2008-1.pdf

'Turned down for DLA' is a self-help guide for people undertaking an appeal on Disability Living Allowance.

http://static.advicenow.org.uk/files/turned-down-for-dla-or-aa-37.pdf

2. Dimensions of Public Legal Education

This was written for Plenet as a first attempt to make links between the growth of the subject and the growth of another similar subject: financial capability. This is background reading for you.

3. The PLEAS Task Force Consultation Report

This is a fairly self-explanatory piece of background reading. It is the document that effectively launched the current initiative on PLE. You will note that there was a fairly heavy emphasis on "advice" and on education as being something aimed at providing hep for people who already had "problems". I have explained to them at length that learning professionals may struggle with such a remedial approach.

4. www.plenet.org.uk

This website has been produced at a fair gallop but is already looking pretty respectable. Again, looking round it will help provide further colour about the way PLE is developing.

The Questions to Address

The questions start on a new page to help you keep them separate from this briefing. Only ten people are being asked to respond at this stage so the exercise is one of qualitatively seeking views rather than assembling any statistically significant data. Feel free to write in any style that is comfortable for you. "Report" style is not essential and bullet points are acceptable although full sentences would be preferred to "captions". Just insert your comments in the spaces between the questions.

Public Legal Education for Adult Learners: Expert Consultation

- Please enter your name
- 2. Please enter the name of your organisation (if any) and some brief details about what it does.
- 3. Please provide brief details about your own professional qualifications and experience.
- 4. Which sector(s) of adult learning do you have experience of and in what capacity? Please include main learner profiles (e.g. older learners, basic skills, ESOL)
- 5. Please give brief details of the types of organisations in which you have experience of delivering adult learning.
- 6. What are the main subjects or topics covered in the adult learning you have been involved in?
- 7. Have you or your organisation ever been involved in delivering any learning activities that included information etc about legal issues? If not, are there any particular reasons? Please give details.
- 8. Have you or your organisation ever been involved with any working relationship with an organisation with an interest in the law or legal education? Please give details.
- 9. Describe any benefits you could see for your learners in dealing with learning about personal/community/workplace etc legal matters. Include comments on personal growth issues as well as vocational or qualification issues.

- 10. Would you envisage incorporating PLE into existing courses/lessons or would you prefer to see it occupying its own position in the learning framework?
- 11. Do you think you or your colleagues would feel capable of dealing with issues such as those contained in the leaflets? If not, do you think the appropriate response is to amend staff training to improve internal capacity or to seek specialist help from elsewhere, for example, local solicitors?
- 12. Do you think that PLE would benefit from its own subject/curriculum and professional framework as exists, for example, with Skills for Life or vocational subjects or is it best left on a more informal basis?
- 13. If you were to introduce PLE into your adult learning, could this be done within current funding arrangements? If not, where would you look for additional funding?
- 14. Please include any other comments which you feel might be helpful.

Appendix 3

Q14: Additional comments

Key themes

Additional comments largely comprised feedback on specific resources and references to developing PLE.

Feedback on specific resources

(Comments below are from all questions not just Q14. Perhaps they could be organized into themes such as language and style, content, access and design, suggestions for change etc).

"The PLE resources in this context would be very helpful and I notice that the web site does refer to collaboration" (MS)

"Now that I am aware of the 'Seven Steps...' document, I am more likely to use it or give out copies of these during workshops. Also, in general I am likely to use the Advicenow website for personal and professional use". (EO)

"The PLEAS Task Force Report and the PLE website both indicate, particularly through the examples of good practice they give, that they consider a wide range of issues as being within their remit". (GH)

"Their discussion on the Plenet about what is meant by 'legal capability' in terms of knowledge, skills and attitudes is beginning to be helpful" (GH)

"Some of the leaflets that are available via the Plenet and Advicenow websites will provide useful material for those delivering using the documents either as background reading or directly with learners". (CL)

"Having seen the materials and accessed the websites as part of a course learners are then aware of the information and where to go for advice if they or their families and friends need it at a later stage. People need to know where to go for information and advice in advance of a crisis". (CL)

"The problem solving and tracking tools on the Advicenow website look as though they could be very useful. The idea of 60-second interviews could be used to help develop speaking and listening skills (see News section of Plenet site)". (CL)

"The FSA Baseline Survey sought to measure financial capability by looking at the behaviours of citizens. I don't seem to find the same acknowledgement of **behaviours** in what I have read about PLE". (GH)

"Having reviewed all the materials, I think that there is a case for its own position in the learning framework". (CL)

"One of the leaflet reviews indicates how some of these achievements can be formalised within the Literacy Core Curriculum, but the prior step is building in to any PRE processes encouraging users to recognise and record their progress and successful steps". (JS)

"Distance learning is an obvious route for this type of learning and the Plenet website could be well placed for such material". (MS)

"Firstly I have to say that having reviewed the PLE website I think that it is most commendable that there is an intention for a collective focus of educating everybody in the increasing complexities of the legal world and providing a forum for legal practitioners to impart their legal knowledge to us all". (CS)

"The website's intention is 'only' for everyone to know everything which is commendable however the practicalities are immense". (CS)

"I feel that the leaflet would be very useful since it covers a variety of 'frequently-occurring 'legal' situations' and encapsulates them in one document. This document has been written about events which are already likely to have happened to some of my learners already but may assist prevention of similar situations in the future. The leaflet on 'Splitting up' covers very specific events which are likely to have happened to some of the learners already but perhaps, the probability of these situations happening again, may be less likely than buying a faulty good or service". (CS)

"I would not consider using the asylum literature at all due to the nature of my learners' origins (England./Wales/Scotland)" (CS)

"The Financial Services Authority has produced a useful leaflet (Top Tips on Giving Money Guidance – attached.) that outlines who can give information, advice and guidance related to finance". (CL)

"The University, as I have already noted, is engaged in raising ageing issues into staff training. The PLE leaflets and the umbrella process being advocated will be considered and included where appropriate". (JS)

"At the next planning group at the University we will consider what opportunities the PLE report presents us". (JS)

"The Plenet web site seems to be the prime source and hopefully it will be expanded in time to provide information that is more detailed for trainers". (MS)

"to point a client in the right direction and this could certainly be to these leaflets". (KB)

"as part of a referral process, pointing people in the direction of the PLE website and its information would help fill gaps where direct advice is not available to them at that time". (KB)

"A start has already been made in the Discussion theme (Plenet website) on Legal Capability with knowledge, skills and attitudes identified". (CL)

"The obstacles identified by the PLEAS task force echo those initially and to some extent are still felt in the delivery of financial capability" (CL)

- "Plenet and Advicenow are very clear websites that are easy to navigate a joy to use!
- I think the Plenet flyer on the website provides a clear introduction to PLE. We could do with something similar for the other areas of the Venn diagram.
- The Advicenow website should be highlighted via the overlapping areas.
- Some of the links on the Advicenow website are clear and could be used in literacy teaching without adaptation. However, the article 'Coping with prison' for which there is a link would need adapting before use with L1/L2 learners.
- I like the humour in the leaflets". (CL)

"My concerns in reading the PLEAS report were mainly how it read – as a one way process to make the adult world understand what its legislative betters had created for it. Any reflection on the obligation of the legal world to be guided by and informed by this adult world seemed to be missing.

Similarly the desire to present adults as problems is also of concern.

The delivery methods (para.36) are brilliant and more examples of such diverse approaches should be obtained and disseminated.

Website

My first impression was of a mess, and then I asked myself "Who is it for? Is it trying to satisfy too many audiences?"

It would be useful if it could be:

- made clearer who it is for
- explained how any of its audiences reach it direct, using search engine key words, or through other sites

There is too much on the home pages – and other pages I accessed.

Other questions I asked myself:

- *Is it for individuals or groups?*
- *Is it a planning tool for people or a lifeboat at times of crisis?*
- Does the grouping of issues benefit those who provided the information or the client intended to use it?
- Does the site recognise that issues are often complex (as some of the leaflets do) and that issues over rights etc may mask relationship, housing, health, skills & confidence issues?
- How interactive is it intended to be? What feedback? What questions and issues will it wish to collect and respond to?
- How should it link to ALL Government departments?
- Should the concept (if not the current lay out and content) be a mandatory element or link in all 'consumer' information (Government services, legal services, utilities, finance, health, local authorities, etc).
- Should the website have the same 'house style' as the leaflets? You are going to tell me it does. I wasn't too aware of this if so.

The leaflets

I agree with all of the comments of the two evaluators. In addition I would like to state/ask that:

- Are the leaflets actual leaflets/booklets or just web based information?
- Would they be accessed via intermediaries or direct and if the latter, how?
- I am not sure about some of the colours used. Are they the most appropriate for people with any degree of sight impairment?
- The DLA/AA leaflet is extremely well written and seems to cover all angles very sensitively, however it is solely a web based document to columns per page is a nuisance, as you have to keep going back to the top of the page to read the second column.
- The DLA/AA leaflet also refers to DWP in the plural 'have' and other agencies as singular 'has'. This needs standardising.
- If materials are web based only and intended for client use a choice of font size might be offered on the home page perhaps this should have less clutter and be more about how to use the site (and feedback).
- All the leaflets contained excellent information and very sensitively expressed". (JS)

"What is needed is for some national body to take responsibility. The Pleas report does recognise this and I believe that when such a body comes into force the whole project will take off.

Marketing the existence of the web site would be a useful step to gaining recognition. If every legal firm included a link in their own sites, it would do much to publicise the project". (MS)

"It's not enough to "deliver" information. The Skills for Life specialists reviewing the leaflets have already pointed out some of the pitfalls of assuming that the reader is as literate as the writer". (AG)

Review of the PLE website

My major concern is the need to have so much legislation on the site and will it only be viewed when one is encountering problems? Will there be a central team keeping the website up-to-date – potentially a very large team or will each area of our lives have their own team inputting their section within the website.

Review of DLA//AA LEAFLET

With regard to the leaflet headed 'Turned down for DLA/AA' I believe should read 'Turned down for Disability Living Allowance/Age Allowance' since acronyms should never be used initially. I cannot see this matter mentioned in the Document 2 review. I could not see any mention of the prescribed definitions regarding age etc for potential claimants which I believe might be useful.

Review of the PLEAS report

I am aware that I have written to you under separate heading (on 14th May) regarding the wording of the PLEAS report. I cannot see any mention in attached documents regarding mention of the wording incorporated within he report suffice to make the following comments:

Many of the sentences begin with 'And' and many sentences which are joined with 'and' have an unnecessary common before the 'and'. The same document is very colloquial" (CS)

"I think reading the PLEAS Task Force Report I felt that the people sitting round the table thought that legal matters were absolutely fascinating and vital". (GH)

"I read Howard's discussion paper with interest and in some respects take a slightly different view from his over some of the issues and the way forward". (GH)

"As HG says in his 'Dimensions of Public Legal Education' paper, there are many different aspects of law important to different sectors of the public and so a PLE curriculum is tricky – rural and urban, young and old, migrant and established groups have different priorities". (RL)

"Again as HG comments, 'There is a tendency in areas of public policy that are not driven from within the "learning industries" to confuse information with education". (RL)

Developing PLE

Comments could be grouped into such themes as partnership working, learners and links with financial learning.

"much of this could be built into the local authority role [it would be interesting to get a LGA perspective]. The key would be what leverage they would have to get the relevant legal bodies around the table(s)". (JS)

"As with financial capability, I feel that PLE is essential for all citizens. Both aspects apply to all levels of the community whether highly educated or not. I know many professionals who would benefit from learning in both areas". (MS)

"What is needed is for some national body to take responsibility. The Pleas report does recognise this and I believe that when such a body comes into force the whole project will take off". (MS)

"The Skills for Life programme has been split into five different levels for a reason, and similarly I would imagine that a PLE programme would also need to be stratified to meet different learner needs. Unfortunately levels are not neat and tidy. Most learners have "spiky profiles" – they demonstrate higher learning levels in one domain and lower in another. Therefore I think proponents of PLE should (a) undergo teacher training and gain some chalkface experience themselves (not necessarily in PLE), if they have not already done so, (b) consult closely with members of the teaching profession, (c) consult closely with potential clients, i.e. members of the public who may sign up for PLE". (AG)

"I think that a 'one size' fits all is quite difficult especially in the area of financial capability/legal education". (CS)

"I believe that more of the issues which PLE seek to enlighten the general public about need to be implemented at a younger age within the existing formal education system". (CS)

"One size does not meet everyone's requirements but people tend to move outside their comfort zones and learn if they know that something is 'in it for them'". (CS)

"It helped with developing personal finance education to have people involved who came with fresh eyes, who recognised that the general population found personal finance boring and confusing, and who knew that people are irrational when they make financial decisions". (GH)

"PLE is still at a very early stage and I think the proponents could learn a lot about what to do and what not to do from the experiences we had with financial capability. There are huge parallels!" (GH)

"PLE is so similar to the development of adult financial literacy – there is no academic discipline; it is an issue that transcends bureaucratic boundaries and professions (and their training); and has no natural home in Government (in terms of commitment – money!!)" (JS)

"For younger people, there are well-developed learning approaches in PSE, or PSHE which PLE could merge with". (RL)

"The curriculum for a PLE component in adult learning, both formal and informal, could build on the ESOL Citizenship pack developed by NIACE and LLU+ and the 'Life in the UK' book from ABNI and TSO". (RL)

"A PLE curriculum is tricky – rural and urban, young and old, migrant and established groups have different priorities". (RL)