



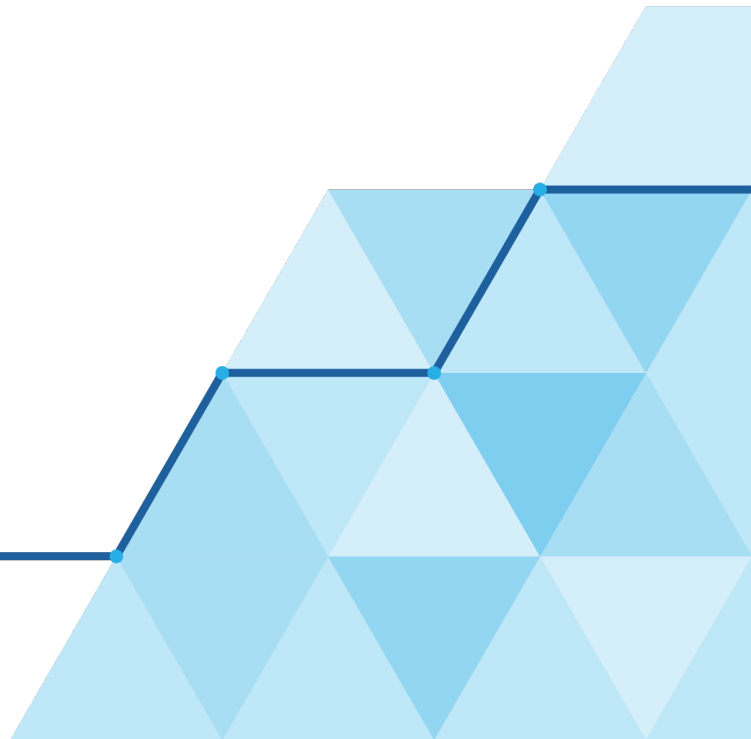
Ministry
of Justice

Civil Legal Aid User Research: Qualitative Research with Legal Aid Practitioners

Informing the Review of Civil Legal Aid (RoCLA)

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Contents

List of tables

List of abbreviations

1. Executive summary	1
1.1 Background and rationale	1
1.2 Methodology	2
1.3 Key findings	3
2. Background and context	5
2.1 Civil legal aid system	5
2.2 Review of Civil Legal Aid	6
2.3 Purpose of this research	7
3. Methodology	8
3.1 Sample and recruitment of participants	8
3.2 Qualitative interviews	9
3.3 Analytical approach	9
3.4 Ethics	10
3.5 Research questions	11
3.6 Limitations of the research	11
4. Findings	13
4.1 Provider capacity	13
4.2 Client location and remote communication	15
4.3 Legal aid awareness	18
4.4 Proving eligibility and securing funding	19
4.5 Delays	28
4.6 Opportunities for improvement	30
5. Conclusion	36
Annex A	37
Additional sample information	37
Annex B	38
Detailed research questions	38

List of tables

Table 1: Categories of law under LASPO in which participants had experience providing legal aid	9
Table 2: Regions participants had practice experience in	37
Table 3: Operational structure of the participants' organisation	37

List of abbreviations

Abbreviation	Full text
CCMS	Client and Cost Management System
DWP	Department for Work and Pensions
HMRC	His Majesty's Revenue and Customs
LAA	Legal Aid Agency
LASPO	Legal Aid, Sentencing and Punishment of Offenders Act 2012
MoJ	Ministry of Justice
NHS	National Health Service
RoCLA	Review of Civil Legal Aid

1. Executive summary

1.1 Background and rationale

Legal aid is a system of public funding which helps meet some or all of the costs of legal advice, representation in court or tribunal claims and in family mediation. In order to qualify for civil legal aid, an applicant's legal problem must be within the defined scope,¹ as set out in the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO). In addition, legal aid applicants must satisfy the means and merit tests set out in LASPO and associated regulations.

This research with fee-earning practitioners² working in civil legal aid provider firms (including not-for-profit (NfP) organisations) is part of the Ministry of Justice's (MoJ) Review of Civil Legal Aid (RoCLA). The objective of RoCLA is to identify options for improving the sustainability of civil legal aid provision by increasing the efficiency and effectiveness of the civil legal aid system. RoCLA is comprised of four research workstreams examining different aspects of how the system is working.³

The purpose of this research report is to understand, in more detail, the experiences of users of the civil legal aid system from the perspective of fee-earning practitioners working in civil legal aid provider firms and NfPs. The term 'user'⁴ will be used in this research to describe the person who is applying for or receiving civil legal aid, who otherwise might be

¹ Scope in this context means what can be covered by legal aid, for more information about what is covered under Civil legal aid, please see: [Work out who qualifies for Civil legal aid - GOV.UK \(www.gov.uk\)](https://www.gov.uk/work-out-who-qualifies-for-civil-legal-aid). Sometimes people can get legal aid even though their case is not within scope of LASPO. This is known as exceptional case funding (ECF), which provides a route for people to apply for legal aid in cases that do not fall within the scope of civil and family legal aid, but where the failure provide legal aid would be a breach of the individual's human rights, or where there is a significant wider public interest in funding legal representation for inquest cases. The same means and merits criteria apply as for legal aid, but there is an additional ECF merits criteria to be met.

² In the context of this report, a 'fee-earning' practitioner is an individual in a for-profit or not-for-profit organisation who conducts legal work which could be funded under Civil legal aid.

³ The Terms of Reference for the Review of Civil legal aid can be found here: [Overarching Review of Civil legal aid Terms of Reference \(www.gov.uk\)](https://www.gov.uk/overarching-review-of-civil-legal-aid-terms-of-reference)

⁴ Alternatively known as 'end-user' or 'service user'.

referred to as the client or legal aid applicant.⁵ Acting as a companion piece to research with users and those who support them (the findings of which are also published on [GOV.UK](https://www.gov.uk)), this research seeks to contribute essential evidence from practitioners' knowledge and experience through semi-structured interviews.

1.2 Methodology

Participants were recruited for this research through Legal Aid Agency (LAA) contract managers, provider representative bodies, and an industry bulletin. Participants were screened to ensure suitability and to provide variety in the sample. After an initial screening conversation, participants were invited to take part in a semi-structured interview over Microsoft Teams.

In total, 21 interviews were conducted with practitioners from 15 civil legal aid providers between August and September 2023.⁶ Practitioners who took part had experience providing civil legal aid services in eight of the 11 categories of law within the scope of LASPO, and worked in either private solicitor firms or NfPs. The interview transcripts were thematically analysed with recurrent themes forming the basis of this report.

⁵ The applicant here is not intended to refer to a party's status in legal proceedings as both applicants and respondents can receive legal aid.

⁶ In some instances, participants worked for the same organisation but practiced in separate areas of law.

1.3 Key findings

Practitioners' perceptions of users' experience of the civil legal aid process.

- Participants described how their clients' experience of civil legal aid often appeared frustrating, stressful, confusing, and difficult. Especially in the initial phases, they felt their clients found proving eligibility for civil legal aid particularly onerous and difficult to navigate due to the need to produce financial documentation, such as bank statements.
- Participants said delays and the slow progression of cases especially impacted their vulnerable clients, particularly those who had experienced traumatic events or suffered from mental health problems. Delays were said to prolong and exacerbate already difficult circumstances. Participants reported that their clients often had to "live in the past" until their case was resolved.
- Participants emphasised that many of their clients had low awareness of the civil legal aid system. They felt this contributed to confusion and frustration as they began and progressed on their legal aid journey. As a result, participants reported feeling that they had to manage clients' expectations, particularly about the complexities of the scope of civil legal aid and different eligibility criteria, to the requirements to prove eligibility, and the potential timelines for their cases.
- Participants shared how the need (in some circumstances) to provide a financial contribution and proof of eligibility for civil legal aid, as well as increasing stress, could contribute to clients not continuing with their legal aid journey. However, participants believed that once funding was in place, clients were more likely to complete their legal aid journeys.

Practitioner perceptions of the barriers to users accessing and progressing through the civil legal aid process.

- Gathering proof of eligibility was seen as a major barrier by participants. Participants reported the process of obtaining bank statements from their clients as an especially difficult task.
- Many participants welcomed the use of technology to provide their services more flexibly and improve their ability to reach clients from outside their immediate practice area. However, many stressed the need for clients to have the option of quality local legal services, to avoid exacerbating digital access issues for some client groups.

Participants' views on what could improve the efficiency, effectiveness, and sustainability of the civil legal aid system for users.

- Most improvements suggested by participants focused on making the process more accessible by streamlining the method of proving eligibility. For example, working with other government departments, particularly the Department of Work and Pensions (DWP) and His Majesty's Revenue and Customs (HMRC), to be able to check a client's financial status electronically more easily and without requiring the client to call multiple agencies and provide proof in print.
- Participants also stressed the value of earlier engagement in improving their clients' experience. This included speaking to clients earlier in the process about their legal issues and available resolution options (e.g. mediation), rather than waiting until the issue had progressed and fewer legal options were available. Participants felt this would divert some cases from litigation by making users more informed about the process.

2. Background and context

2.1 Civil legal aid system

Legal aid is a system of public funding which helps meet some or all of the costs of legal advice, mediation and representation in court or tribunal claims. The scope of what is covered under civil legal aid is set out in the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO).⁷ Eligibility for civil legal aid is usually determined by three components: a merits test which assesses the likelihood of the case's success and its benefit to the client; a means test which assesses a legal aid applicant's financial eligibility; and whether the legal issue is within scope.⁸

In some cases people can get legal aid through the Exceptional Case Funding (ECF) scheme, which provides a route for people to apply for legal aid in cases that do not fall within the scope of legal aid as set out within LASPO, but where the failure to provide funding for a lawyer would risk a breach of the individual's human rights.

Legal aid in England and Wales is delivered through legal aid providers.⁹ Providers are generally either private solicitor firms or not-for-profit (NfP) organisations. Providers hold contracts with the Legal Aid Agency (LAA)¹⁰ to provide legal aid services and are paid for their legal aid work by the LAA. There are eleven specific contractual categories of law under civil legal aid.

⁷ *Legal Aid, Sentencing and Punishment of Offenders Act 2012*, c.10. Available at: <https://www.legislation.gov.uk/ukpga/2012/10/contents/enacted>

⁸ Scope in this context means what can be covered by legal aid, for more information about what is covered under Civil legal aid, please see: [Work out who qualifies for Civil legal aid - GOV.UK \(www.gov.uk\)](http://www.gov.uk). Sometimes people can get legal aid even though their case is not within scope of LASPO. This is known as exceptional case funding (ECF), which provides a route for people to apply for legal aid in cases that do not fall within the scope of civil and family legal aid, but where the failure provide legal aid would be a breach of the individual's human rights, or where there is a significant wider public interest in funding legal representation for inquest cases. The same means and merits criteria apply as for legal aid, but there is an additional ECF merits criteria to be met.

⁹ Frequently legal aid services are delivered by solicitors and barristers, but they may also be delivered by legal executives, non-formally qualified caseworkers and mediators.

¹⁰ The LAA is an executive agency responsible for making sure that legal aid services from solicitors, barristers and the not-for-profit sector are available to the general public. In addition, they fund the civil legal aid service.

2.2 Review of Civil Legal Aid

This research with fee-earning practitioners in civil legal aid provider firms and NfP organisations is part of the Review of Civil Legal Aid (RoCLA), which was launched by the Ministry of Justice (MoJ) in January 2023. The objective of the Review is to identify options for improving the sustainability of civil legal aid provision by increasing the efficiency and effectiveness of the civil legal aid system, ensuring it can help deliver access to justice over the long term.¹¹ RoCLA is comprised of four research workstreams examining different aspects of how the system is working:

1. The **Economic Analysis** workstream focused on reviewing and assessing the structure of the civil legal aid market, delving into how the market is currently functioning and identifying the root causes of its problems. This analysis was conducted by an independent contractor, PA Consulting.
2. The **Comparative Analysis** workstream conducted an analysis of civil legal aid systems in six countries (Australia, Canada, Finland, the Netherlands and the USA, and within the United Kingdom, Scotland) with the aim of identifying promising approaches and initiatives that may be transferable to England and Wales.
3. The **Data Publication** workstream produced a series of documents summarising of key descriptive information about the provision of civil legal aid services, with a focus on changes over time.
4. The **User Research** workstream conducted end-user research with people who have previously received civil legal aid, as well as with legal aid providers. The research aimed to explore their experiences with the civil legal aid process and identify issues from a user perspective, as well as through the perspective of providers and trusted intermediaries. This research forms the basis of this report.

¹¹ For more information, including the terms of reference for the review, these can be found here: <https://www.gov.uk/guidance/civil-legal-aid-review>

2.3 Purpose of this research

This report contributes to the User Research workstream, investigating the user experience of accessing and receiving civil legal aid. The term ‘user’ in this research is used to describe a person who is applying for or receiving civil legal aid, who otherwise might be referred to as the legal aid applicant, potential client, or client. This research seeks to contribute essential evidence from legal aid practitioners’ knowledge and experience through semi-structured interviews. This evidence is presented as part of the wider User Research workstream including two other reports, one exploring the user experience from the perspectives of users of civil legal aid and the trusted intermediaries who often support them to navigate the system (which is available on GOV.UK), and a second literature review which will contextualise this evidence within the broader research that exists on user experiences with the civil legal aid system.

The perspectives of practitioners are valuable and supplement those of users and trusted intermediaries when considering the user experience of civil legal aid. A user will typically only have engaged with the legal aid system regarding their specific issue, whereas a provider has experience across multiple users from different backgrounds presenting with various legal issues. Providers facilitate users’ legal aid journeys through direct contact with the LAA, preparing and filing applications, raising appeals when applications are rejected, and advising users about the scope and limitations of legal aid among other tasks.

The findings of this research will be used by policymakers to identify options for shaping a civil legal aid system that:

- Is accessible to those who are eligible, so that users are able to obtain the evidence and information required for their application to be submitted, navigate the system, and access information.
- Has optimised and user-friendly processes, with streamlined systems that will minimise unnecessary administrative work for all parties, enabling a more productive use of time and resources.

3. Methodology

3.1 Sample and recruitment of participants

Participant recruitment

Participants were recruited through LAA contract managers, representative bodies, and an industry bulletin. LAA contract managers provided the research team with the contact details for 100 organisations matching the sampling criteria (outlined below). Recruitment materials, including an email address for prospective participants, were provided to these organisations to circulate. Representative bodies and the industry bulletin shared similar recruitment materials with their members and subscribers. Prospective participants were asked to contact the research team if they were interested in taking part and were given an information sheet and consent form to complete, as well as a selection of screening questions to establish their suitability. They were also asked to provide details about their role and employer to give the researchers context about their civil legal aid work.

Sampling method

A quota-based sampling method was used for the sample selection. Participants were purposively sampled to ensure representation across key categories. Recruitment aimed to maximise variety across the following categories:

- **Location:** encompassing all regions of England, and Wales.
- **Type of organisation:** including private solicitors firms and non-profit organisations.
- **Type of work:** providers in different categories of law and variation in the legal services they offer (e.g. legal help, civil representation).
- **Organisation size:** determined by the number of solicitors within each organisation.

Sample

There were 21 interviews conducted with practitioners from 15 organisations. Table 1 outlines the contractual categories of law in which participants had experience providing civil legal aid. More information on the sample composition can be found in Annex A.

Table 1: Categories of law under LASPO in which participants had experience providing legal aid

Contract Area	Number of individuals with experience in this area who were interviewed¹²
Family	7
Housing & Debt	5
Claims against public authorities	4
Public Law	4
Mental Health	3
Community Care	2
Clinical Negligence	1
Immigration & Asylum	1

3.2 Qualitative interviews

For this research, qualitative one-to-one semi-structured interviews were selected to capture the diversity of participant experiences across the categories used in recruitment (outlined in [section 3.1](#)). This approach enabled the researchers to gather in-depth insights into practitioners' perspectives on users' experiences, addressing a key evidence gap within RoCLA.

Participants were interviewed using Microsoft Teams. Interviews were recorded and the in-built transcription feature was used to produce transcripts for analysis. The transcripts were checked for accuracy based on the recordings prior to analysis.

3.3 Analytical approach

Transcripts from the interviews were thematically analysed. This involved researchers identifying and coding reoccurring themes within each interview transcript. To mitigate bias, this process was cross-checked by another researcher. Thematic analysis was selected to provide a rich, comprehensive and rigorous account of the data while

¹² Some participants had experience working across multiple contract areas, so the figures in this table do not sum to the total number of interviews, which was 21.

minimising researcher bias. The resulting thematic groups formed the basis of the sections in this report.

3.4 Ethics

This research was conducted in line with Government Social Research ethical guidance and standards. The key potential ethical issues identified as part of this study were:

- **Right to withdraw** – participants may have felt pressured to take part as they were being recruited through their employer. To mitigate this risk, participants were given an information sheet and consent form before the interview began, which emphasised that participation was voluntary. This was also reaffirmed at the end, so that participants knew they had a right to withdraw if needed after the interview had taken place.
- **Protection from harm** – participants could have felt distressed from recounting the experiences of their clients who had a difficult case or for potential clients they were unable to help. To mitigate this, participants were fully briefed on the purpose of the research and the topics which would be covered. They were given the opportunity to skip questions or topics, take breaks, or leave the interview if they needed to.
- **Anonymity** – some categories of law under LASPO involve a small number of providers, so it was important participants could not be identified in the subsequent reports. This was mitigated by all potentially identifying information being removed from transcripts and the report and avoiding the use of pseudonyms.
- **Data handling** – interviews were recorded digitally and the recording stored in a secure location with restricted access. Interviews were transcribed at the earliest opportunity, quality assured, then deleted. Personal details were stored separately, as well as being excluded from the transcripts.

3.5 Research questions

The research aimed to address three overarching research questions, as listed below.¹³ These questions were devised to align with the aims of the User Research workstream and fill the evidence gap.

Overarching research questions:

- What are the experiences of users going through the end-to-end civil legal aid process?
- What do practitioners think are the barriers to accessing and progressing through the civil legal aid process for users?
- What could improve the efficiency, effectiveness, and sustainability of the civil legal aid system for users?

A number of themes emerged across these overarching questions. The findings section of this report ([section 4](#)) is structured along those themes.

3.6 Limitations of the research

The main limitation of this research is that the user experience is being explored through provider perspectives, rather than through that of the user. Additionally, practitioners could only offer insights based on the experiences of individuals who had initiated contact with a legal aid provider. Consequently, the research lacks perspective on individuals who may be unaware of or unable to access the civil legal aid system.

A complementary piece of research, focusing on the user experience through the perspective of the user directly, and the trusted intermediaries who support them through the process, was conducted separately as part of the User Research workstream. This research can be found through the following link: [Review of Civil Legal Aid - GOV.UK](#).

To capture a broad range of provider views, and therefore varied user experiences, efforts were made to recruit practitioners from all categories of civil law within scope of civil legal aid, as well as across all regions of England and Wales. This involved targeted email

¹³ Further detailed research questions are available in Annex B.

outreach, oversampling smaller categories,¹⁴ collaborating with representative bodies, and distributing communications through them. However, due to low or non-response from the target groups, it was not possible to interview practitioners across all target categories of law or with practice experience in Wales.

Consequently, although providers working across a range of categories were involved in the research, the findings from this research are not representative of, or generalisable for, all civil legal aid providers or the users they represent. While some distinctions are made in the report, these are based on the perception of participants and are not supported by statistical analysis.

This research is unable to compare the experiences of civil legal aid users with people who privately fund their civil legal cases as this was out of scope of the research. Similarly, some of the issues discussed in this report (such as the stressful nature of the legal process) are likely to be common to anybody going through legal proceedings, not just legal aid clients.

Due to the limited scope and scale of the research, the data is unable to offer insights into the prevalence of the issues identified, both generally and for specific groups of legal aid users. However, when the findings are reviewed alongside those of the complementary piece of research focussing on the user and trusted intermediary experience, a more comprehensive overview of issues begins to emerge.

¹⁴ This process involved identifying smaller categories of civil law (measured by the number of providers in that category) and then including more of those in our invites to take part in the research.

4. Findings

A number of key themes emerged across the responses of participants to the overarching research questions outlined in [section 3.5](#). These themes related to what participants described as the confusion, difficulty, frustration, and stress experienced by their clients, who were users of civil legal aid. The contexts in which these experiences took place, along with variations in user experience, are outlined in sections 4.1 to 4.6.

4.1 Provider capacity

Impact of low provider capacity

- Some participants reported frequently turning away prospective clients because their organisation was at, or close to, capacity, with most of these participants directing them to other suitable firms.
- Participants reported encountering situations where prospective clients who had previously been turned away had attempted to re-establish contact because they were unable to find another provider, as other firms were also at capacity and unable to take on new clients.
- Participants from organisations which often handled urgent cases reported having to prioritise incoming requests and try to 'fit in' clients where they could. Participants emphasised the impact of this on the progression of other cases.

Provider capacity

While specific approaches to managing workloads varied, there was a shared understanding among participants that they experienced the need to balance the quantity of new cases they took on with their ability to provide a quality service to their existing clients. While some participants felt their workload was manageable in terms of demand for their services and the capacity of their organisations, others described more regularly having to turn away prospective clients.

Participants discussed that generally, potential clients were understanding when turned away. Others cited this as a source of frustration and difficulty for potential clients, particularly in situations where those prospective clients said to them “you're like the 5th, 6th, 7th organisation” they had called requesting advice. Some participants reported that previous prospective clients, who they had turned away, had contacted their organisation again requesting legal services for the same case. While participants were not always aware of what prospective clients had done in the interim, many feared that it was a sign that no other providers of civil legal aid that the client had contacted had capacity to take on the client.

While not all participants highlighted issues with their capacity, some participants stressed how impactful it was on the experience of their clients or prospective clients, including the risk that clients who were turned away may have to resort to representing themselves if they were unable to source legal aid services elsewhere.

Provider workarounds

Participants discussed how signposting often formed part of the process when turning away clients, including actively connecting clients with alternative providers or support services. In some areas of law, participants mentioned the urgency of certain requests, and how they would undergo a triage or prioritisation process to identify these requests to try to “fit them in” around their other clients:

“It's really hard because you're trying to then sort of differentiate between people who are in really, really desperate situations as opposed to just a generally desperate situation. See what I mean? So if people are, you know, obviously immediate risk [with their legal issue] then obviously they get priority.” – **Participant**

There were mixed views on the suitability and use of waitlists to manage workload and capacity. Some participants discussed how operating a ‘waitlist’ was not practical for their organisation due to the urgency of need:

“[The client] has usually got some sort of deadline, and that might be a court hearing or a review, or they’re going to get evicted and they need to be rehoused, and it wouldn’t make sense [to have a waitlist]. It’s a bit like the Fire Brigade operating a waiting system.” – **Participant**

Other participants mentioned that they had no formal waitlist, but processing delays helped to manage the flow of prospective clients. When waitlists were used, this tended to be in contexts where the timescales for cases were longer.

4.2 Client location and remote communication

Summary of the perceived impact of client location and use of remote communication methods

- Some participants described how clients and prospective clients had found it very difficult to find legal aid services local to them.
- There were differing views on the best method of delivering legal services, with many welcoming the use of technology to provide their services more flexibly. However, many stressed the need for clients to have the option of quality, local legal services.

Location of clients

Participants’ organisations took different approaches to taking on work outside their local area. Some participants discussed a reluctance to take on work outside of their local area, particularly when the work was paid at a fixed fee, as it was not considered financially viable to take on the cases owing to the cost of time and travel, for what is considered insufficient remuneration. Others discussed how the logistics of travel, either on the part of the legal professionals or the clients, were not deemed in either parties’ interest.¹⁵ In contrast, other participants discussed frequently taking on work from outside their local area, including a willingness for clients to travel far to access their services.

¹⁵ The civil legal aid contract specifically prohibits costs being claimed as a result of the client being in a distant location from the provider if it would have been reasonable for the client to instruct a more local provider.

Remote communication

The ability to provide services more flexibly using video-conferencing technology post-pandemic was generally welcomed by participants. Many believed that the option of remote working and meeting with clients using videoconferencing from outside their immediate practice area was beneficial for clients. However, participants noted that this could vary depending on the needs of the clients they interacted with, with a general view that the method of delivery should be guided by the clients' wishes.

Some participants discussed how greater use of remote communication allowed some clients to “shop around” for legal aid providers with particular specialities or good reputations. Participants reported that some clients prioritise expertise in a specific category of law over the convenience of local, in-person communication, opting instead for remote interactions. Participants who practiced in areas of law with fewer providers often saw clients from outside their local area.

“Oh, see [category of law] is a very small world of providers, so geography really doesn't come into that at all. They just want specialists who have that contract.” – **Participant**

There was a perception among participants that clients should have the freedom to choose how they engage with a provider, considering that some may face challenges with remote communication or travelling long distances to access legal services. Therefore, there remains a need for the provision of quality civil legal aid services locally. The difficulties of those who lacked digital access or literacy skills were raised by participants when clients had to travel long distances to access legal services, often focusing on the stress and financial strain this puts clients under.

“It's quite a stressful experience, especially when they're an hour away from the office. That can get quite stressful.” – **Participant**

Participants tended to favour at least some face-to-face interaction with clients, with the initial meeting usually conducted in-person where possible. Whether it was the provider or client who undertook travel more frequently varied by the category of law and the type of

clients that participants usually interacted with. Participants frequently interacting with vulnerable clients tended to take more of the travel burden.

Participants sometimes used the initial meeting as an opportunity to start the eligibility process, with some participants describing how conducting initial meetings with clients in their homes enabled them to assist in gathering the required evidence and proof of eligibility. This is especially true in areas of law where participants stressed the importance of relationship building with vulnerable clients, such as in Mental Health, Community Care, Family, Housing and Debt, Immigration, and Claims Against Public Authorities.

“I just feel like it makes them feel as though they're more a part of the process and it can, you can feel very removed if everything's just done on the telephone or via a computer.” – **Participant**

“A lot of relationship building is required in [this category of law], and I would rather go and see the [client] that I'm going to be representing face-to-face to try and build some rapport. [...] I think that's really important in our work.” – **Participant**

Participants with vulnerable clients expressed a preference to provide the option for clients to attend remote hearings from the providers' office. This was seen by participants as a way to address a potential lack of access to technology or privacy for remote participation in the hearings, and to provide support during the hearing and discuss it immediately with their legal representative.

Participants discussed how clients could not always find in-person services locally, so may have to travel to access them. Participants expressed concerns that the lack of local provision was a significant barrier in accessing civil legal aid and had a negative effect on the experience of civil legal aid users.

4.3 Legal aid awareness

Summary of prospective clients' awareness of legal aid and the legal aid process

- Participants considered existing legal knowledge among their prospective or current clients to be low. This included the existence of civil legal aid, the legal aid process, and the legal process in general.
- Low awareness often resulted in participants having to manage the expectations of clients, in terms of what is possible through legal avenues and what is in scope of civil legal aid, as well as the time and effort involved in the legal (and legal aid) process.

Awareness of civil legal aid

Awareness of the existence of civil legal aid among the public was felt to be low by participants. Some participants were concerned that people with legal issues were not applying for civil legal aid or seeking support with legal issues, despite being eligible, due to their lack of knowledge of the scheme. In certain areas, such as Housing and Debt or Mental Health, those with legal issues were often advised about the support they could receive, for example from charities. Some participants thought there should be greater awareness raising initiatives about what support is available, as well as the eligibility criteria for receiving legal aid.

Awareness of legal aid processes

There was a general sense amongst participants that there was low awareness among users about the processes associated with legal aid. Participants often thought that this low awareness going into the process contributed to continuing confusion and frustration as their case progressed.

Many participants described how their clients felt shocked or surprised when they were told about the amount of information they had to provide to prove eligibility for legal aid (discussed further in [section 4.4](#)). Participants discussed how, in their initial meetings with clients, there was often an element of “expectation management”, in terms of what is

achievable through legal aid, what the process of applying for legal aid entailed, and how long the process was likely to take.

In general, participants described how prospective clients who were referred to their organisation through support organisations, such as domestic abuse or housing charities, were often more aware of the process than other sources. However, some participants questioned the quality of the advice given by these organisations in terms of the complexities and uncertainty of applying for legal aid in certain circumstances.

4.4 Proving eligibility and securing funding

Summary of issues raised regarding eligibility and funding

- Gathering proof of eligibility was often described as a significant barrier by participants.
- The requirement to provide evidence of domestic abuse was a particularly sensitive area to obtain proof of, with participants describing how it can cause difficulties for their working relationship.
- Complexities in the process were compounded when legal issues did not map neatly onto categories of law within the scope of legal aid, such as ‘clustered’ legal issues.
- Participants raised concerns that difficulties securing interpreters and the associated costs limits the accessibility of legal aid for those who have low proficiency in English.
- Participants described how the requirement (in some circumstances) to provide a contribution towards their legal costs can prevent some clients accessing legal aid.
- The high level of uncertainty around Exceptional Case Funding applications was seen by participants to impact the progression of cases. Participants’ organisations took different approaches in these circumstances, often having to split working on progressing cases and securing funding.
- Participants often described the uncertainty of funding as an obstacle to delivering legal services and a cause of stress for clients.

Difficulties providing evidence of eligibility

Participants described how gathering proof of eligibility can be stressful for clients. While many participants recognised the necessity of the process, they also highlighted the importance of streamlining or simplifying it. The prospect of collecting and compiling the required range of materials can be discouraging for clients.

“I usually find myself saying to people quite quickly, ‘Here’s a list of all the documents that I need.’ and then it’s anyone’s guess whether they think it’s worth going around and getting them all.” – **Participant**

“I know from experience that people find their means test very stressful.”
– **Participant**

“It’s totally frustrating. So for us to say, ‘You’ve got this issue, but we can’t help you without this [proof of eligibility],’ and when it’s perfectly obvious that they’re eligible.” – **Participant**

A common issue discussed by participants was the difficulty faced by their clients in obtaining up-to-date bank statements and other financial documents. Some participants believed that those who were self-employed found it more difficult to prove eligibility than those with passported benefits or those in employment if they did not have sufficient records. Participants mentioned that other clients had difficulties sourcing relevant financial proof of eligibility because of a lack of access to, or knowledge of, online banking services as well as limited access to in-person banking services. Some participants also discussed how their clients could be charged by banks or other parties (such as libraries or print shops) to access all the necessary paperwork physically if they lacked email access to provide the paperwork digitally.

Another common issue participants discussed were delays caused by the “back-and-forth” between clients and participants when trying to get suitable proof of eligibility. As the provision of this evidence is time sensitive, particularly bank statements, participants outlined how delays in the collection of one type of document could result in further delays

as previous copies then needed updating. Participants reflected that if this was initially difficult to obtain, this then exacerbated the difficulties acquiring the proof again:

“I do experience their frustrations when they're asked for more and more things by the Legal Aid Agency.” – **Participant**

“And then we have to go back to them and I think a lot of people, you know, especially if they're a single parent caring for children, they find it difficult to get time.” – **Participant**

Some participants discussed difficulties obtaining proof of eligibility when their clients had difficulty understanding the legal aid process. This often caused more delays either because participants had to interact with third parties (such as family members or the Local Authority) to provide financial and other eligibility paperwork where such an option was available, or because they had to request the LAA to waive some of the eligibility requirements. Participants discussed how, if they were able to speak to the LAA about their situation, the LAA had discretion to provide funding and often allowed cases to proceed. However, this required proof of efforts made to acquire relevant evidence of eligibility, which causes additional delays.

Clients who have experienced domestic abuse were reported to struggle in providing evidence of the abuse. Additionally, some participants discussed the practical challenges faced by individuals who have recently left vulnerable situations in proving financial eligibility:

“If you've got someone who's just fled domestic violence and they're in a refuge and they've got no access to their bank accounts, they can't access their emails, they can't do anything because they've been, you know, in a controlling, coercive partnership. Being able to provide us with what we need, it can be really difficult.” – **Participant**

The specific evidential requirements related to domestic abuse had caused difficulties for some participants' clients, and strained their working relationship with their legal adviser:

“But when you have to start the conversation with, ‘By the way, before I can even help you, can you go and get me all this stuff.’ That is not an easy start for somebody, especially if some of the stuff you're asking for is, ‘Can you prove to me that you've been the victim of domestic abuse and your word isn't enough?’ That's awkward. Frankly, that's awkward in the modern way of thinking.” – **Participant**

Participants also discussed how other administrative tasks, such as completing paperwork, can also represent a barrier for their clients, particularly for those with low literacy skills, low levels of English proficiency, and more general difficulties understanding the legal process. Language barriers were mentioned by participants, either in terms of the impact on completing the paperwork or in difficulties of getting appropriate interpreter services in place. Where they could, some participants discussed how proactively completing paperwork for clients could benefit their experience of civil legal aid:

“...the more we do for them, the better experience they get. They don't like completing forms. Um, you know they want everything done for them [...] it's about taking that stress off them.” – **Participant**

Participants outlined several ways in which they try to assist their clients to overcome barriers in proving eligibility. This included allowing clients to use IT facilities within offices to access relevant documentation, providing “return-envelopes” with pre-paid postage when providing physical documents, and providing guides developed in-house explaining how to provide relevant proof. The participants’ organisations took varying levels of proactivity in terms of helping clients to provide this documentation. Some participants described how, particularly when very specific proof of eligibility is required, they would support clients with sourcing it:

“...we'll make an appointment to come in the office and we'll go through it all and we'll contact GP surgeries or domestic abuse organisations and say ‘This is the letter that you need to fill in. Please can you do it.’”
– **Participant**

Reluctance to provide proof of eligibility

The requirement to gather evidence to prove eligibility for civil legal aid was often described as a barrier by participants. This ranges from being an inconvenience for clients, to being a prohibitive factor clients struggled to overcome. Participants discussed how there was a general reluctance to share the level of detail required with their legal professionals or with the LAA. This reluctance was said to potentially add strain to their working relationship. Participants often linked clients' reluctance sharing documents with low awareness of the civil legal aid process.

“[Clients think:] ‘Why do they have to know this information?’ and that then becomes very frustrating for clients or prospective clients” – **Participant**

“And some of the clients can be really unpleasant and horrible and quite offensive about the fact that we're asking for different pieces of information, different things. And you know, it's sort of sets your working relationship off on the wrong foot.” – **Participant**

Complexities around legal aid scope and process

Participants felt there was a high level of complexity in the types of legal issues their clients faced, the scope of civil legal aid, and users' experience of navigating the legal system as a whole.

The most notable impact of the complexities discussed by participants, aside from the inherent complexities of cases, was the challenge when clients' legal problems presented as a 'cluster of issues' that did not neatly align with the scope of civil legal aid. For example, a portion of a legal issue might fall within scope while another portion does not. Alternatively, all aspects of a legal issue may be within scope, but the specific provider approached by clients may not hold the relevant contracts with the LAA to handle all the categories of work.

Participants discussed several options that they or their organisations could take in this situation, including separating out case work into separate “files” so that separate legal issues could be independently funded, either through the client paying privately (through

market or lower rates), or alternative funding (such as grants or separate legal aid certificates). Similarly, participants also discussed how sometimes they could take on the work that fell under their contract and refer on the additional work to other organisations.

However, such approaches where clustered legal issues were separated out were not always seen as in the best interest of clients (despite being practically possible):

“We could think of various different ways to set up files that would make it easy for us, but it's not realistic for a client. I wouldn't say to try and think of elements of their life as completely separate when they aren't.”

– **Participant**

In addition, participants often discussed the vulnerability of their clients, and the importance that they receive continuity and build a trusting relationship with their legal professionals who are helping them through often traumatic or difficult circumstances. Participants felt that separating out legal issues caused confusion among clients, which was often linked to poor understanding of the scope and process of civil legal aid and added an additional strain to their working relationship:

“[They] find it very confusing actually, and I think because [they've] got some learning difficulties anyway, [they] don't understand why we can only do, bits [of legal representation] and the legal help.” – **Participant**

“It's really difficult because I think again it can feed into trust and rapport building as to why can't you help me with this. ‘You could help me with that, why can't you help me with this?’” – **Participant**

In response to these concerns, some participants would conduct pro bono¹⁶ work for smaller issues which occurred in the process of working on the main legal matter, for simplicity and continuity. However, not all organisations took this view, with others

¹⁶ ‘Pro bono’ legal work is work that is conducted for clients at no cost. There are several mechanisms and requirements in place when conducting *pro bono* work. For more information, please see: <https://www.lawsociety.org.uk/topics/pro-bono/introduction-to-pro-bono#practical>

restricting work only to that funded through legal aid. This difference in approach was similarly found when there was uncertainty surrounding the granting of legal aid funding, with some organisations seeking workarounds until certainty around funding emerged, whilst others desired clarity before proceeding with work.

Another way in which complexities did not map neatly onto the scope of civil legal aid was in situations where part of a legal issue was not means tested, but subsequent work was. This was particularly true in the areas of Mental Health and Family Law, and often resulted in what some participants described as difficult conversations with their clients:

“...then they find that [further work] is means and merits tested and it's a bit of a shock for them because all of a sudden I'm asking them for, you know, last time their experience of legal aid was 'I'll get it for you in two seconds'. This time I'm asking for three months bank statements, three months' pay slips, a copy of a tenancy agreement.” – **Participant**

As discussed earlier in this section, gathering proof of eligibility in general was described as a significant barrier by participants for their clients. In this context, the shift between the non-means tested and the means tested work caused confusion for participants' clients, and in some cases led to clients leaving the legal aid process:

“I represented somebody under non-means and non-merits tested legal aid and then when [previous work completed] and I started asking them for all of these additional documents, they were like, 'Why are you asking me for all of this? I didn't need to do this last time. I thought you were supposed to help me.' And then I never heard from them again.”
– **Participant**

Partial contributions and paying for work outside the scope of civil legal aid

Many recipients of civil legal aid must contribute to some of their legal costs, with the amount of contribution determined by their monthly disposable income or their capital

assets.¹⁷ Participants explained that, although the majority of their legal costs are likely to be covered, the cost of contributions can put clients in difficult positions, with some mentioning the rising cost of living since 2021.

“Particularly with all the other costs everybody’s juggling at the moment, with fuel, mortgages, and whatever else it might be, you know, sometimes clients will just say, ‘Look, I’m sorry. I just can’t. I can’t afford the contribution.’” – **Participant**

“It’s ultimately a choice between ‘Do I pay my legal aid contributions, or do I pay my other bills?’, and inevitably people are always going to choose their bills because they just can’t afford that.” – **Participant**

Participants also highlighted those complex situations where a client’s legal issue may not align neatly with the scope of civil legal aid. Participants explained that in such situations clients may have to pay for part of their legal work. This increased the risk that a costs order could be made against them at the conclusion of the litigation, which they would be protected from if they were in receipt of legal aid. Participants viewed paying these costs, and paying legal aid contributions, as a stressful experience for clients.

“It quite significantly impacts their lives financially and those who do take the decision to either pay the contribution or expose themselves to cost risk, it definitely makes the process much, much more stressful for them.”
– **Participant**

Many participants shared examples of how delays could impact on the ability of participants to continue with their legal aid journeys, as monthly contributions continue until the case concludes.

¹⁷ Current guidance for Civil legal aid eligibility criteria can be found here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1175612/Means_Assessment_Guidance.pdf

Uncertainty of funding

Costs and uncertainty of funding were raised when discussing access to legal services for those with low English proficiency or those who require a sign language interpreter. Organisations would often have to cover these initial interpretation costs until legal aid was in place; sourcing and paying for these services was difficult if there was uncertainty over whether legal aid would be granted.

“We need to be open, we need to be accessible, regardless of language or disability. The reality is we cannot carry the burden of interpreter's fees.”

– **Participant**

In some instances, organisations with links to local charities or other referral sources were able to use these networks to provide interpretation services. Large organisations also discussed relying on the language skills of other staff within their organisations in order to help. The importance of having a consistent and trusted interpreter was stressed by participants who often worked with vulnerable clients, particularly those in the Family and Immigration practice areas.

Several participants reported frequently having to apply for ECF to fund their clients' cases. This process, participants described, was less predictable than other work. Participants and their organisations took different approaches to this situation. For example, in instances where the legal issues did not neatly align to the legal aid contracts (or those the firm held), some organisations would continue to provide legal services to their clients as if they had funding in place, whereas others would not work until they had funding in place. Others would prepare the clients to represent themselves until funding was granted or conduct the work pro bono. This uncertainty of funding was raised by participants familiar with the ECF process as a negative experience for their clients, either because they may not be able to work on their cases until they have funding in place, or because they were unable to commit their full attention and work towards progressing the case until the funding was in place.

“I was having to prepare the client to represent [themselves]. Essentially, I said, ‘If we don't get funded, you know, we cannot be there with you’. And [they] were understandably emotional, distressed. Luckily, they did. They manage[d] to get it in place just in time, but yeah, I think it added to [their], and they were already an emotional set of proceedings. I think it did heighten that for [them].” – **Participant**

Participants also discussed how sometimes they would be unsuccessful on their first application for ECF, but subsequently have funding granted through appealing this decision. This process would further exacerbate the issues of splitting work between case work and getting funding in place, or delay in beginning case work until funding is in place.

4.5 Delays

Summary of common reasons for delays

- Delays often resulted from gathering proof of eligibility, the granting of funding, or reliance on third parties.
- Where delays occurred at the start of the legal aid process this had the highest negative impact. However, subsequent delays were said to have caused the most distress for vulnerable clients.
- Many difficulties shared by participants related to accessing the required documentation, sometimes due to a lack of digital access or low literacy skills.

Delays already discussed in report

Delays occurred for a variety of reasons, culminating in some clients not completing their civil legal aid journeys. Some delays came from the legal aid process itself, e.g. from gathering proof of eligibility or getting funding in place, or from a lack of provider resourcing capacity. These have been discussed in previous sections of the report.

Participants believed that delays were most likely at the start of the civil legal aid process for most clients, and that early delays caused had the highest negative impact. Some

participants reflected that once a legal aid certificate was granted, or funding was otherwise in place, delays only played a minor role in the experience of clients.

Other causes of delay

Participants spoke in more detail about delays separate to finding a provider and securing funding. These often related to the types of clients they worked with and the legal problems they worked on. As shown in previous quotations, participants often highlighted how their clients could be in vulnerable situations and how they frequently interacted with institutions such as DWP, Local Authorities, or healthcare professionals. Participants discussed how interactions with these institutions can often lead to further delays in case progression:

“[Delays from third parties] It's a delay that maybe they don't really understand. Um, and they can't see an actual reason why it's happening. So yeah, it can be very frustrating for them.” – **Participant**

Some participants described how clients' circumstances may have changed during the progression of cases. While rare, participants described how some clients had become ineligible for legal aid as during the delay, their assets or income would accrue to the extent that they were no longer eligible for funding.

While the actions of third parties and the actions of courts are not necessarily related to the civil legal aid process, participants stressed how these delays exacerbate the negative experiences and potential delays from the civil legal aid process, discussed further in this section.

Impact of delays on clients

Participants discussed how delays in the process could negatively impact the mental health of their vulnerable clients:

“So if you said to them "right, we're working towards a date in June for your hearing." And then for whatever reason that gets put off, you know that often causes a massive spike in their anxiety. So I think because they tend to be, you know, most legal aid clients tend to be quite vulnerable anyway, it does make it worse for them.” – **Participant**

Some participants discussed how slowly progressing cases could force their clients to “relive” past traumatic experience:

“[Vulnerable clients] feel as though their life is effectively being put on hold while the process is continuing, and I think they feel the delays the most out of the types of clients that we have.” – **Participant**

“We're still having a conversation about some kind of abuse that they've suffered or neglect that they've suffered.” – **Participant**

“[Clients not continuing their legal journeys] ...yeah, I mean that, I mean that happens, like, fairly often 'cause people just get exhausted. Uh, it's hard to bring this litigation, and particularly when it relates to traumatic events.” – **Participant**

4.6 Opportunities for improvement

Summary of potential improvements to benefit the experience of users

- Most participants believed that earlier engagement was beneficial for the experience of users, as it could reduce the escalation of legal issues or allow more time to complete administrative and eligibility tasks.
- While there was scope for participants to have some eligibility requirements waived when working with clients with difficulty comprehending the complexities of the legal aid system, participants believed that greater formalisation of the process would benefit these clients.

- Participants stressed the need for reliable and accurate information surrounding the scope, process, and eligibility requirements to be shared with prospective clients from referral sources. They felt that low awareness of civil legal aid from some referral sources further compounded this, particularly regarding the nuances in civil legal aid.
- Local knowledge was often viewed as making the process more efficient, especially when the area of law involved frequent interactions with local agencies and authorities.
- Participants with vulnerable clients often highlighted the benefits of having close local links with support services or other organisations.
- Suggestions for improvements tended to focus on greater streamlining of the process and integration of more features into the Case and Cost Management System (CCMS).

Early engagement and quality information sources

Participants generally agreed that earlier engagement with legal advice was beneficial to the experience of both civil legal aid and privately funded work. Participants highlighted the potential of early engagement to reduce the complexity of legal problems by addressing legal issues before they escalated. They also felt earlier engagement could help with the process of applying for funding by giving additional time to go through the necessary processes and appeals. This was seen as beneficial not only to individual clients, but to the wider legal system as participants felt this would reduce the number of cases in courts, as well as possibly reducing the number of individuals who must represent themselves.

While some participants discussed that certain areas of law naturally needed immediate legal input, clients tended to wait before engaging with legal professionals.¹⁸ Participants often described how the later in the process a prospective client approached them, the more stressful the process could be, including the possibility that legal aid funding will not be in place in time to represent them at their hearing. This was partly a result of the time pressure, but also related to awareness and the expectation of clients. Some participants

¹⁸ Participants were not able to confidently provide reasons for why clients waited before engaging in the legal process. Some often discussed late engagement with the process in similar contexts as low awareness.

described how earlier engagement could help set expectations earlier and provide clarity on what avenues could be explored when dealing with a legal issue.

Participants mentioned how the quality of early information given to prospective clients varied, with some clients having “unrealistic” expectations or the wrong impression about civil legal aid. While some participants shared positive experiences of working with local organisations and referrals from other legal professionals, in some cases participants thought clients could have been misinformed about the complexities and uncertainty of receiving legal aid funding in specific circumstances:

“The [referral source] doesn't quite have an understanding of the limits on legal aid either, so they might see that perhaps somebody receives a benefit and then say to them ‘Oh, you should be eligible for legal aid. Go and see a solicitor.’ [...] I would say in general it's a relatively poor understanding of when people may or may not be eligible.” – **Participant**

Some participants described how they have collaborated with referral sources and other organisations to ensure that accurate and realistic information relating to legal aid is given to prospective clients at an early stage.

Provider knowledge of local area

Participants were asked the extent to which they believed that local knowledge of their practice area, including local agencies or third-sector organisations, was a benefit to their clients. The perspectives suggested differences according to the category of law the participant practiced in, and to what extent this involved regular interaction with organisations such as local authorities or local healthcare agencies. One way in which local knowledge was perceived to improve the experience of users was through the “efficiencies” achieved by having prior knowledge of contact points within local authorities and agencies. Some participants, who had worked with clients outside of their usual area, discussed how not having these contacts had made cases progress more slowly as this knowledge was accumulated.

Local knowledge of support services was also seen as important by participants. Participants would raise and stress the vulnerability of the clients they usually work with, and explained how they utilise their local knowledge and links to support their clients:

“If somebody's struggling with the court process, then they might, you know, struggle with their mental health or drugs or alcohol in turn. And so, it's important for us to be able to say, 'Here's the support if you want it. And here's the details of this agency. And we know this agency are good.’”

– **Participant**

Having these local links, participants suggested, improved the experience of their clients on their legal aid journeys as it could help to ensure they were well supported throughout their case. However, other participants did not think that local knowledge significantly impacted on the experience of their civil legal aid clients. This may be because they did not regularly interact with local or regional agencies in the course of their work, other than the LAA.

Participants from some providers, such as NfPs, outlined how the “integration” of several legal and non-legal services into one organisation improved the experience of their users. These integrated services, participants argued, provided a better user experience as clients, who they stated often travelled far with multiple issues, were able to get support on multiple fronts in one visit.

The importance of this local knowledge was also raised when discussing the complexity of cases, particularly when discussing clients who have high expectations of what solicitors or legal avenues can achieve for them:

“The time in [clients’] lives that they are going through is incredibly stressful and the issues aren’t only legal issues, but ultimately that’s what we are there to help with, is the legal side of things. So, I think it’s helpful when we can say to somebody, ‘As much as we might want to help you, we’re only qualified to, you know, to help you with the law. So, if you maybe approached this service, then they might be able to assist with that.’” – **Participant**

Other participants discussed how a close working relationship with local agencies or authorities can be off-putting for clients. This was either because they felt clients prefer less crossover of their legal issues and their everyday life in a local area, or because they are sceptical of providers with close relationships with local agencies and authorities.

Clients’ comprehension levels

Participants reported that their clients often struggled to comprehend the concepts associated with the legal aid process. They further reported that it was difficult, as providers, to judge the comprehension levels of prospective clients. Participants felt that these difficulties understanding the process contributed to delays with the case. Greater formalisation of the LAA process could make the experience better for these clients.

It was suggested that the LAA could work more closely with other partners in the mental health sector, such as the National Health Service (NHS) and Local Authorities, when processing legal aid applications. Some suggested that having a “statutory right” to representation may benefit these users. And that such measures could reduce the administrative burden for clients.

Digitisation

Participants discussed how “digitisation” of the civil legal aid system had benefited some of their clients and encouraged further steps which could improve the client experience. Specific examples of existing improvements included the relaxation of the rules stipulating “wet ink”¹⁹ signatures on paperwork introduced during the COVID-19 pandemic and the

¹⁹ ‘Wet ink’ signatures require the physical signing of documents, instead of other methods of signing such as ‘e-signatures.’ For more information, see guidance provided on the gov.uk website titled ‘Coronavirus

integration of a passporting benefit check (such as universal credit) into the CCMS used by providers to manage civil legal aid cases.²⁰ Participants discussed how both these improvements had made proving eligibility and the administrative process easier for clients while also reducing the number of delays in case progression.

Participants encouraged further development and improvement of CCMS. This included clearer guidance on the format materials should be uploaded in as well as further integration of data held by government departments like the DWP and HMRC as this would help to reduce delays and the amount of evidence users were required to gather to demonstrate eligibility. Participants also shared how a portal for those able to share proof of eligibility directly with the LAA, without the involvement of their legal representatives, could make the process more efficient as the LAA could contact clients directly if further information is required.

(COVID-19): working with clients': linked <https://www.gov.uk/guidance/coronavirus-covid-19-working-with-clients#using-digital-signatures>

²⁰ CCMS is an online system for civil and family legal aid providers and others assigned to work on their cases, e.g. advocates, clerks, and costs lawyers. CCMS covers the whole process for certificated civil and family legal aid work, from submitting legal aid applications to paying bills. More information can be found here: <https://www.gov.uk/guidance/bringing-civil-legal-aid-processing-online>

5. Conclusion

In summary, participants reflected on the following experiences of civil legal aid users:

- **Lack of capacity in the system was sometimes a barrier to accessing civil legal aid.** Prospective clients were reported to have difficulties in finding representation and having to reach out to multiple firms.
- **There were differing approaches to the method of delivering legal services.** Many welcomed the use of technology to provide services more flexibly, yet others stressed the need for clients to have the option of quality local legal services.
- **Participants believed that gathering evidence to prove eligibility for civil legal aid was sometimes frustrating and difficult for users.** Difficulties tended to focus on gathering financial documents, including bank statements.
- **Complexity of the system caused confusion for users.** Participants reflected that prospective and current clients they interacted with had a lack of awareness of how civil legal aid worked, including eligibility, scope, and timescales.
- **Contributions to legal aid were sometimes difficult to maintain and contributed to users not completing their journeys.** Participants reported instances of clients finding ongoing contributions stressful and difficult to maintain if cases progressed slowly.
- **Participants often believed earlier engagement could make the process easier and less stressful.** This was because cases could be diverted from litigation or reduce the uncertainty of whether work would be funded under civil legal aid.

As [section 3.6](#) set out, these findings reflect experiences of a small number of civil legal aid practitioners, so the significance and prevalence of these experiences is unknown. Future research could address this or focus on the categories of civil law under LASPO not covered in this research (Education, Discrimination, Welfare Benefits). Future research could also explore the unique experiences of specific categories of law in more depth as this could impact the user experience.

Annex A

Additional sample information

Table 2: Regions participants had practice experience in

Regions participants had practice experience in ²¹	
London	6
North East	3
West Midlands	3
North West	3
East Midlands	2
South East	2
Yorkshire and The Humber	2
East of England	2
South West	2

Table 3: Operational structure of the participants' organisation

Structure of participants' organisations	
Solicitor Firm	10
Not-for-profit	5

²¹ This could be the location of the office or branch where they worked, or the area their organisation covered. This may not be the location where their clients are based. Some participants worked across multiple regions.

Annex B

Detailed research questions

- A. What are the experiences of users going through the end-to-end civil legal aid process?
- 1) To what extent does practitioner workload and/or capacity effect the experience of their civil legal aid clients?
 - 2) To what extent do delays effect the experience of users?
 - 3) To what extent does the complexity or combination of legal issues effect the experience of users?
 - 4) How aware do practitioners think their clients are about legal aid, and what it does and does not cover?
 - 5) How does the fact legal aid might not cover all of the legal issues clients face effect their experience?
 - 6) To what extent do practitioners think the method of delivery effects the experience of users?
 - 7) In practitioners' experience, would users benefit from earlier engagement in the civil legal aid process?
 - 8) Do practitioners think that having local knowledge effects the experience of their legal aid clients?
- B. What do practitioners think are the barriers for accessing and progressing through the civil legal aid process for users?
- 1) To what extent do practitioners think administrative tasks are barriers to their legal aid clients?
 - 2) To what extent do practitioners think geographic access to services is a barrier?
 - 3) To what extent have practitioners encountered low digital access or literacy as a barrier?
 - 4) To what extent do practitioners think barriers vary between civil legal aid clients, including those with disabilities?

Civil Legal Aid User Research: Qualitative Research with Legal Aid Practitioners

Informing the Review of Civil Legal Aid (RoCLA)

- C. What could improve the efficiency, effectiveness, and sustainability of the civil legal aid system for the users of civil legal aid?
- 1) In practitioners experience, how have individuals overcome barriers?
 - 2) How would practitioners change the system to improve the experience of users?