



Ministry  
of Justice

# Legal Support Advisory Group

## Terms of Reference

### (Revised May 2022)

#### **Context**

This Government is committed to protecting and ensuring access to justice for future generations. Legal aid will continue to play a fundamental role in this, but through our evidence gathering for the Post-Implementation Review (PIR) of Part 1 of the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012, we have heard that it is one part of a bigger picture.

Our vision, outlined in the Legal Support Action Plan (Action Plan), is for a range of complementary legal support, helping people resolve their legal problems at the earliest opportunity before they escalate, through services that are designed around them. As such, the Action Plan makes several commitments regarding both legal aid and wider legal support, including the formation of an advisory network to make use of external expertise to shape new research and evaluation proposals.

During the evidence gathering phase of the PIR, the Ministry of Justice (MoJ) engaged with over 100 organisations to fully ascertain the impact of LASPO. The evidence submitted and the meetings held provided invaluable insight, and were integral to shaping this vision. The publication of the PIR and the Action Plan does not mark the end of the process, but the start of the new phase.

It is vital that conversations between the Government and the sector continue. In order to structure this engagement, the Legal Support Advisory Group (Advisory Group), as outlined further below, will be the central vehicle for maintaining dialogue and ensuring that the implementation of our vision for legal support remains collaborative and transparent.

## **Purpose of the Legal Support Advisory Group**

### ***Objectives of the Legal Support Advisory Group***

- To use collaborative and open engagement between government and a diverse group of key stakeholders to identify legal support challenges and opportunities
- To enable members to give frank, expert and confidential views on government policy in development, from initial design stage and throughout the policy process, providing constructive challenge and support (including by engaging other experts in their networks where appropriate)
- To ensure that the impact of the Covid-19 pandemic on individuals and advice providers is borne in mind through all Advisory Group discussions and MoJ work is adjusted to account for this.

Advisory Group members will:

- Use timely and regular communication to remain up to date with government developments, including feedback from Ministers and progress on previous Advisory Group topics of discussion.
- Use milestones and other plans to understand key MoJ actions and ensure there is accountability for delivery.
- Regularly bring together Government officials, organisations from the justice and tech sectors, along with experts (both academic and otherwise) to generate more productive conversations and break down the barriers that currently prevent the use of innovation in the legal support sector.
- Provide expertise and sector insights throughout the implementation of policies outlined in the Legal Support Action Plan as well as other related policy initiatives in line with Ministerial priorities.
- Continue to advise the Government regarding our vision for a more comprehensive suite of legal support, to ensure access to justice for future generations.
- Advise on evidence and potential research, feeding into evaluation and specifically addressing gaps in our data and information, as well as advising on potential new

avenues for evaluation.

## ***Scope of Legal Support Advisory Group***

In broad terms, the Advisory Group will cover a range of legal support workstreams.

The Group's core priorities and forward plan of work will centre on advising on legal support initiatives, however access will also be provided to highlight reports for key Legal Aid projects captured in the Action Plan, as well as verbal updates from the Legal Aid Policy Team as necessary at Advisory Group meetings.

It will be imperative that the Group has input on the cross-cutting evaluation frameworks that will be applied to measure the impact of legal support projects and pilots. As agreed at the Group's first meeting, a sub-group will be specifically set up to cover this area of work, as well as any further research that the Group deem pragmatic. This sub-group would report into the Advisory Group and seek approval for any suggestions made in this area.

The Advisory Group also retains the ability to create other sub-groups that can work in more detail on any specific projects, or other cross-cutting issues.

The Group will also look at the impacts of the Covid-19 pandemic on legal support issues whenever this is appropriate.

## ***Membership***

The Group will meet quarterly (or more regularly if necessary) and will be chaired by the MoJ Director of Access to Justice Policy. The Group will have 'core' members, who will be invited to every Group meeting. These are proposed to be:

- Robert Bancroft, Equality and Human Rights Commission
- Christina Blacklaws, Chair of the LawTech Delivery Panel
- Stephanie Boyce, The Law Society
- Dr Natalie Byrom, Legal Education Foundation

- Clare Carter, Access to Justice Foundation
- Professor Dame Hazel Genn, University College London
- Chris Minnoch, The Legal Aid Practitioners Group
- Lindsey Poole, Advice Services Alliance
- Phil Robertson, Bar Council
- Fiona Rutherford, JUSTICE

Alongside the Director of Access to Justice Policy in their role as Chair, and Legal Support Policy officials who will provide the Advisory Group's secretariat, regular MoJ attendees will be Deputy Directors for Legal Support (Steph Hack and Jo Otterburn) and Legal Aid (Jelena Lentzos), and representative from MoJ Legal, MoJ Digital, MoJ Data and Analysis and HMCTS Customer Insight.

Other attendees will be invited on an ad hoc basis, based on the topic of the meeting, to ensure the relevant expertise is present. The topics will be agreed by the Chair in advance and often in line with areas members have raised in previous topics/meetings

## ***Ways of Working***

Where possible MoJ will circulate an email update to members to keep them informed of developments in between meetings. MoJ will also circulate the papers for each meeting at least a week before the meeting.

It is not envisaged that the Advisory Group's members will be asked to dedicate further time to taking on specific assignments, but, at the direction and with the agreement of the Group, certain attendees may be requested to prepare short papers of relevance to then be brought back for consideration.

Advisory Group members will be asked to declare whether they or their organisations may be interested in bidding for MoJ contracts let in connection with work within the Advisory Group's remit. Those that do declare such an interest, will not be allowed to participate in Advisory Group meetings where the letting of such contracts is discussed.

Where appropriate documents relating to the work of the Advisory Group will be added to the MoJ's Legal Support pages on the internet.

The Secretariat will be responsible for drafting high quality and accurate minutes. Members will be asked for corrections before they are finalised on our records.

The Group will be meeting remotely via MS Teams until further notice due to COVID-19. Once face-to face meetings resume, reasonable travel expenses may be paid and will be reviewed on a case-by-case basis – if you would like further information on this policy, please contact the Secretariat for more detail.