

Social welfare legal advice 'inaccessib

By Monidipa Fouzder » An independent commission has called for joined-up action from local government, the NHS and Whitehall to tackle what it calls a 'growing advice deficit'.

A report from the Low Commission, *Getting it Right in Social Welfare Law*, warns that a shortage of access to expert advice is undermining the welfare system. It builds on recommendations made last year following a year-long investigation, led by cross-bencher Lord Low of Dalston, into the state of social welfare law provision. This followed the

introduction of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO), which took most social welfare out of the scope of civil legal aid.

The second report contains a survey of GPs in which 88% of respondents said lack of access to legal advice on benefit and debt issues was having an adverse impact on patients' health.

Low said: 'Our report clearly shows that the advice deficit is growing – and this has consequences for welfare, health and other public services. But this is not irreversible.'

The commission says the Minis-

try of Justice should bring forward the post-implementation review of LASPO, drawing on all the evidence, and look to widen the remit of housing advice to support preventative interventions.

It also proposes that councils work with their local advice sector to co-produce 10-year local advice and legal support plans, providing basic information and advice, including some face-to-face and legal support.

A Ministry of Justice spokesperson said: 'There is no evidence that people eligible for legal aid have been unable to get it when they have tried to. Last

year civil legal aid was provided to nearly half a million instances.'

The Low Commission was published in 2012 with support from firms Freshfields Bruckhaus and Clifford Chance.

● A Christian thinktank last week that churches should set up legal advice networks to help the unable to access justice. *Speaking – Defending and Delivering to Justice Today*, published last week, says recent reforms make it 'clear that affordable, accessible legal representation will be available in the areas where it is needed'.

Master calls for urgent costs budgeting revamp

By John Hyde » The litigation system will 'cease to function' unless radical changes are made to costs budgeting, a senior judge has warned.

Master David Cook of the Queen's Bench Division (pictured) told a seminar that the entire costs budgeting process needs to be re-drawn and parties given detailed guidance about what is expected of them.

Cook, a clinical negligence specialist, told a seminar at 7 Bedford Row chambers that Sir Rupert Jackson's vision of a gradual implementation of costs budgeting 'did not translate into reality'.

Instead, new Civil Procedure Rules came into force in April 2013 with little preparation by barristers and solicitors, limited training for judges,



no budgeting pilot in the Royal Courts of Justice and no formal scheme for controlling pre-issue costs.

Cook said he feared the difficulties so far experienced in costs budgeting, particularly in high-value personal injury and clinical negligence cases, were more than simply issues of 'bedding in'.

The caseload in the Royal Courts of Justice has increased, with clinical negligence claims up from 993 in 2012 to 1,398 in 2014, he said. Yet of the 180 costs budgeting hearings overseen by Cook and his colleague Master Roberts, just a 'handful' of budgets have been agreed between both parties.

'Unless something is done, or there is a radical change in culture, the

system will cease to function,' Cook said. 'Defendants must attempt to be more proactive and realistic in their attempts to agree budgets. Courts must initiate the process of a mandatory discussion much sooner.'

Cook said the existence of an imbalance between rates of claimant and defendant lawyers' fees was 'well known'.

He admitted that appropriate costs budgeting vary from court to court and from judge to judge. He said 'horror stories' have emerged of judges slashing budgets even where phases have been agreed.

'Given the lack of any formal lines for budgeting or guidance from the higher courts this is regrettable but not surprising,' he said.

Online conveyancing portal to charge £20

By Michael Cross » Conveyancers conducting transactions through the Veyo online portal due to go live this spring will be charged a flat fee of £20 per transaction, the venture revealed last week.

Veyo, set up by the Law Society and IT services firm Mastek UK, will bring together electronically all the processes, checks and documentation prepared and undertaken by solicitors and licensed conveyancers in

the sale and purchase of residential properties.

The £20 fee will include money laundering searches and conveyancing forms. There will also be an administration charge of £50 per user per year, Veyo said.

Announcing the pricing model, Veyo said that the £20 transaction fee equates to 12 minutes spent during an entire transaction, at an average hourly rate. As the online service is

expected to save much more time, 'the £20 transaction fee will be more than self-funding on time savings alone'.

As well as time savings, Veyo will enable most of communication between a conveyancing professional and home movers to take place online, cutting postal costs.

Stefanie van den Haak, commercial director of Veyo, said the 'extremely competitive' fee would ensure Veyo achieves its prime objective of wide-

spread market adoption. 'It is essential to our business strategy that Veyo remains an inclusive platform whereby no one will be priced out,' she said.

There are no set up fees, no hardware or software maintenance costs, she said.

Land Registry figures show that in 2013 there were 1,074,000 residential property transactions in the