



Public  
Understanding  
of Law  
Survey

In brief

# Resolution and outcomes of family problems

Findings from the Public Understanding of Law Survey

Yolanda Mansfield

A project by

Victoria**Law**  
Foundation

# Victoria**Law** Foundation

This briefing paper is published by Victoria Law Foundation. Victoria Law Foundation supports better justice through research, education and grants. Victoria Law Foundation is funded by the Victorian Legal Services Board's Public Purpose Fund.

The suggested citation for this document is:

Mansfield, Y. (2025). *Resolution and outcomes of family problems: Findings from the Public Understanding of Law Survey*. Melbourne: Victoria Law Foundation.

Level 13, 140 William Street, Melbourne 3000, Australia

Phone: 03 9604 8100

Email: [research@victorialawfoundation.org.au](mailto:research@victorialawfoundation.org.au)

Web: [www.victorialawfoundation.org.au](http://www.victorialawfoundation.org.au)

Copyright © Victoria Law Foundation, 2025

ISBN: 978-1-923481-02-2

This report is available to download at [www.victorialawfoundation.org.au/puls](http://www.victorialawfoundation.org.au/puls)

The office of Victoria Law Foundation is on the traditional lands of the Wurundjeri people of the Kulin Nation. We acknowledge their history, culture and Elders both past and present.



# About the Public Understanding of Law Survey

The Public Understanding of Law Survey (PULS) is a state-wide survey exploring how Victorians experience, understand, and engage with the law.

Using a probability sample, 6,008 respondents from across Victoria were surveyed face-to-face about their personal experience of navigating the law.

The PULS explored questions relevant to:

- people's knowledge of the civil justice system and its Institutions
- people's experience of civil legal problems and how they respond to such problems
- how people see the law as relevant to their lives.

The findings in this briefing paper are drawn from the Public Understanding of Law Survey Volume 1: Everyday Problems and Legal Need by Balmer, N., Pleasence, P., McDonald, H.M. & Sandefur, R. (2023).

Papers drawn from the PULS explore a range of family and civil legal needs, problem experience and its social patterning across the community.

Reports and papers from the PULS are available at [www.victorialawfoundation.org.au/puls](http://www.victorialawfoundation.org.au/puls).

# Resolution and outcomes of family problems

**Family problems, as an area of life, encompass a wide range of issues arising from family relationships that create some of the most significant and transformative experiences of people's lives.**

Evidence from previous studies of legal need have demonstrated that these problems occur across the lifespan, have high severity, and often lead to or co-occur with other types of justiciable problems.<sup>1</sup> Family problems have been widely shown to be more severe, and typically have more adverse consequences than other problem types. Unsurprisingly, the greater relative impact of family problems often leads people to take more action and more frequently use formal and informal dispute resolution processes.<sup>2</sup>

Problems relating to family are more often seen as being 'legal' in nature at higher rates than other problem types.<sup>3</sup> Consequently, many of the behaviours and strategies used to try to resolve family problems tend to funnel towards legal services and formal dispute resolution processes, and away from more informal pathways.<sup>4</sup> However, by their nature, formal legal processes are often drawn out over substantial periods of time, in turn contributing to dissatisfaction with processes and problem outcomes.<sup>5</sup>

Family problems were one of a broad range of justiciable problem types<sup>6</sup> and subtypes examined in the Public Understanding of Law Survey (PULS). PULS was a large-scale face-to-face survey administered to a probability sample of 6,008 adult Victorians.<sup>7</sup> It was designed to obtain a broad overview of respondent experiences of justiciable problems over the preceding two-year period as well as more detailed follow-up information about a specific problem they had or were continuing to experience, specifically regarding any actions taken, progress and outcomes (if concluded) and their perceptions of process and outcome fairness.<sup>8</sup>

For the analyses in this paper, actions and resolution of family problems are compared to those for other problem types.

<sup>1</sup> See further Coumarelos et al. (2012); Ames et al. (2024).

<sup>2</sup> See further Solasta Consulting (2024); Balmer et al. (2023); Mansfield (2025).

<sup>3</sup> See further Balmer et al. (2019).

<sup>4</sup> See further Ames et al. (2024); OECD/OSF (2019).

<sup>5</sup> See further Currie (2009).

<sup>6</sup> Justiciable problems were defined by Genn (1999, p.12) as problems that raise legal issues, whether or not this is recognised by the parties and whether or not any action is taken to resolve them and whether or not any legal professionals or element of the justice system is utilised.

<sup>7</sup> For more detailed description of the methodology, see Balmer et al. (2023); Roy Morgan (2023).

<sup>8</sup> For more detailed information on the problem follow-up methodology, see Balmer et al. (2023), p.36.

# What do people do for family problems?

## Perception of problems as legal

One important finding from the PULS reports concerns how people see or characterise the nature of the justiciable problems they experienced, and particularly whether or not they saw the situations they encountered as having a legal dimension. Perception of situations as being legal is associated with how people respond to justiciable problems, with use of legal information and legal advisers tending to be higher where problems are characterised as legal. Awareness and knowledge of the legal aspects of justiciable problems is one dimension of legal capability.<sup>9</sup>

Of all the problem types examined in the PULS, family problems were seen as being legal at the highest rate (58%), followed by problems relating to debt and money (50%) and employment (44%). Table 1 provides an overview of how all problem types were perceived as being legal.

Table 1. Perception of PULS problems as legal

Problem type	%
Family	58.3
Debt and money	49.7
Employment	44.5
Fines	38.5
Government and public services	37.9
Business and investment property	37.5
Housing	36.0
Injury	20.7
Goods and services	19.1
Government payments	13.6

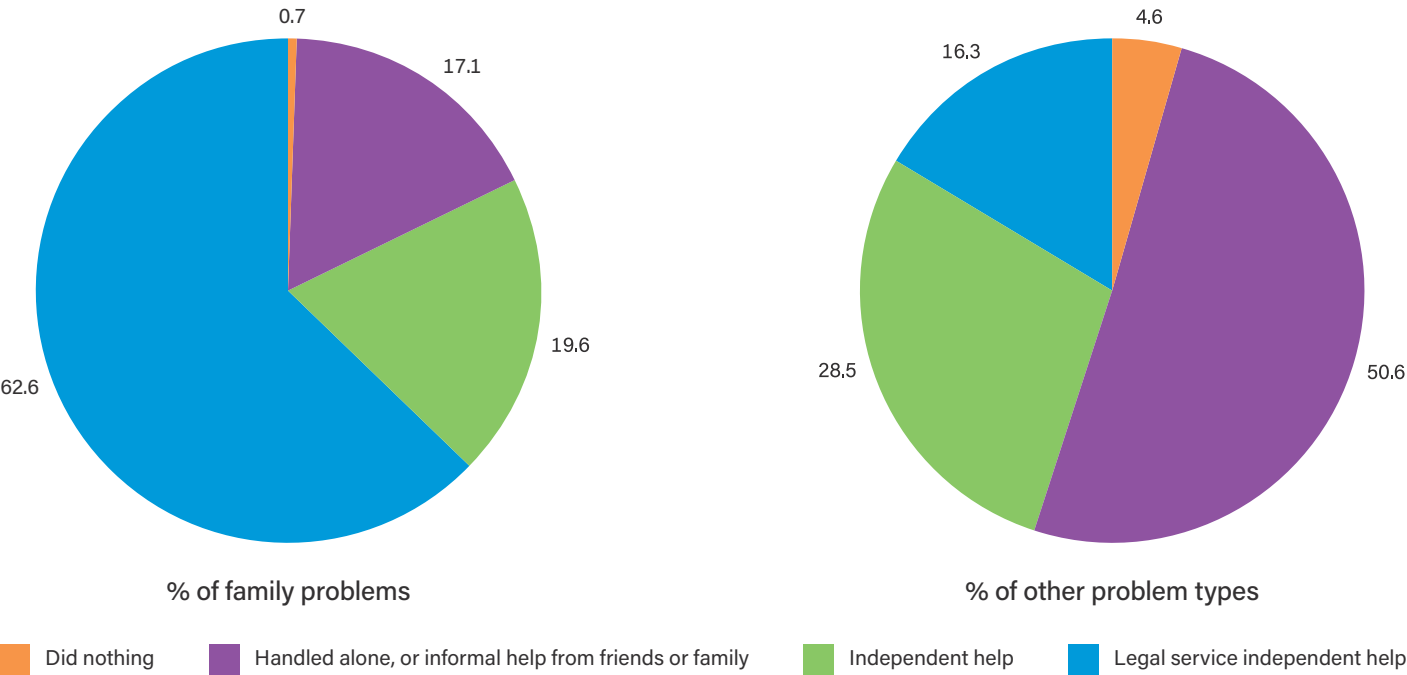
The higher likelihood of family problems being seen as legal has implications for subsequent problem-solving strategies, processes and resolution.

<sup>9</sup> Legal capability in the broadest terms, is conceptualised as the freedom and ability to navigate and utilise the legal frameworks which regulate social behaviour to achieve fair resolution of justiciable issues. See further Pleasence et al. (2011); Balmer et al. (2019).

Broad problem-solving strategy

Aligning with the higher perception of family-related problems as being legal, legal services were used at a much higher rate for family problems (63%) compared to all other problem types combined (16%). Respondents also rarely took no action at all in response to family problems (less than 1%). For the other problem types, informal resolution strategies, such as self-help and help from family or friends, were adopted for more than half of problems (51%), whereas the comparative figure for family problems was only 17 per cent. Figure 1 illustrates the problem-solving strategies utilised for family and other problem types.

Figure 1. Broad problem-solving strategies used for family problems and other problem types



Use of advisers

As the OECD/OSF (2019) global guidance on legal needs surveys observed, summarising findings of more than 55 large-scale legal needs surveys, “when acting to resolve justiciable problems, people seek help from a wide range of sources, both formal and informal, promising and unpromising.”<sup>10</sup>

Table 2 provides an overview of the sources of advice used by those facing family problems compared to other problem types examined in PULS. Respondents used nearly all types of advisers for family problems at higher rates, and more often used more than one type of adviser. This reflects the severity and multifaceted nature of advice and action for these problems.

10 See OECD/OSF (2019), p.34.

For example, the PULS found that use of both private and public legal services was substantially higher for family problems compared to other problem types.<sup>11</sup> Private lawyers were used for 43 per cent of family problems, with public legal services used for 33 per cent. Both private and public legal services were used for 14 per cent of family problems.

In comparison, use of legal services for other problem types was much lower, with little difference in rates of private (9%) and public (8%) sources respectively. Advice from both private and public legal services was rarely obtained (1%) for other types of legal problems.

Similar patterns were observed for advice from dispute resolution bodies, with police, and courts and tribunals more frequently used for family problems. Use of health and community services was also higher for family problems, being used at more than twice the rate for family problems (32%) compared to other problem types (14%), with a social or welfare worker used five times as often, respectively (20% compared to 5%).

Although family, friends or acquaintances were used at similar levels for family problems and other problem types, overall, they were the most frequently used type of adviser for other problem types (30%).

**Table 2. Sources of advice for family problems and other problem types**

Source of advice	Family problems		Other problem types	
	N	%	N	%
<b>Family, friends or acquaintances</b>	78	30.2	655	29.5
<b>Legal and advice services</b>	162	62.6	361	16.3
<b>A private lawyer</b>	113	43.5	197	8.9
A private lawyer only	76	29.3	175	7.9
<b>Public services</b>	86	33.3	187	8.4
A community legal centre	31	12.5	81	3.6
Legal aid	44	16.9	114	5.1
An Aboriginal legal service	22	8.6	22	1.0
<b>Public services only</b>	49	19.1	165	7.4
<b>Both public and private</b>	37	14.2	22	1.0
<b>Dispute resolution bodies</b>	106	41.0	294	13.3
A court or tribunal	48	18.4	98	4.4
An ombudsman	23	8.8	127	5.7
The police	45	17.5	92	4.1
<b>Government and council</b>	53	20.3	346	15.6
A government department or authority	51	19.5	224	10.1
<b>Professional, health and community services</b>	82	31.8	316	14.3
A doctor or health professional	34	13.1	165	7.5
A social worker or welfare worker	53	20.4	106	4.8

Note: Sources of advice for family problems where n=<20 have been removed from the table. These include other legal and advice services, local councils, MPs, employers, trade unions, financial or professional community organisations, and community, neighbourhood, religious or charitable organisations.<sup>12</sup>

<sup>11</sup> For further information about other problem types in PULS, see Balmer et al. (2023), pp.119–25.

<sup>12</sup> For further information on these sources of advice used by PULS respondents, see Balmer et al. (2023), p.102.

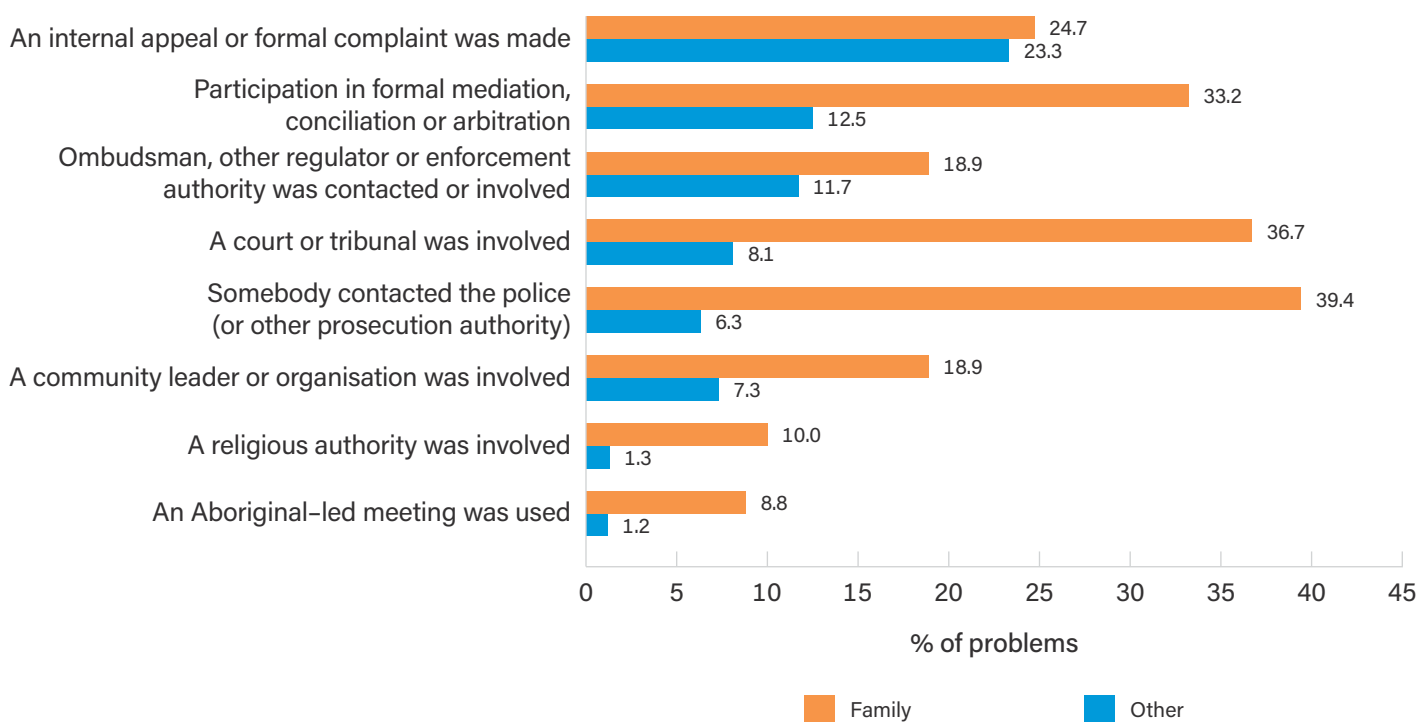
## How are family problems resolved?

Resolution of justiciable problems often involves recourse to one or more of a wide range of formal and informal dispute resolution processes, independent of whether people seek legal advice or assistance.<sup>13</sup> People experiencing justiciable problems also frequently communicate with the other party. In fact, PULS respondents communicated with the other party for more than four in five family problems (81%) and other problem types (84%).

Figure 2 compares the processes involved (excluding communication with the other party) in the resolution of family and other problem types reported by PULS respondents.<sup>14</sup> For both family and other problem types, an internal appeal or formal complaint process was used for almost one-quarter of problems.

However, this is where the similarity between family problems and other problem types ended. All other types of processes were involved in the resolution of family problems at much higher rates than other problem types. More than one-third of family problems involved contact with the police or a prosecution authority (39%), courts and tribunals (37%) and formal mediation, conciliation or arbitration (33%). Figure 2 also shows that informal, community-based processes also tended to be used more frequently for family-related problems than other problem types.

**Figure 2. Processes involved in the resolution of family problems and other problem types (excluding communication with the other party)**



<sup>13</sup> See, for example, OECD/OSF (2019); Pleasence et al. (2014).

<sup>14</sup> For further information on the use of formal and informal dispute resolution processes by PULS respondents, see Balmer et al. (2023), pp.118–9.



PULS respondents not only made more use of both formal and informal dispute resolution processes for family problems than other problem types, but also used multiple processes at higher rates. Only 21 per cent of family problems involved only one process, while 25 per cent involved five or more. In contrast, other problem types more commonly involved a single process (56%), with only four per cent involving five or more processes.

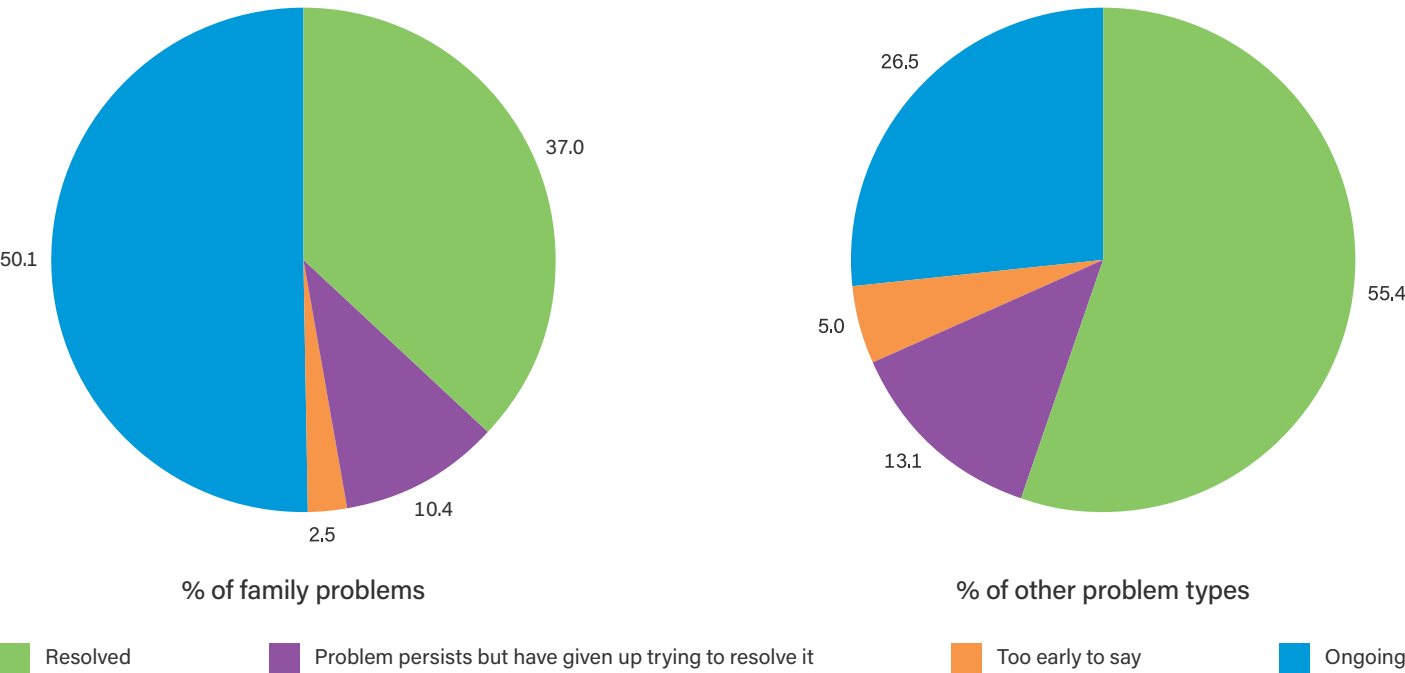
Current problem status

Of the family problems reported in the PULS, 37 per cent had been resolved by the time of the PULS survey. Figure 3 shows that this was substantially lower than the figure for other problem types (55%). Consequently, while ongoing problems remained for both family and other problem types, where just over one-quarter (27%) of other problem types were ongoing, more than half of the family problems were ongoing.

Previous PULS and other legal needs survey analysis suggests this is due to severity and use of multiple advisers and processes, often of a legal nature.<sup>15</sup> It is also reflected in the longer problem duration (discussed in further detail below).

Similar proportions of both groups (over one in ten) still faced problems despite all parties having given up trying to resolve them. Figure 3 further illustrates the differences in status for family problems and other problem types.

Figure 3. Current status of family problems and other problem types



15 See for example, Coumarelos et al. (2012); OECD/OSF (2019); Balmer et al. (2023); Ames et al. (2024).

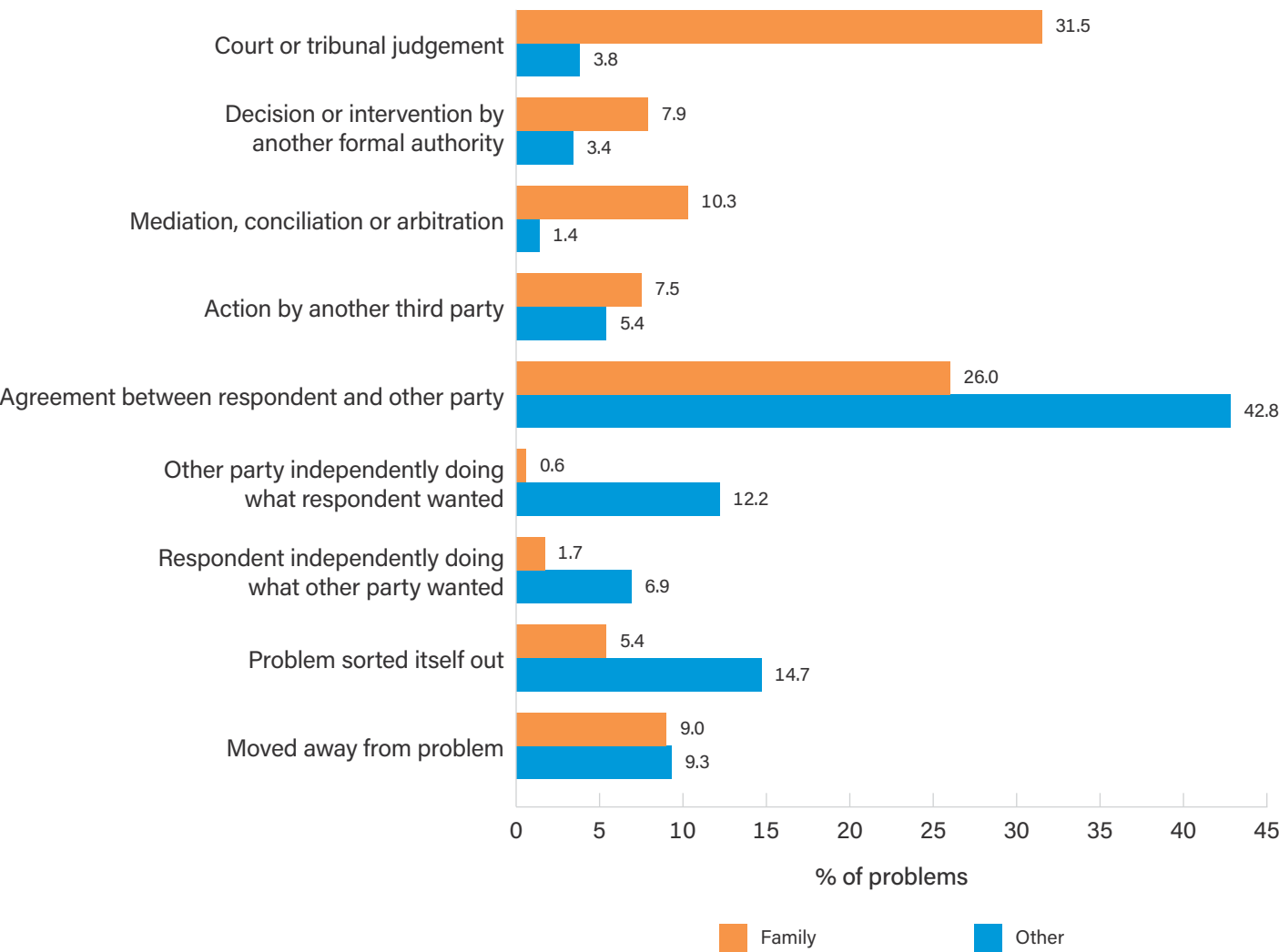
Manner of conclusion

Figure 4 compares the manner of conclusion for family and other problem types. Higher involvement of courts and tribunals in processes involved in the resolution of family problems was reflected in the substantially high rate of family problems concluding through court and tribunals (32%) compared to other problem types (4%). Figure 4 also shows that agreement with the other party was the next most common manner of conclusion for family problems (26%), however, at a lower rate compared to other problem types (43%). Mediation, conciliation and arbitration processes were also used at a higher rate for family problems (10%) compared to other problem types (1%).

Compared to family problems, other problem types tended to conclude more frequently through more informal processes. In addition to agreement between the parties, other problem types concluded at higher rates through the problem sorting itself out, the other party doing what the respondent wanted, and the respondent doing what the other party wanted, than was the case for family problems.

Similar proportions of family problems and other problem types concluded through the respondent moving away from the problem (9% respectively).

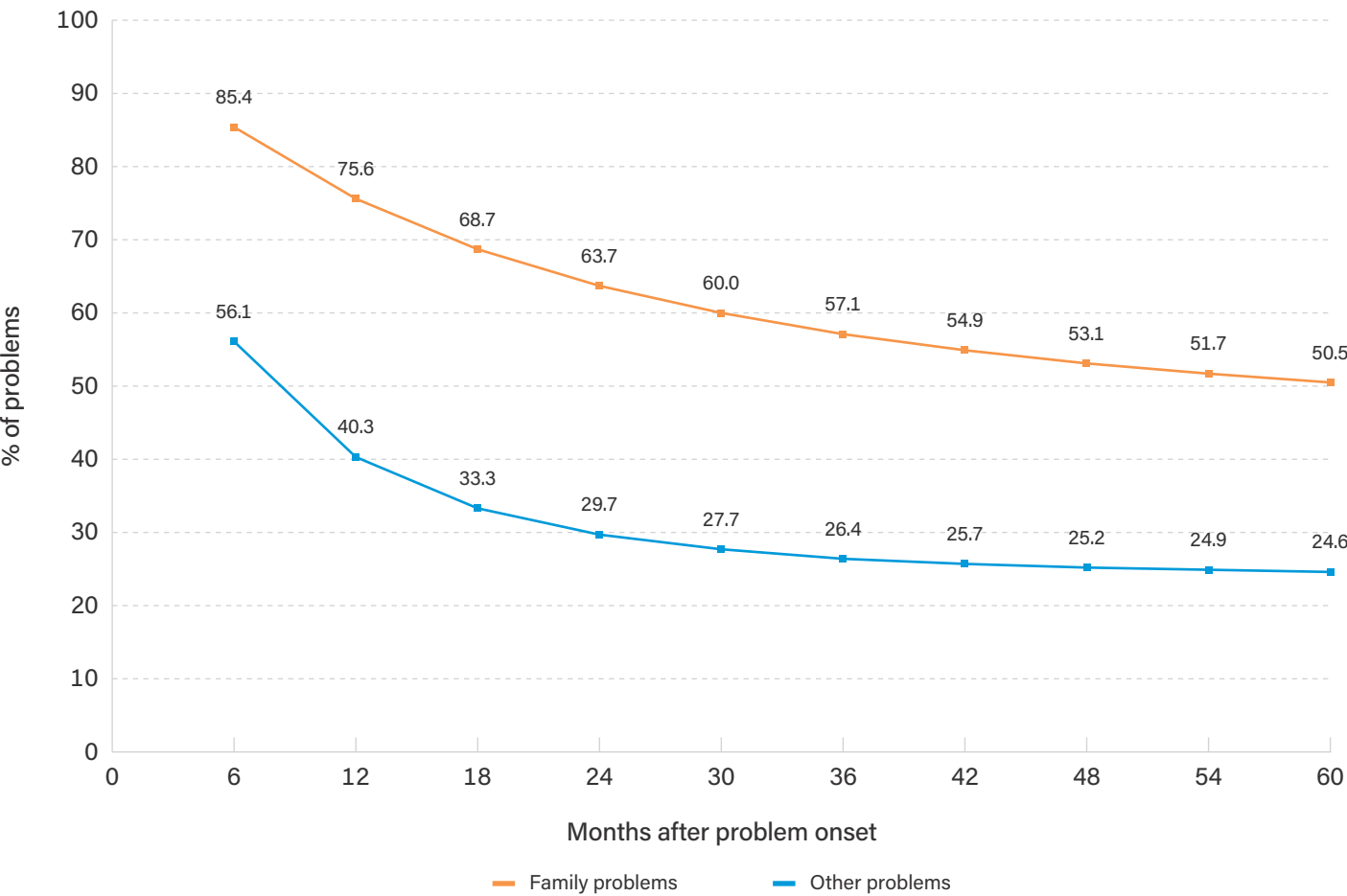
Figure 4. Manner of conclusion for family problems and other problem types



Problem duration

As detailed in the first volume of PULS reporting, family problems were the problem type with the longest duration.<sup>16</sup> As noted above, greater problem severity and the use of legal advisers and justice system dispute resolution processes contribute to longer duration of family problems. Figure 5 shows the duration of family problems and other problem types. At all times a substantially higher proportion of family problems remain than other problem types, and the gap only narrows marginally.

Figure 5. Duration of family problems and other problem types



PULS analysis found that, in addition to problem type, duration was strongly related to problem severity.<sup>17</sup> High prevalence but low severity problems such as fines and goods and services tended to be resolved more quickly with

a much shorter duration. Higher severity problems such as family, money or debt, injury, and government and public services tended to last much longer.

16 For further information about individual justiciable problem duration, see Balmer et al. (2023), pp.134–5.  
17 For further information about the relationship between problem duration and severity, see Balmer et al. (2023), p.140.

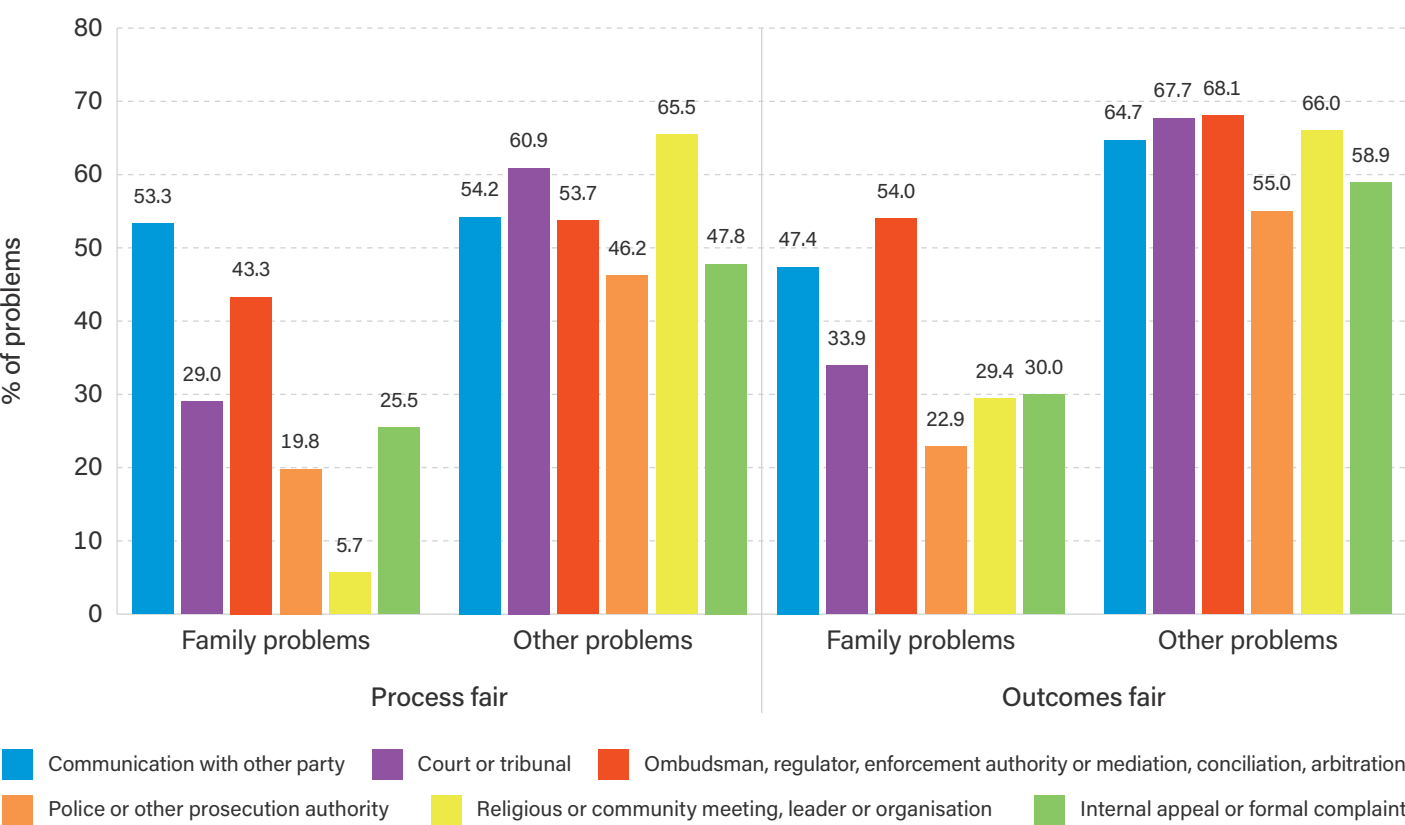
# What are the outcomes of family problems?

## Fairness of process and outcome for concluded problems

For problems that had concluded,<sup>18</sup> there was variation in respondent perceptions of process and outcome fairness by problem type. Previous PULS reporting showed that less than half of concluded family problems were viewed as having a fair outcome (45%) and process (49%). Problems relating to goods and services, for example, had the highest reported perceived fairness (over two-thirds of problems) while the least favourable perceptions were for employment. Further information on process and outcome fairness for each broad problem type examined in the PULS is set out in Balmer et al. (2023) pp.142–3.

The lower levels of perceived fairness reported for the processes and outcomes in resolving family problems likely reflects the nature of involving legal and other advisors, and dispute resolution processes. Figure 6 provides a closer examination of the processes involved in concluding family problems and other problem types, and the corresponding perception of the fairness of the process and outcomes.

**Figure 6. Perceptions of fairness of process and outcome by processes involved in the resolution of family problems and other problem types**



18 Including those where the parties had given up trying to resolve them.

### Fairness of process

Perceptions of fairness for resolution processes involved were generally much lower for family problems than other problem types. Communication with the other party was the only process viewed as being fair by over half of those with family-related problems (53%), with the next highest rating being third parties such as ombudsman, regulator, enforcement authority or mediation, conciliation and arbitration body. Courts (29%), the police (20%) and religious or community leaders and organisations (6%) were perceived to be the least fair processes for concluded family problems.

### Fairness of outcomes

The fairness of outcomes for concluded family problems were also more negatively perceived than those for other problem types. Ombudsman or mediation activity was the only process where more than half of the outcomes of family problems were perceived as being fair (54%), with outcomes of matters concluded by communication with the other party the next most favourably viewed (47%). Outcomes of family problems concluded through courts (34%), internal appeals (30%) and religious or community organisations (29%) were rated similarly. The least positively viewed process involved police, with just over one in five family problem outcomes rated as fair.<sup>19</sup>

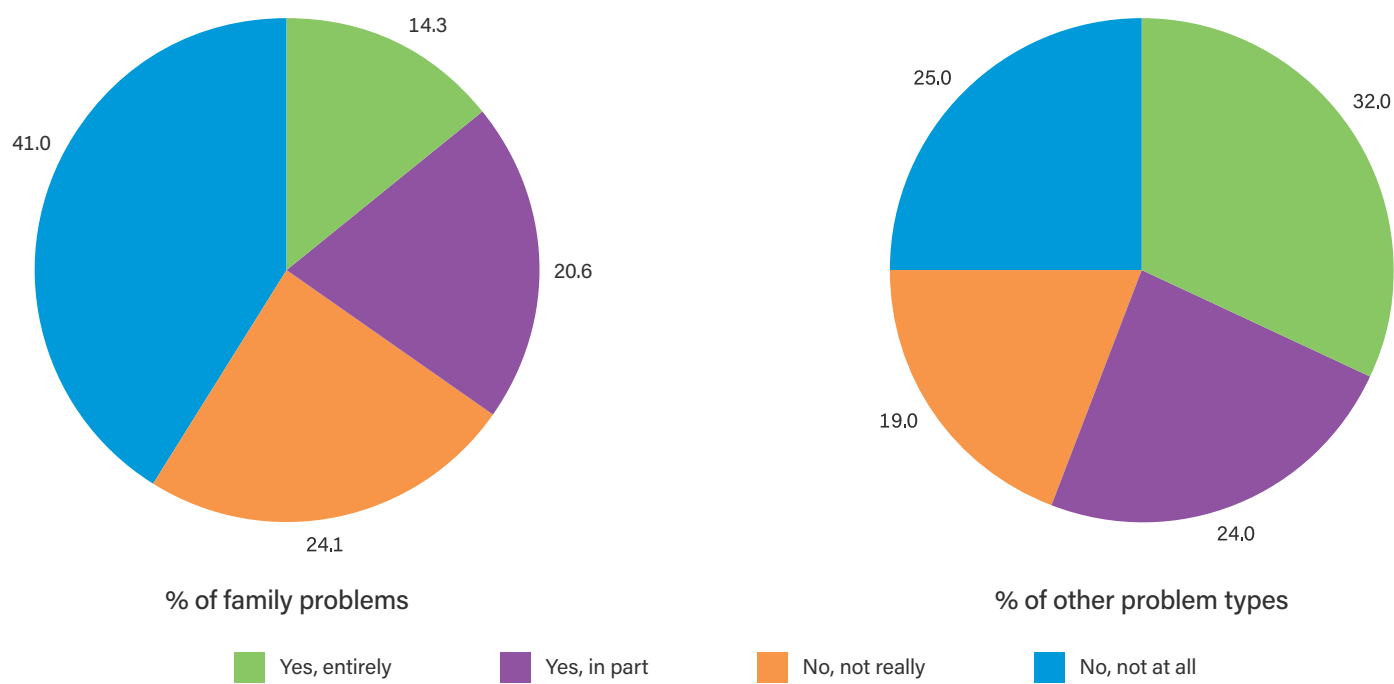
Perceptions of outcome fairness were generally much higher for other problem types. Processes involving ombudsman or mediation (68%), courts and tribunals (68%) and religious or community organisations (66%) were seen as having the fairest outcomes. Again, outcomes of problems reported to have been concluded by the police had the lowest fairness rating (55%), though this was far higher than that for family problems (22%).

<sup>19</sup> This is likely due to problems associated with family violence. As set out in PULS Vol 1, while family violence was captured at the broad family problem category level, it was specifically excluded from the more detailed family subcategories and showcard used in interviews with respondents. See Balmer et al. (2023), p.173.

Happiness with outcomes or progress to date for ongoing and concluded problems

Figure 7 shows distinct levels of happiness with the outcomes or progress of family problems and other problem types. Almost two-thirds (65%) of respondents were not happy with the outcome or progress of their family problems, with 41 per cent not at all happy. In contrast, respondents were entirely happy (32%) or happy in part (24%) for more than half of the other problem types reported in the PULS.

Figure 7. Happiness with outcome or progress to date for family and other problem types



## Was legal need met?

Legal need arises when a shortage of legal capability means people cannot resolve their justiciable problems without legal assistance. Met or unmet need, therefore, is determined by whether the problem is appropriately dealt with through availability of and access to these legal supports. The PULS used the OECD/OSF framework<sup>20</sup> to measure legal need. For further details see Balmer et al. (2023), pp.149–51.

Applying the OECD/OSF framework for measuring legal need, the PULS sorted justiciable problems into three categories: no legal need, unmet legal need, and where

legal need was met. Within this framework, two measures of expert help were used to determine legal need status: a broad definition (help from any independent source of advice, inclusive of legal services) and a narrow definition (which was limited to expert help from legal services). Figure 8 compares the existence of legal need for family problems and other problem types, adopting the broad definition of expert help, that is help from any independent source of advice.<sup>21</sup>

**Figure 8. Existence of legal need and whether it was met (using broad definition of expert help) for family and other problem types**

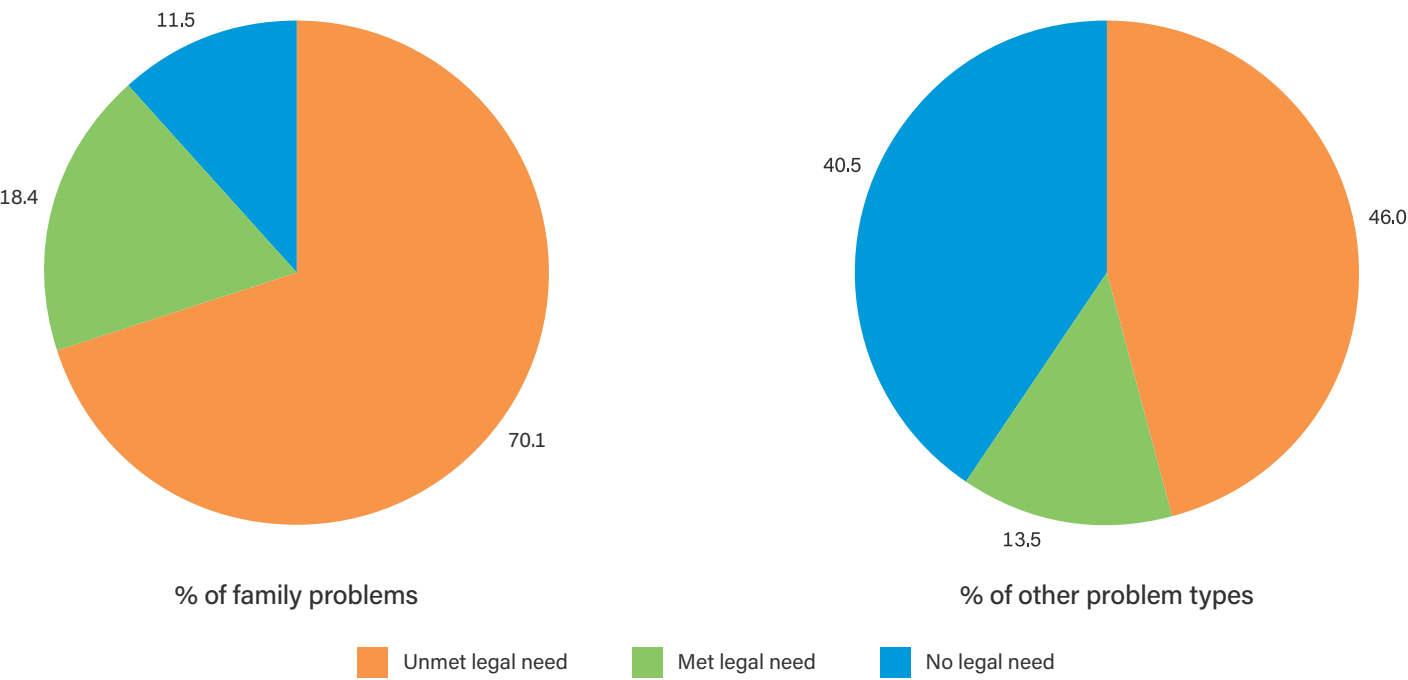


Figure 8 shows that family problems resulted in legal need at a far higher rate than other problem types, with no legal need for only 11 per cent of family problems, compared to 41 per cent of other problem types. Unmet legal need was

higher for family problems (70%) compared to other problem types (46%). Met legal need was slightly higher for family problems (18%) compared to other problem types (14%).

<sup>20</sup> For further detail on the measurement framework, see OECD/OSF (2019).  
<sup>21</sup> See the first volume of PULS reporting (Balmer et al. 2023, p.152–4) for details of met and unmet need using the narrow definition of expert help being independent help from a lawyer or legal service.

## Conclusion

Resolution and outcomes were different in many respects between family problems and other problem types. The tendency to more readily recognise the legal dimensions of family problems likely reflects the higher levels of problem severity, and influences the greater use of more formal dispute resolution processes, such as courts and mediation. Use of multiple processes, across both public and private legal services, was also common in addressing family and other related problems that often co-occurred. The higher relative use of legal advisers and dispute resolution processes in family problems explains the much longer duration compared to other problem types, with a larger proportion (over half compared to less than a quarter, respectively) still ongoing after five years.

Perceptions of processes and outcomes were also influenced by the severity, complexity and duration of family problems. Perceptions of the fairness of processes and outcomes were related, with concluded family problems consistently receiving a lower perception of fairness compared to other problem types.

Family problems were also found to give rise to legal need at a much higher rate than for other problem types. This was especially clear regarding unmet legal need, despite family problems being characterised as legal at a higher rate, and also the higher use of advisers and dispute-resolution processes.

This paper again demonstrates the heightened legal needs people experience for family legal problems. Although people use a broader array of advisors and justice processes in trying to handle and resolve their matters, they nevertheless experience higher unmet legal need. It therefore remains critical that appropriate services and processes are in place to help people meet their family law needs.



# References

- Ames, A., Gallop, K., Baumont de Oliveira, A., Pace, J., Walker, E., Franklyn, R., Owens, G., Pilling, G. & Smith, M. (2024). *Legal Problem and Resolution Survey 2023: Summary report*. London: Ministry of Justice.
- Balmer, N.J., Pleasence, P., Hagland, T., McRae, C. (2019). *Law...What is it Good For? How people see the Law, Lawyers and Courts in Australia*. Melbourne: Victoria Law Foundation.
- Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L. (2022). *The Public Understanding of Law Survey (PULS) Annotated Questionnaire*. Melbourne: Victoria Law Foundation.
- Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L. (2023). *The Public Understanding of Law Survey (PULS) Volume 1: Everyday Problems and Legal Need*. Melbourne: Victoria Law Foundation.
- Currie, A. (2009). *The Legal Problems of Everyday Life: the nature, extend and consequences of justiciable problems experienced by Canadians*. Ottawa: Justice Canada.
- Mansfield, Y. (2025). *Prevalence and impact of family problems: Findings from the Public Understanding of Law Survey*. Melbourne: Victoria Law Foundation.
- OECD / Open Society Foundations. (2019). *Legal Needs Surveys and Access to Justice*. Paris: OECD Publishing.
- Pleasence, P., Balmer, N.J. & Reimers, S. (2011). What really drives advice seeking behaviour? Looking beyond the subject of legal disputes. *Oñati Socio-Legal Series, Vol. 1 (No. 6)*.
- Pleasence, P. & Balmer, N.J. (2014). *How People Resolve Legal Problems*. London: Legal Services Board.
- Roy Morgan. (2023). *Public Understanding of Law Survey Technical report*. Melbourne: Roy Morgan Research.
- Solasta Consulting. (2024). *Access to Justice: 2023 Legal Needs Survey. Final Report*. Wellington: Ministry of Justice & Ministry of Business, Innovation and Employment.

## Victoria**Law** Foundation

The Public Understanding of Law Survey  
is a Victoria Law Foundation project.

Victoria Law Foundation is a not-for-profit  
organisation supporting better justice for all  
Victorians through research, education and grants.

[www.victorialawfoundation.org.au](http://www.victorialawfoundation.org.au)