

## Turn-aways - Draft definition for comment

Please send any comments on this draft definition of turn-aways to [Susan Scott](#) by 20 December 2020.

### Definition

A 'turn-away' is defined as: 'any person your CLC had to send away because you were unable to assist them with their legal problem within the needed timeframe or because of a lack of resources, lack of centre expertise or a centre's eligibility policy'<sup>1</sup>

### Examples

The following are considered turn-aways.

- 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 e.g. they are not in your catchment area, there is a conflict of interest
- Your Centre does not offer the service e.g. representation in Court
- The person cannot get through to your service because the phone lines were busy or not answered

If you provide some services, but are not able to provide all the services a client requires, this is still considered a turnaway. For example, if you provide advice and legal task services, but you cannot represent the client in court, this is considered a turn-away.

The following are NOT considered turn-aways

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

Note that turn-aways only measure the expressed legal need of people who approach your service. They **do not** measure unexpressed legal need, such as situations where a person doesn't approach your service because they don't know they have a legal problem, or they don't know about your service. See the CLCs Australia [Data Informed Planning Toolkit](#) for more information on measuring unexpressed legal need.

### Recording turn-aways in CLASS

You can record turn-aways in CLASS in the **Referral** section of a service using **Reason for Referral**. The reasons for referral can be customised. Remember that you can add a Referral and a Reason for referral as a stand-alone service or it can be added to other services such as Legal Advices and Legal Tasks.

**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. In CLASS, you would record an Advice Service and a Referral. You would select the Reason for Referral as 'Centre does not offer service required'*

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<sup>1</sup> National Census of Community Legal Centres, p18, 2016  
<https://clcs.org.au/sites/default/files/resources/2020-06/170810NACLCLC%20National%20Census%20of%20Community%20Legal%20Centres%202016%20Report.pdf>

**Table 1: Categories of eligible and non-eligible clients turned away**

	<b>CLASS Reason for Referral categories</b>	<b>Proposed CLASS Reason for referral categories</b>
<b>Not Eligible</b>	Centre does not offer service required	Centre does not offer service required
	Other	Outside financial eligibility guidelines
	Not in Catchment Area	Not in Catchment Area
	Conflict of Interest	Conflict of Interest
<b>Eligible</b>	Centre does not have capacity to deliver service	Centre does not have capacity
	Person could not be assisted within time frame needed or wanted by them	Person could not be assisted within required time frame