

Today I met a man who was paralysed following a stroke.

He wanted a doctor to be able to help him end his life without fear of prosecution.

## THANKS TO LEGAL AID,

I was able to challenge the criminal law that prohibits assisting a person to die.

The proposal to remove funding in "borderline" cases will prevent some test cases, such as those concerning the right to die, from being brought. While the outcomes of test cases are difficult to predict, their moral and societal significance is not.

Today I met a man with terrible injuries suffered in a road accident.

Another victim died. He was charged with death by dangerous driving.

## THANKS TO LEGAL AID,

I was able to prove at trial that an "independent" witness was the true culprit and he was acquitted.

These proposals will seriously threaten the ability of small, medium sized and niche criminal firms to survive. Not only is this antithetical to economic growth, but reducing the availability of quality representation will risk more miscarriages of justice.

The following are just a few examples of cases that would not qualify for legal aid if the proposals were in place at the time:

The Gurkhas; the Afghani interpreters; the family of Baha Mousa; Binyam Mohamed; the parents of Victoria Climbié; the family of Jean Charles de Menezes; and the family of Jimmy Mubenga.



# DON'T KEEP CALM

# SAVE LEGAL AID

The Government has made proposals for new cuts to legal aid in a consultation paper titled "Transforming Legal Aid", which was debated in the House of Commons on 27 June 2013.

This leaflet sets out why you should oppose these cuts and what, as an MP, you can do to help.

Produced by the Young Legal Aid Lawyers:  
[www.younglegalaidlawyers.org](http://www.younglegalaidlawyers.org)  
@YLAlawyers

Visit the site for the campaign:  
[www.savelegalaid.co.uk](http://www.savelegalaid.co.uk)

Read more case studies:  
[savelegalaid.wordpress.com](http://savelegalaid.wordpress.com)  
@Thanks2LegalAid



## The proposals will cut legal aid by:

- Introducing a discriminatory "residence" test in all civil cases.
- Eliminating funding for the early stages of judicial review cases.
- Preventing prisoners from bringing treatment cases.
- Reducing fees paid to criminal, civil, family and immigration solicitors.
- Cutting fees paid to experts.

The changes will be brought in by way of secondary legislation in early Autumn 2013.

## The effect will be to:

- Deny vulnerable people who will fail the residence test the protection of the law, such as refugees, victims of trafficking, and children.
- Create a chilling effect where law firms are discouraged from taking on judicial review cases. The ordinary citizen will find it harder to hold the state to account.
- Create a poor quality, low value criminal legal aid system. Small criminal firms will go under. Greater costs will be incurred by the state when the big, cheap firms fail to deliver proper representation by the subsequent demands on court time and resources.
- Threaten the civil liberties of prisoners and inhibit the ability of the Parole Board to make correct decisions. More offenders will remain in high cost, high security prisons unnecessarily.
- Make it harder for junior lawyers to enter the profession. There will be a lost generation of legal aid lawyers who will not have the skills or training to support clients who require legal aid in the future. Low pay will also turn back the clock on diversity within the legal profession.
- Increase the likelihood of miscarriages of justice in cases where expert evidence is crucial.

## Four things you can do as an MP to help protect our justice system:

1. Support the Early Day Motion speaking out against Price Competitive Tendering lodged by Eifyn Llwyd MP.
2. More than 100,000 people signed the Save UK Justice e-petition. Encourage, attend and speak out at any debate that follows.
3. Be ready to play against or support amendments to the secondary legislation; and
4. Raise your concerns directly with Chris Grayling MP and the Ministry of Justice.

Opposite are a series of case studies submitted anonymously by legal aid lawyers to the blog "Thanks to Legal Aid".

Read on to see why these cuts are a false economy in practice.

Today I met a prisoner. His learning disabilities prevented him from access to a risk reduction programme.

He languished in prison as a result.

**THANKS TO LEGAL AID,** I established this was discriminatory & helped reduce risk from these prisoners to the public.

This case study demonstrates how prisoners can remain detained longer than necessary if they do not have access to legal aid. Keeping a prisoner inside costs the Ministry of Justice far more than legal aid and a place on a risk reduction programme.

Today I met a father whose autistic son was trapped in a care home against his will.

The local authority would not agree to allow him back to live with his family.

**THANKS TO LEGAL AID,** I was able to get an order from the court to allow him to return home.

This case went to court, but the vast majority of judicial review cases settle before proceedings are issued. Under the new proposals, lawyers will have to apply for permission in these strong cases in order to get paid. The extra cost to the court system will negate any savings.

Today I met a pregnant teenager who had been trafficked to the UK and raped over a period of years.

The Home Office made a poor decision to remove her from the UK.

**THANKS TO LEGAL AID,** I was able to reverse their decision so she is safe from the reach of traffickers.

Most victims of trafficking will fail the new residence test. Other clients may lack the documents lawyers will need to verify their residence. There will be more litigants in person, which will cost the court system a great deal because cases take longer without lawyers.

Today I met an Iraqi man with severe mental health problems.

He was kept in inhumane conditions in detention. He was so unwell he was unable to comply with proper treatment.

**THANKS TO LEGAL AID,** I got him transferred to a hospital for urgent treatment. He is now a refugee.

The new residence test will prevent legal aid lawyers representing most people held in immigration detention. The costs of holding detainees for longer than necessary will wipe out any potential savings the policy will create within the legal aid budget.