**Research summaries – for APPG on Legal Aid, 9th March 2016**

**The Varying Paths to Justice 2015 –** [**here**](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/484182/varying-paths-to-justice.pdf)

This large-scale qualitative study, commissioned by the Ministry of Justice and conducted by Ipsos MORI, was based on interviews with 114 people who had experienced a civil, administrative or family justice problem in the previous 18 months i.e. since the implementation of the LASPOA legal aid cuts and other significant reforms to the civil and family justice system. The study aimed to understand *how and why people try to resolve their problems.*

The report identifies two main implications of its findings:

* People need improved, accessible and authoritative information on the options available to them to resolve their problem.
* In relation to more complex cases, alternative “pathways” need to be explored and promoted i.e. alternatives to seeking advice from a lawyer and resolution from a court. However, the report does state that third sector organisations which provide advocacy and representation should be maintained and supported. Further, it suggests that guidance around legal aid eligibility for people who have experienced domestic abuse should be clarified.

In relation to each problem type, the report considers the key influences shaping decision making using the following headings: deciding to respond; seeking options; responding to problems and outcome.

Whilst many of the findings are not new, and this is recognised by the author, the report supplements existing survey evidence about prevalence and resolution strategies and provides evidence for the changes still needed to ensure that people can resolve their problems.

The report highlights the challenges facing those with welfare benefit problems, partly due to issues around cognitive and physical capability, lack of physical resources (e.g. not owning a printer to print out assessment forms) but also complex official communication. Participants with welfare benefit issues expressed a preference for face-to-face contact.

In relation to family justice, participants often struggled to work out what the law allowed them to do. Those who searched online reported that they found it difficult to access information about the options available to resolve child arrangements problems. It was also challenging for participants to determine which websites were authoritative. Participants whose problems related to child arrangements expressed a strong preference for avoiding court if at all possible.

Participants who had experienced domestic abuse had difficulty finding appropriate support to resolve their problem.

**Survey of Not for Profit Legal Advice Providers in England and Wales 2015 –** [**here**](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/485636/not-for-profit-la-providers-survey.pdf)

This research, by Ipsos MORI on behalf of the Ministry of Justice, was based on survey responses from 718 Not for Profit (NfP) organisations, completed over the period December 2014 – February 2015.

The research aimed to develop a baseline profile of NfP advice providers in England and Wales; describe NfP advice clients and provide an indication of how NfP advice providers may have been affected by the recent legal aid and other reforms.

The findings include:

* The research identified 1,462 NfP legal advice providers in England and Wales.
* 18% of the 781 respondents had previously held a legal aid contract (but did not currently hold one) and 9% stated that they currently held one.
* The average (median) funding received by organisations for the provision of legal advice services was £144,201 in 2013-14 (the most recent complete year).
* Between 2012-13 and 2014-15, organisations that currently or had previously held a legal aid contract were more likely to have experienced a 20% or more decrease in legal advice funding (42% and 35% respectively vs 25% overall). 23% of organisations reported a 20% or more increase in legal advice income.
* Most respondents were well established, 83% had been providing legal advice for over 10 years. Further, almost all organisations had paid employees.
* Quality Marks were held by the majority of respondents (78%), as was professional indemnity insurance. However 6% did not have professional indemnity insurance.
* The categories of law most commonly offered by respondents were welfare benefits, debt and housing. However, respondents offered advice on a wide range of other subjects.
* 51% of respondents reported that there were clients or problem types that they had been unable to help with, in the current financial year, with most citing a “lack of resources” as a reason for being unable to help.
* The most common funding source for advice services was local government (2014/15), with almost half (47%) of all organisations receiving some funding from this source. Almost a quarter (24%) of these organisations received more than half of their legal advice income from this source.

**The composition and remuneration of junior barristers under the Advocates’ Graduated Fee Scheme (AGFS) in criminal legal aid 2015 –** [**here**](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/486344/composition-remuneration-junior-barristers-agfs.pdf)

This report presents the findings from research undertaken by the Bar Council and the Ministry of Justice Research and Data Working Group. It draws on administrative payment records maintained by the Ministry of Justice and membership data from the Bar Council.

The key findings are:

* 4,272 junior barristers received fees from AGFS between 2012-13 and 2014-15. However, in 2014-15, 49% received less than £10,000.
* 1,240 individual barristers (29% of total) conducted enough work through the AGFS to be classified as part of the “most engaged” group. The average (mean) AGFS income\* of the most engaged group was £69,000 in 2012-13; £68,000 in 2013-14 and £65,000 in 2014-15.
* Approximately 9% of the 4,272 barristers were considered to be notionally “full-time”. Their mean incomes\* were £97,000 in 2012-13, £93,000 in 2013-14 and £90,000 in 2014-15.
* BME barristers constituted 14% of the most engaged group of barristers and women 23% of this group. After controlling for other factors, most engaged BME barristers on average have 3% higher AGFS fee incomes than most engaged white British barristers. Similarly, after controlling for other differences between male and female barristers, the research found that most engaged female barristers have on average 3% higher AGFS incomes than most engaged male barristers.

\*These income figures exclude VAT, relate only to the AGFS, and are not earnings because deductions need to be made for expenses and other costs such as Chambers’ expenses, training and insurance.