

## **Young Legal Aid Lawyers: reflections at ten**

Organisations celebrating birthdays often risk criticism:

- Navel gazing,
- Distraction from its aims and purpose,
- Vacuous, self-congratulatory, expensive events

Why is this different?

There are two reasons:

First, YLAL's tenth birthday presents an important opportunity to reflect on what has happened to British Justice and why that matters.

Second, YLAL's tenth birthday and stunning success, energy and two thousand members committed to social justice, is an inspiration worth celebrating; a last best hope that justice will prevail!

2015, our tenth birthday, is a momentous year for justice.

I am NOT talking about Magna Carta, whoever she is, and I am NOT talking about the fact that legal aid fees have been cut to the bone, although they have.

2015 was a watershed moment - the year that legal aid lawyers finally managed to explain why legal aid matters to non-lawyers (sadly, the Lord Chancellor was NOT one of them):

- Legal Aid finally got on the telly, thanks to Panorama and the brave Raphael Rowe
- The legal aid team, whose animation we will see shortly, has been seen over 370 thousand times, and
- We, as in YLAL, became a mother, with the birth of Nadeem who, in years to come, will be able to proudly claim to be the first offspring of two former YLAL committee members. And yes, the parents did meet though YLAL!

On a more serious note, it is nothing short of terrifying that a single issue campaign, born in the back room of an office in Harlesden in 2005, is now needed more than ever.

I started off as a campaigner for human rights, telling people what I thought they should do. It wasn't enough. Early on, I formed the view that the law was needed to make people do the right thing. So I became a lawyer. On entering practice, I found out being a lawyer is not enough either, because the laws need to be good laws. And so I became a campaigning lawyer.

It was within weeks of beginning my training contract that I realized that the job required two things that law school had not prepared me for: a massive box of tissues, and endless patience to deal with the bureaucracy of legal aid.

I decided to set up YLAL after a day spent trying to help an abused woman. Like many others before her, she had been sent to my office straight from the police station. She had been assaulted by her husband. She had been told

that there was nothing the police could do and she ought to come to my office and get an injunction. She was still visibly shaken when she arrived - every time a door opened, she flinched. It had taken her decades to pick up the courage to go to the police and do something about her situation. She told me her story and we prepared a statement. I also prepared an emergency legal aid application so we could go to Court that day and get an order to keep her safe. But there was a problem. When she was leaving her home to escape her abusive husband and go to the police, she had not thought to bring three months worth of bank statements with her. They were safely tucked away in her home, with her abusive husband. I explained the situation to the Legal Services Commission. The person on the other end of the phone said tough: I ought to tell the police to accompany her home to retrieve the bank statements. Although a few weeks later, the Commission changed this policy, it showed me just how chilling and cruel restrictions on funding can be.

At the same time, huge changes were being suggested for the delivery of criminal legal aid in the form of Price Competitive Tendering. I thought that these were the darkest possible times for legal aid. I had not become a lawyer for this. There were two choices. Give up or fight.

I thought others must feel the same way. I started to talk to friends and colleagues, my fellow trainees and young barristers. And lo and behold, I was not alone after all. Over a number of weeks in March and April 2005, I told various legal aiders about the idea of

setting up a group. One weekend in April 2005 I stayed up all night and made a website for good measure. Later that month, Doughty Street Chambers hosted our first meeting and YLAL began.

For six years, I was privileged to chair the group, working closely with incredible people. Together, we responded to consultations (and there were many), co-founded the All Parliamentary Group on legal aid, carried out original research amongst our own members, at the door of the Courts and in MPs' constituencies, and formed a strong and coherent voice to represent the next generation of legal aid lawyers, both through the committee and regional groups across the country, which today range from Sheffield, to Kent and beyond.

I was delighted to be able to hand over the Chair to two superb legal aid lawyers, Katie Brown and Connor Johnston in 2011, who will hand over to Oliver Carter, Rachel Francis and Deena Blacking this year. It is brilliant to see the next generation handing over to the next generation!

Ten years ago, I would not have believed any Government would make massive cuts to the remit of services on top of funding cuts. Changes to the scope of legal aid have left vulnerable people completely cut off from certain parts of the law. These days, I work for children in prison for whom there is barely any legal aid left at all. The UN Special Rapporteur on Torture recently called on all States to prohibit the isolation and unjustified

use of force on children in prison<sup>1</sup>. Yet I hear about it from children in this country every day, and short of judicial review, there is no funding to help them. There is not even an exceptional funding scheme for these children.

But the question we must ask ourselves tonight, as we prepare to cast our votes on 7 May, is how much do we value justice? It was not lightly that Lord Pannick recently accused the current Lord Chancellor of demeaning his office. We must make sure that the politicians we elect do not demean the notions of equality, fairness and justice by preventing people from accessing the Courts.

When I first set up YLAL, an experienced MP took me aside and advised me in terms: "nobody cares about legal aid".

If anyone can make people care about legal aid, it is YLAL.

People who join YLAL are people who vote for justice, people who care about social justice.

YLAL has become not only an inspiration to the profession and a voice against the cuts but also created amazing lawyers who inspire each other to keep going. Our wonderful Committee Member, Carita Thomas, who also steps down this year, said that before she joined YLAL she felt like an alien at law school, surrounded by wannabe commercial lawyers.

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<sup>1</sup> A/HRC/28/68 <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Pages/ListReports.aspx>

YLAL provides a place where lawyers can meet kindred spirits, from all walks of life. It was through a members survey in 2008 that we realized that legal aid was becoming impossible as a career for people without independent means. The cuts, along with student debt, had created a system propped up by under paid paralegals, holding out for a tiny pool of equally underpaid training contracts. Highlighting issues of social mobility and diversity within the legal profession has been one of our most important contributions.

It is with that in mind that we are particularly honoured to have with this evening Patricia Scotland QC, the first black woman QC, former attorney general and steadfast supporter of victims of domestic violence