



# Submission to the Westminster Commission Inquiry into the Sustainability of Legal Aid

## Introduction

1. We are pleased to make this submission to the Westminster Commission Inquiry into the Sustainability of Legal Aid, supported the All Party Parliamentary Group (APPG) on Legal Aid and the Legal Aid Practitioners Group (LAPG). This is an important initiative which, combined with the accompanying legal aid survey, will provide valuable insight into the legal aid sector, its important role in delivering access to justice, and help shape a roadmap for the future. Some of the issues in this submission we have covered in greater detail in our submission to the LASPO post implementation review,<sup>i</sup> and, in advance of the review, in a joint memo of stakeholders to the Justice Select Committee (JSC),<sup>ii</sup> as well as in a submission to the JSC's more recent inquiry into the future of legal aid.<sup>iii</sup>

## About LawWorks

2. LawWorks is the operating name of the Solicitors Pro Bono Group, an independent charity which provides a range of projects and brokerage services to bring together lawyers and law students who are prepared to give their time without charge with individuals and community groups in need of legal advice and support. Supported by the Law Society of England and Wales, our work includes:
  - Supporting a network of around 300 independent legal advice clinics hosted through law schools, advice agencies and other non-profit partnerships across England and Wales;
  - Brokering pro bono legal advice for small not-for-profit organisations;
  - Running 'secondary specialisation' bespoke pro bono casework and representation projects;
  - Developing new online platforms for facilitating and delivering pro bono online such as our Free Legal Answers website and a new pro bono portal (in partnership with Justice Connect in Australia);
  - Providing training and resources for individuals, firms and in-house teams undertaking pro bono, and celebrating excellence in pro bono through our annual awards;
  - Collaborating with others in the legal support sector, for example: as partners with the Litigants in Person Support Strategy (LIPSS), engaging across the legal profession, and providing a 'policy voice' for pro bono.
3. LawWorks is also a membership body for firms, in-house teams and other organisations that engage in legal pro bono work.

## Legal Aid and pro bono

4. A key issue for LawWorks is about the role of pro bono in access to justice, and the relationship between pro bono and legal aid. We emphasise and restate our position, supported by successive Law Officers and leaders of the legal professional bodies, that pro bono should not and *cannot* replace a properly functioning legal aid system or fill the vacuum in response to unmet need left by significant reductions in public funding for the free legal advice sector over the past decade. Nor should it be expected to do so. As the professional bodies joint pro bono protocol says:-



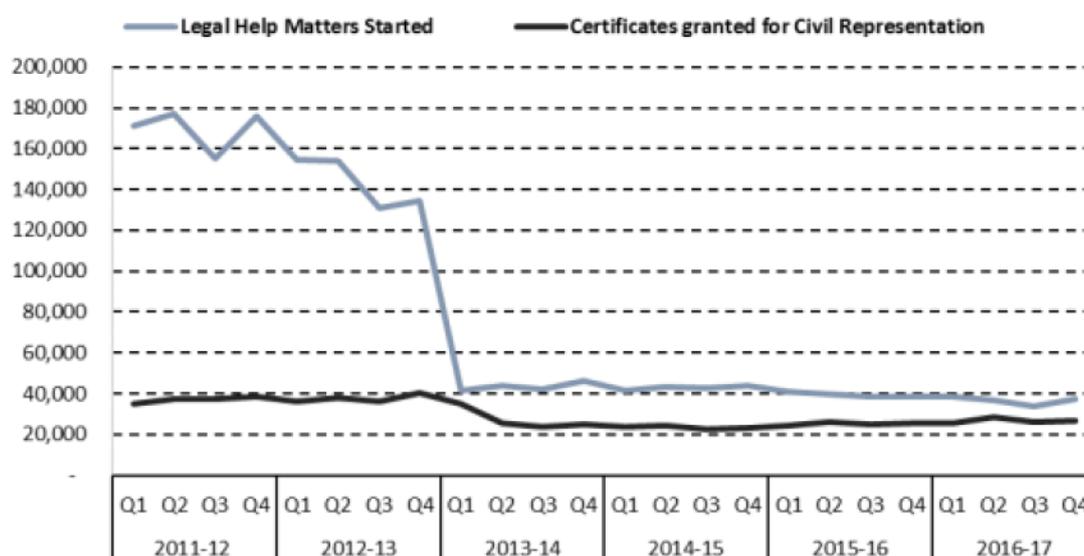
*Pro Bono Legal Work is always only an adjunct to, and not a substitute for, a proper system of publicly funded legal services.<sup>iv</sup>*

5. Pro bono does, however, make an important additional contribution to enabling and improving access to justice, and can provide a space for innovation, new approaches to delivery, growth of corporate social responsibility (CSR) and opportunities for law firms, individual lawyers, law schools and students to develop their skills and engage in civil society. For example, many pro bono clinics are supported by law students who gain valuable skills, experience and social awareness as well as contributing to free legal advice provision – see LawWorks’ most recent ‘Law School Pro Bono and Clinic Report’.<sup>v</sup>
6. It is also important to note that given issues of specialisation within the professional legal sector, only a proportion of legal pro bono work is devoted to social welfare and family law. Key areas of pro bono activity, such as providing legal support to NGOs, civil society and not profit organisations - for example, through LawWorks Not for Profits Programme<sup>vi</sup> - are areas of work that have never been within the scope of publicly funded assistance, and nor are they likely to be.
7. Importantly, pro bono does not operate in a vacuum and needs an infrastructure to flourish and to be effective, including through a strong network of community legal advice agencies. Cuts to funding for, and the retrenchment of, Law Centres and community advice organisations, and the scaling back of legal aid contracts, not only reduces the legal services delivered by those organisations themselves, but also the valuable contribution and impact of pro bono. Pro bono works best in partnership; many clinics registered on the LawWorks clinics network are hosted by Law Centres and advice agencies, supplementing their existing generalist and specialist advice provision.
8. Across the clinics network we encourage clinics to identify where clients may be eligible for legal aid and to refer appropriately to local legal aid providers. LawWorks training programme and resources for clinic volunteers include sessions and tools about what’s in scope of legal aid, financial eligibility, and the gateway for accessing legal aid. The Law Society have also published a useful “*Legal Aid Guide for Pro Bono Clinics: A guide to what is in scope of the Legal Aid Scheme for solicitors.*”<sup>vii</sup>
9. One issue that has been raised by this Commission is the pro bono or unremunerated work that takes place at the ‘margins’ of legal aid, i.e., casework that is related to legal aid clients though not remunerated under the current contracting system, but may still be necessary to do in order to provide a holistic service to clients. Work on applications for exceptional legal aid funding (ECF), for example, is not remunerated, although work undertaken for clients after ECF has been secured is. Working with the Public Law Project (PLP) we have encouraged the development of ECF clinics as this is one way that pro bono can support the legal aid system, and help clients to access legal aid – addressing a longstanding policy issue with the ECF system that it is underused and underclaimed.<sup>viii</sup> However, by contrast for work that should ordinarily be undertaken for a legal aid client by a legal aid practitioner as part of legally aided ‘matter start’, but is instead done additionally on an unremunerated basis, this is not what we would consider as pro bono as it potentially undermines the distinction between pro bono and publicly funded work.

## Legal Aid Supply and pro bono demand: the impact of LASPO

10. Legal aid policy has evolved and changed significantly over the past few decades, but by far the most important policy change over recent years has been the implementation of the Legal Aid, Punishment and Sentencing of Offenders Act 2012 (LASPO). The most significant impact of LASPO has been in the area of access to early legal advice, especially in social welfare law, tribunal procedures and family breakdown matters. The scope of civil legal aid was significantly narrowed, so that it is no longer available for most private family, housing, debt, welfare benefits, employment, immigration and clinical negligence matters; financial eligibility was also narrowed, and civil legal aid fees reduced.
11. These changes severely impacted on the supply and availability of free legal help, especially for access to advice delivered through the private practice and the not-for-profit sectors. The amount of legal aid provided for both advice and representation has reduced significantly since LASPO came into effect; the number of cases where legal aid was provided for initial advice fell by more than 75 per cent compared with pre-LASPO levels, and the number of grants for legal aid for representation fell by 30 per cent in the first year of LASPO implementation. The number of civil legal aid providers also nearly halved, falling from 4,253 providers in 2011-12 to 2,824 in 2017-18, including solicitor firms and not-for-profit organisations. The Ministry of Justice's own memo captures how stark the reduction in publicly funded legal help has been in the immediate years following LASPO (see figure 6 reproduced below).<sup>ix</sup>

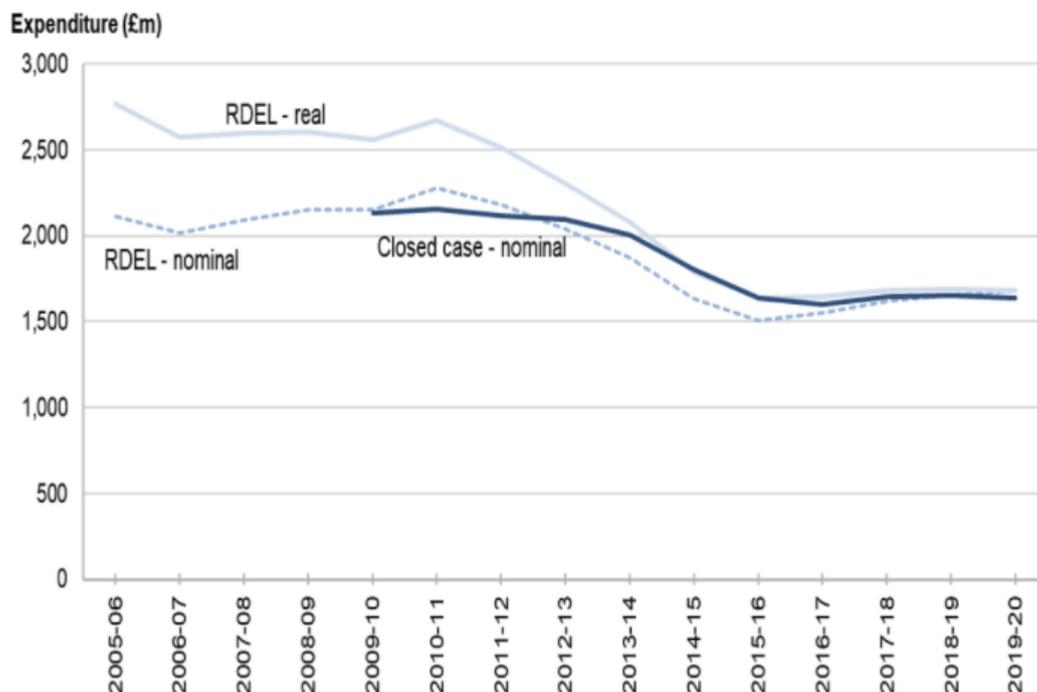
**Figure 6: Civil legal aid workload summary, legal help and civil representation 2011–12 to 2016–17**



Source: Legal Aid Statistics, January to March 2017

12. At the same time there has also been a reduced workload in criminal legal aid. If one looks at the main budgeting measure used by government to control current spending, the Governments' legal aid statistics show that expenditure has been reducing in real terms since 2005.<sup>x</sup>

**Figure 1: Overall annual legal aid expenditure, by closed-case and RDEL nominal and real terms measures (£m), 2005-06 to 2019-20**



13. There are significant areas of England and Wales where there are ‘advice deserts’ – e.g., a lack of legal aid providers even for the more restrictive provision of legal aid. For example, the Law Society’s analysis of the Legal Aid Agency’s data on housing legal aid showed that that in 2019 almost one third of legal aid areas in England and Wales had one, or no, provider for this area of law, and more recently the Law Society have found that 78% of local authorities in England and Wales do not have a single community care legal aid provider.<sup>xi</sup> Given the size of the legal aid procurement areas, failure to ensure an adequate minimum level of provision cuts-off access to vital support. There are also fewer specialist lawyers and caseworkers in some areas of social welfare law, making the sustainability of legal aid supply more difficult.
14. However, as numerous studies have demonstrated, there is growing unmet legal need. There is also a significant body of evidence that civil legal and family law problems, or the inability to resolve them, can have wider social and economic costs, including for the criminal law system and the NHS. We evidenced this in our submission to the LASPO post implementation review.<sup>xii</sup> The post implementation review and the resulting legal support action plan both recognise that there are significant gaps in provision. It therefore follows that here has been a growing role for the pro bono sector, but that does not mean that pro bono can provide a solution to unmet need. Year on year we have seen an increase in demand across the network of independent pro bono clinics that LawWorks supports:

- Between April 2014 and March 2015, there were 43,000 individual enquiries at clinics in the period, between April 2015 and March 2016, there were 53,000 individual enquiries, a 24% increase, and between April 2016 and March 2017 58,000 enquiries at clinics in the period, 10% increase on the previous year.<sup>xiii</sup> On average over these years around two thirds of inquiries resulted in pro bono legal advice.
- In 2018 there were over 75,000 recorded inquiries in clinics; advice or other support was given in response to 63% of enquiries, and in 2019 there were over

77,000 recorded inquiries. Of the 70,261 people helped by clinics in 2019, 37,551 clients (53%) received legal advice.<sup>xiv</sup>

15. These figures reflect what capacity there is in the pro bono sector, so we are cautious in interpreting the data we collect from clinics; measures of supply should not be confused with measures of demand, and there are limitations on what data it is possible to collect. What is telling however is to review the existing data about the increased level of pro bono work against the backdrop of the huge decline in legal aid casework - approximately 250,000 less matters dealt with by the civil legal aid system annually than under the pre-LASPO funding arrangements. This illustrates that pro bono cannot fill the gap.

### The LASPO pro bono trap on exceptional funding

16. A particular concern that LawWorks and others have flagged is the “pro bono trap” built into the exceptional funding (ECF) scheme criteria – the scheme that enables legal aid to be obtained for out of scope matters where rights under the European Convention on Human Rights (ECHR), and other applicable international instruments, are engaged. The problem here is that the provision or even perceived availability of pro bono help (whether from a charity or a firm) can on the face of it be relied on for Government to argue that legal aid is not ‘necessary’ for the purposes of Article 6 of ECHR, since effective access to justice could be assured through other means<sup>xv</sup>. Such arguments were put by the Government in the *Gudanaviciene* case where the potential availability of free legal help, given on a voluntary basis, through Islington Law Centre, was used as one of the reasons for refusing legal aid.<sup>xvi</sup> Although the Legal Aid Agency’s ECF guidance does not specifically reference pro bono, it does flag that whether “*an individual received prior assistance from a lawyer*” is a factor that can be taken into consideration in determining access to ECF funding for a legal matter
17. We believe that it is important that any perceived disincentive for providers of pro bono assistance should be removed perhaps by introducing a provision, equivalent to that in Germany, within LASPO or its successor legislation, clarifying that the availability or potential availability of free legal services on a voluntary basis should be disregarded when considering whether the provision of legal aid is ‘necessary’ or ‘appropriate’ (see section 10(3) LASPO) under exceptional funding criteria. Germany’s legal aid legislation was specifically amended in 2014 to clarify that “*the ability to consult a lawyer for free or on a CFA cannot be an “alternative option for assistance.”*<sup>xvii</sup> This approach would be consistent with the Government’s stated position that pro bono should not be seen as a replacement for legal aid. Some players in the pro bono sector have indicated that without this unambiguous clarification, the perceived trap can be a disincentive to developing new pro bono projects.

### Feedback from pro bono clinics on impact of LASPO

18. In collecting evidence for the LASPO review LawWorks undertook a survey of clinics about the impact of the funding reforms. Those responding said it had become harder to refer clients to legal advice providers, and that there was also an increase in litigants in person. Comments from the survey included:
  - *The greatest impact has been in relation to the removal of legal aid funded workers from the local Citizens Advice service and Law Centre; there are now so few case workers available in areas such as welfare benefits, housing, debt and employment.*

- *It has added immense pressure to an already strained service. With no or very limited access to legal aid, many clients are left with the daunting issue of being litigants in person or just giving up the fight without access to justice.*
- *Not only a decrease in number of people receiving representation, but [a] breakdown in referral systems for complex problems because of a lack of legal help. Often we have clients who think there is no legal aid available at all any more, even when it might be possible for them in their case.*
- *We are unable to provide advice in certain areas of law, such as welfare benefits, immigration and debt, due to the lack of qualified/experienced supervisors in these areas. As a result of LASPO, and the reduction in specialist case workers in the voluntary sector, it is becoming increasingly difficult to refer people seeking help in these areas.*
- *The perfect storm of LASPO, welfare benefits cuts, increasing indebtedness and reduction in [area X] of the number of firms doing legal aid work has made for a very hostile environment for anyone seeking access to justice & equality. The NfP sector in [area X], in partnership with the private sector, is working hard to meet demand but ultimately we cannot run services on a neutral cost basis, and the short termism of the funding regimes place added planning and bureaucratic burdens on an overstretched sector.*

### Pro bono and the legal aid profession

19. We have already emphasised above that pro bono should not be considered as a replacement for legal aid; a fair system of public funding is necessary to support both access to justice and the rule of law. So it is concerning that all the trends show that there are fewer lawyers entering the legal aid field and increasing numbers of firms forced to either taking private work to remain commercially viable (often subsidising the remaining legal aid work) or leaving the legal aid sector entirely. Legal Aid Agency (LAA) figures show a sharp decrease in the number of organisations delivering legal aid over the last decade<sup>xviii</sup>; there has been a decline in those willing to take on or retain LAA contracts; challenges in recruiting and retaining staff, and lack of resources to invest in technology, development and new ways of working whilst keeping up with the heavy toll of compliance with LAA requirements. At the same time there has been a growing disparity between legal aid fee levels and the cost of delivering services, adding to concerns about the security and sustainability of the legal aid workforce.
20. Engaging in pro bono work programmes targeted to areas of unmet legal need in the community not well serviced publicly funded provision, can provide some opportunities for lawyers to develop relevant skills that may be transferable to legal aid practice. It is important to though ensure though that pro bono programmes do not duplicate any existing legal aid provision, a point strongly emphasised by the Law Society's Pro Bono Manual.<sup>xix</sup> There are many reasons why lawyers undertake pro bono work and motivations for firms, organisations and individual to get involved in pro bono will vary. Some will be driven by pure altruism and others will see pro bono as a means to develop professional and inter-personal skills, or a combination of both. There is both a moral and business case for pro bono.<sup>xx</sup>
21. When it comes to using pro bono to develop skills, an important issue to consider here is the role of the legal education training system and, in particular, the impact that the introduction of the Solicitors Qualifying Exam (SQE) is likely to have on the sector. Alongside other stakeholders we have voiced some concerns that social welfare law and practice is entirely absent from the SQE assessment framework, although it may be that opening up the qualifying work experience element (QWE) to

assisting in pro bono clinics can offer opportunities to learn relevant skills for legal aid practice.<sup>xxi</sup>

### **The impact of Covid-19 on legal aid services and clients**

22. The immediate impact of Covid-19 on legal aid was a significant downturn in legal aid work, as some court and tribunal jurisdictions stopped taking new claims whilst others shifted to remote hearings, telephone hearings and/or decisions on the papers. As has been noted by several inquiries/reports, one of the challenges of HMCTS rapid switch to online/remote procedures has been timely communications with legal representatives. There has also been reduced workload in the criminal courts. Secondly legal aid has been affected by the policy environment. The stay on housing repossessions, the furlough scheme, the suspension of reassessments for disability benefits, the uplift in Universal Credit, and the package a measured from the FCA on consumer debt were amongst the key policy interventions to help people deal with their personal legal and financial circumstances. Whilst welcome as policy interventions, these have also impacted on legal aid caseloads. With courts and other parts of the justice system running a reduced service, legal aid statistics showed large decreases compared to the same quarters in previous years.<sup>xxii</sup>
23. A common challenge raised by many advice providers, including legal aid providers has been that of “the disappeared”: a significant cohort of clients often from vulnerable, digitally excluded or shielded groups who have not accessed legal advice, or disengaged from service use. A concern is that it may be difficult for people to re-engage, but it does not mean that their needs are any less pressing.
24. Overall evidence of the impact of Covid on legal need, for example from the Legal Services Board’s (LSB) coronavirus impact dashboard tracker,<sup>xxiii</sup> suggests that whilst some categories of legal need (e.g., consumer and housing) have been down, demand for employment advice has significantly increased, incidents of domestic violence have increased, and there are more people claiming and needing advice on benefits issues. Overall this suggests it is some of the out of scope areas that have seen increased demand, or areas where additional interventions may be needed (eg Domestic Violence).
25. These factors, exacerbating an already difficult situation for legal aid providers, have left many legal aid practices struggling in the short term and has affected business planning. For the non-profit sector (e.g., Law Centres) there was some increased financial support through the Community Justice Fund, however it has been harder for the private practice sector to replace lost income. As noted by the Justice Select Committee, the Legal Aid Agency’s response of offering payments on account has not in itself been sufficient.<sup>xxiv</sup>
26. As regards clients, different groups have been impacted differently. We would recommend that the Committee consider the findings of the Law Society’s report – *Law under lockdown: The impact of COVID-19 measures on access to justice and vulnerable people*.<sup>xxv</sup> This draws particular attention to the impact of Covid-19 restrictions has had on access to legal advice and representation for those living in institutionalised settings such as mental health units, immigration detention centres, youth offender institutions and prisons.
27. LawWorks have been working collaboratively with many legal and advice sector representatives as part of regular roundtable meetings, bringing together organisations from the voluntary and legal sectors, including funders, with a common purpose to discuss and address the issues, challenges and legal needs raised by the pandemic.<sup>xxvi</sup> Service providers had to adapt very quickly to remote working, which involved many challenges, from IT to data protection and collection, and wellbeing of the workforce, and then re-adjust again to re-introducing some face to face capacity

after risk assessments and ensuring that premises and processes are Covid-19 secure.

### **The impact of the court reforms and the increasing use of technology for legal aid services and clients**

28. LawWorks are supportive of harnessing new technology in the access to justice sector, including for legal aid work. However, technology is not a magic bullet. Given the levels of digital exclusion in the population, it is also vitally important for HMCTS to deliver or enable “assisted digital” support for the new online processes and portals. The problem of digital exclusion is very real and can be an aspect of vulnerability. Over 4 million people in the UK have never used the internet and at least a further six million adults lack basic digital skills, such as being able to complete online forms or locate relevant websites (ONS data).<sup>xxvii</sup>
29. On the court reform programme in general, we would point to our evidence to the Justice Select Committee’s previous inquiry into this issue.<sup>xxviii</sup> Whilst we have welcomed many of the reforms – including an online money claims resolution process proposed by Lord Justice Briggs’ review of the civil courts - we have highlighted that online and digitised procedures cannot wholly compensate for long-term underinvestment in courts and tribunal facilities and operations. This has led to IT failures, a crumbling courts estate with increasing travel distances for litigants, and delays to cases being heard.

### **Procurement, governance and the role of the Legal Aid Agency**

30. We note that as Government are revisiting issues around public services procurement following a recent Green Paper,<sup>xxix</sup> there may be opportunities to stress the social value of legal aid, and achieve a better procurement system for publicly funded legal and advice services. Ever since Government moved to a contacting model of legal aid supply, procurement of legal aid contracts (both from private firms and third sector organisations) has been a contested area of policy and practice. The regimes for procurement of criminal and civil legal aid differ significantly, but there are some common threads. From the Carter Review of legal aid procurement (2006)<sup>xxx</sup> onwards there has been a policy push, by Labour, Conservative and Coalition administrations, to introduce elements of price competitive tendering into the procurement regime. This approach has been subject to several legal challenges and has repeatedly been shown to be inappropriate in terms of servicing the client base (i.e., vulnerable people, and those in the criminal justice system), and supporting quality and market sustainability for these specialist areas of practice.
31. Achieving a more sustainable procurement model should be given greater attention in debates over the future of legal aid, addressing issues of sustainability across the sector. After a decade of spending reductions on legal aid and low rates of remuneration, the sustainability of the legal aid supplier base – which includes small and medium firms (SMEs), the junior bar and third sector advice organisations - has been significantly eroded when it comes to publicly funded work. More recently, the pandemic has had an especially adverse impact on the usual supply and demand cycle, given the impact on the operation of courts and the challenges for legal aid practitioners in working remotely with often vulnerable clients (see paras 21-28 above). There has also been an ongoing issue about the level of bureaucracy involved in the administration of legal aid contracts. For civil legal aid, complex rules around scope and eligibility have added to the burdens on suppliers and detracted from the service and outcomes for clients.
32. We therefore hope that as part of this exercise of rethinking procurement, greater consideration can be given to the need to build long term sustainability and resilience in the legal aid market, recognising the intrinsic social value and commitment to

access to justice and the rule of law that the supplier base provides. To support sustainability, it may be appropriate to look at lighter touch procurement and commissioning approaches. LawWorks also commented in our response to the Green Paper on procurement concerning the procurement of legal services more widely across Government, especially those that are commercially secured for the purposes of Government business.<sup>xxxix</sup> Our response highlights how a social value approach could work in practice, drawing from best practice in other jurisdictions.

33. In respect of governance issues, under LASPO, the governance and administration of legal aid was subsumed (through the Legal Aid Agency) into the Ministry of Justice. The Bach Report (Commission on Justice, Fabian Society, 2017),<sup>xxxix</sup> the Legal Action Group (LAG) and others have all made strong and persuasive arguments that the oversight of the legal aid system needs a greater degree of independence from central Government, both to protect the transparency of decision making, but to ensure that the system does not become overly centralised and bureaucratic.

### A strategy for sustainability

34. There is a challenge about the essential sustainability of the whole system of legal aid and support. Discussions with the Ministry of Justice through recent cross-sector roundtables<sup>xxxix</sup> suggest that there is an awareness of this, which we hope will include being open to a more comprehensive review of policy options, recognising the important value that the sector brings not only to assisting vulnerable people, but in relieving some of the strain on public services. Covid-19 has had immediate and short-term impacts; the longer-term economic impact on personal debt, employment, income and housing security is of concern for the whole sector.
35. A wide range of stakeholders believe there is a strong case for investing in more preventative strategies focussed on early advice, information and public legal education in a manner that complements reforms to the way that our justice system works, from tribunals to the family courts. Partnership approaches are needed which support integration, recognising, in the words of the Low Commission, that there is “a continuum including public legal education, informal and formal information, general advice, specialist advice, legal help and legal representation.”<sup>xxxix</sup>
36. The Legal Support Action Plan publishing following the LASPO post-implementation review, was a good starting point but more needs to be done. It set out a welcome commitment to enhance the support offered to litigants in person – including ‘assisted digital’ support - and to improve access to early legal advice and support and the sector’s use of technology. We cannot overstate the importance of the Government delivering on this agenda. Alongside this there are the important recommendations of the Briggs review for developing online dispute resolution, and making public legal education and improved information about rights and the civil justice system, a mainstreamed strand of court reform programmes and legal support provision. We also welcome that the Government has commissioned an Independent Review of Criminal Legal Aid,<sup>xxxv</sup> and has also committed to looking again at issues around eligibility and the civil means test.
37. However, to address the longer term challenges for legal aid and access to justice, some of the fundamental policy issues around scope and eligibility will need revisiting, partnership working needs to be embedded, and administrative reforms are needed to achieve a procurement system that is far less burdensome and bureaucratic for commissioners, providers and clients alike.

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## Endnotes

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- <sup>i</sup> <https://www.lawworks.org.uk/about-us/news/lawworks-submission-laspo-implementationreview>
- <sup>ii</sup> <https://www.lawworks.org.uk/about-us/news/new-justice-select-committee-memo-laspo-review>
- <sup>iii</sup> <https://www.lawworks.org.uk/solicitors-and-volunteers/resources/future-legal-aid-submission-justice-select-committee>
- <sup>iv</sup> <https://www.lawworks.org.uk/why-pro-bono/what-pro-bono/pro-bono-protocol>
- <sup>v</sup> <https://www.lawworks.org.uk/solicitors-and-volunteers/resources/lawworks-law-school-pro-bono-and-clinics-report-2020>
- <sup>vi</sup> <https://www.lawworks.org.uk/solicitors-and-volunteers/get-involved/not-profits-programme>
- <sup>vii</sup> <https://www.lawsociety.org.uk/topics/pro-bono/legal-aid-for-pro-bono-clinics>
- <sup>viii</sup> <https://www.lawworks.org.uk/solicitors-and-volunteers/resources/ecf-exceptional-funding-resources>
- <sup>ix</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/655971/LASPO-Act-2012-post-legislative-memorandum.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/655971/LASPO-Act-2012-post-legislative-memorandum.pdf)
- <sup>x</sup> <https://www.gov.uk/government/statistics/legal-aid-statistics-july-to-september-2020/legal-aid-statistics-england-and-wales-bulletin-jul-to-sep-2020>
- <sup>xi</sup> <https://www.lawsociety.org.uk/policy-campaigns/campaigns/access-to-justice/end-legal-aid-deserts/>
- <sup>xii</sup> <https://www.lawworks.org.uk/about-us/news/lawworks-submission-laspo-implementationreview>
- <sup>xiii</sup> <https://www.lawworks.org.uk/about-us/news/lawworks-clinics-network-report-year-march-2018>
- <sup>xiv</sup> <https://www.lawworks.org.uk/solicitors-and-volunteers/resources/lawworks-clinics-network-report-2019>
- <sup>xv</sup> <http://legalvoice.org.uk/disabling-the-trap-pro-bono-and-exceptional-case-funding/>
- <sup>xvi</sup> See R Gudaviciene and others) [2014] EWCA Civ 1622, at 166). <https://www.judiciary.uk/wp-content/uploads/2014/12/gudaviciene-ors-v-dir-of-legal-aid.pdf>
- <sup>xvii</sup> <https://www.gesetze-im-internet.de/berathig/BJNR006890980.html>
- <sup>xviii</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/89508/8/legal-aid-statistics-bulletin-jan-mar-2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/89508/8/legal-aid-statistics-bulletin-jan-mar-2020.pdf)
- <sup>xix</sup> <https://www.lawsociety.org.uk/topics/pro-bono/pro-bono-manual>
- <sup>xx</sup> <https://www.lawworks.org.uk/solicitors-and-volunteers/resources/business-case-pro-bono>
- <sup>xxi</sup> <https://www.lawworks.org.uk/solicitors-and-volunteers/resources/briefing-new-route-qualification-solicitors>
- <sup>xxii</sup> <https://www.gov.uk/government/publications/legal-aid-statistics-quarterly-april-to-june-2020/legal-aid-statistics-england-and-wales-bulletin-april-to-june-2020>
- <sup>xxiii</sup> [https://www.legalservicesboard.org.uk/coronavirus\\_impact](https://www.legalservicesboard.org.uk/coronavirus_impact)
- <sup>xxiv</sup> <https://committees.parliament.uk/publications/2227/documents/26119/default/>
- <sup>xxv</sup> <https://www.lawsociety.org.uk/topics/research/law-under-lockdown-the-impact-of-covid-19-measures-on-access-to-justice-and-vulnerable-people>
- <sup>xxvi</sup> <https://www.lawworks.org.uk/about-us/news/legal-and-advice-sector-response-covid-19-pandemic>
- <sup>xxvii</sup> <https://www.ons.gov.uk/peoplepopulationandcommunity/householdcharacteristics/homeinternetandsocialmediausage/articles/exploringtheukdigitaldivide/2019-03-04>
- <sup>xxviii</sup> <https://www.lawworks.org.uk/solicitors-and-volunteers/resources/courts-modernisation-justice-select-committee-inquiry>
- <sup>xxix</sup> <https://www.gov.uk/government/consultations/green-paper-transforming-public-procurement>
- <sup>xxx</sup> <https://discovery.nationalarchives.gov.uk/details/r/C16979>
- <sup>xxxi</sup> <https://www.lawworks.org.uk/solicitors-and-volunteers/resources/lawworks-responds-government%E2%80%99s-green-paper-transforming-public>
- <sup>xxxii</sup> <https://fabians.org.uk/a-fair-access-to-justice/>
- <sup>xxxiii</sup> <https://www.lawworks.org.uk/about-us/news/legal-and-advice-sector-response-covid-19-pandemic>
- <sup>xxxiv</sup> <https://www.lag.org.uk/article/202491/low-commission-reports-on-the-future-of-advice-and-legal-support>
- <sup>xxxv</sup> <https://www.gov.uk/government/groups/independent-review-of-criminal-legal-aid>