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INFORMATION AS THE FOUNDATION
FOR SOCIAL SOLIDARITY
THE ROLE OF PARLIAMENTARY LIBRARIES
AND RESEARCH SERVICES

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SESSION I

Informing about legislative process, debate and parliamentary heritage
– communication tools of the Sejm and the Senate

The flow of information about the law – introduction

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Plan of presentation

I part – theoretical models of the flow of information about the law

II part – sources of legal information – results of empirical research

III - models of the flow of information about the law

theoretical models of the flow of information about the law

Harold Lasswell (1948)

to describe an act of communication
is to answer the following questions:

- **Who** says?
- **What** says?
- **In Which Channel?**
- **To Whom?**
- **With What Effect?**

This model draws attention to the effect of the process, recognizing its **instrumental** character.

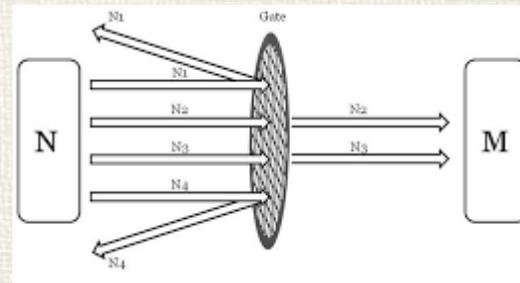


theoretical models of the flow of information about the law

Kurt Lewin and the *Gatekeeping model* (1943)



- Information moves step by step through channels.
- Information must pass a "**gate**" to move from one channel to the next
- There may be several channels that lead to the same end result.
- Different actors may control the channels and act as **gatekeepers** at different times.



theoretical models of the flow of information about the law

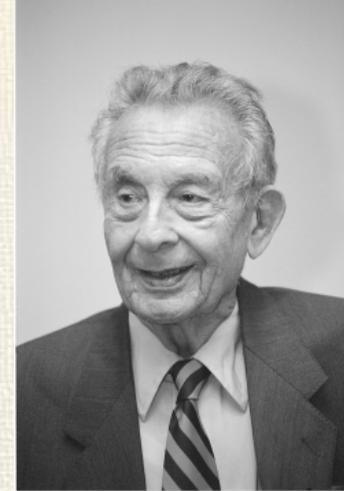
Elihu Katz i Paul F. Lazarsfeld and
two-step flow of communication model (1955)



The majority of people receive much of their information not directly from the basic information source, but indirectly from **opinion leaders**.

theoretical models of the flow of information about the law

George Gerbner and his General Theory of Communication (1956)



Communication is **dynamic** and **non-linear**. An important role in this process is played by the **participants' perceptions** and the **context** in which the message is communicated.

theoretical models of the flow of information about the law

Franciszek Studnicki and his

Theory of the flow of information about the law (1965)

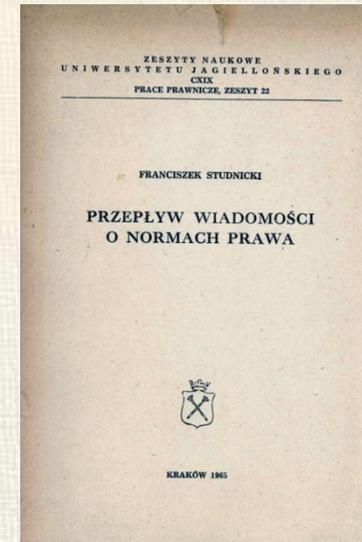
Three classes of informations about law:

- 1) basic informations
- 2) role-related minimum
- 3) *ad hoc* informations.

The **basic** informations are including such ordinary informations about the law that every man should have. They should be disseminated by the state to all citizens, e.g. during the proces of public general education (primary schools).

Informations belonging to the class of „**role-related minimum**” include those informations which allows you to fulfill specific social roles. They should be given by the state to the appropriate individuals (those fulfilling the social roles) and the state should restrict fulfilling certain social roles to those persons.

The third class includes informations that are searched when needed (*ad hoc*). There are too many such informations and it is impossible to require anyone to know them. And nobody needs to know them all. The state will make these provisions accessible, so that they can be easily reached.



sources of legal information

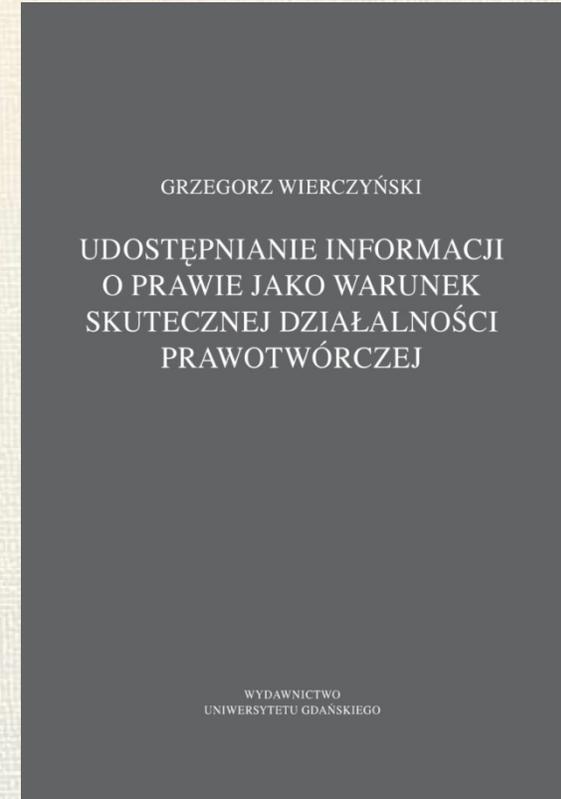
G. Wierczyński, *Udostępnianie informacji o prawie*

jako warunek skutecznej działalności prawotwórczej,

[Availability of legal information as a prerequisite of

effective lawmaking],

Wydawnictwo Uniwersytetu Gdańskiego, Gdańsk 2015



http://prawo.ug.edu.pl/sites/default/files/_nodes/strona-pia/57173/files/wierczynski_udostepnianie_informacji_o_prawie.pdf

sources of legal information

Official journals

In 2013, **10%** of respondents said they used this source of information in the past 3 years, and another 7% chose the answer "I used to use it, but it was more than 3 years ago".

Over-represented:

- 1) people with higher education
- 2) actively using the Internet,
- 3) working in high management positions,
- 4) living in large cities,
- 5) aged 30-39.

Among the people with higher education, the majority rated official journals as the **most useful and reliable source** of legal information.

sources of legal information

Legal information systems in Poland

In Poland, comprehensive legal information systems are issued only by commercial publishers. The only publicly accessible legal information system (the Internet Legal System created and provided by the Sejm) has very limited content and functionality.

According to the 2013 survey, **6%** of respondents used the legal information system in 2-3 years before the survey. The profile of people who have declared using this source of information corresponds to the profile of people using official journals – mostly, they are people with higher education, often using the internet

sources of legal information

Legal information systems – French example

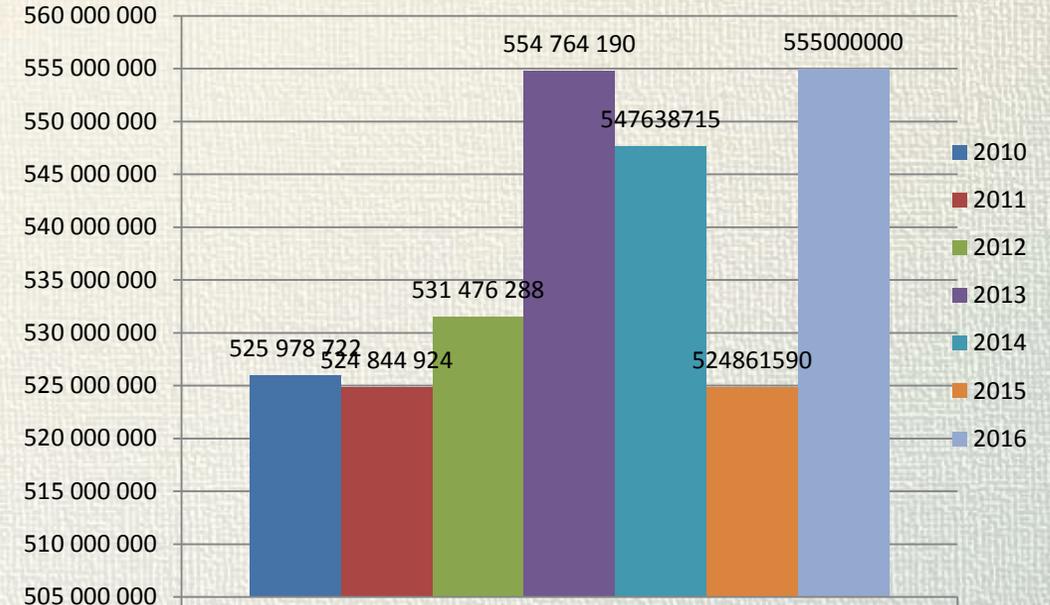
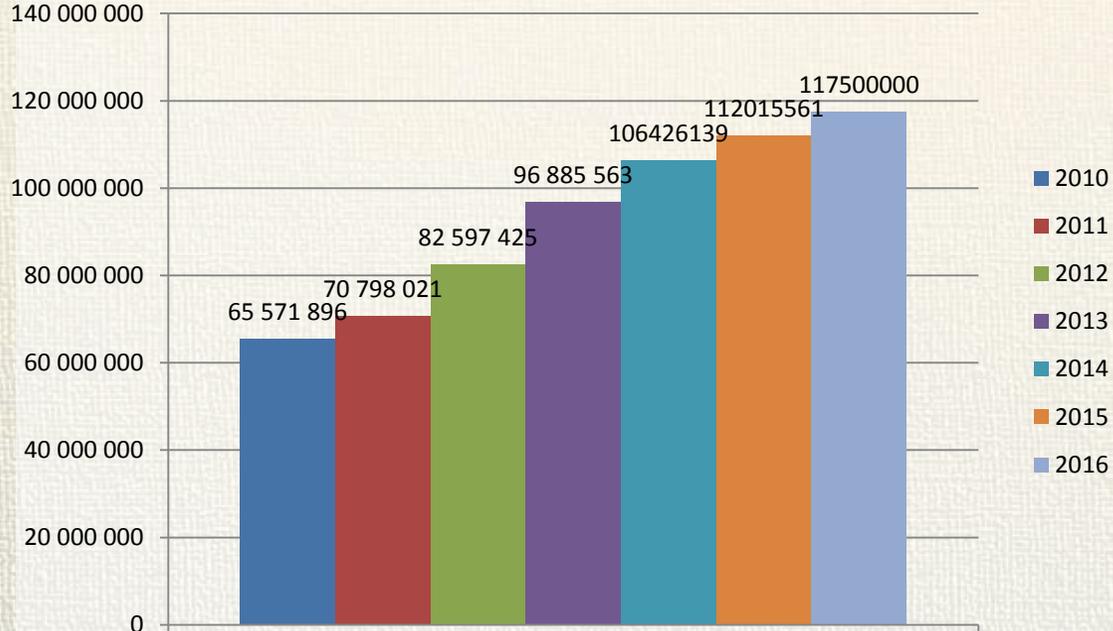
In France, where *Légifrance* is a comprehensive, publicly accessible service, it had **10 times more visits** than the official website of the *Journal officiel*.

Reports of the operations within *Légifrance* system indicate that the number of visits on this site has increased steadily during the past few years, and the number of sites visited within this system over the past few years has exceeded **half a billion**.

The structure of users of legal information systems is also different. The users of legal information systems in Poland are mainly professionals (lawyers), and the research conducted by the *Légifrance* website in 2012 shows that users of this service are primarily natural persons, employees of companies and associations and administration employees, while lawyers and scientific researchers are only 1% of users.

sources of legal information

Number of visits within Légifrance in 2010-2016
Number of pages displayed within Légifrance between 2010 and 2016



sources of legal information

internet services and internet forums

In 2013, almost **25%** of respondents declared that they had used the **internet services** for the last 3 years while seeking information about the law.

Internet services were highly rated in the accessibility category (2nd place, 33%), but worse in terms of: usability (4th place, 26%) and reliability (5th place, 20%).

One in five (**20%**) respondents also declared using **internet forums** for this purpose. Popular online forums were rated on 5th place (17%) by the respondents in the accessibility category, but slightly worse in terms of usability (6th place, 15%) and credibility (7th place, 12%).

sources of legal information

from the staff of the office or court when dealing with a case

33% of respondents declared that they had received information about the law "from the staff of the office or court when dealing with a case" (21% in the past 3 years). The use of such a source of information about the law declared one third (mostly people with higher education and people working in management positions).

Obtaining information about the law in force from the staff of the offices or courts when dealing with a case was relatively high in the category of "accessibility" (4th place, 25% of respondents), even higher - in the category of "usefulness" (2nd place, 25th place % Of indications) and turned out to be the best rated source in the „**reliability**“ category (**1st place**, 28% of indications).

sources of legal information

expert assistance

22% of respondents benefited from paid legal advice (lawyers, notaries, etc.), half of them no more than 3 years before the survey.

People with higher education (40% of them have ever benefited from this), people working in management positions (45% of them have ever benefited from this assistance), citizens of large cities (42% of them has ever benefited from such assistance).

Paid legal advice from experts was rated by the respondents in the "accessibility" category on 6th place (16%), higher - in the category of "usefulness" (5th place, 21%) and even higher - in the "credibility" category (3rd place, 24% indication). The high level of confidence in this form of obtaining information about the law has been confirmed by qualitative research. During the interviews the respondents indicated that this form of assistance is used in difficult and important situations for respondents.

sources of legal information

expert assistance free of charge

Significantly fewer respondents had experience with free of charge help from experts - less than **13%** of respondents, only 6% in the past 3 years. In large cities, the accessibility of this source of information was significantly higher (15% compared to 2-7% of residents in smaller towns).

sources of legal information

Social contacts

Information about the law through "contact with friends, colleagues, family" sought **48%** of the respondents, and 14% of them added that it was more than 3 years ago.

The percentage of people who obtained information about the law through social contact during the past 3 years has grown along with education - from 19% among respondents with primary education, 31% among respondents with basic vocational education, 38% among respondents with secondary education, 52% among respondents with higher education.

Managers of companies (61% of those in the group) and senior staff (60%) were over-represented.

Social contacts were rated by the respondents as **the most accessible** (1st place, 45% of responses) and the **most useful** (1 place, 34% of indications) source of information about the law. Even in the category "credibility" social contacts were rated very high (1 place *ex aequo* with contacts with court staff and offices, 28% of indications).

sources of legal information

Summary

The **opinion leader**, the person who actively seeks information about the law, and then disseminates those informations is more likely to be a person:

- o aged 30-39,
- o with higher education,
- o director / manager or mental worker,
- o with high income,
- o more from the city than from the village,
- o regularly using the internet.

These leaders not only find information about the law, but also **transform** it from abstract and written form to concrete, individualized and oral form.

sources of legal information

To search for legal information respondents mostly use:

- 1) social contacts,
- 2) websites,
- 3) staff of offices and courts,
- 4) popular online forums.

These sources of information, which are the most popular, are considered the most accessible and useful. Only the assessment of the reliability of the sources differs slightly from the knowledge of sources and their accessibility and suitability. This category includes: "personal" sources of information - court and office workers and legal experts providing legal advices.

Models of searching and verifying legal information

Professional model

Only a small group of information receivers (opinion leaders) use general-abstract information. In this model, information is found in:

- o electronic legal information systems,
- o online legal and economical websites, press industry websites,
- o legal literature in paper form.

The information obtained in this way is **verified** by comparing with official journals and through consultation with other lawyers.

Models of searching and verifying legal information

Non-professional model

Among people who are not "legal knowledge leaders" but occasionally seek information about the law, searching and verification of information occurs mainly within the sources in which the information is transformed from the general-abstract contained in the legislative acts, to a specific and individualized information. Social contacts and sources on the Internet are predominant. At the stage of widening and verifying the information obtained in this way, continue to dominate the sources of information in a concrete and individualized form - they include both experts and staff of the office or court. At this stage only part of the recipients are using sources of general and abstract information, such as the texts of normative acts.

SESSION I

Informing about legislative process, debate and parliamentary heritage
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Thank you for your attention

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Gdańsk*