



LETR Discussion paper 01/2012

Response of the Legal Aid Practitioners Group 11 May 2012

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Legal Aid Practitioners Group

LAPG is an independent membership organisation representing several hundred firms and not-for-profit organisations working under LSC contracts.

Our members are spread throughout England and Wales. They range from sole practitioners to large legal aid firms, from firms with a contract in one area of law to firms with contracts in all or almost all areas. We have an increasing number of not for profit members.

LAPG is represented on numerous government and other stakeholder and advisory groups including the Legal Services Commission Civil and Criminal Contracts Consultative Groups.

LETR Review

Legal Aid Practitioners' Involvement in the Review.

LAPG is concerned that the voice of legal aid practitioners may not be making itself heard in the discussions around changes being considered in the Legal Education and Training review (LETR review).

The last eighteen months has seen the publication (in November 2010) of government plans to cut legal aid funding by a quarter. The Legal Aid Sentencing and Punishment of Offenders Bill received Royal Assent last week and the LSC has recently been announcing its contracting/tendering plans. It is therefore a time when the limited resources of the sector have been stretched.

Relevance of Review to Legal Aid Practitioners

There are many aspects of this consultation that are of particular interest to legal aid practitioners.

The legal aid sector has been a particularly diverse sector. There are concerns now about social mobility. The LETR understands the effect of university fees, the expense of the LPC, the shortage of training contracts, the increasing use of paralegals and the commoditisation of work that may drive this. These factors are of particular concern if entering into a field of work where pay is less than other parts of the profession and the anticipated time to repay loans is daunting. Students also have to consider whether to train as solicitors or barristers whereas in the legal aid sector there may be particular issues especially in family and crime.

For a few years the Legal Services Commission provided funding to firms and organisations to take on trainees. This has now stopped and the ending of that scheme has thrown into particularly stark relief the problems that are being faced by those wishing to carry out legal aid work.

Despite legal aid work being less well remunerated than other areas of law and the difficulties of the legal aid system there are many students who want to become legal aid

lawyers. We encounter many students through our work attending university law fairs across the country and speaking at university/College of Law and BPP events for LPC students. The problem of the bottleneck (paragraph 70) is very real to the students we meet. It is hard to give a positive response to students who seek reassurance that there will be opportunities above and beyond low paid paralegal work in the short term.

We are sure you are aware of the work of Young Legal Aid Lawyers on this but if not would draw it to your attention.

As a quick summary of other particularly live issues we would refer to

Paragraph 76 – electives relevant to smaller/high street firms;

Paragraph 87 – training for the bar and for solicitor advocates and the need to think about bringing together training;

Paragraph 97 – re-evaluating course structures.

We note that in paragraph 19 there is reference to a high street firm carrying out crime and family work being involved in the process (we assume that this firm carries out legal aid work) and in paragraph 22 to ad hoc focus groups. We believe that we can, albeit belatedly, assist with input into the Review. Please see our proposals below.

LAPG Proposals

We have two proposals to input into this Review.

1. a group from LAPG, the Law Centres Federation, private practice, Young Legal Aid Lawyers and the College of Law has met several times to discuss the difficulties faced by those who wish to carry out legal aid work. We are concerned about social mobility (we found paragraph 73 of great interest) and about recruitment issues such as the increasing numbers of paralegals and the difficulty of obtaining training contracts (paragraphs 70 and 71 are particularly relevant). We would welcome a meeting between this group and your team.

2. Could we help set up an ad hoc group to meet with your team to discuss these issues? We could draw together a group of practitioners to have a meeting. We would suggest a mix of private practice and not-for-profit representatives; a spread from around the country and from large and small firms/organisations.