



Ministry
of Justice



Legal Aid
Agency



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Legal Aid Statistics quarterly, England and Wales

April to June 2020

1. Main points

Figures for this latest quarter have been impacted by the COVID-19 pandemic with courts and other parts of the justice system running a reduced service.

Overall Crown Court expenditure decreased this quarter; down by 41% compared with the same period of the previous year.



Representation orders granted in magistrates' courts decreased by 37% while Crown Courts decreased by 27%.

The volume of completed work in magistrates' courts decreased by 50%.



Magistrates' court expenditure fell 49% over the same period.

Police station advice workload saw an 8% decrease this quarter with a 11% decrease in corresponding expenditure.



Prison Law workload saw a 27% decrease this quarter, driven by a 79% decrease in prison discipline hearings.

Mediation Information and Assessment Meeting volumes were 20% lower than in the same quarter of 2019.



Mediation outcomes also were 21% lower.

Applications for civil representation supported by evidence of domestic violence or child abuse decreased by 37%.



The volume of these granted decreased by 39% compared to the same period of 2019.

691 applications for Exceptional Case Funding were received in the last quarter.



This is a 23% decrease from the same quarter last year.

This edition comprises the first release of official statistics for the three-month period from April to June 2020 and the latest statement of all figures for previous periods. In addition, section 6 presents provisional figures for July 2020 based on management information.

For more detailed commentary, and statistics on providers of legal aid, Central Funds and legal aid in the higher courts, please refer to the [annual publication](#).

For technical detail, please refer to the [User guide](#) to legal aid statistics.

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- For feedback related to the content of this publication, please let us know at statistics@justice.gov.uk

2. Statistician's Comment

This publication shows that workload and expenditure has fallen this quarter, due to COVID-19, across almost all legal aid schemes.

Criminal legal aid figures show large decreases compared to the same quarter last year in schemes that support the court system including the magistrates' and Crown Court. There are falls in police station work and the prison law scheme, but these are smaller than those requiring court hearings. Within prison law, parole board work has remained stable compared to the previous year.

Civil legal aid figures show a decrease in workload and expenditure across all schemes compared to the same quarter last year. The largest decreases in legal help and civil representation were in non-family work. Family work also fell across both schemes except for domestic violence, which saw an increase in the latest period. There were falls in both mediation and Exceptional Case Funding.

Section 6 presents provisional figures for July 2020 based on management information. July 2020 figures begin to show a recovery from the impact of COVID-19 in criminal legal aid, with court representation applications up by around a third in the Crown Courts and around a half in magistrates' courts compared to the average of the previous quarter. The picture is mixed for civil legal aid, with increases in legal help and civil representation, but a decrease in family mediation. It is expected that criminal and civil legal aid volumes will return to, and may temporarily exceed, historic trend levels.

3. Things you need to know

These symbols are used throughout this release to navigate to other documents of interest:



Data visualisation:
Click for tool allowing user-defined charts and tables.



User Guide:
Click for document giving definitions and explanations.



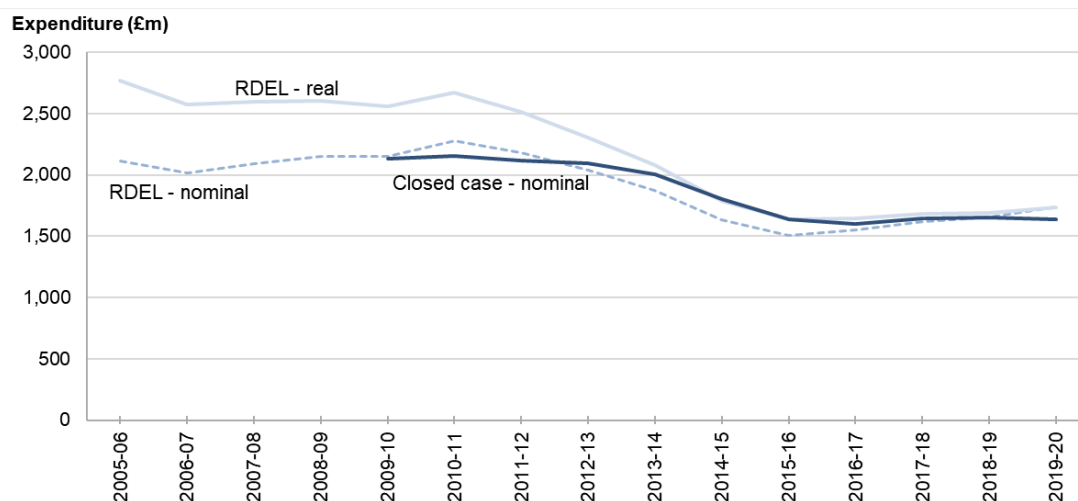
Tables:
Click for access to tables of figures.

To understand trends in legal aid as a whole, it is best to begin by looking at annual expenditure figures and then look at trends in both workload and expenditure for each category of legal aid. Summarising activity across the legal aid system meaningfully within a single number is difficult because of the diversity of services included. Expenditure on legal aid is measured differently for different purposes. The three most often-used measures, shown in Figure 1, are:

- **Closed-case expenditure is the measure used for expenditure figures throughout these legal aid statistics.** It represents the total value of payments made to legal aid providers in relation to pieces of work that are completed in the period. This basis is comparable to volumes of completed work to which it relates, and to the same fine level of detail. This does not include income received or expenditure in relation to debt write-offs.
- **RDEL (Resource Departmental Expenditure Limits) nominal** is the main budgeting measure used by government to control spending, both to set budgets for future years and report on how much has been spent. It represents the value of work carried out in the period better than the closed-case measure but cannot be broken down to a fine level of detail. This measure includes income and expenditure in relation to debt. ‘Nominal’ here means not adjusted for inflation.
- **RDEL real** is the RDEL measure adjusted for inflation to make the value of spending in previous years directly comparable with the specified year.

These measures show a large reduction in legal aid expenditure from around 2010-11, mostly due to changes to the scope of civil legal aid introduced by the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act from 2013-14, reductions in criminal legal aid workloads and reductions in the fees payable to legal aid providers.

Figure 1: Overall annual legal aid expenditure, by closed-case and RDEL nominal and real terms measures (£m), 2005-06 to 2019-20



4. Criminal legal aid



Tables 1.1 and 4.1

Overall Crown Court expenditure decreased this quarter; down by 41% in April to June 2020 compared with the same period of the previous year.

The COVID-19 pandemic has impacted on court capacity. Matters started via representation orders granted in magistrates' courts decreased by 37% while Crown Court representation orders decreased by 27%.

Criminal legal aid can be categorised into Crime Lower and Crime Higher. Crime Lower includes police station advice, magistrates' courts and prison law. Crime Higher covers work in the Crown and Higher Courts.

Figure 2: Crime overview, closed case volumes and expenditure for April to June 2020, and comparison with April to June 2019

		Category	Workload	Expenditure
Crime Workload 203,415 (23% ↓)	Crime Lower 175,382(21% ↓) £46.7m(27% ↓)	Police Station Advice	137,781(8% ↓)	£27.8m(11% ↓)
		Magistrates' courts	33,648(50% ↓)	£14.5m(49% ↓)
		Advice & assistance on appeals	293(6% ↓)	£0.4m(4% ↗)
		Prison Law	3,633(27% ↓)	£4m(10% ↓)
		Civil work associated with crime	27(16% ↓)	£0m(49% ↓)
Expenditure £133m (37% ↓)	Crown Court 28,033(33% ↓) £86.3m(41% ↓)	Solicitor fee scheme	13,753(35% ↓)	£57.8m(38% ↓)
		Advocate fee scheme	14,278(32% ↓)	£28.5m(44% ↓)
		High Cost crime cases	2(100% ↗)	£0m(96% ↓)

Although Crown Court work comprises a relatively small portion of criminal legal aid in terms of volume, it accounts for around two-thirds of all criminal legal aid expenditure. Conversely, advice at the police station makes up the largest portion of workload but a much smaller part of expenditure.

Figure 3a: Workload in criminal legal aid, April to June 2011 to April to June 2020

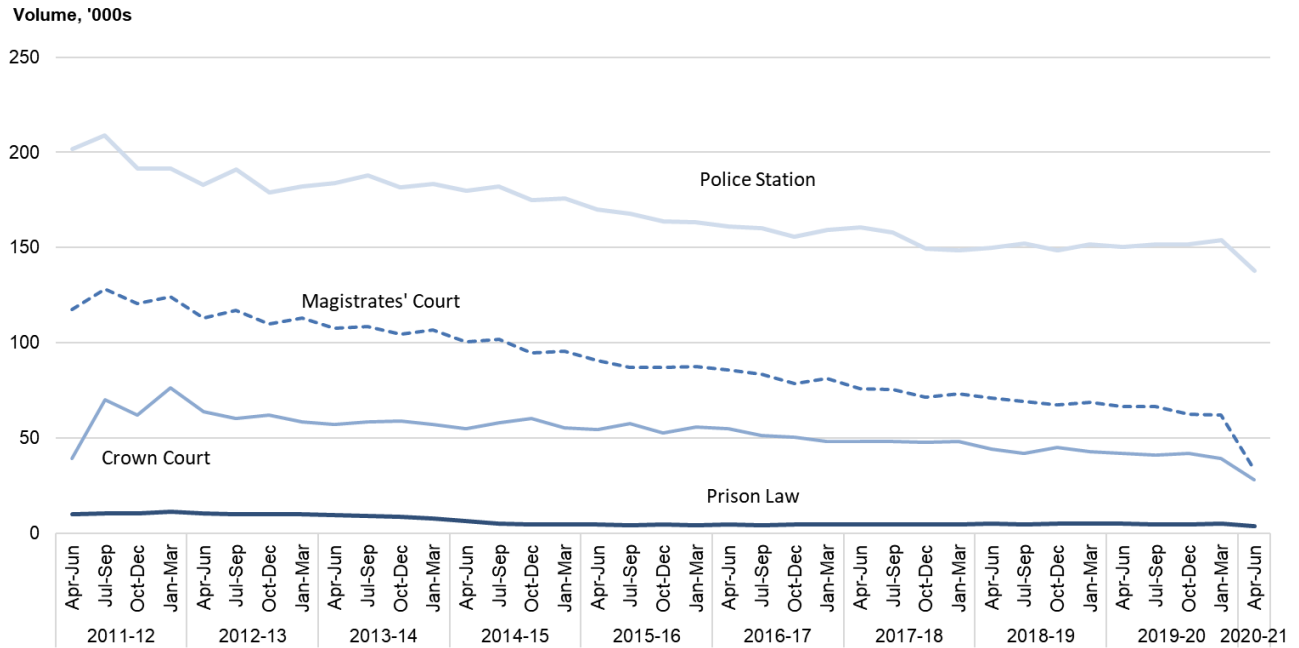
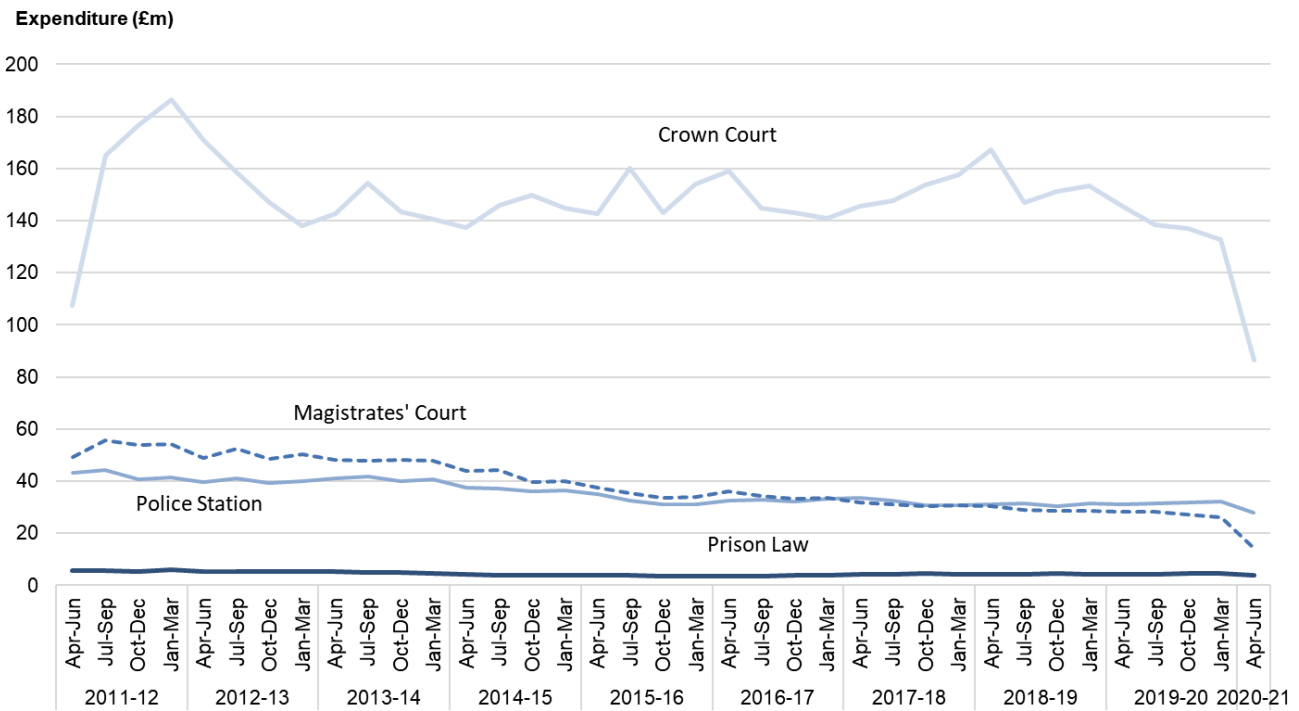


Figure 3b: Expenditure in criminal legal aid, April to June 2011 to April to June 2020



Note: Advice and assistance on appeals and civil work associated with crime are excluded from these figures.



Tables
2.1 and 2.2

Police station advice

This category made up almost four-fifths of the Crime Lower workload between April and June 2020 and three-fifths of the expenditure. The workload in this period has decreased by 8% compared to the previous year, with expenditure decreasing by 11%. The decrease in police station advice workload since 2013-14 is also seen in arrest statistics for England and Wales¹, which has had a similar decline historically.

The majority of the police station advice workload (87% in April and June 2020) consists of suspects receiving legal help with a solicitor in attendance at the police station, with the rest mainly consisting of legal advice over the telephone.



Tables
3.1 and 3.2

Applications and grants for representation in the criminal courts

While figures should be interpreted with caution as they may be revised in subsequent quarters as cases move into the Crown Court, the number of orders granted for legally-aided representation in the **magistrates' courts** decreased by 37% this quarter when compared to the same quarter of the previous year. This is largely due to the impact of COVID-19 but continues the downward trend of the last few years, which has been largely driven by Summary Only cases. The overall number of receipts in the magistrates' courts² including those not involving legal aid showed a similar decrease (36% down) over the same period. The proportion of these applications that are granted remains stable at around 95%.

Orders granted for legally-aided representation in the Crown Courts also decreased to a lesser extent; 27% this quarter compared to last year, whilst there was a 45% decrease in Crown Court receipts³. Within the legal aid figure, orders relating to either-way offences decreased by 32%, while those relating to indictable offences decreased by 7%. The proportion of Crown Court applications granted remains at almost 100%.



Tables
2.1 and 2.2

Magistrates' courts completed work

Legally-aided representation in the magistrates' courts comprised almost 20% of the workload and 30% of expenditure in Crime Lower between April and June 2020. These compare to usual proportions of around one-third of workload and around half of expenditure, showing that court work fell more during this period than police station workload. The volume of completed work in the magistrates' courts decreased by 50% this quarter when compared to the same period of the previous year. Expenditure also decreased by 49%.

¹ www.gov.uk/government/collections/police-powers-and-procedures-england-and-wales

² www.gov.uk/government/collections/criminal-court-statistics, Table M1

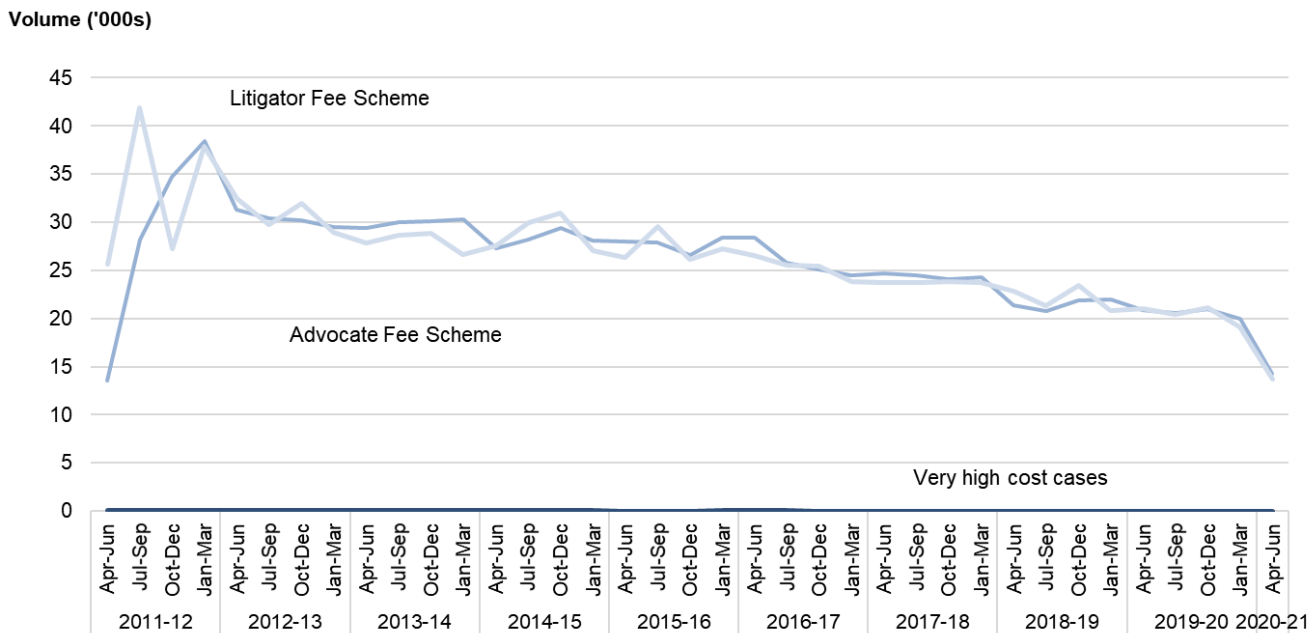
³ www.gov.uk/government/collections/criminal-court-statistics, Table C1



Crown Court completed work

Completed work volumes within the **litigator (solicitor) fee scheme** decreased by 35% in April to June 2020 compared to the same period of the previous year. In the **advocate fee scheme**, completed claims decreased by 32% compared to the same period last year.

Figure 4a: Workload in the Crown Court, April to June 2017 to April to June 2020

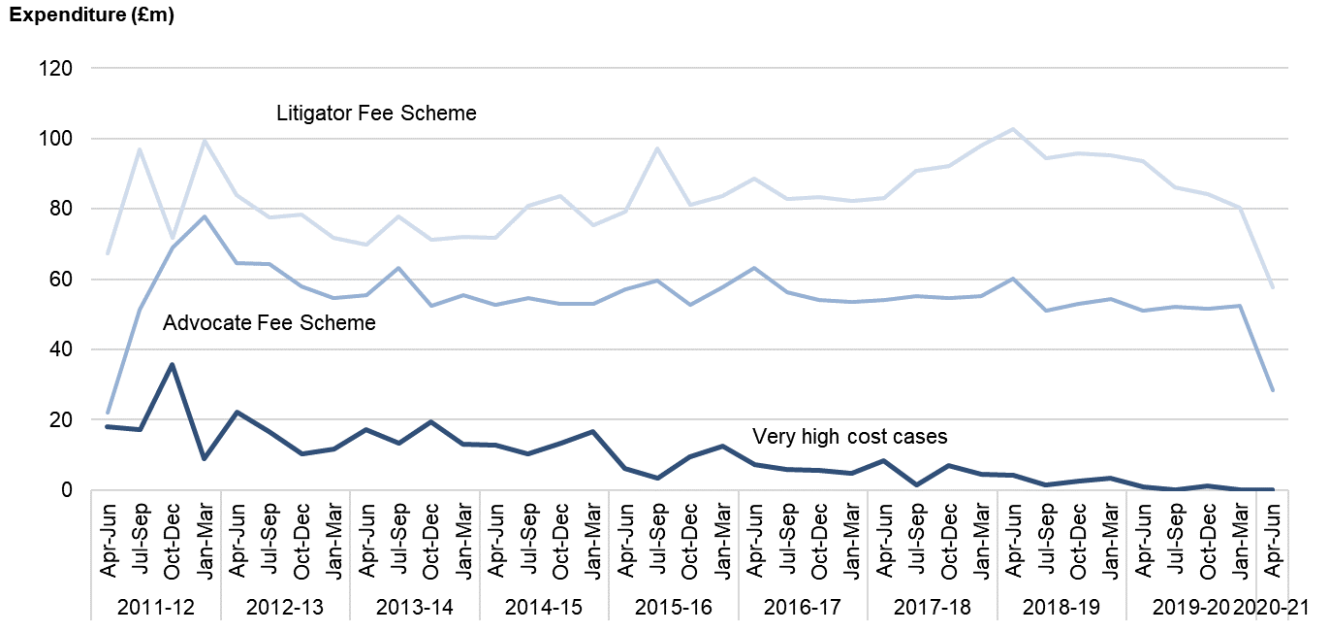


In the litigator fee scheme, expenditure decreased by 38% in April to June 2020 compared to the same period of the previous year. In the advocate fee scheme, the value of payments decreased by 44% compared to the same period of the previous year. Figures for expenditure on work completed in the Crown Courts should be interpreted with caution as they may be revised in subsequent quarters as claims are assessed further on appeal and further payments added to the value of some completed claims.

The **Very High-Cost Case (VHCC)** scheme covers those Crown Court cases which, if the case were to proceed to trial, would likely last more than 60 days. These cases can span several years and, while they may involve small numbers of defendants, the associated expenditure is high in comparison.

There were 2 defendants represented in the VHCC contracts that concluded in the April to June 2020 quarter. Expenditure on this work over the duration of the contracts (i.e. on the closed-case basis) was less than £50,000. While workload comprises a tiny proportion of legal aid in the Crown Court overall, the VHCC scheme represents less than 1% of the cost, although down from over 15% ten years ago.

Figure 4b: Expenditure in the Crown Court, April to June 2011 to April to June 2020





Workload this quarter decreased by 27% compared with the same period in the previous year, driven by advocacy at prison disciplinary hearings which decreased by 79% compared to last year (see Figure 5a).

Expenditure on prison law overall fell 10% following the overall trend of the quarter (see Figure 5b). This was in part driven by the large fall in prison disciplinary hearings. However, this drop was masked by stable workload levels for advocacy at parole board. These had a 1% increase in workload and 1% decrease in expenditure compared to the previous year.

Figure 5a: Prison Law completed workload, April to June 2011 to April to June 2020

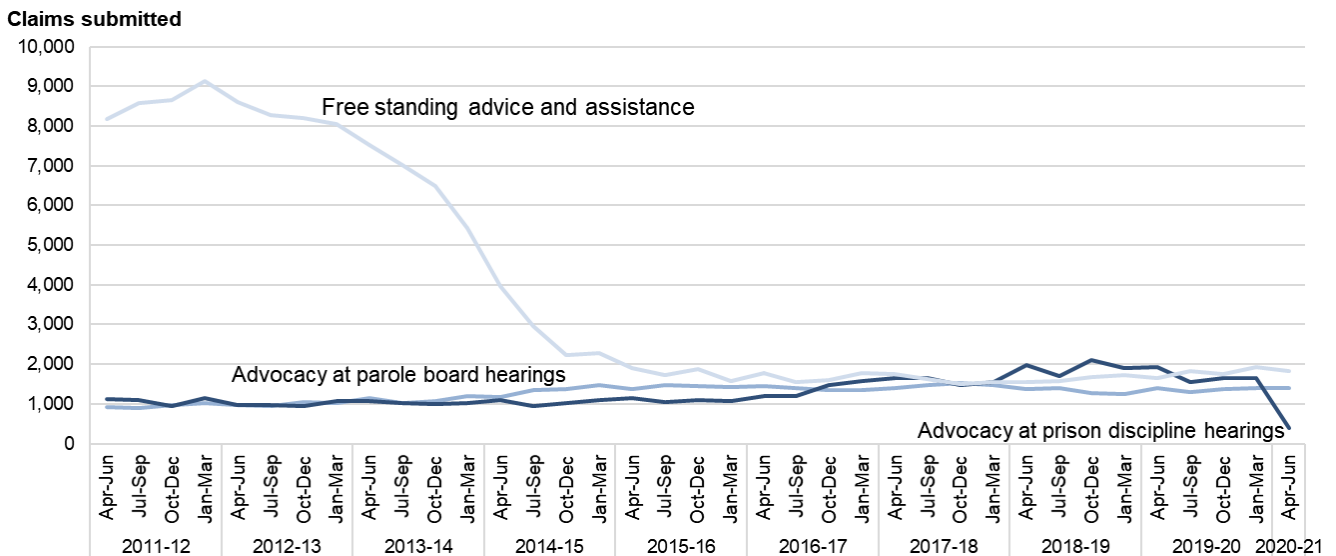
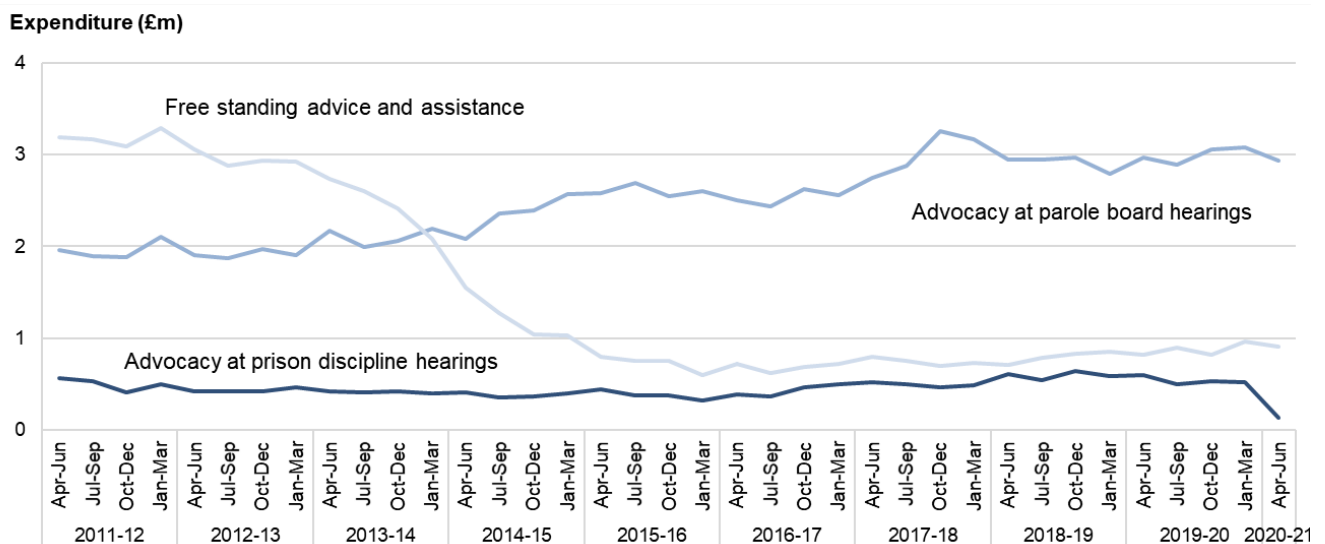


Figure 5b: Prison Law completed expenditure, April to June 2011 to April to June 2020



*New categories not shown: 'advocacy assistance at sentence reviews' and 'advocacy assistance at Parole Board reconsideration hearings'

5. Civil legal aid



Tables 1.2
and 8.1

Overall civil legal aid expenditure decreased this quarter; down by 16% in April to June 2020 compared with the same period of the previous year.

The COVID-19 pandemic has impacted on volumes and expenditure across all civil legal aid schemes, and most matter types. Larger decreases were seen in non-family volumes (down 27%) and expenditure (down 32%) compared to family schemes.

Figure 6: Civil overview, closed case volumes and expenditure for April to June 2020, and comparison with April to June 2019

		Category	Workload	Expenditure
Civil	Family 25,033(17%↘) £135.1m(12%↘)	Family Public	17,132(21%↘)	£115.7m(12%↘)
		Family Private	7,901(8%↘)	£19.4m(12%↘)
Workload 52,607(22%↘)		Mediation and MIAMs	3,736(21%↘)	£1.1m(22%↘)
Expenditure £163.8m(16%↘)	Non-Family 23,838(27%↘) £27.6m(32%↘)	Immigration	7,741(28%↘)	£7.2m(36%↘)
		Mental Health	8,441(12%↘)	£9.1m(24%↘)
		Housing	5,345(38%↘)	£4.7m(32%↘)
		Other Non-Family	2,311(35%↘)	£6.7m(36%↘)

Legal help and controlled legal representation



Tables
5.1 - 5.3, 7.1 - 7.2

In the last quarter, there was a 32% decrease in legal help new matter starts compared to the same period of 2019. The volume of completed claims decreased by 26% and expenditure decreased by 24% in April to June 2020 compared to the same period in 2019 (Figures 7a and 7b). The implementation of the LASPO Act in April 2013 resulted in large reductions in legal help workload, with the overall trend falling to less than one-third of pre-LASPO levels.

Figure 7a: Completed workload in legal help and controlled legal representation, April to June 2011 to April to June 2020

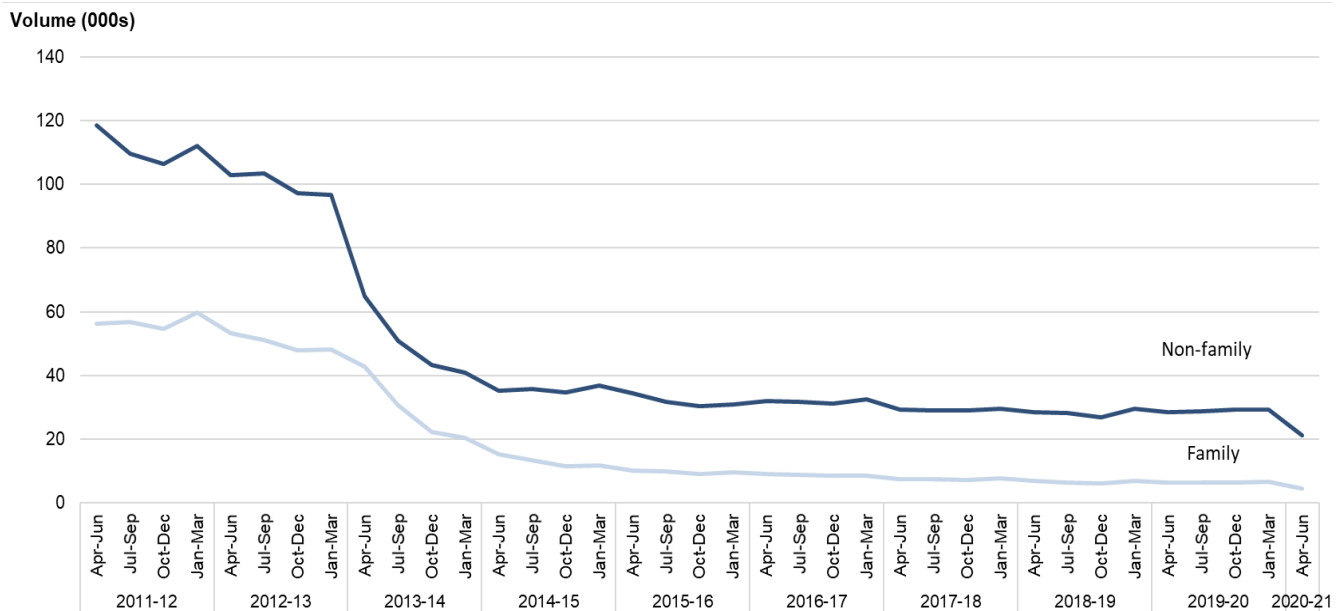
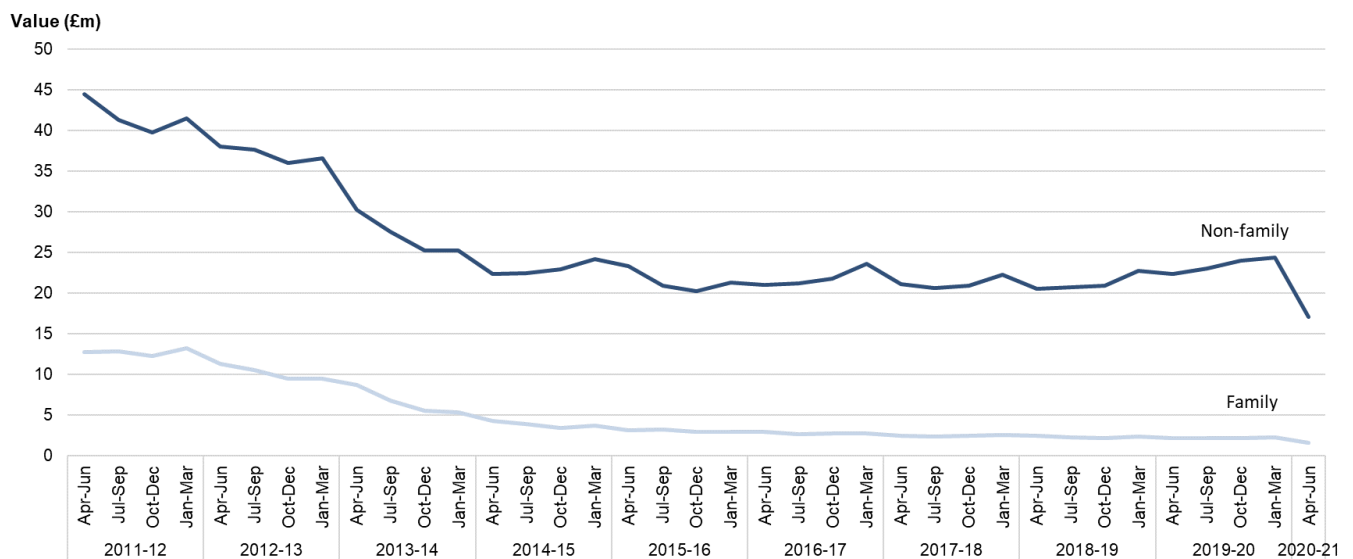


Figure 7b: Completed workload expenditure in legal help and controlled legal representation, April to June 2011 to April to June 2020



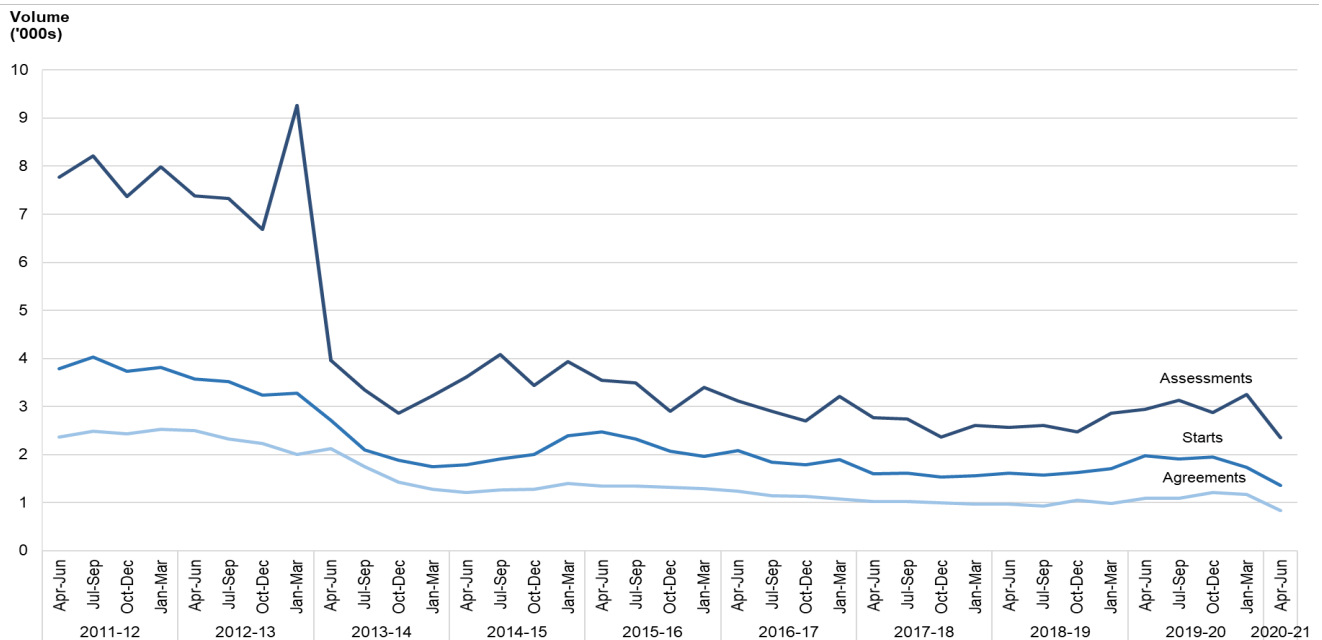
Family legal help

In April to June 2020 family legal help starts decreased by 26% compared to the same quarter last year. Completed claims also decreased by 27% and expenditure decreased by 27%. There was a steep decline immediately following the implementation of LASPO Act in April 2013, with a more gradual decline over the last 2 to 3 years.

In family mediation, Mediation Information and Assessment Meetings (MIAMs) decreased by 20% in the last quarter compared to the previous year and currently stand at around a third of pre-LASPO

levels. Starts decreased by 31% and outcomes decreased by 21%, and are now sitting at around a third of pre-LASPO levels (Figure 8).

Figure 8: Family mediation assessments, starts and agreements, April to June 2011 to April to June 2020



Non-family legal help and controlled legal representation

Legal help and controlled legal representation make up over 95% of both immigration and mental health cases. Controlled legal representation relates to representation at tribunal and is often longer and more costly than legal help but, as with legal help, the decision on whether to grant legal aid is delegated to providers.

The LASPO Act 2013 made changes to the scope of legal aid for immigration law, but some areas remained in scope. Workload that remains in the immigration category consists largely of asylum-related work. New matter starts in immigration decreased by 36% in April to June 2020 compared to the same quarter of the previous year. Completed claims in immigration decreased by 28% in the last quarter compared to the previous year and expenditure decreased by 31%, driven by a decrease in asylum cases.

Within mental health, most funding is spent on providing assistance to sectioned clients appealing the terms of their detention before a mental health tribunal. Mental health new matter starts decreased by 9% when comparing the latest quarter to the previous year. Completed claims decreased by 11% and expenditure decreased by 16% over the same period.

Over 80% of housing work volume is made up of legal help. The volume of legally-aided housing work halved between July to September 2012 and July to September 2013. The trend then fluctuated for around 18 months but since 2014 it has been falling. In April to June 2020 there was a 60% decrease in housing work starts compared to the same quarter the previous year. There were also decreases in completed claims (41%) and decreases in expenditure (27%).

Civil representation



Tables
6.1 - 6.10

The number of civil representation certificates granted in the last quarter decreased by 10% compared to the same period of the previous year. The number of certificates completed decreased by 17%, and the associated expenditure decreased by 14% over the same period (Figures 9a and 9b). Civil representation workloads fell following the implementation of the LASPO Act in April 2013 but by a smaller proportion than legal help and controlled legal representation.

Figure 9a: Completed workload in civil representation, April to June 2011 to April to June 2020

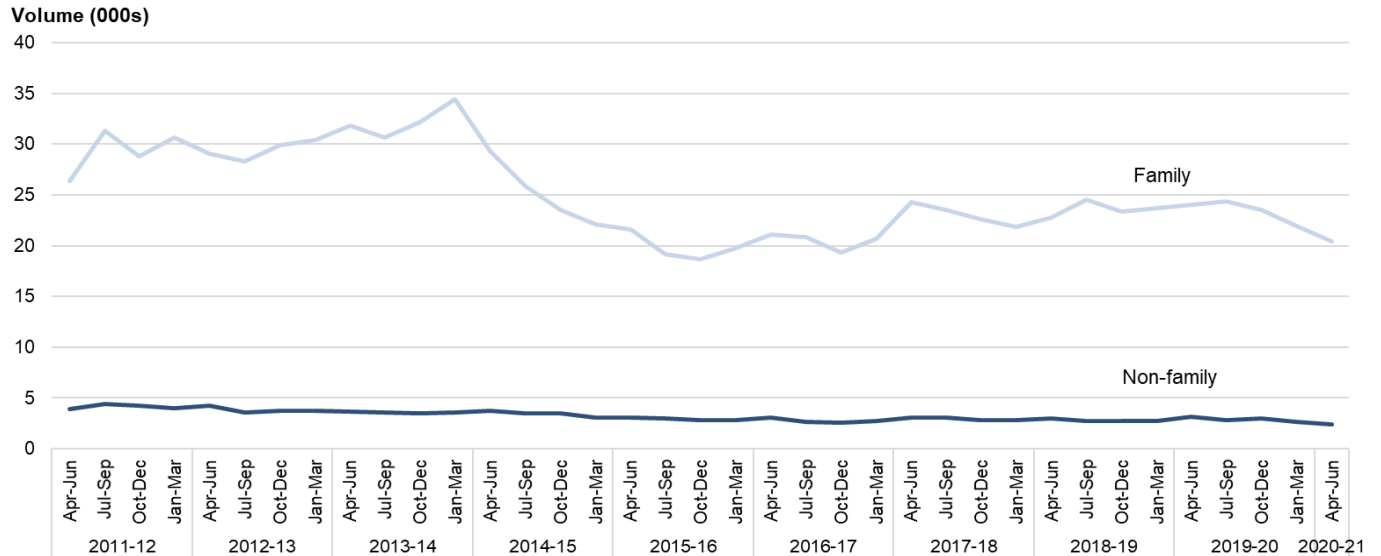
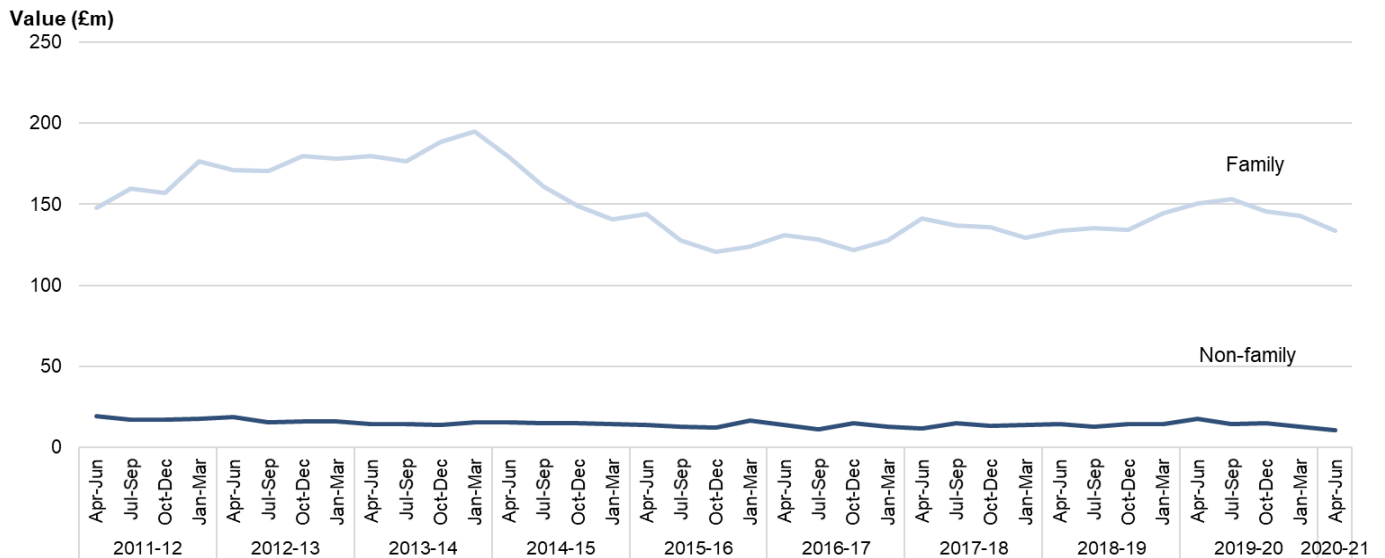


Figure 9b: Completed workload expenditure in civil representation, April to June 2011 to April to June 2020

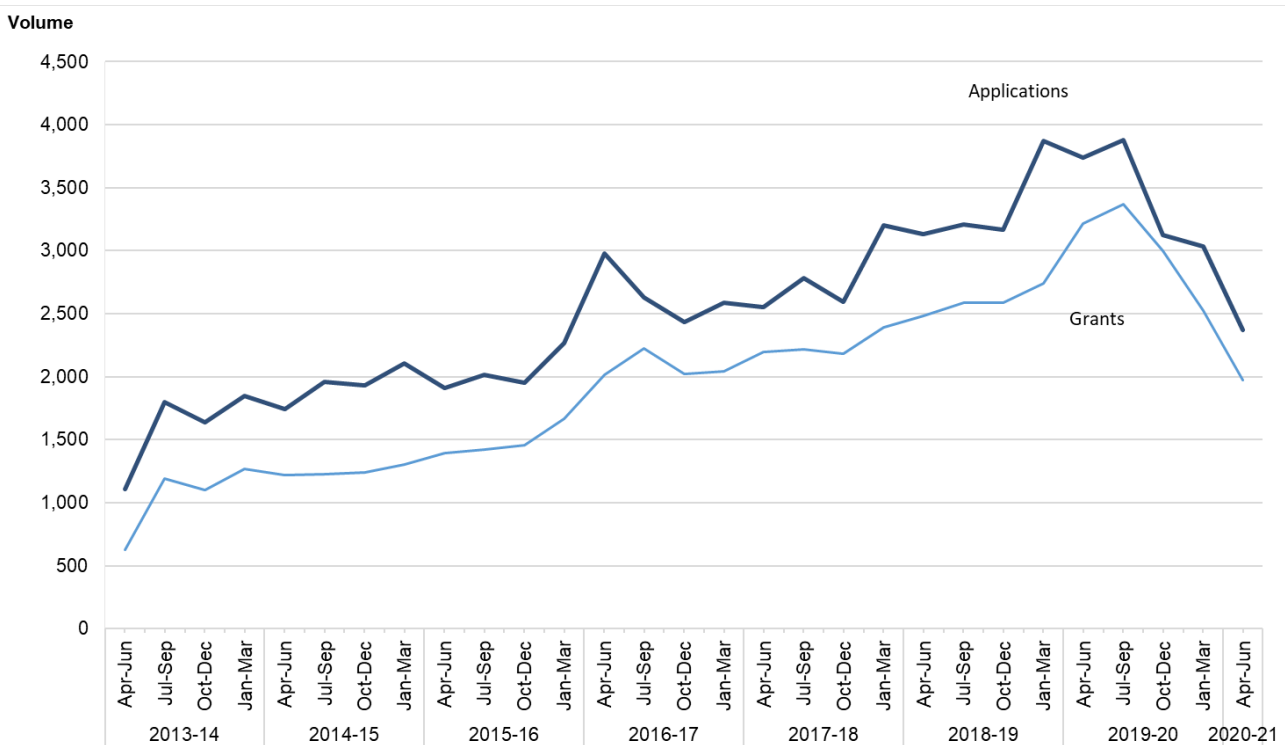


Family civil representation

Certificates granted for family work decreased by 6% in April to June 2020 compared to the previous year. This decrease was seen across all family matter types apart from domestic violence, which increased by 21%. Certificates completed for family work decreased by 15% and associated expenditure decreased by 11% compared to the same quarter the previous year.

In April to June 2020, applications for civil representation supported by evidence of domestic violence or child abuse decreased by 37% compared to the same period of the previous year. The number of these granted decreased by 39% over the same period. The proportion of applications granted remained steady at around 70% from the inception of this type of application until the end of 2015, before increasing to around 80%. The provisional figure for the latest quarter is 86%.

Figure 10: Applications received and certificates granted via the domestic violence and child abuse gateway, April to June 2013 to April and June 2020



Judicial reviews

Of all civil representation applications granted, around 3,000 a year relate to judicial review; 691 in the last quarter. The number granted in April to June 2020 decreased by 11% compared with the same quarter in 2019. Over half of judicial reviews were for public law and a fifth were for immigration cases.

Exceptional Case Funding (ECF)

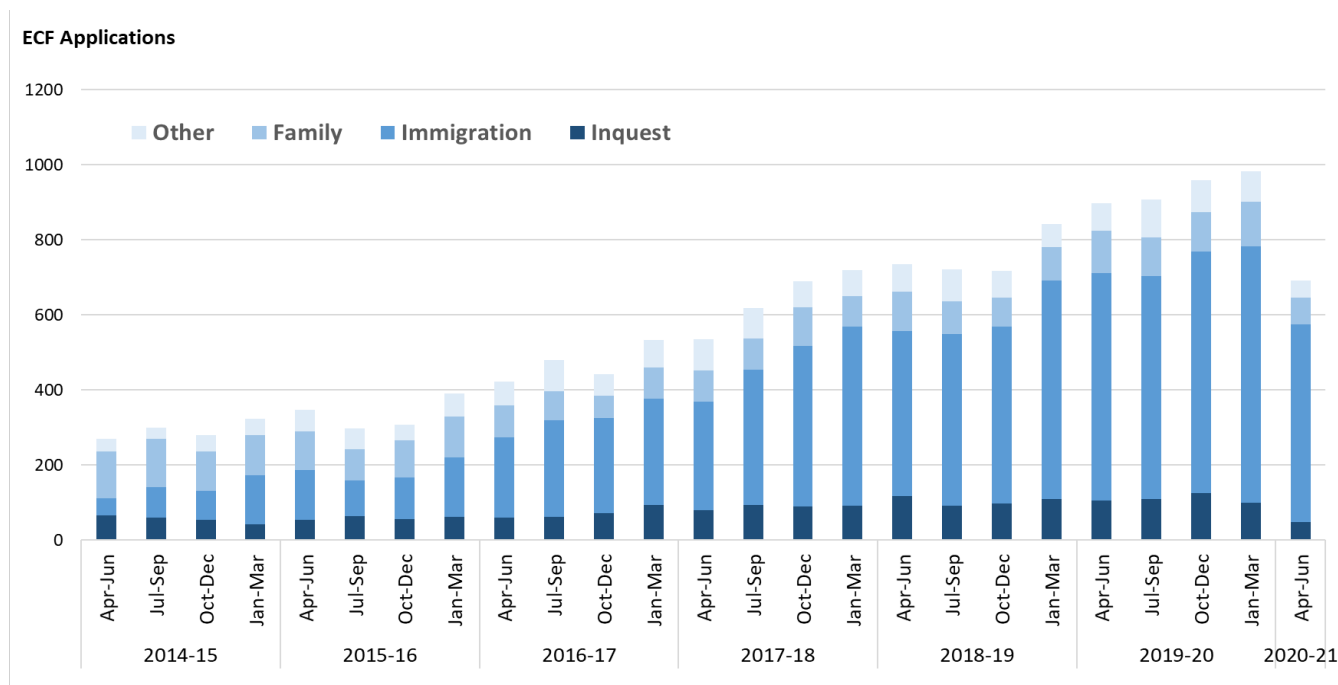


Tables
8.1 and 8.2

There were 691 applications for ECF received from April to June 2020. This is a 23% decrease from the same quarter last year. 643 (93%) of these were new applications.

Of the 691 ECF applications received between April and June 2020, 98% (674) had been determined by the LAA as of 1 September 2020. 78% (528) of these were granted, 12% (84) were refused and 7% (49) rejected (see Figure 11).

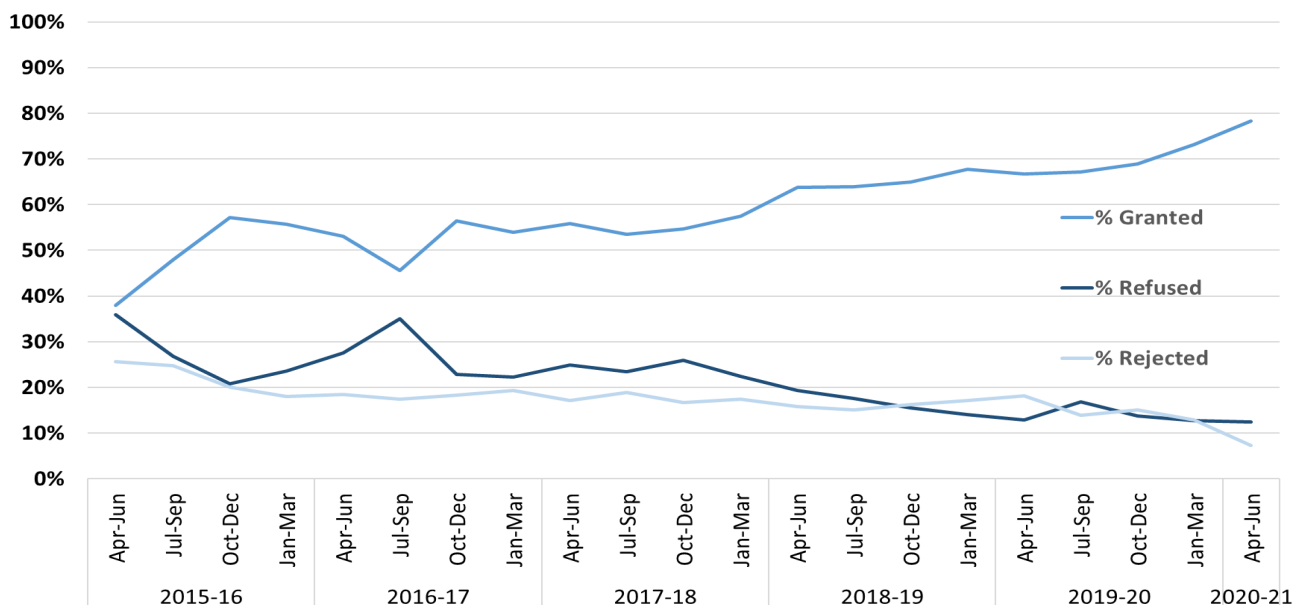
Figure 11: Volume of ECF applications received, April to June 2014 to April to June 2020



Among the ECF applications received between April and June 2020, immigration (76%), inquest (7%), and family (11%) remained the most requested categories of law. The number of applications fell across most categories of law in April to June 2020 compared to the previous year.

Figure 12: Volume of ECF determinations by outcome, April to June 2015 to April to June 2020

Proportion of determined ECF applications



6. Early assessment of the impact of COVID-19 on legal aid activity up to end of July 2020

The majority of information in this National Statistics release covers activity up to the end of June 2020. To address growing public interest, and provide the most timely information available on the impact of the COVID-19 pandemic on legal aid, management information up to the end of July 2020 has been analysed. Monthly figures from July 2019 to July 2020 are published in the accompanying tables (Table 12_1).

This section presents headline activity figures for criminal and civil legal aid. No information has been included on expenditure as these figures are subject to greater revision. The methodology is the same as that included in the main National Statistics release. However, quality assurance of the underlying management information has not been undertaken to the same level of checks needed to meet National Statistics standards. Figures should therefore be treated as preliminary and indicative.

This analysis should be treated as provisional information providing a high-level estimate of legal aid volumes in July 2020.

Criminal legal aid

Police station attendance⁴

- Provisional figures show that there has been a 11% increase in police station attendance in July 2020 (44,300) compared to the monthly average between April and June 2020 (39,700 per month)

Applications received for representation in Crown Courts

- Provisional figures show that there has been a 29% increase in applications received for representation in the Crown Courts in July 2020 (7,100) compared to the monthly average between April and June 2020 (5,500 per month)

Applications received for representation in magistrates' courts

- Provisional figures show that there has been a 56% increase in applications received for representation in the magistrates' courts in July 2020 (17,000) compared to the monthly average between April and June 2020 (10,900 per month)

⁴ Figures do not include attendance (armed forces) or immigration matters. Monthly figures are therefore not directly comparable with the corresponding figures in Table 2.1.

Civil legal aid

Legal help⁵

- Provisional figures show that there was a 17% increase in legal help new matter starts in July 2020 (9,000) compared to the monthly average between April and June 2020 (7,700 per month)

Housing Possession Court Duty Scheme

- There were have been no Housing Possession Court Duty Scheme (HPCDS) starts since April 2020 compared to an average monthly figure of 2,400 per month between January and March 2020.

Family mediation assessments

- Provisional figures show that there has been a 21% decrease in family mediation starts in July 2020 (360) compared to the monthly average between April and June 2020 (450 per month). Over the same period, assessments decreased by 22% and outcomes by 32%.

Civil representation applications

- Provisional figures show that civil representation applications have increased by 22% in July 2020 (11,100) compared to the monthly average between April and June 2020 (9,100). This was driven by family applications which increased by 24%, whilst non-family application volumes were unchanged.

⁵ Figures do not include telephone operator service activity. Monthly figures are therefore not directly comparable with the corresponding figures in Table 5.1.

7. Further information

This publication presents quarterly data trends. For figures published annually, including those on providers of legal aid, appealing legal aid decisions, Central Funds, butterfly charts and legal aid in the higher courts, please refer to our [‘annual publication’](#).

Accompanying files



- **Tables:** A set of tables, which give further detail and full time-series for each area.
- **More detailed data** and **Civil detail data:** Detailed files to enable independent analysis, provided in .ods (OpenDocument Spreadsheet) format.

Web tools



- [‘Data visualisation tool’](#) A web-based tool allowing the user to view and customize charts and tables based on the published statistics.

Help and Documentation



- **Index of data in Legal aid statistics:** An index to the more detailed data published in the .ods files, lists of available data from Legal Aid systems and guidance on how to work with the more detailed data using pivot tables.
- [‘User Guide to legal aid statistics’](#): This provides comprehensive information about data sources and quality as well as key legislative changes.

National Statistics status



National Statistics status means that official statistics meet the highest standards of trustworthiness, quality and public value. All official statistics should comply with all aspects of the Code of Practice for Official Statistics.

They are awarded National Statistics status following an assessment by the Authority’s regulatory arm. The Authority considers whether the statistics meet the highest standards of Code compliance, including the value they add to public decisions and debate.

It is the Ministry of Justice’s responsibility to maintain compliance with the standards expected for National Statistics. If we become concerned about whether these statistics are still meeting the appropriate standards, we will discuss any concerns with the Authority promptly. National Statistics status can be removed at any point when the highest standards are not maintained, and reinstated when standards are restored.

Contact

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