

TAG The Action Group on Access to Justice
Groupe d'action sur l'accès à la justice

TAG Public Engagement Strategy

Prepared by Sarah McCoubrey,
Strategist, Access to Justice Issues
sarah@mccoubrey.ca

Overview

The Action Group is committed to public engagement on access to justice issues. This strategy provides background on engagement strategies, approaches to different audiences, levels of engagement and techniques for engagement. It provides a background to the adoption of the TAG Public Engagement Strategy and an overview of specific relevant techniques for implementation during the first few years of TAG activity.

For Decision:

Upon discussion and review of this document, it is recommended that the draft TAG Public Engagement Strategy at page 9 be adopted and shared online. The Implementation Timeline, after discussion and amendment, should be approved to set a direction for the TAG Program Manager to proceed with public engagement activities.

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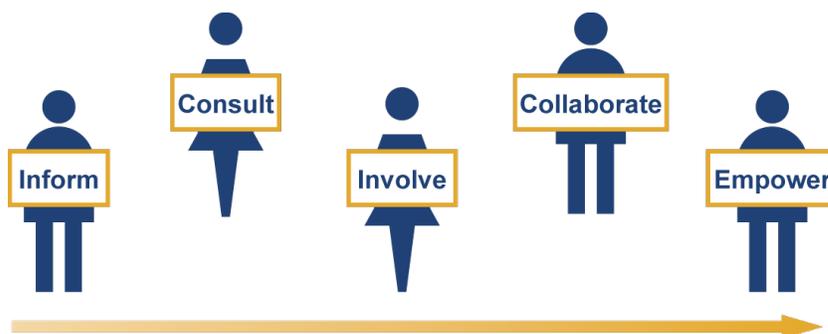


Research on Public Engagement Strategies in Canada

Public engagement is a term used to describe different types of consultation, participation and involvement of broad stakeholder communities. It is heralded as an essential component of political and social change efforts. Approaches to public engagement range from advisory roles and public meetings to full integration of users in decision making. The appropriate public engagement strategy depends on the scope, goal and audience of the public to be engaged. Despite its generic use to encompass all types of public participation, the suitability of public engagement avenues must be tailored to the audience and the issue.

As strategies for public engagement evolve, research into the effectiveness of each approach has been undertaken, in Canada and elsewhere. The rise of social media and technology based tools has dramatically increased the number of people that can be involved in discussions, while also raising questions about the validity or usefulness of online participation. With evolving sophistication of technology and decreasing costs of participation tools, public engagement strategies increasingly include multi-pronged approaches that allow for different levels of participation suited to the interests and needs of subsets of the public audience. Using a single approach or the selection of a representative to speak on behalf of public experiences is recognized as a tokenizing approach that prioritizes the views of an individual or specific group. Instead, public engagement strategies are based on clear goals and a commitment to broad participation, using a range of techniques to allow for input and participation.

The International Association for Public Participation¹ has identified five levels of engagement. These five levels of engagement, **Inform**, **Consult**, **Involve**, **Collaborate**, **Empower**, are generally seen as falling on a spectrum. Awareness of the level of desired engagement and the limits of different techniques will facilitate the implementation of an effective engagement strategy and allow for a range of suitable tools, matched to the audience.



¹www.iap2.org; graphic developed by ImpactBC at <https://www.patientsaspartners.ca/network/what-we-do>



Levels of Engagement	Description	Examples
INFORM	Information that builds an understanding of the problem, as well as possible solutions	<ul style="list-style-type: none"> • Websites • E-newsletters • Open houses
CONSULT	Feedback is solicited on specific ideas, policy directions or activities and incorporated into planning	<ul style="list-style-type: none"> • Focus groups • Surveys (online or in person) • Interviews • Public forums • Town Halls
INVOLVE	Working with users to explore and better understand issues. Proposed solutions can be discussed and feedback integrated	<ul style="list-style-type: none"> • Workshops or mapping sessions • Simulations • User participation as speakers • Participants in learning events or conferences
COLLABORATE	Participate as an equal partner in decision making	<ul style="list-style-type: none"> • Advisory committee • Member of sub-committee • Working groups to develop and test new solutions • Pilot projects
EMPOWER	Decision-making by users	<ul style="list-style-type: none"> • User group responsible for decisions • User developed and delivered solutions, without control or oversight by any agency or body • Political advocacy

Elements of a Strategy

A public engagement strategy can be formulated to reflect the culture of a project or the terminology of a community, including the following:

- Identification of the goal or scope of the public engagement
- Articulation of the commitment to public participation and extent of transparency in sharing the results
- A commitment to evaluation of the engagement or implementation of the results
- A selection of appropriate techniques, that may be revisited based on evaluation results.

In a civic engagement context, the articulation of values can shape the approach, as well as its evolution over time, ensuring that different decision makers are aligned in their implementation of the strategy. An example of the values that shape public engagement is promoted by the BC auditor's best practices on public engagement:



AUTHENTICITY - The decision has not been made and the decision-maker commits to be influenced to a specific level that will be communicated in advance.

ACCOUNTABILITY - The decision-maker will demonstrate that results and outcomes are consistent with the commitment that was made to stakeholder groups and the public at the outset of the initiative.

INCLUSIVENESS - The decision-maker will make every reasonable effort to include the stakeholder groups and the public affected by the pending decision.

TRANSPARENCY - The decision-maker will ensure that stakeholder groups and the public that are affected understand the scope of the pending decision, the decision process and procedures, and any constraints facing the decision-maker.

COMMITMENT - The decision-maker will provide appropriate time and resources to ensure that those involved can participate in a meaningful way.

INTEGRITY - The decision-maker will address public and stakeholder group concerns in an honest and forthright way.²

The scope of engagement should also be articulated. Inviting public participation on a question that is beyond the sphere of influence of the consulting body encourages cynicism and frustration when the input cannot be acted upon. Determining the right level of engagement must be premised on a realistic view of the scope of influence of the project. Public engagement to endorse an already held view, or to appear to have consulted on actions that are already underway is deceptive and can undermine the success of efforts. Instead, it is important to consider the objective of the public engagement and the related commitment to act that the consulting body is prepared to make. Considering these two questions will make the choice of engagement technique easier, with a cohesive link between the desired input and the actions that will be undertaken.

This process of articulation of values, clear goals, assessment of the audience and the scope of influence of the project are the basis of a strategy. Rigorous thinking about the purposes and impact of public engagement provides the basis for the selection of techniques and the implementation of different approaches over the lifespan of a project. These techniques, each of which involves a different level of participation, can be suitable for difficult conversations, involve an iterative and ongoing process of listening and learning from public experiences to shape the change process.

Sample Strategy City of Ottawa:
The Public Engagement Strategy focuses on five Strategic Areas:

- An overarching framework required to be used by all staff;*
- Tools, resources and training to support staff success including the use of common terms and definitions;*
- Management commitment and interdepartmental collaboration/ coordination;*
- Online tools; and*
- Evaluation and continuous improvement.*

To achieve these strategic components, implementation of the City of Ottawa Public Engagement Strategy includes the following elements Guidelines and a Toolkit, a Training plan for staff, Formal mechanisms for sharing of best practices and lessons learned (e.g. online engagement tools) and Ongoing monitoring and tool development.

² Office of the Auditor General of British Columbia, <http://www.bcauditor.com/online/pubs/394/395>



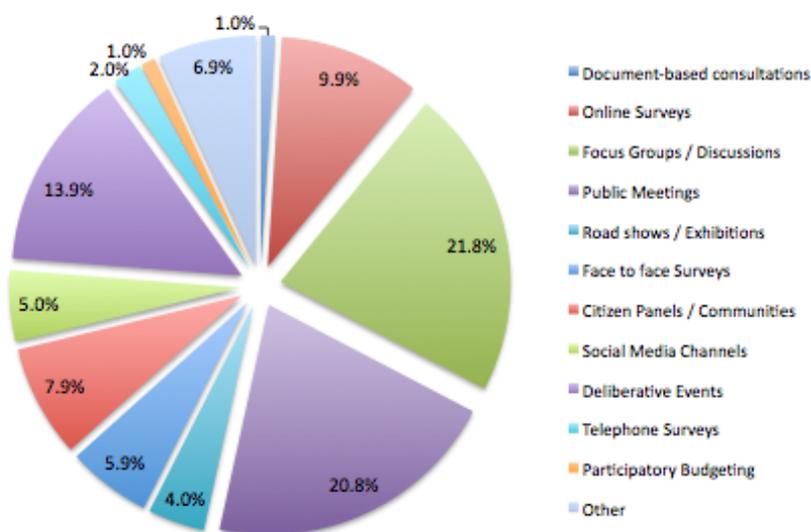
Methods of Engagement

The Strategy Institute published its research into engagement efficacy in Canada, comparing common strategies ranging from in-person public meetings to social media and online input. Its research demonstrates that focus groups, public meetings, deliberative events and online surveys are the four most effective techniques, while document-based consultations and telephone surveys, two historically common techniques, rank quite low.³

Emerging online tools have moved beyond surveys and websites to include platforms for online voting, priority setting and location-specific participation. Social media can be both a tool for promoting an opportunity for input, as well as one for collecting it. These approaches are evolving quickly as the tools and smart phone access of many segments of the public are identified as an opportunity for unmediated access to large numbers of people.

While these tools offer a breadth of public participation, they may not offer the depth of direct discussion and feedback that focus groups and deliberative events do. An effective public engagement strategy uses a range of techniques based on the suitability of each to the its goals and audience. The technique should be the final choice, once the strategy has been established.

Which method of public participation and consultation has been found more effective than the others?



3 “Trends and Challenges in Public Consultation & Engagement in Canada”, The Strategy Institute, <http://www.publicconsultationcanada.com/>



Public Engagement in Access to Justice Efforts

Efforts to understand the access to justice crisis from the user perspective have been undertaken by justice institutions.⁴ The Canadian Bar Association conducted a series of interviews in malls and on the street, capturing people's understand the justice system in their own words.⁵ The Department of Justice has surveyed Canadians confidence in the justice system through a telephone survey, with results available through statistics Canada.⁶ The National Self-Represented Litigants Project has created a forum for justice system users to share their experiences.⁷ The Canadian Forum on Civil Justice is in the midst of a substantial survey of Canadians about the costs of civil justice including identification of unmet legal needs.⁸ In Ontario, the Civil Legal Needs project produced two reports identifying the geographic distribution of legal services and tracking civil legal needs.⁹ Projects with narrower mandates have produced snapshot views of the needs of rural communities, linguistic minorities, Aboriginal people, those living in poverty, and people within different ethnic, age, cultural and gender communities. Each of these efforts to understand the public perspective present a part of the picture of the access to justice crisis in Ontario.

Despite this foundation of research and surveying of public needs, there are few examples of public engagement in the development of access to justice solutions. Public engagement in TAG's activities has the potential to build on existing research and needs assessments, including identifying research gaps, by developing a strategy for engagement in the action-focused efforts of the TAG community.

The distinction between public needs research and public engagement is significant in terms of the scope and techniques to be utilized. Public engagement in TAG activities will necessarily require a range of techniques and a tolerance for overlapping and conflicting input. The views of people who have relied on the system to resolve a conflict will vary from those who have not. The ideas of people who have been represented through legal proceeding will be different from those who represented themselves. The demographic and social economic circumstances of a member of the public will influence their input. In this way, public engagement will result in a messy mix of ideas and responses, unlike a process that draws conclusions according to the parameters of a research question. While this may make genuine public engagement on TAG activities a daunting task, it will also make a useful contribution to the body of research into justice system users views.

4 This list of examples is illustrative, not comprehensive.

5 Amanda Dodge, "Access to Justice Metrics Informed by the Voices of Marginalized Community Members: Themes, Definitions and Recommendations Arising from Community Consultations", paper presented to the Envisioning Equal Justice initiative for the Standing Committee on Access to Justice, CBA (April 2013).

6 Department of Justice, Canada, http://www.justice.gc.ca/eng/rp-pr/csj-sjc/jsp-sjp/rr07_4/rr07_4.pdf

7 National Self-Represented Litigants Project: <http://representingyourselfcanada.com/2015/05/28/tracking-the-continuing-trends-of-the-srl-phenomenon-data-from-the-nslrp-2014-2015/>

8 Canadian Forum on Civil Justice, *Everyday Legal Problems and the Cost of Justice in Canada*, 2015 <http://www.cfcj-fcjc.org/a2jblog/everyday-legal-problems-and-the-cost-of-justice-in-canada>.

9 Ontario Civil Legal Needs Study, http://www.lsuc.on.ca/media/may3110_oclnreport_final.pdf



TAG Priorities for Public Engagement

Successful efforts to change systems rely on a mix of content experts and context experts. *Content* experts tend to be professionals devoted to the area of work, in institutions, government and non-profits. *Context* experts have expertise in how a system works and what it is like to use it. Context experts can be end-users, intermediaries or people who have lived experience and are based in institutions. Cultivating contextual leadership requires creating safe, meaningful, interactions through thoughtful public engagement.

The TAG community will benefit from listening directly to the public to learn:

- the baseline for public understanding, expectations and needs of the justice system
- the context leaders in these different communities who can bring an ongoing public voice to problem solving
- the ideas or models that already exist
- measures of increased access to justice, from the public's perspective
- feedback on new ideas and pilot projects to address access to justice gaps

TAG's public engagement strategy should focus on three of the levels of engagement: consulting, involving and collaborating. Understanding public views of accessible justice, interests in different types of solutions and feedback on pilots, will positively inform TAG action.

Once engaged, members of the public will want to hear what is being done, or perhaps to stay engaged as part of the solution. Engagement, going beyond passive information, must be designed with a respectful view of a long-term relationship between the TAG community and public. Designing public engagement to cultivate this relationship is both the challenge and the potential for a genuine and sustained solution-focused discussion about access to justice in Ontario.

TAG's Public Audience

Drawn broadly, the boundaries of TAG's public audience is anyone dealing with a justiciable matter, in Ontario. This broad articulation can be broken down into a number of subsets of public, each of which can be approached using a different technique and relevant questions. Within a given year, TAG engagement activities may focus on particular subsets, based on urgency and resources. However, the audience of the Public Engagement Strategy should remain broad to avoid the risk of limiting the potential and credibility of TAG.

With the broad audience in mind, the following subsets of the public may offer distinct and useful perspectives:

- Unhappy users of the justice system
- Non-users of the justice system
- Happy users of the justice system



- Intermediaries
- System administrators
- Demographic audiences, including linguistic communities, Aboriginal, income level etc.
- Geographic audiences including rural and urban users
- Users involved in specific substantive matters: family, employment, housing, small claims, contract dispute, small business, end of life planning

Acknowledgement of both the relevance of all users and potential users of the justice system, together with a focus on the views of particular subsets of the public in the first few years will allow for an evolving public engagement strategy that can be realistically implemented, while still respecting broad public perspectives on the issue.

Limitations of the TAG Public Engagement Strategy

Implementing a public engagement strategy will be constrained by the financial and personnel resources of the TAG community. The reality of implementing the engagement strategy will reflect the budget planning, and the ability of different key partners to offer expertise and access to subsets of the public. In Year One, funds have been earmarked to embark on public engagement activities. While limited, the initial budget is adequate to make a meaningful start on ongoing public engagement.

In addition to fiscal constraints, TAG faces the challenge of engaging the public in a manner that respects the individual institutions or people involved in TAG. This will continue to be difficult terrain to be navigated through the evolution of TAG, as with all complex collaboration efforts. The articulation of TAG's public engagement strategy values, scope and expectations will provide a basis for maintaining a distinction between TAG's engagement and the involvement of different institutions. Inviting public engagement into the collaborative problem solving environment of TAG can be clearly articulated and distinguished from complaints process in specific institutions.

Partnerships

TAG's collaborative structure and inclusive approach to finding solutions is also its strength in robust public engagement. For each audience subset, there are potential partners with strong relationships, community credibility and the ability to connect directly with a range of justice system users. Harnessing these partnerships, as well as those of many of the TAG community, offers the potential to leverage relationships, make good use of limited resources and demonstrate real commitment to working with people to find solutions. Not only will effective partnering increase the success and scope of TAG's public engagement, it will also enhance the credibility of the results and of the activities themselves.



Evaluating Strategy Results

Matching engagement technique to audience subset will involve taking risks and experimenting. Learning from these efforts and being willing to adjust will be critical to ensuring that public engagement remains relevant and dynamic. Embedding an evaluation mindset into the design, implementation and reporting of public engagement efforts will ensure that these efforts are not used as an excuse to dismiss TAG or its efforts. Transparent discussion of the results, uses and evolution of the strategy will help to insulate TAG by inviting feedback on the strategy itself, learning and evolving throughout.

Draft TAG Engagement Strategy

After discussion, amendment and approval, this statement will be made public.

TAG's Public Engagement Strategy

The Action Group on Access to Justice recognizes the importance of justice system user's perspectives and ideas. TAG is committed to:

- listening to people about access to justice issues, and ideas for improvement;
- working with the public across the province, both those who have used the justice system and those who have not;
- learning and adapting its engagement activities through evaluation and continuous improvement;
- sharing the results of public engagement activities annually.



Engagement Techniques Overview

This strategy includes fifteen techniques to be used in different settings. Each is described in detail below, highlighting its applicability with additional details about implementation and scope including:

- **Description:** A brief description of the process or activity
- **Audience:** The subsets of the public that this technique will engage
- **Objectives:** What TAG hopes to learn or gain through the engagement
- **Level of Engagement:** Inform consult, involve, collaborate, or empower
- **Method of engagement:** Workshop, online, town hall
- **TAG application:** Ideas for implementation specific to TAG
- **Responsibility:** Reference Group, TAG Program Manager, Clusters, External
- **Key messages:** What the engagement communicates
- **Timing:** Length of process and timing considerations
- **Resources:** Financial, facilities, personnel and expertise
- **Risk:** What risks need to be planned for
- **Evaluation:** Approach to evaluation of the engagement
- **Additional resources:** Links or references on the technique

These techniques are recommended based on the TAG goals and range of stakeholders, designed to provide options for implementation that vary each year based on the evolution of the TAG activities, the results and evaluation of earlier efforts and the resources available. Over time, TAG will be able to engage a broad range of audiences at different levels, gaining an understanding of public perception, expectations and opportunities to collaborate.

	Technique	Recommended Implementation Timeframe
1.	Online Poling	Ongoing
2.	Follow a Case	Year One
3.	Feedback Kiosk	Year One
4.	Crowd Sourcing Online Platform	Year One
5.	Study Circles	Year One
6.	A2J Simulation	Year One
7.	World Cafe	Year One
8.	Data Tracking	Year Two and beyond
9.	Collaborative Loops	Year Two
10.	User Interviews	As needed
11.	Appreciative Inquiry Summit	Year Two
12.	Charrettes	Year Three and beyond as needed
13.	1-on-1 Surveys	As needed
14.	Focus Group	As needed
15.	Silent Focus Group	As needed



Implementation Timeline

Year One (2015)

1. Adopt a TAG Public Engagement Strategy. Publicly share the engagement strategy and the commitment to transparency and sharing of result.

2. Conduct listening-focused activities to hear a broad range of public perspectives on the access to justice issues.

Technique	Audience
Focus Groups	Intermediaries
Feedback Kiosk	Current users (select 5-8 locations)
Follow-a-Case	Select on court and one tribunal process
Study Circles	Regional discussion (10 locations)

3. Facilitate sector-wide sharing of public perspectives

Technique	Audience
A2J Simulation and/or World Cafe	TAG Summit attendees
Crowd Sourcing Consultation	Public users

4. Create and plan for data sharing between institutions

Year Two (2016)

1. Report on the results of the Public Engagement Strategy, in accordance with commitment to transparency

2. Conduct listening-focused activities to hear a broad range of public perspectives on the access to justice issues.

Technique	Audience
Collaborative Loop	Users of specific substantive areas or demographic groups
Appreciative Inquiry Summit	Public Users
One-on-One Interviews	Users without access or aptitude for technology
Maintain Year One activities	Same or new audience subsets

3. Identify a plan for engagement on difficult issues or hard to reach audiences

Year Three and Beyond (2017 ...)

1. Maintain successful engagement strategies

2. Use Charrette technique to conduct intensive problem solving where needed



Detailed Description of Engagement Techniques

Technique				
Online Polling				
Description	Use FluidSurveys or other online survey tool to canvas the opinions of a broad range of people on a small number of questions. Surveys can be embedded into websites, popping up for every 4 th or 10 th user. Surveys can be sent out by email, or accessed with a public link. Survey platforms do simple analysis and provide an easy tool to get feedback on simply questions.	Audience	Public users of the justice system TAG members Specific participants	
		Objectives	Solicit feedback Ongoing improvement of TAG activities Broad feedback on access to justice issues Educate people about TAG existence and activities	
TAG Application	1: TAG members and potential members could be surveyed on their reaction to the mandate and Cluster activities and invited to indicate their priorities interests. 2: A Public survey on 2-3 questions about the meaning of access to justice or the scope of access to justice could be distributed broadly through any TAG organization, over a period of time. This could include basic demographic or geographic information and be used to shape more detailed engagement and TAG activities. 3. Participants in a TAG activity could be invited to provide feedback on that specific activity, as well as ideas for future topics or clusters, as a strategy to invite long-term commitment	Engagement Level	Method of Engagement	Key Messages
		Inform Consult	Online	TAG is looking for solutions to A2J TAG is listening to users
		Responsibility	Resources	Timing
	TAG Program Manager Clusters	Staff monitoring	Ongoing - can be done for short or long periods	
	Risk	Evaluation		
	Raises expectations of responding to ideas	Online survey sites provide data on how many people start or finish the surveys, and where they are located. Reports will provide basic response rates.		
Recommendation		Additional resources		
<p><i>Ongoing:</i> Use online surveys instead of paper feedback at all TAG events to build base of consistent questions</p> <p><i>Year One:</i> Develop a public user survey that asks for people's perceptions of the A2J crisis, as well as solutions</p>		<p>FluidSurveys is a Canadian based alternative to US surveying companies (survey monkey) and complies with privacy legislation. All of these survey sites offer tutorials on designing surveys and analyzing data.</p>		



Technique Follow-a-Case				
Description	Identify a 'typical' case and, with permission, follow it through each stage, recording problems that arise at each stage, ideally, problem-solving issues as they arise, depending on the type of problem identified.	Audience	Public users of specific process	
		Objectives	Develop a sophisticated inventory of the obstacles to accessing a specific process from the perspective of the user, including mis-steps and efforts to get help.	
TAG Application	<p>Focusing on a specific tribunal or court process, or a self-represented litigant through all of the stages of the process, identifying procedural, practical, unexpected and substantive barriers or obstacles. This could be done by a non-legally trained person, eliminating the complication of becoming an advocate for the person.</p> <p>This could be done on a small scale (over the course of a single day) or over the life of the case, tracking the steps people are taking in between appearances, including the websites they are accessing, the places they have attempted to find help.</p> <p>This would identify leverage points between systems or partners by identifying how people understand and use various legal services.</p>	Engagement Level	Method of Engagement	Key Messages
		Consult Involve	In person	TAG is interested in practical solutions A2J issues need to be seen from the user perspective, not the system's perspective
		Responsibility	Resources	Timing
		External	Personnel	Could be developed as a short-term activity (single day) or a very long term project, following the life of a case.
		Risk	Evaluation	
		The person following the case may problem solve the obstacles, affecting what can be learned.	Developmental evaluation approach	
Recommendation		Additional resources		
<p><i>Year One:</i> Select a discrete process and solicit permission to 'follow' a case by having a self-represented litigant agree to periodic interviews about the steps taken and progress.</p> <p><i>Year Two:</i> Attend a court or tribunal and follow a litigant's experience through the building, in filing or pursuing a matter.</p>		Case Study Example: Surrey Homeless Day Workers (outlined in book provided at Tamarack Summit)		



Technique Feedback Kiosk				
Description	Establish a pop-up kiosk to solicit ideas and feedback in a specific location.	Audience	Users of a specific institution	
	Can be modelled on a consumer research or outreach model done in malls or public spaces.	Objectives	To canvas feedback from wide range of users in specific locations To collect usage data within a specific time	
TAG Application	Set up a kiosk, staffed by students, for a day each in a range of locations. At the kiosk, public users will be asked questions, invited to complete an online survey or to participate in other feedback techniques. Kiosk could be set up in courthouse, tribunal, legal clinic, library, community centre, POA court, mall, hospital etc. It could be run in a number of locations around the province to assess the different issues in different communities, different size centre, and different types of justice institutions.	Engagement Level Consult	Method of Engagement In-Person	Key Messages TAG is listening to users
		Responsibility TAG staff	Resources Summer students Travel expenses	Timing Would require time to plan and a sustained period to implement (3-4 months)
		Risk High profile project raises expectations People may perceive kiosk as a source of legal help		Evaluation Developmental evaluation model with students
Recommendation Year One: Develop the project over the year and recruit students (perhaps through a placement) to staff the kiosk over the summer.		Additional resources Will require referral information provided to students to redirect people to appropriate legal services.		



Technique Crowd Sourcing Public Consultation

Description	Soliciting ideas or responses to different activities and solutions to problems by inviting public input, voting, or prioritizing of ideas. Online platforms offer ways to verify discrete users and their location. Some crowd sourcing platforms focus on civic issues, getting input into priorities or generating new solutions. These sites are increasingly being used by municipal and provincial governments. By outlining a range of ideas, participants learn about the complexity of issues and can offer more thoughtful responses than typical polling.	Audience	Public users of the justice system Intermediaries and others invested in justice system reform		
		Objectives	Build public understanding of the complexity of the access to justice challenge Solicit prioritizing feedback and new ideas about solutions Develop a nuanced understanding of the priorities of users in different locations or with different demographic characteristics		
TAG Application	Crowd-sourcing using a well developed platform could create an opportunity to engage the public in problem-solving that moves beyond typical complaints. Letting people consider an idea, weigh it against other possibilities and offer ideas for improving solutions, they not only provide feedback, but also gain a better understanding of the issues. This would allow for public input that does not invite complaints or rants and promotes understanding of the issues that may build the attention to access to justice issues in other contexts or in the electoral cycle.	Engagement Level	Method of Engagement	Key Messages A2J problems are complex and require complex solutions User ideas are welcome Solutions have to consider multiple users / issues	
		Consult Involve			
		Responsibility	Resources	Timing	
		TAG staff			
Risk	Evaluation				
Not accessible by people without access to technology	Platforms produce user analytics Results could provide 'snapshots' of changing views over time				
Recommendation	Additional resources				
Year One: Develop in the fall of 2015 to be used over a 6-12 month period	TownHallSocial; PlaceSpeak; Idea Scale; Ethelo List of online tools provided at Collective Impact Summit				



Technique Study Circle

Description	A facilitated small diverse group, made up of 8-12 people, across a community to engaged in civic decision making. This process involves people in the complexity of the issue and builds an appreciation of the range of interests and opposing views that need to be incorporated in solutions. A commitment to hold many Study Circles simultaneously is critical to the credibility of the process. The Facilitator moves the group from stories of personal experience to developing solutions and making action plans. Study Circles may meet once or many times, depending on the issue. Study Circle results are shared with a large group for prioritizing.		Audience Public users of the justice system Intermediaries TAG members	
			Objectives To build a board understanding of the A2J issue from different perspectives To engage people in the problems and the solutions in a manageable way To develop creative ideas on different issues	
TAG Application	Study Circles could be held over a three - four month period, culminating in a larger event or a sharing of ideas and prioritizing. Once people had signed up to a specific circle, the facilitation and progress of that group could continue on a schedule that suits its participants. A consistent facilitator guide could be provided to TAG members in any city willing to facilitate the discussion. This would allow for a broad level of public discussion that utilizes the network of TAG members across the province. A public call for interest would be followed by a few months of Study Circles meeting. This would help to manage the profile and expectations of the process by allowing for managed results and communications. Ideas generated in Study Circles could be presented at a TAG Summit or integrated in to a Crowd Sourcing Platform for response or prioritizing.	Engagement Level Involve Collaborate	Method of Engagement Discussion Design	Key Messages TAG is listening to user experience A2J solutions require broad collaboration Local ideas and solutions are critical
		Responsibility TAG members TAG staff coordination of a public call	Resources Development of Facilitator guide	Timing One month call for interested participants, followed by three-four month period to conduct Study Circles
		Risk TAG volunteers across the province may deviate from the facilitation plan, shifting local expectations Study Circles could evolve into a local Cluster (this may be a positive result)		Evaluation Developmental Evaluation Facilitator feedback and check in Participant Feedback



<p>Recommendation <i>Year One:</i> Conduct Study Circles around the province to allow for public users and community advocates to participate. This engaged audience could also be used to collect local data on resources and issues in each community.</p>	<p>Additional resources A comprehensive set of tools is available at Everyday Democracy: Ideas for Community Change www.studycircles.org, particularly this Toolkit http://www.studycircles.org/resources/organizing-community-wide-dialogue-action-and-change#.VXm2JWTBzGc</p>
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Technique A2J Simulation				
Description	A role playing activity that has people try to problem solve fictional, but realistic scenarios relating to the topic or issue being addressed.	Audience	Summit attendees TAG leadership or larger community	
		Objectives	To build firsthand or experiential understanding of the range of issues at play in an A2J scenario	
TAG Application	<p>The CBA and Federation of Law Societies have used a poverty simulation at conferences to illustrate the severity of obstacles faced by people living in poverty. OJEN has adapted that poverty simulation into an Access to Justice simulation to recreate the obstacles to accessing legal assistance and understanding legal processes.</p> <p>This existing resource could be adapted to the evolving understanding of A2J issues for use at a TAG event or Summit</p>	Engagement Level	Method of Engagement	Key Messages
		Inform Involve	Role-playing	Experiencing an A2J issue is different then observing one
		Responsibility	Resources	Timing
		TAG staff	Facilities	60-90 minute activity at a large scale event or Summit
		Risk		Evaluation
				Participant feedback
<p>Recommendation <i>Year One:</i> Host an A2J simulation with a group of TAG leaders in a small group, or at the TAG Summit</p>		<p>Additional resources Access to Justice Simulation http://ojen.ca/resource/7905 Poverty Simulation: http://myunitedway.ca/poverty-simulation</p>		



World Cafe

Description	A conversational process that lets a large group discuss a range of issues in four-person cafes, switching to new discussions three-four times. The discussions explore different but related issues and result in a group wide investigation of issues while fostering individual connections. World cafes create networks of conversation and engage people in an issue. A cafe host stays at each table while the other three people move, maintaining the discussion topic at each table.	Audience	Summit attendees Intermediaries and TAG community	
		Objectives	To foster new connections and set an inclusive tone to a large eventually To discuss difficult issues in a conversational rather than expert / audience style	
TAG Application	This technique employed at the TAG Summit would allow for full participation and direct involvement, avoiding the expert lecture model and engaging attendees early in the discussion.	Engagement Level	Method of Engagement	Key Messages
		Involvement	Discussion	A2J issues and solutions involve people at an individual level All views are valued, regardless of role or comfort in large settings
		Responsibility	Resources	Timing
Summit Facilitator	Planning	30 - 90 minutes at the start of a Summit		
Risk	Evaluation			
Participant Feedback				
Recommendation	Additional resources			
Year One: Start the Summit with this technique to set a different tone from typical legal sector conference events and to start building connections.	"A World Cafe: A Resource Guide for Hosting Conversations That Matter", Mill Valley, CA: Whole Systems Associates, 2002 The World Cafe www.theworldcafe.org			



Technique Data Tracking

Description	Coordinate existing data and collect missing data to compile reliable picture of user experience. Coordinated data can be aggregated and made available to partners, or through open data avenues to promote relevant private sector and partner solutions.	Audience	Individuals and organizations invested in A2J issues TAG members and partners Pilot projects planners	
		Objectives	To share existing data to promote better understanding To promote coordinated efforts responding to needs	
TAG Application	All of the major institutions and service providers collect data of different sorts. There is often a reluctance to make this data public. Coordinating and aggregating the data that exists could produce a more reliable picture of the public's use of the justice system from start to finish that could include the frequency of request to self-help and clinic services, abandoned actions, and informal processes, together with court and tribunal usage, appearances, and resolution data. Compiled data could be shared, in aggregated form, with TAG partners to promote better informed programming and pilot projects or to encourage new research efforts to fill gaps in the data matrix. Aggregated data could be shared to allow for projects like the Legal Innovation Zone at Ryerson to use reliable data when planning access to justice solutions.	Engagement Level Involve	Method of Engagement Online In person	Key Messages TAG wants to build on what is already known A2J solutions will come through sharing information A2J solutions require new thinking and avoiding segmented thinking
		Responsibility TAG community	Resources Staff time Expertise	Timing Year-long project
		Risk Institutions may be reluctant to share data - require a protocol with TAG Difficult to compile data collected in different ways	Evaluation Developmental evaluation	
Recommendation	<p><i>Year One:</i> Start by having justice sector institutions identify the type of data they collect and develop protocol for sharing.</p> <p><i>Year Two:</i> With expert help, collect and integrate data.</p> <p><i>Year Three:</i> Review data and decide on how much can be made public, how much can be shared with partners and needs for new data collection or research.</p>			
	<p>Additional resources</p> <p>Ontario Open Data http://www.ontario.ca/government/ontario-open-data</p> <p>MaRS Data Catalyst Program http://www.marsdd.com/systems-change/data-catalyst/</p>			



Technique Selected User Interviews

Description	Conduct interviews of a selected cross-section of users to develop a representative picture of an issue. Select interviewees that reflect the targeted demographic.	Audience	Members of the public who are hard to reach through other techniques or who are of a specific group.		
		Objectives	Solicit particular views to augment other techniques or to develop a more detailed understanding of the access to justice users in a very specific context.		
TAG Application	<p>1. Identify particular user perspectives that are hard to solicit through online or other means and arrange for interviews. Design interviews on the same or similar questions as online surveying. This would address risks of online tools if used as a complementary technique to achieve the same public engagement objectives.</p> <p>2. Develop a targeted set of questions for a specific group (litigants in a specific tribunal, speakers of a certain language, residents in a neighbourhood or region)</p>	Engagement Level Consult	Method of Engagement In-person	Key Messages TAG wants to hear what the public thinks	
		Responsibility TAG staff Partners	Resources Intensive use of staff time	Timing Time intensive for a short period of time	
		Risk May be perceived as only valuing specialized perspectives May require external assistance in development, implementation or analysis		Evaluation Discuss with interviewers and adapt process immediately to address issues	
Recommendation <i>Year Two or as needed:</i> Undertake to complement online tools, or to focus on specific known audience, once there is a question or issue warranting the additional time, staff and financial resources. Investigate law students as paid or volunteer interviewers.		Additional resources			



Technique Collaborative Loops

Description	A process to bring dis-similar groups together to plan a change process while widening the circle of people involved and creating communities for action. Helps to identify common intentions, identify why solutions aren't working and establish common principles. The process focuses on the whole experience and moves away from individual complaints. Creative problem solving and new solutions are emphasized.	Audience	Intermediaries and direct service providers invested in A2J solutions	
		Objectives	To develop a system-wide view of the problems and the solutions Engage different types of professionals in implementing new solutions Harness the knowledge and energy of intermediaries working on the edges of the justice system	
TAG Application	Intermediaries and people working with the public in other contexts (health, education, community services, religious institutions, etc.) hear about and try to assist with legal issues. These people often feel a need to advocate for their clients by describing the problems with the justice system. This technique would involve them in developing the problem solving process and help to develop ideas that work in contexts that the justice system may not typically interact with. It can also be used with a large group, like the TAG Summit, with different cross-sectoral groups of approximately 10 people assigned different issues and asked to design new solutions.	Engagement Level Involve Collaborate	Method of Engagement Workshop	Key Messages TAG works collaboratively with communities A2J is a problem that cannot be solved by the justice system alone
		Responsibility TAG staff	Resources Facilitation and planning expertise Facilities	Timing Either a full-day or multi-day workshop, or a set group that works through the process over a number of sessions (ex. weekly)
		Risk Shares responsibility for the problem and control of the solutions with broad community	Evaluation Developmental Evaluation in planning and implementation Participant feedback	
Recommendation Year Two: Hold a broad session with intermediaries to imagine A2J solutions from the perspective of their clients	Additional resources Based on Open Systems Theory of changing complex systems Axelrod, Richard et. al. "You Don't Have to Do It Alone: How to Involve Others to Get Things Done" San Francisco: Berrett-Koehler, 2004 The Axelrod Group - www.axelrodgroup.com - Has training materials, regular email updates and resources.			



Technique				
Appreciative Inquiry Summit				
Description	A large scale event that brings internal and external stakeholders together to accelerate change. Usually conducted as a multi-day event, it includes both envisioning ideas and designing and implementing solutions. Can include an unlimited number of people, working in small groups of 8-10 people. Steps in the process include hearing other perspectives on competencies, designing a social architecture for managed change, and focusing on action and organizational alignment.	Audience	TAG community and invested intermediaries Members of the public interested in designing solutions	
		Objectives	Engage a broad community of people and perspectives in a forward looking process Elicit commitment to implement A2J solutions	
TAG Application	TAG has already planned to hold a summit within its first year of funding. This model, adapted to suit the schedule and audience might allow for a summit that is both informative (listening to experts) and developmental (having attendees develop action plans and commit to next steps). This hybrid model would create a window for engagement of all attendees and seed regional or thematic Clusters through a coordinated discussion.	Engagement Level	Method of Engagement	Key Messages
		Involve Collaborate	Workshop, Summit	A2J solutions require collaboration TAG is ready to coordinate diverse action plans
		Responsibility	Resources	Timing
Reference Group TAG staff	External expertise Facilities	Require advance notice for invitations and planning for intensive multi-day Summit		
Risk	Evaluation			
Considerable planning required Need attendee commitment	Development Evaluation Participant Feedback Appreciative Inquiry at event			
Recommendation	Additional resources			
Year Two: Incorporate Appreciate Inquiry Summit approach throughout agenda for a summit to balance conference style expertise with developmental model of engagement and action planning.	Corporation for Positive Change www.positivechange.org Frank J. Barrett et al., Bringing every mind into the game to realize the positive revolution in strategy, San Francisco, 2005 Appreciative Inquiry Summits: A social systems perspective, http://scholarship.claremont.edu/cgi/viewcontent.cgi?article=1081&context=cgu_etd			



Technique Charrettes

Description	A model for difficult issues that involves people in an intensive Dynamic Planning process to produce solutions. Charrettes are undertaken after a period of research and education about the issue. The charrette involves a discrete problem or context and a goal of producing a feasible plan. Participants commit to intensively working together to find a solution. It is frequently used in land use planning and civic issues in a specific neighbourhood. The third phase, implementation, is not necessarily undertaken by the charrette team.	Audience	Intermediaries and those invested in a particular A2J issue		
		Objectives	To problem solve a difficult issue or a specific A2J problem, once the issue has been researched.		
TAG Application	This technique could be used on particularly difficult aspects of the A2J challenge for which there are no easy solutions. A charrette must be based on good research and data about the issue in order to produce results. It is not an early engagement or brainstorming process. Participants are invested in feasible solutions. As A2J solutions are piloted or replicated, stubborn issues may arise that require more intensive problem solving. A charrette is a good model, with considerable online resources, to structure that process.	Engagement Level Collaborate	Method of Engagement Intensive group work	Key Messages TAG tackles difficult issues TAG values diverse problem-solvers	
		Responsibility TAG staff	Resources Facilitation Facilities	Timing One month to plan and implement - to be done whenever an issue requires intensive problem solving	
		Risk Small group structure cannot involve everyone invested in an issue		Evaluation Developmental Evaluation	
Recommendation	<i>Year Three and beyond:</i> This is a problem solving technique to be used as needed, after more data, research and public perspectives have been compiled.	Additional resources National Charrette Institute www.charretteinstitute.org (Charrette Start-up Kit) Charrette Center www.charrettecenter.com Place Matters www.placematters.com			

Technique



One-on-One Surveying

Description	Interviews of members of the public conducted in person. Interviews would include a specific set of questions. Depending on the scope and the goal of the interviewing process, the partners and results, ethics approval may be required. Consumer surveying models may be useful.	Audience	Members of the public	
		Objectives	To learn about the public perception of access to justice To validate existing surveying in an Ontario context	
TAG Application	Conduct short surveys of the public in both legal and non-legal settings to canvas views on access to justice and/or on specific solutions. Build on the interviews completed by the CFCJ and the CBA, perhaps by using similar questions or by further investigating ideas identified in those survey efforts.	Engagement Level Consult	Method of Engagement In-person	Key Messages TAG wants to hear what the public thinks
		Responsibility TAG Staff Partners	Resources Would require personnel and funds to conduct the interviews	Timing May require time for review or approval process and training of interviewers
		Risk Small sample size Respondents may self-select in or out Interviewer level of knowledge would be variable		Evaluation Discuss with interviewers and adapt process immediately to address issues
Recommendation	Year Two or as needed: Resource intensive. Should only be pursued if a new question arises that can not be canvassed more affordably or if free interviewers (law students, partners staff) are made available.		Additional resources	



Technique Focus Group

Description	Invite a small group of people for a set discussion about a particular system or service. A leader facilitates discussion of set questions. Results are recorded and shared with others. Topic and questions need to be specific enough to solicit useful feedback.	Audience	Users of specific processes or institutions		
		Objectives	To gain a better understanding of user experience To canvas responses to new ideas or solutions with potential users		
TAG Application	<p>A range of users could be invited to a focus group on access to justice generally or on specific ideas or solutions (limited retainers, e-filing etc.). A facilitator could conduct the focus group and prepare a report that can be shared with the Cluster working on that issue.</p> <p>A focus group could be asked questions that prod deeper than basic surveying or canvas responses to different issues. Questions could invite feedback on controversial ideas within a more contained environment.</p>	Engagement Level	Method of Engagement	Key Messages	
		Consult	In-person	TAG is listening to users TAG is trying new ideas	
		Responsibility	Resources	Timing	
		TAG staff External	Staff time External resources	No timing constraints	
		Risk		Evaluation	
		Very small sample Not transparent Leads to complaints about who was included or excluded		Success of discussion can be immediately assessed and additional session held to address deficiencies.	
Recommendation		Additional resources			
Year Two or Three: When feedback is needed on a specific and well developed idea, conduct a focus group. Do not use it to canvas broad public perceptions or to build credibility of TAG.		Toolbox on Community Focus Groups: http://ctb.ku.edu/en/table-of-contents/assessment/assessing-community-needs-and-resources/conduct-focus-groups/main			
		Guide to planning focus group processes: http://www.uk.sagepub.com/gray3e/study/chapter18/Book%20chapters/Planning_and_designing_focus_groups.pdf			



Technique Silent or Observed Focus Group

Description	Conduct a focus group as described above, with system players able to observe the discussion (without participating).	Audience	Users of specific processes or institutions			
	The extent of user frustration or confusion is often lost when feedback is synthesized into trends. Silent or Observed Focus Groups allow those who will implement changes to hear user perspectives directly.	Objectives	To gain a better understanding of user experience To canvas responses to new ideas or solutions with potential users Facilitate direct exposure to user perspectives			
TAG Application	Setting up an opportunity for justice system players to observe candid discussion about the process and barriers would allow people to see a different perspective than their own role allows.	Engagement Level Consult	Method of Engagement In-person	Key Messages TAG is listening to users TAG is trying new ideas		
	Judges and adjudicators may hear about the frustrations that can be expressed in the formal process. Clinic staff and lawyers may hear the issues relevant to getting legal help. Community leaders may hear the impact of that frustration on health and family life. An observed focus group would let people hear perspectives outside of their own context without having to step beyond their respective roles.	Responsibility TAG staff External	Resources Staff time External resources	Timing No timing constraints		
		Risk Very small sample Not transparent Leads to complaints about who was included or excluded		Evaluation Success of discussion can be immediately assessed and additional session held to address deficiencies.		
Recommendation Year Two or Three: When focus groups are held, invite relevant justice sector professionals to observe the discussion.		Additional resources Toolbox on Community Focus Groups: http://ctb.ku.edu/en/table-of-contents/assessment/assessing-community-needs-and-resources/conduct-focus-groups/main Guide to planning focus group processes: http://www.uk.sagepub.com/gray3e/study/chapter18/Book%20chapters/Planning_and_designing_focus_groups.pdf				