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**A Survey of Web-based Video and User-generated (Web 2.0) Technologies
in the Public Legal Education Sector in Canada**

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Date: September 11, 2009

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Table of Contents

1.	Acknowledgements	1
2.	Introduction	1
3.	Process	1
4.	Observations	1
5.	Web-based Video Technologies	2
	5.1 Live Streaming Video (webcasting)	2
	5.2 Non-Live Streaming Video	3
	5.3 Web Conferencing	4
6.	User-generated Technologies (a.k.a. ‘Web 2.0’)	5
7.	Conclusions	7
Appendix A:	Participating Organizations	8
Appendix B:	Survey Questionnaire	11

DISCLAIMER: Readers should not consider this report to be a conclusive or scientific survey of the public legal education sector. Please note that this report outlines only a select number of the initiatives carried out by the organizations interviewed herein. For a complete and detailed listing of programs and projects, please see Appendix “A” for website addresses of the participating organizations.

1. Acknowledgements

As the author of this report, I would like to sincerely thank the interviewees, who generously gave their time, and openly shared their knowledge and experience. Moreover, I would like to thank them for sharing their wisdom and passion for education and justice. Thank you to Dave Nolette and Rick Craig at Justice Education Society of BC, and to John Simpson at Legal Services Society of BC.

2. Introduction

This report is the third of a three-part report prepared for the Justice Education Society of BC originally titled, “An Analysis of Interactive Video Technologies to Improve Access to Public Legal Education and Information”. Parts one and two of the report provided a comprehensive and comparative analysis of the streaming video technologies currently being used to improve the access to public legal education (PLE) for rural and remote areas of British Columbia, including technologies such as live video streaming and one-on-one tele-video conferencing.

This third part of the report provides a survey of the benefits and barriers to web-based video technologies, such as live streaming, interactive streaming, and web conferencing, as experienced by public legal education and information organizations and legal service societies across Canada.

In addition, this report addresses the use of user-generated content sites (a.k.a. “Web 2.0), such as Facebook, MySpace, Twitter, etc. in the delivery of public legal education and information programming.

3. Process

In July and August of 2009, the author conducted eight (8) one-hour telephone interviews with representatives of public legal education and information organizations across Canada. These organizations were selected from the membership of the Public Legal Education Association of Canada (PLEAC). An attempt was made to select a set of organizations from various geographical regions of the country, although 40% of the organizations are based in British Columbia. The interviews themselves were based on a series of twelve (12) questions, and each interview was conducted using this format (please see APPENDIX “B”). However, a number of follow-up questions were used to clarify or amplify the answer given. As stated in the Disclaimer above, this survey should not be considered scientific or conclusive. Given the limited resources and the small number of interview subjects, this survey should be considered preliminary.

4. Observations

In reading this report, it should be noted that the technologies outlined herein are in their infancy. The first streaming video webcast was conducted in 1993, however webcasting has only come into common use in last eight-to-ten years with the ubiquity of software such as Quicktime and MediaPlayer, and broadband internet access. User-generated sites such as Facebook and MySpace

have been in common use for only three-to-four years. It is estimated that Facebook already has over 300 million members, and MySpace, 110 million. More recently, Twitter appeared, and has become one of the most popular tools on the web.

The emergence of these new technologies, and their subsequent popularity, has meant that organizations that provide public legal education have had to reassess how to deliver and disseminate their traditional programming. It is clear from the interviews, however, that incorporating streaming video and user-generated technologies represents a number of challenges for public legal education organizations across the country. These challenges are discussed in detail below.

Although the incorporation of these new technologies represents a challenge for public legal education organizations, it too represents an opportunity to engage new audiences and develop innovative teaching and learning tools.

5. Web-based Video Technologies

This section outlines some of the web-based video technologies currently being used by a select number of public legal education organizations across Canada, including live streaming video (or webcasting), non-live streaming video, and web conferencing.

It is important to note that the variety of technologies being used by public legal education organizations reflects not only the innovative nature of the sector, but too reflects the individual challenges of each of the technologies. For example, a live webcast may reach over 1,000 viewers, but it may not be interactive, and, generally, is the most costly method of distribution. On the other hand, a webinar may be highly interactive and educational, but may only have 20 – 25 participants. A number of the interviewees raised the question: what is most effective technology to deliver and disseminate public legal education and information?

5.1. Live Streaming Video (webcasting)

Three of organizations interviewed had hosted a live webcast event. The low number is understandable given the costs and the complications of hosting such an event. For example, Dave Nolette at the Justice Education Society of BC estimated that their live webcast on gang violence cost approximately \$3,000 - \$4,000 – a reasonable price given the equipment and technology necessary. A live webcast, for example, generally requires multiple cameras and microphones to record the event, a switching device to edit ‘on the fly’, then a device to digitize the signal for input into a computer, and then a large, high-speed broadband ‘pipe’ to webcast the video. Of course, each one of these steps requires not only equipment, but personnel. Beyond the technical requirements, a live webcast requires a significant amount of publicity in order to garner a sizable audience. All of the organizations that have hosted a live webcast spoke of these challenges during their interviews.

The following are a few examples of live webcasts:

- In June of 2009, the Justice Education Society of BC (JES) hosted a live webcast of a forum on gang violence, as part of the organization’s 20th anniversary celebrations. The

forum was titled, “Gang Wars: Justice in Our Times”, and was a partnership between JES, the Vancouver Sun, and Shaw TV. The forum focused on the increase in gang violence in Metro Vancouver, and featured a panel of high profile guests.

According to Dave Nolette at JES, the live webcast had over 1,200 viewers. In addition, JES’ partnership with Shaw TV provided that the forum be rebroadcast on Shaw, further increasing the number of viewers. Nolette said that the partnerships with conventional media, especially the Vancouver Sun, were essential to ensure the forum had strong promotion. The Vancouver Sun, for example, ran a series of articles on gang violence in advance of the forum, in which the live webcast event was publicized. The number of visitors to the JES’ website tripled during the month the forum was held.

Nolette admitted that hosting a live webcast was a tremendous amount of work for the organization. To carry out the technical aspects of the webcast, JES partnered with a Vancouver-based company to provide video services and used UstreamTV.com for encoding/streaming technology. To view the video, visit:

<http://www.justiceeducation.ca/news-events/gang-wars>

- In October of 2008, Community Legal Education Ontario (CLEO) hosted a conference titled, “Learn, Grow, Connect” in partnership with the Faculty of Law at the University of Toronto. The conference focused on delivering community legal education, and was attended by over 200 participants from across Ontario. CLEO webcast the Conference’s keynote address and plenary sessions. Please note that viewership numbers were not available at time of interview. To view webcasts visit:
<http://cleonet.ca/conference/materials>
- The Ontario Justice Education Network (OJEN) did host a live webcast, but according to Sarah McCoubrey, Executive Director, the event “was not very successful”. Regardless, OJEN has been innovative in incorporating web-based technology. Please see below for more details.

The Legal Information Society of Nova Scotia (LISNS) believes that streaming video on the web may be the most cost-effective manner of delivering its programming, although it has not had the funds to incorporate the technology. Gwen Atkinson said that although the organization is based in Halifax, its mandate is to serve the province as a whole. LISNS’ traditional programming is carried out by telephone. Atkinson said that LISNS would like its “Dial-a-Law” system to be put on the web using Mp3 audio files. In addition, LISNS would like to develop a web-based “speakers bureau” that would be streamed live from town to town, and stored on the organization’s website.

5.2. Non-live Streaming Video

The vast majority of the organizations interviewed have incorporated non-live streaming video into their programming. That is, video that is first produced, then posted on a website and viewed as a video stream.

The following are a few examples of non-live video technology being used:

- Courthouse Libraries BC has developed a collection of short video tutorials (2 -3 minutes in duration) for legal research. The audience for the videos is primarily the legal community and public librarians. For example, Courthouse Libraries BC produced six video tutorials: three on the subject of researching legislation, and three on the subject of finding legal forms in libraries. Courthouse Libraries BC has released the videos on YouTube, and believes that YouTube is the most feasible method of distribution. To view videos, visit: http://www.bccls.bc.ca/cms/index.cfm?group_id=86163
- The Justice Education Society of BC has produced a number of educational videos in collaboration with a range of industry partners. For example, www.SmallClaimsBC.ca provides four videos that introduce users to the Small Claims court and its filing processes. Other examples include: VictimsInfo.ca, AdminLawBC.ca, CourtTips.ca, and CourtsOfBC.ca. JES also launched its own YouTube channel in June of 2009, with 37 videos posted about how the justice system works. To view videos, visit: <http://www.youtube.com/user/JusticeEducationBC>

5.3. Web Conferencing

Web conferencing is in common use among the public legal education organizations interviewed. Its popularity is understandable, given that the technology is relatively low-cost and low-tech, interactive and educational. Fiona MacCool at Community Legal Education Ontario called it a low-cost alternative to webcasting.

The following are a few examples of web conferencing being used:

- Community Legal Education Ontario (CLEO) has been active in using Webinar technology to hold province-wide professional training workshops. Webinar is a technology that enables users to participate remotely in a web-based seminar from his/her desktop. Participants view slides and documents on a common ‘desktop’, and can hear and speak to each other and the facilitator either via audio built in to the webinar or, more commonly, via simultaneous teleconference. CLEO has hosted province-wide webinars in Ontario on issues such as elder abuse and restraining orders, and plans to host another on consumer law.

Fiona MacCool at CLEO said that the webinar technology enables them to “get information out” in a manner that they could not do in print. MacCool added that the webinar format does require a different, more interactive style of facilitation due to the fact that participants are in various locations, and cannot see each other or the facilitator. She did say, however, that their webinars have been remarkably successful and well received. CLEO restricts the number of participants in their webinars to twelve. MacCool admitted that the webinar technology is, at this time, far more feasible than streaming video or webcasting. Whereas a webcast can cost thousands of dollars, a one-hour webinar costs approximately \$100/US.

- The Ontario Justice Education Network (OJEN) is using a number of innovative web-based video technologies in its programming. OJEN has partnered with Advanced Broadband Enabled Learning (ABEL), York University, and the Peel District School Board on a e-learning program with teachers and students in classrooms across the district. ABEL specializes in e-learning programs via web conferencing, as well as professional training in the education sector.

Sarah McCoubrey at OJEN suggested that another video technology that could be used in the sector is a secure, province-wide network of telephone/TV units to hold remote bail hearings. For more information on ABEL, visit: <http://www.abelearn.ca>

- The Provincial Health Services Authority of British Columbia has established such a network called “Telehealth”. Telehealth is a province-wide secure network used to connect regional health authorities and doctors and patients to one another via a high-speed audio/ video feed. The Privacy Network Gateway uses a Quality of Service (QOS) protocol, which prioritizes data over the network. For example, audio and video signals are the first priority, x-ray and MRI images are second, and data is third. The QOS ensures that doctor-patient conferencing signal is not interrupted by the passage of other data on the network.

Bev Mitchell at PHSA said that the system is remarkably trouble-free. There are over 500 “end unit” sites throughout the province. That is, sites where patients in rural and remote communities can go for e-appointments with nurses, general practitioners, and specialists in city centres. To date, the Telehealth network includes services such as TeleRenal, TeleOncology, and TelePsychiatry. During doctor-patient conferencing, there is full audio and video connection between the two parties. Doctors use high-definition cameras, electronic stethoscopes, and other digital diagnostic tools during the conference. Of course, there is a nurse or technician present with the patient. The Telehealth program serves over 18,000 people per year. PHSA also uses the technology for province-wide professional training. In the near future, First Nations communities will have their own Telehealth program. For more information on Telehealth, visit: <http://www.phsa.ca/AgenciesServices/Services/Telehealth/default.htm>

6. User-generated Technologies (a.k.a. ‘Web 2.0’)

User-generated technologies (or Web 2.0) – Facebook, Twitter, YouTube, etc. - are the fastest growing phenomena on the web. These social networking websites allow users to post/send information among communities of friends/followers. As these technologies are a mere 3 – 4 years old, it is understandable that the public legal education sector (among other sectors) is scrambling to incorporate them.

A number of the interviewees stated that it was imperative for them to begin to incorporate user-generated technologies in order to maintain existing, and engage new, young audiences. Sarah McCoubrey at the Ontario Justice Education Network (OJEN) said that youth are their primary market, and this technology is how young people connect. She added, “We need to figure it out

before we're pressured to." Dave Nolette at the Justice Education Society of BC admitted, "We're just getting started with this." He added, "It'll take time to grow friends and followers."

Even the organizations interviewed that are not using user-generated technologies understand their value. For example, Fiona MacCool at Community Legal Education Ontario (CLEO) said, "It's in my short-term plan to have a Web 2.0 strategy. She added that CLEO would be setting up Facebook, LinkedIn, and Twitter accounts in the fall of 2009. Gwen Atkinson at the Legal Information Society of Nova Scotia (LISNS) stated that their planning group has identified Web 2.0 as a priority, and believes that the technology has the potential for province-wide reach. The incorporation of Facebook and Twitter are planned for the near future.

When asked if the Public Legal Education Network of Alberta (PLENA) uses Web 2.0 technologies, Kim Pasula said, "We're not, but we'd like to." He admitted, "We're not sure how to go about it." Pasula mentioned that the problem is that organizations (and society) are being inundated with new tools, and it is difficult to decide which one(s) to use. He suggested that PLENA may begin by creating a Wiki. Regardless of the challenges, Pasula was clear about the need to move toward Web 2.0. "The kids are there, and that's where we need to be", he said.

From the perspective of the organizations interviewed that have incorporated Web 2.0 into their programming, the technology is not without its challenges. Of course, it is fairly simple to set up a Facebook or LinkedIn page or Twitter account, but the complexity is in maintaining and moderating them. Sarah McCoubrey (OJEN) and Dave Nolette (JES) remarked on how much time was spent monitoring their user-generated sites. Both McCoubrey and Nolette admitted to removing inaccurate or inappropriate content on their organizations' Facebook pages. At present, both organizations' Facebook pages do not have "walls". Therefore, people cannot post comments, photos, or videos. The posting of content is restricted to internal personnel.

During the interview, McCoubrey confessed that OJEN's original Facebook page was, in fact, created by a young person, without the organization's knowledge. When OJEN discovered the page, they took it down, made some corrections, and re-launched it. Since then, OJEN has been innovative with their use of Facebook. For their mock trials program, participants create Facebook pages for the characters they will play. It helps for character development, and is an engaging exercise for young people, said McCoubrey.

In addition to Facebook, OJEN developed an innovative, user-generated video project for young people. The "Justice and Your Community Video Challenge" encourages young people, aged 12 – 18, to create short videos that highlight an issue of justice in their school or community. OJEN is planning to use YouTube to broadcast these videos. OJEN also plans to use these videos as part of OJEN's judge training: to provide them with a better understanding of justice from a youth perspective. For more information, visit: <http://www.ojen.ca/eng/programs/show.cfm?id=27>

The Justice Education Society of BC has a Facebook page, on which 20 videos are posted. JES also has a Twitter account, which it uses to publicize upcoming events. For example, it used Twitter to invite viewers to watch their live webcast on gang violence. Visit the JES Facebook page: <http://www.facebook.com/JusticeEducation>

Other organizations are in the process of establishing user-generated sites.

7. Conclusions

Based on the interviews conducted for this report, it is evident that there are several benefits and barriers for public legal education organizations in incorporating web-based video and user-generated technologies into their traditional programming.

The benefits include developing new audiences and fostering existing ones, notably young people and people in rural and remote communities. Web-based video, for example, enables organizations to develop and produce new tools that have the potential to reach audiences that have not engaged with their traditional or print-based materials. Web conferencing enables organizations to provide an interactive environment for education and information exchange with communities throughout the province or across the country or beyond. User-generated (or Web 2.0) technology enables people to participate in an organization's programming, produce their own learning tools and promote this information to their network of online friends. All of these tools and technologies have the potential for increased learning and, ultimately, increased understanding of Canada's justice system for populations young and old.

The barriers, or challenges, in incorporating these technologies are numerous. According to a number of interviewees, their organizations lack the technical expertise to incorporate and maintain these technologies. One of them suggested that if their organization were to incorporate these technologies on a large scale, a reassessment of staffing would need to occur. In addition to human resources, incorporating these technologies requires additional financial resources. Two of the interviewees commented that funding agencies have been reluctant to support programs and projects using web-based video and user-generated technologies.

User-generated technologies present their own challenges. A few of the interviewees commented on the "balance" needed when using Web 2.0. That is, the balance between encouraging participants to create their own content, and the need to "control the message", as one interviewee said. One interviewee commented on the conservative nature of the legal sector, and the need – the real need – for information to be accurate and precise. The question, then, is: How do public legal education organizations handle user-generated content respectfully and responsibly?

In conducting the interviews, I, as the author, noted the need for increased information sharing and collaboration between organizations within (and beyond) the public legal education sector as to how each is incorporating the technologies outlined in this report. During the interviews, I noted that many of the organizations shared the same questions and concerns related to the incorporation of new technologies into their traditional programming, and were, in addition, curious as to how one another were addressing these issues. In one of the interviews, it was suggested that, perhaps, the Public Legal Education Association of Canada (PLEAC) consider holding a session on web-based video and/or user-generated technologies at its 2010 conference in Montreal. Another suggestion was made to hold a facilitated, cross-country webinar (web-based seminar) where PLEAC members could share and demonstrate the technologies they are using.

In addition, I would recommend that organizations that are in the process of incorporating web-based video and user-generated technologies into their programming, investigate how other sectors - health, education, media arts, etc. - are using these technologies. Unfortunately, the scope of this report did not permit further investigation of these sectors.

APPENDIX A: PARTICIPATING ORGANIZATIONS

Community Legal Education Ontario (CLEO)

Website: www.cleo.on.ca

Interview Contact: Fiona MacCool

CLEO is a community legal clinic dedicated to providing low-income and disadvantaged people in Ontario with the legal information they need to understand and exercise their legal rights. Our materials cover many areas of law, including social assistance, tenants' rights, immigration and refugee law, workers' rights, family law, elder abuse and youth justice.

Courthouse Libraries BC

Website: www.CourthouseLibrary.ca

Interview Contact: Mandy Ostick

Courthouse Libraries BC is a non-profit organization providing access to legal information resources and information services to members of the legal community and the public of British Columbia.

Justice Education Society of BC

Website: www.JusticeEducation.ca

Interview Contact: Dave Nolette

Established in 1989 as the Law Courts Education Society, the Justice Education Society is dedicated to improving access to the justice system through hands-on, targeted, two-way education between the public and those working in the system. This commitment is embodied in our tagline, "Justice through Knowledge."

As a non-profit organization with ongoing public and private sector financial and volunteer support, we offer a unique and comprehensive collection of justice-related educational services and effectively work towards creating a justice system that is accessible to all.

Our programs and resources serve the general public, youth, persons with disabilities, Aboriginals and immigrants in British Columbia, throughout Canada and around the world.

These services are designed to help communities better understand how our justice system works and their role in the system.

At the same time, we seek to increase awareness among justice system personnel of the barriers that certain groups face in accessing justice. Our goal is to use this increased awareness to improve access for those groups.

Legal Information Society of Nova Scotia

Website: www.LegalInfo.org

Interview Contact: Gwen Atkinson

A charitable not-for-profit organization, the Legal Information Society of Nova Scotia (or LISNS), has been providing Nova Scotia's with information and resources about the law for more than 25 years. LISNS' staff and volunteers believe easy access to information about the law is fundamental to a fair justice system. Quite simply, it's why and what we do.

Ontario Justice Education Network

Website: www.ojen.ca

Interview Contact: Sarah McCoubrey

OJEN has adopted a new seven-year plan to build on its past successes and promote justice education around the province. OJEN will focus on the programs and outreach that make information, role-modeling and positive experience available to those living in communities with a historically negative relationship with the justice system. In this way, justice education is a strategy for helping people access the justice system and dealt proactively with the conflict in their lives.

OJEN has worked with Visible Strategies, a company that has made a significant donation of time and hosting costs to allow OJEN to track its growth over the next seven years. One of the most important benefits of this tracking of its growth is the opportunity for OJEN's partners, volunteers and the public to learn about the scope of OJEN's activities and to submit feedback and ideas about any of the new initiatives. OJEN invites you to read the strategy, review OJEN's progress, and comment on any of the specific priorities or activities.

Our Programs and Resources sections feature program information and education resources, searchable by keyword and subject. Learn more about regional justice education programming throughout the province and OJEN's outreach work on the Local Activity and Outreach sections.

Provincial Health Services Authority (PHSA)

Website: www.phsa.ca

Interview Contact: Bev Mitchell

Provincial Health Services Authority (PHSA) is one of six health authorities – the other five health authorities serve geographic regions of BC. PHSA's primary role is to ensure that BC residents have access to a coordinated network of high-quality specialized health care services.

PHSA operates provincial agencies including BC Children's Hospital, BC Transplant, and BC Cancer Agency. It is also responsible for specialized provincial health services like chest surgery and trauma services, which are delivered in a number of locations in the regional health authorities as well specialized programs that operate across several PHSA agencies.

Public Legal Education Network of Alberta (PLENA)

Website: www.plena.org

Interview Contact: Kim Pasula

The Public Legal Education Network of Alberta, PLENA, is a grassroots network of members and partners, united by a shared interest in law, justice and democracy. PLENA Network is committed to

improving all Albertans access to legal education and justice resources.

PLENA's objective is to create an informed citizenry that is knowledgeable about the rule of law, able to recognize and exercise their rights, fulfill their legal obligations, and live fully in democratic society. The work of PLENA and its growing network of members and partners contribute to ensuring that Alberta has an accessible and responsive justice system that meets the needs of its citizenry and arms them with the tools they need to make informed decisions and participate effectively in Canada's constitutional democracy.

APPENDIX B: SURVEY QUESTIONS

CONTACT:

Organization Name:

City:

Province:

Contact Person:

Phone:

Email:

PART 1:

1) Does your organization provide public legal education using web-based streaming video technology?

Yes: No:

2) If yes, please specify the technology(ies) your organization uses:

- * Live Streaming Video
- * Non-live Streaming Video
- * Podcasts
- * Web Conferencing
- * Other (please specify)

3) Which of the following services do you use streaming video technology for?

- * PLE for rural and/or remote communities
- * Mass outreach / publicity
- * Other (please specify)

4) If no, would your organization like to use streaming video technology?

Yes: No:

5) Does your organization provide public legal education using user-generated websites i.e. Facebook, Twitter, etc.?

Yes: No:

6) If yes, please specify the website(s) your organization uses:

- * Facebook
- * MySpace
- * Twitter
- * YouTube
- * Other (please specify)

7) Which of the following services do you use user-generated websites for?

- * Program outreach
- * Program recruitment
- * Lawyer-client relations

8) For which purpose do you use Web 2.0 technology?

- * To reach a new / broader audience
- * To reach an existing audience with new material
- * All of the above

9) If no, would your organization like to use user-generated websites?

Yes: No:

10) Do you have plans to use streaming video or Web 2.0 technologies in the next year?

Yes No

11) What are the goals and objectives of PLE providers in incorporating streaming video and Web 2.0 technologies into their traditional programming?

PART 2:

What are the benefits PLE providers are experiencing in incorporating streaming video and Web 2.0 technologies into their traditional programming?

What are the barriers PLE providers facing in delivering streaming video and Web 2.0 services to their constituent communities i.e. administrative, financial, technical, etc.?

How are PLE providers overcoming barriers faced by diverse and marginalized populations in accessing streaming video and Web 2.0 technologies i.e. age, ability, culture, economic status, etc.?

How are PLE providers measuring the outcomes and impact of incorporating streaming video and Web 2.0 technologies into their traditional programming?