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Special Bulletin from the APPG on Legal Aid

20th edition – Summer 2019

Happy 70th Birthday Legal Aid!

Welcome to a special summer bulletin from the APPG on Legal Aid in celebration of 70 years since the passing of the 1949 Legal Aid and Advice Act. With all of the changes that the past weeks and coming months will bring, it seems apt to take a moment to reflect on what were then radical and reforming ideas. That British Citizens should be protected, their rights enshrined, from the cradle to the grave. That childcare providers should be regulated and inspected to ensure that they were performing their duties to a suitable standard. That the welfare state be greatly expanded, with the National Health Service Act 1946 nationalising the hospitals and providing free universal healthcare, and the National Insurance Act 1946 providing sickness and unemployment benefits for adults, plus retirement pensions. More council housing was built, and plans were made through the New Towns Act of 1946 for the growth of suburbs and to reduce overcrowding in major cities such as London and Glasgow. The Criminal Justice Act 1948 paved the way for new ways of managing offenders and abolished hard labour, penal servitude and whipping. The Law Reform (Personal Injuries) Act 1948 enabled employees to sue their employers in cases where they experienced injury due to the negligence of a fellow employee. There were many others. And there was the Legal Aid

and Advice Act of 1949 which introduced a state aided scheme to assist those who couldn't afford legal services. That's right. Seventy years ago, the government passed legislation to protect an individual's rights under the legal system in the same way that their health would be protected under the National Health Service.

Today, you may have seen 70th anniversary celebrations throughout the sector and on social media. There have been a number of events organised including one today by our esteemed colleagues at the Justice Alliance. But these celebrations are muted. Years of cuts have left the legal aid system crippled, huge swathes of law removed from scope preventing it reaching many of the most vulnerable, and financial margins so slim that it is no longer viable for many practitioners to deliver legal aid services. So while we recognise and celebrate its existence, and we commemorate the everyday heroes that work tirelessly against the odds for their clients, please let this celebration herald a new awareness. That this is a system of fighters that is still fighting, but it is a system on its knees. That it is currently failing those it was set up to protect. That access to justice must be seen as a right as fundamental for the individual as education and healthcare.

The last week has brought with it a new ministerial justice team. Today, the Rt Hon Robert Buckland QC MP, an ex-legal aid lawyer, was sworn in as Lord Chancellor, and affirmed his commitment "as far as possible" to the principle of legal aid. Michael Ellis QC MP was also sworn in, as Solicitor General for England and Wales. We welcome them both, along with Lucy Frazer QC MP and Wendy Morton MP to their new roles, and look forward to working with them in the future. We hope that under this new Justice team, the case will be made to the Treasury that investment in our justice system is not only absolutely necessary, but sound economics and good politics.

#Take your MP to Work: Reception in Parliament

On Monday 15 July 2019, Young Legal Aid Lawyers and the APPG on Legal Aid celebrated 70 years of Legal Aid and our [Take Your MP to Work Campaign](#).

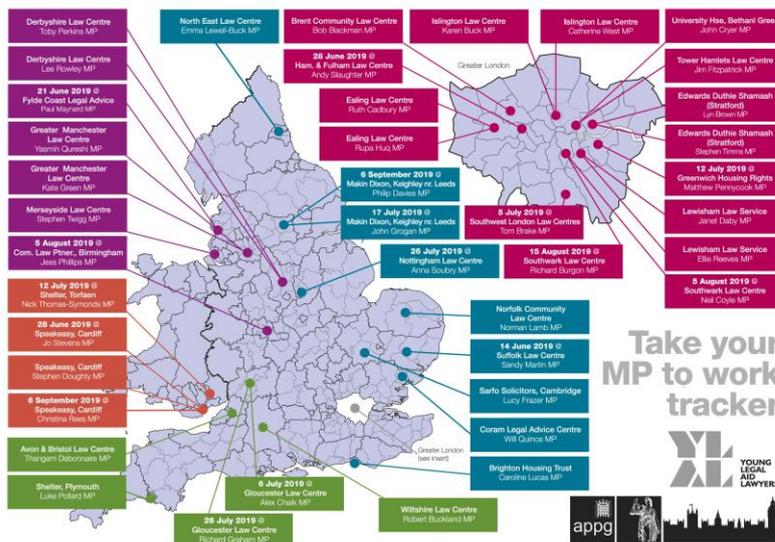
It was a truly lovely evening, and we were delighted to be joined by members of the press as well as twenty Members of Parliament including former Minister for Legal Aid Paul Maynard, Shadow Lord Chancellor Richard Burgon, Harriet Harman QC MP, Sir Oliver Heald, Kate Green and Alex Chalk (amongst others), all of whom were keen to hear about the importance of early legal advice and who signed up to the campaign.

Our #TakeYourMPtoWork Campaign is designed to help MPs and Peers see what day-to-day work is like for legal aid lawyers across the sector, and most importantly, to see the benefit that early legal advice has for our clients.

Special thanks to [Hogan Lovells](#) and to [London Legal Support Trust](#) for their kind sponsorship of the event and to Rugfoot photography who own all rights to the images from the evening.

The following MPs and law centres/firms have signed up to the campaign already. They will give up a few hours or a day to shadow a legal aid lawyer somewhere in England and Wales and to see some of the effects of the cuts first hand. Please do join us and add your voice to the movement.





Justice Questions in July

[Graham P Jones](#) MP (Hyndburn) asked the Secretary of State for Justice, if he will make an assessment of the effect of (a) court closures and (b) the reduction of funding for **legal aid** on trends in the level of access to justice.

[Bim Afolami](#) MP (Hitchin and Harpenden) asked the Secretary of State for Justice, how many mediators there are in England; and how many mediations by subject have taken place in each of the last five years.

[Paul Farrelly](#) MP (Newcastle-under-Lyme) asked the Secretary of State for Justice, what recent assessment he has made of the potential merits of uprating the financial thresholds for **legal aid** eligibility.

[Richard Burgon](#) MP (Leeds East) asked the Secretary of State for Justice:

- what total Government expenditure on **legal aid** has been since 1989 in (a) nominal and (b) real terms;

what information his Department holds on the number of law centres in each local authority area since 2010;

what assessment he has made of the cost to the public purse of an increase in the level of self-representation in courts; and

what assessment he has made of the effect on children of the removal of parts of education law from the scope of **legal aid** under **Legal Aid, Sentencing and Punishment of Offenders Act 2012**.

[Mr Jim Cunningham](#) MP (Coventry South) asked the Secretary of State for Justice, what estimate he has made of the number of not-for-profit **legal aid** providers that have closed in each year for the last 10 years; and if he will make a statement.

[Chris Elmore](#) MP (Ogmore) asked the Secretary of State for Justice, how many solicitors that previously offered **legal aid** services no longer do so in South Wales, in the last five years:

- how many not-for-profit **legal aid** providers provided legal services in each region in each year since 2010.

- what records his Department holds on the number of cases started by law centres in each year since 2010.

[Jo Stevens](#) MP (Cardiff Central) asked the Secretary of State for Justice:

- what assessment his Department has made of the effect of the reform of **legal aid** on average annual earnings of **legal aid** solicitors.

- what assessment his Department has made of the financial impact on defendants of the introduction of an upper limit on disposable income for people claiming **legal aid** for Crown Court representation.

[Mr Jim Cunningham](#) MP (Coventry South) asked the Secretary of State for Justice, what estimate he has made of the number of local authority areas that do not have a housing **legal aid** provider in England and Wales.

[Gloria De Piero](#) MP (Ashfield) asked the Secretary of State for Justice:

the number of inquests that **legal aid** was provided in for each year since 2012;

what estimate he has made of the proportion of inquests for which **legal aid** was provided in each year since 2010.

what the total value of **legal aid** granted to inquests in each year since 2010 is.

You can read all of the questions and answers [here](#).

Rohini Teather

Head of Parliamentary Affairs

Tuesday, 30 July 2019

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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.

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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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