Counting Turnaways

Turnaway data can be used to determine where there are gaps in the capacity of community legal centres (CLCs) to meet expressed demand for their services, and to understand why clients are being turned away. This paper aims to develop a common understanding among CLCs of how to record turnaways to ensure consistency of data.

Definition

A 'turnaway' refers to a service not provided by a CLC within the needed timeframe or because of a lack of resources, lack of centre expertise or a centre's eligibility policy. Turnaways count the number of **services** that could not be provided, not the number of people who could not be helped.

Examples

The following are examples of turnaways.

- Your Centre offers the service but does not have capacity to deliver it within the required time frame
- Your Centre offers the service, but the person is not eligible for it eg they are not in your catchment area, there is a conflict of interest
- Your Centre does not offer the service eg representation in Court
- The person cannot get through to your service because the phone lines are busy or not answered

The following are NOT considered turnaways.

- You refer the client to another service provided by your Centre e.g. financial counselling
- The service requested is not a legal service and your Centre does not offer the non-legal service

Note that turnaways only measure the expressed legal need of people who approach your Centre.

They **do not** measure unexpressed legal need, such as situations where a person doesn't approach your Centre because they don't know they have a legal problem, or they don't know about the services you offer. There are other ways to measure this unmet legal need, but discussion of this is outside the scope of this paper.

Recording turnaways in CLASS

You can record turnaways in CLASS using ***Reason for Referral or Refusal***[1]. See Table 1 for proposed changes to the list of reasons for referral or refusal in CLASS. You can add a *Reason for Referral or Refusal* to different services such as Information, Referral, Legal Advice or Legal Task. You can only record one *Reason for Referral or Refusal*.

Example: *You have provided an Advice Service to a client, but they also require a representation service that your Centre is not able to provide because of lack of capacity. In CLASS, you would record an Advice Service and a Referral. You would select the Reason for Referral or Refusal as 'Centre does not have capacity to deliver ongoing service'*

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[1] We are changing *Reason for Referral* to *Reason for Referral or Refusal*, to include situations where a client had to be turned away, but there was no-where to refer them to.

Table 1: CLASS Reason for Referral or Refusal categories

Proposed categories	Current categories
Already instructing a private solicitor	Already instructing a private solicitor
Centre does not have capacity to deliver discrete service	Centre does not have capacity to deliver service
Centre does not have capacity to deliver ongoing service	Centre does not have capacity to deliver service
Centre does not offer discrete service	Centre does not offer service required
Centre does not offer ongoing service	Centre does not offer service required
Conflict of Interest	Conflict of Interest
Eligible for Legal Aid	Eligible for Legal Aid
Not in Catchment Area	Not in Catchment Area
Outside financial eligibility guidelines	Other
Outside other eligibility guidelines	Other
Person could not be assisted within required time frame	Person could not be assisted within time frame needed or wanted by them
Person is banned or otherwise excluded	Other
Specialist Service available	Referred to Funded Agency (ie. Welfare Rights)
Other	Other
Removed as this is not a referral	Internal Referrals to programs run by the centre

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