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LAWWORKS CLINICS NETWORK REPORT APRIL 2017 – MARCH 2018

**ANALYSIS OF PRO BONO
LEGAL ADVICE WORK BEING
DONE ACROSS THE LAWWORKS
CLINICS NETWORK BETWEEN
APRIL 2017 AND MARCH 2018**

LAWWORKS, DECEMBER 2018

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FOREWORD

The legal profession has a proud tradition of pro bono – for many, it is a vital part of being a lawyer, or a law student. With ongoing restrictions on legal aid in a difficult period of political and economic uncertainty, demand on pro bono remains high. Pressures on the justice system have reduced the ability of many to access legal advice and representation.

This year has seen a modest growth in the number of clinics, enquiries and advice provided across the LawWorks Clinic Network. For the first time, we are able to more clearly evidence the benefit of the work of clinics through our work on client outcomes, and have included data on this in the report. We take seriously concerns that too often reporting from free legal advice services is about outputs – whilst what matters are the outcomes for clients and clinic beneficiaries.

Clinics should be rightly proud of the work they do. However, whilst pro bono makes an important contribution to enabling access to justice, it is not – and should not be seen as – an alternative to legal aid. Nor should it become an alternative to funding for the work of law centres and advice agencies. Pro bono works most effectively when it complements and supports wider legal and advice provision, and is tailored to particular areas of need. It needs an ‘infrastructure’ to flourish and survive, with local advice organisations or groups able to facilitate, host or support pro bono volunteers. With the legal aid changes under review by Government, I hope that policy makers will more clearly understand this.

Despite the challenges though, it is good to see new clinics joining the network and developing their services. All clinics in the LawWorks Network are independent and self-managed; there is no typical advice clinic with considerable diversity in their size, regularity and the services offered. But they all share the same core components of volunteering whether by solicitors (individuals, firms and in-house teams), law students or other legal professionals. The support of law schools and their students deserves particular mention as a growing part of the clinics network; this provides valuable experience and learning for the lawyers of tomorrow, potentially instilling a commitment to pro bono which can last a lifetime as well as making a contribution to access to justice.

Increasingly, clinics see themselves as part of a wider network. Our role as LawWorks is to support this network, including facilitation of partnerships

to help set up new clinics, providing guidance on issues such as regulatory requirements, insurance and volunteer recruitment, and sharing experience and learning. We provide ongoing support where needed, including ‘troubleshooting’ advice, training, networking opportunities and online information and resources. By identifying emerging trends and issues across the network we can provide a policy voice for pro bono, including making the case for a comprehensive legal aid and support system and other improvements to access to justice.

This report brings together data and information from different surveys. In the year April 2017 to March 2018, there were nearly 60,000 enquiries at clinics, with almost 40,000 clients receiving legal advice. Whilst we are cautious about extrapolating trends, and we recognise the need to improve the way that we collect data, it is noticeable that year on year, our annual clinics reports have demonstrated an increase in clinic activity and the number of enquiries handled.

Numbers alone do not tell us the whole story. Behind every enquiry there is a human problem, and each client is different with individual stories, experiences and issues. A legal problem does not have to be complex to be potentially life-changing or to be daunting. Not every legal problem can be solved or solved satisfactorily, but the advice pro bono clinics provide can improve lives for the better.

Martin Barnes

Chief Executive

LawWorks (the Solicitors Pro Bono Group)

EXECUTIVE SUMMARY

This report details the pro bono advice and assistance carried out by pro bono clinics participating in the LawWorks Clinics Network for the period 1 April 2017 to 31 March 2018. The main findings are summarised below:

Clinics and enquiries

- There were 229 active clinics across England and Wales in the LawWorks Clinics Network on 31 March 2018;
- There were 59,902 individual enquiries at clinics in the period between April 2017 and March 2018, a 2% increase on the previous year;
- 39,937 clients were given legal advice at a clinic, a 14% increase from last year;
- a further 12,250 clients were given general information or signposted or referred to other services;
- 41% of clinics in the network are law school-based clinics and, collectively, they dealt with over 19,000 enquiries last year.

Areas of law

- 35% of the advice provided was on family law, with housing and employment law as the next largest advice categories.

Volunteers

- Over 9,000 individuals volunteered across the LawWorks Clinics Network, a 33% increase on the previous year – 28% of volunteers were solicitors.

Clinic trends

- 76% of clinic co-ordinators have seen an increase in demand for pro bono legal advice over the last year, and over half of clinic co-ordinators (52%) have seen an increase in the number of clients in crisis or distress.

Clients

- Of those clients whose income was recorded, 72% have incomes below the Joseph Rowntree Foundation minimum income standard; 60% of clients were women, nearly 49% were from black and minority ethnic communities, and 22% identified as having a disability;
- Our outcomes monitoring, based on a representative sample, found that over 75% of clients reported that, as a result of the information or advice they received, they felt more confident in dealing with their problem and had a better understanding of their situation.

INTRODUCTION

LAWWORKS AND THE LAWWORKS CLINICS NETWORK

LawWorks is the operating name for the Solicitors Pro Bono Group, a charity working across England and Wales. LawWorks aims to inspire and support lawyers and law students to engage in pro bono activity. To this end LawWorks:

- promotes, facilitates and develops pro bono within the solicitors' profession and in law schools,
- connects those needing pro bono legal services with the pro bono volunteers and the assistance they need, including smaller charities and not-for-profit organisations
- advocates for policy change and the goal of access to justice for all.

LawWorks supports and develops a growing network of local and independent pro bono clinics across the country, each delivering free legal advice and assistance to individuals in need of help.

Setting up and supporting free legal advice clinics has been a long-standing activity for LawWorks, and in March 2018 there were 229 active clinics in the Clinics Network. As this report highlights, while each clinic is unique, they generally involve a partnership bringing together a mix of law firms, in-house legal teams, barristers and law schools, working with advice agencies and other charities to support individuals in the local community.

The clinics team at LawWorks supports both the development of new clinic services, from initial idea stage through to piloting and launch, as well as providing ongoing support and consultancy to established clinics. This support includes:

- **Consultancy:** LawWorks works with stakeholders to identify local need and provides support through the stages required to set up a new legal advice clinic.
- **Training:** LawWorks runs free training sessions covering many areas of social welfare law and advice skills, available in-person and online via video and audio recordings.
- **Troubleshooting:** LawWorks provides advice and guidance to clinics on issues such as regulatory requirements, volunteer recruitment and clinic expansion.

- **Resources:** Members of the LawWorks Clinics Network get free access to software such as legal research tools, secure document storage solutions, as well as factsheets, toolkits and template resources for use in clinics.
- **Impact and evaluation:** LawWorks have been working with clinics to develop the 'Better Information Project', and provide tools to monitor outcomes and enable clinics to demonstrate their impact and value to stakeholders.
- **Networking:** LawWorks runs networking events connecting clinic stakeholders to discuss common issues, and share best practice and learning.
- **Awards:** LawWorks runs annual awards recognising and celebrating the pro bono work undertaken by lawyers, clinics and law schools.

LawWorks supports clinics in the network to collect monitoring data on the work being done at clinics, and the clients that access their services. LawWorks collates this data to produce a national picture of the contribution that pro bono advice clinics in the network are making, and highlights emerging trends and issues across the network.

We would like to thank the clinic co-ordinators that provided statistics to inform this report. We would also like to acknowledge the tireless work of the thousands of volunteers who give their time at free legal advice clinics, and the vital advice workers, supervisors and support staff that make each clinic possible. This report presents the data collected from clinics for the work conducted during the period April 2017 to March 2018, and presents it in comparison with data from previous years, demonstrating continued development and ongoing growth in the demand for their services.

For the first time in our annual clinics report we are able to report on client outcomes in the section 'The impact of advice for clinic clients'. We would like to thank all clinics that took part in the 'Better Information Project' which has garnered feedback from clients across the clinics network. Recent research by Ipsos MORI and the Law Society has suggested a link between the provision of early advice and the resolution of people's legal issues.¹ In many ways our outcomes data corroborates this, and though early advice may not always provide an immediate resolution what it does do is to set people on a road whereby they are able to take control of the problem, and feel more confident in the next steps they need to take. In including this section on outcomes, we would also like to thank Milla Gregor, the independent consultant we have been working with on this project, for her invaluable contribution to our monitoring and impact work.

METHODOLOGY

This report draws principally on data obtained from two surveys conducted with nominated clinic representatives for the periods April 2017 to September 2017 and October 2017 to March 2018. In order to gather an accurate account of pro bono activity in clinics across England and Wales, LawWorks requests that all clinics across the network participate in these surveys. This year we have had responses from 74% of the network, an increase of 2% from 2016/17 and 6% from 2015/16.

The surveys elicit responses on key aspects of the clinic's activities over each relevant period. Broadly, these are: the enquiries received by the clinic; how these enquiries have been dealt with; the area of law advice was given on; as well as details concerning volunteer make up, and the number and diversity of clients accessing the clinic.

In addition, LawWorks conducted a separate survey in July 2018 seeking feedback from clinic co-ordinators on trends and challenges faced by their clinic over the previous year. We received responses from 52 co-ordinators across England and Wales, representing 115 clinics participating in the LawWorks Clinics network (as some individuals co-ordinate more than one clinic).

We have included a new section in this year's report on client outcomes. This analysis is a culmination of a two-year project on outcome monitoring (the 'Better Information Project') that we have been working on with clinics to obtain feedback and follow-up on a nationally representative sample of clients. The sampling approach and outcomes framework we have adopted in this project are explained later on in this report (p. 27 - 38).

LawWorks also maintains a database of key information on each clinic's services based on the information provided by representatives of the clinic at the time of registration to the network. This information is updated on an ongoing basis as the clinic's services evolve and changes are notified to LawWorks.

The data from this report relates to pro bono clinic work in England and Wales only. While LawWorks maintains links with a number of clinics outside England and Wales and supports them to collect data on their activities, that data is not contained in this report.

All percentages used in this report are rounded-up or down, so occasionally totals will sum to 99 or 101.

CONTEXT – ACCESS TO JUSTICE

We believe it is important that the information and data in this report is viewed within a wider context concerning the prevalence of legal problems and their impact, the challenges of accessing available sources of legal help, and pathways to fair and just resolution especially for vulnerable groups and individuals.

There is considerable research literature on legal needs which indicate just how challenging this context is. A Ministry of Justice research report '*Findings from the Legal Problem and Resolution Survey*' published in 2017, reviewed both past and present legal needs research finding that “around a third of the population experienced legal problems, with certain groups more likely to experience problems than others, particularly those vulnerable to social exclusion (such as individuals on benefits, lone parents, those with a disability, those with low incomes). Around half of problems led to adverse consequences such as stress-related illnesses, physical ill-health, or loss of confidence. Some individuals reported experiencing multiple problems, with certain problem types clustering together, such as those relating to a relationship breakdown, or economic problems.”ⁱⁱ

The reduction in the scope of legal aid has contributed to an increase in the number of people going to court or tribunal without a lawyer; for example in private family law proceedings 64% of parties were unrepresented in 2016-17 compared to 42% five years ago. The scale of the change to the availability of legal aid needs to be emphasized in both this and other areas of law. In November 2017 the Government published a '*post-legislative memoranda*' as the prelude to undertaking a review of the Legal Aid, Sentencing and Punishment of Offenders Act (LASPO). The memoranda records that “In 2012–13, prior to LASPO's implementation, the Government provided funding for 575,000 new legal help matter starts (i.e. providing advice and assistance) and 150,000 new certificates for civil representation (i.e. representing someone at court). By 2016–17 the legal help figures had fallen by 74% to 145,000 and the civil representation figures by 29% to 105,000.”ⁱⁱⁱ

Timely access to legal information and advice can identify options and remedies (including alternatives to going to court), and help prevent problems escalating. A 2015 study '*Varying Paths to Justice*' - commissioned by the

Ministry of Justice to improve understanding of how people seek to resolve their problems - found that those “who were not aware of available advice and support services or those who were unable to access relevant information to understand their options struggled to find a resolution to their civil justice problem”.^{iv} In 2015/16, Ipsos MORI conducted an online survey of legal needs on behalf of the Law Society and the Legal Services Board (LSB). Their report entitled *'Analysis of the potential effects of early legal advice/intervention'* showed that early advice has a statistically significant effect on the timing of the resolution of peoples' legal issues.^v

Legal support needs are diverse, and so a range of services and strategies are needed, depending on individual circumstances. Pro bono cannot and should not do it all, and must work in partnership to ensure that the contribution of pro bono is appropriately targeted. This is reflected, for example, in the fact that LawWorks is a partner, with Law for Life, RCJ Advice, the Personal Support Unit, Advocate, and the Access to Justice Foundation, of the Litigant in Person Support Strategy. Supported by the Ministry of Justice, the Strategy brings together different components of support for people unable to access or afford a lawyer, including: online information and resources, legal advice (including local pro bono clinics), support when in court, and representation.

This clinics report is being published just as Government prepares to publish their own assessment of the impact of legal aid reforms which are now five years old. LawWorks have been engaged in that review process, using our evidence and networks to highlight the importance of building capacity across the sector from early advice interventions to supporting people in the court process. In our submissions, LawWorks have argued the case for a full spectrum of support from public legal education and information to help people identify problems, through to casework and advocacy within the legal system. Digital technologies are also playing an increasingly important role both within the justice system, and in the way that people can access support. It is important though that that we put the needs of the users first in the way that services are designed and accessed. There is an ever present danger that digital exclusion could further compound the problem of legal exclusion; the focus on 'LegalTech' solutions has potential to bridge the distance between citizens and their rights, but also to accentuate that divide.

Clinics need to be able to adapt to a changing landscape. Many clinics have told us how important a supportive regulatory environment is for pro bono and encouraging legal volunteering. This is again evolving as the Solicitors Regulation Authority look to introduce a new Handbook for Solicitors in 2019. For law schools, issues around the planned reforms to legal education and training (e.g. the Solicitors Qualifying Exam) are also an important

consideration. Advice agencies, which host over half the clinics network, continue to face a funding squeeze, especially as local government continues to tighten their finances and trim budgets for non-statutory services. And within the private sector, law firms face many competing demands on their Corporate Social Responsibility (CSR) priorities.

Future demands, and how legal needs might evolve as a result of Brexit and related social, economic, legal and political developments and uncertainties are hard to predict. What is clear, however, is that without access to effective legal support, it is the most vulnerable in society who are left exposed to negative impacts of legal problems with detrimental effects for emotional, social, financial and mental health. The Equalities and Human Rights Commission (EHRC) in their recent work on the impact of legal aid reforms have referred to the “over-representation of people with certain protected characteristics in areas of law excluded by LASPO.”^{vi} They also commissioned interview-based research on the impact on individuals looking at the experience in one city region. This research found that significant financial deprivation followed as a result of trying but not being able to resolve their legal issues, including inability to afford food, adequate housing or other essentials. There was also evidence that costs were passed to other parts of the public sector, including an increased reliance on welfare benefits as a result of unresolved employment issues.^{vii}

LawWorks’ annual clinics reports have been showing increased demand across the clinics network over the past four years. Between April 2014 and March 2015, there were 43,000 individual enquiries at clinics in the period, a 55% increase on the previous year. Between April 2015 and March 2016, there were 53,000 individual enquiries, a 24% increase, and between April 2016 and March 2017 58,000 enquiries at clinics in the period, a 10% increase on the previous year. Whilst these figures partly reflect increased clinic activity, they are also indicative of the significant problem of legal need and the challenges that exist for access to justice.

CLINICS

As at 31 March 2018, there were 229 active clinics in the LawWorks Clinics Network across England and Wales. 17 clinics were added to the network in the previous year, representing both new clinic services, and existing pro bono services joining the network (e.g., to access LawWorks' resources, training, networking opportunities and support).

This growth is offset by some consolidation of existing clinics in the network, where individual clinics were merged to form multi-service or multi-location clinics which better reflect how service users access and understand the pro bono offering available. During this period 13 clinics closed their services or left the network. However, since 31 March 2018, 26 new clinics have joined the network, bringing the total number of clinics to 244 as at December 2018.



229
CLINICS
IN THE LAWWORKS
CLINICS NETWORK

Note - some clinics operate out of the same location at different times.

CLINIC ENQUIRIES & ADVICE

In 2017-18 there were 59,902 separate enquiries received by clinics across the network. This is a small increase in the number of enquiries received in comparison with the previous year, and may reflect the churn in the number of clinics in the network, and a slightly higher proportion of clinics providing data.

Not all enquiries will result in the provision of legal advice. Advice was given in response to 67% of enquiries (39,937); an increase of 14% on the number of clients who received advice compared to the previous year.

ALMOST 40,000 CLIENTS GIVEN PRO BONO LEGAL ADVICE



40,000

Each clinic will have in place policies and procedures for identifying types of enquiries that warrant advice - if advice is not needed or available, then appropriate information, signposting or referral will be provided. Over the 12 month period, 12,250 clients (20%) received general information, signposting or a referral, an increase of 3% on the previous year.

Policies to identify how to assist clients are generally focused on the needs of clients and the capacity of the clinic to provide advice in the relevant area of law. In some cases, and particularly in law school clinics, the education or training needs of the students may also be an influencing factor in deciding how to deal with a request for assistance.



The graphic above represents how enquiries were dealt with across the network over the 12 month period. Whilst the vast majority of clients were helped, in 7% of cases clinics have indicated that neither advice nor information, signposting or referral was provided. To better understand why clients might not be given advice or information at the clinic, we asked clinics to indicate the reasons why they were unable to provide assistance in these situations.

Consistent with previous years, the predominant reasons for an enquiry not resulting in advice or assistance included:

- clinics being unable to re-establish contact with a client following an initial enquiry, or the client failing to turn up to a subsequent appointment;
- actual or potential conflict of interests arising for the clinic, volunteer or law firm;
- the enquiry being outside the scope of the clinic's service or expertise such as a criminal law matter;
- the client accessing assistance elsewhere;
- the issue being resolved between initial enquiry and the clinic appointment;
- the urgency or complexity of the client's matter meant the clinic service was unsuitable, or the enquiry was identified as not being legal in nature;
- insufficient capacity or inability to find an appropriate volunteer to deal with a time sensitive issue

Each clinic will decide its approach to the acceptance of returning clients where the support is limited to discrete pieces of advice. They will decide whether advice is provided on a one-off basis or can be given over a number of occasions. Across the network, 8% of enquiries last year were recorded as coming from returning clients, the same as the preceding year.

**8% OF CLINIC USERS ARE
RETURNING CLIENTS**

CLINIC TYPES

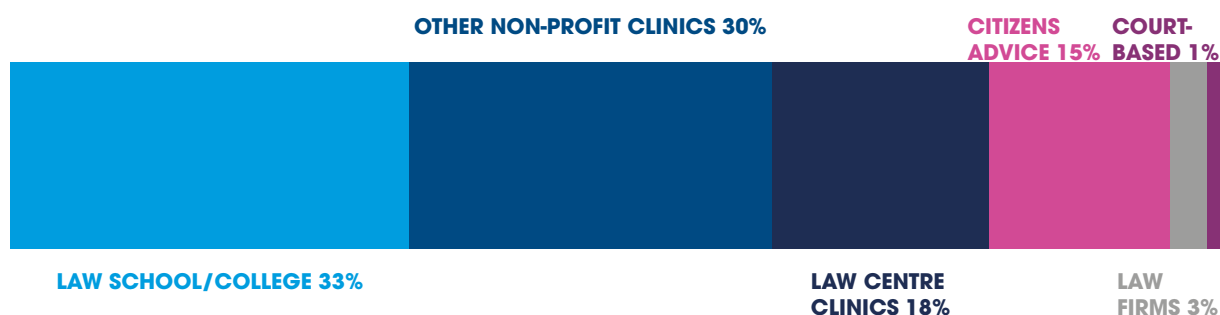
Whilst there is no single model for clinic types and many clinics involve partnerships between different sectors, broadly clinics tend either to be attached to non-profit advice agencies and other charities such as local law centres and Citizens Advice, or attached to law schools. The network can therefore be broken down by clinic type as below.

NETWORK BROKEN DOWN BY CLINIC TYPE



The proportion of enquiries broken down by type of clinic is also shown below.

PROPORTION OF ENQUIRIES BY TYPE OF CLINIC



LAW SCHOOL CLINICS

Two-fifths of clinics in the network (41%) operate with law schools. Across the 12 months law school clinics received 19,776 enquiries, representing a third of all clinic enquiries across the network. Law school clinics account for 51% of all clients receiving general information, signposting or referral.

ENQUIRIES ACROSS LAW SCHOOL CLINICS



A common feature of law school clinics is that in many cases the services will either be closed, or operating on a reduced basis, over the summer period. It is understandable, therefore, that nearly two-thirds of the advice given by law school clinics was given during the autumn/winter period compared with spring/summer.

CLINIC HOURS

Analysis of the data provided on clinic hours delivered suggests that 56,679 opening hours were provided across the network.

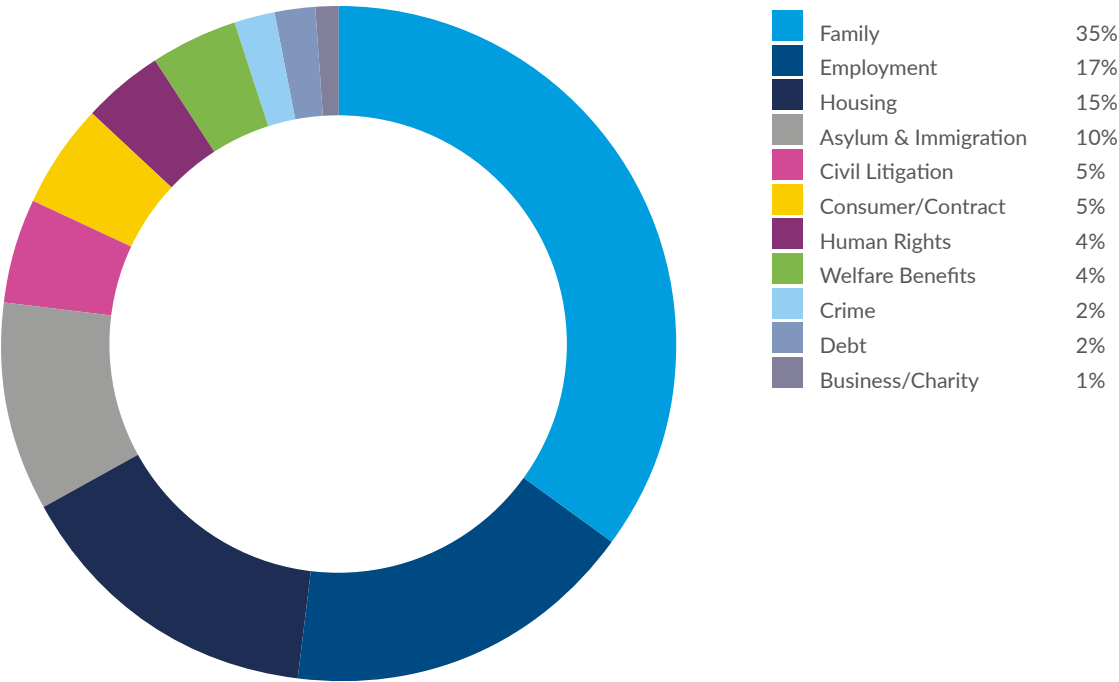
56,679 Total hours opened by all clinics per year

AREAS OF LAW

The legal problems that bring people to pro bono clinics can be very diverse. Each clinic will decide which areas of law it will offer advice on, informed by local legal need, its own priorities, and the expertise of supervisors and volunteers. Some clinics are specialist in nature and will narrow their offering to advice within a particular area of law. Other clinics are more generalist in scope, offering advice across a broader spectrum of legal issues.

In Figure 1 below we represent the areas of law in which advice was provided.

AREAS OF LAW IN WHICH ADVICE WAS PROVIDED



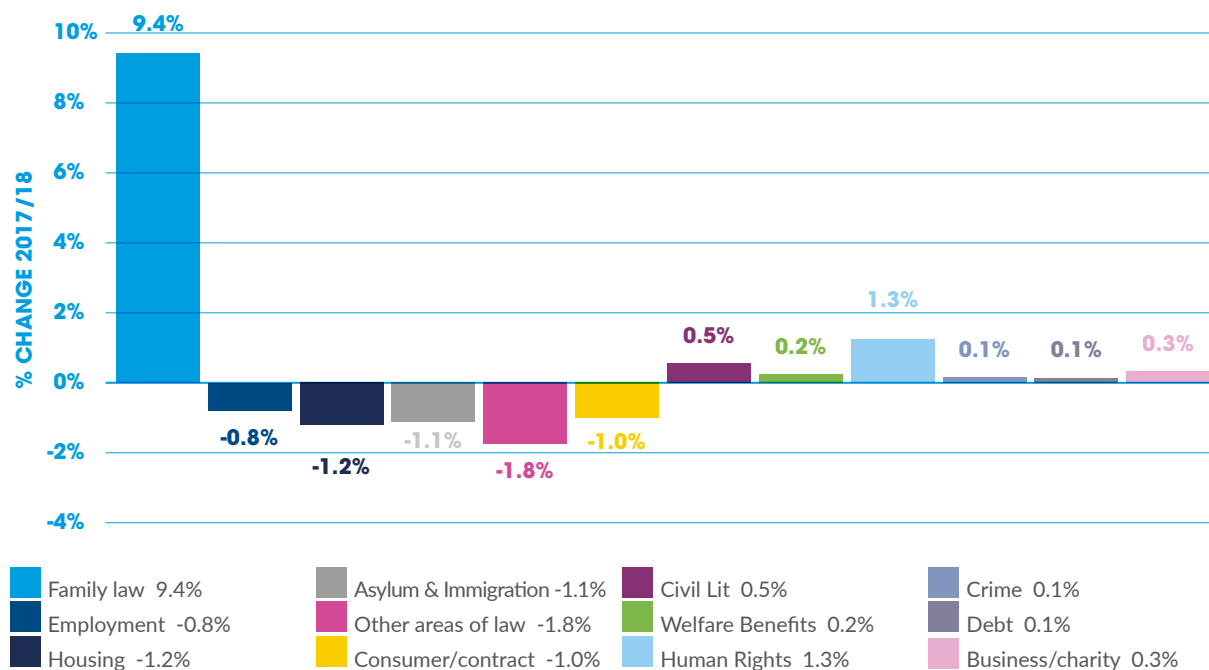
1/3
OVER
OF ALL ADVICE IS
IN RELATION TO
FAMILY LAW

FAMILY, EMPLOYMENT AND
HOUSING LAW MAKE UP OVER
67%
OF THE ADVICE GIVEN

There has been a reported increase in the family law advice provided across the clinics network; however this is accounted for by specialist family law services joining the network over the past year and providing data not previously captured. We have also seen a comparative rise in human rights advice recorded which similarly reflects data provided from a specialist National Clinic service that was not submitted last year. With a higher proportion of clinics reporting on categories of law than in previous years, all areas of advice show a comparative increase in advice given. Year on year the proportion of advice in different areas of law across the LawWorks clinics has been similar.

In Figure 2 below we illustrate the change in the proportion of advice provided compared to the previous year, across the different areas of law.

CHANGE IN THE PROPORTION OF ADVICE PROVIDED COMPARED TO THE PREVIOUS YEAR, ACROSS THE DIFFERENT AREAS OF LAW



REGIONAL VARIATION

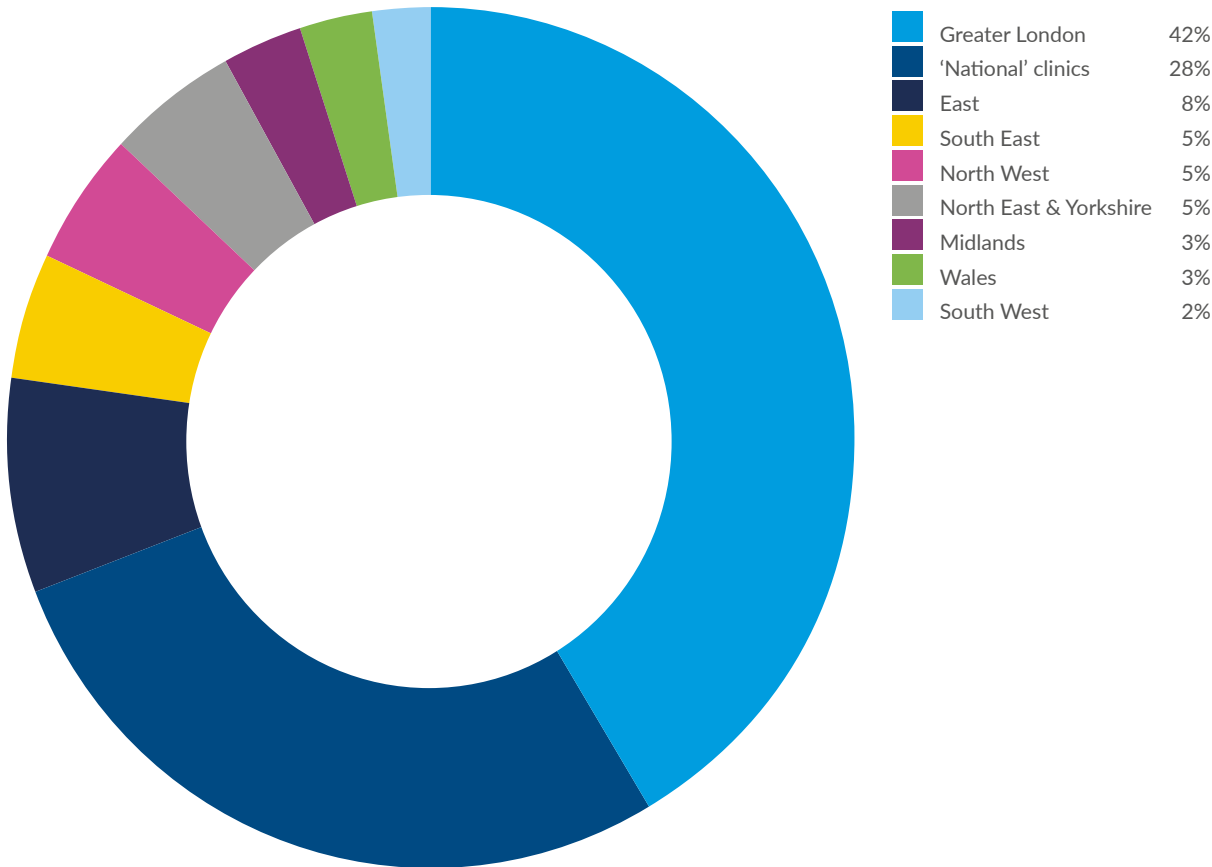
With clinics in the network spread across England and Wales, the following presents information by geographical area. It includes an analysis of the work being conducted by 'national' clinics – those which provide services to individuals across England and Wales regardless of where the client is based, often via online or telephone advice (e.g. national advice lines for specific areas of law).

There is considerable variation across the regions, which reflects the concentration of clinics seen in different parts of the country. Over 40% of enquiries received and advice given across the network occurs in London.

Information on advice provided by clinics across England and Wales is shown below.

	Number of clinics submitting data	Enquiries	Advice	General information, signposting and referral
National	21	14773	11014	1974
East	9	3854	3150	1319
East Midlands	7	1404	889	220
Greater London	66	24005	16902	4021
North East	3	2251	935	222
North West	18	3248	1872	836
South East	20	3652	2137	933
South West	8	1438	681	420
Wales	15	2049	1353	638
West Midlands	6	1063	156	786
Yorkshire	10	2165	848	881
Total	183	59902	39937	12250

BREAKDOWN OF ADVICE GIVEN BY LOCATION



PRO BONO VOLUNTEERING AT CLINICS

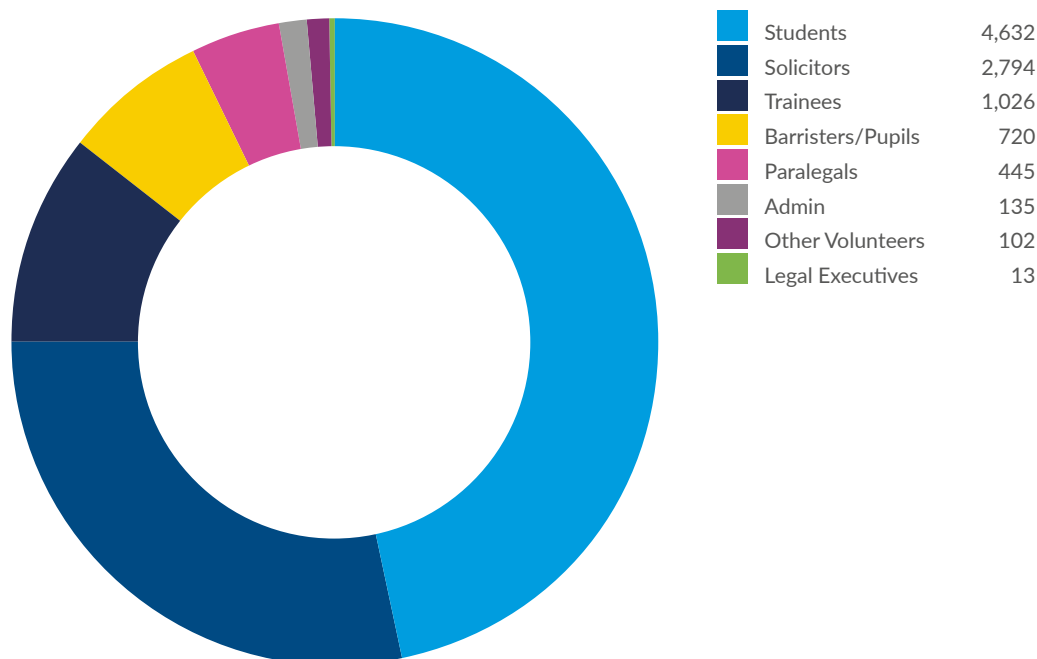
9,867
VOLUNTEERS
ACROSS THE
NETWORK

In this section we focus on the vital contribution of volunteers – it is because of the willingness of volunteers to devote their time and energy that pro bono clinics are able to operate.

Last year almost 10,000 individuals volunteered across the LawWorks Clinics Network, a 33% increase in the number of volunteers reported in previous year.

Volunteers undertake the key task of providing advice and other legal assistance to clinic clients, as well as other supporting roles. Figure 3 below sets out the breakdown of volunteers that supported clinics between April 2017 and March 2018.

VOLUNTEER BREAKDOWN



The largest category of volunteers is students, with 4,632 participating in clinics. Students participate in clinics in many ways beyond the direct provision of advice, for example: acting as a scribe, undertaking initial triage or intake, involvement in casework support and research, and assisting with co-ordination, reception and administration.

NUMBER OF LAW STUDENTS VOLUNTEERING

4,632

LAW STUDENTS VOLUNTEERING

Solicitors make up the second largest category of volunteers across the network with 2794 qualified solicitors and 1026 trainees volunteering, together representing 39% of the total volunteers.

NUMBER OF SOLICITORS AND TRAINEES VOLUNTEERING

OVER

3,800

SOLICITORS AND TRAINEES VOLUNTEER

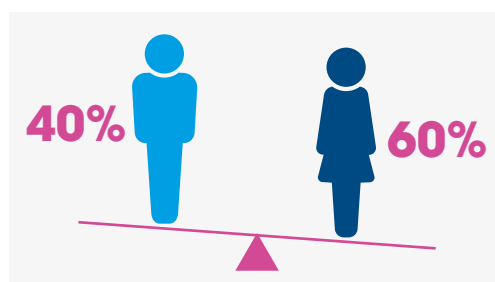
CLIENTS RECEIVING SUPPORT

LawWorks asks clinics to collect anonymised information on the clients they help in order to identify who is benefiting from their services. This information can contribute to ensuring that pro bono efforts are being targeted to those most in need.

INCOME



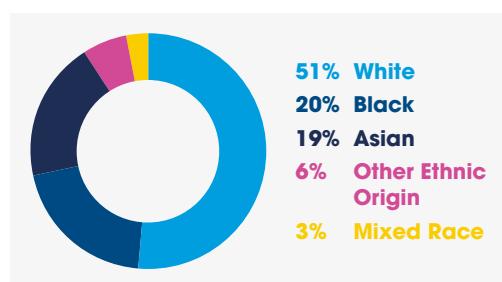
GENDER



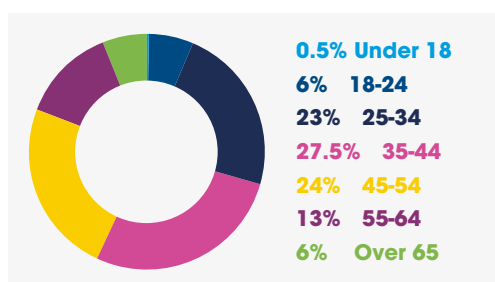
Income:
Minimum income defined by the Joseph Rowntree Foundation minimum income standard – £17,100 per year before tax.

Gender:
0.1% identify as non-binary gender.

ETHNICITY

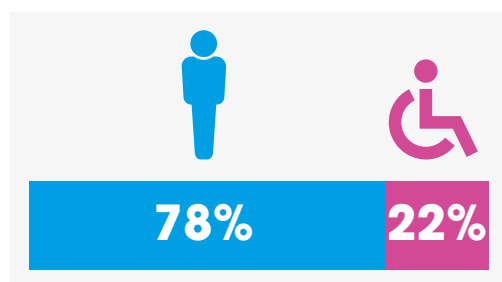


AGE



Ethnicity:
49% of clinic clients are from Black, Asian and Minority Ethnic backgrounds.

DISABILITY



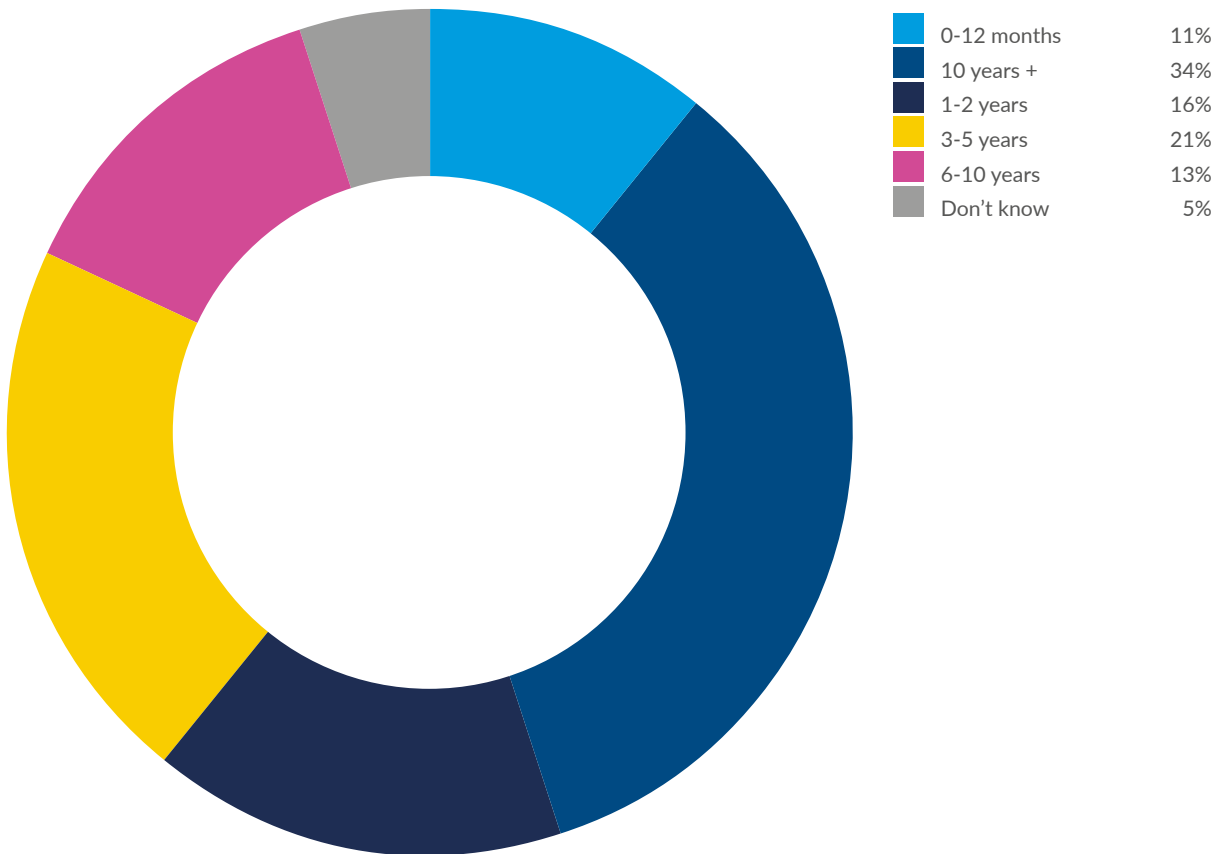
SEXUALITY



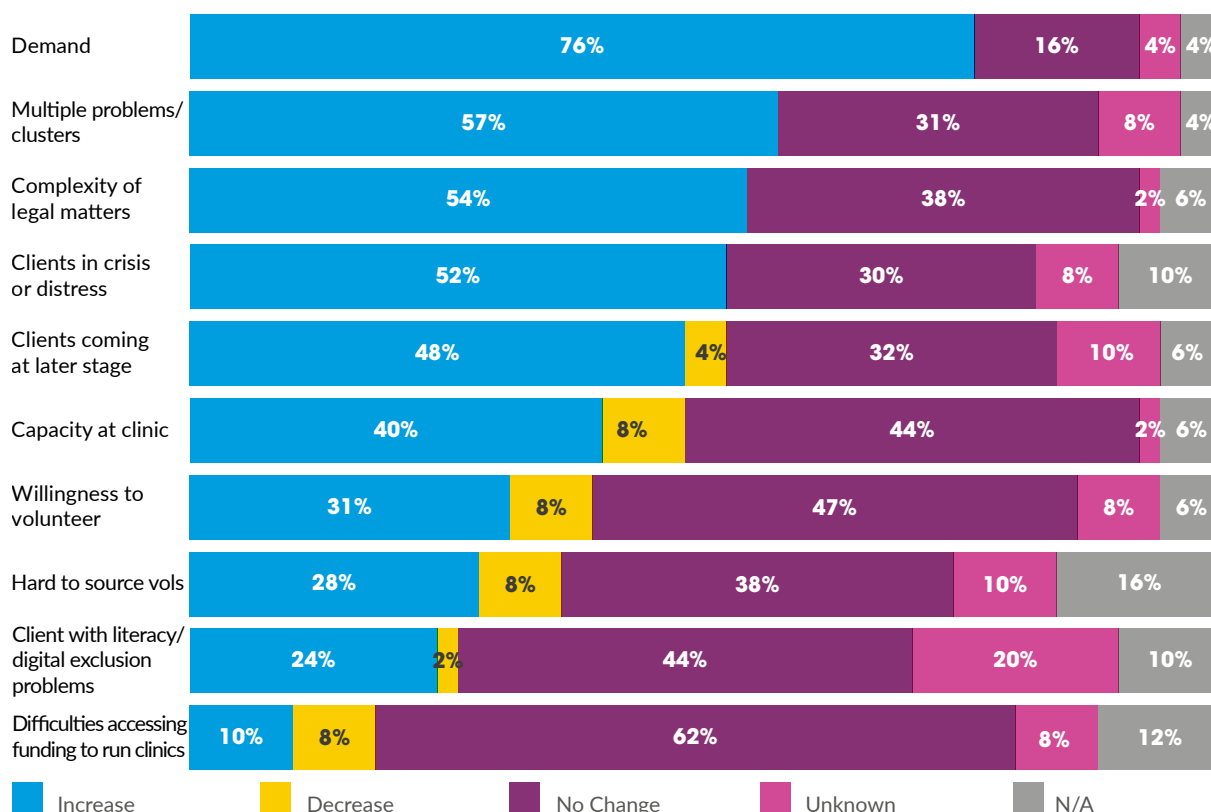
Disability:
22% of clinic clients report having a disability.

CLINIC TRENDS

LawWorks undertakes an annual survey of clinic coordinators to identify the trends and challenges clinics have been experiencing. This year 52 co-ordinators across England and Wales responded to the survey, representing 115 clinics participating in the LawWorks network. Over a third of respondents were from clinics that had been running for over 10 years, and over another third were from clinics that had been operating from 3 to 10 years.



Clinic coordinators reported increasing demand and complexity of presenting issues. In Figure 4 below we set out some of the key findings comparing this year's survey results to last year's.



76%
OF CLINICS HAVE
REPORTED AN
INCREASE IN
DEMAND

OVER 1/2
OF CLINICS ARE SEEING AN INCREASE IN THE
NUMBER OF CLIENTS PRESENTING 'IN CRISIS' OR
'DISTRESS' AND CLIENTS WITH MULTIPLE PROBLEMS
OR PROBLEM CLUSTERS

The survey reported that 76% of clinic co-ordinators have seen an increase in demand for pro bono legal advice over the last year. Over half of co-ordinators (52%) reported an increase in the number of clients 'in crisis' or 'distress' and in the complexity of the legal matters that clients are presenting at clinics, and nearly half (48%) were seeing clients presenting at a later stage in their problem. 57% also reported an increase in the number of clients with multiple problems or problem clusters, and 24% reported an increase in the number of clients with literacy or digital exclusion issues.

THE IMPACT OF ADVICE FOR CLINIC CLIENTS

The 'Better Information Project'

Since 2016, LawWorks have been reviewing and improving our monitoring and evaluation processes, with an emphasis on capturing clinic clients' views on the outcomes and experience of getting advice. The purpose of this work has been threefold:

- to share data on client outcomes and experience with the clinic network and other stakeholders;
- to improve future clinic development and support provided by LawWorks;
- to provide robust data for policy work.

Following an internal and external review of monitoring practices and guided by an advisory group and an independent consultant, LawWorks consulted on and developed an outcomes framework and questionnaire. After a successful pilot stage with a small group of clinics, in which follow up interviews were conducted with 67 clients, we rolled the project out nationally.

We now have nationally representative and statistically significant data on the impact of attending pro bono clinics and the outcomes achieved.

We are now able to provide good quality data and insights on:

- client experiences;
- client outcomes;
- what clients find most helpful and unhelpful as they resolve their issues.

All clinics were invited to take part in the project. Clinic colleagues then asked clients if they would like to participate, requesting that clients gave their informed consent and contact details. Once clinics returned these forms securely, clients were contacted at least six weeks later by our research agency BMG. For further information and a copy of the questionnaire and other project documents, please see www.lawworks.org.uk/impact.

In total:

- 38 clinics submitted forms;
- 993 clients gave informed consent;
- 209 clients completed calls with the research agency;

Based on a total number of 35,008 clinic clients who received advice during the previous year's (2016-17) reporting period,^{viii} our group of 209 respondents gives us a robust national sample. If we assume a random sample was selected, we can report with a 95% confidence level, and a confidence interval of ± 6.8 . This means that we can be 95% confident that an observed statistic (e.g. 50%) would lie between 43.2% and 56.8%, if all 35,008 clients had been interviewed. In other words to extrapolate these findings nationally, you would need to assume a 6.8% margin of error.

In addition, we compared the participating clients to the overall client group, based on both the clinics database and the latest clinic statistics to explore whether there were any areas of over- or under-representation. As there were some imbalances, we weighted the data to reduce the risk of skewed results.

We asked clients for feedback on the following topics:

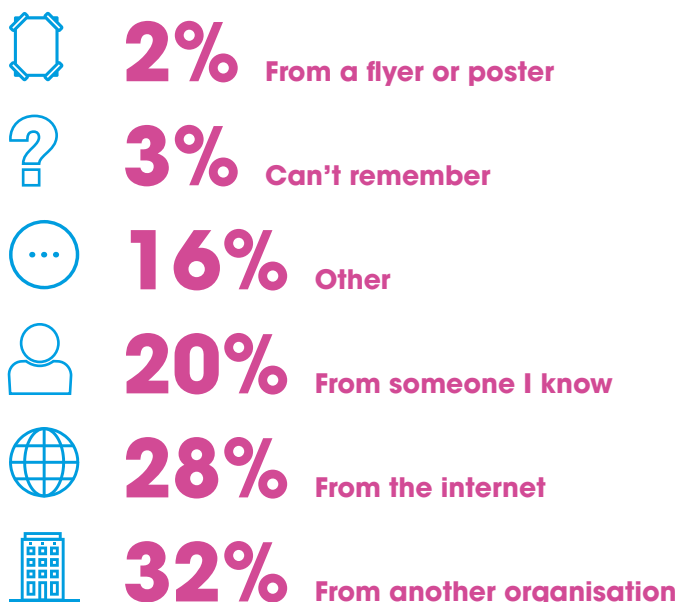
- Getting to the clinic
- Service received
- Feedback on service quality
- Legal outcomes
- Legal capability outcomes
- Health and well-being outcomes

A more detailed paper explaining the methodology and process was presented at the UCL Access to Justice and Legal Services International Conference in June 2018.^{ix} What follows is a summary of the key findings, followed by three selected case studies. For each result the base is 209, unless otherwise stated.

1. Getting to the clinic

Clinics often form part of local legal advice ecosystems within a broader framework of information about local sources of advice including online tools (for example LawWorks website hosts a 'clinics finder' tool). The majority of clinic clients find their way to clinics through other organisations, often a local Citizens Advice service.

HOW DID YOU HEAR ABOUT THE LEGAL ADVICE CLINIC?



In addition, we found that two-fifths of people sought advice about their issue from another advice service first, most often a solicitor, followed by a local Citizens Advice. A third of people also went on to seek further advice elsewhere, most frequently from a solicitor.

DID YOU SEEK ADVICE ABOUT THIS ISSUE FROM ANY OTHER ADVICE SERVICES FIRST BEFORE USING THE CLINIC? PLEASE NOTE THIS IS ONLY IN RELATION TO GETTING ADVICE ABOUT THE SAME SUBJECT.



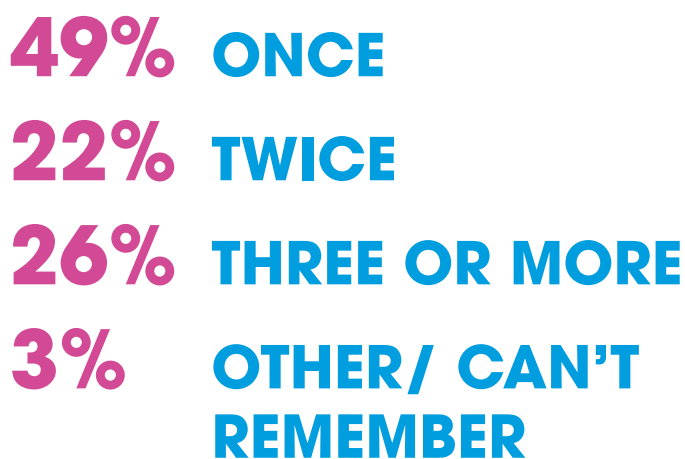
HAVE YOU SOUGHT ADVICE FROM ANY OTHER ADVICE SERVICES SINCE USING THE CLINIC TO GET ADVICE ABOUT THE SAME SUBJECT?



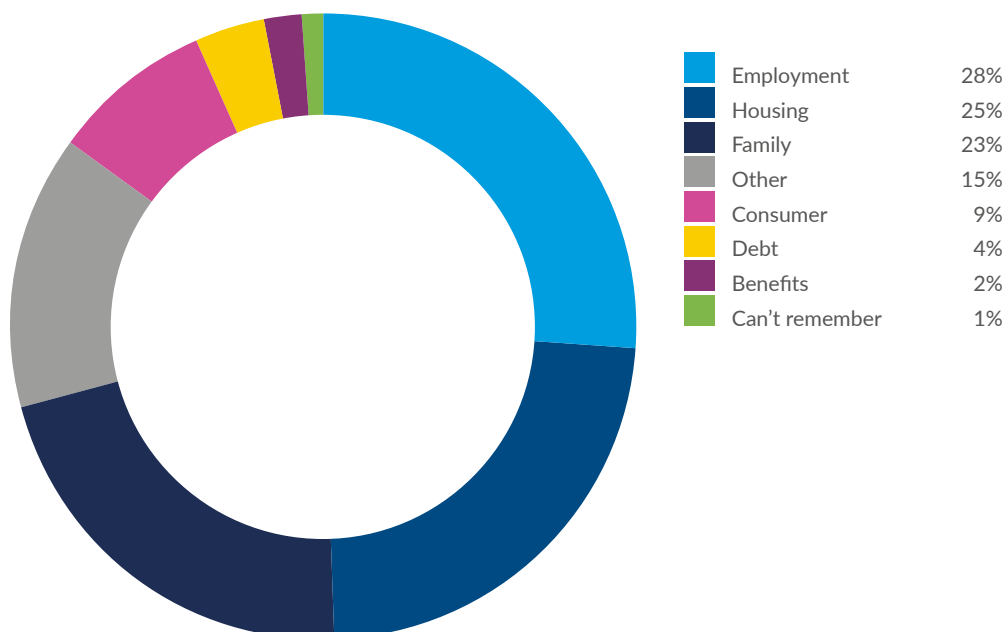
2. Service received

Most clients interviewed (79%) had received face-to-face advice whilst 21% had received advice by phone, email, letter or Skype. Half of clients had one contact with the clinic, while a fifth had two, and a quarter had three or more contacts.

WAS THE SUPPORT YOU RECEIVED OVER ONE CONTACT OR MORE THAN ONE CONTACT?



GENERALLY WHAT WAS THE SUPPORT YOU RECEIVED ABOUT?



3. Feedback on service quality

Our findings show that free legal advice clinics provide a good level of service and are highly valued by those using them. For example, 95% of clients felt the person they had contact with listened to them very well, or quite well, and 92% of clients felt the person they had contact with understood their legal problem very well, or quite well.

HOW WELL DO YOU FEEL THAT THE PERSON (OR PEOPLE) YOU HAD CONTACT WITH LISTENED TO YOU?



HOW WELL DO YOU FEEL THAT THE PERSON (OR PEOPLE) YOU HAD CONTACT WITH UNDERSTOOD YOUR LEGAL PROBLEM?



1% didn't know

Fantastic service and support in a drop in session, very impressed with how everyone was treated and supported. All the solicitors, and those there, were giving very good advice and support.

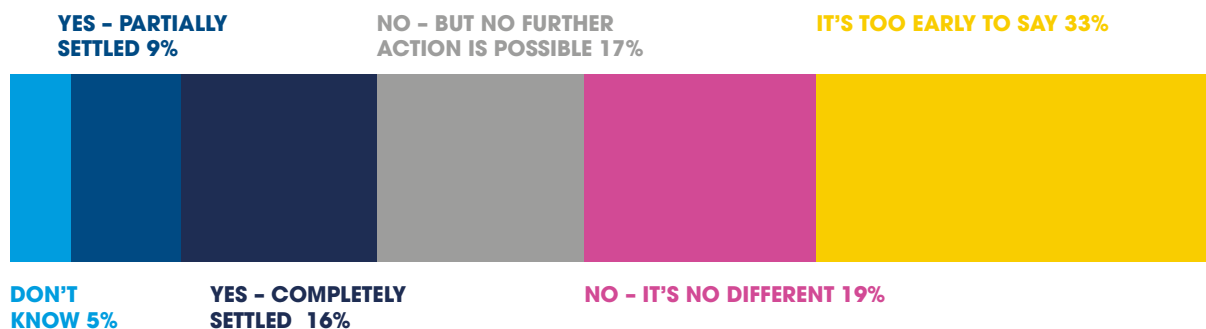
They asked questions throughout for a description of the problem to better form a clear understanding of the problem. They gave me great advice and answered pretty much every question I put to them. They were extremely helpful, both in their knowledge, and in their style of interaction.

4. Legal outcomes

Often a first port of call, clinics have the role of clarifying a person's legal position or issue, and then referring on to other organisations if they can. With many clinics able to offer limited sessions and overwhelmed with demand, it is not always possible to settle all of the issues in the time available. Rather it is the start of a process, gaining a better understanding of the problem and clarity on the next steps in tackling it. In some cases, the clarification may be that a person has no case – in which case they can sometimes put the issue down and cease worrying about it.

Nevertheless, we found that a quarter of clients reported that their legal problem is now settled or partially settled. For 33% at the time of asking however it was too early to say, and for a further 17% whilst the problem was not settled, further action was now possible.

IS THE LEGAL PROBLEM NOW SETTLED?



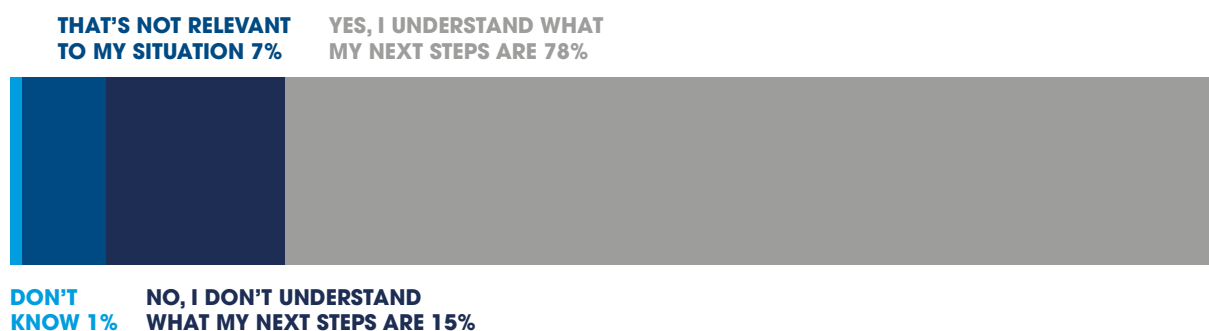
Half of clients with an on-going legal problem felt it was more manageable, following the clinic's advice or support.

HOW MANAGEABLE DOES YOUR LEGAL PROBLEM FEEL NOW?



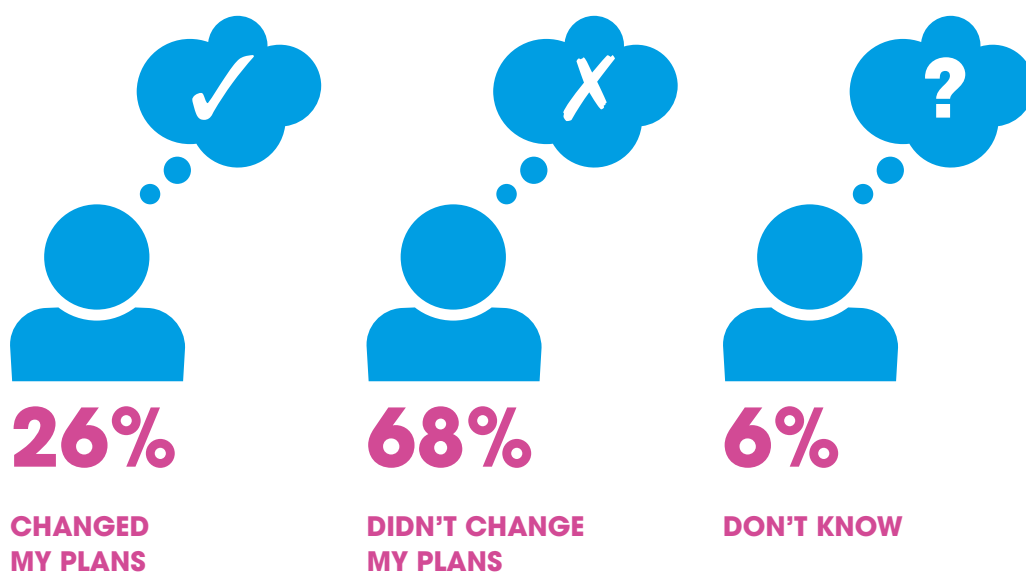
Crucially, the majority of people felt they knew what their next steps were. With this knowledge, people are more likely to be able to help themselves, access additional support, and find relief from anxiety.

DO YOU UNDERSTAND WHAT YOUR NEXT STEPS ARE?



A crucial decision on “next step” is whether to take the matter to a court or tribunal. Before getting support from the clinic, nearly half of clients interviewed were thinking of going to court or tribunal. However, of those who said they were thinking of going to court or tribunal, a quarter changed their plans following advice, showing that clinics can play a role in diverting people from court or tribunal.

GOING TO COURT OR TRIBUNAL? – A QUARTER CHANGED THEIR MIND



(The biggest impact has been) I think the guidance on different paths and knowing what I can do in regards to my options. It's up to me now to choose what way I want to go.

(The biggest impact has been) two-fold, really - somebody listening to where you're at when you're just not sure what's going on, and giving you a clear pathway as to what to do next. I just think that they were very good at giving me different courses of action depending on which route my situation took down the line, because there could be two or three different routes it could have taken.

I would say I came into the law centre thinking my situation was pretty complex but by the time I left it was clear which path I needed to take.

They said I've got no case. It's made me forget about the situation more.

Mentally and emotionally, it's helped me a lot, because I was really thinking of what was going to happen and if I was going to have to quit my education. I couldn't plan anything about when I was going to see my children, and that was always going through my mind. Sometimes I cried, and since I met this lady and she's discussed things with me and given me a plan, I feel more confident. It's really extremely helpful to me.

The biggest impact has been peace of mind, to be honest. I was facing a very difficult situation at work and a tricky situation with my landlord. In both situations, being able to speak thoroughly about all the details of the case and the framework and context of it has alleviated a lot of the stress of the situation, and the specialist knowledge was very, very good.

They helped me to get someone else to take responsibility for the problem. They paid for the problem. I got what I wanted. Even though I was with them a long time, it was worth it. I would use them again.

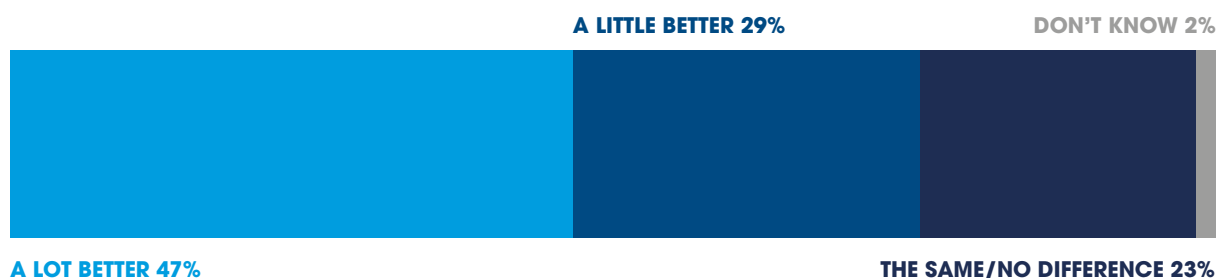
5. Legal capability outcomes

Clinics provide a vital service in helping people to understand their issues, and where they stand legally. For many clients this understanding, and the peace of mind it brings, has the most impact on their lives.

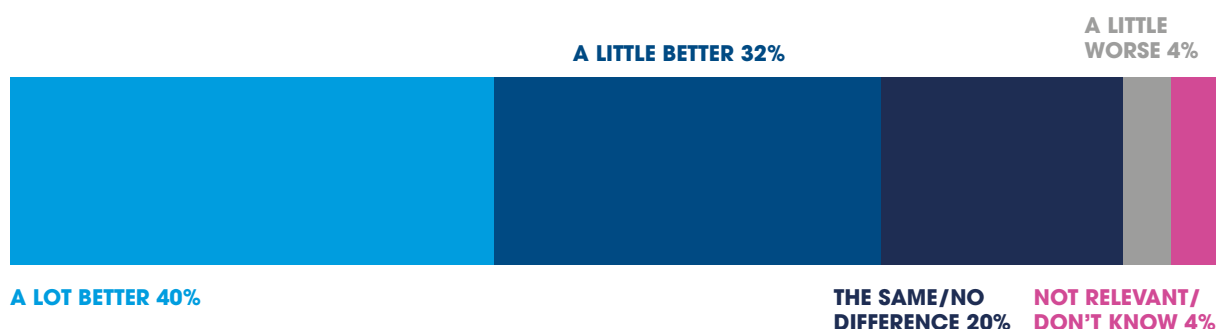
76% of clients report that their understanding of their legal problem is now better.

72% of clients report that their understanding of the law around their legal problem is now better.

AS A RESULT OF THE SUPPORT YOU RECEIVED, HOW WELL DO YOU UNDERSTAND YOUR LEGAL PROBLEM?



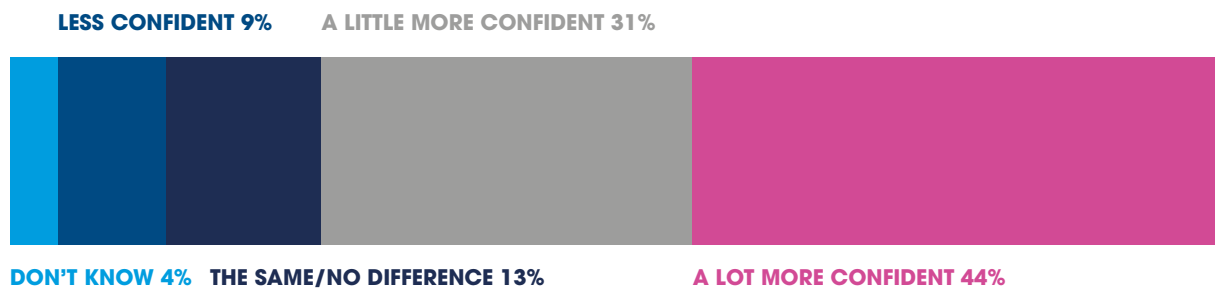
AS A RESULT OF THE SUPPORT, HOW HAS YOUR UNDERSTANDING OF THE LAW AROUND YOUR LEGAL PROBLEM CHANGED?



This improved understanding leaves many people feeling more legally empowered. Legal empowerment can have a lasting positive effect.

75% of clients report that they would feel more confident to deal with their problem, or a similar one, in the future, as a result of the support.

HOW CONFIDENT WOULD YOU FEEL TO DEAL WITH THIS PROBLEM (OR A SIMILAR ONE IN THE FUTURE), AS A RESULT OF THE SUPPORT?



I thought what I was doing was right, but I just needed the legal terminology explaining, and they did that; they clarified that for me.

(The biggest impact has been) clarity for us - it was very stressful not understanding our situation, and now we do. It's still pretty stressful, it's not great, but it's been fantastic to know and to be given that clarity.

This improved understanding leaves many people feeling more legally empowered. Legal empowerment can have a lasting positive effect.

They gave me confidence to fight for my rights.

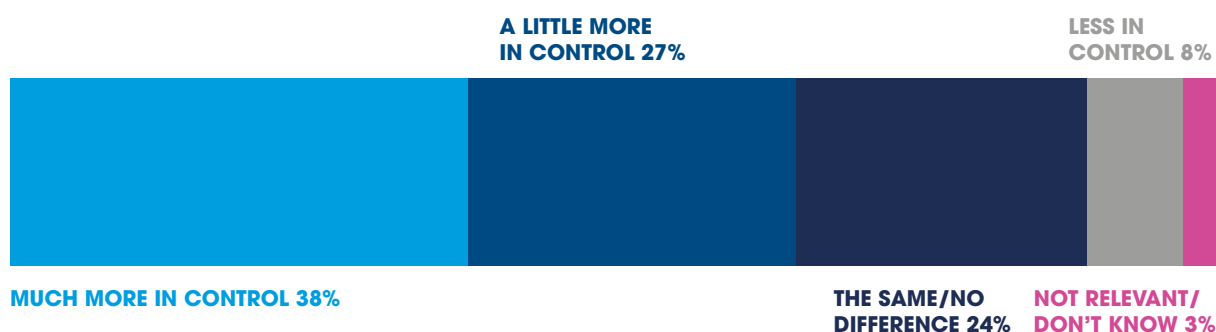
For me it's really just a confidence thing. It's all about finding a way through the tricky aspects of the legal process.

75% of clients report that they would feel more confident to deal with their problem, or a similar one, in the future, as a result of the support.

6. Health and well-being outcomes

Given the evidence around the links between legal problems and health and wellbeing issues, we included questions relating to health and wellbeing in the outcomes framework. 65% of clients interviewed reported feeling more in control of their situation as a result of receiving advice at a clinic.

AS A RESULT OF THE ADVICE AND HELP, HOW IN CONTROL OF YOUR SITUATION DO YOU FEEL?



Support from clinics also helps many clients to feel less stressed. This can have a positive effect on people's mental and physical well-being.

HOW HAS THE ADVICE OR HELP AFFECTED YOUR LEVEL OF STRESS?



My stress levels and my anger disappeared after the advice was given to me.

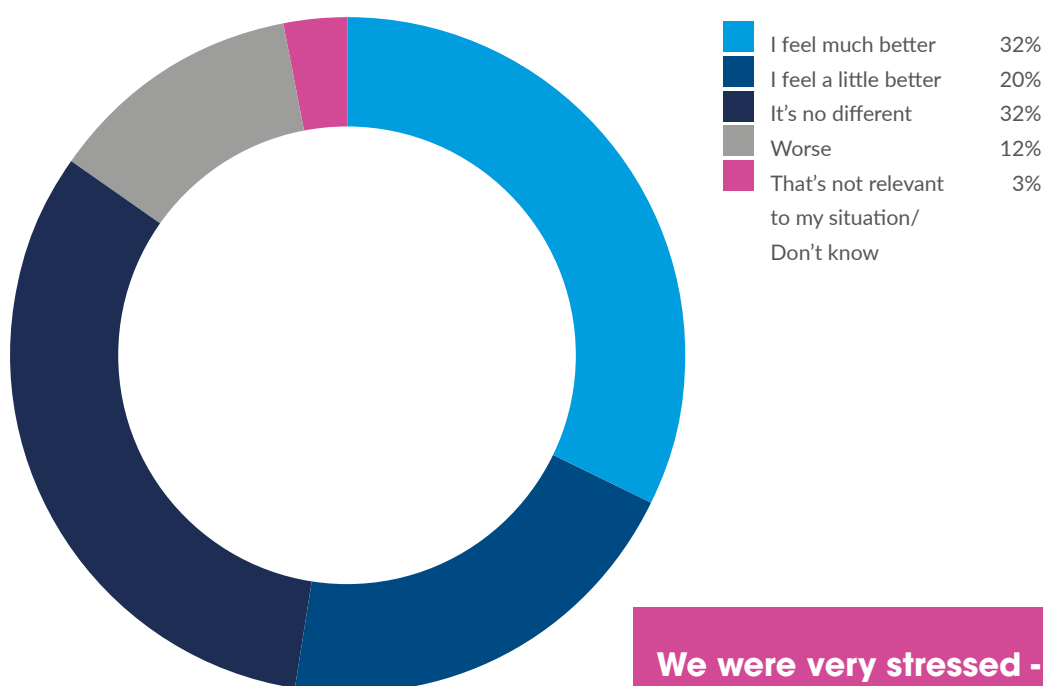
I was in a situation with very high critical levels of stress, and just being able to talk through my situation and have a level of understanding of it, and understanding my rights was fantastic, and really alleviated a lot of the anxiety about being able to cope with the situation and to resolve the problem in both cases. It was a really uplifting experience, to be able to talk to specialists.

That I am an international person and do not have any family here, so it's been good to have that kind of support. I felt really lonely, but it's been good that someone can put me in the right path.

You know when someone who is helping you makes you feel less stressed. Stress used to take over - now I feel much better.

More than half of clients also said that they feel physically better as a result of clinic support.

HOW HAS THE ADVICE OR HELP AFFECTED YOUR PHYSICAL WELL-BEING?



It is a beacon of light in the darkness and I wish they could do more.

We were very stressed - really down. I've seen people when they've won cases coming out of court and they've tackled councils and corporations and stuff, and they say how do you feel. They say it's hard work, it's very stressful, but it's worth it in the end. You look at them and they're tired but they're confident and happy, because they've won, and I get it now, because life is what goes on while you're having to deal with these things. It takes its toll, it really does. It can only help - it made us mentally stronger and physically more cheerful.

CASE STUDIES

Shelley's story

Shelley found that her right to live in her home was called into question following her partner's death. A dispute with her late partner's children over his will also left her feeling deeply unsettled. Shelley already knew about the clinic, so was able to go straight there to seek advice about her housing rights. She had two appointments, after which she understood what her next steps were. She appreciated both the advice, and the way in which it was provided. The most useful part of the advice was being told that she could go on living in the house. She now has the support of one of the children, and the problem feels a lot more manageable.



Before

This made me really unsure of where I fitted in.



During

Everybody was very professional and the appointment was on time.



After

The fact that.. this house is my home, and I can use it as my home... I can change the locks on my door, if I need to.

Pam's story

Pam was preparing to go to court to challenge an accusation by her ex-partner, and was feeling overwhelmed at the prospect. She knew that the clinic was in the area as a friend of hers volunteered there, and she came in twice, each time for a face to face appointment. The solicitor she spoke with helped her to prepare for her court case, which she felt was essential given her situation. Without the clinic, she would not have had the money to pay for a solicitor. The case went well, and her legal problem is now completely settled. She now feels much more in control, and confident to deal with something similar should it come up in the future.



Before

I got the appointment with a solicitor, which is what I needed. It was.. hard for me... it was just him and me, and everything that was written down about me was lies.



During

They're fine – they're polite and understanding, and I'd say they definitely have confidence. I can't complain, really.



After

The fact that I saw a solicitor was the main thing for me... because they don't do legal aid any more. I thought I would have to fight my corner by myself, but seeing the solicitor... made it a helluva lot easier, because that's their job.

Note - some details have been changed to protect clients' anonymity

Karl's story

Karl came into the clinic to get support for an issue with his employer. He was also in contact with mental health services, and valued the care and thoroughness of those advising him. Karl reported that the support from the clinic was the most helpful in resolving his issue. He received the clarity he needed to be able to progress his case, which is now partially settled and feels a lot more manageable. He now understands his situation better and feels much more in control and more able to plan ahead.

They were very open, and listened clearly so they could understand... they asked questions throughout... to better form a clear understanding of the problem. They were really thorough. I must have talked for at least half an hour or forty-five minutes in terms of laying out the situation, so they could make an informed judgment... and then provide me with two or three routes for resolution.

I was in a situation with very high levels of stress, and just being able to talk through my situation... and understand my rights was fantastic and really alleviated a lot of the anxiety about being able to cope.... It was a really uplifting experience, to be able to talk to specialists... My stress level had a physical effect and it helped me to sleep better and allowed me to feel more energised.

Conclusion on client outcomes

The above findings and case studies provide useful insights into client journeys and experience in clinics, on the pathways to resolution of their problems, and about also their legal capability and personal wellbeing following advice from a clinic. The positive impacts have demonstrated how clients perceptions changed following advice from clinics, supporting the notion that earlier intervention has an intrinsic value. We will reflect on these findings with clinics and stakeholders over the coming year, but this report does provide some important evidence that clinics and the advice and support they provide can make an important contribution to access to justice.

Throughout 2019 we plan to share these findings widely, including at our first ever clinics conference. We intend to repeat this exercise once every three years and to improve the level of clinics participation in outcomes monitoring. By developing client feedback processes across the network, we hope to lay the foundations of a co-productive approach to how clinics can develop their services and respond to client need.

ENDNOTES

- i Impact of Early Legal Advice <https://www.lawsociety.org.uk/support-services/research-trends/documents/impact-of-early-legal-advice/>
- ii Findings from the Legal Problem and Resolution Survey, 2014–15, Ministry of Justice Analytical Series 2017 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/596490/legal-problem-resolution-survey-2014-to-2015-findings.pdf
- iii Legal Aid, Sentencing and Punishment of Offenders Act 2012: Post-Legislative Memorandum Submitted to the Justice Select Committee on 30 October 2017 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/655971/LASPO-Act-2012-post-legislative-memorandum.pdf
- iv Findings from the Legal Problem and Resolution Survey, 2014–15 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/596490/legal-problem-resolution-survey-2014-to-2015-findings.pdf
- v <https://www.lawsociety.org.uk/support-services/research-trends/documents/impact-of-early-legal-advice/>
- vi <https://www.equalityhumanrights.com/sites/default/files/consultation-response-on-post-implementation-review-of-laspo-september-2018.doc>
- vii <https://www.equalityhumanrights.com/sites/default/files/the-impact-of-laspo-on-routes-to-justice-september-2018.pdf>
- viii Clinics report 2017 <https://www.lawworks.org.uk/search/node/clinics%20report>
- ix <https://www.lawworks.org.uk/sites/default/files/files/lw-Hearing-Clinic-ClientsFeedback-Experiences-Outcomes.pdf>