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## **APPG on Legal Aid Bulletin**

### **15th Edition - January 2019**

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Welcome to the 15th bulletin from the APPG on Legal Aid. This edition has three sections:

1. Events – Drinks Reception and APPG on Legal Aid Meeting – LASPO PIR
2. APPG+ Training Events
3. Legal Aid news

#### **1. Events**

**APPG on Legal Aid: ‘We all stand together’ – Drinks Reception 28 January 2019**



On Monday 28 January 2019 we were joined by fifty MPs and caseworkers and 13 organisations including the Ministry of Justice, ILPA, LawWorks, the House of Commons Library, Advocate, Law for Life, LASA, Shelter, HLP, YLAL and Disability Law Service. Lucy Frazer QC MP, Minister for Legal Aid, spoke at the event and confirmed that publication of the LASPO PIR will be 'soon'. Alex Chalk MP (Conservatives, Cheltenham) and Gloria De Piero MP (Labour, Ashfield, Shadow Justice Team) also spoke, both emphasising the importance of legal aid and access to justice and of the need for the government to maintain a properly funded, accessible legal aid scheme.



The event was hosted in Portcullis House and aimed to:

(i) launch a training programme designed in collaboration with the House of Commons Library and Learning and Development Teams for MPs and their caseworkers which is to be rolled out in the coming months; and

(ii) to publicise resources and websites useful to caseworkers. It was intended as a celebration of all of the work that MPs and their caseworkers do together with members of the legal aid sector.



All in all, the event was a resounding success and a huge thank you to all of the organisations and MPs who took part or sent representatives along to the evening.

### **Forthcoming Events**

#### **APPG Meeting – LASPO Post-Implementation Review, Wednesday, 27 February 2019 (10.00 - 11.30 Committee Room 5)**

The APPG on Legal Aid will be hosting a panel discussion on the newly published LASPO PIR on Wednesday, 27 February 2019 in Committee Room 5. We are delighted to be joined by:

- Lucy Frazer QC MP, Parliamentary Under-Secretary of State at the Ministry of Justice
- Richard Burgon, Shadow Secretary of State for Justice and Shadow Lord Chancellor
- Bob Neill MP, Chair of the Justice Committee

- Richard Atkins QC Chair of The Bar Council
- Simon Davis and Vice-President of The Law Society.

Readers of the bulletin are welcome to attend the meeting. If you would like to do so [please contact us](#).

## **2. APPG+ Training Events**

### **SEN Training**

On Wednesday, 16 January 2019 we held a half-day session around the basics of Special Education Needs and Disability. Delivered by Polly Sweeney, a Partner in the Public Law and Human Rights department at Irwin Mitchell, the training encompassed the legal framework and rights and duties owed to individuals with SEND, the EHCP process, Appeals and Dispute Resolution and Legal Aid and other sources of information and advice available. Feedback was excellent and caseworkers reported that it was extremely helpful to them.

### **Forthcoming Training – Interview Skills and Anti-Social Behaviour**

The APPG on Legal Aid is thrilled to be offering Interview Skills training to MP caseworkers as part of its ongoing collaboration with the House of Commons Library. This session, with Chris Minnoch, CEO of LAPG, will take place on 28 February 2019 from 10-4 in Richmond House and will focus on issues to be aware of when advising constituents. To book, please click [here](#).

We will also be offering further training on Anti-Social Behaviour on 12 March 2019 through the House of Commons Library. The interactive session will be from 10-4 in Richmond House and led by Connor Johnston of Garden Court Chambers. The session is specifically designed to address a range of anti-social issues that commonly impact on constituents. To book, please click [here](#).

## **3. Legal Aid News**

### **LASPO Post-Implementation Review**

Lucy Frazer QC MP and her team from the Ministry of Justice were in attendance at the APPG on Legal Aid's Reception and confirmed that the PIR would be published "shortly". When quizzed for more detail, the team replied that they could say nothing further but that they hoped to publish "soon". Watch this space.

## **Justice Select Committee**

### Court and Tribunals Reform Inquiry

The Justice Committee has decided to hold an inquiry into the HMCTS reform programme to consider the progress made with the reforms so far and the implications of planned changes, particularly in relation to access to justice. The Committee is interested in evidence of the potential effects of the HMCTS reform programme on access to justice, as well as the management of the reform process.

## **In the news**

### The Law Society launches urgent campaign to save the criminal justice system

The Law Society has today launched a campaign on criminal legal aid, highlighting the broken system; inefficiencies; low fees and the impact on access to justice of the failure to uprate the means test.

The campaign is [the top story on the Gazette website today](#).

Their animation is live on YouTube; [please click to like and share](#)

[Read more about their campaign here](#).

### Legal aid for welfare benefits plummets over a decade

The Ministry of Justice says its delayed review of the impact of its controversial legal aid reforms is nearly done after publishing a table showing a massive drop in the number of people who have been granted public funding in welfare benefits cases over the last decade. Figures show that there were 135,751 legal help matter starts and 51 civil representation certificates granted in 2008-09. These figures have plummeted to 443 legal help matter starts and nine civil representation granted certificates in 2017-18. For further information, click [here](#).

### UCL Centre for Access to Justice releases new Health Justice publication

Dame Hazel Genn and her team describe the current provision of social welfare legal advice in healthcare settings across England and Wales, and produce the most comprehensive mapping study of its kind to date. To read the study, click [here](#).

### Legal Aid Agency faces High Court showdown over protection orders

The Legal Aid Agency are readying themselves for another High Court showdown after a civil liberties group, Liberty, was granted permission to challenge the lack of public funding to help homeless people targeted by protection orders aimed at tackling anti-social behaviour. Liberty asserts that councils have used public space protection orders to criminalise homelessness but that the agency will not help people challenge the order 'even if it unjustifiably affects the poorest in society'. For further information, click [here](#).

### Young legal aid lawyers repeat calls for a minimum salary

The Young Legal Aid Lawyers has repeated calls for the reintroduction of a mandatory minimum salary after it was revealed that one in four trainee solicitors were paid below the recommended level. The Solicitors Regulation Authority scrapped the minimum salary for trainees in 2014 and now firms are required to pay only the national minimum wage.

According to a survey reported in the Law Society's Gazette of approximately 500 trainees from across the UK, 25% of trainee solicitors are paid below the recommended minimum salary which actually represents an improvement on previous years, with 35% of trainees being paid below the recommended minimum in 2018. For further information, click [here](#).

### YLAL Bring your MP to Work campaign

This is great initiative from our Young Legal Aid Lawyer chums. [See here for a summary from YLAL's website](#).

*'Each participating YLAL will show interested local MPs a snapshot of life as a legal aid lawyer, be it helping individuals to navigate their transition on to Universal Credit, working with people on the brink of losing their homes at a housing duty scheme or representing young people in a Magistrates' Court. The campaign will show the vitally important work that YLALs do and highlight some of the problems LASPO has caused. Participating YLALs may work in any area of legal aid or in an area that was taken out of scope by LASPO. The more diverse the range of work shown, the better!*

*Not only will this campaign educate MPs but it will provide an opportunity to publicise what is happening on the ground and build public support for a properly resourced legal aid scheme. We will work with YLALs and MPs to create video diaries, press pieces and blogs to share on social media.'*

### 70 years of legal aid!

On 30 July 1949, the Legal Aid and Advice Act received royal assent. The Act introduced the civil legal aid scheme the following year and updated the provisions for criminal legal aid in

the Poor Persons Defence Act 1930. For further information regarding celebrations of the Legal Aid anniversary, click [here](#).

#### And finally

David Gauke and other members of the legal profession have spoken out in support of Richard Egan, senior partner of national firm Tuckers, who has spoken to the BBC about the abusive messages and threats that he has received in connection with his acting for convicted killer, Jack Shepherd. Earlier this month it was revealed that Shepherd would receive legal aid for an appeal against his conviction and sentence, despite his continued absence, after the Court of Appeal granted permission to appeal. The public outrage prompted Tuckers to [issue a statement on its website](#) stating that it was 'duty bound' to continue to represent Shepherd.

Egan told the BBC: 'Defence lawyers have a role to play. Our system is based on the principle that all those accused by the state are entitled to legal representation.' Upholding the rule of law includes access to publically funded legal advice for all those financial eligible whose cases are in scope.

For further information, click [here](#).

#### **Justice Questions in January 2019**

[Baroness Mone](#) asked Her Majesty's Government:

- whether people who are considered to be fugitives can receive legal aid;
- how many applications for legal aid have been made by fugitives in each of the last 10 years; and in each case, what was the value of the legal aid received; and
- whether they plan to review the provision of legal aid to those who have been convicted of a criminal offence in their absence and are seeking to appeal.

[Chris Ruane](#) (Vale of Clwyd) asked the Secretary of State for Justice, what estimate he has made of the number of people who have been granted legal aid in welfare cases in each of the last 10 years.

Answered by: [Lucy Frazer](#) on 15 January 2019

Information about the volumes of people granted legal aid in welfare benefits cases is published at <https://www.gov.uk/government/collections/legal-aid-statistics>. The latest figures (to September 2018) of Legal Help matter starts (from table 5.1) and Civil Representation granted certificates (from table 6.2) in welfare benefits cases are outlined in the below table.

Year	Legal Help Matter Starts	Civil Representation Granted Certificates
2008-09	135,751	51
2009-10	141,625	53
2010-11	116,081	23
2011-12	102,920	22
2012-13	82,554	16
2013-14	163	8
2014-15	505	6
2015-16	250	9
2016-17	442	10
2017-18	443	9

The MoJ has spent several months conducting a wide-ranging review of the reforms to legal aid and engaged with more than 100 organisations and individuals as part of the evidence-gathering phase. Having finalised this engagement at the end of November, the review is now near completion and will be published shortly.

[Richard Burgon](#) (Leeds East) asked the Secretary of State for Justice, what assessment he has made of the long term viability of the criminal duty solicitors scheme.

[Gloria De Piero](#) (Ashfield) asked the Secretary of State for Justice, pursuant to the Answer of 10 December 2018 to Question 197618 on Legal Aid Scheme, when the Government plans to publish its review of the legal aid reforms brought in by the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

**Rohini Teather**  
**Parliamentary Affairs**  
**30 January 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.

For more information contact:

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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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