

Social welfare law: what the public wants from civil legal aid

Findings from a nationwide opinion poll



LAG
the access to
justice charity

www.lag.org.uk/civillegalaidlaw survey

The Baring Foundation

About Legal Action Group

Legal Action Group (LAG) promotes access to justice as a fundamental democratic right. We are a national charity that is independent of the providers and funders of legal services. We seek to represent the interests of the public, particularly the vulnerable and socially excluded, in improving legal services, the law and the administration of justice. LAG undertakes policy research on access to justice issues, particularly the funding, quality and availability of legal services for the public. Through our publications and training courses for lawyers and advisers, LAG seeks to increase the quality and availability of legal advice. LAG is self-financing: our publishing and educational activities provide most of our income.

LAG is grateful to the Baring Foundation, which funded the research and publication of this report, with special thanks to Matthew Smerdon, deputy director at the Baring Foundation. This report has been written by Steve Hynes, LAG's director.

The Baring Foundation

Executive summary of research findings and recommendations

- The government is in danger of ignoring completely the strong views of the public in its plans to cut much of civil legal aid.
- Despite the publicity around the need to cut public expenditure over the past two years, there is a persistent belief among the public that it is fair for the state to fund advice in common civil legal problems.
- 82% of respondents believed that free advice on common civil legal problems should be available to everyone, or at least to those who earn less than the average national income (ie, £25,000 per year) compared with 84% of respondents in *Social welfare law: what is fair? Findings from a nationwide opinion poll survey* (see below), which was published by LAG in 2010.¹
- Support for legal services paid for by the state was consistent across the social classes.
- People in social class DE were the least likely to be willing to use the internet or telephone to obtain advice.
- There was rising support across all social classes for employment law advice to be paid for by the state. We concluded that this increase was caused by respondents' anxiety over their employment rights because of the economic slowdown.

Recommendations

- The proposed cuts to legal aid for benefits, employment law and housing advice should be reversed (at a cost of £40m) as 82% of the public believes that it is fair that the state should provide free advice to everyone in such cases or at least to those whose income is at or below the national average.
- Reflecting the public's main priority of protecting children, custody cases and other legal issues that impact directly on children should continue to be covered by the legal aid system.
- Advice on debt should be paid for by the financial services industry, at least to a level that replaces the funding which is being lost from legal aid.
- Provision should be made in the Legal Aid, Sentencing and Punishment of Offenders Bill, known as the Legal Aid Bill, to allow for the extension of legal aid to other areas of law. This would be in keeping with previous legislation and would give future governments the flexibility to respond to demand for services caused by developments in the law, shifts in demand and public opinion, as well as other factors.
- The government should adopt a polluter-pays policy, which should include other arms of the state paying for the knock-on cost to the legal aid system.
- Plans to filter cases through a mandatory telephone gateway should be dropped as the people who qualify for legal aid are the least likely to use such services.

Background

In November 2010, LAG published *Social welfare law: what is fair?* which detailed the findings of a nationwide opinion poll survey conducted by GfK NOP on the public's views about civil legal advice services. This report details the results of a follow up opinion poll survey, again undertaken by GfK NOP in January 2012 on LAG's behalf.

A cross-section of 1,000 randomly selected members of the public were questioned in a telephone survey which took place from 13 to 15 January 2012. The results were compared with those from the opinion poll survey which was conducted in 2010. A statistical test (ie, a two-tailed T test, Z test) was applied to the findings to identify those where there was a statistically significant difference compared with the 2010 opinion poll survey.²

Overall, the 2010 and 2012 opinion poll surveys were consistent in their findings: both showed a high level of public support for the availability of state-funded advice in common areas of civil law, often referred to as social welfare law (SWL). The 2012 opinion poll survey showed a significant change in the priority that the public gave to the need for advice on employment law compared with the 2010 opinion poll survey.

1 Available at: www.lag.org.uk/socialwelfarelawsurvey.

2 See: www.surveystar.com/our_services/ztest.htm.

Introduction

The Legal Services Commission (LSC) refers to community care law, debt, employment, housing and welfare benefits as SWL. LAG includes immigration law in the definition of SWL, but this area is excluded by the LSC as it contracts separately for immigration law services. When designing the 2010 and 2012 opinion poll surveys, it was decided to include benefits and tax credits, debt, employment law and housing, as these are the most common enquiries. These areas of SWL can be characterised as the law of everyday life, such is the demand for assistance with them. Much of the advice on such cases under the legal aid scheme is carried out by charities such as Citizens Advice Bureaux. **Table 1** breaks down the SWL enquiries dealt with by Citizens Advice Bureaux in 2010/2011.³

TABLE 1 SWL enquiries dealt with by Citizens Advice Bureaux in 2010/2011

Enquiry area	Number of enquiries
Debt	2,268,031
Benefits and tax credits	2,167,999
Employment	568,192
Housing	504,535
Immigration, asylum and nationality	96,078
Health and community care	78,060

TABLE 2 Breakdown of SWL cuts

Area of SWL	Advice	Number of cases	Representation	Number of cases
Debt	£20m	105,000	0m*	50
Education	£0.50	2,800	£0.5m	70
Employment	£5m	24,000	£0.5m	70
Housing	£10m	52,000	£3m	1,200
Welfare benefits	£25m	135,000	0m	0
Immigration	£20m	53,000	£1m	290
Total	£80.5m	371,800	£5m	1,680

* Cost of representation not given by Ministry of Justice.

Challenging times: the policy and spending context

In November 2010, a consultation paper on legal aid, *Proposals for the reform of legal aid in England and Wales*, was published.⁴ The paper outlined £350m in cuts to the legal aid scheme the majority of which, £251m, were aimed at reducing the areas of civil law covered by the scheme. Currently, the Legal Aid Bill is before parliament, and if it is not amended most of what was proposed originally by the government will be implemented, ie, divorce, clinical negligence and benefit cases will be among those areas of law cut from scope.

In June 2011, the government produced an updated impact assessment on its proposed cuts.⁵ This estimated that around 600,000 people will lose out on help with civil legal problems (the administration's original estimate was just over 500,000 people). A total of £280m in funding will be cut from civil legal aid: 130m from legal help (advice only); and £150m from legal representation. The total estimate of the SWL cuts is around £81m and is set out in **Table 2**. (Readers should note that community care law is not being cut from scope.)

In addition, since publishing its original estimate in November 2010, the government has revised its plans as follows:

- £16m more will be cut from non-family legal help;
- £15m less will be cut from legal representation, ie, £8m less will be cut from family and remaining £7m from the other categories of civil law).

Nevertheless, a total of 371,800 members of the public will lose out on advice and representation in SWL cases.

3 See 'Citizens Advice annual advice statistics 2010/11', available at: www.citizensadvice.org.uk/index/pressoffice/press_statistics.htm.

4 Available at: www.justice.gov.uk/downloads/consultations/legal-aid-reform-consultation.pdf.

5 Available at: www.justice.gov.uk/downloads/consultations/annex-a-scope.pdf.

The cuts in scope to legal aid are due to be implemented in April 2013.⁶ Currently, there are around 2,000 firms undertaking civil legal aid work, mainly in family law, and just under 300 charities and other not for profit (NFP) organisations with legal aid contracts that are almost entirely in SWL.⁷ If the Legal Aid Bill becomes law with no major amendments, about 50 per cent of civil legal aid firms will cease to undertake legal aid work, and apart from housing cases in which repossession is threatened, much of the work that NFP organisations carry out will be cut. LAG believes that over 80 per cent of NFP providers will be forced to leave the legal aid system.

Opinion poll survey results

Advice services

Summary

In the survey, respondents were asked the following questions on seeking advice on benefits, employment law, housing or money problems (such as debt):

- Where they had sought advice (if they had done so in the last year) or where they would seek advice from if they needed to in the future;
- How far they travelled (or would travel) to seek such advice; and
- Which kind of problem they had sought advice.

Problems reported

A total of 209 respondents reported needing advice on one or more of the following areas of law in the last year (see **Table 3**).

Where would you go for advice?

- 43% of respondents got advice from their local advice centre. (While this figure had increased from 37% in the 2010 opinion poll survey, the difference between the surveys was not found to be statistically significant.)

TABLE 3 Problems reported

Area of SWL	% needing advice
Benefits	29%
Employment	29%
Housing	26%
Money/Debt	16%

⁶ *Hansard* HC Written Ministerial Statement cols 74WS–75WS, 1 December 2011.

⁷ See the Legal Services Commission's *Annual report and accounts 2010-11*, p6, available at: www.legalservices.gov.uk/docs/about_us_main/LSC_AnnualReport_2010-11.pdf.

- Internet and telephone use had risen from 35% in the 2010 opinion poll survey to 43% in the 2012 opinion poll survey, but again this increase was not found to be statistically significant. People in social class DE remain the least likely to use internet and telephone advice services.
- 14% of respondents in the 2012 opinion poll survey had sought advice from a solicitor. (See **Table 4** for further details)
- Around 50 per cent of respondents who had sought advice about a benefit problem came from people in social class DE (ie, 47 out of 99 respondents); in addition, people in this social group were more likely than respondents in other social groups to have sought advice on other problems.
- Needing advice on employment law was the most evenly distributed area by social class. Of the whole sample group of 1,000 people, the percentage needing advice on employment law broke down as follows:
 - 8% of people in social class AB;
 - 9% of people in social class C1;
 - 8% of people in social class C2; and
 - 14% of people in social class DE.

Levels of satisfaction with the advice respondents had received were consistent between the 2010 and 2012 opinion poll surveys with no significant statistical differences: (See **Table 5**)

- 83% of respondents in the 2012 opinion poll survey who had used advice services were either 'very satisfied' or 'quite satisfied' with the advice received. (However, the planned cut back in services might well have an impact on these levels of satisfaction, as members of the public will either receive a much reduced service or none at all.)

How far did you travel to get advice?

There was little difference between the 2010 and 2012 opinion poll surveys over the distance respondents had travelled to obtain advice:

- Of those respondents who had travelled five or fewer miles:
 - 65% had do so in the 2010 opinion poll survey compared with 67% in the 2012 opinion poll survey; and
- Of those respondents who had travelled more than five miles:
 - 20% had do so in the 2010 opinion poll survey compared with 19% in the 2012 opinion poll survey. (It will be interesting to observe if there is a significant difference in the travel distances post April-2013 and the removal of a large amount of SWL work from the legal aid scheme.)
- Of those respondents who had not obtained advice in the last year:
 - 51% in the 2012 opinion poll survey said that they would travel five miles or less to seek advice (the same percentage as respondents in the 2010 opinion poll survey); and
 - 40% in the 2010 opinion poll survey said that they would travel five miles or more to obtain advice compared with 41% in 2012 opinion poll survey.

TABLE 4 Where would you go for advice?

Source of advice	% seeking advice
Local advice centre such as Citizens Advice Bureau	43%
Internet and telephone	43%
Solicitor	14%
Another advisor	??%

TABLE 5 Level of satisfaction

	2010 opinion poll survey	2012 opinion poll survey
Very satisfied	35%	35%
Quite satisfied	40%	48%
Neither satisfied nor dissatisfied	17%	11%
Quite dissatisfied	4%	4%
Very dissatisfied	4%	2%

Where would you go for advice?

There was a remarkable similarity between 2010 and 2012 opinion poll survey findings when respondents who had not sought advice in the last year were asked where would they go if they needed advice:

- 66% of respondents in both surveys said that they would seek advice from their local Citizen's Advice Bureau or advice centre;
- 26% in both surveys said that they would go to a solicitor; and
- 37% in both surveys said that they would seek help through an advice telephone helpline or the internet.

People in social class DE were least likely to want to use the internet or a telephone advice line compared with people in other social classes. The number of respondents who said that they would seek advice in these ways had actually dropped from 24 per cent in the 2010 opinion poll survey to 17 per cent in the 2012 opinion poll survey; however, this fall was not a statistically significant finding.

Paying for advice: what is fair?

The opinion poll survey asked two questions to try and discern the public's view on what legal advice services the state should pay for and the priority that should be given to funding different areas of work. Tables giving the responses to these two questions broken down by sex, age and social class are reproduced in the appendix to this report.

Attitudes to state funding for advice

To assess public attitudes to the state paying for the cost of representing clients in SWL cases, respondents were asked the following question:

Good legal advice is very important to anyone in a court case, but it can be very expensive. When people cannot afford to cover the cost it is mainly paid for by legal aid and other government funding, but as you may be aware there is pressure on legal aid and other public services due to budget cuts. Please tell me which one of the following you agree with?

Respondents had the following options:

- 1 Everyone should be entitled to free advice regardless of how much they earn;
- 2 Advice should be free only to people who earn less than the average national income (£25,000);
- 3 These services should be free only to people on benefits; or
- 4 These services should not be free to anyone.

(There was also a 'Do not know' option.)

The findings of the 2010 and 2012 opinion poll surveys were similar (see Table 6). There was a significant difference in the responses to option two and this might indicate a shift to either free services for all or the more restrictive options three and four.

- 82% of respondents in the 2012 opinion poll survey believed that advice services should be either free to everyone or to those earning less than the average national income.

TABLE 6 State funding for advice

	2010 opinion poll survey	2012 opinion poll survey
Everyone should be entitled to free advice regardless of how much they earn	41%	45%
Advice should be free only to those people who earn less than the average national income (£25,000)	44%	37%
These services should only be free to those people on benefits	9%	10%
These services should not be free to anyone	5%	6%
Do not know	2%	2%

In an opinion poll survey of London residents commissioned by LAG in 2011, 50 per cent of respondents said that they believed that services should be free to everyone compared with 45 per cent in the nationwide 2012 opinion poll survey.⁸ This is a statistically significant result, so it can be concluded that London residents are more supportive of the state paying for free legal advice services. A possible explanation for this difference is the high cost of living in London.

There is a large gap between public opinion and the reality of the legal advice services available that are funded by the state. Legal aid is only available for advice in benefits and employment law cases, to receive representation, for example, if a case needs to go to a tribunal, the applicant has to fund it him/herself or rely on a service which receives financial support, usually from a local council, to provide representation.⁹ As a result of the means test for legal aid, few people qualify even for advice in employment law and the total legal aid budget for advice in this area is just £5m. (See **Table 2**)

Support for legal services paid for by the state was remarkably consistent across the social classes in the 2010 and 2012 opinion poll surveys. For example:

- 41% of people in social class AB in the 2012 opinion poll survey chose option one compared with 39% of people in the same class in the 2010 opinion poll survey;
- 43% of people in social class DE in the 2012 opinion poll survey chose option one compared with 37% of people in the same class in the 2010 opinion poll survey;
- 37% of people in social class AB in the 2012 opinion poll survey chose option two compared with 43% of people in the same social class in the 2010 opinion poll survey; and
- 38% of people in social class DE in the 2012 opinion poll survey chose option two compared with 43% of people in the same social class in the 2010 opinion poll survey.

The 2010 and 2012 opinion poll survey findings confirm that there is a high level of support for the state paying for advice services in the four areas of SWL and that this backing is remarkably uniform across all sections of society. It would appear that the public's expectation is that if they have a problem in one of these areas of law they should be entitled to representation and legal advice, especially if they are earning less than the average national income. Significantly also, even if people come from a social class least likely to experience a problem, the belief seems to predominate that the state should pay for services to help people whose income is at or below the national average.

The similarity between 2010 and 2012 opinion poll survey findings is perhaps surprising given the publicity around the need to cut public expenditure which has occurred over the past two years. The consistency in support for state funding for legal advice might confirm that there is a persistent belief among the public that it is fair for the state to fund services in these areas of SWL for everyone, or at least to those people whose income is at or below the average national. In reality, legal aid for advice in SWL is only available to people at or just above means-tested benefit rates. There is therefore a continuing large gap between the public's expectations of what should be – and the reality of what is – available when they experience a problem.

8 Fiona Bawdon and Steve Hynes, *London advice watch: findings of a research project on provision of social welfare law advice in London*, December 2011, available at: www.lag.org.uk/files/93986/FileName/LondonSWLReportFinal.pdf.

9 Appeals of decision from employment tribunals to the Employment Appeal Tribunal and higher courts are covered by the certificated scheme.

Prioritising advice

To respondents' attitude to prioritising the kind of advice that should be paid for by the state, they were asked the following question:

If you had to prioritise three different areas of advice for the government to pay for, which areas are most important? Please give me your top three.

The choices were as follows:

- Divorce and relationship breakdown;
- Housing (for example, advice on homelessness, evictions and disrepair claims against landlords);
- Child protection;
- Debt;
- Benefits;
- Employment;
- None of these; and
- Do not know.

It was decided to include divorce as this is one of the major cuts in civil legal aid proposed by the government. Child protection is also included as this makes up the bulk of work that will remain in the scope of the civil legal aid scheme.

As can be seen from **Table 7a**, child protection advice remains the highest priority for state funding, with housing in second place. However, there is a marked employment-law effect as there is a statistically significant 6 per cent increase in respondents who prioritised employment law advice, ie, 53 per cent in the 2010 opinion poll survey compared with 59 per cent in the 2012 opinion poll survey.

Further analysis of this finding shows that there is an increase in support across the social classes for employment law advice being a priority for state support. (See **Table 7b**)

The findings in respect of people in social classes C2 and DE are statistically significant as there has been a shift in support for employment law advice. Furthermore, there has been a statistically significant shift by people in social class DE from support for child protection (ie, from 70 per cent in the 2010 opinion poll survey to 59 per cent in the 2012 opinion poll survey) to employment law advice (ie, from 40 per cent in the 2010 opinion poll survey to 52 per cent in the 2012 opinion poll survey). There is also a statistically significant shift in opinion among people in the South East (readers should note that the South East category did not include London): in the 2010 opinion poll survey 42 per cent of respondents prioritised employment law advice compared with 62 per cent in the 2012 opinion poll survey.

TABLE 7a Prioritising advice

	2010 opinion poll survey	2012 opinion poll survey
Divorce and relationship breakdown	17%	16%
Housing	67%	63%
Child protection	70%	69%
Debt	36%	35%
Benefits	36%	30%
Employment	53%	59%
None of these	2%	2%
Do not know	3%	3%

TABLE 7b Prioritising advice

	2010 opinion poll survey	2012 opinion poll survey
AB	54%	61%
C1	58%	60%
C2	59%	66%
DE	40%	52%

The findings of the 2010 and 2012 opinion poll surveys were consistent. The respondents prioritised child protection and housing as the two most important areas for state-funded support, followed by employment law, debt and benefits. There was a statistically significant shift to support for employment law services, particularly among people in the South East and in social classes C2 and DE. This might be because of increasing anxiety about job security and other employment-related problems among people as a result of the impact of the recession.

Social welfare law: what the public wants from civil legal aid

Throughout the history of legal aid, successive governments have adjusted what work is covered by the system. Chief among the factors which has determined this is the need to meet international legal obligations, including those under the European Convention on Human Rights. A large part of the current government's justification for the planned cuts in legal aid is that it has to prioritise the protection of these rights or risk falling foul of international law.¹⁰ What the administration chooses to ignore is that the legal aid system and other state support for legal services has also expanded over time because of social change. In the years after the Second World War, civil law developed rapidly. Laws were approved by parliament which increased people's individual rights in response to political pressure, but awareness of and the means of enforcing these rights lagged behind. At fault was a complacent legal profession that was unwilling to expand into these areas of law and government that did not prioritise policies which would increase the take up of legal rights.

In 1973 the forerunner of today's legal help scheme, the green form scheme, was established largely because it was recognised by the political parties that the law was failing to serve the public. In the late 1960s two influential papers, *Justice for all* from the Society of Labour Lawyers and *Rough justice* by the Society of Conservative Lawyers argued that legal services needed to better reflect the needs of poorer communities. The green form scheme was created to do this and led to the growth in non-family law cases being covered by civil legal aid.

LAG does not argue that public opinion should trump all other factors in deciding what areas of law should receive state support for legal advice services; nevertheless, we do believe that the government is in danger of ignoring completely the strong views of the public in its plans to cut much of civil legal aid. The cuts to the legal help scheme are especially significant as this provides much of the initial advice and assistance on common civil legal problems with which the wider public identifies. The shift in opinion on prioritising employment law illustrates how non-legal factors, such as the downturn in the economy, can lead to a greater demand for state-funded advice services. This should not be ignored by the government as the public has the clear belief that it is fair for the state to provide these services.

Support for legal services paid for the state in these everyday areas of law has been consistent between the 2010 and 2012 opinion poll surveys. We believe that this reflects a strong culture of fair play in respect of legal rights. Many people believe that even if they should not qualify for free legal advice, a safety net should be in place to ensure that the state pays for legal advice to assist individuals when things go wrong in their lives. What the public wants, it would seem, is a system which either provides free advice to everyone on civil legal problems or one that at least serves people whose income is at or below the national average. What they see as the priorities for such a system are the protection of children, advice on housing and, increasingly, employment law with benefits and debt having less, but still significant, priority. Help with divorce

¹⁰ See note 4, p16.

and relationship break up-related legal problems has the lowest support by some margin. Given the priority attached to the protection of children, it would seem right to assume that the public would want access to legal aid to be preserved for those aspects of divorce and relationship break up cases which impact on children.

In response to concerns about the impact of the proposed cuts on the NFP sector, the government introduced a £20m advice services fund to assist NFP organisations undergoing cuts in the current year. LAG welcomed this fund and the announcement of the review of advice services being undertaken currently by the Cabinet Office; however, it should be stressed that the government is giving no guarantees over what will happen to these organisations and their clients when, in April 2013, legal aid for the bulk of SWL cases is cut.

Polluter pays

LAG welcomes the levy on the financial services industry which from April 2012 will contribute £83.8m to the provision of advice on money matters and debt problems. The levy will be collected by the Financial Services Authority and the fund will be administered by the Money Advice Service.¹¹ It seems that while the government is willing to impose a polluter-pays policy on the financial services industry, the administration is unwilling to look to other arms of the state to contribute to the legal aid fund despite the recommendation of the Justice Select Committee report on legal aid.¹²

In evidence before the committee, Jonathan Djanogly the justice minister revealed that in the 2011/12 financial year a sum of £21.1m will be transferred from the Department for Work and Pensions (DWP) to the Ministry of Justice (MoJ). This sum is to compensate the MoJ for the cost of the introduction of the employment and support allowance on the tribunal system which the MoJ administers.¹³ However, £25m will be cut from the legal aid budget for welfare benefits advice. (See **Table 2**) The committee rejected the government's argument that the imposition of a levy on other departments would not assist with the need

to make budget cuts; it believed, as does LAG, that the introduction of a charging policy would provide a 'financial incentive to public authorities to get their decisions right first time'.¹⁴

The shake up of the benefits system which will happen when the Welfare Reform Bill becomes law will have a significant knock-on impact on the demand for advice and the tribunal system. Finding the cash from the DWP's budget to continue to fund legal aid in welfare benefits would, LAG believes, meet the public's expectation that it is fair to provide advice in this area of law.

11 'Money advice service to expand scope and reach millions more customers', Money Advice Service press release, 2 February, available at: www.moneyadviceservice.org.uk/_assets/download/s/pdfs/press_releases/money_advice_service_reach_millions_more_customers.pdf.

12 *Government's proposed reform of legal aid. Third report of session 2010–11*, HC 681–I, p26, available at: www.publications.parliament.uk/pa/cm201011/cmselect/cmjust/681/68102.htm.

13 Steve Hynes, 'Justice Committee legal aid report falls short', May 2011 *Legal Action* 8–9.

14 See note 12, p27.

Recommendations

The government's proposals in the Legal Aid Bill fall far short of the public's expectations of what the legal aid system should provide. Therefore, based on the findings of LAG's 2010 opinion poll survey, we make the following recommendations:

- The proposed cuts to benefits, employment law and housing cases should be reversed (at a cost of £40m) as 82 per cent of the public believes that it is fair that the state should provide free advice to everyone in such cases or at least to those whose income is at or below the national average.
- Reflecting the public's main priority of protecting children, custody cases and other legal issues that impact directly on children should continue to be covered by the legal aid system.
- Provision should be made in the Legal Aid Bill to allow for the extension of legal aid to other areas of law. This would be in keeping with previous legislation and would give future governments the flexibility to respond to demand for services caused by developments in the law, shifts in public opinion, as well as other factors.
- The government should adopt a polluter-pays policy, which should include other arms of the state paying for the knock-on cost to the legal aid system.
- Plans to filter cases through a telephone gateway should be dropped, as the people who qualify for legal aid are the least likely to use such services.

Conclusion

LAG believes that withdrawing state support for SWL will leave a large section of the population without recourse to legal advice. We think that this will have a damaging impact on social cohesion and, ultimately, undermine the rule of law as the belief will grow that civil legal rights are a luxury open only to the few people with the resources to pay for legal advice or who qualify for a free service under human rights legislation.

The reasons why access to civil legal aid was opened up nearly 40 years ago have not gone away. The state still makes decisions on people's lives over everything from providing a home to disability benefits, and gets it wrong on many occasions; in a democracy, people should be given a chance to challenge such decisions. Equally, large corporations with plenty of resources can neglect the rights of individuals, and it is up to the state to ensure equality before the law in such cases.

If the Legal Aid Bill is not amended, LAG believes that the downgrading of access to civil legal rights will rebound on the government. A public that is disenfranchised from civil justice will become increasingly disillusioned and frustrated, which will in turn feed a mood for change.

Appendix

Q.8 Good legal advice is very important to anyone in a court case, but it can be very expensive. when people cannot afford to cover the cost it is mainly paid for by legal aid and other government funding, but as you may be aware there is pressure on legal aid and other public services due to budget cuts. Please tell me which one of the following you agree with.

Base: all adults aged 16+

	Sex		Age					Social class				
	Male	Female	16-24	25-34	35-44	45-54	55-64	65+	AB	C1	C2	DE
Total	1000	1000	117	133	192	167	157	234	212	316	210	262
Unweighted total	487 49%	513 51%	117 12%	133 13%	192 19%	167 17%	157 16%	234 23%	212 21%	316 32%	210 21%	262 26%
Weighted total	485 49%	515 51%	127 13%	143 14%	187 19%	171 17%	153 15%	219 22%	220 22%	313 31%	218 22%	249 25%
Everyone should be entitled to free advice regardless of how much they earn	214 44%	233 45%	77 61%	74 52%	95 51%	77 45%	50 33%	74 34%	91 41%	140 45%	110 50%	107 43%
Advice should be free only to people who earn less than the average national income (£25,000)	177 37%	193 38%	36 28%	46 32%	69 37%	60 35%	74 49%	86 39%	81 37%	118 38%	77 35%	95 38%
These services should be free only to people on benefits	48 10%	54 10%	10 8%	13 9%	11 6%	15 9%	17 11%	35 16%	22 10%	28 9%	20 9%	32 13%
These services should not be free to anyone	32 7%	26 5%	3 2%	8 6%	9 5%	15 9%	8 5%	15 7%	20 9%	19 6%	9 4%	10 4%
Don't know	14 3%	9 2%	1 1%	2 1%	3 2%	4 3%	4 2%	9 4%	6 3%	8 3%	2 1%	6 3%

Q.9 If you had to prioritise three different areas of advice for the government to pay out for, which areas are most important? Please give me your top 3.

Base: all adults aged 16+

	Sex		Age							Social class			
	Male	Female	16-24	25-34	35-44	45-54	55-64	65+	AB	C1	C2	DE	
Total													
Unweighted total	487 49%	513 51%	117 12%	133 13%	192 19%	167 17%	157 16%	234 23%	212 21%	316 32%	210 21%	262 26%	
Weighted total	485 49%	515 51%	127 13%	143 14%	187 19%	171 17%	153 15%	219 22%	220 22%	313 31%	218 22%	249 25%	
Divorce and relationship breakdown	65 13%	96 19%	22 18%	24 16%	36 19%	27 16%	21 14%	31 14%	48 22%	49 16%	34 16%	29 12%	
Housing (for example advice on homelessness, evictions and disrepair claims against landlords)	310 64%	320 62%	85 67%	90 63%	120 64%	105 62%	97 63%	132 61%	136 62%	211 67%	139 64%	143 57%	
Child protection	318 66%	368 71%	86 68%	97 67%	142 76%	108 63%	114 74%	139 63%	170 77%	209 67%	161 74%	147 59%	
Debt	168 35%	180 35%	46 36%	61 43%	61 33%	66 39%	48 32%	66 30%	88 40%	109 35%	63 29%	89 36%	
Benefits	179 37%	172 33%	35 28%	46 32%	59 31%	72 42%	52 34%	88 40%	53 24%	111 36%	82 38%	105 42%	
Employment	300 62%	293 57%	93 73%	99 69%	118 63%	107 63%	90 59%	86 39%	133 61%	187 60%	145 66%	129 52%	
None of these	11 2%	5 1%	1 1%	3 2%	2 1%	-	1 *	8 4%	3 2%	7 2%	1 *	4 2%	
Don't know	9 2%	16 3%	1 1%	-	-	2 1%	4 3%	17 8%	2 1%	5 2%	4 2%	14 6%	



Independent research and information on the impact of the Legal Aid, Sentencing and Punishment of Offenders Bill

London Advice Watch: findings of a research project on provision of social welfare law advice in London, Fiona Bawdon and Steve Hynes, LAG, December 2011, LAG's research on the provision of social welfare law advice in the capital, was funded by Trust for London.

'Eighty-eight per cent of Londoners believe that legal advice on benefits, housing, debt and employment law should be either free to everyone or to people who earn the national average income or below.'
Steve Hynes, LAG's director

Legal aid in welfare: the tool we can't afford to lost. Research conducted by Scope, as part of the Justice for All campaign, Scope, November 2011 was commissioned by LAG and funded by the Baring Foundation.

'The success of the government's welfare reform is dependent on the use of legal aid for appeals to ensure that disabled people get the vital support they need.'
Richard Hawkes, Scope's chief executive

Legal aid is a lifeline: women speak out on the legal aid reforms, National Federation of Women's Institutes (NWFI), NWFI research, October 2011 was commissioned by LAG and funded by the Baring Foundation. The research examined the impact of the government's proposals on women who have experienced domestic violence.

'We urge the government to listen to what women are telling them and amend the bill before it leaves vulnerable women without support.'
Ruth Bond, NWFI chairperson

The reports and further details about LAG research are available at:
www.lag.org.uk.



For more information, publications and briefings about Justice for All, the campaign for free legal advice, visit:
www.justice-for-all.org.uk/Publications.

