

Extract from the LCF's response to the Department for Constitutional Affairs Fundamental Review of Legal Aid in November 2004

Law Centres – Legal Action in the Community

LCF believes that a Community Legal Service needs :

1. Social Welfare Law Specialists\Experts
2. Client Specific Services
3. Casework Services
4. Legal Education and Preventative Services

Our vision is to work towards the establishment of a national network of community Law Centres. Law Centres are able to provide all of the above services. They work closely with other legal casework service providers, the voluntary and community sector and information and advice service providers.

Building up closer links between colleges of law and Law Centres could increase the pool of social welfare lawyers.

1. Specialists\experts in each area of social welfare law

There is a need for centres of excellence, such as Law Centres, in at least every county and in each Metropolitan and London borough. Law Centres focus on providing advice and representing clients in areas of social welfare law often specialising in equality and discrimination issues.

Law Centres acting as Human Rights Centres could be equal partners in a new network of Family Advice, and Community Justice Centres.

Specialists or experts are needed to :

- * Act as a source of knowledge and advice for front line agencies
- * Provide an expert diagnostic service
- * Take on complex cases requiring a high level of experience and skill
- * Provide training and ongoing support to build up skills in the sector

In addition experienced workers can :

- * Supervise college of law students, pupils and trainee solicitors

2. Client Specific Services

To help fight against social exclusion, services must be relevant and accessible to the people who need them. For example, services are needed that specifically address the legal needs of young people, the elderly, black and ethnic minority communities and disabled people.

Law Centres employ staff to represent their local communities. They focus on areas of law that affect vulnerable groups, such as asylum and immigration law, sex, race and disability discrimination law, education and community care.

Each member of the new network of Community Law Centres will need to retain these specialisms. The Law Centres will, as now, build up strong links with community organisations who cater to particular groups. With the use of technology, advice providers in community agencies could have a direct (virtual) link to the Law Centre to access their expertise and support when needed. This will equally apply to outreach services provided by advice agencies in places such as libraries and doctor's surgeries.

Specific units dedicated to particular client groups can be developed within the Law Centres, such as legal services for young people. An example of such a unit is *Streetlegal* at Enfield Law Centre. Law Centres can host additional specialists, such as regional human rights or discrimination law or education law experts, to provide service over a wide geographical area.

Links can be strengthened with the current national providers of specialist services, such as the Public Law Project, MIND or JCWI.

3. Casework Services

Casework services must be independent of the state, effective and efficient. It is a professional service offering :

- * Routine face to face services
- * Assisted casework services
- * Strategic services

Strategic services

To be effective, a legal service must adopt a strategic approach. This means :

- * Identifying the root causes of problems and developing ways to resolve them
- * Looking for common problems and acting on behalf of a group of clients
- * Taking on test cases to clarify the law
- * Pursuing alternative ways of solving problems

This approach is effective as it reduces the number of individuals seeking advice and makes a lasting change that will benefit the whole community.

This includes working with national and local service providers to reduce the number of complaints. The administration of housing benefit is a classic example of this.

For those who have experienced discrimination or harassment in the workplace, representation before a tribunal is essential. A strategic approach would include working with an employer on their policies to ensure that problems do not arise in the future.

Face to face casework services

At present the bulk of legal aid is spent on individual casework services. Law Centres currently provide these services under contract. It is an important element of their service and will therefore continue. The other main providers of regular casework services are solicitors in private practice and advice agencies, such as Citizens Advice Bureaux.

A salaried legal casework service can be established if the service remains independent of the state and funders. These services though would not necessarily prevent social exclusion or produce lasting change unless they incorporate all the other elements of a legal service described above, such as strategic work, legal education and community support.

Assisted casework services

This work covers :

- * Directly enabling clients to pursue their own claims
- * Increased use of technology to assist individual clients

4. Legal Education and Preventative Services

The LCF envisages a package of legal services that raise awareness and prevent legal problems occurring.

Legal Education

Legal education redresses the balance between those who are able to defend their rights and those who cannot. It makes people aware of their rights and how the system works. Legal education covers activities such as :

- * Training for user groups, such as lone parents and statutory providers such as connexions advisers
- * Talks at schools, community and day centres, etc.
- * Producing leaflets in languages appropriate to the community on the law and relevant legal issues
- * News items in the local press and media about the winning of successful cases.

Work in the Community

To improve people' s lives, it is important to be close to the community and to listen to their views on what is important. Law Centre's locally elected management committees show how community participation in the delivery of legal services works best to improve people lives.

Community legal services must include :

- * Partnership with local organisations, such as tenants associations or unemployment centres
- * Providing support and guidance to local groups on the law and good practice
- * Interpreting and disseminating information on the implications of new legislation and local policies

Social Policy

Social policy work needs is an important tool for ensuring that legislation meets its objectives. Legal service providers are in a unique position to comment on the effectiveness of new legislation as they have first hand knowledge of the effect of policies on their clients and their families.