

# LEGAL AND ADVICE SECTOR ROUNDTABLE: POLICY CHALLENGES AND RESPONSES

July 14<sup>th</sup>

Breakdown by areas of social welfare law:  
Covid-19 and beyond

# WELFARE BENEFITS

- This month [July] Job Centres start reopening and key protections end
  - Return of 'claimant commitment' rules, conditionality, and sanctions
  - 'Review and renewal activity' resuming for PIP/DLA (but not f-2-f assessments)
  - Recovery of overpayments and social fund loans
- Those 'shielding' as clinically extremely vulnerable will not be eligible for statutory sick pay from August.
- UC claimant numbers have over **doubled** since Covid but more families are being affected by the benefit cap. NAO Report highlights impact of late UC payments, claimants with more complex needs are 'slipping through the net.'
- Some groups face disproportionate impacts: young adults/students, families with more than 2 children, disabled people.

# DEBT

- Estimated £6b household debt since coronavirus (Step Change)
- Face-to-face bailiff collection/enforcement to recommence on August 23<sup>rd</sup>
- Govt review of public sector debt collection & management (Fairness in government debt management: a call for evidence)
- FCA protections – some key consumer protections extended till October

# HOUSING

- 230,000 renters (Shelter) at risk of 'Covid-eviction' when government stay of repossessions proceedings comes to an end (23<sup>rd</sup> August)
- Challenges of dealing with possession cases after the stay: Work of the MR working group, CPR Rules Committee & pre-action protocol
- Need for rent reform legislation: Sections 8 and 21, Housing Act 1988
- Covid deaths higher in areas with housing overcrowding, houses in multiple occupation, temp. accommodation and high waiting lists.

# EMPLOYMENT

- Furlough: Flexi-furlough from July, scheme to wind up over autumn (70% wage support in Sept, 60% October)
- Covid has shed light on some 'hotspot' employment rights issues, eg maternity discrimination (see Maria Miller Bill), sweatshops conditions/ Health & Safety, weak protections for contactors/freelancers.
- Predicted return to levels of unemployment not recorded since the 1980s, with labour intensive sectors (hospitality etc) most affected
- New Employment Bill expected (rights and labour market enforcement)
- Reintroduction of employment tribunal fees

# IMMIGRATION

- No recourse to public funds (NRPF) clients & Habitual Residence test issues
- Visa extension schemes winding up end of July
- Windrush compensation
- Immigration Bill (points/skills-based system)
- Brexit, EU settled status, future migration and border infrastructure - more than an elephant in the room



# FAMILY

- Nuffield Family Justice Observatory report significant impacts on child contact arrangements, and families' engagement in family justice system via remote processes.
- Review of Private Law Children Cases to lead to further amendments to Domestic Abuse Bill and Integrated Domestic Abuse Court Pilots.
- 'The Road Ahead' (Pres. of the Family Division); shorter hearings
- Ongoing issues of whether DV funding is reaching frontline

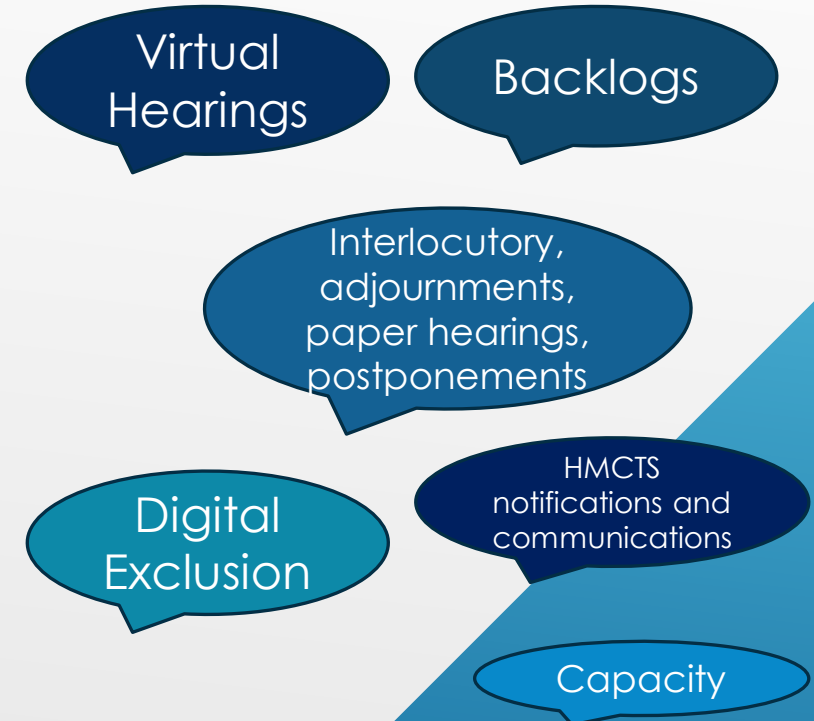
# COMMUNITY CARE

- Care homes impact
- Modification of the Care Act remains in place for up to two years
- Both Local Government & Social Care Ombudsman and Parliamentary and Health Service Ombudsman have resumed complaint handling but there is large backlog



# IMPACT FOR JUSTICE SYSTEM

See House of Lords Constitution Select Committee Inquiry



*“HMCTS is now fully focused on recovering its operation to increase courts and tribunal capacity to deal both with normal workloads across jurisdictions and outstanding cases” Rt Hon Robert Buckland MP, Lord Chancellor*

# ROUNDTABLE ACTION POINTS

