

Sleepless nights

Accessing justice without legal aid

November 2015



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Acknowledgements

We would like to thank all of the research participants in this study, who kindly shared their views and experiences. We would also like to thank Social Policy Association and Linklaters LLP for their support with the report launch.

A special thank you goes to Semih Sapmaz, Peter Cruickshank, Kevin Joseph Wanjohi, Ruth Audu, Kirsty Woodford and Shuhena Khanam for their vital contributions.

This research is one in a series of joint initiatives between Toynbee Hall and Middlesex University:

Toynbee Hall

Toynbee Hall, founded in 1884, is a community organisation that pioneers ways to reduce poverty and disadvantage. It gives some of the country's most deprived communities a voice, providing access to free advice and support services. Toynbee Hall's Free Legal Advice Centre (FLAC) is the longest running free legal advice centre in the world. It helps people from across London to tackle social injustice and improve their lives.

Research and evaluation have been part of Toynbee Hall's work and its identity since the organisation was founded as a University Settlement, which took learning on the issues of the day and used them to find practical solutions and policies 'on the ground'. In 2014, the Information Team was established at Toynbee Hall to focus on research that gives those affected by poverty and exclusion a voice. Our postdoctoral, postgraduate and professional researchers (staff, interns and volunteers) carry out research in a range of areas such as social exclusion, access to services, social networks and wellbeing. For information email: research@toynbeehall.org.uk.

Middlesex University and Social Policy Research Centre

Middlesex University is a London university, with three overseas campuses in Dubai, Mauritius and Malta. Middlesex offers a broad range of courses through its six academic schools of Arts and Design, Media and Performing Arts, Business, Science and Technology, Health and Education and Law.

The Social Policy Research Centre (SPRC) operates within the university's School of Law (www.mdx.ac.uk/sprc), initiating and supporting high quality research of national and international standing. Its researchers use innovative methodologies to undertake research on new and emerging topics within the social sciences, in particular with neglected and marginalised communities, at a local, national and international level. Staff are involved in a wide range of projects funded by research councils, the EU, government departments and the major charities.

Since 2014, Middlesex University's School of Law has been running a Free Legal Advice Centre (LAC) at the Hendon Campus, offering pro bono assistance to the public and members of the University. For information email: MDXLac@mdx.ac.uk.

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Executive Summary

In response to the need for a client-based perspective, Toynbee Hall and Middlesex University conducted primary research to examine the impact of legal aid cuts on people's lived experiences. Based on data from in-depth interviews, survey and two sets of service evaluation data, this research suggests that seeking justice without legal aid is a precursor to sleepless nights - feeling stressed, powerless and unable to get on with life.

Our study shows legal aid cuts have direct and indirect costs to individuals, their families and society as a whole. Some participants who received legal aid support in the past were shocked to find that they are not eligible anymore. Many feel a power imbalance especially when the other side is represented and they are not. It raises the question of whether access to justice is now dependent on people's wealth, ability and knowledge.

In addition, our data suggests there is an impact on mental health among people seeking justice without legal aid. This has been highlighted in our interviewee's narratives and evidenced by the fact that 78% of survey respondents experienced high levels of anxiety. Some participants find themselves less equipped to function as a parent and in work, and this has a negative impact on the lives of their children and family members. Examples of participants repeatedly filling in forms incorrectly and taking months to find a specialist barrister also suggest that legal processes could take longer than necessary involving extra court administration costs.

'a free legal advice services advisor is not just a lawyer but also a friend and counsellor'

Participants emphasise that a free legal advice services advisor is not just a lawyer but also a friend and counsellor. Over half (61%) of the respondents consider free legal advice services as their main support to confide their worries in. Toynbee Hall's Free Legal Advice Centre (FLAC) is highly regarded and considered to be 'an oasis in the desert' and 'completely unique' within free legal advice agencies.

Based on the findings, we recommend that more legal support needs to be in place through re-establishing a wider legal aid programme and providing more funding for free legal advice agencies. Support structures need to be established alongside legal advice, particularly with regards to possible impacts on mental health. Mental health volunteering programmes could provide additional emotional support for service users without greatly increased cost. Further research is also needed especially a larger-scale assessment of the impact of legal aid cuts on individuals.

Introduction

In April 2013, the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) was enforced. This Act aimed to reduce the legal aid budget of £2 billion by £350 million, through cutting entitlement in key areas of family, immigration, employment, housing, debt and benefits law issues (Ministry of Justice, 2012). This legislation is deeply controversial. Since equal access to justice for all members of society is integral to the Rule of Law, senior judicial figures, legal advice providers, professional associations and academics have criticised legal aid cuts for eroding this rudimentary legal principle (see example Bennett, 2014; Caplan, 2014; Neuberger, 2013; Morris and Barr, 2013; Scott, 2014). In September 2015, the Labour party launched a new review into the effects of the cuts (LabourList, 2015) which again draws attention to the crisis.

‘Legal aid cuts have fundamentally impacted the not-for-profit advice sector’

From its inception, LASPO was criticised by the Bar Council for its potential to disproportionately deny poorer people access to justice, with warnings of a two-tier justice system (Bennett, 2014). A dominant theme was anger at misrepresentation of its rationale, as it was sold as a temporary necessity for taxpayers rather than an ideological reform with no plans for repeal (Wilmot-Smith, 2014). This was complemented by concern about unintended impacts, ranging from a radically different legal service provision which excludes the complex cases of people in need, to litigants in person slowing the courts (Bevan, 2013; Bennett, 2014). These trends have further been contextualised by case studies in family (Cobb, 2013; Morris, 2013), housing (Whitehouse and Bright, 2014) and immigration issues (Meyler and Woodhouse, 2013).

Legal aid cuts have fundamentally impacted the not-for-profit advice sector, with which Toynbee Hall is concerned. Several reviews have examined LASPO's impact for this sector within the wider conditions of increasing privatisation and competition. Predictions indicate a more uncertain climate in the sector, with advice provision which is less specialised and professional and with jobs at risk (Sommerlad and Sanderson, 2013; Morris and Barr, 2013; Byrom, 2014; Buck and Smith, 2013).

Many commentators have pinpointed significant illogicality and cost to the cuts, echoed in wider critiques of the austerity regime:

“ Austerity dictates that scarce resources are dedicated to the ongoing crisis, thereby directing resources away from preventative services ... This means that increasingly people are being allowed to drift towards crisis before qualifying for services
(GMCVO 2012:4). ”

The cuts raise questions about the treatment of the vulnerable, who are often multiply deprived, as issues of poverty, health and social capital clustered together (Pleasence et al, 2004). The complexity of clients' problems has led to the principles of civil law becoming deeply and increasingly interwoven with most issues of social agency and basic social welfare (Morris and Barr, 2013).

In a recent report, the House of Commons (2015) notes that while the reforms to civil legal aid had made significant savings in the cost of the scheme, the Ministry of Justice had harmed access to justice and had not met three out of four of its stated objectives for the reforms. These three objectives are to 'discourage unnecessary and adversarial litigation at public expenses', 'target legal aid to those who need it most' and 'deliver better overall value for money for the taxpayer'. The report further recommends that it is crucial the Ministry undertake research to review the current policy (House of Commons, 2015:3-4).

Necessarily, much of the argument so far has been made through surveying and interviewing professionals. A few studies (e.g. Robins, 2011; Sandbach, 2012) were conducted prior to legal aid cuts, which used positive case studies to evidence the benefit of having legal aid. These studies anticipated the range and complexity of impact as the cuts take place and began to move towards a reflection of the vulnerable.

There is therefore a real need for client-based research and this study was conducted in response to the need. We aimed to examine the impact of legal aid cuts on people's lived experiences and find possible solutions to the current challenge.

Uncovering lived experiences: our approach

Using both qualitative and quantitative methods, this study explores people’s lived experience of seeking justice without legal aid. Quantitative data was collected to deliver an overview of people’s needs and experiences. 100 service users at Toynbee Hall’s Free Legal Advice Centre (FLAC) took part in a survey. They varied in terms of age, gender (Figure 1) and ethnicity (Figure 2). The participants lived in different boroughs in London. They largely came from Tower Hamlets (33%), Hackney (28%) and Newham (8%) and then from North East boroughs (12%), but one as far as West London.

1 Age and gender

Age	Female	Male	Total
20 – 29	16%	19%	17%
30 – 39	32%	26%	29%
40 – 49	30%	19%	25%
50 – 59	18%	30%	23%
60+	5%	7%	6%
Total	57	43	100

2 Ethnicity of survey respondents:

- White British (15%)
- Other White (24%)
- Other Asian (7%)
- Bangladeshi (12%)
- Black/Black British (29%)
- Mixed (6%)
- Other (7%)

Sample size 100



Most of the survey respondents have issues in areas in which legal aid has been cut such as employment, housing and family law. The breakdown of the participants' cases represents FLAC's users profile in general which will be presented in the findings section. For these participants, we performed a rough financial eligibility check to get an estimate of how many would have been eligible for legal aid if it was available in those areas (without consideration of the merits criteria that the case has to have at least a 50% chance of success). Tracking two of the core financial indicators – receipt of income-related benefits and their monthly household income (below £2657 before tax), the rough eligibility check suggests that 95% of our research participants would have been eligible for legal aid if it was in place.

'The survey respondents were very keen to have their voices heard'

The survey respondents were very keen to have their voices heard. As well as responding to the closed survey questions, most of them wrote in length about their experiences in the comment section and such data was also used for the analysis.

In addition to the survey, data from recent evaluation of Toynbee Hall Initial Assessment service (sample size: 807) and FLAC (sample size: 1494) was used to help draw a fuller picture.

The research findings draw heavily on our qualitative approach as it goes deep into people's personal experiences providing rich and vivid understanding of the impact of the legal aid cuts. We conducted 10 interviews with service users at FLAC, most of whom received legal aid prior to the funding cuts. These individuals had one or more issues in employment, housing and family law, and were at different stages of dealing with their case. To protect the participants' anonymity, all names used in this report are pseudonyms.

Accessing justice without legal aid: key findings

Sumi and her son

This finding section will start with a story of Sumi and her son as their experiences highlight the key themes commonly underlined in this research.

Sumi is a single mother with a 9-year-old boy. She lives with her landlord, his son, and many other tenants in his 3 bedroom flat. At one stage there were 5 people living in her room. Everyone pays the landlord cash so he can still claim benefits. Sumi stopped paying him by cash but through bank transfer; she knows the landlord committed some criminal activities and has told the police about that. The landlord is therefore trying to evict her. She feels very scared living there but her choice of other housing is very limited until her application of Indefinite Leave to Remain is approved.

Facing the housing and immigration issues, Sumi is under extreme stress and suffers from health problems. She has chest pains, was admitted to hospital and is now on twice the dosage of anti-depressant medication.

The son is a promising student but the imminent eviction is disrupting his education. Sumi does not have any family here; has no money and sometimes does not even have 'the money to buy food'. She cannot afford a paid legal advice service and is 'very grateful to Toynbee Hall'.

For the participants like Sumi, seeking justice without legal aid is a journey of having sleepless nights – feeling stressed, powerless and unable to get on with life. This findings section will uncover these experiences in detail. We will also explore the participants' social support and finally the role of Toynbee Hall in their journey of accessing justice.

“

I am very, very worried, more worried about my son than me. Every night, he (my son) sleeps and suddenly wakes up and asks me: 'if the landlord wants to kick us out, what can we do...what is going to happen? ...if you don't go to the court with me, I will not go to school!

(Sumi, Bangladeshi, in her 40s)

”

The journey: 'Can I see it through?'

According to the participants, the optimum process requires a good case plus 'a lot of energy, a lot of confidence, belief and obviously skills and knowledge' (Anika) to make the case.

Our survey result shows that 75% of respondents are not confident in dealing with information on their own. Comparing different age groups, older people (over 60) tend to be less confident. In addition, 57% of participants have insufficient knowledge of the law. Having poor English skills, little or no education and other multiple issues to deal with in their life could make people less able to act on their own. Sometimes the case outcomes could also be affected by people's emotional attachment in arguing the case as noted by some interviewees. These barriers could therefore bias the system and produce negative outcomes for them.

Considering over half (53%) of the survey respondents had to perform some tasks on their case (such as writing a letter, completing court papers and negotiating with the other side), people are not well equipped to deal with the case by themselves and are understandably vulnerable. Not surprisingly most people involved in this research described the justice seeking process as 'stressful' (Roy, Rosi, Anika, Sumi, Apple, Tony and Peter), 'emotional' (Roy, Rosi, Anika, Esther and Apple) and 'daunting' (Rosi, Anika, Apple and Peter).

The process of trying to find affordable legal advice could also add stress. 34% of our survey respondents did not really understand what legal aid was. For those who received legal aid in the past, some are shocked to find that they are not eligible anymore. Without legal aid, only 42% of respondents would consider representing themselves in court. As there are so many confusing, scary, frustrating or emotional roller-coaster steps, several interviewees indeed mentioned feeling like giving up at any moment. As Anika recalled:

“

You think 'can I see it through?'
because it's so draining.

(Anika)

”

Imbalance of power: 'They can do it and get away with it'

Anika is a very switched on, capable and articulate lady. Her case was unfair dismissal and race religious discrimination. She did her own casework, whereas her ex-employers had solicitors. At the pre-hearing:

“ The judge asked me a question which I misinterpreted because sometime it felt like they were speaking a different language. I said 'Sir I misunderstood your question earlier on ...Could I have the chance to explain myself'? ...He did not give me one single, one chance to explain myself.

This is the same judge who did not take any action when the respondents side breached about five orders ...He didn't take any action against them ...He saw the vulnerability in me – he saw I'm not legally represented.

It was almost like they (the ex-employer) got rewarded for breaching the orders.

(Anika)

Anika strongly feels a power imbalance as the other side was represented and she was not. She feels vulnerable that the other side and the judge could just 'ignore her'.

Understandably, many interviewees did not know how to respond to the other side's actions and letters, nor the correct steps for legal procedure and legal terms. On top of this, emotions, nerves, inexperience plus no specialist legal knowledge hinder best presentation of their case.

Another respondent, Tony, who was not entitled to legal aid, was overruled by a judge who assumed that he was because he received benefits. He felt the judge 'cut him off' and that he 'could not argue'. Tony said:

“ The judge didn't listen to me but I'm sure they would listen to my representative.

(Tony)

As a result of the power imbalance and vulnerability, some respondents suggest that opponent lawyers ride roughshod, use scare tactics or try to delay and frustrate the proceedings to wear them down. Peter, who works as a nurse, was served a Section 21 by his landlord despite the property being in disrepair and the deposit unprotected. He then sought advice and was told that the Section 21 was not valid. Peter also received a bailiff document stating the landlord had a claim against him for over eight thousand pounds. This was dismissed as a 'clerical error' when Peter questioned it.

Some respondents therefore feel they would lose their case on skill and wealth, and not merit. As Linda noted here:

“

I am not educated,
my English is not good
and I don't understand
legal language ... So I can
represent myself but
I can't win the case ...
lost my case as I had
no proper legal help.

(Linda)

”

The legal aid reforms seem to redefine what justice is for the participants, with 48% of survey respondents found the legal process unfair to some extent. It is also important to note that the sample of this study includes only people who found free legal advice or at least sought it to some degree. So it is hard to gauge how many people do not even try to seek justice or give up at the first hurdle.

Our participants' narratives suggest that feeling there is no help could sometimes mean that they decide not to pursue their case. As Rosi, a Black Caribbean woman in her 20s, said, 'I have felt I will just leave it'. Hence, legal aid cuts may mean that unlawful treatment by landlord, partners and employers could increase as victims have little recourse without legal aid and are relatively powerless.

This is the concern for participants like Esther, a mother of a disabled child who was abused by her ex-husband. Esther did not report his domestic violence as she did not want him to have a criminal record and in her culture, as she suggests, 'we don't involve police in relationships matters'. Without the required evidence, she is therefore not eligible for legal aid like many others - a large proportion of victims of domestic violence who do not have the evidence required as noted by the House of Commons (2015). Without legal aid, Esther said:

“ They (people like
my ex-husband)
can do it and
get away with it.

(Esther, Black African,
in her 30s)

”

The costs: 'How they are saving money, I have no idea'

In addition to the power imbalance and unfairness, many participants experience other knock-on effects of legal aid cuts. These could have direct and indirect costs to individuals, their families and society as a whole. Such costs seem to suggest that the legal aid cuts do not 'deliver better overall value for money for the taxpayer' (House of Commons, 2015:3) as identified by the Ministry of Justice as an objective for the reforms.

A key theme highlighted in both survey and interviews is the mental impacts from the lack of legal support. Our survey shows that 78% of respondents are often anxious and worried. This suggests a mental health issue among the participants and such issue was identified by a majority of males (78%) and females (78.5%) across all ages and ethnicities in our survey.

Some interviewees talked about having sleepless nights:

“

(It affects me) a lot. But I don't just let it out because I have to be there, strong for my kids. It's giving me sleepless nights.

(Esther, Black African, in her 30s)

”

Mental and physical problems lead to more GP and hospital visits and medication. Many like Sumi have to get depression medication more often and some suffer from physical illness.

An alcoholic's recovery has been threatened in the process of trying to divorce his wife. As he said,

I've lost my appetite. I feel like having a xxx drink and I'm a xxx addict. It doesn't help when these things can trigger you to have relapses.

(Tony, Black Caribbean, in his 50s)

Some also find themselves in need of extra support from other professionals outside the law. In Sumi's case, a support worker accompanied her to court as English is not her first language and she felt vulnerable.

A common feeling of seeking justice without sufficient legal support is the inability to get on with life. People find themselves less equipped to function as a parent and in work, with a negative impact on their children and family.

Roy was a carer for his bipolar wife until she accused him of domestic violence:

“

Same issue happened in 2009 ...When she's high then everyone is her enemy, when she's down the first thing she'll say is 'where's my husband gone' ...Lots of men ... do hit women. Because of that, the stigmatism is there ...And lots of men they suffer and they don't want to say 'oh my wife is hitting me' – the egotism....

They (the court) should have looked at it properly.

(Roy, Bangladeshi, in his 30s)

”

“You don’t know what tomorrow will bring ... You live in doubt.”

(Peter, White British, lives in North London)

As the primary carer for his children, Roy has not been able to see them because he could not afford to go to court to fight the case. This has also affected the children’s everyday life and ‘emotional development’:

“

There are problems with that – because they’re not seeing their dad ... I’m always worried ... I did find out since I left, they don’t go (for activities) because she can’t take them to the park for cycling or to the activity centre.

(Roy)

”

Roy dropped his studies and is too depressed to look for work. He has fallen into debt because his Carer’s Allowance stopped and he had to borrow money to see ‘the cheapest solicitor’. He is homeless, living in a hostel with nowhere suitable to prepare food. Fighting the legal problem without much help has created various other problems. So as Roy said:

“ The fact I’m not seeing my kids means I can’t move on with my life.

They (the government) want to save money, but the person who is suffering this, they are getting depressed, they go to benefits. How they (the government) are saving money, I have no idea.

(Roy)

”

Along with individual health issues and possible social problems, there are indications that legal processes could take longer and there could be extra court administration time and costs. Tony, for example, filled in forms incorrectly which delayed the process:

For the first court they say I didn’t fill the form in properly and they kept sending it back. Then when I went there last Thursday and Friday they said you still haven’t done it right (Tony)

A litigant in person (who named herself as Apple) had to wait six months to find a specialist barrister. Tony and Apple’s examples suggest that cases could take longer to settle without legal aid, which echoes predictions of Bevan (2013) and Bennett (2014).

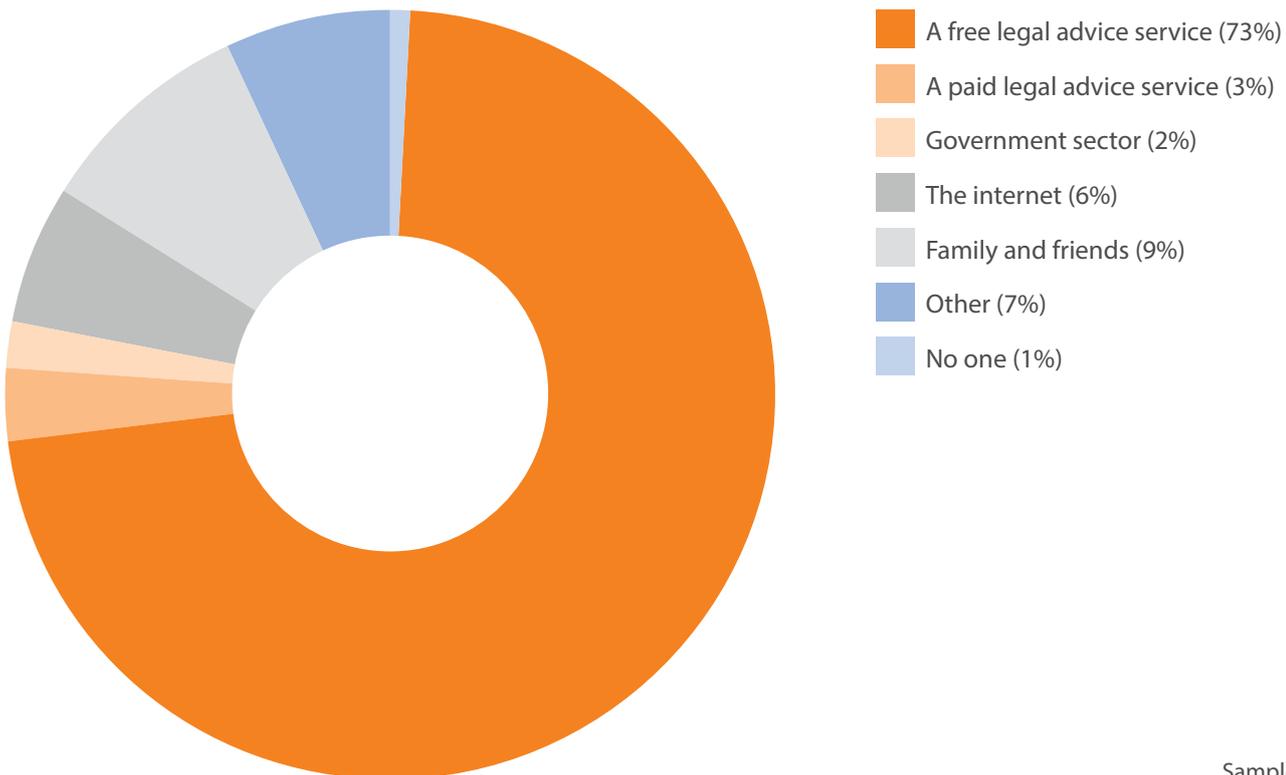
Finding help: 'Trust me I've been everywhere'

As well as accessing the impact of legal aid cuts on people's lived experiences, we also explored how and where people manage to get support.

As noted by interviewee Apple, 'trust me I've been everywhere', people use various sources of support including free legal advice services, paid legal advice services, family and friends, internet and so on. In the survey, we asked people where they ask for information and advice, where they confide their worries in, and among the various sources of support what their main support is.

The survey result shows that 73% of respondents consider free legal advice services as their main support for information and advice (Figure 3). Nearly half of the respondents get information and advice from internet (45%) and family and friends (42%) at some stage although not many of them consider these channels as the main support. This suggests that accuracy and sufficiency of information from internet and family and friends are crucial.

3 Main support: information & advice

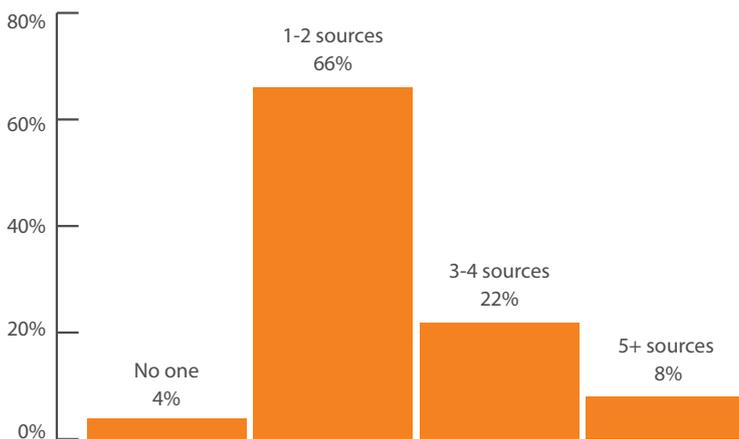


Sample size 100

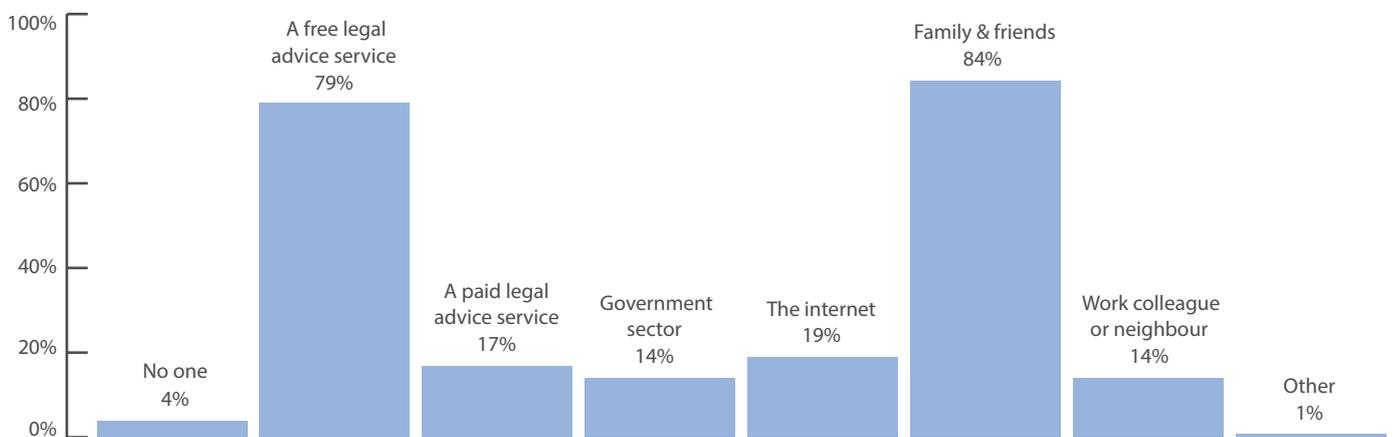
In terms of whom they confide their worries in, 4% of respondents stated that they had no one to speak to and over half (66%) rely on one or two sources of confidence (Figure 4). 84% of respondents go to their family and friends to confide their worries in (Figure 5). Surprisingly, free legal advice service is the second most often used support (used by 79% of respondents) and considered by over half (61%) of the respondents as their main support. This highlights the emotional support provided by legal advice services which will be discussed later.

'73% of respondents consider free legal advice services as their main support for information and advice'

4 Sources of confidence (sample size 100)



5 Who do you confide your worries in? (sample size 100)



There is a slight gender difference in the use of emotional support from free legal advice providers. More females (84% of females) than males (74% of males) tend to confide their worries in free legal advice providers. It is also important to note that 7% of male respondents, compared with 2% of female participants, have no one to confide their worries in. These gender differences imply that sometimes men could have fewer resources for emotional support. Based on our small sample of older people, it suggests that people over 60 mostly (80%) rely on free legal advice providers for emotional support and receive no support from friends or neighbours when dealing with their legal case. Further research with a bigger sample would be needed to investigate the emotional support for older people.

It is worth noting that having someone to support an individual does not mean that they are always available and that they provide strong support. As interviewee Linda suggests, '(I have) just friends, but friends don't want to hear too much about your problem, so I went to GP as well and took medication'.

With cut backs it is likely that more complicated and thus longer lasting disputes will have to be paid for. Our interviewees' experiences tell us that most of those paying a solicitor can only afford the bare minimum advice or process. Given that most have to choose from the cheapest solicitors, we could question whether they may be driven to lesser quality paid legal advice and sometimes unsustainable practices.

Considering the possible quality of service from paid legal advice providers and the added benefit of emotional support from free legal advice providers, there is therefore a big difference in the participants' average satisfaction on paid and free legal advice services (as shown in Figure 6). The graph also suggests that people may have to look hard to find appropriate help especially when more pro bono services are closing. One of our interviewees Anika directly experienced this as her source of help dried up when they made cuts to the free legal advice centre who was helping her.

6 How much have the following helped to resolve your legal issues

(sample size 100)



Free Legal Advice Centre: 'An oasis in the desert'

As indicated in Figure 6, Toynbee Hall's Free Legal Advice Centre (FLAC) is very positively viewed.

According to interviewee Apple:

“

This (FLAC) is really completely unique ...totally unique. You don't have a catchment area so you're not chucking me away and saying you don't live in Whitechapel so we don't want to see you and you seem to cover civil litigation means you cover everything.

(Apple, in her 50s)

”

Apple is a single woman living in Hackney. She has an asset (a house) but no salary as she is unable to work for medical reasons. She therefore has absolutely no means to pay for legal advice and assistance.

Talking about Toynbee Hall, she said:

“

I wish I'd have found Toynbee Hall a year ago ...I wouldn't have waited six months to see a barrister would I? ...I waited less than a week to see a barrister here.

(Apple)

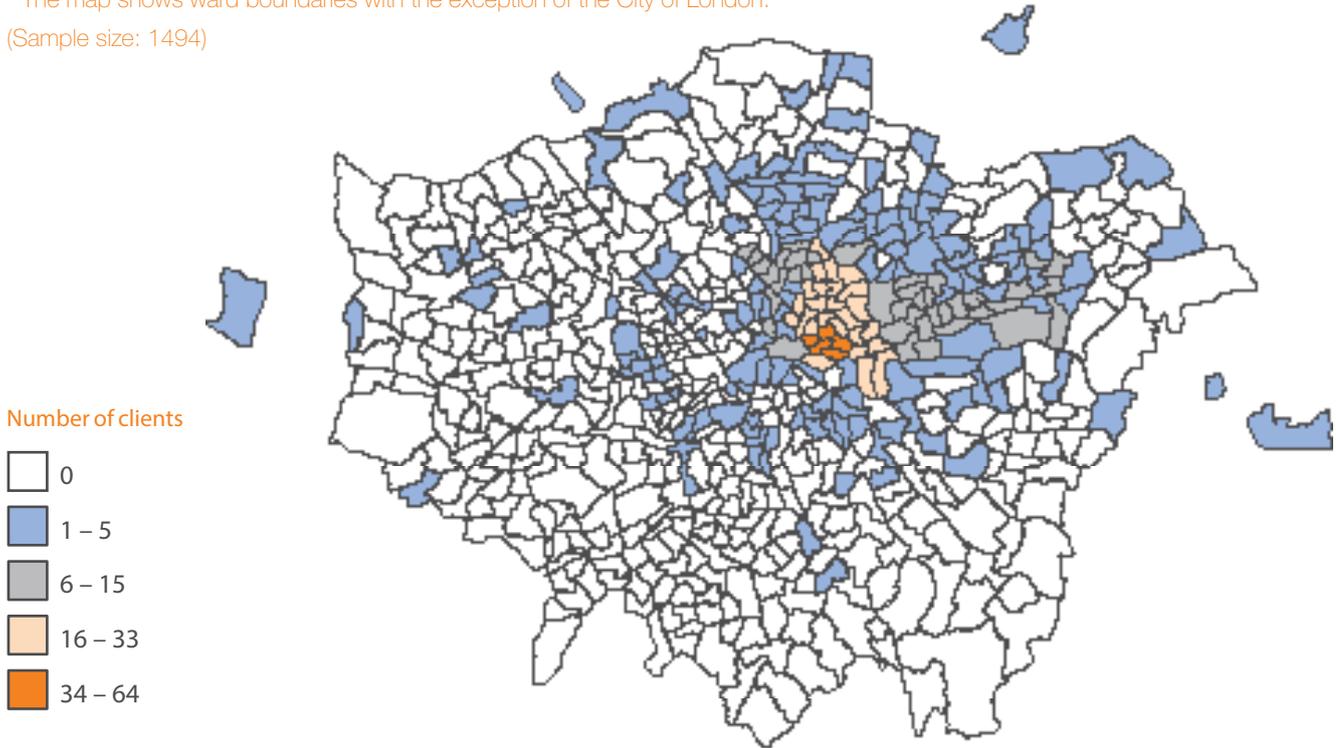
”

While we accept awareness will inevitably be high with Toynbee Hall's FLAC users, our data suggests such awareness is widespread and not restricted to our own locality. A survey respondent for instance noted that 'I came for (advice) the first time in the 70s; came here since then for different matters'. Another participant said that 'my relative in Tower Hamlets, they don't know if Toynbee Hall can help or not, but still they think "let's go to Toynbee Hall" or someone else will tell them to go'. Toynbee Hall's clients largely come from Tower Hamlets and neighbouring boroughs, but people living in other parts of London and outside London also come to Toynbee Hall to seek advice. FLAC clients' location of residence is shown in Figure 7 based on a sample of 1494 clients.

7 FLAC clients location of residence (by London Ward*)

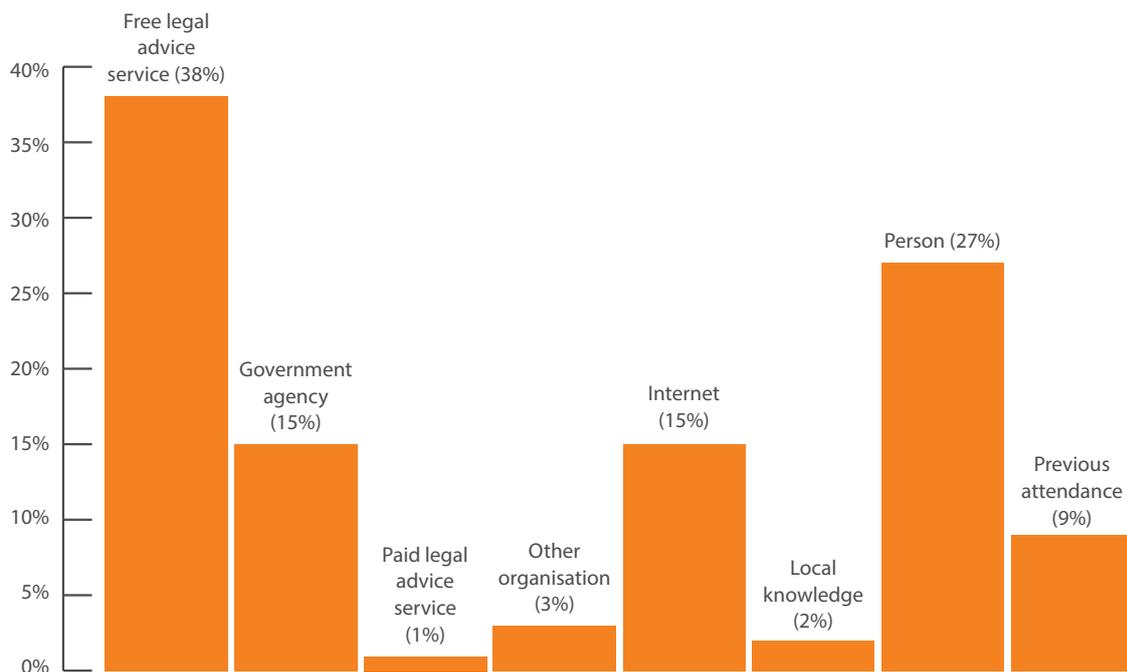
* The map shows ward boundaries with the exception of the City of London.

(Sample size: 1494)

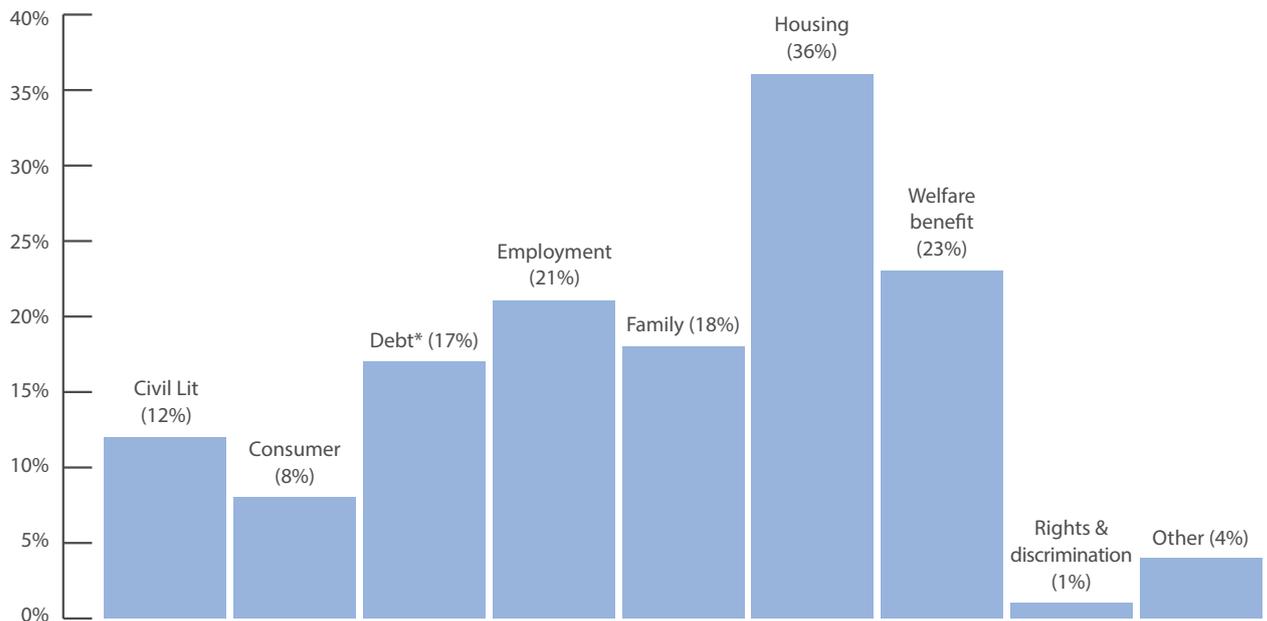


As shown in Figure 8, the largest referral to FLAC is from a free legal advice service (38%) which is often the Citizen Advice Bureau. Toynbee Hall's recent evaluation suggests that nearly half (45%) of Toynbee Hall clients were referred or signposted by the Citizen Advice Bureau. In contrast, only a single case came from a paid legal advice service. There were frequent person-to-person referrals (27%), through friends, family and work colleagues.

8 How did you find out about Toynbee Hall? (sample size 100)



9 Types of cases? (sample size 807)



*Debt figure does not include all of Toynbee Hall's Capitalise Debt Advice service users

Since 2014, Toynbee Hall started an Initial Assessment service so that anyone may drop in to Toynbee Hall and be seen by a volunteer assessor, before being made an appointment internally (the majority made with FLAC) or referred externally to an alternative provider. Our recent evaluation on this service shows that with a wide coverage of law areas, Toynbee Hall supports clients with mostly housing, benefits, employment, family and debt issues (Figure 9) and this correlates to the areas in which legal aid has been cut.

Feedback from the participants also suggests that the Initial Assessment Service is highly appreciated. According to Esther:

“

They saw me straight away. ...
Walk in – is very good. When
something is ‘boiling’ (you) have
instant (help) there.

(Esther)

”

Overwhelmingly, a FLAC volunteer advisor in the interviewees' eyes is not just a lawyer, but also a friend and counsellor. Many are very dependent on FLAC, describing the service as their ‘only hope’ (Sumi) and ‘an oasis in the desert’ (Apple). ‘They kept my fighting spirit up’ (Anika) and without it, ‘a lot of problems, matters would go under the carpet’ (Peter). Such role for providing emotional support is consistent with the survey result of free legal advice service being the main support to confide their worries in.

‘One even
‘looks forward’
to going to
Toynbee Hall’

Toynbee Hall staff are almost unanimously praised as very ‘friendly’ (Alberto, Esther, Sumi and Apple), ‘supportive’ (Roy, Rosi, Esther, Anika, Sumi, Peter), ‘experienced’ (Peter) and ‘to your level’ (Anika). The place of Toynbee Hall seems to be viewed as a refuge that ‘feels relaxed ... calm ...not pressurised at all’ (Apple). One even ‘looks forward’ (Peter) to going to Toynbee Hall:

“

I know that somehow no matter
what shape it takes I will
get some help and advice
and get the help I really want.

(Peter)

”

In our interviews, we asked people what they would like FLAC to improve. Most are very happy with the services Toynbee Hall provides, but many wish it was able to help more. Due to the limited resources, FLAC is not always equipped to deal with every case especially longer and more complex cases, and FLAC advisors are unable to represent clients in court or other legal hearings. So commonly, participants hope that Toynbee Hall can represent them, do more casework and have more advisors. Representation was most often mentioned. As Sumi explained,

“

People like me, the helpless
people, would really benefit
from your representation

(Sumi)

”

Recommendations

Based on the findings summarised in the previous sections, the following recommendations have been identified:

- The research findings suggest that the knock-on effects of legal and cuts have direct and indirect costs to individuals, their families and society as a whole.
- More legal support needs to be in place for people who cannot afford to pay for legal advice. An obvious option would be to re-establish a wider legal aid programme. Although legal aid continues to be available in some cases in limited conditions, such as family cases where domestic violence is involved and housing cases where there is a risk of losing their home, it is not available in the majority of cases and case matter types, meaning the current scheme is inadequate. The negative impacts highlighted are not exclusive to these particular cases therefore support needs to be widened to include more case types, especially those highlighted as common issues, for those who are socio-economically vulnerable.
- More funding needs to be available for free legal advice agencies, particularly for legal representation. This is crucial to ensure fairness and justice but it is not often available within current resources.
- Support structures need to be established alongside legal advice, particularly with regards to possible impacts on mental health. Legal advice providers could establish links to existing support services. Given the possible impact on the service user, a legal advice agency would be an appropriate outreach venue for such services.'
- Past service users can be encouraged to volunteer at advice agencies or simply share their experiences and provide general support. Another option to consider is a volunteering programme with, for example, social work students to provide additional emotional support for service users. These provide the much needed support without greatly increased cost.
- Further research is needed especially a larger-scale assessment of the impact of legal aid cuts on individuals.

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