



Ministry  
of Justice



Legal Aid  
Agency

# Legal Aid Statistics in England and Wales

January to March 2015

**Ministry of Justice  
Statistics bulletin**

Published 25 June 2015

# Contents

---

<b>Introduction</b>		<b>3</b>
<b>Key findings</b>		<b>5</b>
<b>Analysis and commentary</b>		<b>6</b>
<b>Criminal legal aid</b>		<b>8</b>
Crime lower	10	
Crime higher	14	
Other criminal legal aid	18	
<b>Civil legal aid</b>		<b>20</b>
Family	24	
Family mediation	25	
Non-family	29	
Civil legal aid subcategories	33	
<b>Exceptional case funding</b>		<b>36</b>
Applications	36	
Determinations	38	
<b>Appeals and representations</b>		<b>41</b>
Appeals	41	
Representations	42	
<b>Legal aid providers</b>		<b>44</b>
Civil providers	45	
Crime providers	46	
Providers by region	47	
<b>Client and provider characteristics</b>		<b>50</b>
Client characteristics	50	
Provider characteristics	54	
<b>Annex A - Contact points for further information</b>		<b>59</b>

# Introduction

---

Legal Aid Statistics in England and Wales is published every quarter, presenting the key statistics on activity in the legal aid system. This edition comprises the first release of official statistics for the three month period from January to March 2015 and also provides the latest statement of all figures for previous periods and longer term trends.

The statistical release consists of a set of documents:

- This bulletin, which provides key figures, graphs, explanation and commentary.
- A Guide to Legal Aid Statistics, which gives information on legal aid and recent changes, information on data quality and sources and a glossary of key terms used in this bulletin.
- A set of main tables, provided as spreadsheets, which give more detailed figures and full time-series for each area.
- A more detailed set of underlying data, provided in the form of a CSV (comma separated variables) file to facilitate detailed analysis using pivot tables, and re-use of the data using a variety of software packages.
- Anonymised provider office level data, provided in the form of a CSV file available in a downloadable zip file to allow further analysis on the number of provider offices to complete work in a period, the amount of work completed and the expenditure associated with this work.
- Guidance on how to use the CSV data files is also provided alongside them.

Activity in the legal aid system can be expressed in terms of workload and expenditure. See the section below on measuring activity in the legal aid system for more detail on how each is measured in these statistics.

We encourage feedback from users on the format and content of the Legal Aid Statistics, and we can be contacted via the contact details shown in Annex A at the end of this bulletin or follow this link to complete the user survey: [www.smartsurvey.co.uk/s/6U58M](http://www.smartsurvey.co.uk/s/6U58M)

The next edition of Legal Aid Statistics will be published on Thursday 24 September 2015.

## Measuring activity in the legal aid system

### Workload

The legal aid system involves a diverse range of activities and services, from relatively quick, lower-cost events such as the provision of pre-charge advice in a police station to a complex, relatively high-cost court case. Therefore, the units in which workload can be measured differ across the system.

Additionally, the basis on which volumes are measured varies between different types of legal aid due to the data available. For example, crime lower volumes are based on outcomes, which relate to the end of activity on a case, whereas for other legal aid areas volumes are based on case starts - the beginning of activity on a case.

For some areas, such as legal help and civil representation, measures of workload at both the start and completion stages are presented in this publication.

It is therefore difficult to summarise workload for the system overall within a single number and users are advised to look at trends in workloads for each area of legal aid separately.

### Expenditure

This bulletin presents expenditure in terms of the total value of payments made to legal aid providers in relation to pieces of work, or cases, that are completed in the period. Presenting expenditure data on this 'closed-case' basis means that it can be shown alongside the work to which it relates, and to the same level of detail.

This is different from the way expenditure figures are presented for budgeting and accounting purposes, such as those in the Legal Aid Agency's (LAA) Annual Report and Accounts, which are presented on an accruals basis (meaning that they report the value of the work done in the period). There are important differences between these two measures of value which mean that they are not directly comparable. These differences include timing:

- For more complex work, for example many crime higher and civil representation cases, a portion of the work on a case that is completed and paid for in a given period may have taken place over previous periods, but on the closed-case basis its entire value will be included within the expenditure figures for the period in which the case closes.
- Similarly, the value of any work that is done in a given period on cases that have not yet been completed or paid for will not be included in the closed-case expenditure figures for that period.

The combined effect is that expenditure figures on the closed-case basis lag behind those presented on an accruals basis (such as those in the LAA's Annual Report and Accounts), so any trends in expenditure will emerge later, particularly for more complex areas of legal aid work.

Another important difference is that the figures in this bulletin do not take account of income received in the period or bad debt expenditure (to illustrate, the LAA's income in 2014-15 was £198m and bad debt expenditure was £22m, out of total net programme expenditure (that is, excluding administration costs) of £1,586m).

# Key findings

---

## Criminal legal aid

1. The gradual decline of recent years in **crime lower** workloads has continued in the context of falling overall crime rates, and the latest quarter saw a 7% fall compared to the same period in the previous year (see figure 3).
2. Expenditure on crime lower has declined more than workloads, down 14% compared to the same period of the previous year (see figure 4). This reflects the introduction in March 2014 of a reduction of 8.75% to the fees paid for most crime lower legal aid work.
3. In **crime higher**, the trend in new work entering the system has dipped in the last few quarters. The number of representation orders granted in the crown court in the last quarter was down 13% compared to the same period of 2014.
4. However, representation orders influence the short-term trend in crime higher workloads only indirectly; the more direct driver is the number of sitting days in Crown Courts across England and Wales, which are in turn managed in response to workloads currently in the criminal justice system. The volume of cases completed in crime higher in the last quarter dipped compared with the previous quarter (down 9%) but was comparable to the same period of the previous year (down 3%, see figure 9).

## Civil legal aid

5. The implementation of the LASPO Act in April 2013 resulted in large reductions in **legal help** workload and expenditure but trends have since levelled out at around one-third of pre-LASPO levels. In the last quarter new matter starts were 6% lower than in the same period of 2014
6. Workloads in **civil representation** fell by a smaller proportion than legal help following the implementation of LASPO, and now appear to be stabilising at around two-thirds of pre-LASPO levels. The number of certificates granted in the last quarter was down 7% compared to the same period of the previous year.
7. After sharp falls following LASPO, the number of **mediation** assessments in the latest quarter was 19% up compared to the same period in 2014 and the number of starts was up by 33% over the same period.

## Exceptional Case Funding

8. This quarter, the proportion of applications being granted was 18%, which is 8 percentage points lower than the previous quarter, but 11 percentage points higher than the same quarter of 2014.

## Annual chapters

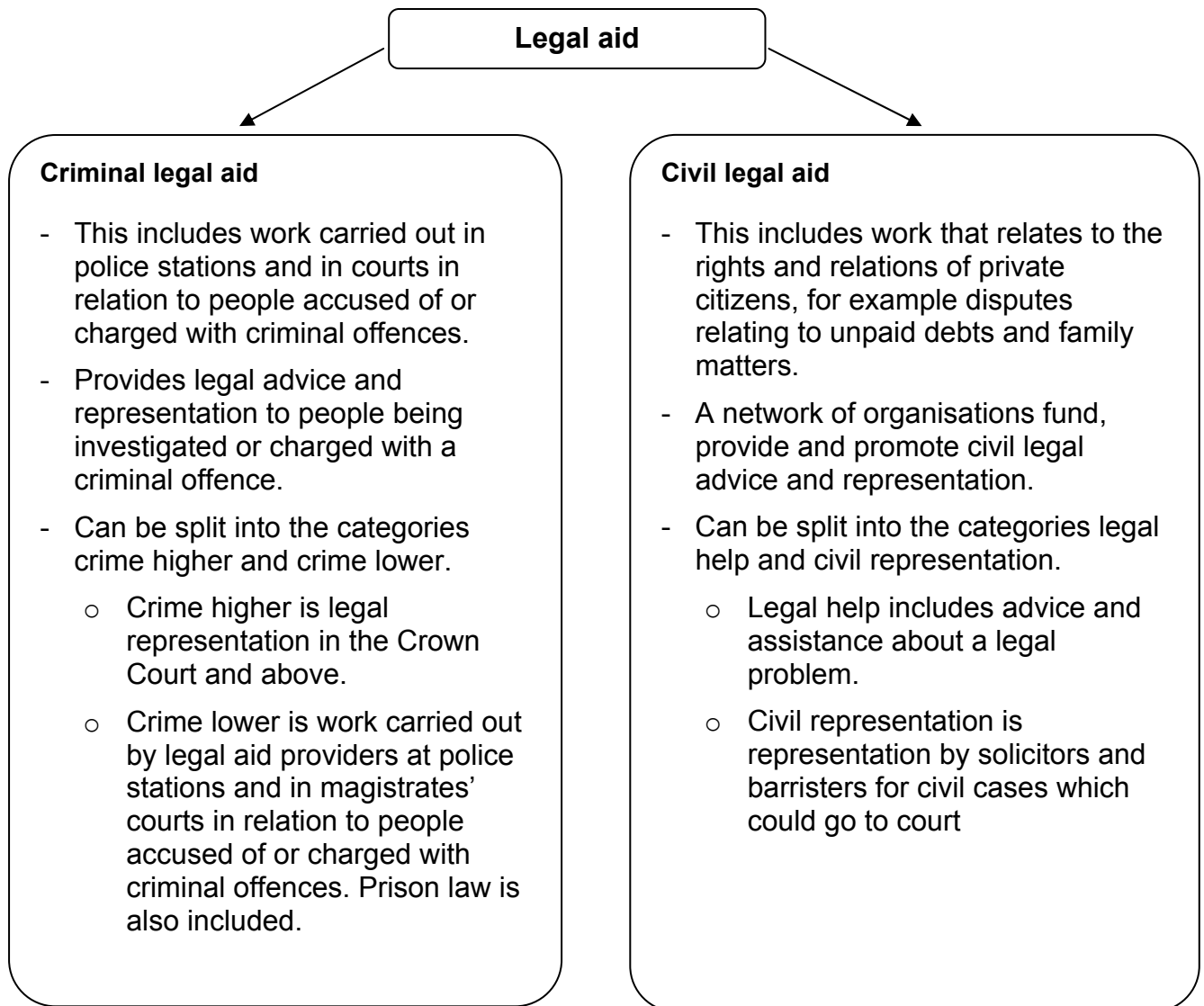
9. This quarterly bulletin includes additional sections that are updated only annually. These present figures for legal aid providers, appeals against legal aid decisions and client characteristics.

# Analysis and commentary

---

## Summary

Legal aid workload can be broken down into two main justice areas, criminal and civil:

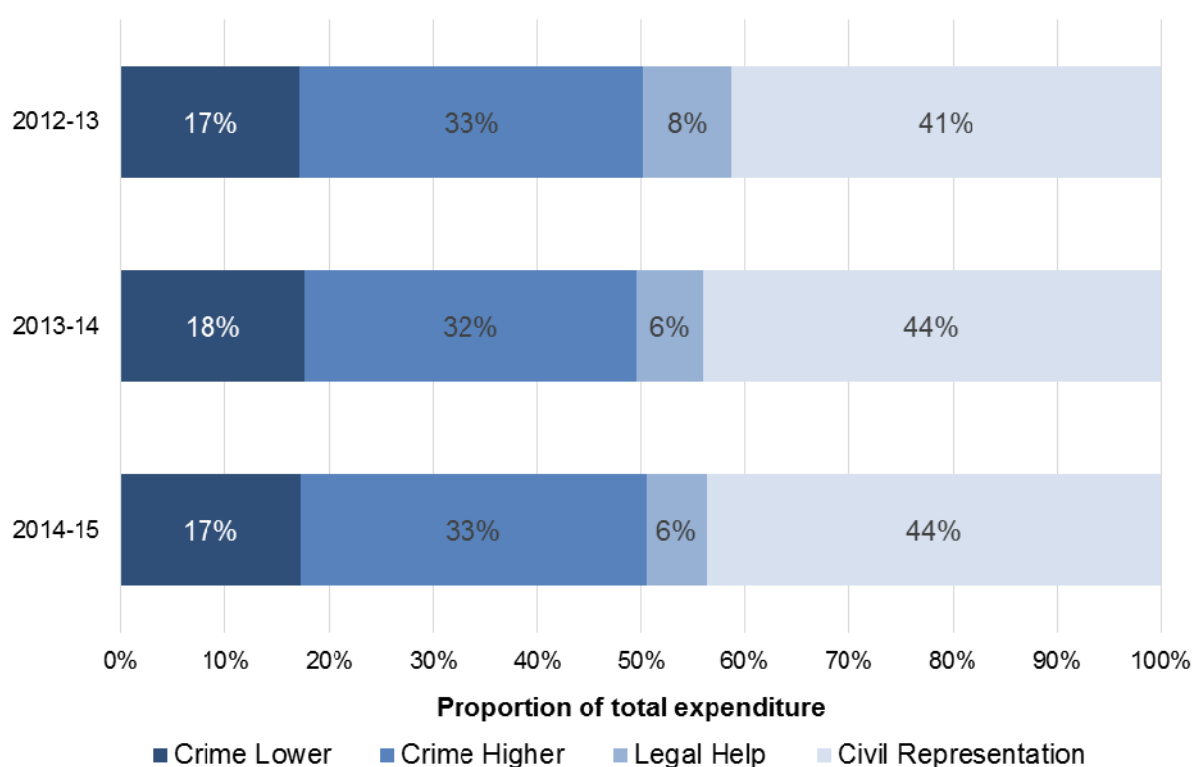


The value of expenditure on cases completed between April 2014 and March 2015 was just over £1.9 billion<sup>1</sup>, a 10% reduction on the previous year. These figures present expenditure on a closed-case basis and should not be confused with those used for budgeting and accounting purposes, such as those presented in the LAA's Annual Report and Accounts (see page 4 for an explanation of the differences).

As shown in Figure 1 below, this expenditure was divided evenly between criminal legal aid (50%) and civil legal aid (50%). Civil representation is the largest single category, making up 44% of the value of payments made for cases completed in this period.

The split in payments between criminal legal aid and civil legal aid has been fairly stable over the last three years, although crime higher has increased slightly as a proportion while legal help has diminished.

**Figure 1:** Value of payments made for cases completed in April 2014 to March 2015, by legal aid scheme

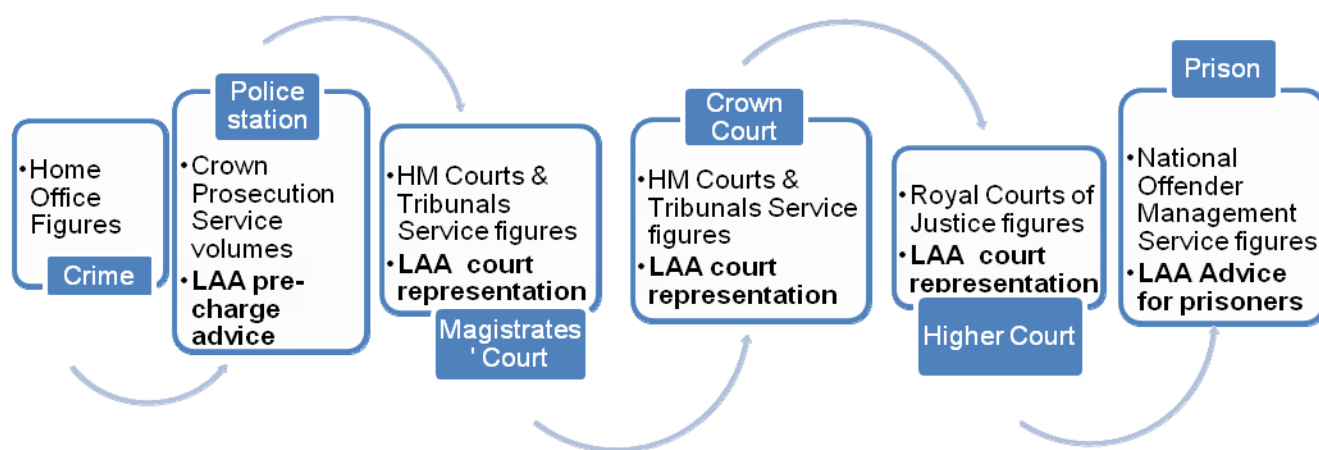


**Note:** figures for crime higher include central funds and those for civil representation include mediation

<sup>1</sup> Data on the value of completed cases are provisional and subject to change.

# Criminal legal aid

The diagram below shows the availability of legal aid flows (in bold) throughout the Criminal Justice System with legal services touching on the system from start to finish.



All criminal cases are potentially within the scope of the criminal legal aid scheme, subject to the Interests of Justice test and the means test operating to exclude some cases.

Figures are given in this report for each of the areas above and are categorised into Crime Lower and Crime Higher. Figure 2 below shows the relative size of each category and area both in terms of workload volumes and expenditure.

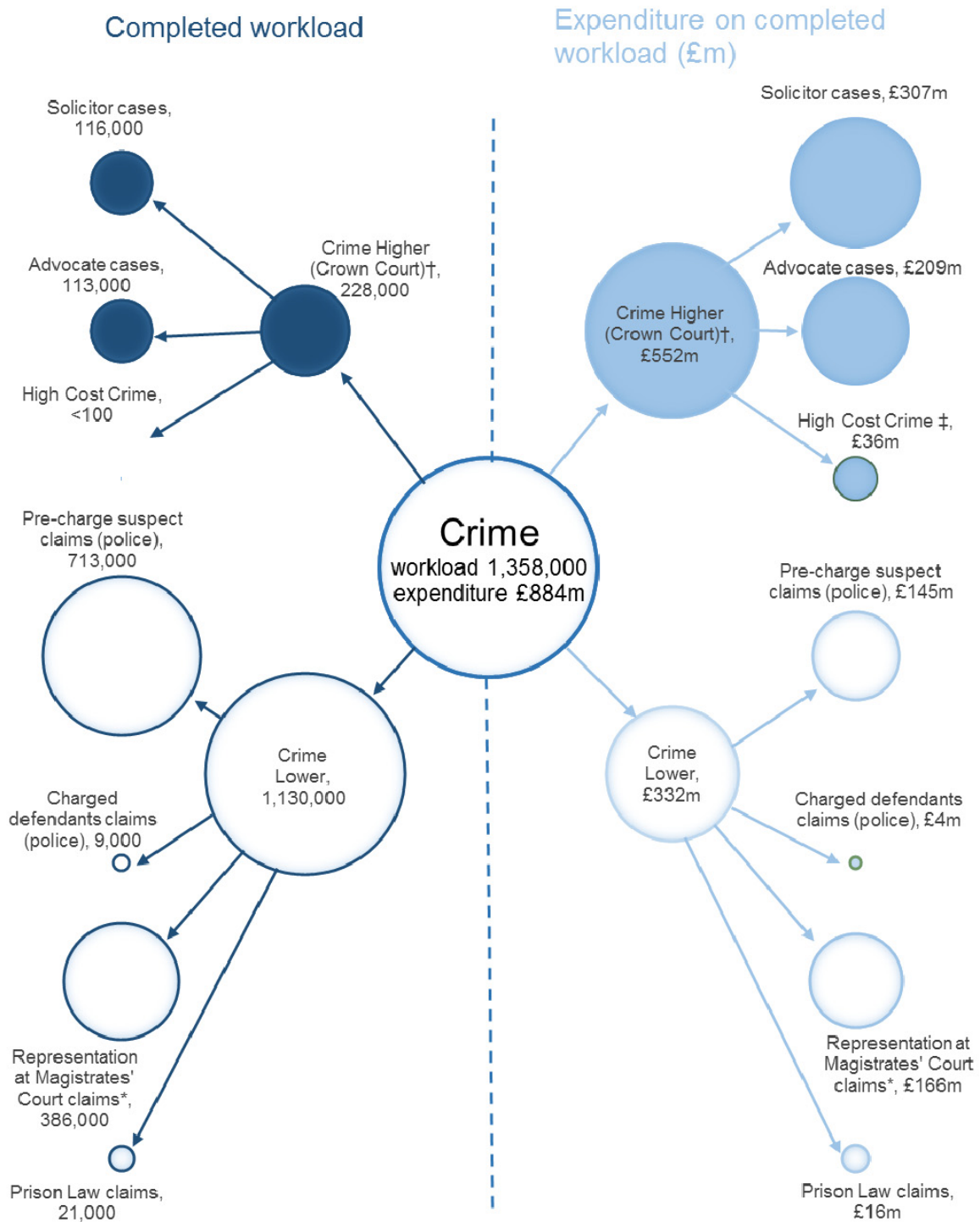
Crime Lower includes information from the pre-charge and police station stage, the early court system (including magistrates' courts) and prison assistance. These are the relatively higher volume, lower cost units of criminal legal aid work. For more detailed figures on Crime Lower, see tables 2.1 to 3.1 of the Main Tables published alongside this report.

Crime Higher includes work in the Crown Courts and Higher Courts. This relates to more serious criminal matters only and involves the relatively lower volume, higher cost units of criminal legal aid work. Most cases within the Crown Court have both a litigator (solicitor) and an advocate (barrister or higher solicitor advocate). A small proportion of the most complex Crown Court cases are categorised by the LAA as Very High Cost Cases (VHCCs) and managed differently. For more detailed figures on Crime Higher, see tables 3.2 to 4.4 of the Main Tables published alongside this report.

Workload in the wider Criminal Justice System has fallen in the last few years and as a consequence some areas of criminal legal aid have also seen a gradual fall. The largest reduction in workload within criminal legal aid between January and March 2015 and the same period in the previous year was in representation at magistrates' court, which has fallen by around 10,500 cases (10%).



**Figure 2:** Volumes and expenditure within criminal legal aid area, April 2014 to March 2015



\* includes court duty solicitor sessions

† This total does not include the higher courts

‡ The spend for high cost crime is the on-going spend for the last 12 months, not closed case spend

Figures are for the 12 months to March 2015

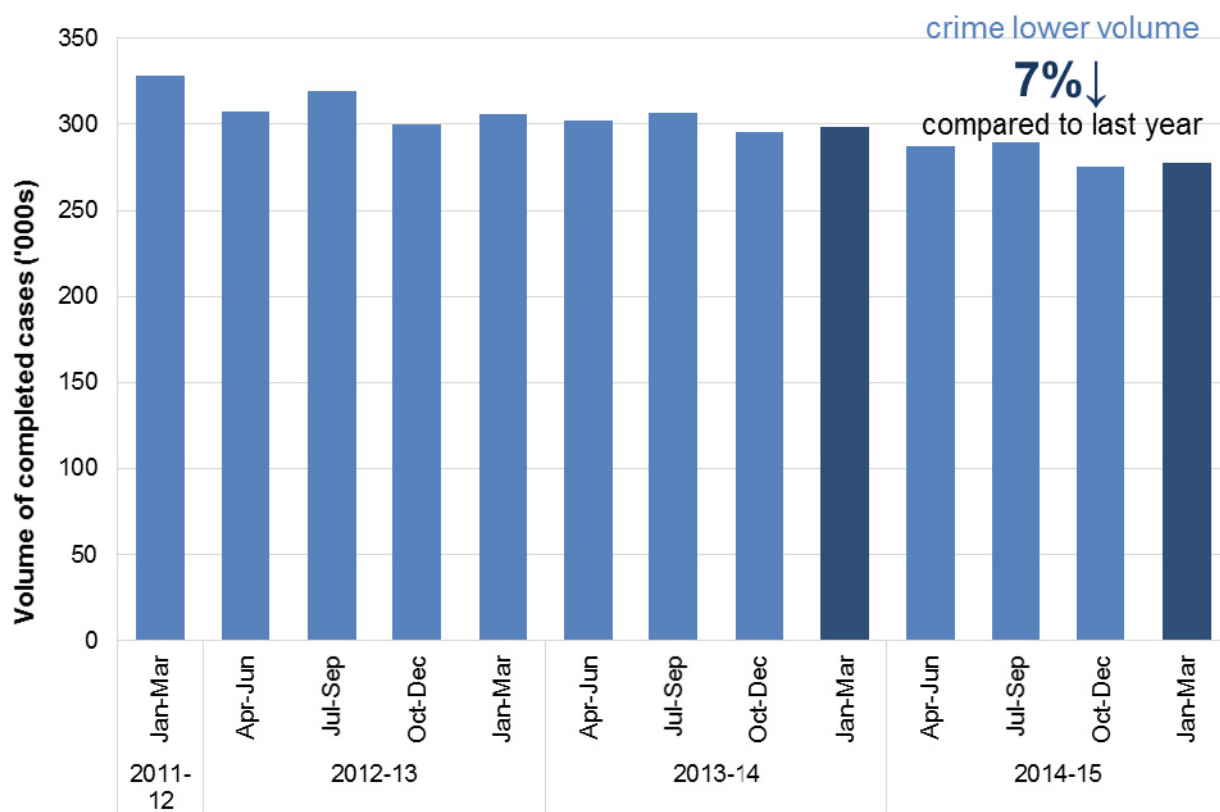
te: figures have been rounded so may not sum to totals

No

## Crime lower

The gradual decline in crime lower workloads in recent years has continued in the context of falling overall crime rates, and the latest quarter saw a 7% fall compared to the same period in the previous year (see figure 3). Expenditure on crime lower has declined more than workloads, down 14% compared to the same period of the previous year (see figure 4). This reflects the introduction in March 2014 of a reduction of 8.75% to the fees paid for most crime lower legal aid work.

**Figure 3:** Number of cases within crime lower, Jan-Mar 2012 to Jan-Mar 2015



**Figure 4:** The value of completed crime lower cases, Jan-Mar 2012 to Jan-Mar 2015



**Note:** Data on the value of completed cases are provisional and subject to change

### Pre-charge suspects (Table 2.1 and 2.2)

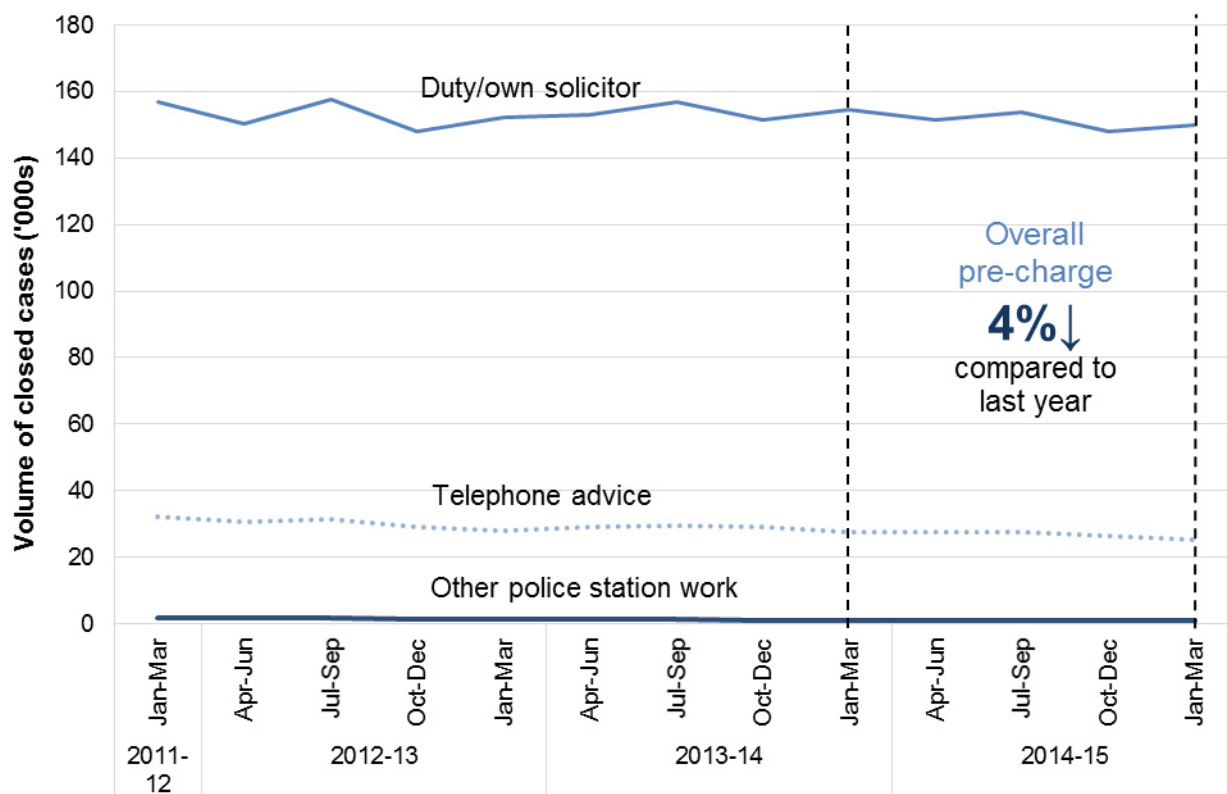
Pre-charge work made up over 60% of the crime lower workload between January and March 2015. Anyone in England and Wales who is interviewed by the police or attends a police station can receive advice funded by legal aid either on the telephone or by a solicitor in attendance with the suspect. The LAA has limited control over the volume of police station claims. Changes to police numbers and priorities will lead to changes in the number of arrests, charges and cautions.

The overall workload between January and March 2015 fell by 4% compared to the previous year. Over the last three years the trend has been gradually decreasing (see figure 5). The trend in police recorded crime figures has also been reducing, but the falls in recorded crime have been larger than for legal aid pre-charge work<sup>2</sup>.

The majority of the pre-charge workload (85% in January to March 2015) consists of suspects receiving legal help with a solicitor in attendance at the police station; this has remained stable over the last year.

<sup>2</sup>[www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/year-ending-september-2014/stb-crime-in-england-and-wales--year-ending-september-2014.html](http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/year-ending-september-2014/stb-crime-in-england-and-wales--year-ending-september-2014.html)

**Figure 5:** Workload with pre-charge suspects, Jan-Mar 2012 to Jan-Mar 2015



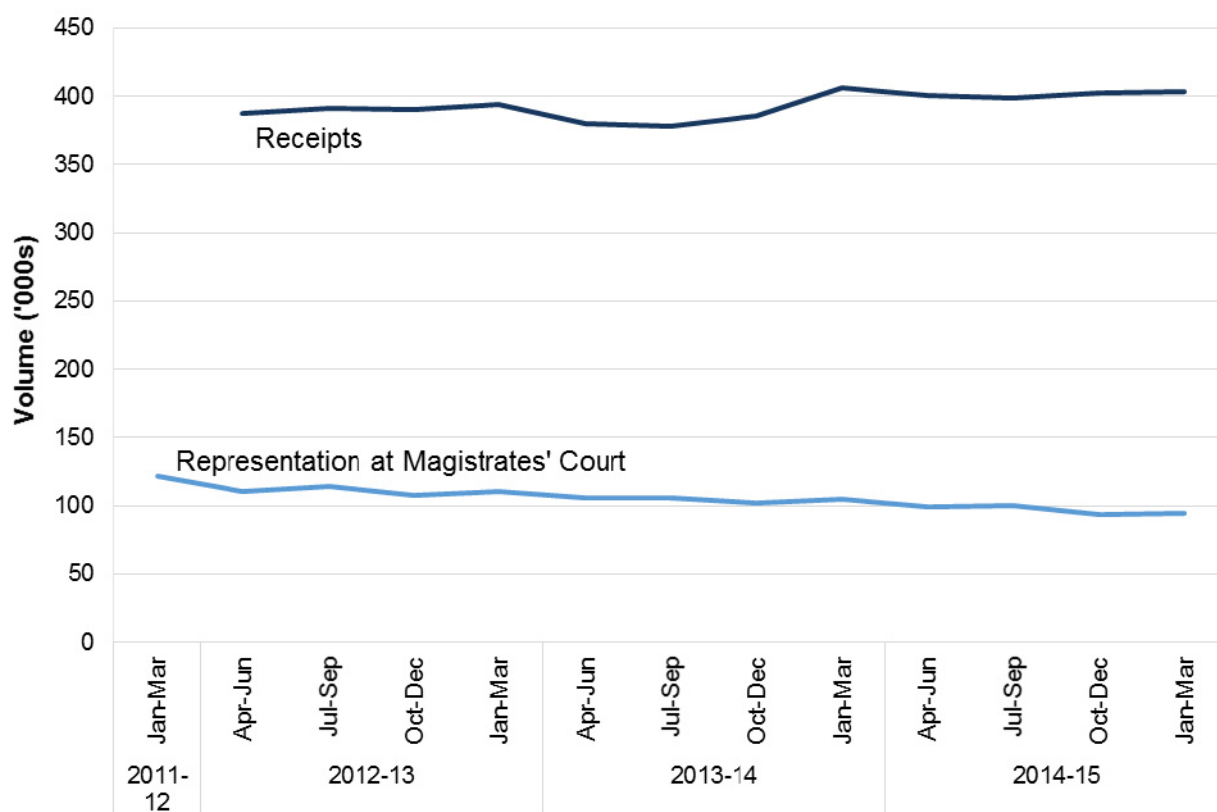
**Magistrates’ court (Table 2.1 and 2.2)**

Representation orders in the magistrates’ court fell by 10% this quarter when compared to the previous year, while the overall number of receipts in the magistrates’ court (including those not involving legal aid) fell by less than 1%. Figure 6 shows the overall number of receipts and the number of representation orders granted in the period.

Receipts in the magistrates’ court include triable-either-way and indictable trials, summary motoring, summary non-motoring and breach cases. The overall number of receipts is much greater than the numbers of legal aid representation orders granted because applications for legal aid are not submitted for many of the less serious (summary) offences as the circumstances will not meet the criteria set out in the interests of justice test.

The interests of justice test considers the merits of a case (for example a person’s previous convictions, the nature of the offence and the risk of custody) to determine if an applicant qualifies for legal aid. The more serious the charge or possible consequences for the defendant, the more likely that the case will qualify for legal aid.

**Figure 6:** Magistrates' court trends - representation and receipts, Jan-Mar 2012 to Jan-Mar 2015



**Note:** Published quarterly receipts data is only available from April 2012

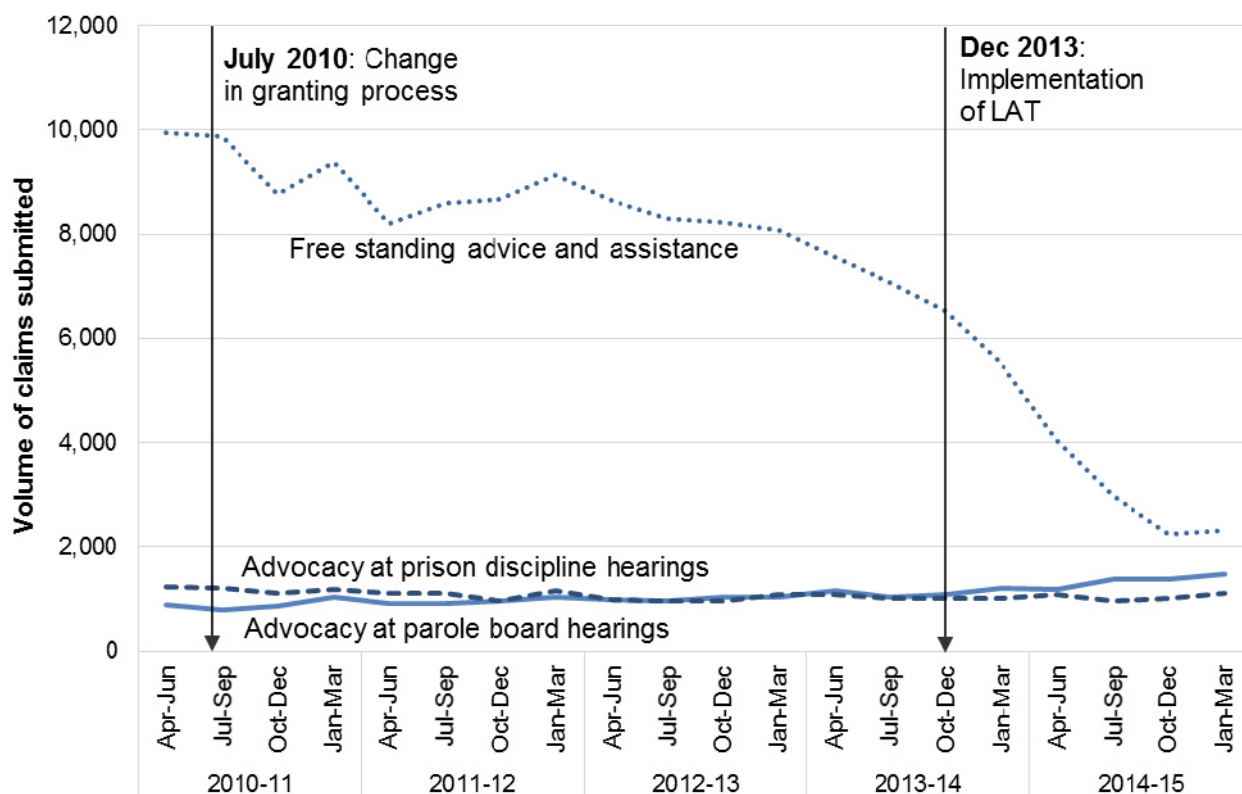
### Prison Law (Table 2.1 and 2.2)

Since the change in July 2010 whereby legal aid providers had to apply to the LAA for prior approval before starting work on treatment cases, Prison law workload has generally been decreasing (see figure 7). However, from December 2013, under the Legal Aid Transformation (LAT) programme, there were changes to the scope of legal aid available for prison law<sup>3</sup>.

These changes appear to have led to larger falls over the last year, with a 36% fall in January to March 2015 compared to the same period the previous year. This fall has been driven by a reduction of over 3,000 free standing advice and assistance cases (a fall of 58%) when comparing January to March 2015 with the same period last year.

<sup>3</sup> [www.justice.gov.uk/offenders/parole-board](http://www.justice.gov.uk/offenders/parole-board)

**Figure 7:** Volume of workload within prison law, Apr-Jun 2010 to Jan-Mar 2015



## Crime higher

### Representations at Crown Court (Table 3.2)

The workload in the Crown Court can be broadly split into the following categories:

*Either way offence:* An offence which can be tried either before the magistrates' court or the Crown Court.

*Indictable offence:* A criminal offence that can only be tried in the Crown Court.

*Committed for sentence:* A case where a magistrate decides that the penalties available to them are inadequate and commits the case to the crown court for sentencing.

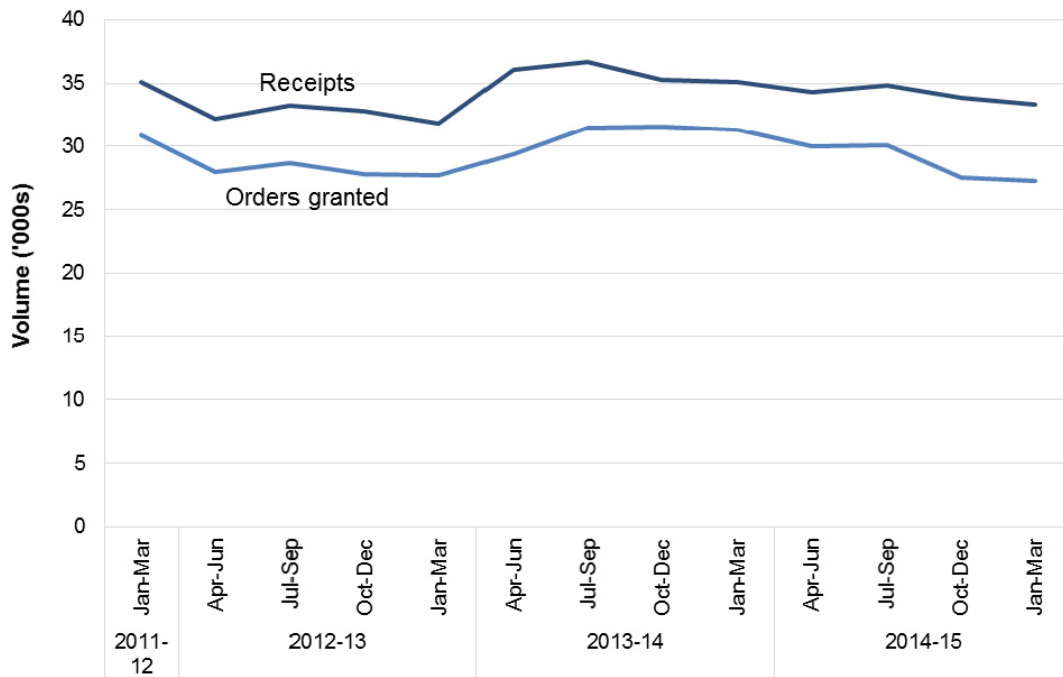
*Appeals:* The Crown Court deals with appeals from magistrates' court against conviction and sentence

The number of legal aid representation orders granted in the Crown Court between January and March 2015 has fallen by 13% compared to the same period in 2014, but displays a broadly similar trend to overall receipts of cases into the Crown Court over time<sup>4</sup> (see figure 8).

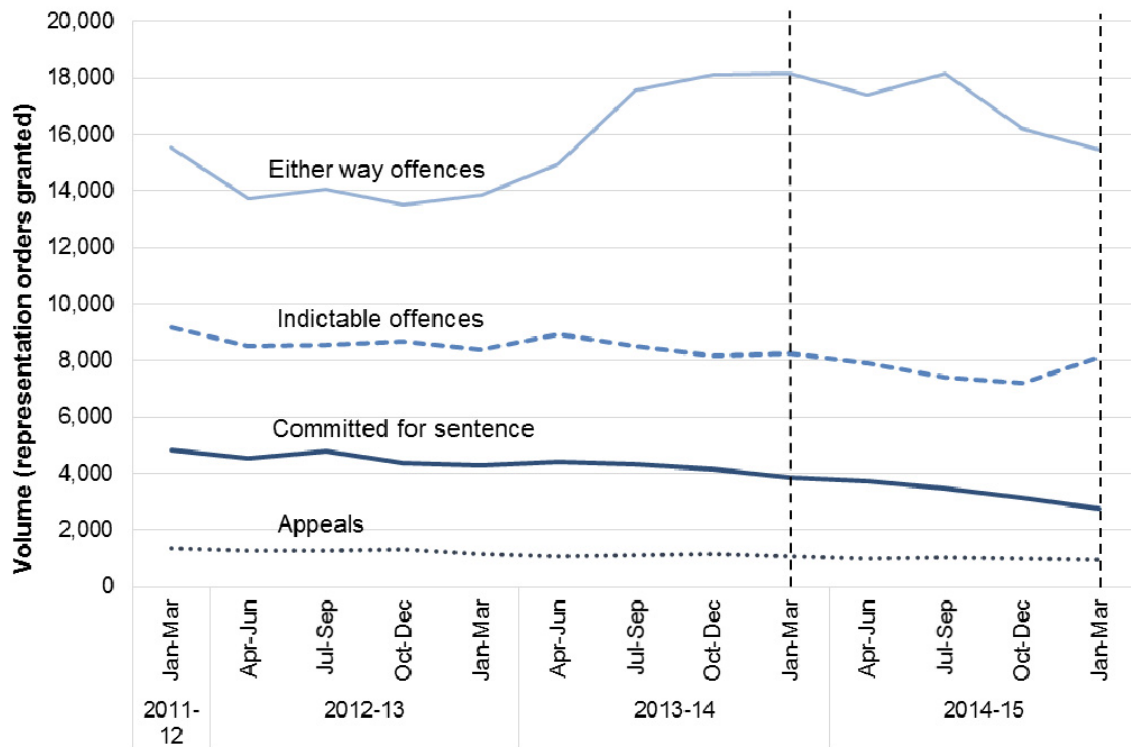
<sup>4</sup> Criminal Court Statistics Quarterly Jan-Mar 2015, [www.gov.uk/government/statistics/criminal-court-statistics-quarterly-january-to-march-2015](http://www.gov.uk/government/statistics/criminal-court-statistics-quarterly-january-to-march-2015)

This overall reduction has mainly been driven by falls in representation orders for either-way offences (down 15%) and those committed for sentence (down 29%) (see figure 9).

**Figure 8:** Representation orders granted and receipts in the Crown Court, Jan-Mar 2012 to Jan-Mar 2015



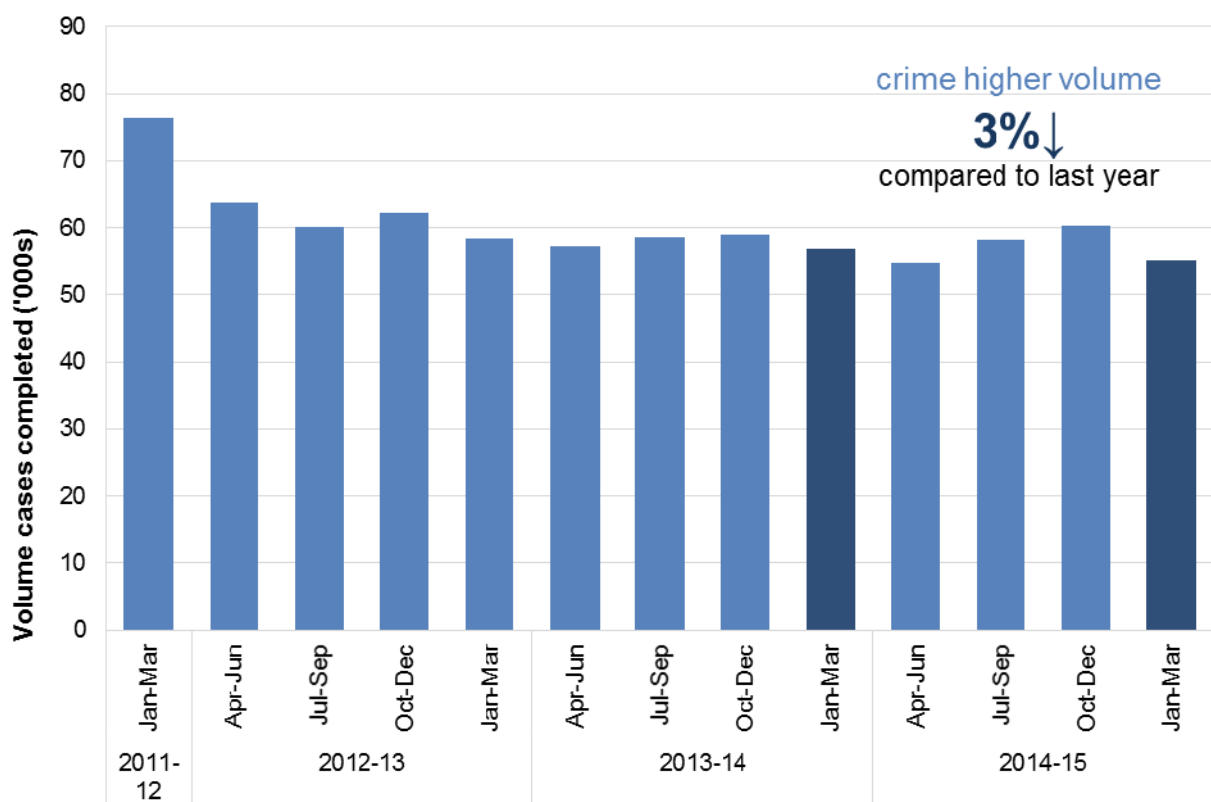
**Figure 9:** Representation orders granted in the Crown Court, Jan-Mar 2012 to Jan-Mar 2015, by case category



Volumes of cases completed in the crime higher category have declined very gradually over the last three years. The volume in the last quarter dipped compared with the previous quarter (down 9%) but was comparable to the same period of the previous year (down 3%, see figure 10). These volumes are related only indirectly to trends in crime; they are driven largely by the number of sitting days in Crown Courts across England and Wales, which are in turn managed in response to workloads within the criminal justice system.

Although the value of payments for completed cases in crime higher (figure 11) has followed a generally similar trend to that of the volumes, the downward trend is slightly steeper. This reflects the impact of reductions over this period to fees paid to solicitors and advocates for crime higher legal aid work.

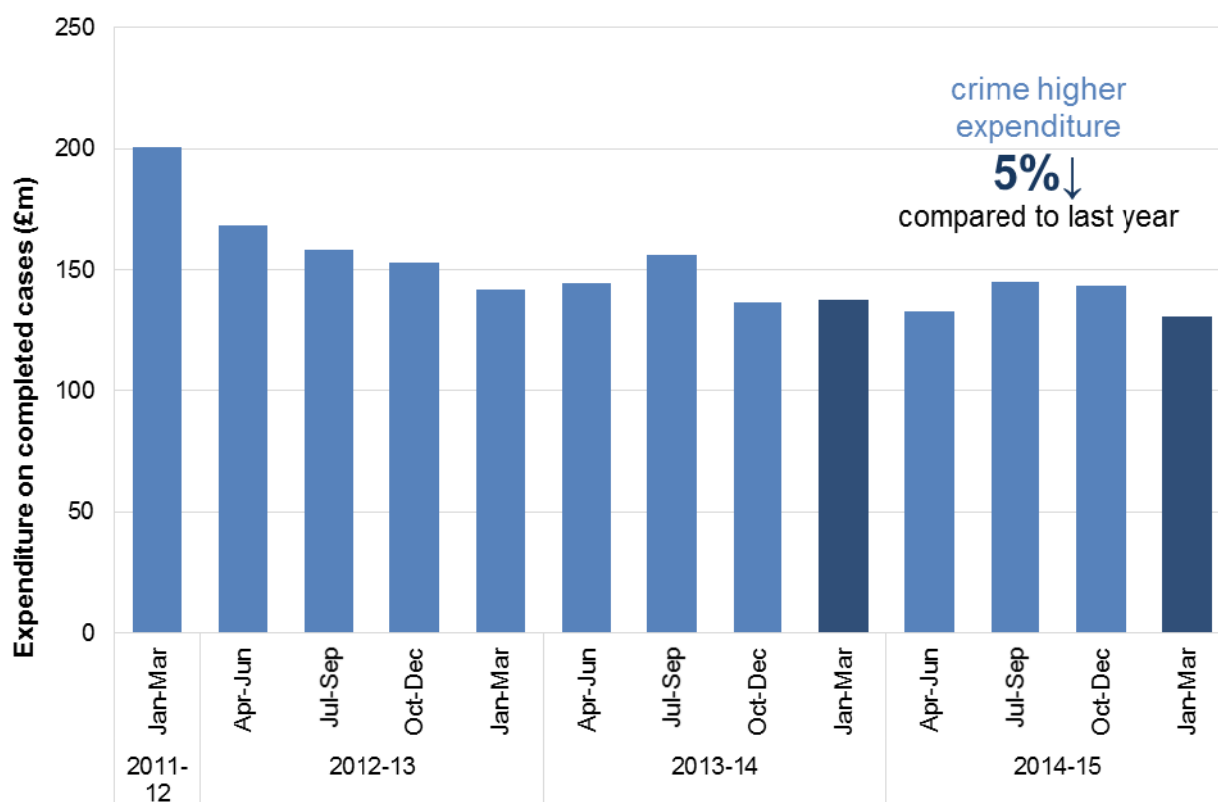
**Figure 10:** Number of cases completed within crime higher (Tables 4.2 – 4.4), Jan-Mar 2012 to Jan-Mar 2015



**Note:** High cost cases are case starts and both litigator and advocate case completions are included.



**Figure 11:** The value of completed crime higher cases (*Table 4.2 – 4.4*), Jan-Mar 2012 to Jan-Mar 2015



### Very High Cost Cases (VHCCs) (*Table 4.4*)

VHCCs are those cases in which, if the case were to proceed to trial, it would be likely to last more than 60 days. These cases can span a number of years and, while the volumes are small, the number of related contracts with providers and the amount spent are high in comparison. The LAA makes decisions in relation to authority to incur expenditure for expert reports and runs a High Cost Case contracting scheme seeking to limit expenditure on the small number of Crown Court cases that account for a large proportion of total expenditure on criminal legal aid.

Total expenditure on VHCCs between January and March 2015 was £6 million, a reduction of 40% compared to the previous year. Falling VHCC costs are due to changes in rates paid and also a reduction in the proportion of cases classified as a VHCC due to the threshold being increased from 40 to 60 days on 1 April 2013. VHCCs represent a very small amount of the workload but 5% of the overall cost of publicly funded cases in the Crown Court. For each VHCC opened there may be multiple defendants, each represented by a different provider with separate VHCC contracts.

## Other criminal legal aid

There are some areas of criminal legal aid that are not covered in the crime lower and crime higher categories:

### **Discretionary and legacy claims**

This is legal aid in the Crown Court covering discretionary and legacy claims related to graduated fee schemes

- Discretionary claims for costs under a Representation Order i.e. litigators' claims for confiscation proceedings, and advocates' claims for committals for sentence and appeals to the Crown Court, and breaches of Crown Court orders
- Proceedings predating the various fixed fee schemes (legacy cases) or falling outside the scope of the formal schemes.

The figures in table 4.1 show a reduction in expenditure over the last few years as cases have moved out of discretionary claims in to the main graduated fee schemes with the remaining £15m of expenditure in 2014-15 mainly covering proceeds of crime orders.

### **The Higher Courts: Court of Appeal and Supreme Court**

Legal aid for the higher courts is expenditure paid by the Court of Appeal, Senior courts cost office and Supreme Court, and is administered by those courts. The grant of legal aid is also determined by the courts, for an Interest of Justice test only as there are no means tests for this area.

Figures for this area of criminal legal aid are shown in Table 4.1. The volume figures are taken from the payment transaction volumes and for the Court of Appeal they follow the general trend of criminal workload.

### **Central Funds**

This is the first time that the Central Funds category of legal aid expenditure has been included in the Legal Aid Statistics bulletin, and figures are shown in Table 3.3. This category relates to the reimbursement of defendants who have been acquitted after privately funding their legal representation and other associated defence costs such as expert fees and interpreters. Payments from central funds are normally triggered when a judge grants a Defence Cost Order (DCO) for legal aid at Magistrates, Crown or higher courts.

For Crown Court cases which began between October 2012 and January 2014 a DCO is no longer available. For cases starting after January 2014 a DCO may be granted where an application for legal aid was initially submitted and refused.

Prior to October 2012, magistrates DCOs were paid at private hourly rates, but since then they have been paid at legal aid hourly rates.

In 2014-15 the administrative system for central fund payment was updated to allow further detail to be collected and this is shown in Table 3.3 with information on both Crown Court and magistrates' court workload where possible. The total expenditure for central funds as a whole has fallen during the financial year when compared to previous financial years total payments in central funds. This is mainly due to the changes described in the previous two paragraphs.



# Civil legal aid

Many events and issues in people’s lives which are not associated with crime, but which concern the rights and relations of private citizens, can also require legal assistance. These can be issues such as discrimination, dealt with through the telephone advice service, or a divorce with several court appearances.



Civil legal aid can be broadly categorised into legal help (see tables 5.1 to 5.3) and civil representation (tables 6.1 to 6.7). The nature of each form of service is explained in the diagram above. The first point of contact for a client of civil legal aid is usually legal help, which covers help via telephone, face-to-face with a solicitor or at Not-for-Profit centres.

Many of these matters will then extend into civil representation with full investigations undertaken or in-court representation given. However, under some circumstances a client

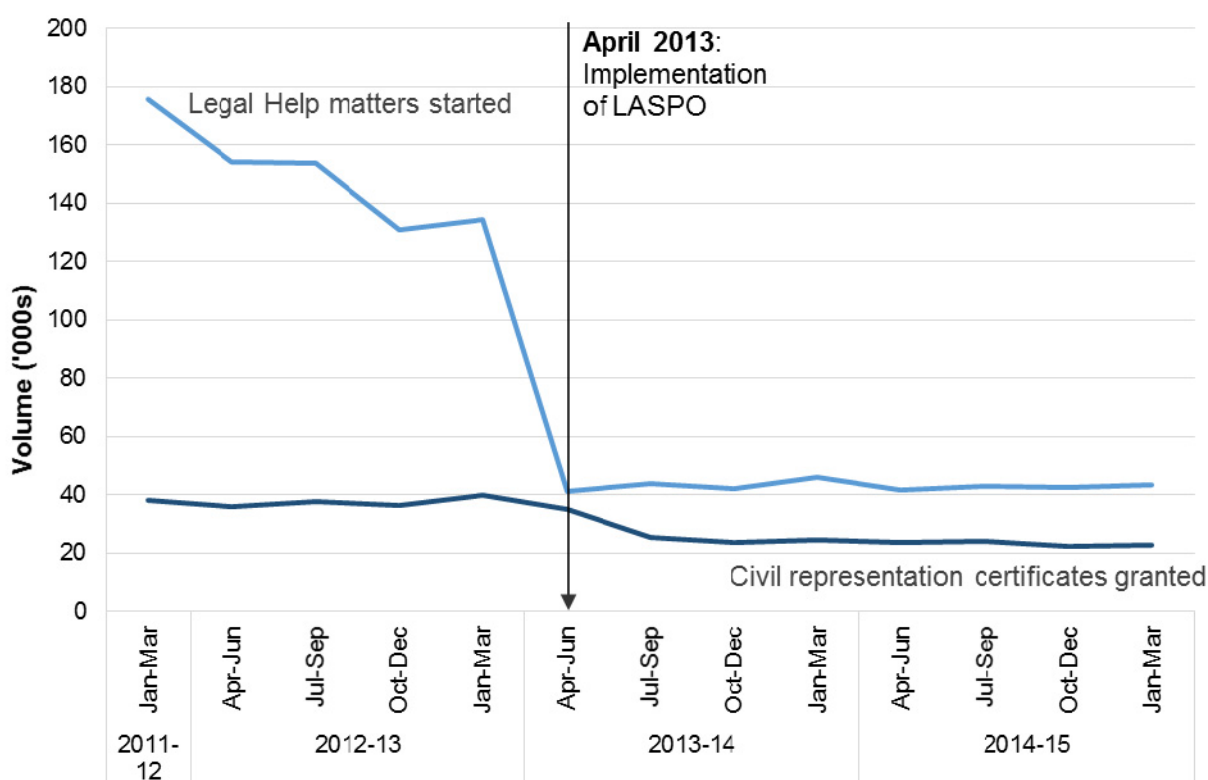
may enter straight into civil representation. Legal Aid for representation at the Mental Health Tribunal or the Immigration & Asylum Tribunal is funded through controlled legal representation.

Legal aid for representation in other categories, or in higher courts for immigration and asylum or mental health, is funded through civil representation. Public funding is also available for family mediation, which is an alternative to settling family disputes through Court proceedings.

The implementation of LASPO in April 2013 resulted in large reductions in **legal help** workload and expenditure. However, since this initial fall trends have begun to stabilise at around one-third of pre-LASPO levels. In the last quarter new matter starts were 6% lower than in the same period of 2014

Workloads in **civil representation** fell by a smaller proportion than legal help following the implementation of LASPO, and now appear to be stabilising at around two-thirds of pre-LASPO levels. However, the number of certificates granted in the last quarter was down 7% compared to the same period of the previous year.

**Figure 12:** Trends in overall legal help/controlled legal representation and civil representation, Jan-Mar 2012 to Jan-Mar 2015



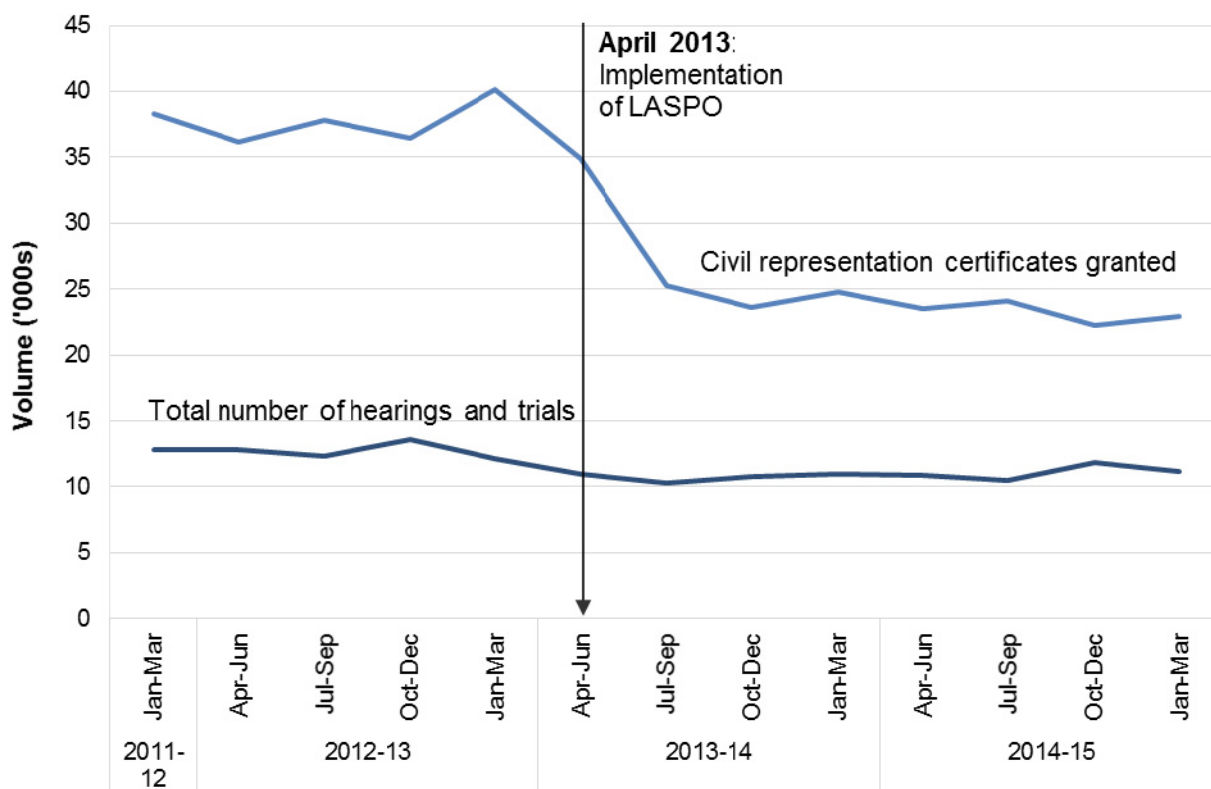
### Civil representation and overall court volumes

Figure 13 shows the number of certificates granted for legally-aided civil representation (see table 6.2) and the number of hearings and trials overall from court data, with figures from the latest release of Civil Justice Statistics quarterly (table 1.6). The trends were broadly similar

until the implementation of LASPO, when there were large reductions in civil representation workload.

However, in the last few quarters, as civil representation workload has stabilised, there are signs that the trends are becoming similar again. More certificates are granted than the final number of hearings and trials as not all claims will reach court.

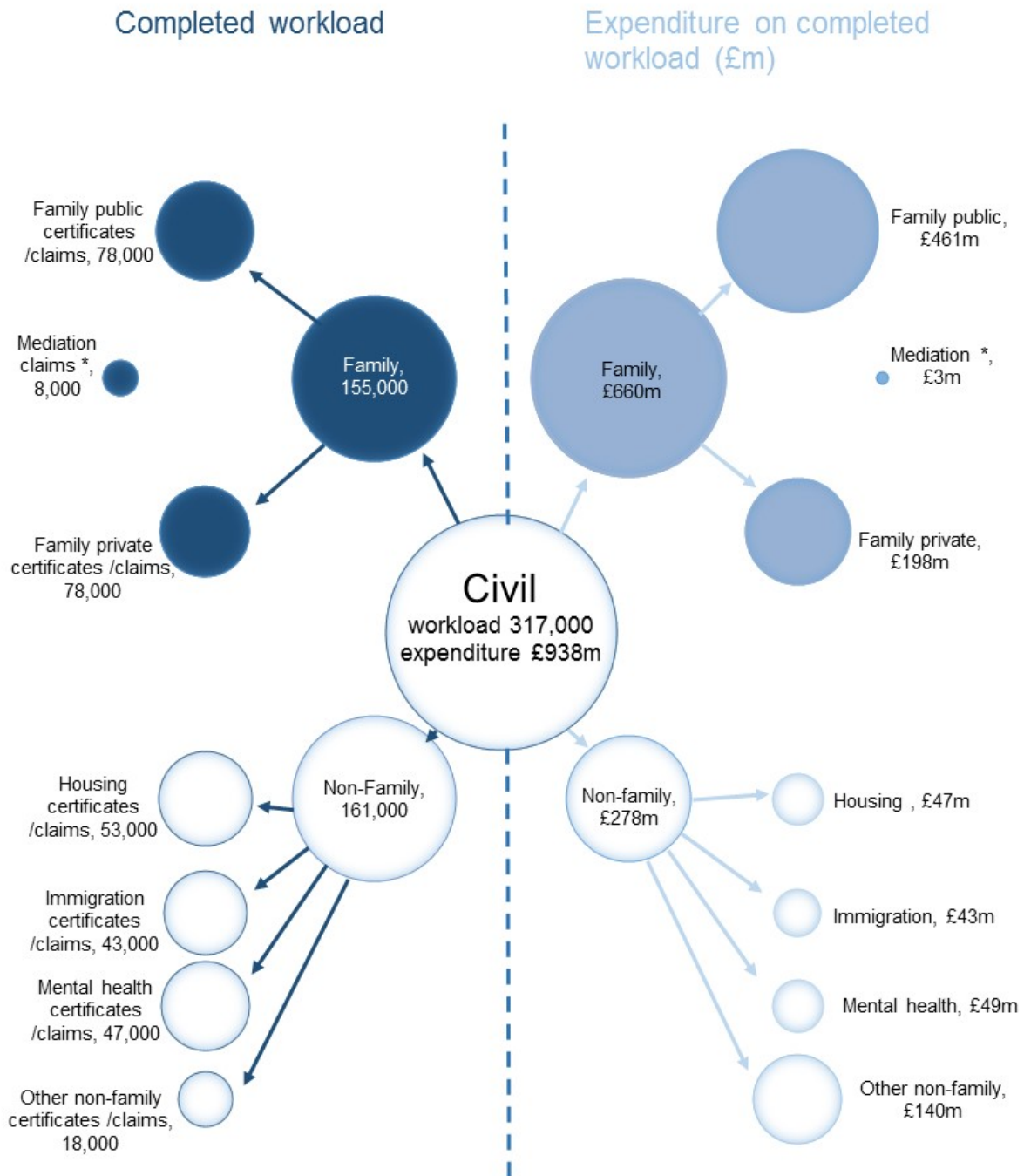
**Figure 13:** Trends in civil representation and overall court workload - legal aid certificates granted and total number of hearings and trials, Jan-Mar 2012 to Jan-Mar 2015



### Civil legal aid by category of law (tables 5.1 - 6.7)

A range of categories of law are covered within the scope of civil legal aid. Legal aid may be available for benefit appeals, debt (if your home is at risk), special educational needs, housing, discrimination issues, help and advice if you are a victim of domestic violence or issues involving a child being taken into care. A full list of the type of work contained within each category is given under 'civil' in the glossary in the Guide to legal aid statistics. Figure 14 shows the volume of completed work and the associated expenditure for each area of civil legal aid over the latest 12-month period.

**Figure 14:** Civil legal aid volumes by category of law, April 2014 to March 2015



\*Mediation figures are not included in the family total  
 Figures are for the 12 months to March 2015

**Notes:** Figures are a combination of legal help / controlled legal representation matters started and civil representation certificates granted, and have been rounded so may not sum to totals. The figure for family mediation is not included within the Family (private) total. Figures exclude housing possession court duty scheme and telephone operator service.

## Family

The category of family legal aid covers work on both private and public family law and includes work associated with the Children Act, Private Law Children Act, domestic abuse, financial provision and family mediation.

Public family law is one of the most important components of legal aid expenditure, comprising around a quarter of the total across criminal and civil legal aid. These cases may deal with issuing Care and Supervision Orders to protect vulnerable children and are primarily driven by the issuing of proceedings by individual Local Authorities. These are non-means and merits tested, and the LAA has no control over the volume of these cases.

In legal help there was a large decrease in family workload following the implementation of the LASPO Act, which removed many areas of legal aid from scope. However, this now appears to have stabilised, with new matter starts in January to March 2015 level with the same quarter of 2014. In civil representation there was a more gradual decrease following the implementation of LASPO, but this trend now also appears to have levelled out (figure 15).

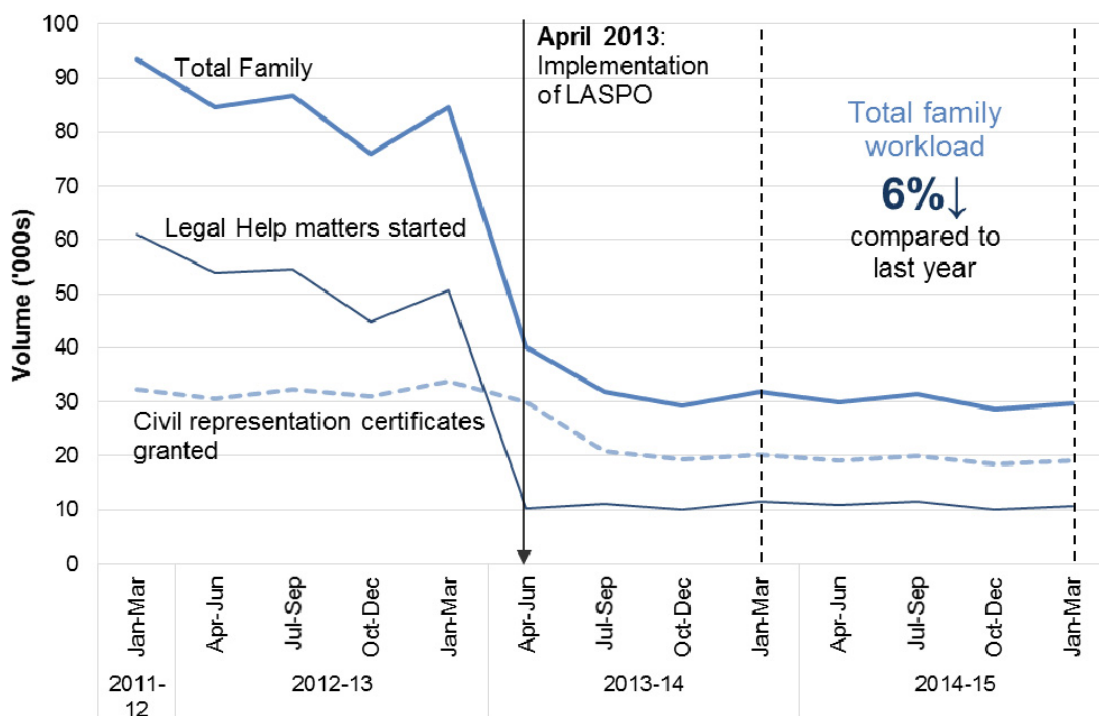
Some areas of family legal aid, in particular domestic violence and public family law, were not affected by scope changes in the LASPO Act and so did not show large decreases in volume at the time the Act was introduced.

More recently, the civil representation workload for family public law cases has remained stable, being broadly similar in Jan-Mar 2015 to the same period of the previous year, while for domestic violence cases it has fallen by 19% over this period (table 6.2). Legal help matters completed in family public law increased by 12% over this period and are now higher than before the LASPO Act was introduced (table 5.2).

When submitting information regarding new matter starts in legal help, providers report only that their matter starts relate to family, meaning that there is no breakdown below this level.



**Figure 15:** Family workload: legal help and civil representation, Jan-Mar 2012 to Jan-Mar 2015



**Note:** overall workload has been calculated by adding legal help matters started and civil representation certificated granted.

## Family mediation

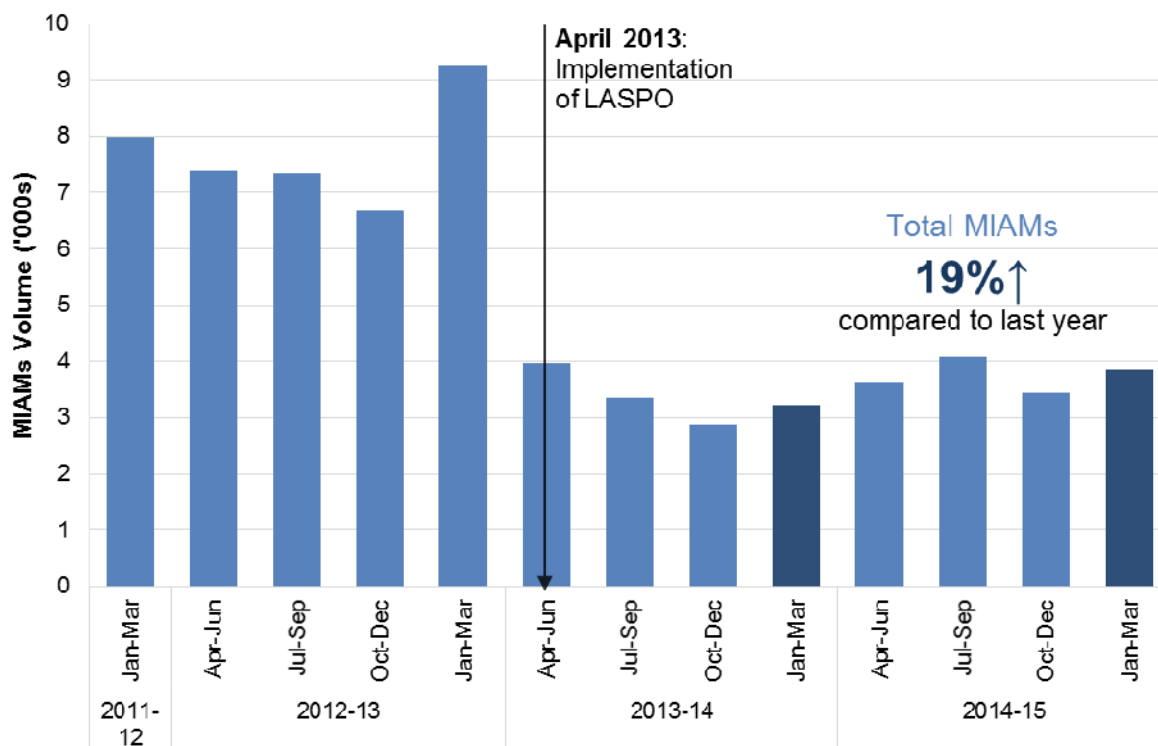
Family mediation (tables 7.1 – 7.2) is when an independent and impartial professionally accredited mediator discusses problems with a divorcing or separating couple. This process is cheaper and quicker than using the courts and it also allows for a more flexible approach.

Changes in legislation during April 2014 mean that most divorcing couples must now attend a mediation assessment before a matter can go to court. If an agreement cannot be reached through mediation alone, then some arrangements can be decided by a court order.

A mediation assessment, sometimes also known as a MIAM (Mediation Information and Assessment Meeting), is an initial meeting between one or both parties and a mediator. The aim of the meeting is to see if mediation could be used to resolve the issue, rather than going straight to court.

The number of mediation assessments fell sharply after the introduction of LASPO in April 2013, but over the last year there has been an increase. The number of assessments in the latest quarter was 19% up compared to the same period in 2013 (see figure 16).

**Figure 16:** Family mediation assessments, Jan-Mar 2012 to Jan-Mar 2015

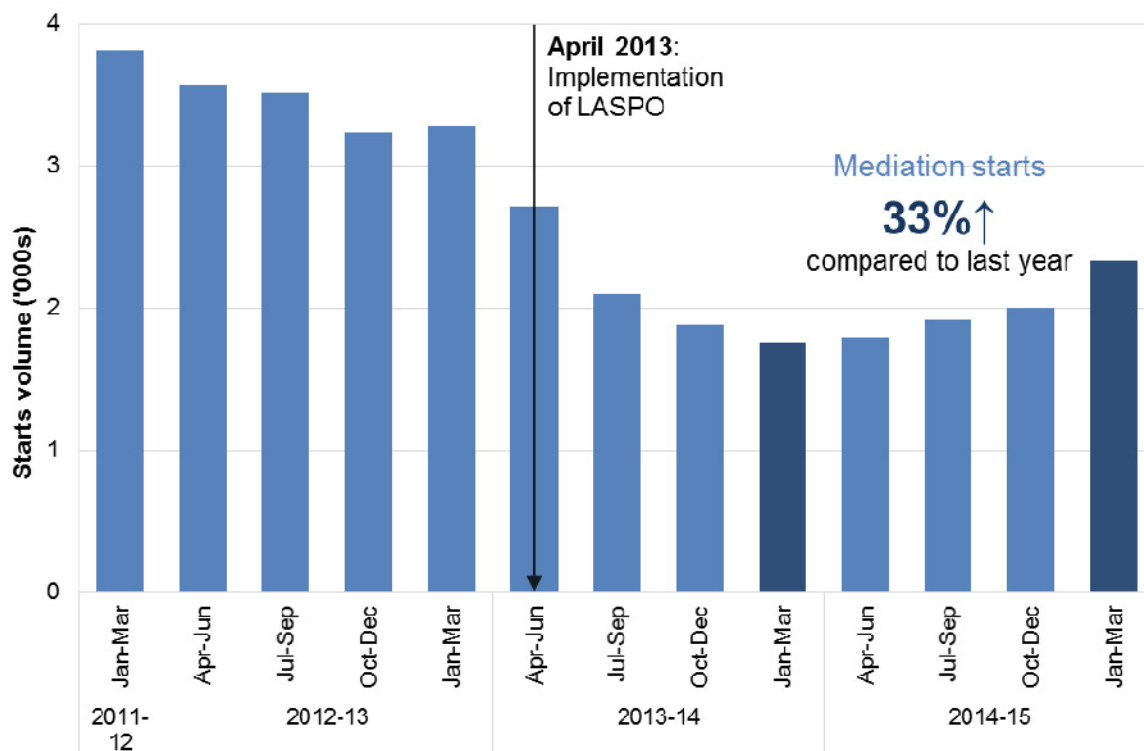


Parties can attend mediation assessment meetings alone, separately or together. The majority of couples attend assessment meetings separately.

It is not possible from the data held by the Legal Aid Agency to track a family’s mediation progress through the various stages. Although the number of mediations reaching each stage within a time period can be reported, it cannot be determined from a given set of assessments what proportion of them led to starts, or what proportion of starts led to agreements.

Nevertheless, it can be seen that the number of mediation starts, like assessments, fell following after LASPO, but is now increasing, with starts in the last quarter up by 33% compared to the same period in the previous year (see figure 17).

**Figure 17:** Family mediation starts, Jan-Mar 2012 to Jan-Mar 2015



Family mediation can be used to resolve issues to do with children, property and finance or all issues following divorce or separation. The all issues category describes mediations which focus on both children and property and finance, but the three categories are discrete.

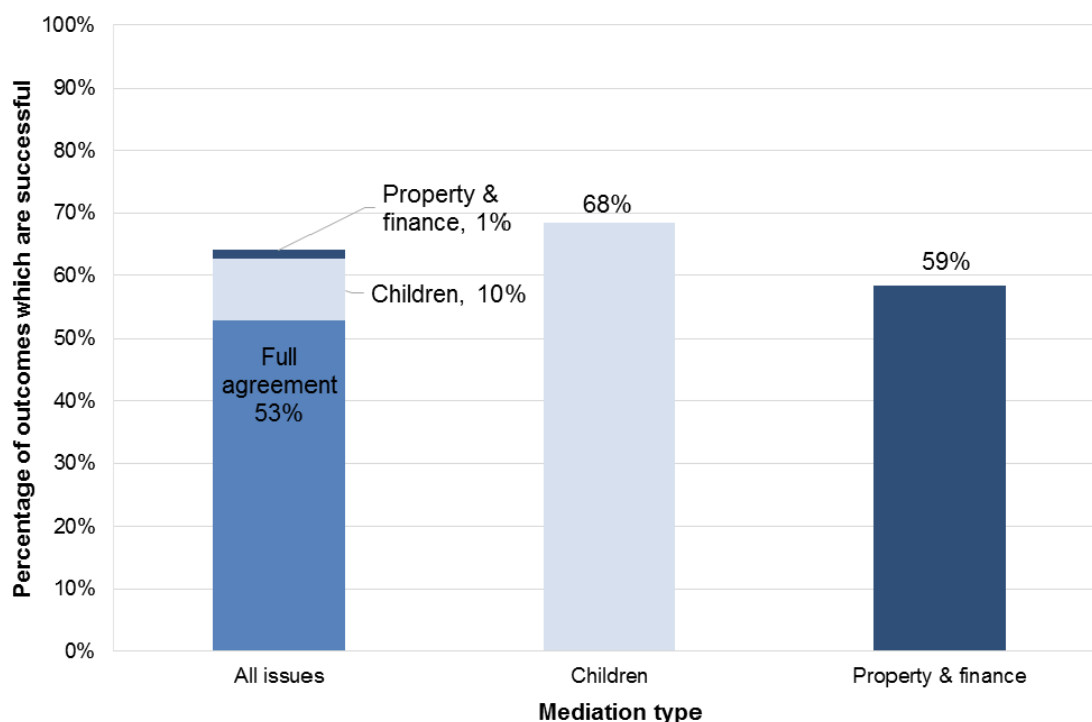
The volume of mediation starts focussing on resolving issues with children is consistently greater than the volume of mediation starts in the all issues and property and finance categories (figure 18). Additionally, the proportion of mediation starts focussing on children has been steadily increasing over the last three years. In January to March 2012 these cases made up 51% of all mediation starts, but in January to March 2015 they made up 62%.

**Figure 18:** Family mediation starts by mediation type, Jan-Mar 2012 to Jan-Mar 2015

	All Issues	Children	Property & Finance	Total
Jan-Mar 2012	1,127	1,935	754	<b>3,816</b>
Apr-Jun 2012	990	1,907	669	<b>3,566</b>
Jul-Sep 2012	979	1,875	665	<b>3,519</b>
Oct-Dec 2012	865	1,786	591	<b>3,242</b>
Jan-Mar 2013	851	1,731	700	<b>3,282</b>
Apr-Jun 2013	688	1,506	516	<b>2,710</b>
Jul-Sep 2013	508	1,263	321	<b>2,092</b>
Oct-Dec 2013	498	1,088	297	<b>1,883</b>
Jan-Mar 2014	449	1,024	280	<b>1,753</b>
Apr-Jun 2014	452	1,071	264	<b>1,787</b>
Jul-Sep 2014	441	1,213	261	<b>1,915</b>
Oct-Dec 2014	446	1,245	306	<b>1,997</b>
Jan-Mar 2015	559	1,441	336	<b>2,336</b>

Mediations can either break down or result in an agreement. Agreements can be full or partial, depending on which category they refer to; only all issues mediations can reach partial agreement, wherein an agreement has been reached on either children or property and finance, but not both. As such, successful agreements include both partial agreements and full agreements. Over the last year, a higher proportion of mediations involving children have reached a successful agreement compared with the other types of mediation (Figure 19).

**Figure 19:** Total family mediation, percentage of successful agreements, by mediation type, April 2014 to March 2015.



## Non-family

Following the implementation of LASPO the non-family area of civil legal help has reduced and some areas of law have fallen out of scope.

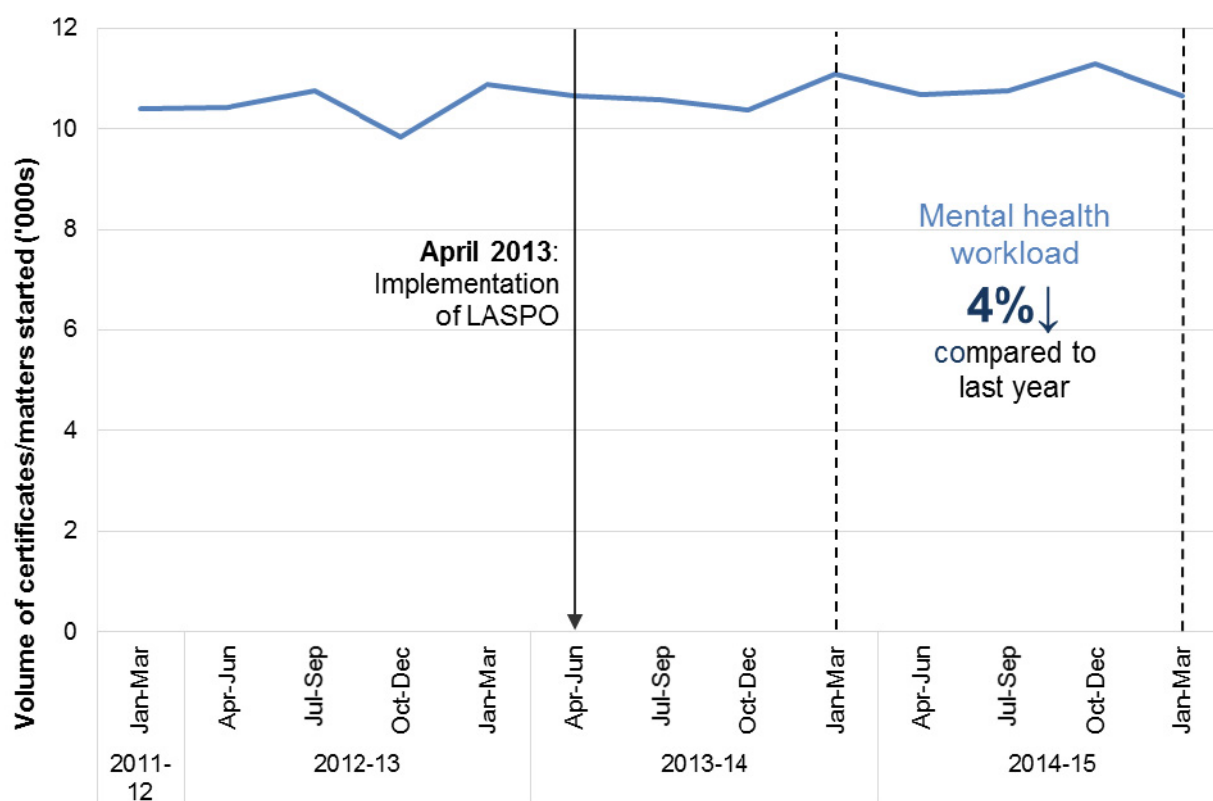
### Mental Health

Within mental health the majority of funding is spent on providing assistance to sectioned clients appealing the terms of their detention before a mental health tribunal. Although a distinct level of funding, controlled legal representation, which relates to representation at the Mental Health Tribunal, is here reported alongside legal help.

There is a statutory duty to provide advice and representation in these cases, and they are funded without reference to a client's means. The number of providers carrying out this work is small compared with some other categories. Providers have to travel to discreet NHS and private hospital locations to advise high priority detained clients. More information on mental health tribunals is available on the gov.uk website <https://www.gov.uk/mental-health-tribunal/overview>

Over the last three years there has been a gradual increase in the volume of those legally aided at a mental health tribunal, but workload in January to March 2015 was down by 4% compared to the same period of the previous year (see figure 20).

**Figure 20:** Workload in mental health, Jan-Mar 2012 to Jan-Mar 2015



**Note:** workload has been calculated by adding legal help / controlled legal representation matters started and civil representation certificated granted.

## Immigration

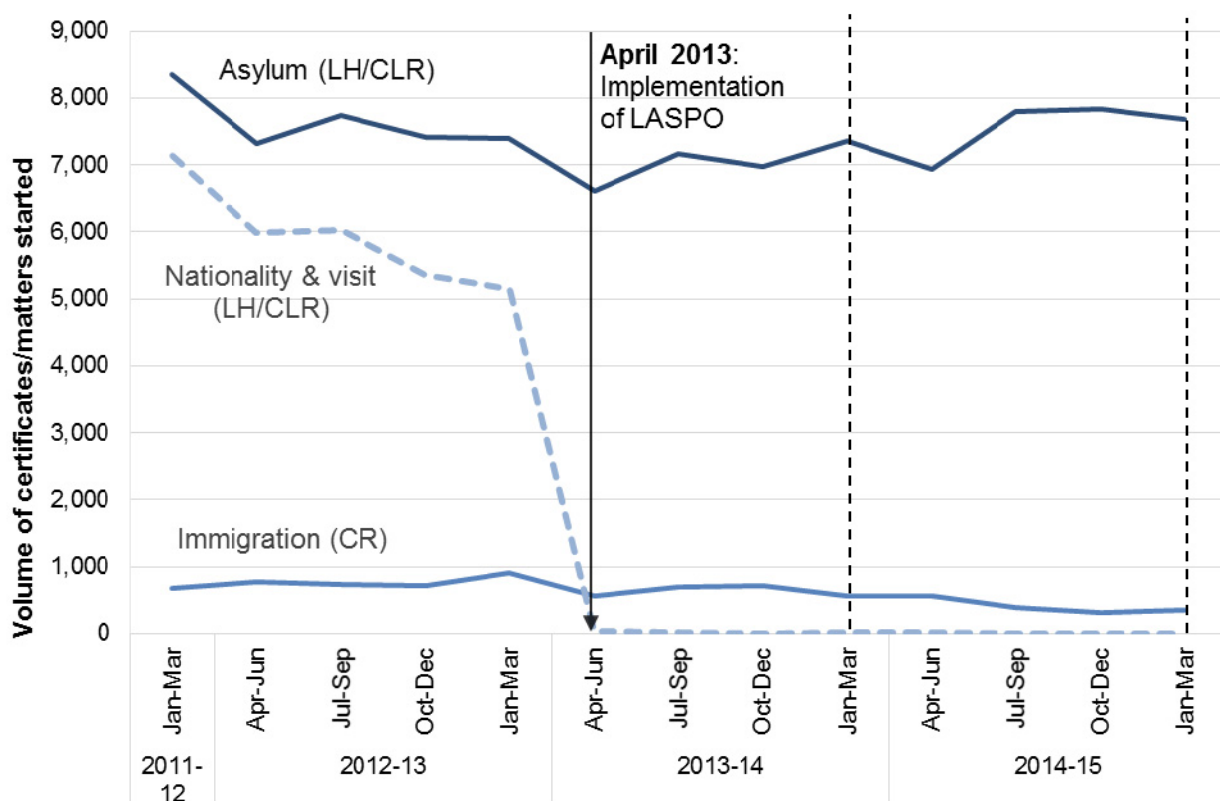
The LASPO Act, which came into effect on 1 April 2013 made changes to the scope of legal aid in the immigration category, but some areas remained in scope. These include asylum, immigration-detention, victims of trafficking or domestic violence and judicial review. Although a distinct level of funding, controlled legal representation, which relates to representation at the Immigration and Asylum Tribunal at the First-tier-Tribunal (FTT) and Upper-tier-Tribunal (UTT), is reported alongside legal help.

The volume of legally aided immigration cases halved between April to June 2012 and April to June 2013.

This fall was caused entirely by the removal from scope under the LASPO Act of nationality and visit visas work. Although this category cannot be separately identified within data on civil representation, legal help and controlled legal representation data show that new matter starts for this type of work fell from more than 5,000 to just a few cases in each quarter following the introduction of the LASPO Act.

The workload that remains in the immigration category consists largely of asylum-related work. Immigration work overall was up by 1% in the last quarter compared to the same quarter of the previous year, due to the combination of an increase in asylum legal help and controlled legal representation and a drop in civil representation (see figure 21).

**Figure 21:** Workload in immigration, Jan-Mar 2012 to Jan-Mar 2015



**Note:** workload has been calculated by adding legal help / controlled legal representation matters started and civil representation certificated granted.

## Other non-family

Figure 22 shows the workload in other non-family areas of law. The largest of these is housing.

**Figure 22:** Non-family workload: legal help and civil representation, Jan-Mar 2014 to Jan-Mar 2015

	Jan-Mar 2014	Apr-Jun 2014	Jul-Sep 2014	Oct-Dec 2014	Jan-Mar 2015
<b>Other Non-family</b>	<b>20,006</b>	<b>16,838</b>	<b>16,870</b>	<b>16,767</b>	<b>17,774</b>
Actions against the police etc.	753	738	720	734	688
Clinical negligence	186	188	129	149	55
Community care	925	829	886	965	1,174
Consumer	0	0	0	1	0
Debt	536	407	350	399	299
Discrimination	469	396	312	482	423
Education	266	475	414	411	477
Employment	3	2	5	4	2
Housing	15,975	12,936	13,241	12,886	14,030
Miscellaneous	189	113	112	104	52
Personal injury	0	0	1	3	1
Public law	605	622	571	553	512
Welfare benefits	99	132	129	76	61

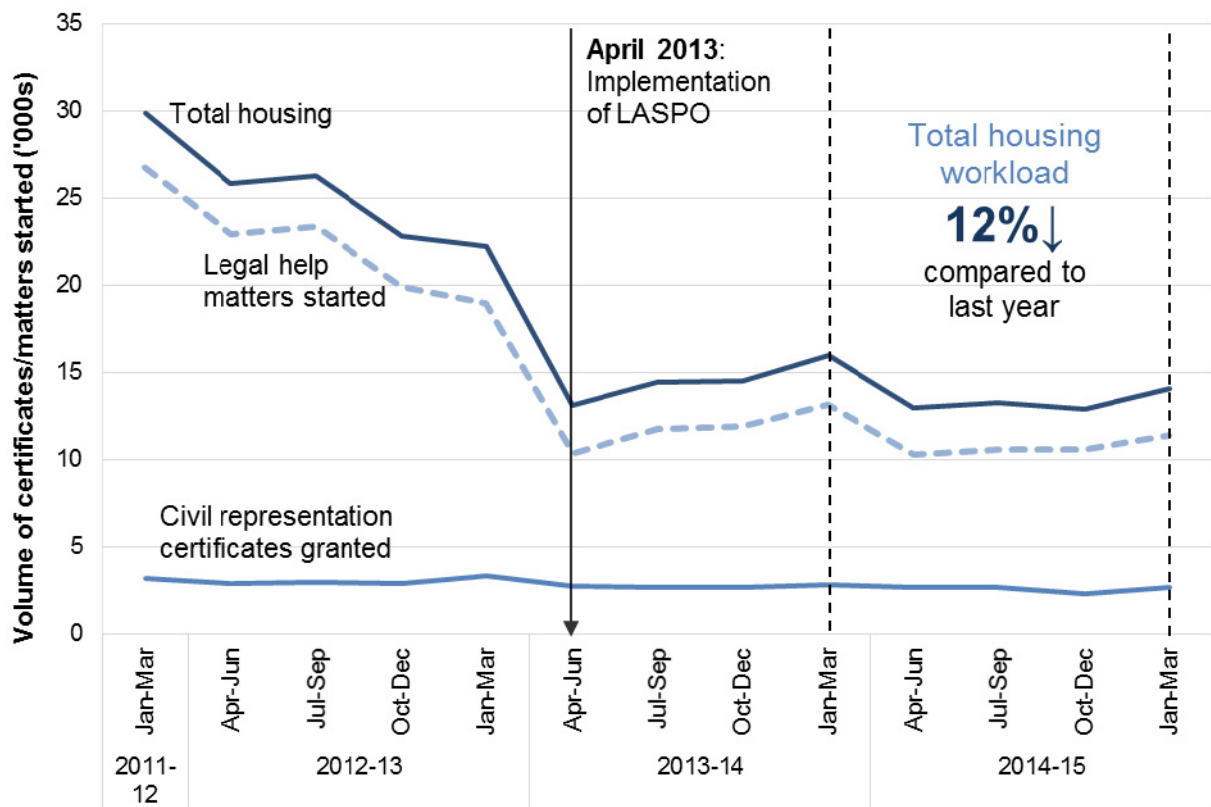
**Note:** workload has been calculated by adding legal help matters started and civil representation certificates granted. A longer time series for legal help new matter starts can be found in table 5.1 and for civil representation certificates granted in table 6.2.

## Housing

The LASPO Act, which was implemented in April 2013, made changes to the scope of legal aid for housing issues, but some areas remain in scope. These include cases where there is serious disrepair or homelessness, possession proceedings and for anti-social behaviour cases in the county court.

The volume of legally aided housing cases halved between April to June 2012 and April to June 2013 (see figure 23). In the last quarter there was a 12% decrease compared to the same quarter the previous year. This decrease was mainly in legal help, which comprises more than 80% of overall housing legal aid volume.

**Figure 23:** Workload in housing law, Jan-Mar 2012 to Jan-Mar 2015



**Note:** workload calculated using legal help matters started and civil representation certificates granted.



## Civil legal aid subcategories

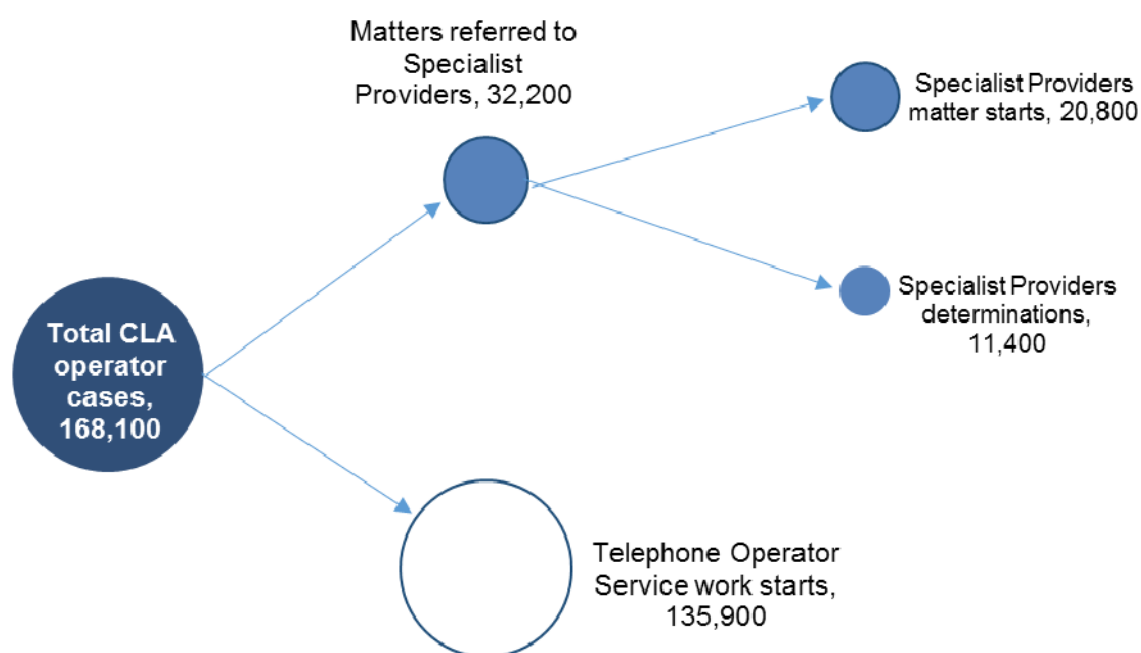
### Legal help telephone service

Figure 24 shows the nature of the legal help telephone service. The first point of contact for a client is usually the telephone operator service. The operator service diagnoses a client's case which, if in scope and financially eligible, is forwarded on to a specialist provider.

Between April 2014 and March 2015, 19% of telephone operator cases were referred to the specialist telephone service for advice, where a specialist then assessed whether the matter should be started, or instead determined (for example because it is subsequently deemed out of scope, lacks merits or the client has failed to provide evidence).

The remaining 81% of cases were dealt with entirely by the operator service. In such instances the client is referred to a face to face legal help provider, an alternative helpline or offered self-help resources.

**Figure 24:** Workload in telephone service, April 2014 to March 2015



**Note:** Figures have been rounded so may not sum to totals.

### Judicial reviews

Legal aid for judicial reviews takes the form of civil representation, can cover all categories of civil law and are brought by those requiring assistance in challenging a government decision.

Of all civil representation applications granted, only a small number, fewer than 5,000 a year, relate to judicial review. The number granted in Jan-Mar 2015 was around a third lower than the same period of the previous year.

The CSV file of underlying figures published alongside this document additionally includes figures for applications, applications granted, and outcomes (showing whether the case is considered a Judicial Review).

**Figure 25:** Judicial Review applications granted by category, Jan-Mar 2014 to Jan-Mar 2015

Category	Jan-Mar 2014	Apr-Jun 2014	Jul-Sep 2014	Oct-Dec 2014	Jan-Mar 2015
Actions against the police etc.	5	2	4	0	1
Community care	149	124	138	136	132
Education	3	1	2	6	5
Housing	155	142	123	138	132
Immigration	518	522	351	287	315
Mental health	3	8	5	7	5
Miscellaneous	107	55	32	33	20
Other public law Children Act proceedings	2	2	1	1	0
Public law	296	315	260	248	208
Welfare Benefits	2	1	2	2	0
<b>Judicial Review total</b>	<b>1,240</b>	<b>1,172</b>	<b>918</b>	<b>858</b>	<b>818</b>

### **Applications for civil representation legal aid in private family law cases on the basis of evidence of domestic violence or child abuse**

With effect from April 2013, the LASPO Act removed legal aid for most private family law including issues such as contact or divorce. However, legal aid remains available for such cases where there is a risk of domestic violence or child abuse. Applicants are granted legal aid funding for these cases if they can prove the incidence or risk of domestic violence or child abuse through a range of prescribed forms of evidence.

Between 1 April 2013 and 31 March 2015 the Legal Aid Agency received 14,327 such applications (see Figure 26). During this same period 9,379 such applications were granted (Figure 27). Note that applications granted in a period do not necessarily relate to those applications received within the same period; some relate to applications from previous periods.

These figures have both been revised upwards by approximately 16% compared with previous published figures, with more than half of the revision relating to the second half of 2014. This is due to the inclusion of applications submitted and processed through the LAA's online system, CCMS. Because figures for both applications and grants were revised by a similar proportion, the ratio of grants to applications has not changed.

The majority of applications cite evidence relating to domestic violence. Most of the remainder cite evidence relating to child abuse, but for a minority of applications the evidence category is unknown or unclear from the data held for reporting purposes.

For more details on revisions and data quality issues, see the the Guide to legal aid statistics.

**Figure 26:** Applications with evidence of domestic violence or child abuse, Apr-Jun 2013 to Jan-Mar 2015

Area of evidence	Apr-Jun 2013	Jul-Sep 2013	Oct-Dec 2013	Jan-Mar 2014	Apr-Jun 2014	Jul-Sep 2014	Oct-Dec 2014	Jan-Mar 2015
Child Abuse	293	426	411	398	429	423	427	431
Domestic Violence	654	1,153	1,035	1,267	1,170	1,389	1,428	1,655
Both Domestic Violence and Child Abuse	1	0	1	1	5	1	0	2
Unknown or unclear (either DV, CA or both)	162	230	202	198	164	190	110	71
<b>Total</b>	<b>1,110</b>	<b>1,809</b>	<b>1,649</b>	<b>1,864</b>	<b>1,768</b>	<b>2,003</b>	<b>1,965</b>	<b>2,159</b>

**Figure 27:** Certificates granted with evidence of domestic violence or child abuse, Apr-Jun 2013 to Jan-Mar 2015

Area of evidence	Apr-Jun 2013	Jul-Sep 2013	Oct-Dec 2013	Jan-Mar 2014	Apr-Jun 2014	Jul-Sep 2014	Oct-Dec 2014	Jan-Mar 2015
Child Abuse	175	288	269	281	293	285	234	258
Domestic Violence	435	836	796	965	907	952	1,005	1,083
Both Domestic Violence and Child Abuse	0	0	2	0	5	2	1	0
Unknown or unclear (either DV, CA or both)	16	76	50	36	32	30	43	24
<b>Total</b>	<b>626</b>	<b>1,200</b>	<b>1,117</b>	<b>1,282</b>	<b>1,237</b>	<b>1,269</b>	<b>1,283</b>	<b>1,365</b>

# Exceptional case funding

---

Under some circumstances clients can get civil legal aid even though their case is not in scope. This is known as exceptional case funding (ECF) and these cases are dealt with by an ECF team within the LAA. See tables 8.1 and 8.2 for detailed figures on ECF.

ECF was introduced from 1 April 2013 as part the Legal Aid Sentencing and Punishment of Offenders Act 2012 (LASPO).

An ECF application for civil legal services is made where a case falls outside the scope of civil legal aid but the client or conducting solicitor believes there is a requirement to provide funding. This is because failure to do so would be a breach of the Human Rights Act 1998, or any rights of the individual to the provision of legal services that are enforceable EU rights.

An ECF determination can only be granted if:

- the means criteria are met (this relates to the client's financial eligibility), and
- the merits criteria are met (this relates to the likelihood of the client being successful), and
- the above exceptional case criteria are met.

More information on the merit and means criteria can be found on the gov.uk website [www.gov.uk/work-out-who-qualifies-for-civil-legal-aid](http://www.gov.uk/work-out-who-qualifies-for-civil-legal-aid)

Unlike other legal aid applications, clients can make ECF applications directly to the LAA. If the ECF application sent directly by the client is likely to be granted, their application is given a positive preliminary view (PPV) subject to a full ECF application being submitted in conjunction with a legal aid provider.

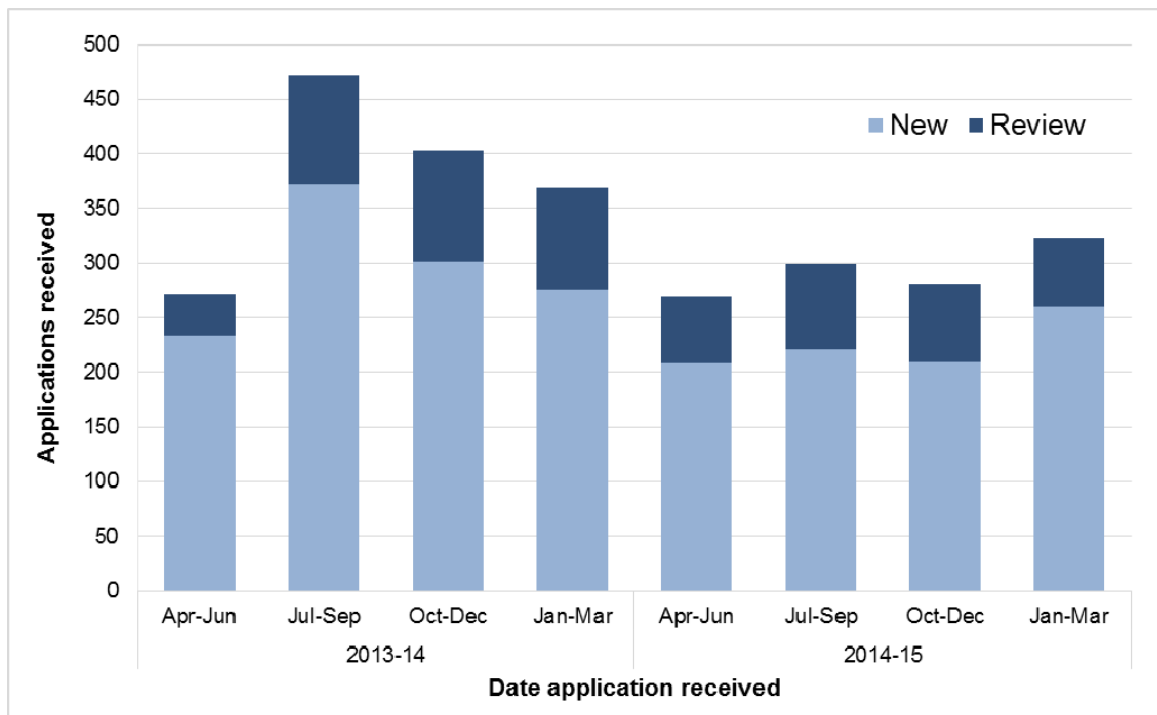
More information on ECF can be found on the gov.uk website [www.gov.uk/legal-aid-apply-for-exceptional-case-funding](http://www.gov.uk/legal-aid-apply-for-exceptional-case-funding)

## Applications

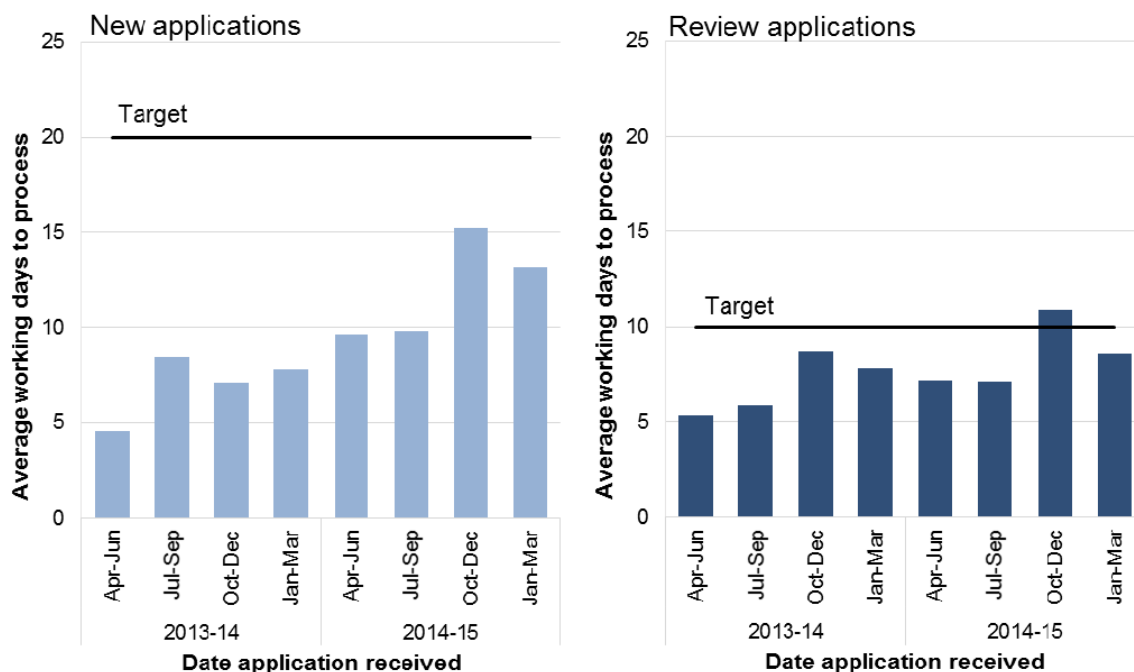
There were 323 applications for ECF received between January and March 2015. This is a 12% reduction compared with the same period during 2014.

The majority (80%) of ECF applications received from January to March 2015 were new, This is a slightly higher proportion than same period of the previous year (see Figure 28), although the volume of new applications is 6% lower. For the 260 new applications, the average turnaround time for assessment was 13 working days, against a target of 20 (see figure 29). There were 63 applications re-submitted for review. This is a case which has previously been rejected or refused for ECF funding. Review cases have a target turnaround time of 10 working days. During January to March 2015, the average turnaround time was 9 working days (see figure 29).

**Figure 28:** Volume of ECF applications received, new or review, Apr-Jun 2013 to Jan-Mar 2015.



**Figure 29:** ECF application turnaround time, new and review, Apr-Jun 2013 to Jan-Mar 2015.



**Note:** The average turnaround times given above exclude cases currently awaiting assessment as of 31 May. The turnaround time for each ECF application starts on the date it is received by the LAA ECF Team and finishes on the day a decision over the case is made, excluding weekends, bank holidays and time spent waiting for further information from the applicant.

This quarter, 29 ECF applications (9%) were made directly by the client; more than double than in the same period last year. The remaining 294 applications (91%) were made by legal aid providers.

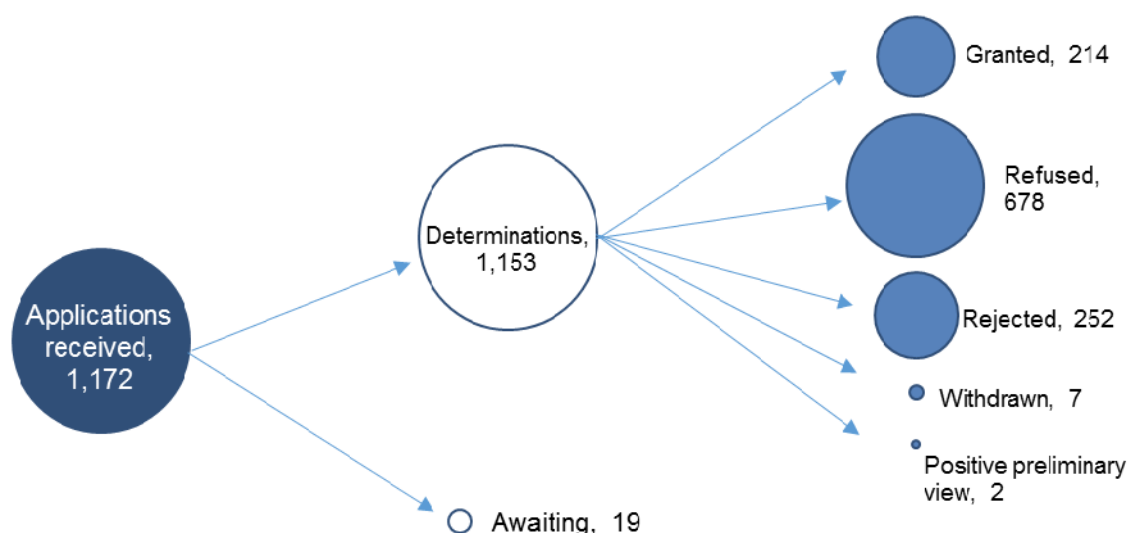
## Determinations

Applications that are not withdrawn by the client can receive three different determinations: rejection, refusal or grant (PPV if submitted by an individual). For an application to be granted it must meet the three appropriate criteria detailed at the beginning of the chapter. Applications may be refused if they do not meet these criteria. Rejected applications differ in that they do not get to the stage where they would be assessed against the means and merit criteria. This will be because they are either:

- in scope (eligible) for legal aid,
- an incomplete application, or
- “other” which encompasses issues such as the timeliness of submission and eligibility for review

Of the 323 ECF applications received between January and March 2015, 306 (95%) were determined by the LAA as of 31 May 2015, with the remaining 17 awaiting assessment. An additional 2 applications remain awaiting a determination from last quarter (see figure 30).

**Figure 30:** Current status of ECF applications received and determinations made, April 2014 to March 2015.



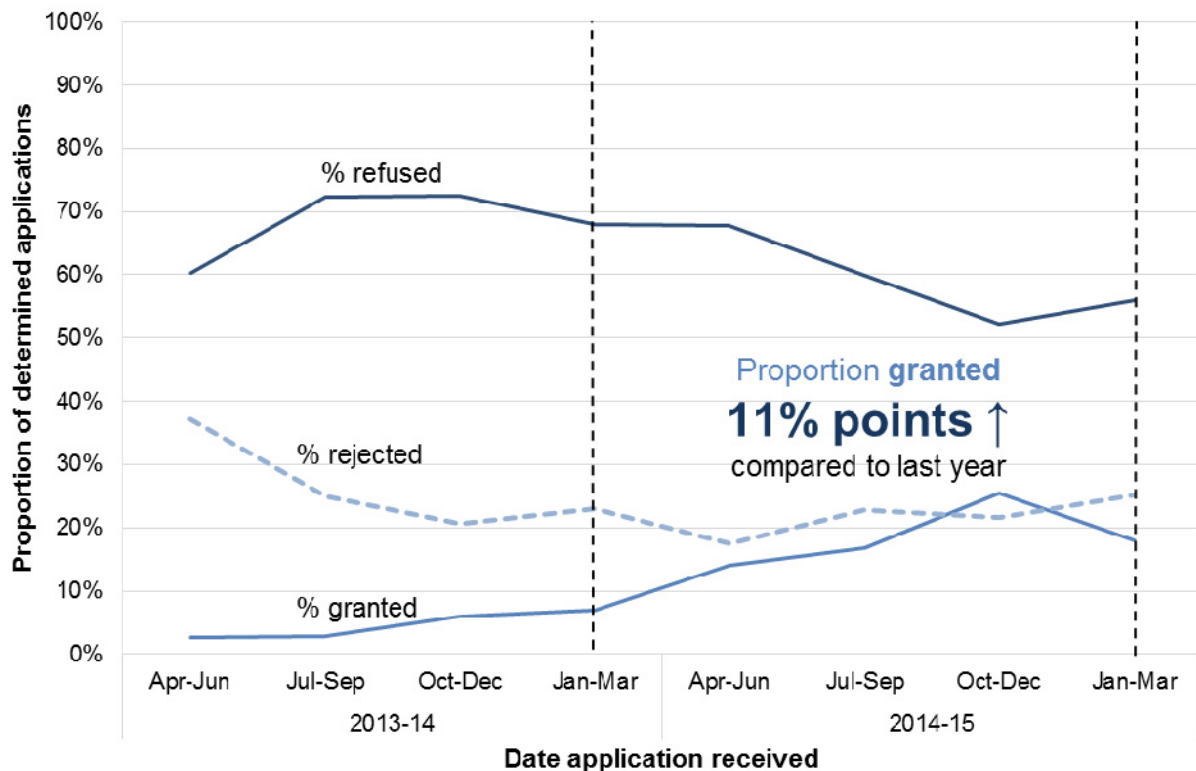
The number and proportion of ECF applications being granted has been on an upward trend since the scheme was first introduced in April 2013 (see figure 31). This quarter, the proportion of applications being granted was 18%, which is 8 percentage points lower than the previous quarter, but 11 percentage points higher than the same quarter of 2014. Correspondingly, the proportion of applications refused this quarter was 56%, which is 12 percentage points lower than the same period last year.

This increase is likely to be due to a change in the way cases are decided. On 13 June 2014, judgment was handed down in the case of *Gudanaviciene and others v Director of Legal Aid Casework* [2014] EWHC 1840 (Admin). The Claimants, who were each seeking to challenge various immigration decisions, successfully argued that they should have been

granted legal aid under the exceptional case funding regime. The judgement stated that the level required to justify legal aid was set too high and as a result the threshold was lowered.

The proportion of applications being rejected has remained fairly constant between 1 quarter to 1 fifth of all applications since Jul-Sep 2014, after an initial peak when the ECF scheme began.

**Figure 31:** ECF determinations by outcome, Apr-Jun 2013 to Jan-Mar 2015.



Of all ECF applications received between January and March 2015, immigration, family and inquest were the most requested categories of law (see figure 32). 76% of all the determined applications received between January and March 2015 were for either family or immigration cases.

In all previous quarters since ECF began, there were more grants for inquest cases than for any other category of law, but in the latest quarter the highest proportion of grants (38%) were for applications in the family category. However, 15 of the 19 applications awaiting determination as of 31 May 2015 were inquest cases.

Area of law	Positive Preliminary						Total
	view	Awaiting	Granted	Refused	Rejected	Withdrawn	
Immigration	1	1	16	80	33	0	<b>131</b>
Family	0	2	21	54	27	2	<b>106</b>
Inquest	0	13	15	13	2	0	<b>43</b>
Other	0	1	1	14	11	0	<b>27</b>
Housing/Land Law	0	0	1	6	3	0	<b>10</b>
Welfare Benefits	0	0	1	4	1	0	<b>6</b>
<b>Grand Total</b>	<b>1</b>	<b>17</b>	<b>55</b>	<b>171</b>	<b>77</b>	<b>2</b>	<b>323</b>

**Figure 32:** ECF determinations by category of law, Jan-Mar 2015.



# Appeals and representations

---

## Appeals

There are two main types of appeal relating to decisions on the award of public funding for legal aid: funding appeals and cost assessments.

### **Funding Appeals**

These are appeals against determinations made by the LAA. They include reviews and full appeals against determinations on whether a client qualifies for legal aid, scope decisions or the extent of funding granted for a case.

Individuals have the statutory right to formal review by LAA on financial (means) or legal (merits) grounds for all decisions. Some decisions also carry the further statutory right to appeal if the result of the internal review is deemed unsatisfactory. This right to appeal simply applies for legal grounds; means decisions only carry the right to review.

The funding appeals process begins in the first instance with an internal review which must be submitted within 14 days of the determination notification. If the original decision is upheld and the individual is still not satisfied, then they may have their case referred to an Independent Funding Adjudicator (IFA) if eligible. Decisions which involve means or whether a case is within scope do not have right of appeal.

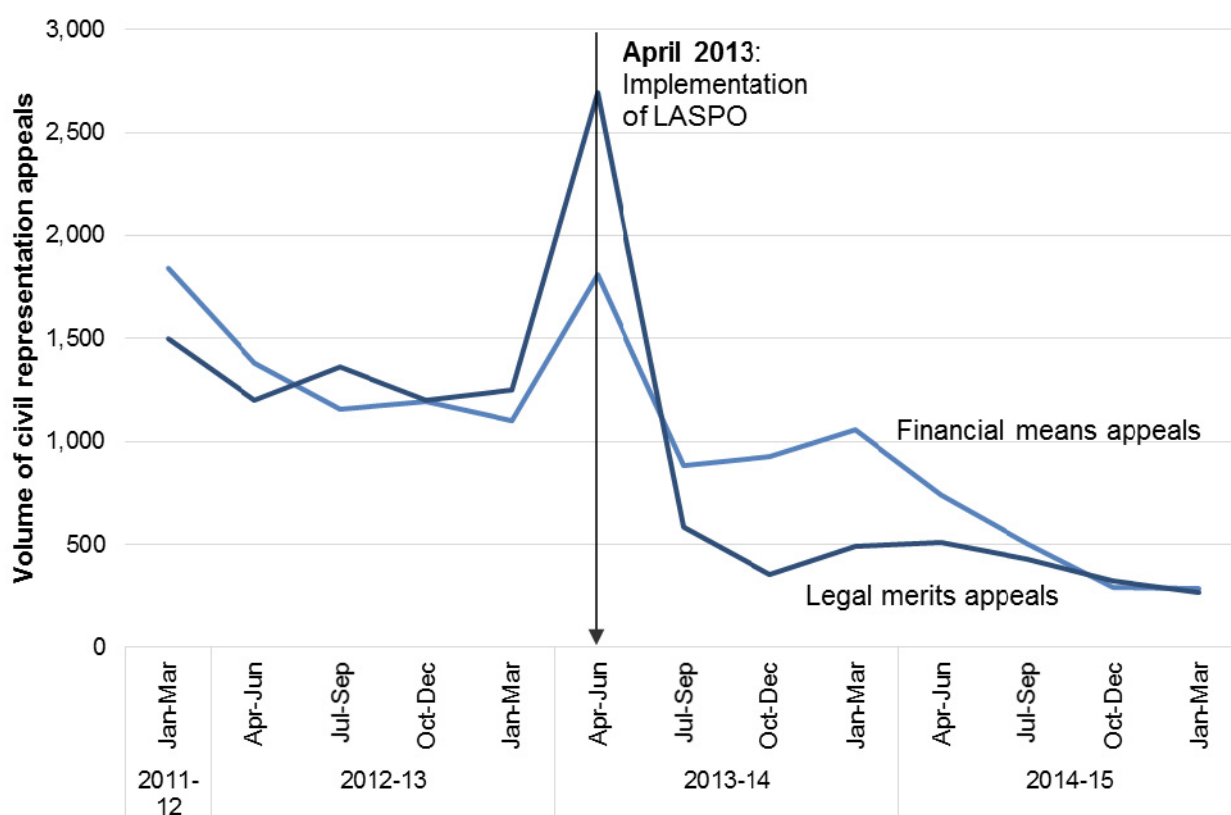
The IFA is required to consider the appeal and return their recommendation. The verdict of the IFA is binding on the LAA in certain issues regarding appeals of decisions about whether the client qualifies for legal aid. These include assessments on the prospect of success and the cost-benefit ratio of the proceedings.

The total number of civil representation appeals in 2014-15 has fallen by 62% compared to 2013-14. As figure 33 illustrates, this may be explained by the impact of LASPO which caused civil representation volumes to drop (Figure 12).

The average grant rate for civil representation appeals in 2014-15 was 9% for family appeals and 6% for non-family. The highest grant rate in the family category was for domestic violence appeals (11%) and the highest proportion of granted non-family appeals was for immigration cases (15%).

Detailed figures for appeals against civil representation determinations are provided in Table 10.1. Figures are broken down by category of law. More detail can be found in the CSV accompanying this bulletin, with further breakdowns on the type of appeal granted (financial or legal).

**Figure 33:** Volumes of financial and legal civil representation appeals, Jan-Mar 2012 to Jan-Mar 2015.



### Cost assessment

Where a legal aid provider wishes to appeal the decision of the LAA relating to the cost of contract work, they may submit an appeal for a costs assessment. In a similar process to funding appeals, the matter will first go to internal review and then it may be referred to an Independent Costs Assessor (ICA). The Assessor may decide to confirm, increase or decrease the amount assessed. If at this point the provider remains dissatisfied with the appeal decision, then they may apply to Costs Appeal Committee for a Point of Principle of General Importance. This right no longer applies for certain contracts such as Mental Health.

### Representations

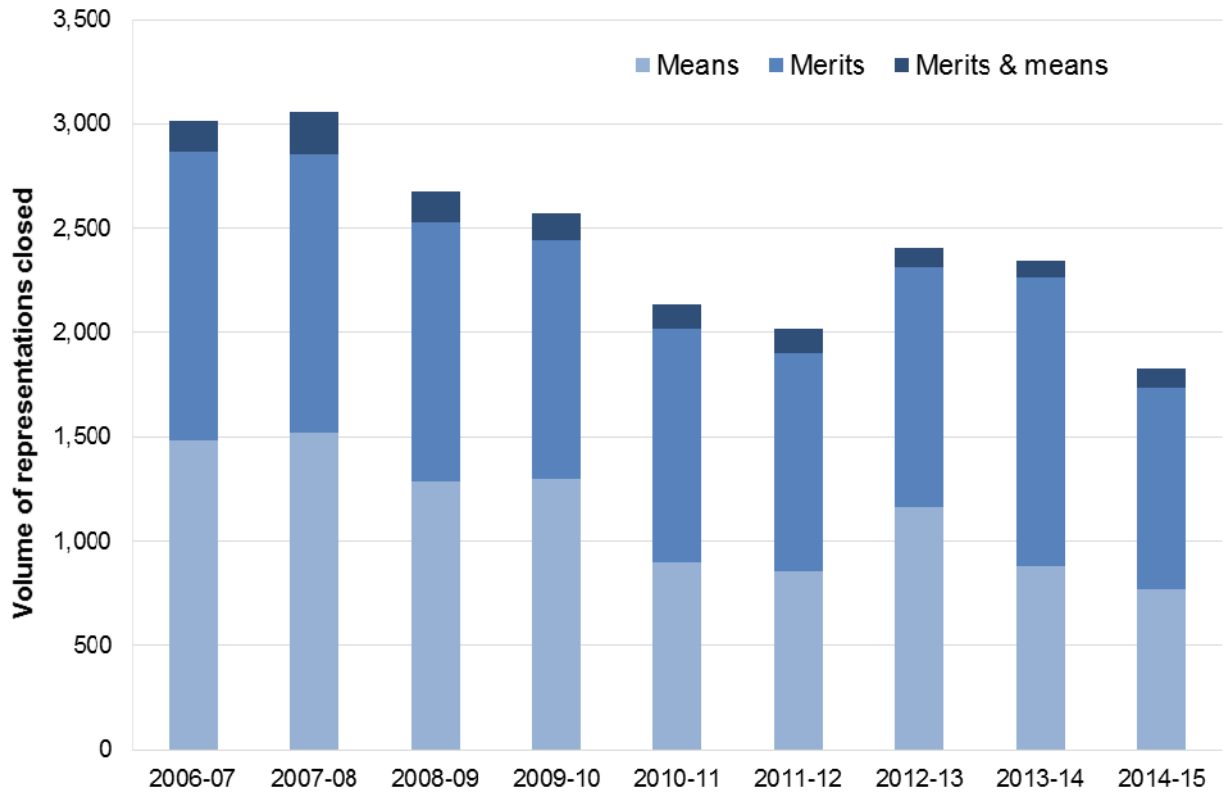
When legal aid funding is granted to an individual, their opponents or other third parties may make representations against the grant of legal aid or continuation of funding. Representations may be made concerning the legal merits of the case, the financial means of the applicant, or both. Detailed figures are presented in Table 10.2, with further detail published in CSV format alongside this bulletin.

The representations process may be lengthier than the appeals process, as some cases require collating large amounts of evidence. Where the result of the representations decision is that a certificate is withdrawn, this determination may be subject to appeal to IFA.

The volume of representations closed out this year was 22% lower than last year (Figure 34). 42% of the closed representations were concerning the financial means of the applicant,

53% were regarding the legal merits of the case and the remaining 5% were for both. These proportions are consistent with previous years.

**Figure 34:** Volume of representations closed out in the given financial year, by type, 2006-07 to 2014-15.



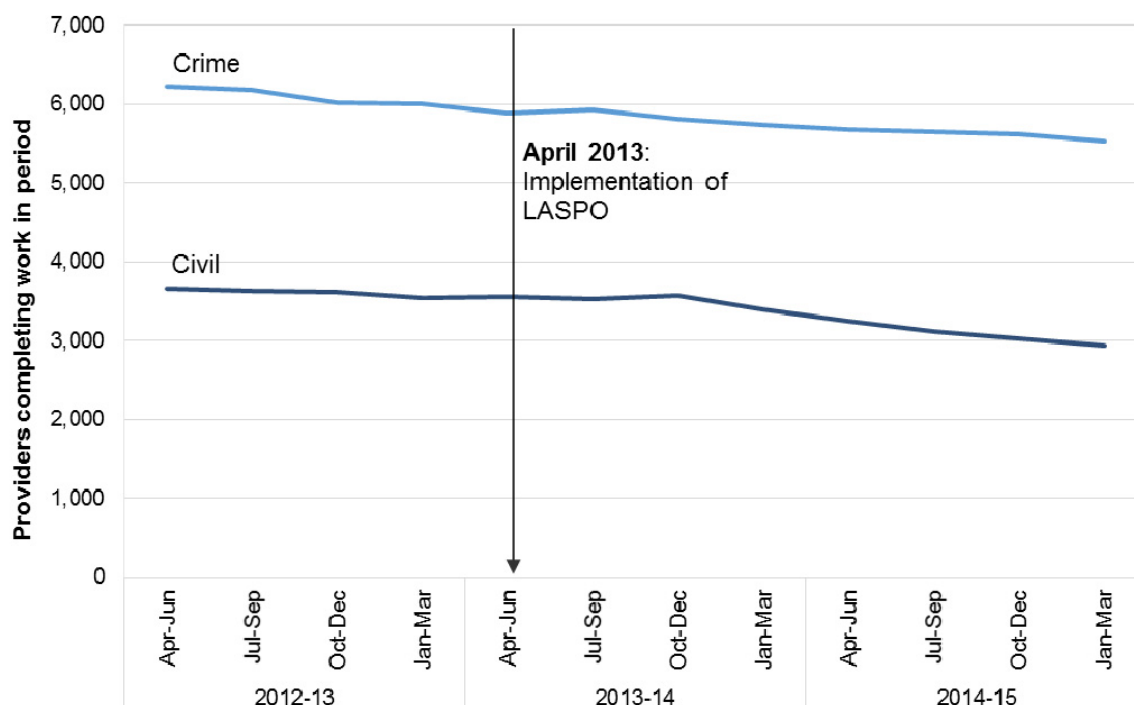
## Legal aid providers

Legal aid services in England and Wales are delivered through solicitor firms, Not-for-Profit organisations, telephone operators and barristers who are contracted by the LAA to do legal aid work. The legal aid schemes require various types of contract covering different types of work. To find a provider with an active contract in your area, follow this link, <http://find-legal-advice.justice.gov.uk/>

In previous publications the statistics published regarding numbers of providers have focussed on the number who have contracts to provide legal aid, but this does not show how much legal aid work was done. This chapter instead presents the number of provider offices who have completed work and received associated payments from the LAA in any given quarter or financial year. Tables 9.1 and 9.2 present summary figures and a CSV file of underlying data published alongside gives anonymised figures for each provider office for the volume of work completed, the type of work and the associated expenditure.

Figure 35 shows the number of provider offices who have received claim expenditure from the LAA for work done between April to June 2012 and January to March 2015. It shows a gradual fall in the number of provider offices for both crime and civil work, although the fall has been greater for civil (down 20%) than for crime (down 11%) over this period. In the last year there has been a 13% fall in civil providers and 4% reduction in crime providers.

**Figure 35:** Civil and crime provider offices Apr-Jun 2012 to Jan-Mar 2015.



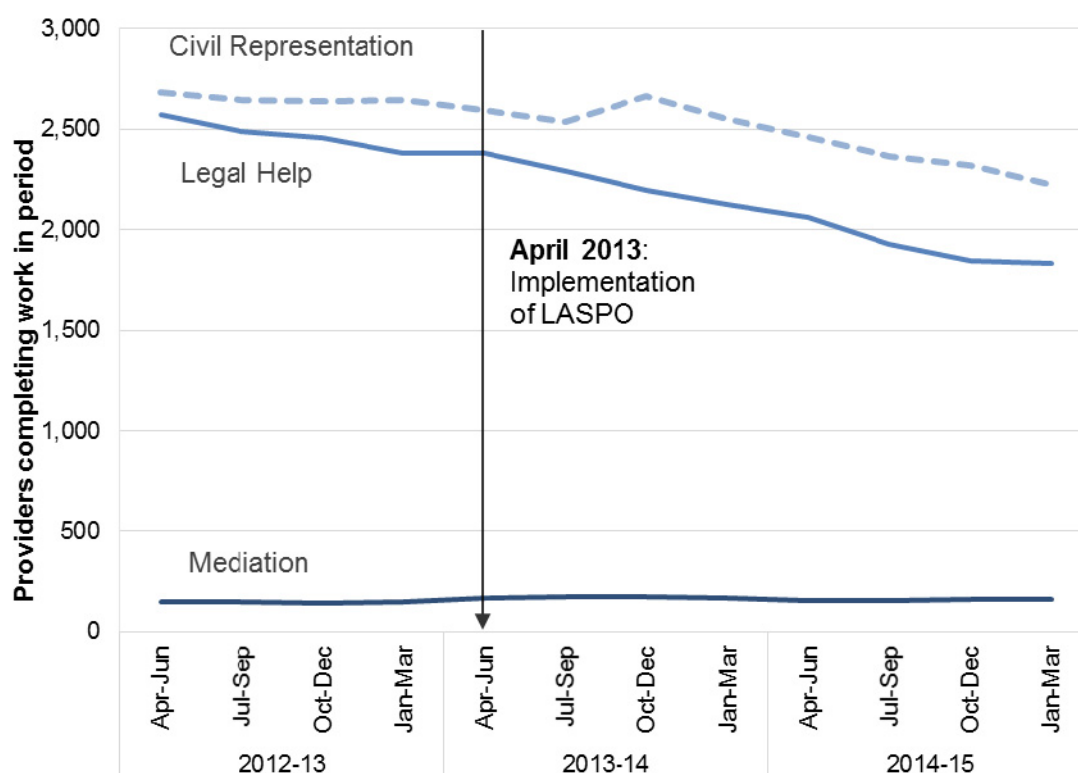
## Civil providers

The large majority of civil provider offices are solicitor firms and the remainder are Not-for-Profit organisations. Their legal aid work comprises legal help, mediation and civil representation.

Figure 36 shows that numbers of solicitor firm provider offices completing legal help and civil representation work began falling before the introduction of the LASPO Act and this trend has continued since then. The number of provider offices completing mediation work has increased slightly over this period.

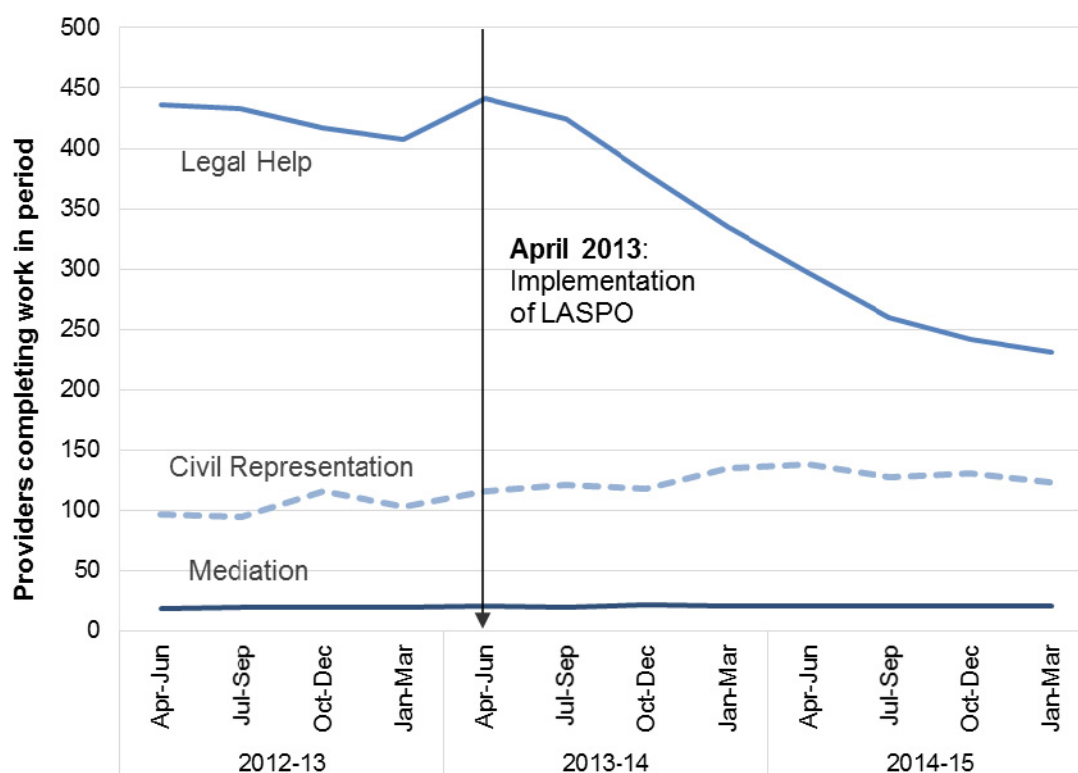
These trend in provider numbers broadly match the trends in workload shown in the civil legal aid chapter of this bulletin.

**Figure 36:** Solicitor firm providers by category of civil legal aid work, Apr-Jun 2012 to Jan-Mar 2015.



The number of Not-for-Profit providers working in legal help has followed a similar downward trend over the last three years but in contrast the number providing civil representation has increased slightly since the LASPO Act was introduced (Figure 37).

**Figure 37:** Not-for-Profit providers by category of civil legal aid work, Apr-Jun 2012 to Jan-Mar 2015.

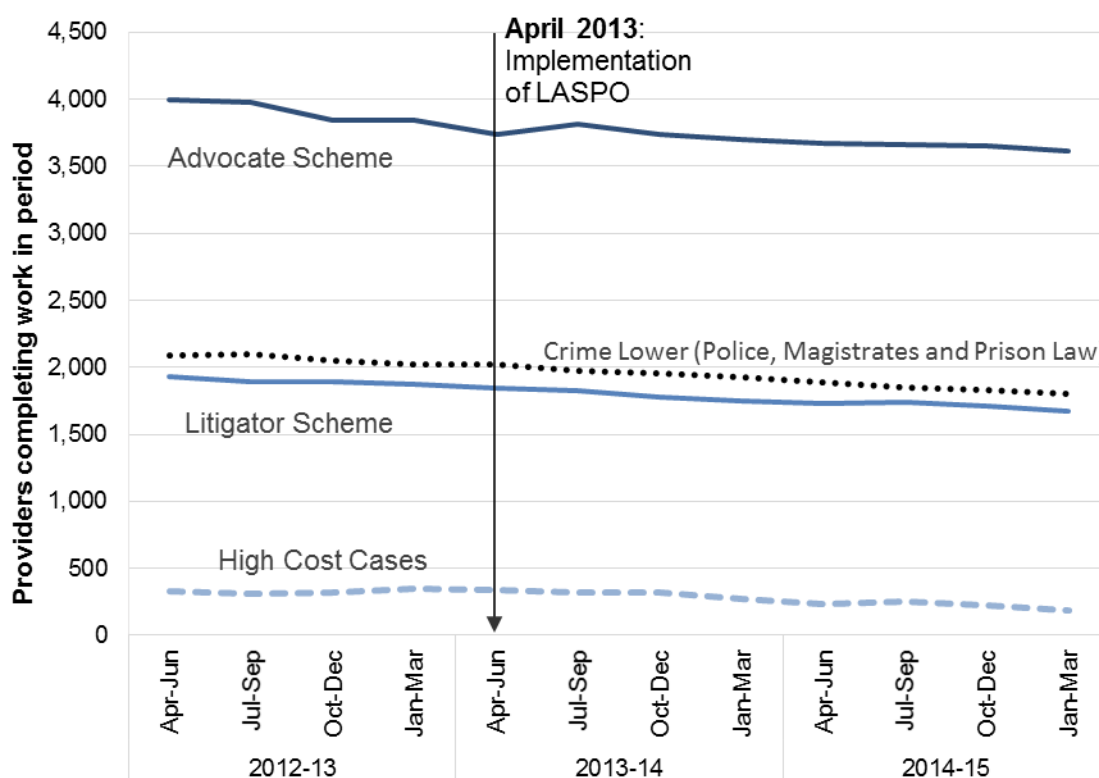


## Crime providers

The schemes through which criminal legal aid is provided are the Advocate Graduated Fee Scheme (covering barristers and higher solicitor advocates), the Crime Lower scheme (covering police station work, magistrates' court and prison law), the Litigator Graduated Fee Scheme (for solicitor firms) and finally the high cost cases scheme for the Crown Court.

For crime overall there has been a steady but gradual downward trend in numbers of provider office completing work, with an 11% fall between April to June 2012 and January to March 2015. This has been fairly similar across all criminal legal aid schemes (see Figure 38).

**Figure 38:** Crime providers by category of criminal legal aid work, Apr-Jun 2012 to Jan-Mar 2015.



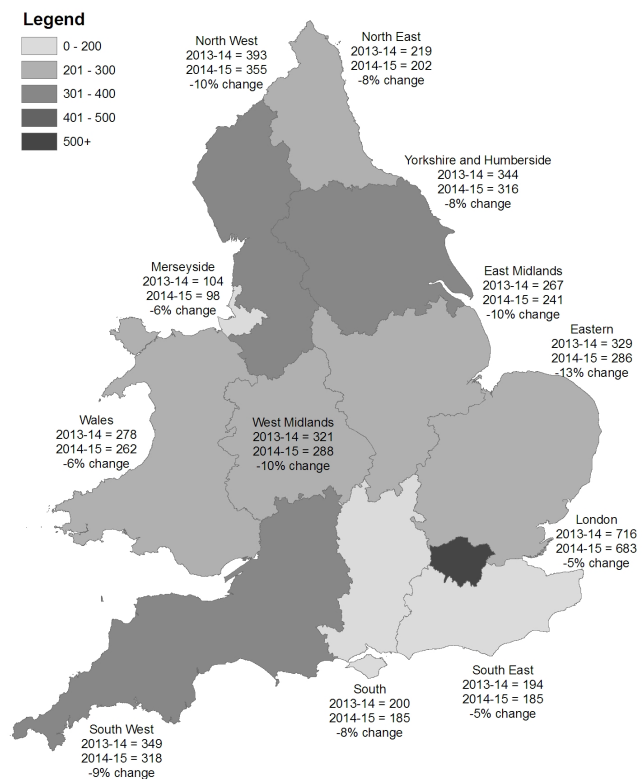
## Providers by region

All figures provided in the publication on the geographic breakdown of legal aid are based on the provider office location and not the location of the client. A provider may serve clients from other geographic areas as well as that in which the office is located.

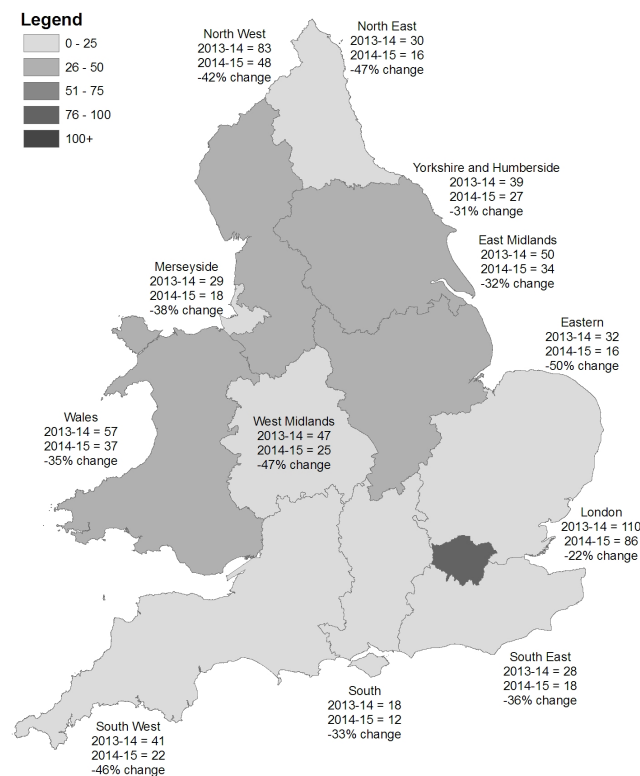
The four maps below (figures 39 – 42) show the number of civil provider split between solicitor firm and Not-for-Profit organisation and the number of litigator and advocate crime providers for the latest financial year, together with the change since the previous year.

Figures 39 – 42 show that across the 4 different types of provider office, most are concentrated in regions of high population. Looking at the year-on-year change in each region, the downward trends in provider numbers shown above appear fairly evenly distributed across the 12 regions.

**Figure 39:** Number of solicitor firms in England and Wales who received payment for civil work completed during 2014-15

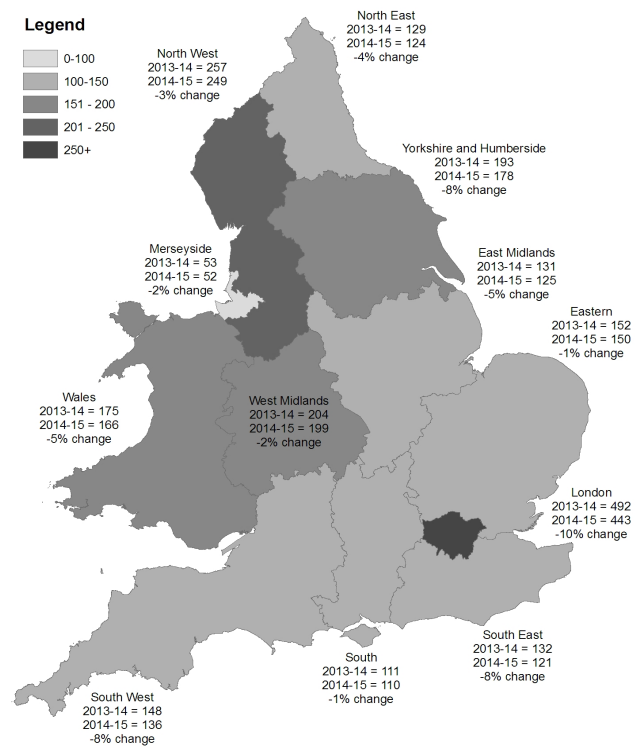


**Figure 40:** Number of Not-for-Profit organisations in England and Wales receiving payment for civil work completed during 2014-15

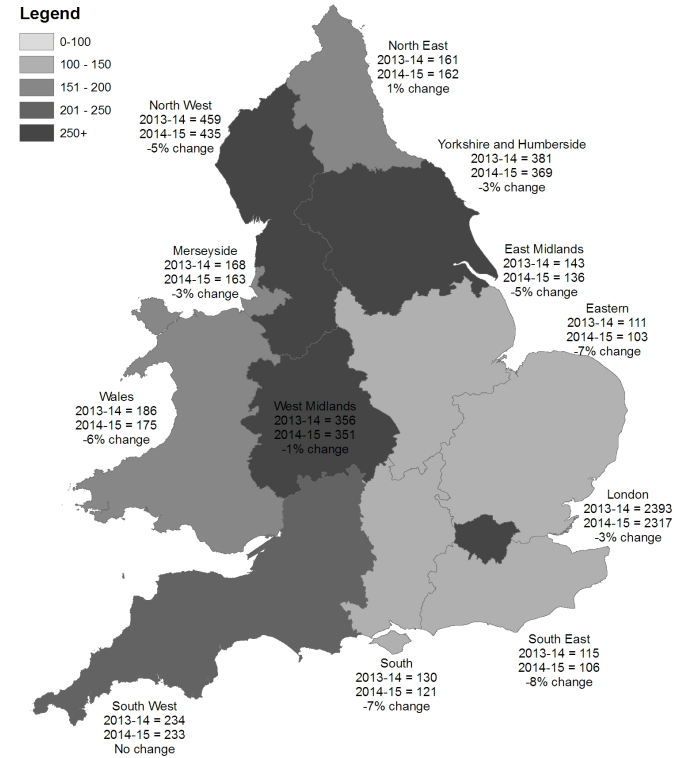




**Figure 41:** Number of litigators in England and Wales who received payment for criminal work completed during 2014-15



**Figure 42:** Number of advocates in England and Wales who received payment for criminal work completed during 2014-15



# Client and provider characteristics

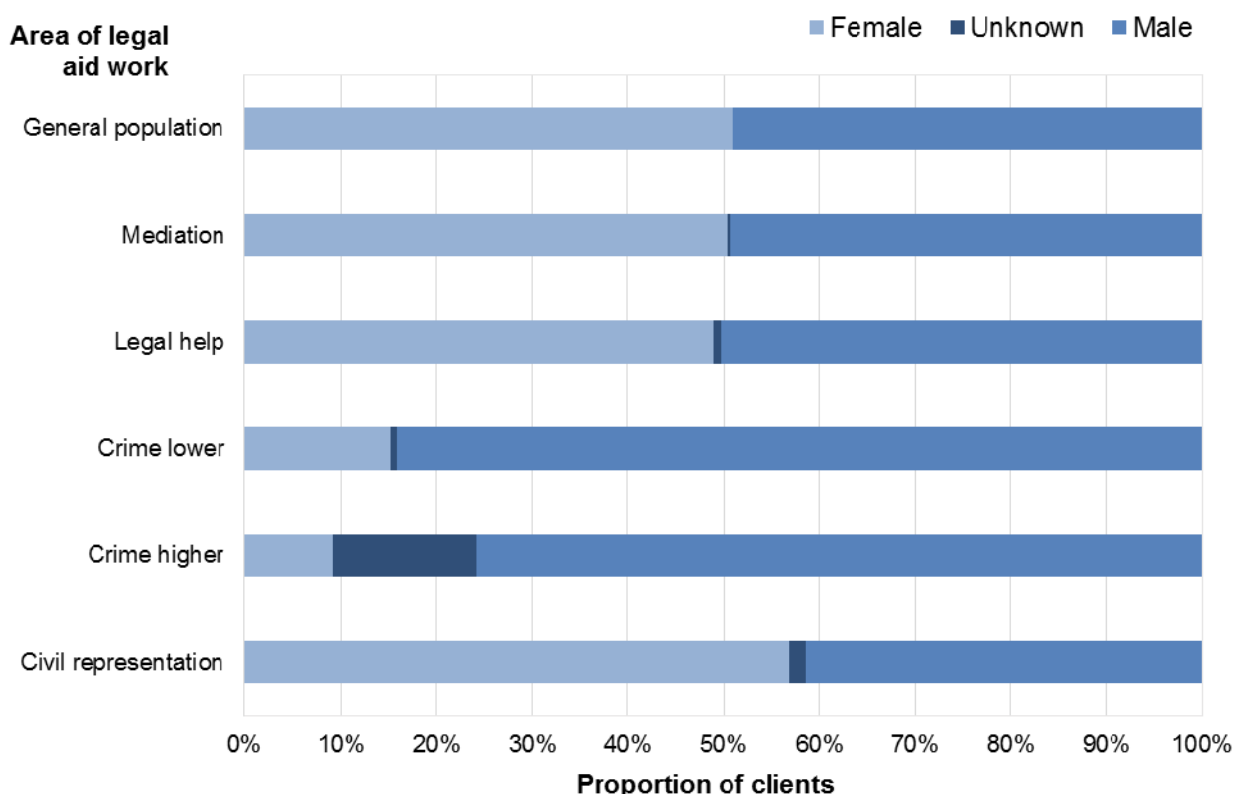
## Client characteristics

The charts below show the breakdown of client characteristics over the different areas of legal aid compared with the national breakdown from the latest population estimates from the Office for National Statistics.

### Gender

The gender profile of criminal legal aid clients differs from the national profile with a much greater proportion of male clients (Figure 43). This reflects the picture across the criminal justice system.<sup>5</sup> The gender profile of civil legal aid clients broadly matches the general population for mediation and legal help. Civil representation clients have a slightly greater proportion of female clients. The gender distribution across all areas of legal aid in 2014-15 is little changed from 2013-14.

**Figure 43:** Proportion of clients by gender (cases closed in 2014-15)

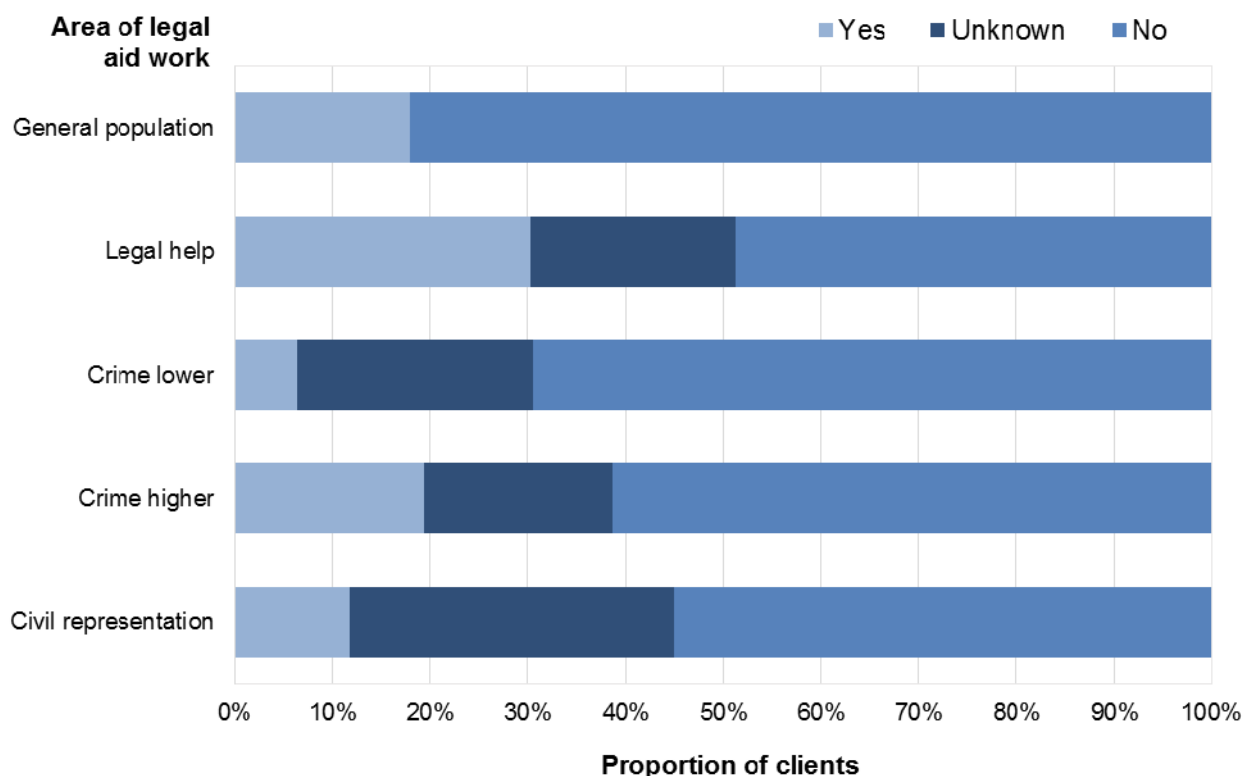


<sup>5</sup> MOJ, Criminal Justice statistics quarterly: [www.gov.uk/government/organisations/ministry-of-justice/series/criminal-justice-statistics](http://www.gov.uk/government/organisations/ministry-of-justice/series/criminal-justice-statistics)

## Disability

Figure 44 shows the proportion of legal aid clients who consider themselves to have a disability. It is difficult to draw firm conclusions for most categories of legal aid because of the relatively high proportion for which ethnicity is unknown. Legal help has a higher proportion of clients with disabilities than the general population, which reflects the fact that mental health controlled legal representation work is included within legal help here; in 2014-15 clients with a mental health condition made up 74% of the total number of legal help clients with a disability. The overall picture of client disability status changed little between 2013-14 and 2014-15.

**Figure 44:** Proportion of clients by disability status (cases closed in 2014-15)

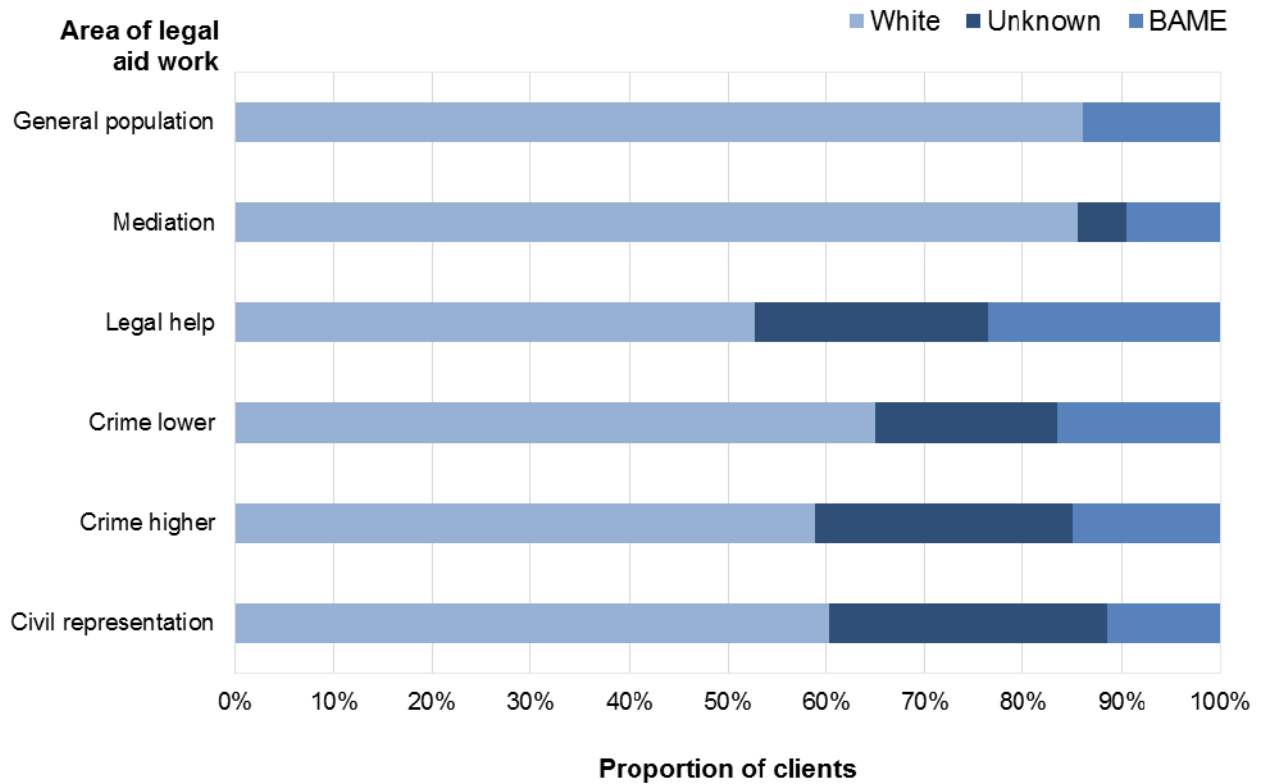


**Note:** Disability profile information is not available for mediation before March 2015 but will be available from 2015-16 onwards.

## Ethnicity

Figure 45 compares the proportion of legal aid clients who are from black and minority ethnic (BAME) origins with the general population. It is difficult to draw firm conclusions from this comparison because of the relatively high proportion for which ethnicity is unknown. The proportion of legal help clients that are from a BAME background is larger than in the general population. This may partly reflect the fact that immigration controlled legal representation work is included within legal help here. The overall ethnicity profile of legal aid clients in 2014-15 was similar to that in 2013-14.

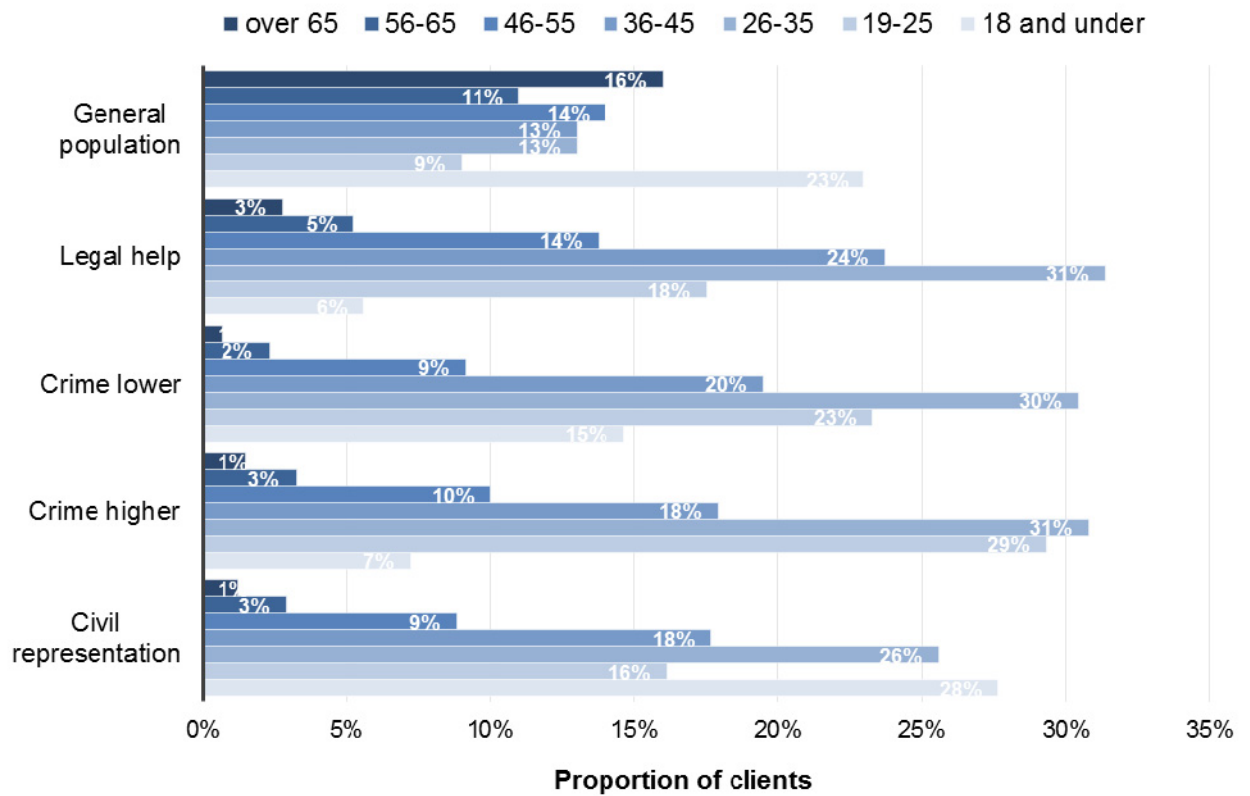
**Figure 45:** Proportion of clients by broad ethnic group (cases closed in 2014-15)



### Age

A much greater proportion of clients of criminal legal aid are from young adult age groups (aged 19-35) than in the general population, which reflects the pattern across the criminal justice system as a whole. These age groups also comprise a much larger proportion of clients of civil legal aid, and those aged over 55 a much smaller proportion, than across the general population. Civil representation has greatest relative proportion of clients under the age of 18, reflecting the relative importance of family law. The overall age profile of clients in 2014-15 was similar to that in 2013-14.

**Figure 46:** Proportion of clients by age (closed cases in 2014-15)



**Note:** age data for crime lower is taken from a different computer system to the other characteristics and only includes magistrates' court work.

Age data for mediation has not been included as it has not been collected on a comparable basis. Comparable data will be available from 2015-16 onwards.

## Provider characteristics

Legal aid services in England and Wales are delivered through various providers who are contracted by the LAA to do legal aid work. In January and February 2015, the LAA carried out an online survey to learn more about the providers doing legal aid work.

The survey was sent to all 2,262 legal aid providers to complete between 19 January and 27 February 2015. 644 providers completed the survey, a response rate of 28%, and this response rate should be borne in mind when interpreting all results.

The survey asks about the protected characteristics of those who have ownership or managerial control of the firm (2,057 people), not the total headcount of the firms who responded (13,578). Here, the results for this group are presented alongside figures for the general population of England and Wales from the 2011 census for comparison.

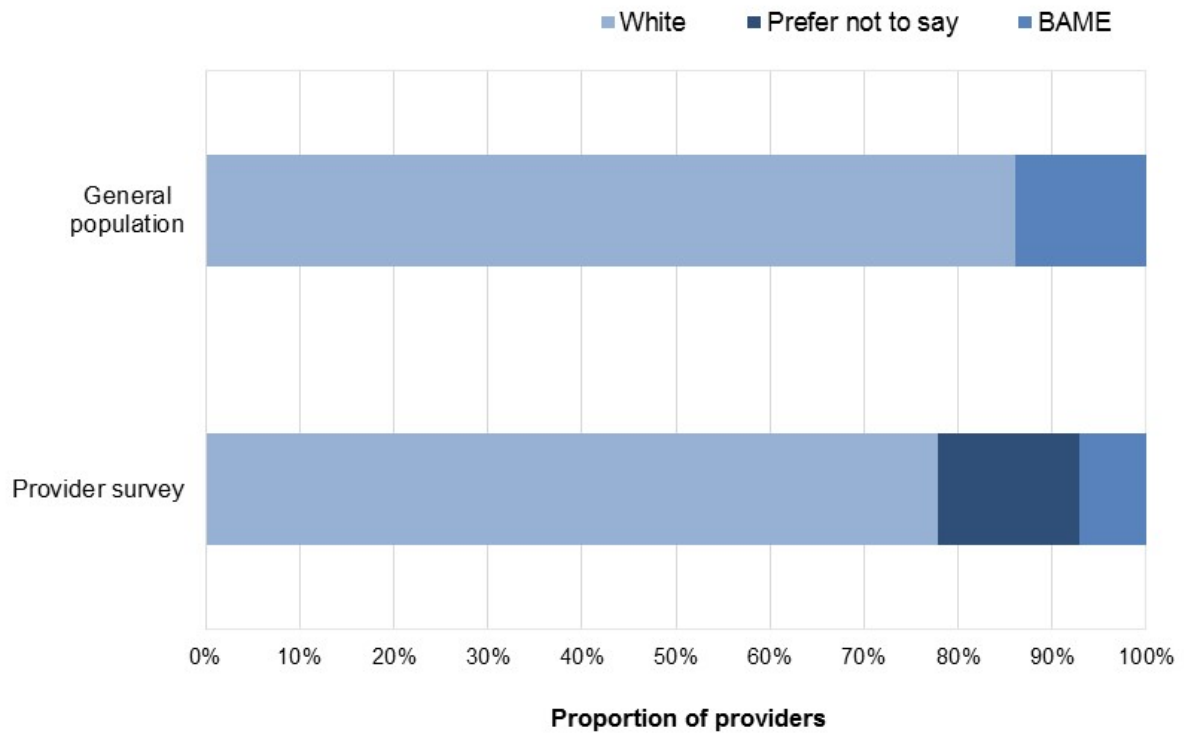
### Gender

60% of respondents were male, compared to 49% among the general population (Figure 47). This may partly reflect the fact that, employment rates are higher for men than women, especially over the age of 22<sup>6</sup>.

**Figure 47:** Proportion of responding providers by gender, 2015

---

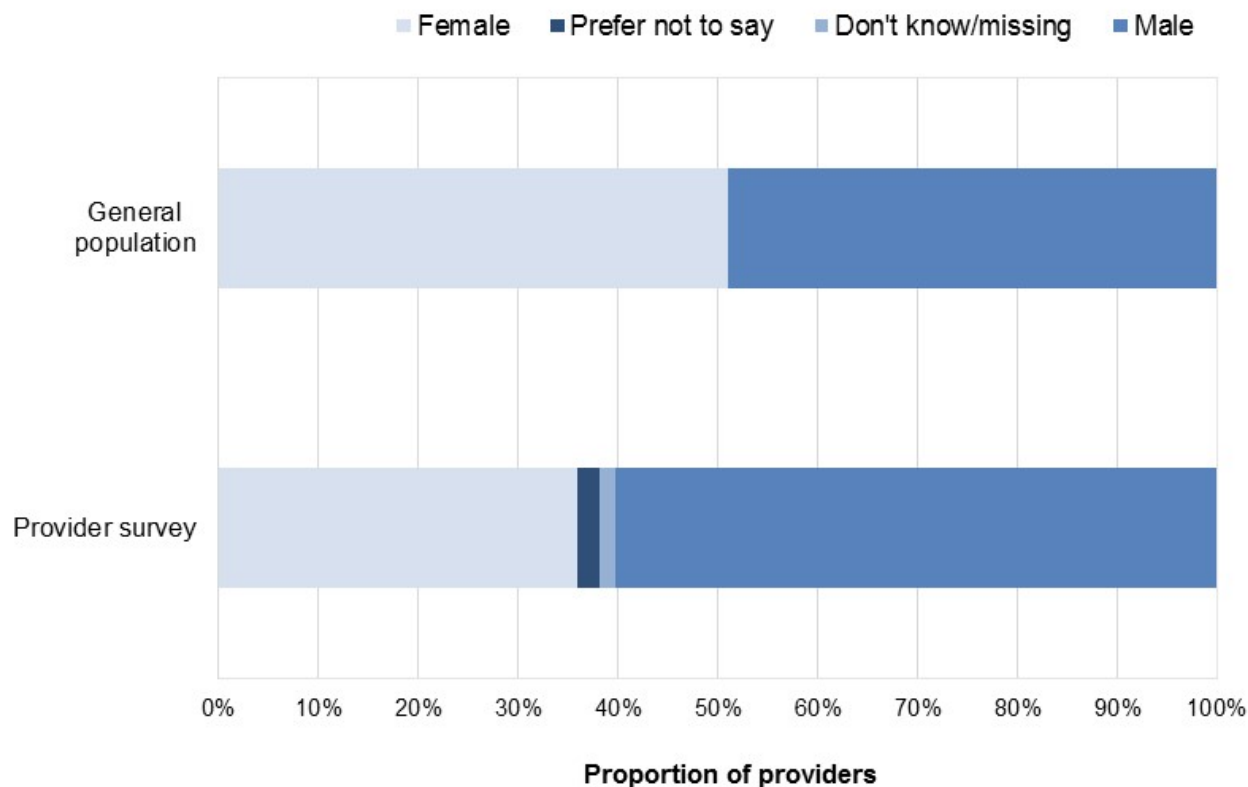
<sup>6</sup> Women in the labour market, ONS, <http://www.ons.gov.uk/ons/rel/lmac/women-in-the-labour-market/2013/rpt---women-in-the-labour-market.html>



### Ethnicity

The proportion of respondents who reported being of black, asian or minority ethnic (BAME) backgrounds is broadly similar to the general population, at 15%, but 7% of respondents preferred not to answer this question (figure 48).

**Figure 48:** Proportion of responding providers by broad ethnic group, 2015



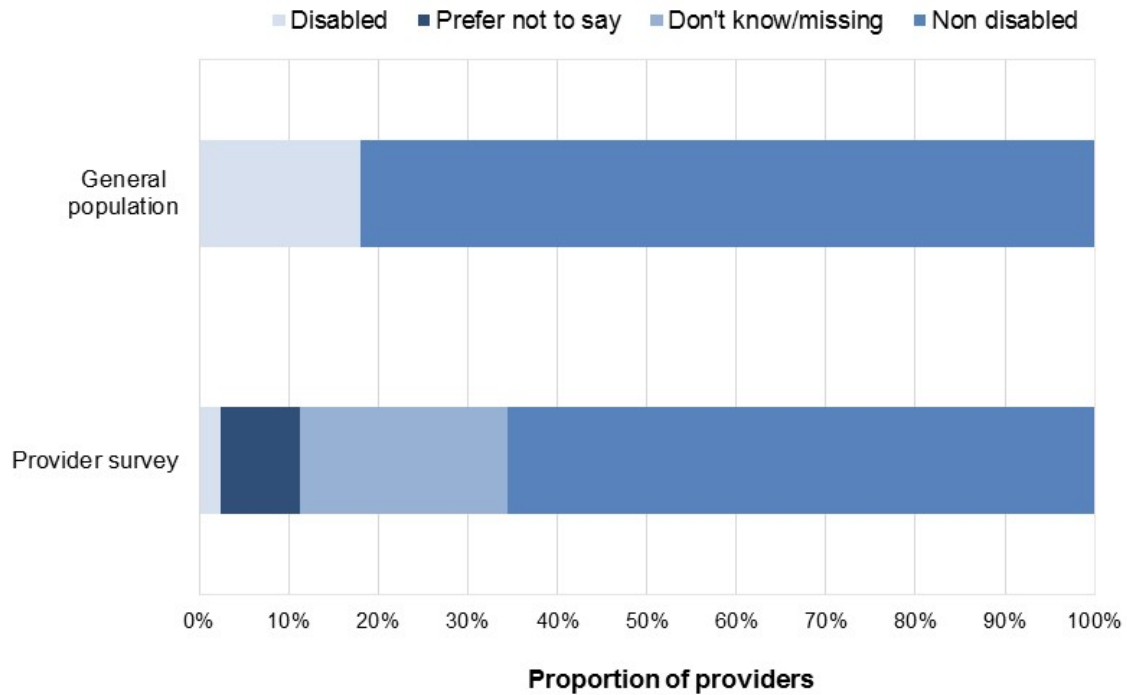
## Disability

A large proportion (32%) of respondents did not declare their disability status (either prefer not to say or don't know/missing), so the results are difficult to interpret (Figure 49). Only 2% of respondents considered themselves to have a disability. This compares to 18% of the general population of England and Wales who stated they had a disability in the 2011 census. The labour market statistics show that disabled people are far less likely to be in employment than non-disabled people. The UK employment rate of working age disabled people is 52% compared to 78% of non-disabled people<sup>7</sup>.

**Figure 49:** Proportion of responding providers by disability status, 2015

<sup>7</sup> Figures for Jan-Mar 2013 [www.ons.gov.uk/ons/publications/re-reference-tables.html?edition=tcm%3A77-301417](http://www.ons.gov.uk/ons/publications/re-reference-tables.html?edition=tcm%3A77-301417), table A08

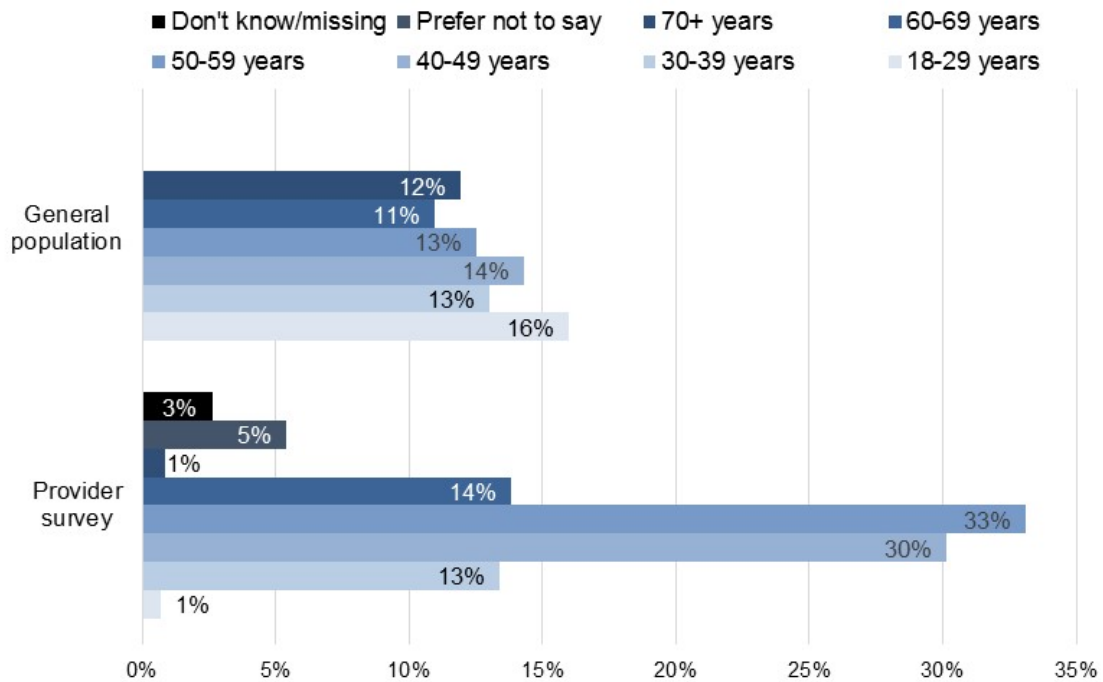




### Age

Looking at those aged over 18, the majority of respondents to the survey were aged between 40 and 59 (63%), this is much higher than the general population where around a quarter of over 18s are in this age group (Figure 50).

**Figure 50:** Proportion of responding providers by age group, 2015



## Religion

As figure 51 shows, a large proportion (43%) of respondents did not declare their religion (either prefer not to say or don't know/missing), which limits any interpretation of the result. However, the two largest groups, Christian (30%) and not religious (18%) were the same as those for the general population.

**Figure 51:** Proportion of responding providers by religion

Religion	Provider survey	General population
Christian	30%	59%
Not Religious	18%	25%
Muslim	3%	5%
Jewish	2%	1%
Hindu	1%	2%
Sikh	1%	1%
Any Other Religious Beliefs	1%	<1%
Buddhist	<1%	<1%
Prefer Not To Say	18%	7%
Don't Know/Missing	25%	0%

## Sexual Orientation

Figure 52 shows that nearly a quarter of respondents did not declare their sexual orientation (either prefer not to say or don't know/missing), which limits any interpretation of the result. Figures on sexual orientation for the general population are not available from the census data, however, other studies have estimated that about 1.5% of the general population are gay, lesbian or bi-sexual<sup>8</sup> this is similar to the result of the survey, where about 2% of respondents said they were gay, lesbian or bi-sexual.

**Figure 52:** Proportion of responding providers by sexual orientation

Sexual orientation	Provider survey
Hetrosexual/Straight	73%
Gay Man	1%
Gay Woman/Lesbian	<1%
Bisexual	<1%
Other	<1%
Prefer Not To Say	16%
Don't Know/Missing	8%

<sup>8</sup> Figures are from the integrated household survey [www.ons.gov.uk/ons/rel/integrated-household-survey/integrated-household-survey/april-2011-to-march-2012/stb-integrated-household-survey-april-2011-to-march-2012.html](http://www.ons.gov.uk/ons/rel/integrated-household-survey/integrated-household-survey/april-2011-to-march-2012/stb-integrated-household-survey-april-2011-to-march-2012.html)

## Annex A - Contact points for further information

---

Press enquiries on the contents of this bulletin should be directed to the Ministry of Justice press office:

Ashley Winter

Tel: 020 3334 4866

Email: [Ashley.winter@justice.gsi.gov.uk](mailto:Ashley.winter@justice.gsi.gov.uk)

Other enquiries about these statistics should be directed to:

**Richard Field**, Head of Statistics

Legal Aid Agency

7th Floor, 102 Petty France

London SW1H 9AJ

Tel: 07469 579 287

[statistics@legalaid.gsi.gov.uk](mailto:statistics@legalaid.gsi.gov.uk)

General information about the official statistics system of the UK is available from [www.statistics.gov.uk](http://www.statistics.gov.uk)

© Crown copyright  
Produced by the Ministry of Justice

Alternative formats are available on request from [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk)