

## **LAPG publishes the Legal Aid Census – the first piece of research of its kind to look at the social justice sector as a whole.**



Unique research tells the story of legal aid lawyers across England and Wales - from entry to the profession, throughout their careers and beyond. As legal aid deserts spread throughout the country this first comprehensive picture of the sector also charts the health and sustainability of the organisations providing legal advice on the frontline.

**The Census was devised by independent legal academics from Glasgow School of Law and Cardiff University and launched in April 2021. It closed on 11 June with such a surfeit of quantitative and qualitative data that the team expanded with additional researchers from Monash University and the University of Oxford. We present the compelling results of their work below.**

Today, Legal Aid Practitioners Group is publishing the 2021 Legal Aid Census report. Researched and written by an independent team of academics, the Census is the first of its kind to look at the backgrounds and lived experiences of all those working on the social justice frontline. There is a widely acknowledged lack of data to inform legal aid policy-making which has been a problem for many years. It is our hope that this data will form the baseline for policy-making around access to justice for years to come and that the Ministry of Justice will build upon this research and conduct further research of its own into the sustainability of the legal aid sector.

[Download the Legal Aid Census report here](#)

[Download the Executive Summary here](#)

The Census was an example of the entire sector coming together to promote and support the need for further data. Practitioners from every area of publically-funded law came together to stand up and be counted. Representative groups including Shelter, Young Legal Aid Lawyers, the Criminal Bar Association, The Law Society, the Bar Council, Housing Law Practitioners Association, Legal Action Group and the Black Solicitors Network signed an open letter supporting the need for comprehensive research in this area. With the government's recent announcements on reforming the legal aid means test and investing in criminal defence, we now call upon those same organisations to stand with us in urging the government to invest in civil legal aid.

### **The need to invest**

On 15 March 2022 Lord Chancellor Dominic Raab said: 'We owe our whole legal profession – solicitors, barristers, court staff and judiciary – a debt of gratitude for keeping the wheels of justice turning over the last two years. That's why we are accepting Sir Christopher Bellamy's recommendation for an uplift in fees and a total of £135m extra investment to ensure legal representation is there for those who most need it as we build back a stronger and fairer society after the pandemic.'

Sir Christopher Bellamy's Independent Review highlighted the parlous state of the criminal legal aid sector after years of frozen fees and cuts. The Census shows the situation facing civil legal aid providers to be just as precarious and the need for investment to be urgent and immediate if our communities are to recover after the pandemic.

Official statistics show that the number of organisations with legal aid contracts has plummeted in recent years: civil legal aid providers have almost halved since 2012 (down to 1,369 from 2,134 pre-LASPO); with a similar drop in criminal legal aid offices over the same period (down to 1,062 from 1,652). Over 100 civil and criminal legal aid firms have been lost over the course of the pandemic alone. There have been positive initiatives made by the Government to enable more individuals to access justice but without lawyers and organisations undertaking legal aid work, where will they go? Providers are leaving publicly-funded work and fewer juniors are entering the profession to replace them. The Census is the first detailed exploration of why this is the case.

**LAPG CEO Chris Minnoch says:**

*The Census report is a unique and compelling analysis of the legal aid sector and provides yet further evidence that without significant government action, access to justice will continue to be an illusory concept for all but the wealthiest of UK citizens. Without a robust and sustainable legal aid sector the majority of citizens cannot access the justice system, uphold their rights and challenge abuses of state power. This has fundamental implications for the health and prosperity of local communities.*

*The Census demonstrates that decades of under-investment have taken their toll across the sector, with low fees and burdensome bureaucracy leading to economy fragility and a recruitment and retention crisis. Despite being an incredibly committed and motivated workforce, lawyers are steadily leaving the sector due to unsustainable workloads and a lack of work-life balance caused by myriad issues across the legal aid system. These issues are detailed in the Census findings, and the action now required from government is clear – invest and put the legal aid workforce on a sustainable footing.*

### **About the Legal Aid Census**

LAPG's 2021 Legal Aid Census launched on 12 April, and closed on 11 June. The survey data was analysed by Dr Jacqueline Kinghan, senior lecturer in law and social justice, Glasgow School of Law, Dr Jess Mant and Dr Daniel Newman, senior lecturers in law, Cardiff University, Dr Catrina Denvir, Associate Professor at Monash University, Australia and Sasha Aristotle, post-graduate student at the University of Oxford. The five individual surveys were completed online, and findings have been made public to the sector to shape policy making in this area.

The Census report provides detailed demographic data about individual respondents and the key characteristics of organisations delivering legal aid. The analysis looks at:

- Those individuals coming into legal aid
- Establishing a career in legal aid
- Working in legal
- The financial viability of legal aid work
- Exiting practice areas – why practitioners and organisations withdraw from delivering categories of legal aid
- Exiting the sector – why practitioners and organisations give up legal aid altogether
- The impact of Covid-19

- Facing the future of legal aid – identifying the challenges ahead and how to meet those challenges

The findings of the Census build upon the work of the Westminster Commission on Legal Aid, the Justice Select Committee and Sir Christopher Bellamy's Independent Criminal Legal Aid Review into the sustainability and future of the legal aid sector.

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Read the Legal Aid Census FAQs here: <https://lapg.co.uk/wp-content/uploads/Legal-Aid-Census-FAQs.pdf>