



The All-Party Parliamentary
Group on Legal Aid



MPs' Briefing: Legal Aid for Early Legal Advice

As an MP, your constituents come to you at crisis point. Often it is too late for you to help. They needed legal advice from social welfare lawyers months ago. But there was no legal aid.

Civil legal aid was established in 1949 with cross-party support. Cuts in 2012 removed legal aid from most of social welfare law, including much of housing, welfare benefits, debt, immigration, private family law and medical negligence. The cuts have gone far deeper than originally intended: in real terms, legal aid spending has been cut by nearly a third since 2010.¹

You know how difficult it is to refer your constituents for legal support. Since the legal aid cuts, many practitioners have abandoned legal aid work, creating advice deserts where people cannot access legal advice. The Ministry of Justice's review of the legal aid cuts showed a 39% reduction in legal aid housing providers and similar reductions in other areas, including immigration and welfare benefits.²

Lack of access to early advice means that straightforward problems are left to escalate. Larger problems cost more money to fix and that bill is paid by the taxpayer. For example, the lack of early housing law advice for disrepair issues can lead to health, social and financial problems. Housing advice is now only available if a person is homeless, has very severe disrepair or if they are losing their home. In housing possession cases, a person must be in crisis before they can get help. Usually, they now only see a solicitor at the door of the court. This causes unnecessary stress for vulnerable people and their families and the avoidable costs of a court hearing.

Case study: "Grace" is a survivor of domestic violence. Her ex-partner was imprisoned and she was living with her children and on the brink of losing her home. Grace's housing association had taken her to court as she had arrears of rent caused by welfare benefit problems. Grace's problems could have been solved at a much earlier stage if early legal advice had been available. Unfortunately, there was no legal aid and Grace was needlessly plunged into crisis.

Early intervention saves money. Citizens Advice estimates that for every £1 spent on advice for housing, debt, employment and welfare benefits could save between £2.34 and £8.80 of public spending elsewhere.³ Removing early legal advice was a false economy as any savings are far outweighed by additional costs to the NHS and/or local authorities. Research by Ipsos Mori shows that on average, 25% of people who receive early advice had resolved their problem within 3-4 months. For those who did not receive early legal advice, it was not until 9 months after the issue had first occurred that 25% of people had resolved their issue.⁴ **Prevention is better than cure. Legal aid for early legal advice would prevent crises and save the taxpayer money.**

How MPs can help

- **Visit the legal aid frontline:** MPs from all parties are taking part in the "Take Your MP to Work" campaign run by the APPG on Legal Aid and Young Legal Aid Lawyers (YLAL) to see how vital early legal advice is. To find out more, email Rohini.Teather@lapg.co.uk.
- **Join the APPG on Legal Aid:** the next meeting is 4pm, Monday 3rd February. Email Rohini.Teather@lapg.co.uk for more information about the APPG's work.
- **Engage with the future of the profession:** speak to YLAL about what changes are needed to ensure that there are future generations of legal aid lawyers. Email YLAL on ylalinfo@gmail.com.

¹ <http://researchbriefings.files.parliament.uk/documents/CDP-2019-0217/CDP-2019-0217.pdf>

² <https://www.gov.uk/government/publications/post-implementation-review-of-part-1-of-laspo>

³ https://www.accesstojusticeactiongroup.co.uk/wp-content/uploads/2011/07/towards_a_business_case_for_legal_aid.pdf Figures are from before the legal aid cuts. The cost saving will only have increased in real terms since then.

⁴ <https://www.lawsociety.org.uk/support-services/research-trends/research-on-the-benefits-of-early-professional-legal-advice/>