

CONSULTATION REPORT FEEDBACK FORM

We are keen to get comments on our emerging recommendations before finalising our report for publication in December 2013. The main elements of our draft strategy are as follows:

Draft Strategy

- 1) Legal aid should be viewed as part of a continuum including information, general advice, specialist advice, legal help and legal representation, rather than a stand alone funding mechanism; the more we can do at the beginning of this spectrum, the less we should have to do at the end
- 2) By reducing demand, taking early action and simplifying the legal system it will be possible to reduce some of the need for advice and legal support
- 3) For those who can afford to pay, affordable advice and legal support should be more accessible and the routes into it much better communicated and understood
- 4) People with pressing problems need a simple and effective way of accessing good advice, without hurdles or confusion. Much basic provision can be developed using a combination of public legal education, national telephone helplines and websites, local advice networks and specialist support for front line advice agencies
- 5) More in-depth and intense support should be targeted at those most in need
- 6) Ensuring the quality of all levels of service provision must be a high priority
- 7) We would like to see a more open and collaborative advice sector. There is considerable scope for local advice agencies to work more closely together and in some cases even to merge. We would also like to see the national advice services umbrella bodies work more closely together and share their resources and experience more widely
- 8) The importance of advice and legal support on social welfare law to people's lives, coupled with challenges to its continued provision and additional costs to government that are likely to result if no action is taken, makes it imperative that the next UK Government develops a **National Strategy for Advice and Legal Support** in England for 2015-20 and that the Welsh Government develops a similar strategy for Wales
- 9) Local authorities should co-produce or commission **local advice and legal support plans** in conjunction with local not-for-profit and commercial advice agencies; these plans should review the services available, including helplines and websites, whilst targeting face to face provision at the most vulnerable and ensuring at least some resources are available for legal representation where it is most needed
- 10) We estimate that currently, post the implementation of the 2012 Legal Aid, Sentencing and Punishment of Offenders Act (LASPO), there is about £400m per year available to fund advice and legal support services- mainly coming from local authorities, the Money Advice Service and the legal aid that remains for social welfare law.
- 11) We estimate at least a further £100m pa is required in order to ensure a basic level of provision
- 12) We are calling on the next UK Government to provide half this funding by establishing a 10 year **National Advice and Legal Support Fund** of £50m pa, to be

- administered by the Big Lottery Fund (BIG), to help develop provision
- 13) We propose this Fund should be financed by the Ministry of Justice, the Cabinet Office and the DWP, as the main creator of the need for advice and legal support (on the polluter pays principle)
 - 14) 90% of the Fund should be used to fund local provision, with 10% for national initiatives; further details of the expenditure to be met by the Fund are given in Annex 2
 - 15) BIG should allocate the 90% share of the National Fund to local authorities, based on indicators of need, to help implement **local advice and legal support plans**, which should be prepared in conjunction with the local advice sector
 - 16) We are also calling on other national and local statutory, voluntary and commercial funders to contribute a further £50m pa to help develop provision. These should include NHS clinical commissioning groups, housing associations, additional Money Advice Service funding, charities, trusts and foundations and lawyer fund generation schemes, such as the interest on money held for clients and dormant accounts
 - 17) Most of our recommendations apply equally to Wales, but it will be important to build on the momentum resulting from the Welsh Government's Advice Services Review published in May 2013. The Welsh Government will also need to decide on the most appropriate management arrangements for the National Advice and Legal Support Fund in Wales and some of the recommendations will also need to take account of the different arrangements for local government and the local NHS in Wales.

Feedback

- A. Do you broadly agree with our approach?
- B. Are there any elements that you particularly disagree with? If so, please indicate which they are and what changes you would like to see.
- C. Are there any elements that you particularly welcome? If so, please indicate which they are and what you like about them
- D. Is there anything missing from our draft strategy?
- E. Any other comments?
- F. Name and organisation

Please email your comments to SOgilvie@laq.org.uk

The closing date for comments is 30 September.