

[View this email in your browser](#)

You are receiving this email as you have expressed an interest in the work of the APPG on Legal Aid.



## The All-Party Parliamentary Group on Legal Aid

**APPG on Legal Aid Bulletin**

**4th Edition - December 2017**

---

Welcome to the fourth bulletin from the APPG on Legal Aid.

This edition has two sections:

### 1. Recent Events

- APPG on Legal Aid 5<sup>th</sup> December 2017: LASPO Review and LAPG Manifesto
- Casework and Your Constituents: training events for MPs and their casework staff

### 2. Legal Aid News

- Legal Aid Debates
  - LASPO Review
  - Early advice
  - Domestic Violence – change to stringent evidence tests to qualify for legal aid
  - Legal Aid Statistics
  - Housing Bill
  - Shelter Report
- 

### 1. Recent Events

#### **APPG on Legal Aid: LASPO Review and LAPG Manifesto**

Our latest APPG meeting event, ***LASPO Review and LAPG Manifesto*** was held on 5<sup>th</sup> December. The APPG on Legal Aid was thrilled to welcome Bob Neill MP, Chair of the Justice Select Committee who spoke about the Committee's approach to the Post-Legislative Memorandum that was submitted on 30th October 2017 and the Post-Implementation Review of LASPO. He was followed by Nicola Mackintosh QC (Hon) and Jenny Beck, Co-Chairs of LAPG who discussed the wider implications of the LASPO review and the release of the second edition of the LAPG Manifesto. Speakers from the floor included Alex Chalk MP, Andy Slaughter MP, Sir Henry Bellingham MP and Dr Marie Burton who has just completed her PhD which considers whether advice in social welfare law can be effectively delivered over the telephone. The discussion was as lively and thought-provoking as ever.

Minutes of the meeting are available [here](#).

## **Casework and Your Constituents: training events for MPs and their casework staff**

The APPG on Legal Aid is delighted to report on the successful first round of its free training programme for MPs and their caseworkers in Westminster. The course was designed in collaboration with a number of organisations, including Housing Law Practitioners Association (HLPAs), Immigration Law Practitioners Association (ILPA), Luqmani Thompson & Partners and LawWorks. Initial feedback from the caseworkers and MPs in attendance has been extremely positive and while the first stage was London based, we are rolling out the delivery of these courses at a national level in the coming months.

The courses that have been run and will be rolled out nationally are:-

- Identifying Legal Issues
- Introduction to Legal Aid
- Immigration and Asylum
- Housing

For further information about this or any other training opportunities around the country, please contact [Rohini.Teather@lapg.co.uk](mailto:Rohini.Teather@lapg.co.uk) or [Christine.Peace@lapg.co.uk](mailto:Christine.Peace@lapg.co.uk)

---

## **2. Legal Aid News**

### **Legal Aid Debates**

**Westminster Hall debate on 29 November 2017** – for a transcript of the debate on legal aid held at the House of Commons please click [here](#).

Here is an extract from Karen Buck's speech.

[Karen Buck \(Westminster North\) \(Lab\)](#)

“The local advice agencies in my area draw a clear line between the lack of early help, the consequences for people losing their benefits and the direct rise of dependency on food banks. There has been a 56% rise in the number of cases going to my local citizens advice bureau – often cases that previously would have been picked up by early legal help – and my food bank in north Paddington has seen a doubling of demand for its services. Those things are connected. In my borough, there has been a 93% fall in family legal help cases; a 26% fall

in housing legal help; a 51% fall in housing certificated assistance, despite a sharp rise in homelessness, in common with many other local areas; a 100% fall in welfare; a 99% fall in debt advice; and a 46% fall in the number of solicitors' firms taking on cases. In common with many Members of Parliament, I have experienced a sharp rise in the number of people who are coming to me and to local Councillors to seek the kind of legal help that they are no longer able to get because of the fall in legal aid provision.

On early advice, we know about the impact of the reduction in numbers on the sustainability of practitioners. Ministry of Justice figures indicate that the total number of not-for-profits with legal aid contracts has fallen from 870 to 95 post-LASPO. That is a drop of 89%. Can the Minister assure us that, whatever the outcomes of the post-implementation review, there will be enough providers to pick up any additional provision of advice? Do the Government know how many people will be available to deliver legal aid after the changes are made? Many areas are now advice deserts, with law centres and practitioners having had to close. Who will provide this advice and what is the Minister doing to ensure there will be a flow of lawyers into an increasingly stressful and under-resourced legal aid service?

The Government say that the exceptional case funding system is a safety net. When it was discussed in Parliament, we were told that 5,000 to 7,000 cases per year were expected. In fact, the number of cases has been extremely limited. How will the Minister review that and ensure that exceptional case funding is adequate for purposes?"

**The House of Lords debate on the Bach Report 14 December 2017:** transcript [here](#). This debate covered a wide range of issues and lords reflected on issues arising from the adversarial system, the problems facing litigants in person, a tribute to Norfolk Community Law Service, legal aid deserts, domestic violence, social cohesion and much more.

## **LASPO Review**

We await more information on the LASPO Review. We believe the next stage will be the creation of expert panels, as set out in the [Ministerial Statement](#).

## **Early Advice**

The issue of early advice was discussed in the APPG on Legal Aid. Bob Neill MP said that the Justice Committee would focus on early advice as one of its areas.

Analysis of the cost of paying for early advice should consider any cost shunting within the justice system and/or to other government departments, especially DWP and Health.

[Research](#) conducted for the Law Society by Ipsos MORI shows a clear statistical link between getting early legal advice and resolving problems sooner.

“Without early advice, relatively minor legal problems can escalate, creating health, social and financial problems, placing additional pressure and cost on already stretched public services,” said Law Society vice president Christina Blacklaws. Anyone who can't afford to pay for early legal advice may struggle to identify solutions – meaning simple issues spiral and can end up in court bringing unnecessary costs to the taxpayer.

The analysis adds weight to the argument that early legal advice – much of which was removed under the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) - should be reinstated.

The research shows that, on average, 1 in 4 people who receive early professional legal advice had resolved their problem within 3-4 months. For those who did not receive early legal advice, it was not until 9 months after the issue had first occurred that 1 in 4 had resolved their issue.

This analysis has found that, between an issue arising and the problem being resolved, people who did not receive early advice were 20% less likely than average to have had their issue resolved.

Early advice is vital in housing law. For example, a lack of early advice for minor disrepair issues can mean issues such as faulty electrics or a leaking roof escalate, potentially creating health, social and financial problems.

Early advice is also important in family law, but is no longer available for family breakdown and child custody. Because of this, mediation referrals have plummeted, putting pressure on courts and therefore public finances.

This issue of early advice was raised in Justice Questions 05 December 2017:

[Alex Chalk \(Cheltenham\) \(Con\)](#)

We are a nation of laws, but we must be one nation too, with access to justice for people from all backgrounds. Does my hon. Friend agree that, post the LASPO review, the most careful thought should be given to bolstering legal aid resources so that we can have early advice and assistance for all?

Justice Minister [Dominic Raab](#) replied:-

My hon. Friend, as usual, makes a powerful point. We will be able to look at this in the round, but we do still spend £1.6 billion on legal aid, which is a quarter of my Department's budget. If we want to put more resources in, the money has to be found elsewhere. We will also be looking carefully at making sure we have the right allocation to support those in the greatest need.

## **Domestic Violence – change to stringent evidence tests to qualify for legal aid**

From January domestic violence victims will no longer have to endure harsh evidence tests to qualify for legal aid, the government announced today | Law Society Gazette, UK

Please find the amended Domestic Violence regulations [here](#).

## **Legal Aid Statistics**

For an update on the latest statistics see [here](#). This document reports on July to September 2017. The opening analysis shows e.g. that crime cases in the police station and magistrates courts show that workload is down 4% compared to the same quarter last year. There were 4% fewer legal help cases (similar but not quite the same as early advice) than in the same quarter last year and the volume of claims submitted decreased by 10%. Expenditure on legal help cases fell by 6%. Family mediation starts were 14% fewer than in the same quarter of 2016.

It is worth looking at the Excel spreadsheets on that website. For example tab 5.1 (new matter starts) shows that in 2009-10 933,815 people were advised under that scheme but in 2016-17 only 147,209 – these are cases started in social welfare and family law. That is a drop of 786,616. Almost 790,000 fewer people were helped in one year.

And one of the government's aims of LASPO was to send people to mediation rather than to court. The number of new family mediation cases dropped from 15,357 in 2011-12 to 7,668 in 2016-17. Figures for this half year are 3,200 so despite government efforts they are still declining.

## **Housing Bill**

The Homes (Fitness for Human Habitation and Liability for Housing Standards) Bill 2017-19 is a Private Members' Bill (Ballot Bill) sponsored by Karen Buck MP. The second reading is on 19 January 2018. Full details are [here](#).

## **Shelter Report**

Housing laws are 'out-dated, complex and patchily enforced', according to a major new report which calls for a new Housing Act to be introduced in the wake of the Grenfell tragedy. The recommendation, in [a report commissioned by Shelter](#), comes five months after the devastating tower block fire. Researchers at the Universities of Bristol and Kent reviewed the existing laws and surveyed almost 1,000 people with a role in the housing sector, including tenants and landlords.

**Legal Aid Practitioners Group | Young Legal Aid Lawyers**  
**18<sup>th</sup> December 2017**

Please note that you are receiving this email because you have expressed an interest in the work that we do or have attended one of our events. Please contact [Rohini.teather@lapg.co.uk](mailto:Rohini.teather@lapg.co.uk) should you wish to be removed from this distribution list.

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



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.

For more information contact:

[rohini.teather@lapg.co.uk](mailto: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.

*Copyright © 2017 Legal Aid Practitioners Group, All rights reserved.*

You are receiving this email because you have expressed an interest in the work of the APPG on legal aid or generally in issues affecting access to justice.

**Our mailing address is:**

Legal Aid Practitioners Group

12 Baylis Road

London, England SE1 7AA

United Kingdom

[Add us to your address book](#)

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).