



LawWorks Clinics Roundtable

Policy voice and LASPO Review

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Policy Voice for Pro Bono

- Link policy and pro bono practice
- Work with Parliamentarians through the All Party Parliamentary Group
- Respond to calls for evidence/consultations from Government and regulators
- Use evidence and expertise from clinics and pro bono networks to make the case for policy change
- Work collaboratively across the sector (eg with the LIPS strategy) on cross-cutting legal/justice policy issues)





Current policy issues and engagement

- LASPO (Legal Aid) Review (re access to justice)
- Courts modernisation and digitisation
- Regulation and training of solicitors (SRA Handbook & the SQE) in wider legal services market
- Employment rights (gig economy), welfare rights, immigration, housing, children & PLE
- Civil society





LASPO: Thinking Cap



What can the clinics network do to shape the review and the access to justice agenda?





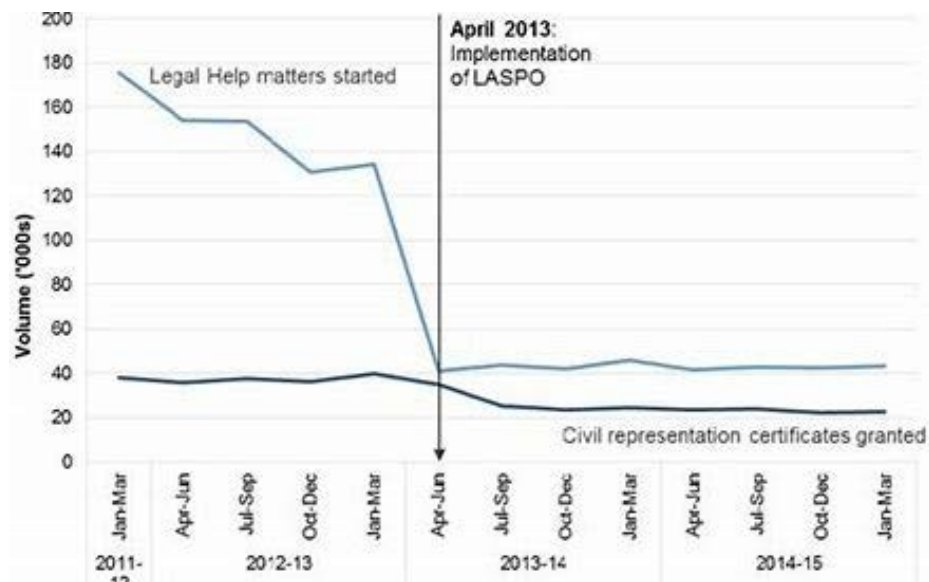
Background

- Legal Aid, Sentencing and Punishment of Offenders Act 2012 **Part 1 (Legal Aid)** – came into effect April in 2013
- Scope (Schedule 1) – immigration, family, debt and benefits
- Governance and administration
- Eligibility
- Fees and remuneration
- Exceptional funding
- To review – 3-5 years post-implementation



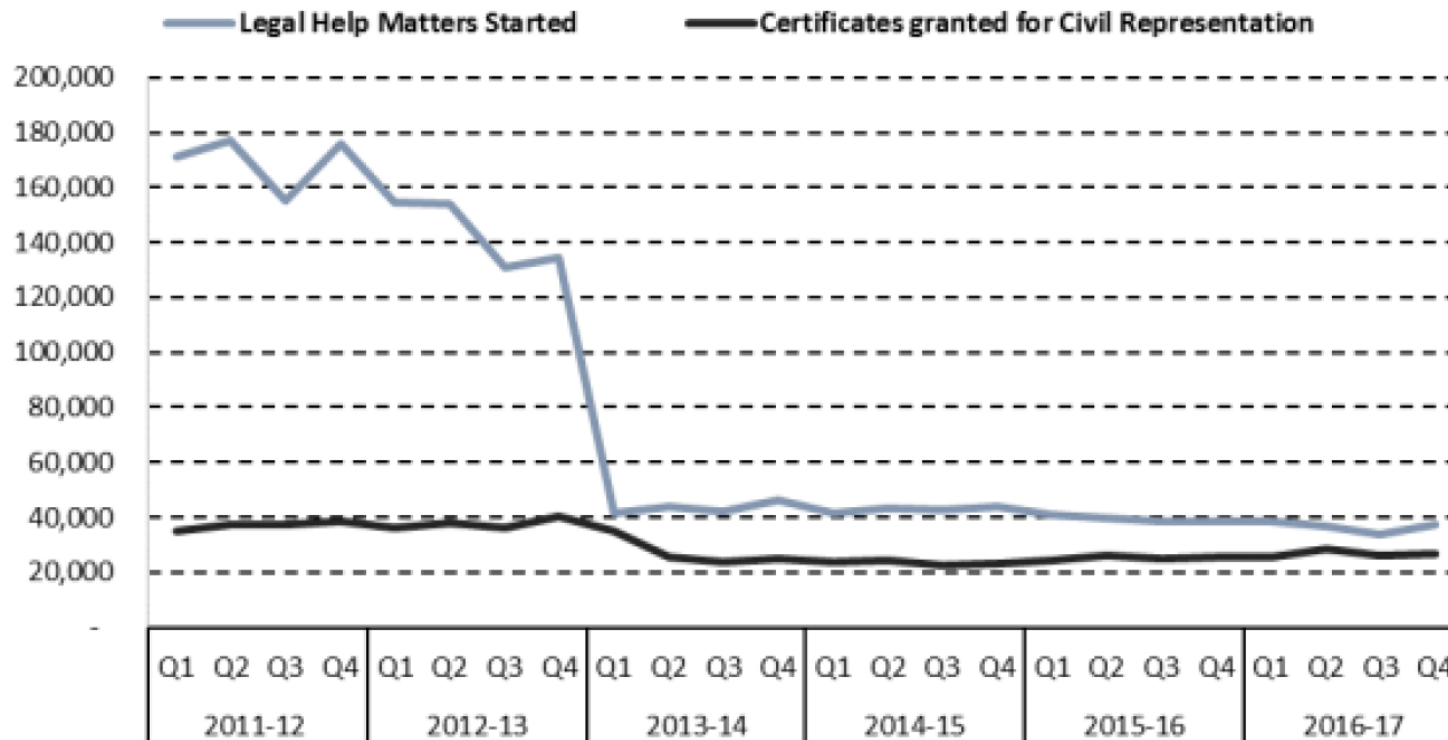


Implementation – what happened?



Flatline

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





Impact on pro bono & Clinics



LAWWORKS CLINICS NETWORK REPORT APRIL 2016 - MARCH 2017

ANALYSIS OF PRO BONO
LEGAL ADVICE WORK BEING
DONE ACROSS THE LAWWORKS
CLINICS NETWORK BETWEEN
APRIL 2016 AND MARCH 2017

LAWWORKS, DECEMBER 2017

- 43,000 individual enquiries at clinics in the period between April 2014 and March 2015, a 55% increase on the previous year
- 53,000 individual enquiries at clinics in the period between April 2015 and March 2016, a 24% increase on the previous year
- 58,000 individual enquiries at clinics in the period between April 2016 and March 2017, a 10% increase on the previous year;





The Review “PIR”

By Monidipa Fouzder | 18 January 2017



7 Comments



The government has set the ball rolling on the long-awaited review of its controversial legal aid reforms, the Ministry of Justice has announced.

Justice minister Sir Oliver Heald told an all-party parliamentary group meeting in Westminster yesterday evening that the government 'now considers enough time has passed for the reforms to have bedded in for us to begin the review process'.

The government had promised a review of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) by April 2018. The act, which came into force in April 2013, removed vast swaths of law from the scope of legal aid.

Heald told the meeting that the ministry plans to submit a post-legislative memorandum on LASPO 'as a whole' to the justice select committee. This process has to be done by May but Heald said the ministry hopes to do it before then. He added that the memorandum will cover the whole act, including part one.

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Government Terms of Reference

- To discourage unnecessary and adversarial litigation at public expense;
- To target legal aid at those who need it most;
- To make significant savings to the cost of the scheme; and
- To deliver better overall value for money for the taxpayer

The aim of the PIR will be to assess the impact of this set of policies against the aforesaid objectives





Pre-emptive strike

**Post implementation review
of the Legal Aid, Sentencing
and Punishment of Offenders
Act 2012.**

**Memorandum to the Justice
Select Committee (JSC).**

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**Law
Centres
Network**



the access to
justice charity



Project for the Registration
of Children as British Citizens



for better mental health

advice UK



PERSONAL SUPPORT UNIT

justrights



Championing advice and counselling

coram clic
Children's Legal Centre



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Government Memo

Legal Aid, Sentencing and Punishment of Offenders Act 2012: Post-Legislative Memorandum

Submitted to the Justice Select Committee
on 30 October 2017

Presented to Parliament
by the Lord Chancellor and Secretary of State for Justice
by Command of Her Majesty





Justice Committee responds



Justice Committee

House of Commons London SW1A 0AA
Tel 020 7219 8196/8198 Email justicecom@parliament.uk
Website www.parliament.uk/justicecttee

The Right Hon David Gauke MP
Secretary of State for Justice
Ministry of Justice
102 Petty France
London
SW1H 9AJ

20 March 2018

Post-implementation review of LASPO Act 2012

I would first like to take this opportunity of formally thanking you for your letter of 6 March informing us of your plans for the engagement phase of the Post-implementation review of the LASPO Act 2012, and enclosing the terms of reference for the review's evidence gathering exercise. It was very helpful to have this information to hand ahead of the evidence session on 7 March 2018.

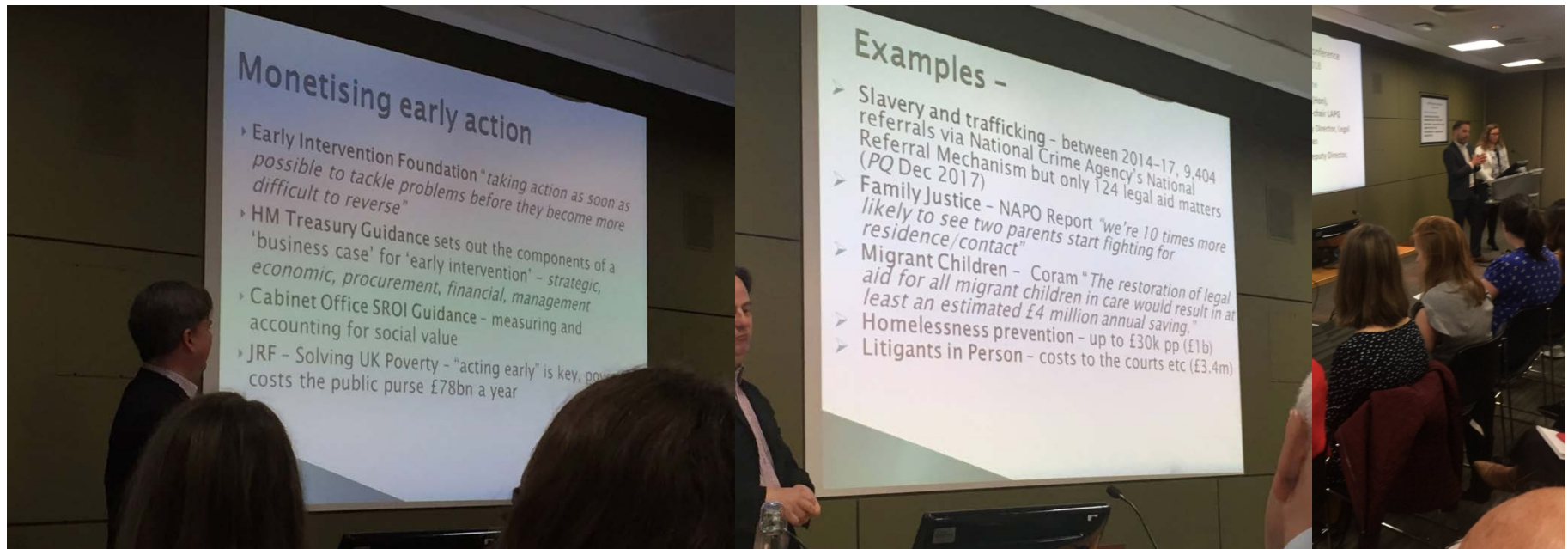
- Access to justice as “fundamental pillar”
- Online justice welcome but “digital only2 processes exclude
- Need for early intervention
- Rigorous evidence needed – MoJ should commission (eg on on-costs to the state etc)



RIP Process

- Consultative Groups
 - Crime
 - Family
 - Civil
 - Advice Sector
- Written Submissions – September
- Completion/publication - December





Monetising early action

- ▶ Early Intervention Foundation "taking action as soon as possible to tackle problems before they become more difficult to reverse"
- ▶ HM Treasury Guidance sets out the components of a 'business case' for 'early intervention' - strategic, economic, procurement, financial, management
- ▶ Cabinet Office SROI Guidance - measuring and accounting for social value
- ▶ JRF - Solving UK Poverty - "acting early" is key, costs the public purse £78bn a year

Examples -

- ▶ Slavery and trafficking - between 2014-17, 9,404 referrals via National Crime Agency's National Referral Mechanism but only 124 legal aid matters (PQ Dec 2017)
- ▶ Family Justice - NAPO Report "we're 10 times more likely to see two parents start fighting for residence/contact"
- ▶ Migrant Children - Coram "The restoration of legal aid for all migrant children in care would result in at least an estimated £4 million annual saving."
- ▶ Homelessness prevention - up to £30k pp (£1b)
- ▶ Litigants in Person - costs to the courts etc (£3.4m)

LAPG, LawWorks, LAG, Law Centres network and others: Review Conference



Research – your help

- Clinics LASPO survey

www.surveymonkey.co.uk/r/7RX8JP8



Issues to consider

- Legal versus policy problems
- eg. The Windrush Generation
- Early intervention – what does that look like
- Sector wide collaboration
- Funding – only potential for modest increase – how do we make the justice funding pot go further

