

Access and knowledge of the law: supporting migrants in understanding law

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LAW FOR ALL OR FOR A FEW?



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Free access to legal information

represents the strategy to even out access to law to everybody and to support an inclusive society

Benefits:

- 1. Knowing the law** applicable to the specific case
- 2. Respect for the law** by citizens

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3. Creation of the necessary conditions for achieving the **impartiality of the judicial system**

4. Improvement of the functioning of **democratic institutions**



FREE ACCESS TO LAW MOVEMENT(FALM)

www.fatlm.org

In 1992 a group of organizations, known as **Legal Information Institutes (LIIs)**, created FALM to promote free access to law

- ✓ Declaration on free access to legal information (2002 – updated 2012)

The **legal information institutes** around the world are more than 60 from Universities, NGO's and lawyer associations,...

FREE ACCESS TO LAW MOVEMENT(FALM)

www.fatlm.org

FALM Declaration on Free access to Law

1. Public legal information is digital common property and part of mankind's commons
2. Access to it should be free of charge & non-profit
3. Government bodies that create or control it should provide access for republication
4. 3rd parties (LIIs) have the right to republish it
5. Publicly funded scholarship should be free access
6. Free access is anonymous access
7. Local initiatives have primacy, but LII networks are encouraged
8. Reciprocal international benefits of free access
9. Mutual support is an objective of LIIs
10. LIIs must not impede others from obtaining access to data from official sources

But... Access to law does not imply the understanding of such law!

Legal provisions cannot be known by every citizen, but only by those who are able to find them, understand and place them correctly in the regulatory system.



- ✓ Concrete availability of the legal provisions is not enough...
- ✓ ...Provisions should be made clear and comprehensible

LAW FOR ALL OR FOR A FEW?



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Law should be well communicated

“Law usually works not by exercise of force but by information transfer, by communication of what's expected, what forbidden, what allowable, what are the consequences of acting in certain ways”
(Mark Galanter, 1985)

When law is not communicated...
it simply **does not work!**



MIGRANTS AND ACCESS TO LEGAL INFORMATION



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Access to legal information is even more challenging for particular categories of citizens

- ✓ **Migrants** shall be considered in this context as vulnerable people



MIGRANTS AND ACCESS TO LEGAL INFORMATION



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General criticalities:

- ✓ Linguistic competence
- ✓ No familiarity with the legal frameworks and law concepts of the host countries
- ✓ Inadequate public authority communication (difficult written materials, lack of translations,...)



MIGRANTS AND ACCESS TO LEGAL INFORMATION



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Italian... criticalities:

- ✓ Very complex **Italian bureaucratic jargon** (linguistic redundancy, use of technicalities, archaic lexicon, overlong sentences and paragraphs, ...)
- ✓ Legal system characterized by **many legal provisions** subject to multiple interpretations



MIGRANTS AND ACCESS TO LEGAL INFORMATION



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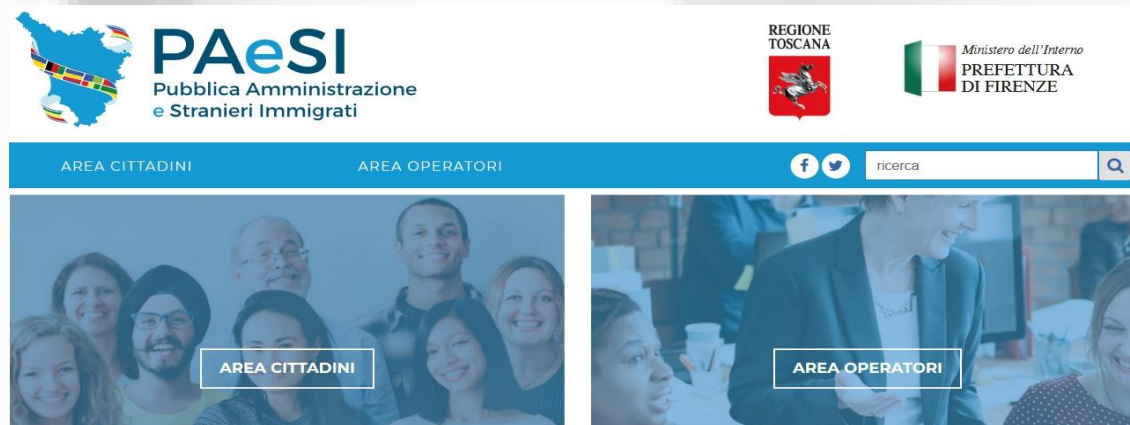
Italian... criticalities:

- ✓ **Civil servants** are not always equipped with the necessary skills to ensure equal access for all (language barriers, lack of experience in communicating with citizens from different countries)
- ✓ **Public Websites** most of the time provide content in Italian language only and are very complex to consult

PAeSI WEB PORTAL ON IMMIGRATION PROCEDURES

Case study:

Redesigning a public Web Portal to facilitate access to legal information for migrants



www.immigrazione.regione.toscana.it

(Tuscany Regional Administration, Prefecture of Florence, IGSG/CNR)

- ✓ Access point to **information, procedures and norms** on immigration in Italy

PAeSI WEB PORTAL ON IMMIGRATION PROCEDURES



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- ✓ Initially designed to be consulted by **immigration civil servants of local authorities** who provide information and assistance to third-country citizens who live and work in Italy



PAeSI WEB PORTAL ON IMMIGRATION PROCEDURES

Case study:

Redesigning a public Web Portal to facilitate access to legal information for migrants

Phase 1. Redesign of the access to the Web Portal

Phase 2. Simplification of legal content, both linguistically and structurally

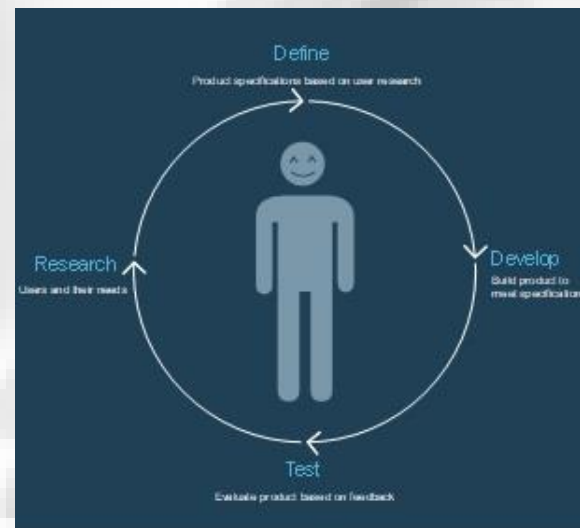


PAeSI WEB PORTAL ON IMMIGRATION PROCEDURES

Methodology

User Centered Design (UCD) *Norman, Draper, 1986*

- ✓ The design focus is represented by the **needs of the users** and for this reason, it involves users and stakeholders in the design process



Phase 1. Redesign of the access to the Web Portal



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1.1 Analysis on

system users'* characteristics and needs and the **usage scenarios** (*migrants who have recently settled in Italy)

→ user requirements, functional requirements and requirements of usability were identified

Phase 1. Redesign of the access to the Web Portal



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Data for the analysis phase were obtained conducting **focus-groups** that involved:

- ✓ **civil servants** working in immigration offices
- ✓ **linguistic-cultural mediators**
- ✓ representative **groups of migrants** living in Italy



Phase 1. Redesign of the access to the Web Portal



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1.2 Create design solutions

- ✓ Definition of the system conceptual mode
- ✓ Physical design through the use of prototypes

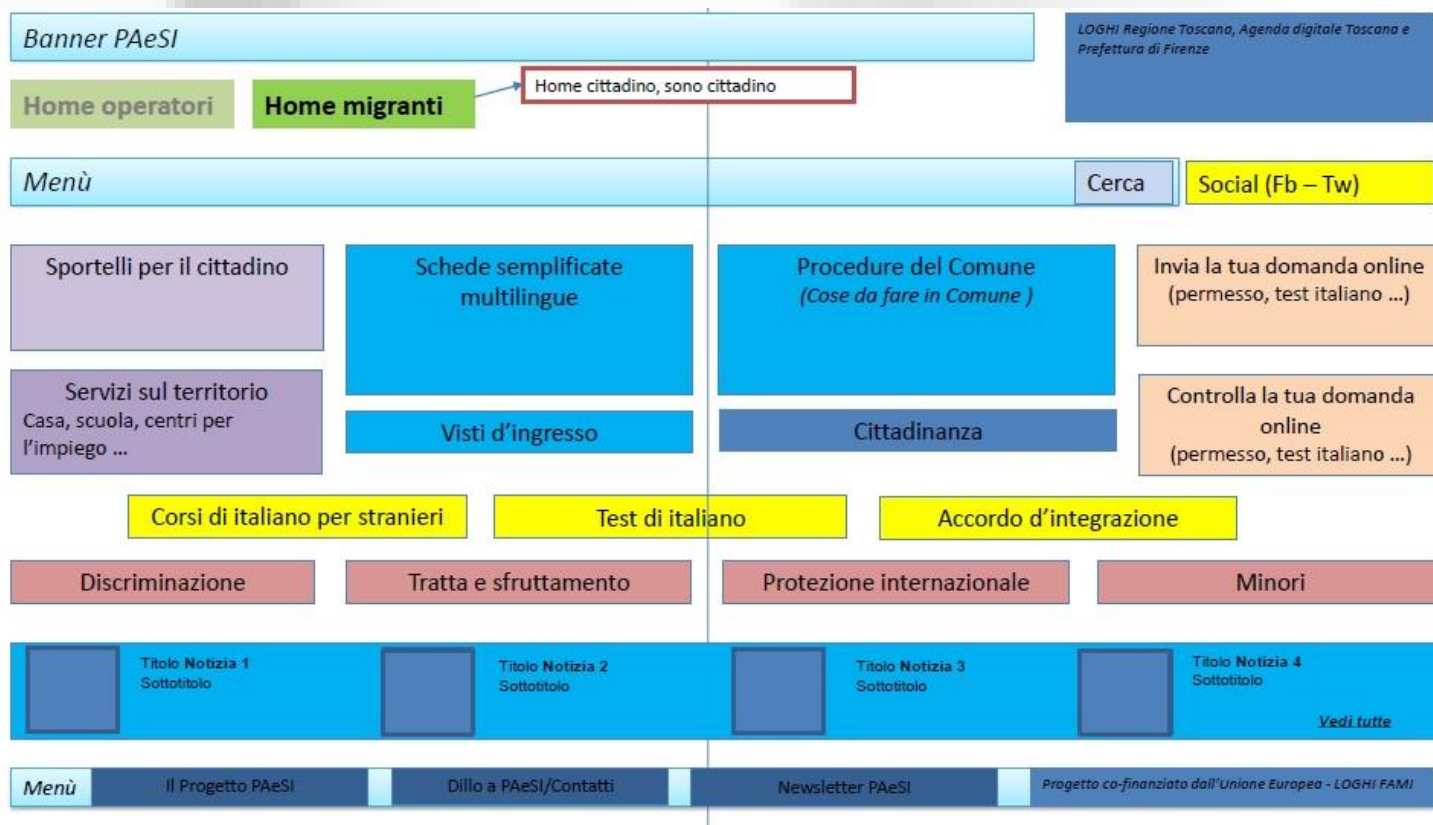


Phase 1. Redesign of the access to the Web Portal



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The conceptual model consisted of a **dedicated access** to information for migrants



Phase 1. Redesign of the access to the Web Portal



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Content selection, different information architecture, content classification, labelling, navigation and layout

The screenshot displays the PAeSI (Pubblica Amministrazione e Stranieri Immigrati) web portal. The header includes the PAeSI logo, the Regione Toscana logo, and the Prefettura di Firenze logo. A blue navigation bar contains 'AREA CITTADINI' and 'AREA OPERATORI' buttons, social media icons for Facebook and Twitter, and a search bar labeled 'ricerca'. Below the navigation bar is a large banner image of a diverse group of people with a white 'AREA CITTADINI' button overlaid. The main content area features several service tiles: 'SPORTELLI IMMIGRAZIONE' and 'VISTI D'INGRESSO' on the left; 'SCHEDE INFORMATIVE MULTILINGUE' in the center; 'SERVIZI DEI COMUNI LINK AI SITI DEI COMUNI' on the right; and 'DOMANDE ONLINE' on the far right, which includes sub-links for 'INVIA LA TUA DOMANDA ONLINE' and 'CONTROLLA LA TUA DOMANDA ONLINE'. The footer contains four categories: 'CORSI DI ITALIANO PER STRANIERI', 'TEST DI ITALIANO', 'ACCORDO D'INTEGRAZIONE', and 'CITTADINANZA'.

Phase 1. Redesign of the access to the Web Portal



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New sections of the PAeSI Web Portal to improve the migrants' access to legal information and public services:

- ✓ **Simplified information sheets** on administrative procedures
- ✓ **Facilitated access to information** on immigration procedures of municipality websites
- ✓ **Thematic areas** with selected and simplified information

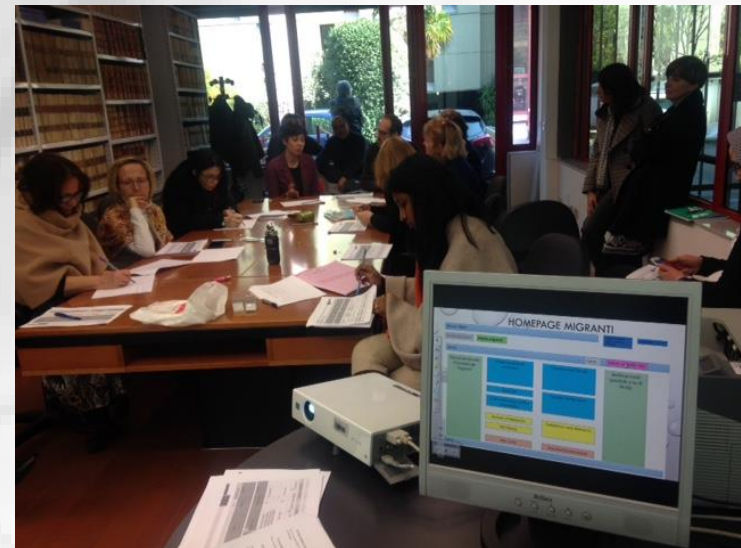
Phase 1. Redesign of the access to the Web Portal



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1.3. Iterative evaluation of the solutions

The prototype of the PAeSI Web Portal has been **tested** several times with the domain stakeholders and has been modified based on the feedback obtained



Phase 2. Simplification of legal content, both linguistically and structurally

Aim:



- ✓ **To convert** information sheets on administrative procedures designed for expert domain users

into

clear texts, comprehensible for intended users
(**migrants living in Italy**) and also web usable

Phase 2. Simplification of legal content, both linguistically and structurally

2.1 Theoretical phase

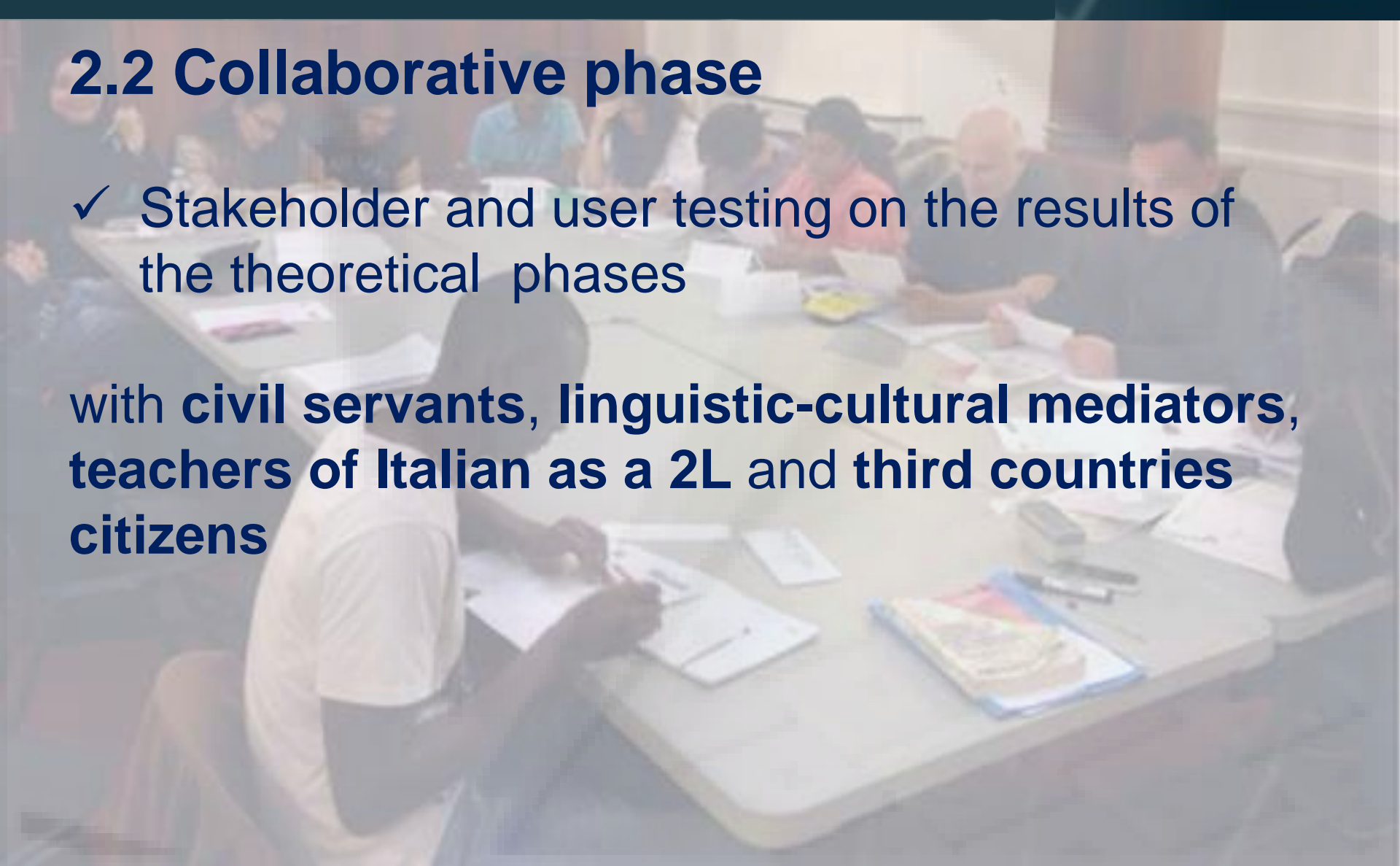
- ✓ Selection of PAeSI Web Portal information sheets on administrative procedures that needed to be simplified
- ✓ Verification and rewriting of difficult terms
- ✓ Simplification of syntactical structure
- ✓ Modification of text structure
- ✓ Legal verification of the new simplified content produced

Phase 2. Simplification of legal content, both linguistically and structurally

2.2 Collaborative phase

- ✓ Stakeholder and user testing on the results of the theoretical phases

with **civil servants, linguistic-cultural mediators, teachers of Italian as a 2L and third countries citizens**



Phase 2. Simplification of legal content, both linguistically and structurally

Results



- ✓ Simplification of over 50 information sheets on administrative procedures
- ✓ Civil servants awareness on the importance of clear language
- ✓ Release of guidelines, rules, tips for writing simplified administrative content in an intercultural context (WikiPAeSI)

ASSISTED ACCESS POINT TO SERVICES IN THE LIBRARIES



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To further facilitate the use of this website and in general of public authority websites

✓ Provide migrants (or other vulnerable citizens) with a **tutoring service that supports them in finding administrative information**

This can happen in public places, such as **libraries**



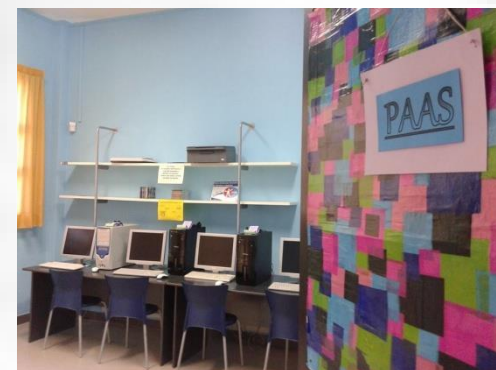
ASSISTED ACCESS POINT TO SERVICES IN THE LIBRARIES



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Example:

- ✓ **PAAS** Project - Tuscany Region, Italy
(Assisted access points to Public Authorities website in the **libraries**)



Started in 2005

**to guarantee access to information, e-services
and the participation of everyone**

www.e.toscana.it/paas

FINAL CONSIDERATIONS



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New information technologies make it possible to facilitate free access to a huge amount of legal information for the benefit of everyone

- ✓ **Newcomers** remain a highly vulnerable target group to access administrative communication
- ✓ If the information is available and understandable by vulnerable categories, a fortiori the same information will be **accessible and known to everybody**

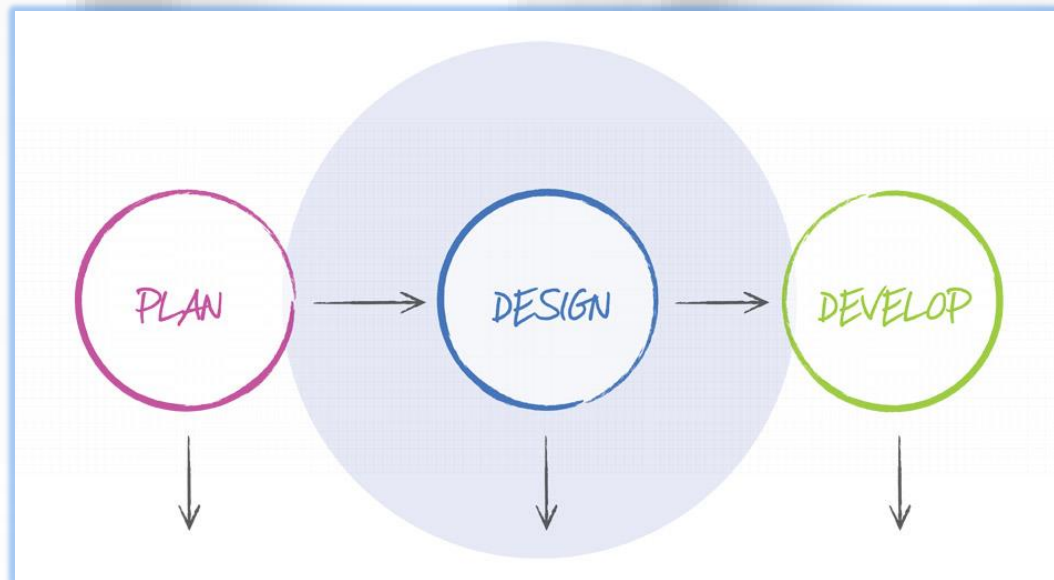
FINAL CONSIDERATIONS



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In order to ensure that public information, and especially legal information, is truly understood by all citizens, even by the most vulnerable, it is necessary:

- ✓ to **plan and design** the communication of this information for this purpose



FINAL CONSIDERATIONS



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As described in the exemplified case of the Italian Web Portal on immigration law

- ✓ The design of this information should actively involve the **end users** and the **domain stakeholders**



FINAL CONSIDERATIONS



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In this direction, **libraries play a strategic role**

“Most major urban public library systems in developed countries (e.g. Toronto, Vancouver, Stockholm, Los Angeles, Oslo...) **in collaboration with government’s immigration department** provide information about legal, childcare, housing, health, education and support with immigration applications”
(Hang-tat Leong, 2016)

Libraries can represent a **Living Lab** to test information services for accessing legal information

FINAL CONSIDERATIONS



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Libraries can be considered as



- ✓ An open and participatory site, but also a **place to find, understand, select and use legal information** also through the authorities Web Portals
- ✓ A social infrastructure, a point of aggregation for all, an instrument of legal orientation **against the “legal divide”**

THANK YOU!



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