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## The All-Party Parliamentary Group on Legal Aid

### **APPG on Legal Aid Bulletin**

**7th Edition - April 2018**

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Dear

Colleague,

Welcome to the seventh bulletin from the APPG on Legal Aid. We hope you found our March Special Bulletin on the LASPO Post-Implementation Review helpful.

Our April edition has three sections:

1. Date for the Diary
  2. Recent Events
  3. Legal Aid News
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## 1. Date for the Diary

APPG on Legal Aid Meeting: "Post-LASPO Litigation – Where are we now?" 17 April 2018 16.30-17.30. Committee Room 4, Lords Corridor, Houses of Parliament. **Please note change of time and venue from that earlier publicised.**

- Karen Buck MP, Chair
- Matthew Shelley, Ministry of Justice - Deputy Director, Legal Support and Court Fees Policy, will talk about the LASPO PIR
- Polly Brendon, Solicitor at Public Law Project, on the changes brought to Exceptional Case Funding through PLP's litigation
- Olive Craig, Solicitors at Rights of Women, on the changes to domestic violence evidence requirements within the legal aid system
- Simon Creighton, Founding Partner, Bhatt Murphy on the changes to legal aid for prisoners following the Howard League and Prisoners' Advice Service prison reform case
- Jo Cecil, Criminal Bar Association, will say a few words about the criminal bar's decision to refuse to take on certain cases in protest at fees and concerns about the criminal justice system.
- Q & A

## 2. Recent Events

### APPG Meeting 7 March 2018

The APPG on Legal Aid meeting on Wednesday, 7 March 2018 covered issues surrounding Early Advice in connection with the impending LASPO Post-Implementation Review. Studies have highlighted that a lack of early legal advice can cause relatively minor problems to escalate, creating health, social and financial problems, and put pressure on already stretched public services.

The intention in calling the meeting and assembling this diverse body of speakers and organisations was to provide the gathered Parliamentarians with an opportunity to discuss the issues surrounding early professional legal advice. We are extremely grateful to The Rt Hon Dominic Grieve QC MP, Lord Colin Low, Christina Blacklaws (Vice-President of the Law Society), Kari Gerstheimer (Director of Information and Advice and strategic lead for social care at Mencap) and Rachel Jones (Civil Justice Lawyer at Justice) for speaking and our attendees for contributing to an incredibly interesting debate about the importance of early legal intervention.

You can read the minutes from the meeting [here](#).

### Recent APPG+ Training Events

Thanks to funding from The Legal Education Foundation we have continued to run training events for MPs' Caseworkers and Councillors across the country. Since the last Bulletin we have run our "Introduction to Legal Aid" course in Birmingham, Newcastle, Manchester, Cardiff and Sheffield. We have also run a specialist "Housing Casework and Legal Aid" course in Leeds. The feedback has been very positive, indicating the training has been useful in helping to identify issues where legal aid may still be

available to constituents and the importance, in such cases, to refer to a local legal aid provider. The feedback also indicates the demand for further training events in areas of housing and immigration casework and legal aid availability.

Councillor Jim Steinke, Sheffield City Council said,

*"The recent training provided by the APPG on Legal Aid to Sheffield City Councillors on Legal Aid was incredibly useful. Too often Councillors are left floundering around legislation and changes to eligibility and there is the danger of constituents being advised badly. This training was pitched just right and updated both on the current position and the implications for different groups of people. I think all Councillors and MP caseworkers should have access to this kind of training."*

### **3. Legal Aid News**

#### **Announcement of the Consultative Group Meetings for the Post-Implementation Review of LASPO**

Lucy Frazer MP, Under Secretary of State for Justice, wrote in March to the groups invited to take part in the consultative groups. The first meeting is on crime today, there are two meetings on Wednesday on the advice sector and family with the fourth meeting on civil law on Friday. The letter envisages that there will be two further meetings as the review continues its work through this year. The terms of reference are [here](#). It is not yet clear how those who are not invited will be able to contribute and it is hoped that there will be clarity on this soon.

#### **Justice Select Committee**

On 7<sup>th</sup> March 2018 the Rt Hon. David Gauke, the new Lord Chancellor and Secretary of State for Justice, appeared before the Justice Select Committee in a one-off evidence session into the work of the Ministry of Justice. The Inquiry will cover the Secretary of State's priorities for the Ministry, prison safety and reform, contracts and estates management and, importantly for the APPG on Legal Aid, access to justice.

You can read the transcript of the evidence session [here](#). The questions on access to justice are at Q117 – Q134.

The APPG on Legal Aid meeting on 7 March is referred to by Bambos Charalambous MP, who raised with the Secretary of State the importance of early advice. Other issues related to access to justice included the impact of court closures, the LASPO Post-Implementation Review and the Judgment in the UNISON case regarding Employment Tribunal Fees. You can watch the session [here](#).

The Justice Select Committee also wrote to the Secretary of State regarding the LASPO Post Implementation Review on 20 March. You can read the letter from Bob Neill MP, Chair of the Committee, [here](#).

#### **Westminster Hall Debate**

On 27<sup>th</sup> March 2018 Richard Burgon MP, Shadow Secretary of State for Justice, moved a Westminster Hall Debate calling for Legal Aid for the families of the victims of the Birmingham Pub Bombings at the impending Inquests. The APPG on Legal Aid discussed the [Public Authorities Accountability Bill](#) which calls for the availability of Legal Aid for families at inquests and public inquiries, known as the "Hillsborough Law" at our February meeting. You can read the transcript of the debate [here](#).

#### **Justice Questions in March and April**

Hugh Gaffney MP asked the Secretary of State whether the Government plans to reinstate legal aid in family reunion cases. You can read the question and Lucy Frazer MP's answer [here](#).

Stephen Timms MP asked the Secretary of State what estimate he has made of the cost to the public purse of reinstating legal aid for early advice in family law cases. You can read the question and answer

[here](#).

Alex Sobel MP asked the Secretary of State if his Department will take steps to ensure the accessibility of early legal advice; and what steps are being taken to include proposals to increase the provision of such early legal advice in the Government's review of the Legal Aid, Sentencing and Punishment of Offenders Act 2012. You can read the question and answer [here](#).

### **Joint Committee on Human Rights Inquiry**

Following the launch of the [Joint Committee on Human Rights](#) inquiry into factors which may impede individuals from using the UK's human rights framework effectively, several Oral Evidence sessions were held including one on 14<sup>th</sup> March 2018 where speakers included Nicola Mackintosh QC (Hon) Co-Chair of Legal Aid Practitioners Group. You can read the transcript [here](#).

### **Criminal Barristers to take action over changes to Criminal Legal Aid**

Following the implementation of the new Advocates' Graduated Fees Scheme on 1<sup>st</sup> April 2018, the Criminal Bar Association, following a ballot of its members, have decided not to take on any new work from 1<sup>st</sup> April. This action is supported by the Bar Council. The action is also taken to raise concerns about the reduced funding across the whole Criminal Justice System. You can read the supporting statement from Andrew Walker QC, Chair of the Bar Council and Richard Atkins QC, Vice-Chair of the Bar Council [here](#).

### **Law Society Report on Legal Aid Means Test**

The Law Society published "Disqualified from Justice: Legal Aid Means Test Report" on 20<sup>th</sup> March. The Report is based on research from the University of Loughborough, commissioned by The Law Society. The findings are the legal aid means test is preventing families in poverty from accessing justice and calls for the means test to revert back to its 2010 real terms means test and further review what other changes are needed to improve accessibility. You can access the report [here](#).

**Christine Peace**  
**Rohini Teather**  
**APPG Project Workers**  
**16 April 2018**

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The APPG on Legal Aid is co-sponsored by the Legal Aid Practitioners Group



In association with Young Legal Aid Lawyers



Supported by The Legal Education Foundation.

**About the APPG on Legal Aid**

The All-Party Parliamentary Group on Legal Aid aims to promote parliamentary and public understanding of the importance of the role of publicly funded legal services. It is chaired by Karen Buck MP. Secretariat support is provided jointly by the Legal Aid Practitioners Group (LAPG) together with Young Legal Aid Lawyers (YLAL) with funding from The Legal Education Foundation.

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### **About the APPG Plus Project**

LAPG and the APPG on Legal Aid have been funded by The Legal Education Foundation to engage with MPs and councillors and their caseworkers to ensure that there is a good understanding of what is left in legal aid in the wake of LASPO, and to offer constructive advice, resources and training on how busy MPs and their caseworkers can engage better with lawyers and advice charities in the legal aid sector. In doing so, we aim to assess current access to justice issues facing the public and to help inform future decision making at a policy level.

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