



The All-Party Parliamentary Group on Legal Aid

Bulletin 1 (September 2017)

Legal Aid News and Events

APPG on Legal Aid Inaugural Meeting 12 July 2017

The APPG was formally reconstituted at its inaugural meeting with Karen Buck MP elected Chair. The meeting covered a number of issues.

Grenfell Fire Alison Mohammed, Director of Services at Shelter spoke about the great level of collegiality and services being delivered from various centres in and around the Grenfell Tower area. She touched upon the refusal of offers of temporary accommodation for a number of understandable reasons, including trauma and mistrust of authority as well as unsuitability. Ms. Mohammed added that an important issue for consideration is whether any charitable and government payments to survivors of the fire will affect eligibility for Legal Aid. It has since been decided that such payments will be discounted when means testing victims. Ms. Mohammed described the trauma that the victims were suffering and the consequent emotional strain placed upon those who were advising them.

Legal Aid facts and figures Carol Storer, Director of the Legal Aid Practitioners Group, addressing the Meeting, noted that 933,815 new civil legal aid matters were started in 2009-10, a figure which dropped to 146,618 in 2016-17. Do those 800,000 people no longer need legal advice? If they do, where are they going to now?

The bleakness of this picture is further substantiated by both the Law Society report, [Access Denied? LASPO Four Years On](#) and the government's '[Legal Aid Statistics in England and Wales January to March 2017](#)'. These highlight notable declines in both criminal workloads and civil workloads. In crime, there have been reductions in the cost of both Magistrates and Crown Court work.

The number of Legal Aid providers of crime and civil legal aid continues to decline and remains a concern, with criminal providers who have claimed expenditure from the LAA down 10% and civil down 9%. When you compare the number of criminal providers in the period April-June 2013 to this most recent period (Jan-Mar 2017) we see a significant fall of 18%.

What is crystal clear is that since 2011 there has been a large reduction in Legal Aid expenditure and whilst this can be in part attributed to the reductions in crime workloads

and fees, the changes of scope for civil legal aid brought in through LASPO is the most significant factor in these savings.

LASPO has already far exceeded its intentions in terms of making savings, saving almost twice as much as predicted. A review is overdue.

The minutes of the inaugural meeting are available [here](#). A Law Gazette report on the meeting can be read [here](#).

APPG Meetings

Access to Justice APPGs Meeting on Wednesday, 6 September 2017 the APPG on Legal Aid met with the Chairs (Karen Buck MP, Dominic Grieve MP, Alex Chalk MP, Tom Tugendhat MP and Vice-Chair Lord Low) and the Secretariats of the APPGs on Rule of Law, Pro Bono and Public Legal Education and Legal and Constitutional Affairs. The meeting resulted in the four APPGs agreeing to collaborate on the following areas of common interest:

- The LASPO Review;
- The Grenfell Fire and its aftermath including implications for legal rights and access to advice for survivors and other tower blocks with similar safety issues; and
- Any successor to the Prison and Courts Bill.

APPG+ Project

Thanks to funding from the Legal Education Fund, we have commenced work extending the reach of this APPG to MPs and Councillors. Our two project workers, Rohini Teather and Chris Peace have been engaging directly with MPs and Councillors and, crucially, their support and casework staff to discuss any assistance that can be given to them as regards the complexities of the legal aid system.

They are identifying with MPs, Councillors and caseworkers

- (i) what types of legal problems are covered by legal aid and what resources would help caseworkers identify these;
- (ii) who qualifies for legal aid and what evidence they need for a first appointment e.g. financial information; and
- (iii) how members of the public can be referred especially where there is a lack of providers.

If you wish to work with us on this, please contact Rohini Teather at Rohini.Teather@lapg.co.uk or Chris Peace at Christine.Peace@lapg.co.uk to arrange a meeting at your convenience.

Legal Aid News from the summer

LASPO Review

The Review has not yet been announced but the original intention was for it to be completed by March 31st 2018. The Lord Chancellor was asked on 5th September 2017 what steps his department were taking to ensure that people in each region of England and Wales have adequate access to legal aid providers. He replied that he “intends to look more widely at the impact of recent policy changes on access to legal aid as part of a forthcoming post-implementation review, about which [he] hopes to say more shortly.” To

read the full debate click [here](#).

Justice Committee

Bob Neill MP, returning Chair of the Justice Select Committee expressed his concern ([The Times, 26 July 2017](#)) that with the delays in getting the Select Committees up and running in the wake of the General Election, over a third of the year will have gone by without government, or anyone else, being subject to full parliamentary scrutiny. He added that this is a shame, for there is much urgent work to be done by the Committee, setting out the following four priorities for this Parliamentary session:

1. Prison reform
2. Probation and preventing reoffending
3. Access to Justice including the promised post-LASPO review and the court's modernisation programme
4. The legal implications of Brexit

On access to justice: "... there are serious questions around access to justice. This is something the committee has raised concerns about in the past in terms of courts and tribunal fees, but we will also be looking to press the government on its promised post-legislative review of LASPO (Legal Aid, Sentencing and Punishment of Offenders Act 2012). Although I understand the budget pressures at the time of its introduction, my personal view is that we have now removed more than the system can take and should rectify the anomalies as soon as possible (a glaring example being the lack of legal aid available for the parents of Charlie Gard, something no fair person could agree with).

There is also a need to look carefully at the human impacts of the government's courts modernisation programme. There is a balance to be struck between achieving efficiencies and ensuring we have access to justice. I'm not convinced we've got that right if it means significantly longer and more expensive journeys, or anti-social court hours, for parties, witnesses and lawyers alike."

Extended hours court pilot scheme

HM Courts & Tribunals Service (HTMS) has announced a flexible working pilot at six courts. It said this will help it to understand how flexible hours affect court users. HMCTS will then evaluate whether this could be a sustainable way of working. This affects both civil and criminal courts.

Zoe Gascoyne, Chair of the Criminal Law Solicitors' Association, said that the "news had been met with anger". She added that "the plans discriminate against those with childcare concerns...and [that with] both sides of the profession facing further cuts...it is inconceivable that defence practitioners will make themselves available without any consideration as to how they will be remunerated. If legal representation isn't made available during the extended hours then this restricts access to justice."

Pro Bono

Pro bono is not a substitute for legal aid, the solicitor-general has insisted, after chairing a newly established panel to 'promote and coordinate' lawyers' voluntary efforts. Alistair MacDonald QC, chairman of the Bar Council, said: 'These figures show access to justice is not improving. Even the few who are still eligible for legal aid are not getting the help they deserve. Clearly more needs to be done to ensure that these people, who are among the most vulnerable in society, are aware that help is available.'

Civil Contracts

The Legal Aid Agency has announced that tenders for civil legal aid work will commence in the middle of September 2017.

The response to the Housing Possession Court Duty Schemes consultation was published and the government is proceeding with a price competitive tender for these schemes.

Crime News

The responses to the two consultations on the two fee schemes (AGFS and LGFS) have not yet been announced.

Legal Aid Practitioners Group
Young Legal Aid Lawyers
7th September 2017

[Visit the APPG on Legal Aid website](#)



The APPG on Legal

Aid is co-sponsored by the Legal Aid Practitioners Group



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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.

For more information contact:

rohini.teather@lapg.co.uk

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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Our mailing address is:

Legal Aid Practitioners Group

12 Baylis Road
London, England SE1 7AA
United Kingdom

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