

Autumn 2011 - FREE

Justice for All

Living in peace - thanks to advice



ESCAPED: constant harrasment

HOUSING advice saved a mother and young daughter from a living nightmare as new neighbours launched a campaign of constant harassment.

Debbie and her young daughter Charlie, just 11 at the time, faced a barrage of verbal abuse, poison pen letters and were even forced to give up Charlie's puppy as their neighbours became increasingly intimidating. **continued inside...**



CALLS for Government to stop damaging plans

Thousands left stranded as cuts hit advice centres

This is only the beginning



CLOSED: Major advice charity shuts it's doors

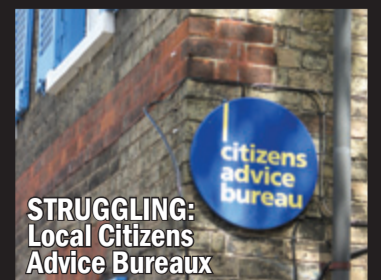
ADVICE centres on high streets up and down the country fear they could be forced to close as a 'perfect storm' of cuts takes hold.

Without these advice organisations, hundreds of thousands of people will be left

with nowhere to turn for vital help with problems with their homes, jobs, families or simply making ends meet.

Hundreds of advice charities fear for their future as legal aid cuts combine with local authorities and other Whitehall department

withdrawing cash at the same time. Three high profile advice charities have already gone bust in the last year - two this summer - as they were swamped in nightmare government bureaucracy with looming plans to slash the legal aid money they rely on.



ADVICE: Hit from all sides

HUNDREDS of thousands won't be able to get the advice they need on serious but everyday problems - things like disputes with employers or landlords, debt and benefit problems, family issues and immigration matters. Free advice to get justice for often tragic cases of clinical negligence is also set to be axed.

At the moment people can get free advice from CAB, Law Centres, other independent advice agencies who balance the books mainly through a mix of legal aid contracts, local authority money and other central government funding for advice on certain topics. Legal aid solicitors take modest salaries by combining some private cases with legal aid work to make sure they can help those who need it – not just those who can pay.

Shockingly all these funding streams are under threat at the same time – and advice agencies and local solicitors firms are already scaling down or even closing their doors altogether.

Government departments must work together to produce a joined up plan for the long-term future funding of free legal advice.

This is urgently needed to reassure the public and allow advice providers to concentrate not on funding worries, but what they do best - giving advice.

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False economy

But saving cash by cutting free legal advice won't save tax payers money overall, say experts. Getting advice early on stops problems spiralling out of control. Losing a job unfairly can quickly lead to debt, rent arrears, homelessness, illness and even family breakdown. We all end up paying for this sort of crisis situation through benefits, housing and health costs.

Studies show for every £1 invested in advice, the tax payer saves up to £9 in preventing knock-on costs. When money needs to be saved, it only makes sense to protect the services that are doing just that - saving tax payers money.

No legal aid means no advice

At least a third of Law

Centres will shut if Government plans go ahead, according to their Federation. Untold numbers of solicitors are being forced out of legal aid work. Carol Storer, Director of Legal Aid Practitioners Group said: 'Legal aid lawyers want to help people who need it, not just people who can pay - but they can only do so much for free.'

Volunteers, pro bono lawyers and private donations mean advice charities can go further, but public funding is vital to keeping them afloat. Without this core funding from town halls and Westminster, organisations will no longer be there - *and the added pro bono support from volunteers will also be lost.*

West London advice charity, Law for All, went bust this summer as its trustees

decided the hefty paperwork attached to legal aid money and the plans to 'almost completely end legal aid in October 2012' meant the community organisation that helped 15,000 people a year just couldn't carry on.

The Citizens Advice bureau in neighbouring Brent, felt the effects straight away. Jacqueline Carr said "Law for All clients are already coming all the way to Brent CAB for help with their problems. But we also rely on legal aid funding and, in real terms, Brent CAB could lose 24 per cent of our overall funding - our services will be drastically reduced at a time when more people need our help."

Immigration Advisory Service, a national charity helping people escape torture

and start new lives with their families, folded for similar reasons only a few weeks before Law for All. Again, nightmare red tape and the prospect of a huge funding cut left the charity no alternative but to lay off its 300 staff. A year earlier, another major charity, Refugee Migrant Justice, closed its doors after waiting up to *two years* for legal aid payments due to bureaucratic delays across Government.

Andy Jones, a former caseworker at the organisation, said, "Many of our clients heard nothing from months, while their cases were passed to other organisations. I worry about how many people slipped through the net in the confusion, but now I worry that for many there will be no safety net at all."

Communities across England and Wales speak out

Thousands take action for advice



COMMUNITY campaigners across the country took to the streets to express their fears that desperate people will have no where to turn for vital help, as their local advice services face an onslaught of cuts.

A Day of Action on 3 June saw communities from Devon to Newcastle organise marches, public meetings and even fancy dress publicity stunts, as part of a growing movement for free legal advice, the Justice for All campaign. The campaigning alliance has mushroomed to thousands of members in a matter of months as alarm at the serious threats to community advice services grows.

People from all walks of life have come together to call on local and national Government to protect the advice services their community relies on. Community bastions like the Women's Institute, campaigners such as Liberty, and leading charities, like Mind, have joined the campaign, along with CAB, Law Centres, other community advice agencies and legal aid solicitors who fear they will have to turn people away as they struggle to cope with slashed funding. People helped by free legal advice are also making their views heard.

The campaigners have vowed to continue, as for people facing spiraling problems, *free legal advice is just too important to lose.*



Need more?

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Government proposals under fire

Criticism of cuts to free legal advice is coming from all sides - and its coming thick and fast. Here a top lawyer, major legal firm and respected church leader condemn the plans. They are joined by local politicians, charities and thousands of ordinary people who are urging the Government to protect the advice services their communities need.



“Justice should be available to all, it is not a commodity to be bought and sold.”

Leo Osborn, Methodist President

IN July this year Methodist Conference heard stories from up and down the country of people and communities facing hardship because of the recession and Government spending cuts. It is deeply concerning that those worst affected are the poorest and most vulnerable.

It is clear that over the coming months and years the number of people living in poverty will increase. Decisions regarding benefits and housing will become increasingly crucial in people's lives.

Sadly there are people who seek to exploit those who have fallen on hard times. This is a time when

legal advice and access to justice for the poorest will become ever more important and it is vital that the Government recognises this as a priority.

Justice should be available to all; it is not a commodity to be bought and sold. Any system that makes just treatment dependent on a person's income is profoundly at odds with the Gospel values at the heart of Methodism. The Methodist Church supports the “Justice for All Campaign” because we never wish to live in a society that offers justice to the wealthy and allows the poorest to be exploited



“Eviscerating legal aid strikes a fundamental blow at our inspiring national heritage.”

Sir Geoffrey Bindman QC, Bindmans LLP

IN 1960, as a young solicitor I devoted one evening a week to my local Citizens' Advice Bureau as a “Poor Man's Lawyer” – a term no longer usable in our euphemistic age. I was confronted with every kind of dispute: with neighbours, within the family, with landlords, employers, those who supply goods and services, and with government officials, both central and local. While some problems could be resolved promptly, a great many demanded detailed investigation, carefully drafted letters, further communications, and in some cases the last resort of litigation.

Mostly the opposing party would have full time lawyers. It was an unequal and impossible struggle. The answer of course was legal aid - a fundamental component of a legal system in a democracy. I became a legal aid lawyer.

The rule of law only has meaning if all citizens have equal access to its judicial institutions regardless of ability to pay. Long ago we abandoned the cynical old joke that “the law is like the Ritz hotel – open to all”.

Emasculating legal aid, as the government proposes, undermines our international reputation as the model for legal systems throughout

the world, especially among those emerging democracies in the Middle East and elsewhere. How can we encourage those nations to respect the rule of law when we ourselves are backing away from it?

Without legal aid, the number of those coming before the courts without legal representation will escalate. Several judges have warned of the delays and injustices which will result when unrepresented litigants struggle with unfamiliar technicalities and legally qualified opponents. The cost of prolonged hearings alone, not to mention the social and economic cost of the failure to obtain justice through law, would inevitably outstrip any savings the government might hope to gain.

To deny access to justice for the most vulnerable members of society by eviscerating our long cherished legal aid scheme strikes a fundamental blow at our proud and inspiring national heritage. The government must go back to the drawing board.



“Our pro bono support is threatened when advice centres close.”

Tom Dunn, Clifford Chance

FOR those of us whose difficulties in life are not about, say, how to make ends meet if you have a serious disability, or what to do if your child's asthma is being made worse by the mould in his bedroom that your landlord won't sort out, it can be difficult to think accurately about quite what impact the proposed legal aid reforms will have.

So why does a law firm like Clifford Chance have concerns about the proposed reforms?

We believe that integral to upholding the rule of law, one of the most serious duties of government, is that those with justiciable legal problems should not be deprived of legal protection because they cannot afford to pay. We fear that the coinciding of the legal aid reforms with local authority cuts leaves the voluntary sector under-resourced to plug the gaps that will be left by the removal of key social welfare areas of law from the scope of legal aid.

We are concerned that the Ministry of Justice

has neither rebutted the evidence of Citizens Advice and the New Economics Foundation, suggesting that the net effect of the reforms will be a drain on public finances as the costs of dealing with the consequences of withdrawal of free and timely legal advice fall on other government departments (e.g health), nor amended its proposals in light of such evidence.

We are keen on supporting new forms of civic participation for the delivery of free legal advice. Last year we enabled around 4000 free legal advice appointments to take place in London by partnering with not-for-profit agencies. We are dismayed that our ability to do this has been reduced, not least by the recent closure of our long term partner Law for All. The type of pro bono support that as a firm and as individuals we are committed to providing is threatened when the infrastructure through which we provide it disappears.

Fat cat? Fat chance!

IT'S not the high-earning lawyers who'll feel the pinch from legal aid cuts, but hard working solicitors earning salaries similar to others working on the frontline of public services.

Rheian Davies, one of the legal aid lawyers of the year, said, “I'm earning less than half what I did as a nurse. I re-trained as a lawyer to help people who aren't rich get a fair deal -

the people I help through courts and tribunals would get nowhere without a lawyer.

I work 75 hours a week yet, last year I earned slightly less than a newly qualified nurse - and far less than what I used to get as a senior nurse.

Getting

justice for my clients makes it worthwhile, but I'm certainly not in it for the money!”



“My constituents are people who need advice on immigration, on welfare and on housing and whose very lives can be wrecked by the fact that they cannot get legal assistance. Where am I to send them?”

Joan Ruddock MP

“There's no point having good laws unless people can access them.”

Councillor Jillian Creasy (Green Party) Sheffield

“Legal aid helped me rebuild my life after experiencing domestic violence. I'm campaigning on behalf of all the other women experiencing violence; for them legal aid is a vital life saving resource that must be maintained.”

Jeannie Bloomfield, WI member, Suffolk West Federation

Continued from page 1

As the harassment went on, Debbie saw her clever, confident daughter scared to leave the house alone.

It wasn't until a legal-aid-funded adviser from Shelter fought their case that they got a priority transfer into a safe new home. The adviser used specialist legal knowledge to

show the family should be prioritised for a move, which they got in just three months.

Debbie said: “I don't know where we'd be without Shelter's help, funded by legal aid. We wouldn't be safe, we wouldn't be re-housed, Charlie's education and future would have been destroyed

because of the harassment”.

But this desperate situation wouldn't be 'serious' enough to get legal aid funding, under Government proposals. In future, people in Debbie and Charlie's situation would have no where to turn to escape nightmare harassment.

Where are the cuts coming from?

LEGAL AID: Over 650,000 people will lose out on help under plans to remove the vast bulk of civil legal aid by cutting funding for benefits, clinical negligence, employment, family issues, immigration and all but the most desperate debt and housing cases. The Bill to bring in these cuts is currently before parliament.

LOCAL AUTHORITIES: The best local authorities realise early advice saves the public purse money, and have protected their investment in community advice agencies. Yet, many more are reducing their support - by up to 100 per cent.

FACE-TO-FACE DEBT ADVICE SERVICE (FIF): A last minute decision saw this essential service extended for just one more year, as the Financial Inclusion Fund was axed. After March 2012, its future is still unclear.

REFUGEE AND ASYLUM ADVICE: the Home Office has made 60 per cent cuts to services which help newly arrived asylum seekers avoid destitution and removed all funding for volunteer-led peer advice programmes for people recently granted refugee status.

DISCRIMINATION ADVICE: the Equality and Human Rights Commission will lose its power to fund face-to-face advice from March 2012.

Impact near you

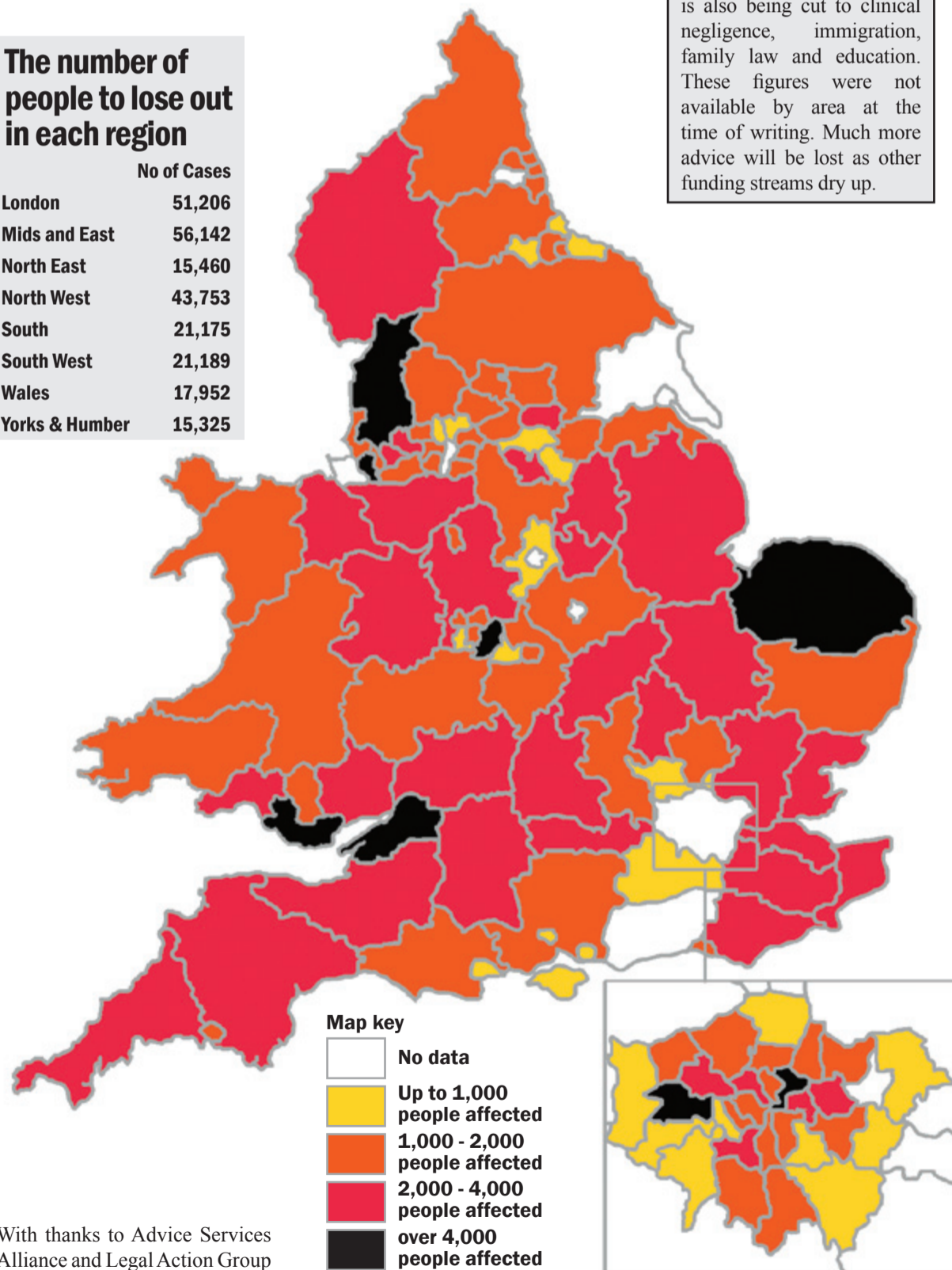
JUSTICE for All has obtained startling figures showing the number of people who will lose out on housing, debt, benefits and employment advice

in each area - just through legal aid cuts. With advice centres and volunteers stretched to the limit - who will be there to fill the gap?

This is only a fraction of the total number of people who will be left with no help for their problems. The figures include cuts to housing, debt, benefits and employment legal aid advice but legal aid is also being cut to clinical negligence, immigration, family law and education. These figures were not available by area at the time of writing. Much more advice will be lost as other funding streams dry up.

The number of people to lose out in each region

	No of Cases
London	51,206
Mids and East	56,142
North East	15,460
North West	43,753
South	21,175
South West	21,189
Wales	17,952
Yorks & Humber	15,325



Map key
 No data
 Up to 1,000 people affected
 1,000 - 2,000 people affected
 2,000 - 4,000 people affected
 over 4,000 people affected

With thanks to Advice Services Alliance and Legal Action Group

Making ends meet - thanks to advice

A CLEANER unfairly turned down for vital benefits won his appeal thanks to advice.

Robert*, 41, has learning difficulties and severe depression. He struggles with everyday tasks, like reading, cooking meals or taking a bus. Proud Robert is determined to pay his own way and holds down a job as a part-time cleaner. He applied for Disability Living Allowance to help pay for the extra support he needs but was turned down.

His local CAB, funded by legal aid, was shocked as he clearly met the criteria.

They helped Robert appeal by gathering medical evidence and preparing him for the formal tribunal procedure. The tribunal couldn't understand why Robert had been turned down in the first place and took just ten minutes to award him Disability Living Allowance 'indefinitely'.

The extra money on top of his wages has given Robert the security and confidence to try living independently from his elderly parents for the first time.

*not his real name

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