

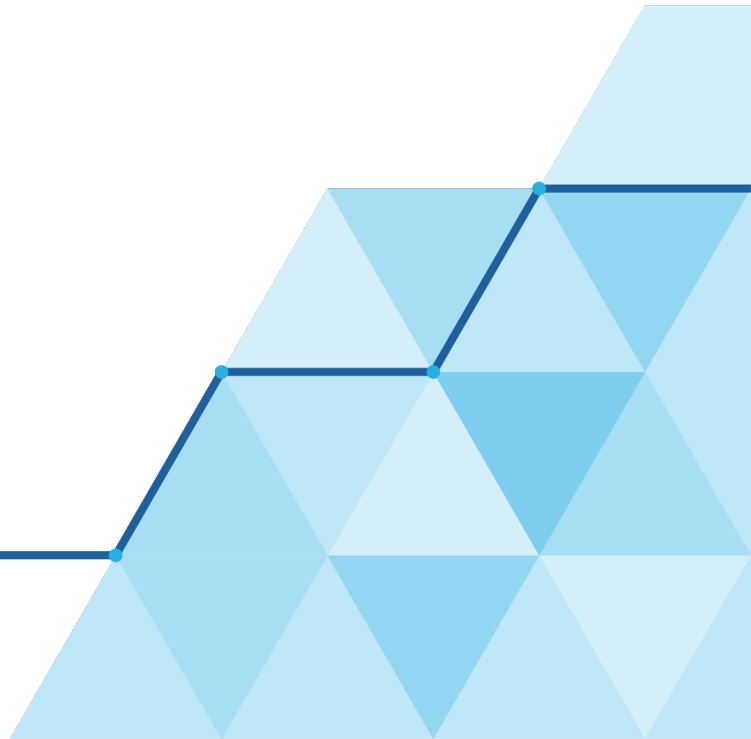


Ministry
of Justice

Review of Civil Legal Aid Data Publication Series

Mental health deep dive

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Introduction

Background and purpose of this publication

1. This report is part of the Data Publication Series workstream within the Review of Civil Legal Aid (RoCLA). The Data Publication Series is a result of two data sharing agreements, one between the Ministry of Justice (MoJ) and the Law Society (LS) and another between the MoJ and the Bar Council (BC). The aim of these publications is to summarise key descriptive information about solicitors and barristers who do civil legal aid to inform the policy-making emerging from RoCLA.
2. More information about the review, including the Data Publications Overview Report which is also part of the Data Publication series, can be found at the following link: <https://www.gov.uk/guidance/civil-legal-aid-review>.
3. This document follows the same structure and definitions as the Overview Report, but mostly focuses on the providers who undertake mental health legal aid work, except where other providers are included in the tables to set the mental health providers in context.

Notes on understanding the data

4. The document is intended to provide context for policy-making and does not draw any conclusions from the data shown.
5. The intention of this publication is to describe the provider experience of doing legal aid work, so we have chosen a provider-centric view. In this publication, “provider” means solicitor, solicitor firm or other organisation, barrister, or all of these, depending on the context. For instance, where multiple providers are involved in a case, then each will show the case in their reported caseload, so aggregating over the cases implied in the following tables may overstate the total number of cases. The same occurs where this publication looks at overlapping groups of providers, where there is no double-counting within groups but adding them together would cause some entities to be counted twice. This is different from other ways of presenting legal aid statistics, such as the Legal Aid Statistics Quarterly,¹ which are concerned with the overall system.

¹ Available at <https://www.gov.uk/government/collections/legal-aid-statistics>

6. Figures presented throughout this data compendium may not add up precisely to the totals provided and percentages may not precisely reflect the absolute figures due to rounding. All counts have been rounded to the nearest 10. Counts below 10 and percentages based on counts below 10 have been suppressed and are shown as '~'. In addition, to make sure the suppressed figure cannot be derived by subtraction, secondary suppression has been applied whereby the next smallest figure has been suppressed and is also marked as '~'. There are some exceptions to this. Firstly, where the only suppressed value relates to a missing or undisclosed information category. As no sensitive information about individuals can potentially be linked to these individuals, secondary suppression is not applied. Secondly, where applying the secondary suppression would lead to too much data being omitted. In these cases, alternative approaches have been used to avoid disclosure and these are explained in the relevant tables. In some cases, additional values have also been suppressed where otherwise zeros would allow the identification of a maximum or minimum value for a reported value for the total turnover of a solicitor firm or total gross income of a barrister.
7. Where the total for a row is 0, any row-wise percentages for that row are marked as '.' to indicate that percentages cannot be calculated for this row.
8. In order to maintain readability in this report, not all the tables considered are shown here, including cases where the underlying data shows no particular trend or difference to other data already shown. However, all the tables are published in the accompanying data tables spreadsheet which can be found on GOV.UK.
9. Please also note further information about the quality of the data matching in the annexes at the end of the report, this includes further detail about the coverage and limitation of the data sources, as well as quantification of the match rates.

Solicitor firms

Additional methodological details for solicitor firm statistics

10. In this chapter, the term "firms" can include other organisations as well as solicitor firms. Further details on the different types of organisations, as well as details on which types have been matched to LS data, can be found in Annex I – Data matching rates, in the Solicitor Datashare Annex.
11. In this chapter the firms considered are “active mental health legal aid firms”. These are firms that both submitted at least one final mental health bill in the year shown and held a mental health legal aid contract at the end of the year. This approach removes firms that were billing for work started while they held a contract but were not able to take on new legal aid work, as well as removing firms that held a contract but were billing no work. In this chapter, unless otherwise specified, only income and claims from mental health legal aid are shown for active mental health firms. Each table also shows only the income relevant to the firms in the cohort relevant to that table, so the income received by firms in years in which they were out of contract is also not included in this publication (with the exception of the initial tables in the overview section where the total income for all firms is shown for context).
12. This definition of “active civil legal aid firms” allows us to create a picture of the current civil legal aid providers that are likely to be affected by future policy changes. This is in line with the intent to make this a “firm-centric” publication, which sits alongside the MoJ’s “system-centric” published statistics. Using the end-of-year timing method to identify firms which have a contract aligns with the approach used in the published statistics. The impact of this choice is demonstrated at the start of the following section.
13. There are alternative possibilities to define an “active” provider, either a firm or an office, which would highlight other features of the legal aid system. For instance, using matter starts, instead of billing, to identify when an office is “active” would highlight a view of the legal aid system which focusses on accessibility. In this case we are using billing data because we are focussed on the characteristics of a firm, such as legal aid income, and using firms (rather than offices) because this is the level at which we can report characteristics such as turnover. In some cases, firms stop taking on new work before leaving their contracts, so in these cases there would be fewer “active” firms under the starts-based definition than are shown here.

14. The income from civil legal aid work shown in the following tables includes all the income arising from the main civil legal aid schemes which is paid to solicitor firms, which is intended to align most closely to the turnover reported by firms (from the LS dataset and includes all legal aid income and private work). For this reason, VAT has been excluded from all the figures shown in this chapter,² and disbursements (excluding VAT) are included. Total disbursements made up between 12% and 14% of the total civil legal aid fee income in each year shown. This measure of civil legal aid income includes payments from the LAA as well as the value of inter partes costs³ which providers report to the LAA, however further information about these costs is shown in Annex II.
15. It is worth reiterating that the coverage of the LAA data does not align perfectly with the LS data. The LAA data is on a financial year basis and as such covers the period April – March, whereas the LS data cover the period August – July with the data extracted as at July. MoJ and LS agreed the best approach to use when combining these datasets. Taking the year 2015-16 as an example, it was decided that the LAA April 2015 - March 2016 yearly file would be best aligned with the LS August 2015 – July 2016 yearly file. A key reason for this is because in the LS datasets, turnover is most likely to be reported in October as part of the annual renewal process. Thus for 2015-16, the turnover in the LS datasets would be as reported in October 2015. It was assumed that the turnover would be that of the financial year in which it was reported, which would be the same as the LAA data – April to March. However, this alignment is not exact as some providers' financial information in the LS datasets might refer to a slightly different period of time. This might help explain some of the small time-inconsistencies between the LAA and the LS data. As a result, care must be taken when interpreting this analysis.
16. The tables describing firm composition show all active firms where the only data used is from within the LAA, but where data from the LS datashare is used then only matched firms are shown (as there is no data for the non-matched firms). The tables showing only matched firms have “matched” in the table heading.
17. Where “claims” are referred to in this section, this refers to both final bills from civil representation certificates and all controlled work claims.

² For payments made by the LAA the VAT can be identified and removed, however VAT is not recorded on inter partes costs, so the relevant VAT rate is imputed from LAA payments on the same claim and applied to inter partes costs.

³ These are costs awarded by the court to a party (usually after a successful case). These costs are paid by the other party at rates agreed by the court.

Mental health solicitor firm overview

Key information

- The number of active mental health legal aid firms and overall claim volume from mental health legal aid work has decreased between FY2014-15 to FY2021-22. Income from mental health legal aid has also decreased over this period.
- Each year, over half of mental health firms were also active in another civil legal aid category, but this proportion has decreased from 65% in FY2014-15 to 56% in FY2021-22.
- In FY2021-22, 51% of firms received 80% or more of their income from civil legal aid from mental health work, an increase from 39% in FY2014-15.

Mental health firms in the context of all legal aid providers

18. This section looks at how mental health firm numbers and firm income have changed over the duration of the datashare period, within the context of legal aid providers as a whole. In this section, all active mental health firms and their mental health income are shown, not just the matched firms, to give the most accurate impression of the overall system within which firms operate. The initial two tables also show the firms which have had billing activity in the period and do not meet our definition of “active” – these are referred to as “out of contract billing firms”.
19. Tables 1.1.1 and 1.1.2 show that between 11% and 25% of mental health firms did not have a mental health contract at the end of the year in which they billed, however they accounted for a small proportion (2% to 10%) of the total income from mental health legal aid for all firms.
20. For transparency, there is more detail on the composition of the “out of contract billing firms” in an annex of the accompanying spreadsheet, but otherwise the remaining tables in this publication exclude these firms. Including these firms in the tables of this publication would give the appearance of there being a larger proportion of firms completing small amounts of civil legal aid work than the “active” definition used – this choice is explained in the methodological section preceding this.

Table 1.1.1: Mental health legal aid firms by contract status and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|-------------------------------|------------|------------|------------|------------|------------|------------|------------|------------|
| In contract billing firms | 75% | 80% | 80% | 83% | 77% | 80% | 89% | 82% |
| Out of contract billing firms | 25% | 20% | 20% | 17% | 23% | 20% | 11% | 18% |
| Total | 230 | 210 | 190 | 180 | 200 | 180 | 150 | 160 |

Table 1.1.2: Income from mental health legal aid (£m) for mental health legal aid firms, by contract status and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| In contract billing firms | 91% | 92% | 90% | 93% | 94% | 94% | 98% | 95% |
| Out of contract billing firms | 9% | 8% | 10% | 7% | 6% | 6% | 2% | 5% |
| Total | £38.5 | £34.7 | £34.3 | £34.3 | £34.2 | £36.6 | £32.6 | £34.2 |

21. In tables 1.1.3 to 1.1.5, “all active firms” refers to firms that both submitted at least one final bill in the year shown and held a civil legal aid contract at the end of the year in the relevant category of law. The number of claims and legal aid income reported for these firms includes all claims, and income from those claims, completed by the firm in the relevant financial year. This differs from the number of claims and legal aid income for active mental health firms, where only the mental health claims, and income from those claims, completed by the firm in the relevant financial year are reported.
22. In this section, percentages are based on unrounded values so may not reflect the rounded values seen in the tables.
23. Table 1.1.3 shows the number of active civil legal aid firms, by area of civil legal aid work and by year. In FY2021-22, 11% of active civil legal aid firms completed mental health legal aid work.
24. There has generally been a reduction in the number of active mental health legal aid firms over the period, with an overall decrease of 23%. This is similar to the overall decrease of 22% for all active civil legal aid firms.

Table 1.1.3: Number of active civil legal aid firms by area of civil legal aid work and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|---------------------|---------|---------|---------|---------|---------|---------|---------|---------|
| Mental health | 170 | 170 | 150 | 150 | 150 | 140 | 140 | 130 |
| Year on year change | | -4% | -8% | -4% | 3% | -5% | -6% | -3% |
| All active firms | 1,570 | 1,490 | 1,390 | 1,330 | 1,310 | 1,340 | 1,280 | 1,230 |

25. Table 1.1.4 shows the claim volume of active civil legal aid firms, by area of civil legal aid work and by year. In FY2021-22, 15% of all civil legal aid claims completed by active firms were mental health claims.

26. There has generally been a reduction in the number of mental health legal aid claims completed over the period, with an overall decrease of 25%. This is smaller than the overall decrease of 32% for all active civil legal aid firms.

Table 1.1.4: Claim volume for active civil legal aid firms by area of civil legal aid work and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|---------------------|---------|---------|---------|---------|---------|---------|---------|---------|
| Mental health | 45,370 | 39,960 | 38,150 | 36,440 | 35,650 | 37,290 | 34,280 | 34,170 |
| Year on year change | | -12% | -5% | -4% | -2% | 5% | -8% | 0% |
| All active firms | 331,160 | 279,910 | 273,540 | 272,050 | 264,000 | 266,710 | 198,540 | 224,400 |

27. Table 1.1.5 shows the income from civil legal aid for active civil legal aid firms, by area of civil legal aid work and by year. In FY2021-22, 5% of all income from civil legal aid for active firms was from mental health work.

28. Income from mental health legal aid has varied over the period, with an overall decrease of 8%. This is in contrast to the overall increase of 4% for all income from civil legal aid for active civil legal aid firms.

Table 1.1.5: Income from civil legal aid (£m) for active firms by area of civil legal aid work and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|---------------------|---------|---------|---------|---------|---------|---------|---------|---------|
| Mental health | £35.1 | £32.0 | £30.9 | £31.7 | £32.1 | £34.5 | £31.9 | £32.4 |
| Year on year change | | -9% | -4% | 3% | 1% | 8% | -8% | 2% |
| All active firms | £581.7 | £503.9 | £503.3 | £520.2 | £529.8 | £573.4 | £522.6 | £602.6 |

Composition of work completed by mental health firms

29. Table 1.1.6 shows the civil legal aid categories that active mental health legal aid firms were active in, by year. Suppression has not been applied to this table. Each year, over half of mental health legal aid firms were also active in another civil legal aid category, and this proportion has decreased from 65% in FY2014-15 to 56% in FY2021-22. The proportion of active mental health firms which were also active in family legal aid decreased from 57% in FY2014-15 to 45% in FY2021-22.

30. In all years except FY2016-17 and FY2017-18, the mean number of categories that an active mental health firm was active in was two, including mental health as one of those categories. In the remaining two years, that value was slightly higher, at three.

Table 1.1.6: Active contracts for active mental health legal aid firms, by year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|--|------------|------------|------------|------------|------------|------------|------------|------------|
| Total | 170 | 170 | 150 | 150 | 150 | 140 | 140 | 130 |
| Mental health only | 35% | 36% | 36% | 40% | 44% | 41% | 43% | 44% |
| Mental health + | 65% | 64% | 64% | 60% | 56% | 59% | 57% | 56% |
| Claims against public authorities | 10% | 11% | 13% | 12% | 12% | 12% | 13% | 11% |
| Clinical negligence | 8% | 5% | 6% | 8% | 5% | 5% | 4% | 3% |
| Community care | 17% | 18% | 18% | 19% | 15% | 17% | 19% | 18% |
| Discrimination | 0% | 0% | 0% | 0% | 0% | 1% | 1% | 2% |
| Education | 0% | 0% | 0% | 0% | 0% | 0% | 1% | 1% |
| Family | 57% | 55% | 55% | 51% | 46% | 47% | 44% | 45% |
| Housing & debt | 22% | 21% | 20% | 21% | 19% | 19% | 19% | 15% |
| Immigration | 8% | 7% | 6% | 6% | 6% | 7% | 6% | 6% |
| Miscellaneous and other | 15% | 14% | 18% | 18% | 16% | 16% | 10% | 13% |
| Public law | 9% | 13% | 13% | 14% | 9% | 8% | 9% | 8% |
| Welfare benefits | 2% | 2% | 2% | 2% | 2% | 1% | 1% | 1% |
| Mean number of active categories per firm | 2 | 2 | 3 | 3 | 2 | 2 | 2 | 2 |

Percentages are calculated using the total number of active firms in a year completing mental health legal aid work. Percentages will not sum to 100% due to some firms completing legal aid work in two or more categories.

The "Miscellaneous and other" area of work includes consumer, employment, personal injury and miscellaneous legal aid work.

For the mean number of active categories, categories are defined using the groupings seen in this table, including mental health as one of the categories.

31. Table 1.1.7 shows the proportion of income from civil legal aid that active mental health legal aid firms received from mental health legal aid work, by year. In FY2021-22, 51% of firms received 80% or more of their income from civil legal aid from mental health work, and this proportion increased from 39% in FY2014-15.

Table 1.1.7: Active mental health legal aid firms, by percent of income from civil legal aid through mental health work, and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|--|------------|------------|------------|------------|------------|------------|------------|------------|
| Less than 20% mental health | 32% | 27% | 28% | 28% | 24% | 22% | 19% | 19% |
| 20-40% mental health | 18% | 15% | 14% | 12% | 13% | 14% | 16% | 15% |
| 40-60% mental health | ~ | ~ | 10% | ~ | ~ | ~ | ~ | ~ |
| 60-80% mental health | ~ | ~ | 8% | ~ | ~ | ~ | ~ | ~ |
| 80% and over mental health | 39% | 42% | 41% | 45% | 52% | 52% | 51% | 51% |
| Income from civil legal aid is blank or zero | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Total | 170 | 170 | 150 | 150 | 150 | 140 | 140 | 130 |

32. Table 1.1.8 shows the split of income from mental health legal aid between civil representation and controlled work, for mental health firms, by year. Most firms received more than 80% of their income from mental health legal aid from controlled work, although this proportion decreased from 91% in FY2014-15 to 73% in FY2021-22. Although for mental health legal aid work, controlled work divides up into Legal Help and Controlled Legal Representation, it is not possible to provide a breakdown of controlled work by stage. This is because there is a single payment which depends on which stages are completed on a case, rather than separate claims by stage.

Table 1.1.8: Active mental health legal aid firms, by percent of income from mental health legal aid through civil representation or controlled work, and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|--|------------|------------|------------|------------|------------|------------|------------|------------|
| Less than 20% civil representation, 80% and over controlled work | 91% | 91% | 87% | 83% | 83% | 78% | 78% | 73% |
| 20-40% civil representation, 60-80% controlled work | ~ | ~ | 9% | 7% | ~ | 10% | ~ | 9% |
| 40-60% civil representation, 40-60% controlled work | ~ | ~ | ~ | ~ | 7% | ~ | ~ | ~ |
| 60-80% civil representation, 20-40% controlled work | ~ | 0% | ~ | ~ | ~ | ~ | ~ | ~ |
| 80% and over civil representation, less than 20% controlled work | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Income from civil legal aid is blank or zero | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Total | 170 | 170 | 150 | 150 | 150 | 140 | 140 | 130 |

Firm composition

Key information

- Between FY2014-15 and FY2021-22, there has been a shift to firms receiving higher incomes from mental health legal aid, as well as completing a higher number of mental health legal aid claims.
- In FY2021-22, 48% of firms received less than 20% of their total turnover from income from mental health legal aid work. This has decreased from 58% in FY2014-15, whereas the proportion of firms receiving more than 80% of their total turnover from income from mental health legal aid work has increased.

33. This section focuses on how the composition of active mental health legal aid firms has changed, by looking at the first and last year in the timeseries; FY2014-15 and FY2021-22. In these tables, the bottom row shows the total number of mental health legal aid firms, or total income from that category received by those firms. The columns above this then show what proportion of these totals were received by the firms in each row grouping, within the year of the spanning header.
34. Table 1.2.1 shows the proportion of active mental health legal aid firms and income from mental health legal aid, by their income from mental health legal aid band, in FY2014-15 and FY2021-22. There has been a shift to firms receiving higher incomes from mental health legal aid.

Table 1.2.1: Active mental health legal aid firms, by income from mental health legal aid and year

| | 2014-15 | | 2021-22 | |
|----------------|-----------------|--|-----------------|--|
| | Number of firms | Income from mental health legal aid (£m) | Number of firms | Income from mental health legal aid (£m) |
| Blank or zero | 0% | 0% | 0% | 0% |
| £100k or less | 49% | 10% | 31% | 7% |
| £100k to £250k | 33% | 25% | 43% | 29% |
| £250k to £500k | 13% | 21% | 17% | 24% |
| £500k to £1m | ~ | ~ | ~ | ~ |
| £1m and over | ~ | ~ | ~ | ~ |
| Total | 170 | £35.1 | 130 | £32.4 |

35. Table 1.2.2 shows the proportion of active mental health legal aid firms and income from mental health legal aid, by mental health claim volume, in FY2014-15 and FY2021-22. Half of active mental health firms completed 201 or more claims, an increase from 35% in FY2014-15.

Table 1.2.2: Active mental health legal aid firms, by mental health legal aid claim volume and year

| | 2014-15 | | 2021-22 | |
|-------------------|-----------------|--|-----------------|--|
| | Number of firms | Income from mental health legal aid (£m) | Number of firms | Income from mental health legal aid (£m) |
| 1 to 10 claims | ~ | 0% | ~ | 0% |
| 11 to 50 claims | ~ | 2% | ~ | 2% |
| 51 to 100 claims | 18% | 5% | 18% | 8% |
| 101 to 200 claims | 26% | 14% | 25% | 12% |
| 201 claims + | 35% | 78% | 50% | 78% |
| Total | 170 | £35.1 | 130 | £32.4 |

36. Table 1.2.3 shows the proportion of active mental health legal aid firms and income from mental health legal aid, by total turnover band, in FY2014-15 and FY2021-22. In general, for lower total turnover bands, the proportion of income from mental health legal aid was lower than the proportion of firms in that band, whereas for higher total turnover bands, the proportion of income from mental health legal aid was higher than the proportion of firms in that band

Table 1.2.3: Matched active mental health legal aid firms, by total turnover and year

| | 2014-15 | | 2021-22 | |
|----------------|-----------------|--|-----------------|--|
| | Number of firms | Income from mental health legal aid (£m) | Number of firms | Income from mental health legal aid (£m) |
| Unknown | 3% | 1% | 4% | 4% |
| £250k or less | 25% | 11% | 26% | 12% |
| £250k to £500k | 14% | 12% | 16% | 15% |
| £500k to £1m | 11% | 10% | 12% | 13% |
| £1m to £5m | 35% | 26% | 30% | 45% |
| £5m and over | 12% | 39% | 12% | 11% |
| Total | 160 | £34.0 | 130 | £32.1 |

37. Table 1.2.4 shows the proportion of active mental health legal aid firms and income from mental health legal aid, by the proportion of a firm's total turnover which came from income from mental health legal aid, in FY2014-15 and FY2021-22. There are timing differences in the datasets used to calculate this proportion, which are

described in the “Additional methodological details for solicitor firm statistics” section, which mean this table should be treated with some caution. However, it does show the overall shape of the changing composition of providers’ income and is the best available proxy for firms’ reliance on mental health legal aid income as part of their business model.

38. In FY2021-22, 48% of firms received less than 20% of their total turnover from income from mental health legal aid work. This has decreased compared to FY2014-15, whereas the proportion of firms receiving more than 80% of their total turnover from income from mental health legal aid work has increased.

Table 1.2.4: Matched active mental health legal aid firms, by percentage of turnover as a result of mental health legal aid work and year

| | 2014-15 | | 2021-22 | |
|--------------------------|-----------------|--|-----------------|--|
| | Number of firms | Income from mental health legal aid (£m) | Number of firms | Income from mental health legal aid (£m) |
| Less than 20% | 58% | 37% | 48% | 32% |
| 20-40% | 7% | 6% | 9% | 6% |
| 40-60% | 9% | 10% | 9% | 11% |
| 60-80% | ~ | 2% | ~ | 7% |
| More than 80% | 19% | 44% | 26% | 40% |
| Firm turnover is unknown | ~ | 1% | ~ | 4% |
| Total | 160 | £34.0 | 130 | £32.1 |

Please note that 20 firms reported a total turnover that was lower than their civil legal aid income in 2014-15 and 24 firms reported a total turnover that was lower than their civil legal aid income in 2021-22.

39. Table 1.2.5 shows the proportion of active mental health legal aid firms and income from mental health legal aid, by the number of partners (and partner equivalents in companies), in FY2014-15 and FY2021-22. This is an alternative metric for firm size.
40. The proportion of firms with 4 or fewer partners increased from 71% in FY2014-15 to 78% in FY2021-22.

Table 1.2.5: Matched active mental health legal aid firms, by number of partners and year

| | 2014-15 | | 2021-22 | |
|------------------------------|-----------------|--|-----------------|--|
| | Number of firms | Income from mental health legal aid (£m) | Number of firms | Income from mental health legal aid (£m) |
| Very small (0-1 partner) | 33% | 21% | 37% | 35% |
| Small (2-4 partners) | 38% | 26% | 41% | 44% |
| Medium (5-25 partners) | ~ | 47% | ~ | 18% |
| Large (26 partners and over) | ~ | 5% | ~ | 3% |
| Total | 160 | £34.0 | 130 | £32.1 |

41. Table 1.2.6 shows proportions of active mental health legal aid firms and income from mental health legal aid by region, in FY2014-15 and FY2021-22. Please note that the region is derived from the region of the firm's head office – these firms may have done civil legal aid work in more regions than shown in the tables.
42. In both years, the largest proportion of firms were based in London, with the proportion remaining fairly consistent between the years. The proportion of income from mental health legal aid for firms based in London has decreased between the years, from 48% in FY2014-15 to 28% in FY2021-22, whilst the proportion of income from mental health legal aid work increased by 10 percentage points for firms based in the South East, and 4 percentage points in the East Midlands and North West.

Table 1.2.6: Matched active mental health legal aid firms, by region and year

| | 2014-15 | | 2021-22 | |
|--------------------------|-----------------|--|-----------------|--|
| | Number of firms | Income from mental health legal aid (£m) | Number of firms | Income from mental health legal aid (£m) |
| East Midlands | ~ | 7% | ~ | 11% |
| East of England | 8% | 4% | ~ | 4% |
| London | 28% | 48% | 27% | 28% |
| North East | 8% | 4% | 9% | 5% |
| North West | 10% | 10% | 13% | 14% |
| South East | 10% | 7% | 11% | 17% |
| South West | 8% | 5% | 8% | 7% |
| Wales | ~ | 3% | 9% | 6% |
| West Midlands | 9% | 7% | ~ | 4% |
| Yorkshire and the Humber | 8% | 6% | 9% | 5% |
| Total | 160 | £34.0 | 130 | £32.1 |

Firm joiners and leavers

Key information

- For mental health legal aid, there were more leaver firms than joiner firms between FY2014-15 and FY2021-22.
- Between FY2014-15 and FY2021-22, joiner firms tended to be smaller than leaver firms, both in terms of total turnover and number of partners.

43. This section focuses on how the composition of firms which have joined or left the mental health legal aid system has changed over the duration of the datashare period. Firms are classified as joiner firms in the first year that they received mental health legal aid payments and held a mental health legal aid contract in the datashare period. Firms are classified as leaver firms in the last year that they received mental health legal aid payments and held a mental health contract in the datashare period.

44. Table 1.3.1 shows firms by the number of years they were active in, between FY2014-15 and FY2021-22.

Table 1.3.1: Number of years each mental health firm was active between 2014-15 and 2021-22

| | Number of firms |
|--------------|------------------------|
| 1 year | 10 |
| 2-4 years | 70 |
| 5-7 years | 30 |
| 8 years | 100 |
| Total | 210 |

45. Table 1.3.2 shows a summary of the number of mental health joiners and leavers, by year. It is difficult to comment on trends due to high levels of suppression in this table.

Table 1.3.2: Joiner and leaver active mental health firms by year

| | Number of firms | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|---------|------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Joiners | 40 | | ~ | 0 | ~ | 30 | ~ | 0 | |
| Leavers | 80 | ~ | 10 | ~ | 20 | 10 | ~ | ~ | |

46. The numbers of mental health firms joining and leaving in each year are generally too small to break down into smaller groups, so the following tables show the firms which joined or left at any point through the period. For joiners, the characteristics shown in the below tables are the characteristics of the firm in the first year it received mental health legal aid payments and held a mental health contract, and for leavers, the characteristics of the firm in the last year it received mental health legal aid payments and held a mental health contract.
47. Table 1.3.3 shows the civil legal aid categories that joiner mental health legal aid firms were active in, in the first year they were active mental health legal aid firms. It also shows the civil legal aid categories that leaver mental health legal aid firms were active in, in the last year they were active mental health legal aid firms. Suppression has not been applied to this table. The majority of joiners were only active in mental health legal aid work, whereas the majority of leavers were also active in another category, for instance 25% of joiners and 61% of leavers also completed family legal aid work.

48. For both joiners and leavers, the mean number of categories that an active mental health firm was active in was two categories, including mental health as one of those categories.

Table 1.3.3: Active contracts for active mental health legal aid firms, for joiners and leavers

| | Joiners | Leavers |
|--|----------------|----------------|
| Total | 40 | 80 |
| Mental health only | 61% | 29% |
| Mental health + | 39% | 71% |
| Claims against public authorities | 3% | 11% |
| Clinical negligence | 0% | 8% |
| Community care | 6% | 8% |
| Discrimination | 0% | 0% |
| Education | 0% | 0% |
| Family | 25% | 61% |
| Housing & debt | 8% | 20% |
| Immigration | 6% | 8% |
| Miscellaneous and other | 0% | 9% |
| Public law | 3% | 8% |
| Welfare benefits | 0% | 1% |
| Mean number of active categories per firm | 2 | 2 |

Percentages are calculated using the total number of joiner and leaver firms in a year completing mental health legal aid work. Percentages will not sum to 100% due to some firms completing legal aid work in two or more categories.

The "Miscellaneous and other" area of work includes consumer, employment, personal injury and miscellaneous legal aid work.

For the mean number of active categories, categories are defined using the groupings seen in this table, including mental health as one of the categories.

49. Table 1.3.4 shows the proportion of mental health joiner and leaver firms by total turnover band. Around half of joiner firms had total turnovers of £250k or less, whereas proportions of leaver firms were spread more evenly over the total turnover bands.

Table 1.3.4: Matched joiner and leaver active mental health firms by total turnover, 2014-15 to 2021-22

| | Joiners | Leavers |
|----------------|----------------|----------------|
| Blank or zero | ~ | 15% |
| £250k or less | 53% | 22% |
| £250k to £500k | ~ | ~ |
| £500k to £1m | ~ | ~ |
| £1m to £5m | ~ | 28% |
| £5m and over | ~ | 16% |
| Total | 40 | 70 |

50. Table 1.3.5 shows the proportion of mental health joiner and leaver firms by the number of partners. 56% of joiners had 0-1 partner, compared to 39% of leavers.

Table 1.3.5: Matched joiner and leaver active mental health firms by number of partners, 2014-15 to 2021-22

| | Joiners | Leavers |
|------------------------------|----------------|----------------|
| Very small (0-1 partner) | 56% | 39% |
| Small (2-4 partners) | ~ | 34% |
| Medium (5-25 partners) | ~ | ~ |
| Large (26 partners and over) | 0% | ~ |
| Total | 40 | 70 |

51. Table 1.3.6 shows the proportion of mental health joiner and leaver firms by region. The largest proportion of both joiner and leaver firms were based in London, however this proportion was larger for joiner firms than leaver firms.

Table 1.3.6: Matched joiner and leaver active mental health firms by region, 2014-15 to 2021-22

| | Joiners | Leavers |
|--------------------------|----------------|----------------|
| East Midlands | ~ | ~ |
| East of England | 0% | ~ |
| London | 42% | 35% |
| North East | ~ | ~ |
| North West | ~ | ~ |
| South East | ~ | ~ |
| South West | ~ | ~ |
| Wales | ~ | ~ |
| West Midlands | ~ | ~ |
| Yorkshire and the Humber | ~ | ~ |
| Total | 40 | 70 |

Solicitors

52. This chapter concentrates on solicitors who worked for active mental health legal aid firms in the years the firm received mental health legal aid payments. This includes all matched solicitors in England and Wales who reported working for these firms, **regardless of whether they worked on the cases that received civil legal aid funding**, as the data does not allow for this distinction.

Solicitor composition

Key information

- The number of solicitors working in active mental health legal aid firms has fallen faster than the number of active firms, from FY2014-15 to FY2021-22, indicating that active mental health firms are generally smaller at the end of the timeseries than at the start.
- The proportion of solicitors working in active mental health legal aid firms aged under 45 has decreased from FY2014-15 to FY2021-22, while the proportion aged 45 and over has increased.
- However, the proportions of solicitors by years since admission to the profession show a slightly different trend, with the proportion of solicitors with under two years in the profession remaining steady between FY2014-15 and FY2021-22. Firms generally saw a reduction in the proportion of solicitors with between 3 and 12 years in the profession and a counter-balancing increase in higher bands.

53. This section focuses on how the numbers and characteristics of these solicitors working in active mental health legal aid firms have changed over the duration of the datashare period.
54. Table 2.1.1 shows the number of solicitors working in active mental health legal aid firms, by year. The number of solicitors working in active mental health legal aid firms has fallen by 30% over the period, which is greater than the 23% fall in the number of firms.

Table 2.1.1: Solicitors working in matched active mental health legal aid firms by year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|----------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Number of solicitors | 2,810 | 2,760 | 2,470 | 2,380 | 2,240 | 2,170 | 2,140 | 1,970 |

55. Table 2.1.2 shows the proportion of solicitors working in active mental health legal aid firms, by gender and year. Over the period, the proportion of female solicitors remained broadly consistent, and there was a decrease in the proportion of male solicitors. However, it is worth noting that there was also an increase in the proportion of solicitors whose gender is unknown.

Table 2.1.2: Solicitors working in matched active mental health legal aid firms by gender and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|--------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Female | 57% | 57% | 58% | 59% | 61% | 61% | 60% | 57% |
| Male | 43% | 43% | 42% | 41% | 39% | 38% | 37% | 36% |
| Unknown | 0% | 0% | 1% | 1% | 1% | 1% | 4% | 7% |
| Total | 2,810 | 2,760 | 2,470 | 2,380 | 2,240 | 2,170 | 2,140 | 1,970 |

56. Table 2.1.3 shows the proportion of solicitors working in active mental health legal aid firms, by age and year. There has been a decrease in the proportion of solicitors aged under 45, and an increase in those aged 45 and above.

Table 2.1.3: Solicitors working in matched active mental health legal aid firms by age and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|--------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Under 35 | 28% | 25% | 24% | 24% | 23% | 22% | 22% | 22% |
| 35-44 | 30% | 31% | 31% | 30% | 32% | 30% | 30% | 28% |
| 45-54 | 22% | 22% | 23% | 24% | 24% | 24% | 23% | 24% |
| 55-64 | 15% | 15% | 16% | 16% | 16% | 17% | 18% | 18% |
| 65+ | 5% | 6% | 6% | 6% | 6% | 7% | 7% | 8% |
| Total | 2,810 | 2,760 | 2,470 | 2,380 | 2,240 | 2,170 | 2,140 | 1,970 |

57. Table 2.1.4 shows the proportion of solicitors working in active mental health legal aid firms, by ethnic group and year. Solicitors from the White ethnic group made up 70% of solicitors working in mental health legal aid firms in FY2014-15, and this proportion decreased to 63% of solicitors in FY2021-22. It is worth noting that a corresponding increase is seen in the proportions of solicitors whose ethnic group is unknown, whilst proportions of all other ethnic groups have remained broadly similar.

Table 2.1.4: Solicitors working in matched active mental health legal aid firms by ethnic group and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|--|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Asian or Asian British | 13% | 13% | 14% | 14% | 13% | 12% | 13% | 11% |
| Black, Black British, Caribbean or African | 6% | 5% | 5% | 5% | 5% | 5% | 5% | 5% |
| Mixed or multiple ethnic groups | 1% | 1% | 1% | 1% | 2% | 1% | 1% | 1% |
| White | 70% | 70% | 68% | 65% | 64% | 62% | 64% | 63% |
| Other ethnic group | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 1% |
| Unknown | 8% | 9% | 11% | 14% | 16% | 18% | 16% | 19% |
| Total | 2,810 | 2,760 | 2,470 | 2,380 | 2,240 | 2,170 | 2,140 | 1,970 |

58. Table 2.1.5 shows the proportion of solicitors working in active mental health legal aid firms, by years since admission to the profession for each year. There has been a decrease in the proportion of solicitors with 3-7 and 8-12 years since admission to the profession, and an increase in the proportion of those with 13 years or more since admission to the profession.

Table 2.1.5: Solicitors working in matched active mental health legal aid firms by years since admission to the profession and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| 0-2 | 10% | 9% | 7% | 8% | 10% | 9% | 10% | 9% |
| 3-7 | 23% | 22% | 21% | 19% | 18% | 17% | 16% | 17% |
| 8-12 | 20% | 20% | 20% | 20% | 19% | 17% | 16% | 15% |
| 13-17 | 13% | 13% | 14% | 15% | 14% | 15% | 15% | 15% |
| 18-22 | 9% | 10% | 11% | 11% | 12% | 12% | 12% | 13% |
| 23-27 | 7% | 8% | 9% | 9% | 9% | 10% | 11% | 11% |
| 28 + | 16% | 17% | 17% | 16% | 16% | 18% | 18% | 19% |
| Unknown | 2% | 1% | 2% | 2% | 2% | 1% | 2% | 2% |
| Total | 2,810 | 2,760 | 2,470 | 2,380 | 2,240 | 2,170 | 2,140 | 1,970 |

59. Table 2.1.6 shows the proportion of solicitors working in active mental health legal aid firms, by position in the firm and year. In all years, around a quarter of solicitors were partners, aside from FY2019-20 where 33% were partners.

Table 2.1.6: Solicitors working in matched active mental health legal aid firms by position in firm and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Other | 76% | 76% | 75% | 76% | 77% | 67% | 78% | 76% |
| Partners | 24% | 24% | 25% | 24% | 23% | 33% | 22% | 24% |
| Total | 2,810 | 2,760 | 2,470 | 2,380 | 2,240 | 2,170 | 2,140 | 1,970 |

60. Table 2.1.7 shows the proportion of solicitors working in active mental health legal aid firms, by region of their firm and by year. As previously mentioned, please note that the region is derived from the region of the firm's head office – these firms may have done civil legal aid work in more regions than shown in the tables.

61. In all years, the largest proportion of solicitors worked in firms based in London, at between 32% and 38% each year. The proportion of solicitors who worked in firms based in the East Midlands and South West decreased, whereas the proportion of solicitors who worked in firms based in the North East, North West and South East increased.

Table 2.1.7: Solicitors working in matched active mental health legal aid firms by region and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|--------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| East Midlands | 7% | 8% | 2% | 2% | 3% | 3% | 2% | 3% |
| East of England | 6% | 8% | 7% | 7% | 6% | 6% | 7% | 7% |
| London | 36% | 34% | 37% | 38% | 34% | 34% | 33% | 32% |
| North East | 7% | 7% | 8% | 8% | 9% | 9% | 10% | 11% |
| North West | 7% | 8% | 9% | 9% | 13% | 12% | 12% | 11% |
| South East | 4% | 5% | 4% | 4% | 9% | 9% | 9% | 10% |
| South West | 11% | 11% | 12% | 9% | 3% | 7% | 7% | 7% |
| Wales | 3% | 3% | 3% | 4% | 3% | 3% | 3% | 3% |
| West Midlands | 8% | 9% | 10% | 10% | 7% | 8% | 8% | 8% |
| Yorkshire and the Humber | 9% | 8% | 8% | 9% | 13% | 10% | 10% | 8% |
| Total | 2,810 | 2,760 | 2,470 | 2,380 | 2,240 | 2,170 | 2,140 | 1,970 |

62. Table 2.1.8 shows the proportion of solicitors working in active mental health legal aid firms, by their firm's number of partners and year. In FY2021-22, around two thirds of solicitors worked in firms with 5 or more partners. The proportion of solicitors working in firms with 2-4 or 26 partners or more has increased over the period, while the proportion of solicitors working in firms with 0-1 or 5-25 partners has decreased over the period.

Table 2.1.8: Solicitors working in matched active mental health legal aid firms by number of partners and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Very small (0-1 partner) | 13% | 12% | 11% | 7% | 9% | 6% | 6% | 6% |
| Small (2-4 partners) | 19% | 19% | 21% | 26% | 29% | 33% | 34% | 29% |
| Medium (5-25 partners) | 51% | 50% | 47% | 46% | 46% | 44% | 43% | 43% |
| Large (26 partners and over) | 17% | 19% | 21% | 22% | 17% | 17% | 17% | 22% |
| Total | 2,810 | 2,760 | 2,470 | 2,380 | 2,240 | 2,170 | 2,140 | 1,970 |

Solicitor joiners and leavers

Key information

- Across all years between FY2014-15 and FY2021-22, just under half of the solicitors joining the mental health legal aid provider base were under 35, while the proportion of solicitors under 35 leaving was around, or less than, one third.
- Proportions of continuing solicitors (solicitors who worked in active mental health legal aid firms in both the year prior and the subsequent year) increased between FY2015-16 and FY2020-21 across most years since admission to the profession groups.

63. This section focuses on how the numbers and characteristics of solicitors who have joined or left the mental health legal aid market have changed over the duration of the datashare period.
64. Joiner solicitors are defined as having not worked for an active mental health legal aid firm in the previous year. This includes two types of joiner solicitors:
- New joiners, who had not previously worked in an active mental health legal aid firm in the datashare period;
 - Returning solicitors, who had previously worked in an active mental health legal aid firm in the datashare period, just not in the previous year.
65. Leaver solicitors are defined as having not worked for an active mental health legal aid firm in the subsequent year. This includes two types of leaver solicitors:
- Full leavers, who did not work in an active mental health legal aid firm again within the datashare period;
 - Temporary leavers, who went on to work in an active mental health legal aid firm again in the datashare period, just not in the subsequent year.
66. When a solicitor has joined or left the mental health legal aid market, this can be because of two reasons:
- Firstly, the firm a solicitor worked for started or stopped receiving mental health legal aid payments and/or started or stopped holding a mental health contract;
 - Secondly, the solicitor joined or left a firm which was receiving mental health legal aid payments.
67. This includes all matched solicitors in England and Wales who reported working for these firms, **regardless of whether they worked on the cases that received mental health legal aid funding**, as the data does not allow for this distinction.

Joiners and leavers timeseries

68. This section looks at solicitors joining and leaving the mental health legal aid market. Table 2.2.1 shows the total number of mental health joiner solicitors between FY2015-16 and FY2021-22, and of these, how many were returners. Returner solicitors are defined as having previously worked in an active mental health legal aid firm in the datashare period, just not in the previous year. Please note that there are no returner solicitors in FY2015-16 as the earliest year covered in the datashare was FY2014-15, therefore it would not be possible to be classified as a returner in FY2015-16.
69. The number of joiner solicitors has varied across this period, with a large increase in FY2018-19, coinciding with the LAA procurement round.

Table 2.2.1: Total number of joiner and returner solicitors working in matched active mental health legal aid firms by year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|--------------------------------|------------|------------|------------|------------|------------|------------|------------|
| Total number of joiners | 460 | 370 | 420 | 610 | 420 | 320 | 270 |
| of whom were returners | - | 20 | 40 | 60 | 50 | 40 | 30 |

70. Table 2.2.2 shows the total number of mental health leaver solicitors between FY2014-15 and FY2020-21, and of these, how many left temporarily. Temporary leaver solicitors are defined as having gone on to work in an active mental health legal aid firm again in the datashare period, just not in the subsequent year. Please note that there are no temporary leaver solicitors in FY2020-21 as the latest year covered in the datashare was FY2021-22, therefore it would not be possible to be classified as a temporary leaver in FY2020-21.
71. The number of leaver solicitors has varied across this period, with a large increase in FY2017-18. This coincides with the LAA procurement round occurring in FY2018-19.

Table 2.2.2: Total number of leaver and temporary leaver solicitors working in matched active mental health legal aid firms by year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 |
|--------------------------------|------------|------------|------------|------------|------------|------------|------------|
| Total number of leavers | 510 | 650 | 520 | 750 | 490 | 350 | 440 |
| of whom left temporarily | 40 | 80 | 30 | 50 | 30 | 10 | - |

72. Table 2.2.3 shows the proportion of joiners by the reason they were considered as mental health joiners, from FY2015-16 to FY2021-22. As mentioned at the start of this section, a solicitor could be considered a joiner for one of two reasons; firstly, the

firm a solicitor worked for became an active mental health legal aid firm, or secondly, the solicitor joined an active mental health legal aid firm.

73. This table shows that most solicitors were classified as joiners because the solicitor joined a firm completing mental health legal aid claims, although this proportion varied throughout the period.

Table 2.2.3: Joiner solicitors working in matched active mental health legal aid firms by the reason they were considered as joiners, by year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|---|------------|------------|------------|------------|------------|------------|------------|
| Firm started being an active mental health legal aid firm | 2% | 0% | 3% | 42% | 24% | ~ | 0% |
| Solicitor joined active mental health legal aid firm | 98% | 100% | 97% | 58% | 76% | ~ | 100% |
| Total | 460 | 370 | 420 | 610 | 420 | 320 | 270 |

74. Table 2.2.4 shows the proportion of mental health leavers by the reason they were considered as leavers, from FY2014-15 to FY2020-21. As mentioned at the start of this section, a solicitor could be considered a leaver for one of two reasons; firstly, the firm a solicitor worked for stopped being an active mental health legal aid firm, or secondly, the solicitor left an active mental health legal aid firm.

75. This table shows that in most years, the majority of solicitors were classified as leavers because the solicitor left a firm completing mental health legal aid work. The exception to this was FY2017-18, coinciding with the LAA procurement round the next year, where 57% of leaver solicitors were leavers because their firm stopped completing mental health legal aid work.

Table 2.2.4: Leaver solicitors working in matched active mental health legal aid firms by the reason they were considered as leavers, by year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 |
|---|------------|------------|------------|------------|------------|------------|------------|
| Firm stopped being an active mental health legal aid firm | 6% | 20% | 28% | 57% | 39% | 23% | 17% |
| Solicitor left active mental health legal aid firm | 94% | 80% | 72% | 43% | 61% | 77% | 83% |
| Total | 510 | 650 | 520 | 750 | 490 | 350 | 440 |

76. Table 2.2.5 shows the proportion of mental health joiner solicitors by gender, from FY2015-16 to FY2021-22. The largest proportion of joiner solicitors were female in all years aside from FY2021-22. It is worth noting that the proportion of solicitors whose gender is unknown was higher in FY2020-21 and FY2021-22 than in FY2015-16, making it hard to comment further on trends.

Table 2.2.5: Joiner solicitors working in matched active mental health legal aid firms by gender and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|--------------|------------|------------|------------|------------|------------|------------|------------|
| Female | 63% | 69% | 67% | 65% | 66% | 55% | 42% |
| Male | 37% | 31% | 32% | 35% | 33% | 25% | 22% |
| Unknown | 0% | 1% | 1% | 1% | 2% | 20% | 36% |
| Total | 460 | 370 | 420 | 610 | 420 | 320 | 270 |

77. Table 2.2.6 shows the proportion of mental health leaver solicitors by gender, from FY2014-15 to FY2020-21. The largest proportion of leaver solicitors in all years were female. This proportion varied over the period, with no clear trends.

Table 2.2.6: Leaver solicitors working in matched active mental health legal aid firms by gender and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 |
|--------------|------------|------------|------------|------------|------------|------------|------------|
| Female | 63% | 62% | 59% | 58% | 63% | 66% | 63% |
| Male | 37% | 38% | 39% | 41% | 37% | 33% | 29% |
| Unknown | 0% | 0% | 1% | 1% | 0% | 0% | 8% |
| Total | 510 | 650 | 520 | 750 | 490 | 350 | 440 |

78. Table 2.2.7 shows the proportion of mental health joiner solicitors by age, from FY2015-16 to FY2021-22. In each year, between 37% and 49% of joiners were aged under 35. Proportions have varied across years, with no clear trends over time.

Table 2.2.7: Joiner solicitors working in matched active mental health legal aid firms by age and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|--------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Under 35 | 43% | 47% | 43% | 37% | 39% | 49% | 49% |
| 35-44 | 28% | 27% | 26% | 31% | 23% | 25% | 28% |
| 45-54 | 16% | 17% | 19% | 16% | 17% | 15% | 15% |
| 55-64 | 9% | 7% | 9% | 13% | 15% | ~ | ~ |
| 65+ | 4% | 3% | 3% | 3% | 6% | ~ | ~ |
| Total | 460 | 370 | 420 | 610 | 420 | 320 | 270 |

79. Table 2.2.8 shows the proportion of mental health leaver solicitors by age, from FY2014-15 to FY2020-21. In each year, between 27% and 35% of leavers were aged under 35. Proportions have varied across years, with no clear trends over time.

Table 2.2.8: Leaver solicitors working in matched active mental health legal aid firms by age and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 |
|--------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Under 35 | 35% | 30% | 29% | 27% | 31% | 28% | 31% |
| 35-44 | 31% | 33% | 32% | 32% | 30% | 31% | 34% |
| 45-54 | 17% | 17% | 17% | 19% | 17% | 19% | 18% |
| 55-64 | 12% | 13% | 15% | 16% | 15% | 15% | 11% |
| 65+ | 5% | 7% | 7% | 6% | 6% | 7% | 5% |
| Total | 510 | 650 | 520 | 750 | 490 | 350 | 440 |

80. Table 2.2.9 shows the proportion of mental health joiner solicitors by years since admission to the profession, from FY2015-16 to FY2021-22. Proportions have varied across years, with no clear trends over time.

Table 2.2.9: Joiner solicitors working in matched active mental health legal aid firms by years since admission to the profession and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|--------------|------------|------------|------------|------------|------------|------------|------------|
| 0-2 | 21% | 26% | 26% | 21% | 25% | 36% | 30% |
| 3-7 | 22% | 17% | 15% | 17% | 16% | 14% | 17% |
| 8-12 | 15% | 18% | 16% | 17% | 10% | 11% | 13% |
| 13-17 | 10% | 10% | 12% | 11% | 10% | 10% | 13% |
| 18-22 | 8% | 8% | 8% | 9% | 9% | 6% | 6% |
| 23-27 | 5% | 4% | 5% | 6% | 8% | 5% | 5% |
| 28 + | 11% | 7% | 9% | 12% | 16% | 6% | 5% |
| Unknown | 8% | 11% | 9% | 6% | 7% | 12% | 12% |
| Total | 460 | 370 | 420 | 610 | 420 | 320 | 270 |

81. Table 2.2.10 shows the proportion of mental health leaver solicitors by years since admission to the profession, from FY2014-15 to FY2020-21. The proportion of leavers with 0-2 years since admission to the profession has broadly increased over the period, whereas the proportion of leavers with 3-7 years since admission to the profession has decreased.

Table 2.2.10: Leaver solicitors working in matched active mental health legal aid firms by years since admission to the profession and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 |
|--------------|------------|------------|------------|------------|------------|------------|------------|
| 0-2 | 12% | 10% | 12% | 10% | 15% | 15% | 17% |
| 3-7 | 31% | 27% | 21% | 20% | 24% | 23% | 19% |
| 8-12 | 20% | 20% | 21% | 20% | 18% | 14% | 18% |
| 13-17 | 11% | 11% | 13% | 15% | 11% | 13% | 15% |
| 18-22 | 7% | 10% | 8% | 8% | 7% | 10% | 9% |
| 23-27 | 5% | 5% | 4% | 7% | 7% | 6% | 6% |
| 28 + | 11% | 16% | 18% | 17% | 17% | 17% | 11% |
| Unknown | 4% | 2% | 2% | 3% | 2% | 3% | 4% |
| Total | 510 | 650 | 520 | 750 | 490 | 350 | 440 |

82. Table 2.2.11 shows the proportion of mental health joiner solicitors by region of their firm, from FY2015-16 to FY2021-22. As previously mentioned, please note that the region is derived from the region of the firm's head office – these firms may have done civil legal aid work in more regions than shown in the tables.
83. In all years, the largest proportion of joiner solicitors' firms were located in London. The proportions of joiner solicitors in other regions varied across the period with no clear trends.

Table 2.2.11: Joiner solicitors working in matched active mental health legal aid firms by region and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|--------------------------|------------|------------|------------|------------|------------|------------|------------|
| East Midlands | 11% | ~ | 3% | ~ | ~ | ~ | ~ |
| East of England | 15% | 10% | 7% | 4% | 5% | 9% | 8% |
| London | 35% | 35% | 35% | 25% | 27% | 38% | 29% |
| North East | 4% | 8% | 7% | 8% | 6% | 10% | 13% |
| North West | 8% | 9% | 12% | 14% | 16% | 12% | 9% |
| South East | 3% | 3% | 3% | 21% | 11% | 10% | 12% |
| South West | 8% | 9% | 5% | ~ | 20% | 4% | 6% |
| Wales | 3% | ~ | 5% | 2% | ~ | ~ | ~ |
| West Midlands | 9% | 13% | 14% | 7% | 6% | 7% | 10% |
| Yorkshire and the Humber | 4% | 8% | 9% | 17% | 5% | 6% | 6% |
| Total | 460 | 370 | 420 | 610 | 420 | 320 | 270 |

84. Table 2.2.12 shows the proportion of mental health leaver solicitors by region of their firm, from FY2014-15 to FY2020-21. As previously mentioned, please note that the region is derived from the region of the firm's head office – these firms may have done civil legal aid work in more regions than shown in the tables.
85. In all years, the largest proportion of leaver solicitors' firms were located in London. The proportions of leaver solicitors in each region varied across the period, with no consistent trends over time.

Table 2.2.12: Leaver solicitors working in matched active mental health legal aid firms by region and year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 |
|--------------------------|------------|------------|------------|------------|------------|------------|------------|
| East Midlands | 5% | 28% | ~ | ~ | ~ | 3% | ~ |
| East of England | 7% | 6% | 6% | 7% | 6% | 4% | 7% |
| London | 47% | 29% | 31% | 37% | 30% | 46% | 33% |
| North East | 6% | 6% | 8% | 4% | 6% | 7% | 8% |
| North West | 6% | 5% | 11% | ~ | 18% | 11% | 17% |
| South East | 3% | 7% | 5% | 3% | 10% | 8% | 5% |
| South West | 7% | 5% | 18% | 21% | ~ | 7% | 4% |
| Wales | 3% | 2% | ~ | 5% | 2% | 3% | ~ |
| West Midlands | 7% | 8% | 12% | 14% | 4% | 5% | 7% |
| Yorkshire and the Humber | 9% | 5% | 5% | 4% | 21% | 6% | 15% |
| Total | 510 | 650 | 520 | 750 | 490 | 350 | 440 |

Joining and leaving rates

86. This section presents an alternative view of mental health joiner and leaver solicitors, by looking at the joining and leaving rates of solicitors who worked for an active mental health legal aid firm, as a proportion of those sharing a characteristic. This section reports this by age and years since admission into the profession, as these metrics are particularly important for understanding dynamics in the workforce.
87. Each table reports the “continuation status” of solicitors, which is split into four categories:
- Joiner solicitors: solicitors who worked for active mental health legal aid firms in the given and subsequent year, but did not work for an active mental health legal aid firm in the prior year.
 - Joiner and leaver solicitors: solicitors who worked for active mental health legal aid firms in the given year, but did not work for such a firm in the prior and subsequent year.
 - Leaver solicitors: solicitors who worked for active mental health legal aid firms in the prior and given year, but did not work for an active mental health legal aid firm in the subsequent year.
 - Continuing solicitors: solicitors who worked for active mental health legal aid firms in the prior, given and subsequent year.

88. Tables 2.3.1 and 2.3.2 show the proportion of solicitors working in active mental health legal aid firms in each of these continuation groups, within each age band, in FY2015-16 and FY2020-21. In both years, a larger proportion of solicitors aged under 35 were joiners, compared to other unsuppressed age groups. Additionally, in FY2020-21, as age increased, the proportion of continuing solicitors increased.

Table 2.3.1: Solicitors working in matched active mental health legal aid firms by age and continuation status, 2015-16

| | Under 35 | 35-44 | 45-54 | 55-64 | 65+ |
|------------------------------|-----------------|--------------|--------------|--------------|------------|
| Joiner solicitors | 19% | 9% | 8% | 7% | ~ |
| Joiner and leaver solicitors | 8% | 6% | 4% | 3% | ~ |
| Leaver solicitors | 19% | 20% | 14% | 17% | 27% |
| Continuing solicitors | 53% | 66% | 74% | 73% | 62% |
| Total | 700 | 860 | 620 | 420 | 160 |

Table 2.3.2: Solicitors working in matched active mental health legal aid firms by age and continuation status, 2020-21

| | Under 35 | 35-44 | 45-54 | 55-64 | 65+ |
|------------------------------|-----------------|--------------|--------------|--------------|------------|
| Joiner solicitors | 21% | 10% | ~ | ~ | ~ |
| Joiner and leaver solicitors | 12% | 3% | ~ | ~ | ~ |
| Leaver solicitors | 16% | 21% | 14% | 11% | 13% |
| Continuing solicitors | 50% | 67% | 76% | 82% | 82% |
| Total | 470 | 640 | 500 | 380 | 150 |

89. Tables 2.3.3 and 2.3.4 show the proportion of solicitors working in active mental health legal aid firms in each of these continuation groups, by years since admission to the profession, in FY2015-16 and FY2020-21. In FY2015-16, a larger proportion of solicitors with 0-2 years since admission to the profession were joiners, compared to other years since admission to the profession bands. Additionally, in both years, as years since admission to the profession increased, the proportion of continuing solicitors broadly increased.
90. Proportions of continuing solicitors were higher in FY2020-21 than FY2015-16 in all years since admission to the profession bands, aside from 0-2 years.

Table 2.3.3: Solicitors working in matched active mental health legal aid firms by years since admission to the profession and continuation status, 2015-16

| | 0-2 | 3-7 | 8-12 | 13-17 | 18-22 | 23-27 | 28 + | Unknown |
|------------------------------|------------|------------|-------------|--------------|--------------|--------------|-------------|----------------|
| Joiner solicitors | 28% | 11% | 8% | 9% | 6% | ~ | 8% | 70% |
| Joiner and leaver solicitors | 13% | 5% | 4% | 4% | 6% | ~ | 3% | 30% |
| Leaver solicitors | 15% | 23% | 19% | 17% | 16% | 13% | 19% | 0% |
| Continuing solicitors | 45% | 60% | 68% | 71% | 72% | 77% | 70% | 0% |
| Total | 240 | 610 | 560 | 360 | 290 | 220 | 460 | 40 |

Table 2.3.4: Solicitors working in matched active mental health legal aid firms by years since admission to the profession and continuation status, 2020-21

| | 0-2 | 3-7 | 8-12 | 13-17 | 18-22 | 23-27 | 28 + | Unknown |
|------------------------------|------------|------------|-------------|--------------|--------------|--------------|-------------|----------------|
| Joiner solicitors | 33% | ~ | ~ | ~ | ~ | ~ | ~ | 50% |
| Joiner and leaver solicitors | 18% | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Leaver solicitors | 15% | 22% | 21% | 18% | 13% | 11% | 12% | 0% |
| Continuing solicitors | 33% | 65% | 70% | 73% | 79% | 82% | 82% | ~ |
| Total | 220 | 340 | 350 | 330 | 250 | 230 | 380 | 40 |

Barristers

Additional methodological details for barrister statistics

91. The barrister data presented here should be read with the data limitations noted in the introduction in mind, as well as the issues specific to this chapter noted here.
92. There are two metrics for barrister income shown in this chapter: “gross civil legal aid fee income” and “self-reported total gross income”. The former of these is the payments, exclusive of VAT, from the LAA to matched barristers on a closed case basis,⁴ and includes disbursements (such as travel expenses). Disbursement data can only be identified on cases recorded on a new case management and payment system, which was made mandatory for cases started after 1st April 2016, and so cannot be removed from all cases across the timeseries shown here. In cases where disbursements can be identified they amount to less than 1% of the total fees, so the decision was taken to maintain consistency, but note these slightly overstate income. These fees also do not include inter partes costs (where the court awards these to be paid by an opposing party) as we cannot identify which barrister received these payments in our data. Generally in areas other than family and tribunal work, inter partes costs can be considerable. Furthermore, the gross civil legal aid fee income is civil representation work only because only work billed by barristers who are directly paid by the LAA is able to be matched. This is because the matching process requires the name of the barrister to be recorded on both LAA and BC systems, and this is not possible with controlled work.
93. Where “mental health gross civil legal aid fee income” is mentioned, this only refers to income that barristers have received from mental health legal aid work, and not income from legal aid work in other categories of law.
94. The second metric, “self-reported total gross income”, is what barristers report to the BC at the end of each financial year and includes their income from both legal aid and private practice for the prior calendar year. This also excludes VAT, however, it is on an accruals basis so will include interim payments of legal aid fees rather than the closed case basis. The two metrics are therefore not directly comparable due to timing differences. In many instances the closed case basis will average out to the

⁴ The whole value of payments made during a case are allocated to the year in which the case finishes. This is consistent with how legal aid expenditure is reported in the Quarterly Legal Aid Statistics, which can be found at <https://www.gov.uk/government/collections/legal-aid-statistics>

same as the self-reported value but for other barristers, such as where a barrister does a small number of high-value cases, then larger differences may arise.

95. Barristers also self-report the proportion of their income which comes from legal aid. This metric is reported here, instead of computing the ratio of gross civil legal aid fee income and self-reported total gross income because of the timing issues described above. This metric includes all legal aid income, including criminal as well as civil, which cannot be distinguished so should be treated with caution. This information is only available for the last three years in the datashare.
96. This publication looks at self-employed barristers, which make up around 80% of all barristers.⁵ As these barristers are self-employed, the income reported here should not be considered directly comparable to a salary. On top of the additional costs that arise in all self-employment (such as professional insurance, pension savings and provision for periods of leave), barristers additionally pay the costs of their chambers, which the Criminal Legal Aid Review estimated as an average of 29% of gross income for criminal barristers.⁶
97. In this chapter, the first section shows all barristers, and the subsequent sections show all barristers completing mental health legal aid cases. This approach first provides context on the work being undertaken by these barristers and then provides the reader a sense of what it is like to undertake work of this nature.
98. Each barrister characteristic includes a chart which displays a comparison of civil legal aid fee distributions for each of the groups in that characteristic. Here a dot represents 10 barristers⁷ and is placed at the average fee value of those barristers. While the dots give a direct illustration of the number of barristers in each characteristic and their distribution, a box is also shown as a guide for the eye. The box contains the middle half of barristers, with the left end being the lower quartile, the line contained by the box being the median civil legal aid fee income, and the higher end of the box being the upper quartile.
99. For further information on the suppression strategy and symbols used in this chapter, please refer to the notes on understanding the data at the beginning of this publication.

⁵ Derived from <https://www.barstandardsboard.org.uk/news-publications/research-and-statistics/statistics-about-the-bar/practising-barristers.html>. Accessed 9th May 2024.

⁶ Further details can be found at <https://www.gov.uk/government/groups/independent-review-of-criminal-legal-aid>. Accessed 9th May 2024.

⁷ Except one dot per group in the lower quartile which represents up to 19 if the number of barristers is not equally divisibly by 10.

Additional sources of information

100. This chapter covers information from the datashare, including information on the characteristics and practising details for barristers who completed civil legal aid work. Further information on the barrister population as a whole is produced by the BC,⁸ and information about wider trends in civil legal aid outside of barristers can be found in the solicitor section of this publication, and in the Quarterly Legal Aid Statistics.⁹

Barristers completing mental health legal aid work in context

Key information

- The number of barristers who have completed mental health legal aid cases has increased between FY2015-16 and FY2022-23. Mental health legal aid case volumes and mental health gross civil legal aid fee income also increased over the period.
- The proportion of barristers who have completed mental health legal aid claims that also completed work in another area of civil legal aid has increased over the period FY2015-16 to FY2022-23, from 77% to 90%.
- In FY2022-23, 40% of barristers who completed mental health legal aid received less than 20% of their gross civil legal aid fee income from mental health legal aid work.

101. Tables 3.1.1 to 3.1.3 show the number of barristers, case volume and gross civil legal aid fee income for mental health legal aid, as well as for other civil legal aid and all civil legal aid. In these tables, “Other civil legal aid” refers to non-family legal aid categories (including mental health), and “All civil legal aid” refers to all civil legal aid categories.

102. In this section, percentages are based on unrounded values so may not reflect the rounded values seen in the tables.

103. Table 3.1.1 shows the number of civil legal aid barristers, by area of civil legal aid work and by year. In FY2022-23, mental health legal aid barristers made up 5% of all civil legal aid barristers.

⁸ Statistics on the barrister population as a whole can be found at <https://www.barcouncil.org.uk/policy-representation/dashboards/demographics-dashboard.html>

⁹ The Quarterly Legal Aid Statistics can be found at <https://www.gov.uk/government/collections/legal-aid-statistics>

104. There has generally been an increase in the number of mental health legal aid barristers over the period, with an overall increase of 55%. This is in contrast to the overall decrease of 11% for other civil legal aid barristers, and larger than the overall increase of 16% for all civil legal aid barristers.

Table 3.1.1: Number of barristers by area of civil legal aid work and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|-------------------------|---------|---------|---------|---------|---------|---------|---------|---------|
| Mental health legal aid | 160 | 170 | 190 | 220 | 220 | 210 | 250 | 250 |
| Other civil legal aid | 1,390 | 1,270 | 1,220 | 1,260 | 1,270 | 1,040 | 1,160 | 1,240 |
| All civil legal aid | 3,930 | 3,840 | 3,920 | 4,080 | 4,230 | 3,820 | 4,290 | 4,560 |

105. Table 3.1.2 shows the case volume of civil legal aid barristers, by area of civil legal aid work and by year. In FY2022-23, 1% of all civil legal aid cases completed were mental health cases.

106. There has generally been an increase in the number of mental health legal aid cases completed by barristers over the period, with an overall increase of 173%. This is in contrast with the overall decrease of 1% for other civil legal aid barrister cases, and larger than the overall increase of 40% for all civil legal aid barrister cases.

Table 3.1.2: Barrister case volume by area of civil legal aid work and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|-------------------------|---------|---------|---------|---------|---------|---------|---------|---------|
| Mental health legal aid | 490 | 670 | 880 | 970 | 1,100 | 1,190 | 1,150 | 1,340 |
| Other civil legal aid | 7,740 | 7,370 | 7,520 | 8,040 | 8,560 | 7,450 | 6,950 | 7,660 |
| All civil legal aid | 69,800 | 69,870 | 79,210 | 82,770 | 88,900 | 76,990 | 80,810 | 97,530 |

107. Table 3.1.3 shows the gross civil legal aid fee income of barristers completing mental health legal aid cases, by area of civil legal aid work and by year. In FY2022-23, around 1% of all gross civil legal aid fee income for barristers was from mental health legal aid work.

108. There has generally been an increase in the gross civil legal aid fee income from mental health legal aid cases for barristers, with an overall increase of 44%. This is larger than the overall increase of 13% for gross civil legal aid fee income for other civil legal aid cases for barristers, and smaller than the overall increase of 75% for all gross civil legal aid fee income for barristers.

Table 3.1.3: Gross civil legal aid fee income (£m) by area of civil legal aid work and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|-------------------------|---------|---------|---------|---------|---------|---------|---------|---------|
| Mental health legal aid | £1.7 | £1.8 | £2.1 | £2.2 | £2.3 | £2.1 | £2.5 | £2.5 |
| Other civil legal aid | £12.2 | £11.8 | £11.1 | £11.6 | £12.7 | £10.8 | £11.9 | £13.8 |
| All civil legal aid | £105.2 | £104.4 | £113.3 | £115.4 | £133.4 | £128.7 | £142.5 | £183.9 |

109. Table 3.1.4 shows the civil legal aid categories that mental health legal aid barristers were active in, by year. Suppression has not been applied to this table. In each year, between 77% and 92% of mental health legal aid barristers also did civil legal aid work in another civil legal aid category. This proportion has broadly increased over the period.

110. In FY2022-23, 65% of mental health barristers also completed community care legal aid work, which is an increase from 25% in FY2015-16. In FY2022-23, 38% of mental health barristers also completed family legal aid work.

Table 3.1.4: Areas of legal aid work for barristers completing mental health legal aid work, by year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|-----------------------------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Total | 160 | 170 | 190 | 220 | 220 | 210 | 250 | 250 |
| Mental health only | 23% | 19% | 12% | 15% | 10% | 8% | 13% | 10% |
| Mental health + | 77% | 81% | 88% | 85% | 90% | 92% | 87% | 90% |
| Claims against public authorities | 8% | 6% | 10% | 6% | 11% | 11% | 6% | 10% |
| Clinical negligence | 1% | 4% | 2% | 1% | 0% | 1% | 1% | 2% |
| Community care | 25% | 27% | 48% | 52% | 62% | 68% | 58% | 65% |
| Discrimination | 0% | 1% | 0% | 0% | 0% | 0% | 0% | 0% |
| Education | 2% | 5% | 1% | 1% | 0% | 1% | 3% | 2% |
| Family | 43% | 42% | 52% | 49% | 43% | 42% | 41% | 38% |
| Housing & debt | 20% | 19% | 16% | 12% | 16% | 10% | 11% | 11% |
| Immigration | 4% | 4% | 6% | 3% | 4% | 4% | 6% | 3% |
| Miscellaneous and other | 8% | 12% | 12% | 10% | 10% | 8% | 8% | 8% |
| Public law | 25% | 25% | 14% | 12% | 14% | 12% | 16% | 12% |
| Welfare benefits | 0% | 1% | 0% | 0% | 1% | 0% | 0% | 1% |

Percentages are calculated using the total number of barristers in a year completing mental health legal aid work. Percentages will not sum to 100% due to some barristers completing legal aid work in two or more categories.

The "Miscellaneous and other" area of legal aid work includes consumer, employment, personal injury and miscellaneous legal aid work.

111. Table 3.1.5 shows the proportion of gross civil legal aid fee income that mental health legal aid barristers received from mental health legal aid work, by year. In FY2022-23, 40% of barristers received less than 20% of their gross civil legal aid fee income from mental health work. The proportion of mental health barristers that received 80% or more of their gross civil legal aid fee income from mental health work has decreased over the period, from 35% in FY2015-16 to 17% in FY2022-23.

Table 3.1.5: Distribution of barristers completing mental health legal aid work, by proportion of gross civil legal aid fee income from mental health legal aid work and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|---|------------|------------|------------|------------|------------|------------|------------|------------|
| Less than 20% | 45% | 44% | 47% | 46% | 40% | 43% | 39% | 40% |
| 20-40% | ~ | 12% | 11% | 10% | 18% | 16% | 19% | 15% |
| 40-60% | ~ | 11% | 7% | 13% | 15% | 15% | 15% | 15% |
| 60-80% | 8% | 6% | 12% | 8% | 10% | 12% | 8% | 13% |
| 80% and over | 35% | 27% | 22% | 22% | 17% | 14% | 19% | 17% |
| Gross civil legal aid income is blank or zero | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Total | 160 | 170 | 190 | 220 | 220 | 210 | 250 | 250 |

Mental health barristers

Overview

Key information

- In each year between FY2015-16 and FY2022-23, the majority of barristers who completed mental health legal aid work received £5,000 or less in mental health gross civil legal aid fee income.
- The proportion of mental health barristers who completed 1 to 2 mental health legal aid claims in a year has decreased, from 70% in FY2015-16 to 49% in FY2022-23.
- Each year since FY2020-21, between 20% and 23% of barristers completing mental health legal aid work self-reported that income from legal aid made up less than 20% of their income, and 12% reported that legal aid made up at least 80% of their income.

112. This section relates to barristers who have completed mental health legal aid work. The gross civil legal aid fee income discussed in this section only includes fees from mental health legal aid work and not fees from other legal aid work.

113. Table 4.1.1 shows the proportion of barristers who completed mental health legal aid work by mental health gross civil legal aid fee income and financial year. In each year, over half of barristers had mental health gross civil legal aid fee incomes of £5,000 and less, and in FY2022-23, 38% of mental health barristers had mental health gross civil legal aid fee incomes of £5,001 to £30,000.

Table 4.1.1: Distribution of barristers completing mental health legal aid work by mental health gross civil legal aid fee income bands and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|---------------------|------------|------------|------------|------------|------------|------------|------------|------------|
| £5,000 and less | 57% | 63% | 52% | 57% | 52% | 52% | 54% | 53% |
| £5,001 to £30,000 | 35% | 26% | 39% | 35% | 39% | 40% | 39% | 38% |
| £30,001 to £60,000 | ~ | 8% | ~ | 6% | 8% | ~ | 6% | 7% |
| £60,001 to £90,000 | ~ | ~ | ~ | ~ | 0% | ~ | ~ | ~ |
| £90,001 to £150,000 | ~ | ~ | ~ | ~ | ~ | 0% | ~ | ~ |
| £150,001 and over | 0% | ~ | 0% | ~ | ~ | 0% | ~ | 0% |
| Total | 160 | 170 | 190 | 220 | 220 | 210 | 250 | 250 |

114. Table 4.1.2 shows the proportion of barristers who completed mental health legal aid work by their self-reported total gross income band and by financial year. The proportion of barristers with a self-reported total gross income of £60,001 to £90,000 has decreased over time. Where unsuppressed, proportions in other bands have varied slightly over the period, with no clear trends over time.

Table 4.1.2: Distribution of barristers completing mental health legal aid work by self-reported total gross income bands and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|----------------------|------------|------------|------------|------------|------------|------------|------------|------------|
| £30,000 and less | ~ | ~ | ~ | ~ | ~ | ~ | 8% | 6% |
| £30,001 to £60,000 | ~ | 8% | ~ | ~ | 6% | 7% | 5% | 5% |
| £60,001 to £90,000 | 16% | 17% | 15% | 12% | 13% | 13% | 8% | 12% |
| £90,001 to £150,000 | 32% | 32% | 34% | 36% | 33% | 37% | 32% | 32% |
| £150,001 to £240,000 | 23% | 19% | 21% | 25% | 24% | 24% | 23% | 23% |
| £240,001 and over | 15% | 18% | 16% | 11% | 16% | 12% | 17% | 15% |
| Unknown | ~ | ~ | 6% | 7% | ~ | ~ | 7% | 6% |
| Total | 160 | 170 | 190 | 220 | 220 | 210 | 250 | 250 |

115. Table 4.1.3 shows the proportion of barristers who completed mental health legal aid work by the self-reported proportion of income from legal aid and by financial year. In FY2022-23, 23% of mental health barristers reported that legal aid made up less than 20% of their income, while 12% of mental health barristers reported that legal aid made up at least 80% of their income.

Table 4.1.3: Distribution of barristers completing mental health legal aid work by self-reported proportion of income from legal aid and year

| | 2020-21 | 2021-22 | 2022-23 |
|---------------|------------|------------|------------|
| Less than 20% | 20% | 23% | 23% |
| 20-40% | 19% | 17% | 19% |
| 40-60% | 17% | 19% | 17% |
| 60-80% | 15% | 12% | 15% |
| 80% and over | 12% | 12% | 12% |
| Unknown | 16% | 16% | 14% |
| Total | 210 | 250 | 250 |

The unknown category includes barristers whose self-reported proportion of income from legal aid was 0 or missing.

116. Table 4.1.4 shows the proportion of barristers who completed mental health legal aid work by mental health legal aid case volume and by financial year. The proportion of mental health barristers who completed 1 or 2 cases has decreased over the period, from 70% in FY2015-16 to 49% in FY2022-23, whereas the proportion of barristers who completed 3 to 15 cases has increased from less than 30% in FY2015-16 to 42% in FY2022-23.

Table 4.1.4: Distribution of barristers completing mental health legal aid work by volume of mental health cases and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|----------------|------------|------------|------------|------------|------------|------------|------------|------------|
| 1 to 2 cases | 70% | 65% | 56% | 55% | 49% | 45% | 51% | 49% |
| 3 to 15 cases | ~ | 30% | 37% | 40% | 43% | 48% | 43% | 42% |
| 16 to 30 cases | ~ | ~ | ~ | ~ | 8% | ~ | 6% | 7% |
| 31 to 45 cases | 0% | ~ | ~ | ~ | 0% | ~ | 0% | ~ |
| 46 cases + | 0% | 0% | 0% | 0% | 0% | 0% | 0% | ~ |
| Total | 160 | 170 | 190 | 220 | 220 | 210 | 250 | 250 |

117. Table 4.1.5 shows the median mental health gross civil legal aid fee income for mental health barristers, by mental health legal aid case volume and year. Table 4.1.4 shows that in FY2022-23, 49% of mental health barristers completed 1 to 2 mental health legal aid cases. For these barristers, the median mental health gross civil legal aid fee income was £1,200 in FY2022-23.

Table 4.1.5: Median mental health gross civil legal aid fee income for mental health barristers, by volume of mental health cases and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|------------------|---------|---------|---------|---------|---------|---------|---------|---------|
| 1 to 2 cases | £2,100 | £1,400 | £1,600 | £1,100 | £1,800 | £1,100 | £1,500 | £1,200 |
| 3 to 5 cases | £10,000 | £5,000 | £6,800 | £5,900 | £6,000 | £4,900 | £6,300 | £5,100 |
| 6 to 10 cases | £18,100 | £17,600 | £11,800 | £12,200 | £9,700 | £10,400 | £11,400 | £12,000 |
| 11 to 15 cases | ~ | ~ | £26,800 | ~ | £21,000 | £19,900 | £13,000 | £17,200 |
| 16 or more cases | ~ | ~ | £49,000 | £37,200 | £33,000 | £31,100 | £27,500 | £28,300 |

118. Table 4.1.6 shows the proportion of barristers who completed mental health legal aid work, by the number of years they completed mental health cases in the datashare period. Proportions in the column titled “Over all years” refer to the entire cohort of barristers who worked at any point between FY2015-16 and FY2022-23, whilst proportions in the individual year columns only relate to the barristers working in that particular year.

119. When looking at the entire cohort of barristers over the period as a whole, 43% submitted cases in one year, with a further 32% submitting cases in 2 to 4 years, suggesting that for many barristers who do some mental health legal aid work this was not a regular part of their practice. When considering the cohort of barristers working in each individual year, the proportion of barristers who only completed work in that year amounted to between 8% and 23% of barristers.

120. There was also a smaller cohort who submitted cases more frequently, with 7% of barristers submitting a case in all years of the dataset and a further 18% submitting cases in between 5 and 7 years. When considering the cohort of barristers working in each individual year, barristers who completed work every year between FY2015-16 and FY2022-23 amounted to between 16% and 25% of barristers.

Table 4.1.6: Distribution of barristers completing mental health legal aid work over the period and in each year, by the number of years between 2015-16 and 2022-23 that the barrister has completed mental health legal aid work

| | Over all years | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|--------------|-----------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| 1 year | 43% | 21% | 23% | 15% | 14% | 11% | 8% | 8% | 21% |
| 2-4 years | 32% | 28% | 25% | 30% | 24% | 28% | 37% | 40% | 30% |
| 5-7 years | 18% | 26% | 28% | 34% | 44% | 43% | 36% | 36% | 33% |
| 8 years | 7% | 25% | 23% | 21% | 18% | 18% | 19% | 16% | 16% |
| Total | 570 | 160 | 170 | 190 | 220 | 220 | 210 | 250 | 250 |

121. Table 4.1.7 shows the proportion of barristers who completed mental health legal aid work by region and by financial year. In all years, the region accounting for the largest proportion of mental health barristers was London. There was a decrease in the proportion of barristers in London, from 57% in FY2015-16 to 45% in FY2022-23, and a broad increase in the North.

Table 4.1.7: Distribution of barristers completing mental health legal aid work by region and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|--------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| London | 57% | 56% | 53% | 49% | 55% | 48% | 49% | 45% |
| Midlands | ~ | ~ | ~ | ~ | ~ | ~ | 4% | 4% |
| North | 21% | 25% | 22% | 24% | 21% | 23% | 27% | 27% |
| South | 9% | ~ | 7% | 8% | 7% | 8% | 6% | 7% |
| Wales | ~ | ~ | ~ | ~ | ~ | ~ | 4% | 4% |
| Unknown | 9% | 10% | 12% | 10% | 10% | 12% | 10% | 13% |
| Total | 160 | 170 | 190 | 220 | 220 | 210 | 250 | 250 |

122. Table 4.1.8 shows the proportion of mental health gross civil legal aid fee income for barristers who completed mental health legal aid work, by region and by financial year. Following a similar trend to the number of barristers, in all years, the region accounting for the largest proportion of mental health gross civil legal aid fee income was London, and this proportion decreased from 67% in FY2015-16 to 41% in FY2022-23. The proportion of mental health legal aid fee income for barristers in Wales has increased, from 0% in FY2015-16 to 5% in FY2022-23, and the proportion for barristers in the North increased from 17% in FY2015-16 to 33% in FY2022-23.

Table 4.1.8: Distribution of mental health gross civil legal aid fee income for barristers completing mental health work by region, by year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| London | 67% | 63% | 59% | 49% | 53% | 47% | 51% | 41% |
| Midlands | 2% | 1% | 2% | 4% | 3% | 5% | 4% | 6% |
| North | 17% | 26% | 24% | 33% | 26% | 23% | 30% | 33% |
| South | 3% | 1% | 2% | 3% | 4% | 4% | 2% | 2% |
| Wales | 0% | 0% | 0% | 0% | 2% | 5% | 4% | 5% |
| Unknown | 12% | 9% | 13% | 12% | 12% | 16% | 9% | 13% |
| Total | £1.7m | £1.8m | £2.1m | £2.2m | £2.3m | £2.1m | £2.5m | £2.5m |

Protected characteristics

Key information

- The proportion of female mental health barristers has increased from 46% in FY2015-16 to 55% in FY2022-23, whereas the proportion of male barristers has decreased from 53% in FY2015-16 to 43% in FY2022-23.
- The proportion of barristers completing mental health legal aid work aged under 35 has increased from 13% in FY2015-16 to 21% in FY2022-23. The proportion of barristers aged 55-64 has also increased over the period, while the proportion of barristers aged 45-54 has decreased.
- The other characteristics in the datashare have very high levels of unknown responses in the data, making it difficult to draw inferences. The tables relating to these characteristics are shown in the accompanying spreadsheet.

Gender

123. Table 4.2.1 shows the proportion of barristers who completed mental health legal aid work by gender and financial year. The proportion of female mental health barristers has increased over the period, from 46% in FY2015-16 to 55% in FY2022-23, whereas the proportion of male barristers has decreased from 53% in FY2015-16 to 43% in FY2022-23.

Table 4.2.1: Distribution of barristers completing mental health legal aid work by gender and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|--------------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Female | 46% | 46% | 49% | 50% | 48% | 53% | 54% | 55% |
| Male | 53% | 52% | 48% | 48% | 51% | 45% | 45% | 43% |
| Non-binary | 0% | 0% | 0% | 0% | 0% | 0% | 0% | ~ |
| Other gender group | ~ | ~ | ~ | 0% | 0% | 0% | 0% | ~ |
| Unknown | ~ | ~ | ~ | 1% | 1% | 2% | 1% | ~ |
| Total | 160 | 170 | 190 | 220 | 220 | 210 | 250 | 250 |

124. Table 4.2.2 shows the proportion of barristers who completed mental health legal aid work in FY2022-23, by gender and by their mental health gross civil legal aid fee income band. Due to high levels of suppression in this table, it is difficult to comment on trends.

Table 4.2.2: Number of barristers completing mental health legal aid work and their distribution by gender and mental health gross civil legal aid fee income bands, in 2022-23

| | Number of barristers | Female | Male | Non-binary | Other gender group | Unknown | Total |
|---------------------|----------------------|------------|------------|------------|--------------------|---------|-------------|
| £5,000 and less | 130 | 55% | 42% | ~ | ~ | ~ | 100% |
| £5,001 to £30,000 | 90 | 58% | 40% | ~ | ~ | ~ | 100% |
| £30,001 to £60,000 | ~ | ~ | ~ | ~ | ~ | ~ | 100% |
| £60,001 to £90,000 | ~ | ~ | ~ | ~ | ~ | ~ | 100% |
| £90,001 to £150,000 | ~ | ~ | ~ | ~ | ~ | ~ | 100% |
| £150,001 and over | 0 | . | . | . | . | . | 100% |
| All | 250 | 55% | 43% | ~ | ~ | ~ | 100% |

125. In the following chart, the box represents the interquartile range and the median with each dot representing 10 barristers. This chart shows the mental health gross civil legal aid fee income distribution by gender for barristers who completed mental health legal aid work in FY2022-23. The median mental health gross civil legal aid fee income was similar for males and females, at £4,400 for males and £4,200 for females.

Mental health gross civil legal aid fee income distribution by gender for mental health barristers for 2022-23



Each point represents 10 barristers' mean mental health gross civil legal aid fee income.

126. Table 4.2.3 (see attached spreadsheet) shows a statistical breakdown providing the mental health gross civil legal aid fee income value, mean, lower quartile, median, and upper quartile of the gender of barristers who completed mental health legal aid work in FY2022-23. The mean mental health gross civil legal aid fee income for male barristers at £12,000 was higher than the mean mental health gross civil legal aid fee income for female barristers, at £8,900.

127. Table 4.2.4 (see attached spreadsheet) shows the proportion of barristers who completed mental health legal aid work in FY2022-23, by gender and by their self-reported total gross income band. As self-reported total gross income band increased, the proportion of female barristers decreased.

128. Table 4.2.5 shows the proportion of barristers who completed mental health legal aid work in FY2022-23, by gender and by their self-reported proportion of income from legal aid. Proportions varied between the bands, with no clear trends.

Table 4.2.5: Number of barristers completing mental health legal aid work and their distribution by gender and self-reported proportion of income from legal aid, in 2022-23

| | Number of barristers | Female | Male | Non-binary | Other gender group | Unknown | Total |
|---------------|-----------------------------|---------------|-------------|-------------------|---------------------------|----------------|--------------|
| Less than 20% | 60 | 49% | 51% | ~ | ~ | ~ | 100% |
| 20-40% | 50 | 62% | 32% | ~ | ~ | ~ | 100% |
| 40-60% | 40 | 63% | 33% | ~ | ~ | ~ | 100% |
| 60-80% | 40 | 47% | 53% | ~ | ~ | ~ | 100% |
| 80% and over | 30 | 66% | 34% | ~ | ~ | ~ | 100% |
| Unknown | 40 | 46% | 51% | ~ | ~ | ~ | 100% |
| All | 250 | 55% | 43% | ~ | ~ | ~ | 100% |

The unknown category includes barristers whose self-reported proportion of income from legal aid was 0 or missing.

129. Table 4.2.6 (see attached spreadsheet) shows the proportion of barristers who completed mental health legal aid work, by gender and by the number of years they completed mental health cases in the datashare period. Proportions of female barristers were higher in the lower year bands than the higher year bands, suggesting that female barristers completed mental health legal aid work less frequently.

Age

130. Table 4.3.1 shows the proportion of barristers who completed mental health legal aid work by age and by financial year. The proportion of barristers aged under 35 has increased, from 13% in FY2015-16 to 21% in FY2022-23. The proportion of barristers aged 55-64 has also increased over the period, while the proportion of barristers aged 45-54 has decreased.

131. The mean age of a barrister completing mental health legal aid work has stayed the same from FY2015-16 to FY2022-23, at 45 years (see table 6.1.1 in attached spreadsheet).

Table 4.3.1: Distribution of barristers completing mental health legal aid work by age and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Under 35 | 13% | 11% | 13% | 17% | 17% | 19% | 18% | 21% |
| 35-44 | 28% | 29% | 30% | 27% | 33% | 33% | 26% | 28% |
| 45-54 | 36% | 38% | 35% | 37% | 34% | 28% | 26% | 24% |
| 55-64 | ~ | 13% | 13% | 11% | 10% | 15% | 19% | 19% |
| 65+ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Unknown | 11% | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Total | 160 | 170 | 190 | 220 | 220 | 210 | 250 | 250 |

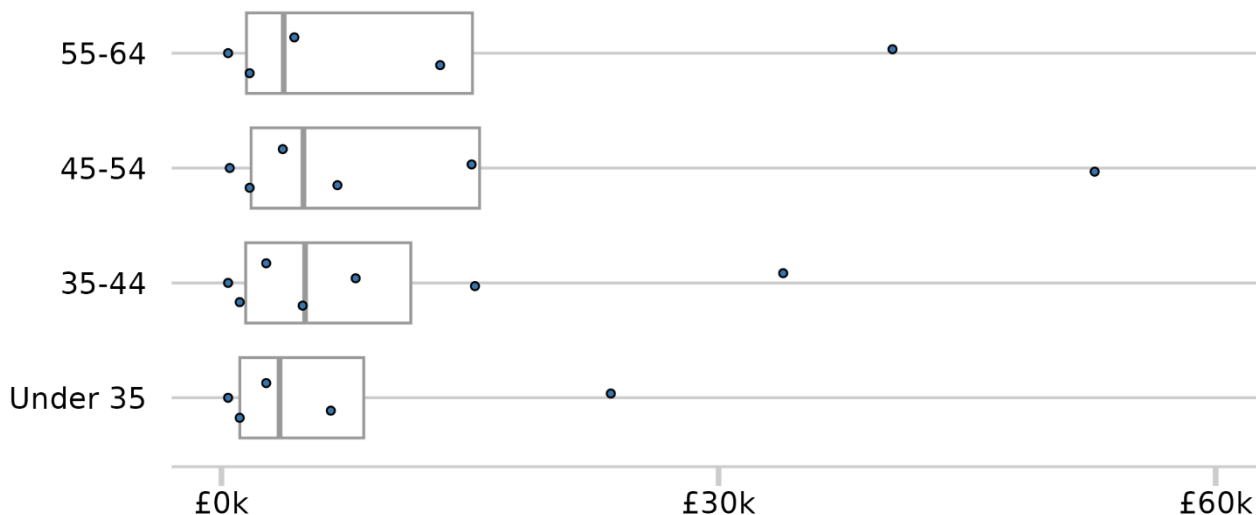
132. Table 4.3.2 shows the proportion of barristers who completed mental health legal aid work in FY2022-23, by age and by their mental health gross civil legal aid fee income band. Due to high levels of suppression in this table, it is difficult to comment on trends.

Table 4.3.2: Number of barristers completing mental health legal aid work and their distribution by age and mental health gross civil legal aid fee income bands, in 2022-23

| | Number of barristers | Under 35 | 35-44 | 45-54 | 55-64 | 65+ | Unknown | Total |
|---------------------|----------------------|------------|------------|------------|------------|-----|---------|-------------|
| £5,000 and less | 130 | 23% | 26% | 23% | 20% | ~ | ~ | 100% |
| £5,001 to £30,000 | 90 | 19% | 33% | 24% | 18% | ~ | ~ | 100% |
| £30,001 to £60,000 | 20 | ~ | ~ | ~ | ~ | ~ | 0% | 100% |
| £60,001 to £90,000 | ~ | 0% | ~ | ~ | 0% | 0% | 0% | 100% |
| £90,001 to £150,000 | ~ | 0% | 0% | ~ | ~ | 0% | 0% | 100% |
| £150,001 and over | 0 | . | . | . | . | . | . | 100% |
| All | 250 | 21% | 28% | 24% | 19% | ~ | ~ | 100% |

133. In the following chart, the box represents the interquartile range and the median with each dot representing 10 barristers. This chart shows the mental health gross civil legal aid fee income distribution by age band for barristers who completed mental health legal aid work in FY2022-23. Median mental health gross civil legal aid fee income varied by age, at £5,000 for barristers aged 35-54, at £3,500 for barristers aged under 35, and at £3,800 for barristers aged 55-64.

Mental health gross civil legal aid fee income distribution by age for mental health barristers for 2022-23



Each point represents 10 barristers' mean mental health gross civil legal aid fee income.

134. Table 4.3.3 (see attached spreadsheet) shows a statistical breakdown providing the mental health gross civil legal aid fee income value, mean, lower quartile, median, and upper quartile of the age band of barristers who completed mental health legal aid work in FY2022-23. Where unsuppressed, mean mental health gross civil legal aid fee income was highest for barristers aged 45-54, at £13,500.

135. Table 4.3.4 (see attached spreadsheet) shows the proportion of barristers who completed mental health legal aid work in FY2022-23, by age and by their self-reported total gross income band. Due to high levels of suppression in this table, it is difficult to comment on trends.

136. Table 4.3.5 shows the proportion of barristers who completed mental health legal aid work in FY2022-23, by age and by their self-reported proportion of income from legal aid. Due to high levels of suppression in this table, it is difficult to comment on trends.

Table 4.3.5: Number of barristers completing mental health legal aid work and their distribution by age and self-reported proportion of income from legal aid, in 2022-23

| | Number of barristers | Under 35 | 35-44 | 45-54 | 55-64 | 65+ | Unknown | Total |
|---------------|-----------------------------|-----------------|--------------|--------------|--------------|------------|----------------|--------------|
| Less than 20% | 60 | 21% | 26% | 32% | ~ | 0% | ~ | 100% |
| 20-40% | 50 | 26% | 28% | 23% | ~ | ~ | 0% | 100% |
| 40-60% | 40 | 23% | 26% | ~ | ~ | ~ | ~ | 100% |
| 60-80% | 40 | 31% | 31% | ~ | ~ | ~ | ~ | 100% |
| 80% and over | 30 | ~ | ~ | 34% | ~ | ~ | ~ | 100% |
| Unknown | 40 | ~ | 40% | ~ | ~ | ~ | 0% | 100% |
| All | 250 | 21% | 28% | 24% | 19% | ~ | ~ | 100% |

The unknown category includes barristers whose self-reported proportion of income from legal aid was 0 or missing.

137. Table 4.3.6 (see attached spreadsheet) shows the proportion of barristers who completed mental health legal aid work, by age and by the number of years they completed mental health cases in the datashare period. For barristers aged 45-64, where unsuppressed, proportions were higher in higher year bands than lower year bands.

Ethnicity

138. Table 4.4.1 shows the proportion of barristers who completed mental health legal aid work by ethnicity and by financial year. Barristers from the White ethnic group were the largest ethnic group, at over 80% of barristers each year.

Table 4.4.1: Distribution of barristers completing mental health legal aid work by ethnicity and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|--|------------|------------|------------|------------|------------|------------|------------|------------|
| Asian or Asian British | ~ | 8% | 7% | 8% | 6% | 7% | 7% | 7% |
| Black, Black British, Caribbean or African | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Mixed or multiple ethnic groups | ~ | ~ | ~ | ~ | ~ | ~ | ~ | 4% |
| White | 86% | 82% | 81% | 80% | 82% | 82% | 83% | 81% |
| Other ethnic group | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Unknown | ~ | 6% | 6% | 6% | 5% | 5% | ~ | 4% |
| Total | 160 | 170 | 190 | 220 | 220 | 210 | 250 | 250 |

139. Tables 4.4.2 to 4.4.6 can be found in the accompanying spreadsheet. Due to high levels of suppression in these tables, it is difficult to comment on trends. These tables show the ethnicity of barristers who work in mental health legal aid by:

- Mental health gross civil legal aid fee income,
- Mean and quartiles breakdown,
- Self-reported total gross income,
- Self-reported proportion of income from legal aid, and
- The number of years barristers completed mental health legal aid cases in the datashare period.

Religion

140. Tables 4.5.1 to 4.5.6 can be found in the accompanying spreadsheet. This characteristic has between 38% and 50% of barristers each year where the response is unknown; owing to this high level of unknown data we will not be providing any commentary in this document. These tables show the religion of barristers who work in mental health legal aid by:

- Financial year,
- Mental health gross civil legal aid fee income,
- Mean and quartiles breakdown,
- Self-reported total gross income,
- Self-reported proportion of income from legal aid, and
- The number of years barristers completed mental health legal aid cases in the datashare period.

Disability

141. Tables 4.6.1 to 4.6.6 can be found in the accompanying spreadsheet. This characteristic has between 33% and 47% of barristers each year where the response is unknown; owing to this high level of unknown data we will not be providing any commentary in this document. These tables show the disability of barristers who work in mental health legal aid by:

- Financial year,
- Mental health gross civil legal aid fee income,
- Mean and quartiles breakdown,
- Self-reported total gross income,
- Self-reported proportion of income from legal aid, and
- The number of years barristers completed mental health legal aid cases in the datashare period.

Sexual Orientation

142. Tables 4.7.1 to 4.7.6 can be found in the accompanying spreadsheet. This characteristic has between 36% and 46% of barristers each year where the response is unknown; owing to this high level of unknown data we will not be providing any commentary in this document. These tables show the sexual orientation of barristers who work in mental health legal aid by:

- Financial year,
- Mental health gross civil legal aid fee income,
- Mean and quartiles breakdown,
- Self-reported total gross income,
- Self-reported proportion of income from legal aid, and
- The number of years barristers completed mental health legal aid cases in the datashare period.

Other characteristics

Key information

- Proportions of barristers with 3-7 years of practice who completed mental health legal aid work increased between FY2015-16 and FY2022-23, and proportions of barristers with 8-12, 18-22 and 23-27 years of practice who completed mental health legal aid work decreased.
- The proportion of KC barristers who completed mental health legal aid work has decreased over the period, from 13% in FY2015-16 to 9% in FY2022-23.
- The other characteristics in the datashare have very high levels of unknown responses in the data making it difficult to draw inferences. The tables relating to these characteristics are shown in the accompanying spreadsheet.

Years of practice

143. Table 5.1.1 shows the proportion of barristers who completed mental health legal aid work by years of practice and by financial year. Proportions of barristers with 3-7 years of practice increased over the period, and proportions of barristers with 8-12, 18-22 and 23-27 years of practice decreased.

Table 5.1.1: Distribution of barristers completing mental health legal aid work by years of practice and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|-------|------------|------------|------------|------------|------------|------------|------------|------------|
| 0-2 | ~ | ~ | ~ | 5% | 7% | 9% | 4% | 6% |
| 3-7 | 15% | 11% | 14% | 15% | 21% | 21% | 22% | 23% |
| 8-12 | 23% | 22% | 19% | 20% | 15% | 17% | 16% | 15% |
| 13-17 | 16% | 16% | 16% | 18% | 20% | 20% | 15% | 17% |
| 18-22 | 16% | 26% | 18% | 16% | 12% | 10% | 13% | 11% |
| 23-27 | 22% | 16% | 19% | 13% | 13% | 12% | 12% | 15% |
| 28 + | ~ | ~ | ~ | 13% | 11% | 11% | 18% | 13% |
| Total | 160 | 170 | 190 | 220 | 220 | 210 | 250 | 250 |

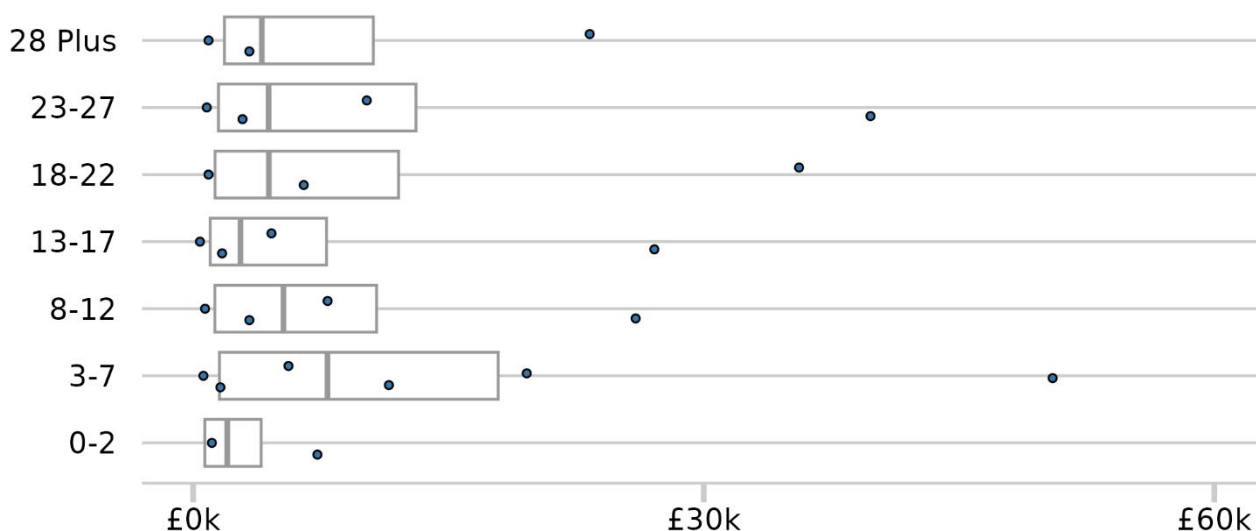
144. Table 5.1.2 shows the proportion of barristers who completed mental health legal aid work in FY2022-23, by years of practice and by their mental health gross civil legal aid fee income band. Due to high levels of suppression in this table, it is difficult to comment on trends.

Table 5.1.2: Number of barristers completing mental health legal aid work and their distribution by years of practice and mental health gross civil legal aid fee income bands, in 2022-23

| | Number of barristers | 0-2 | 3-7 | 8-12 | 13-17 | 18-22 | 23-27 | 28 + | Total |
|---------------------|----------------------|-----------|------------|------------|------------|------------|------------|------------|-------------|
| £5,000 and less | 130 | 10% | 17% | 14% | 19% | 11% | 15% | 14% | 100% |
| £5,001 to £30,000 | 90 | ~ | 30% | 19% | 14% | ~ | 13% | 12% | 100% |
| £30,001 to £60,000 | 20 | 0% | ~ | ~ | ~ | ~ | ~ | ~ | 100% |
| £60,001 to £90,000 | ~ | 0% | ~ | 0% | 0% | ~ | 0% | 0% | 100% |
| £90,001 to £150,000 | ~ | 0% | 0% | 0% | ~ | 0% | 0% | ~ | 100% |
| £150,001 and over | 0 | . | . | . | . | . | . | . | 100% |
| All | 250 | 6% | 23% | 15% | 17% | 11% | 15% | 13% | 100% |

145. In the following chart, the box represents the interquartile range and the median with each dot representing 10 barristers. This chart shows the mental health gross civil legal aid fee income distribution by years of practice band for barristers who completed mental health legal aid work in FY2022-23. Median mental health gross civil legal aid fee income varied with years of practice, with no clear trends.

Mental health gross civil legal aid fee income distribution by years of practice for mental health barristers for 2022-23



Each point represents 10 barristers' mean mental health gross civil legal aid fee income.

146. Table 5.1.3 (see attached spreadsheet) shows a statistical breakdown providing the mental health gross civil legal aid fee income value, mean, lower quartile, median, and upper quartile of the years of practice band of barristers who completed mental health legal aid work in FY2022-23. The mean mental health gross civil legal aid fee income increased as the years of practice increased, with the exception of the 3-7 or 18-22 years of practice bands.
147. Tables 5.1.4 to 5.1.6 can be found in the accompanying spreadsheet. Due to high levels of suppression in these tables, it is difficult to comment on trends. These tables show the years of practice of barristers who work in mental health legal aid by:
- Self-reported total gross income,
 - Self-reported proportion of income from legal aid, and
 - The number of years barristers completed mental health legal aid cases in the datashare period.

Socio-economic background

148. Tables 5.2.1 to 5.2.6 can be found in the accompanying spreadsheet. This characteristic has between 46% and 58% of barristers each year where the response is unknown; owing to this high level of unknown data we will not be providing any commentary in this document. These tables show the socio-economic background of barristers who work in mental health legal aid by:
- Financial year,
 - Mental health gross civil legal aid fee income,
 - Mean and quartiles breakdown,
 - Self-reported total gross income,
 - Self-reported proportion of income from legal aid, and
 - The number of years barristers completed mental health legal aid cases in the datashare period.

Advocate type

149. Table 5.3.1 shows the proportion of barristers who completed mental health legal aid work by advocate type and by financial year. The proportion of KC mental health barristers has decreased over the period, from 13% in FY2015-16 to 9% in FY2022-23.

Table 5.3.1: Distribution of barristers completing mental health legal aid work by advocate type and year

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|
| KC | 13% | 14% | 12% | 10% | 9% | ~ | 11% | 9% |
| Junior | 87% | 86% | 88% | 90% | 91% | ~ | 89% | 91% |
| Total | 160 | 170 | 190 | 220 | 220 | 210 | 250 | 250 |

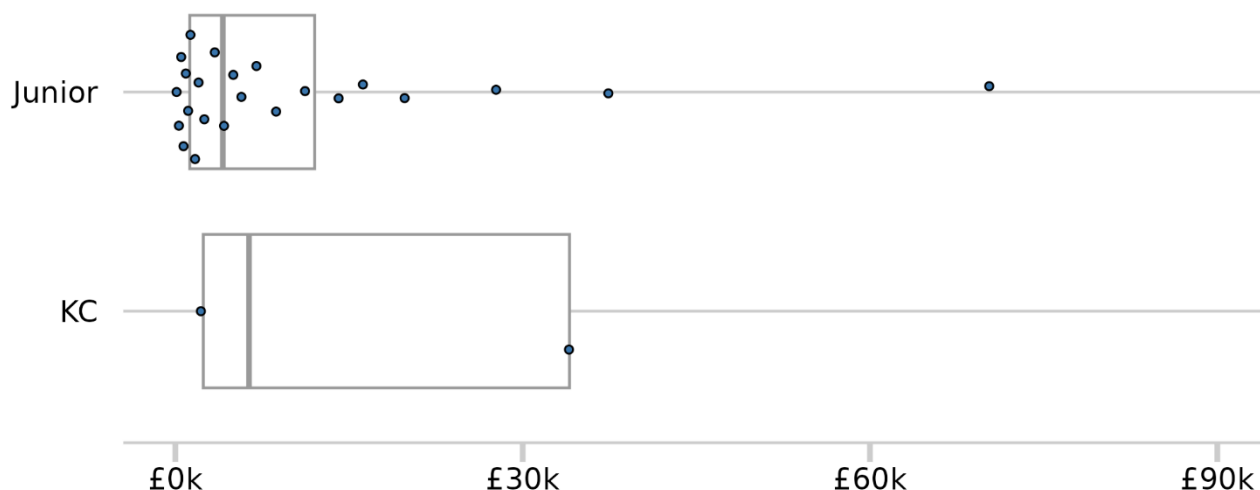
150. Table 5.3.2 shows the proportion of barristers who completed mental health legal aid work in FY2022-23, by advocate type and by their mental health gross civil legal aid fee income band. Due to high levels of suppression in this table, it is difficult to comment on trends.

Table 5.3.2: Number of barristers completing mental health legal aid work and their distribution by advocate type and mental health gross civil legal aid fee income bands, in 2022-23

| | Number of barristers | KC | Junior | Total |
|---------------------|----------------------|-----------|------------|-------------|
| £5,000 and less | 130 | 8% | 92% | 100% |
| £5,001 to £30,000 | 90 | ~ | ~ | 100% |
| £30,001 to £60,000 | 20 | ~ | ~ | 100% |
| £60,001 to £90,000 | ~ | ~ | ~ | 100% |
| £90,001 to £150,000 | ~ | ~ | ~ | 100% |
| £150,001 and over | 0 | . | . | 100% |
| All | 250 | 9% | 91% | 100% |

151. In the following chart, the box represents the interquartile range and the median with each dot representing 10 barristers. This chart shows the mental health gross civil legal aid fee income distribution by advocate type for barristers who completed mental health legal aid work in FY2022-23. Median mental health gross civil legal aid fee income for KCs was higher, at £6,400, than for Juniors, at £4,100.

Mental health gross civil legal aid fee income distribution by advocate type for mental health barristers for 2022-23



Each point represents 10 barristers' mean mental health gross civil legal aid fee income.

152. Table 5.3.3 (see attached spreadsheet) shows a statistical breakdown providing the mental health gross civil legal aid fee income value, mean, lower quartile, median, and upper quartile of the advocate type of barristers who completed mental health legal aid work in FY2022-23. The mean mental health gross civil legal aid fee income of KC barristers was £19,600, which was higher than the mean of Juniors at £9,200.

153. Table 5.3.4 (see attached spreadsheet) shows the proportion of barristers who completed mental health legal aid work in FY2022-23, by advocate type and by their self-reported total gross income band. The proportion of Junior barristers with self-reported total gross incomes of £240,001 and over was lower than the proportions in lower income bands, but due to high levels of suppression in this table, it is difficult to comment further on trends.

154. Tables 5.3.5 to 5.3.9 can be found in the accompanying spreadsheet. Due to high levels of suppression in these tables, it is difficult to comment on trends. These tables show the advocate type of barristers who work in mental health legal aid by:

- Self-reported proportion of income from legal aid,
- The number of years barristers completed mental health legal aid cases in the datashare period,
- Gender,
- Age, and
- Ethnicity.

Annex – Solicitor Datashare

Annex I – Data matching rates

155. The below tables show the match rates between LAA data and the LS data. There are three metrics presented in this table:

- Matched – any year: active mental health firms receiving mental health legal aid payments that were successfully matched across any of the LS data years. For instance, a firm that could only be matched to a specific year would still be counted across all the other years it received civil legal aid payments;
- Matched – specific year: active mental health firms receiving mental health legal aid payments that were successfully matched to the LS data for that year;

156. Non-SRA: organisations receiving mental health legal aid payments that appear to be not for profit or have been identified as other Alternative Business Structures (ABSs), and not matched with SRA data. Note that this designation has been made using where firms are recorded as not for profit in LAA contract data and some additional manual checking on firm websites. It is not possible to be completely confident that these firms are all ABSs and that there are no ABSs in the unmatched group, however this is shown as it explains most of the variation in match rate between different groups.

157. Table A1.1 shows the match rate for active mental health legal aid firms, by year.

Table A1.1: Active mental health legal aid firm match rate by year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|-------------------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Firms in group | 170 | 170 | 150 | 150 | 150 | 140 | 140 | 130 |
| Matched – any year | 99% | 99% | 99% | 99% | 99% | 99% | 99% | 98% |
| Matched – specific year | 93% | 95% | 93% | 95% | 95% | 98% | 98% | 98% |
| Non-SRA | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 1% |

158. Table A1.2 shows the match rate of income from mental health legal aid for active mental health legal aid firms, by year.

Table A1.2: Income from mental health legal aid in matched active mental health legal aid firms by year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|---|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Income from mental health legal aid (£m) | £35.1 | £32.0 | £30.9 | £31.7 | £32.1 | £34.5 | £31.9 | £32.4 |
| Matched – any year | 100% | 99% | 99% | 99% | 99% | 100% | 100% | 100% |
| Matched – specific year | 97% | 97% | 97% | 92% | 92% | 99% | 99% | 99% |
| Non-SRA | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |

159. Table A1.3 shows the match rate for the solicitor data for active mental health firms, by year.

Table A1.3: Mental health solicitor match rate by year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|------------------------------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Firms in group | 170 | 170 | 150 | 150 | 150 | 140 | 140 | 130 |
| Has solicitor data – any year | 96% | 98% | 97% | 97% | 97% | 97% | 96% | 96% |
| Has solicitor data – specific year | 91% | 90% | 92% | 93% | 93% | 94% | 94% | 93% |
| Non-SRA | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 1% |

160. Table A1.4 shows the match rate for income from mental health legal aid in active mental health legal aid firms with matched solicitor data, by year.

Table A1.4: Income from mental health legal aid in active mental health firms with matched solicitor data, by year

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|---|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Income from mental health legal aid (£m) | £35.1 | £32.0 | £30.9 | £31.7 | £32.1 | £34.5 | £31.9 | £32.4 |
| Has solicitor data – any year | 99% | 99% | 99% | 98% | 99% | 99% | 99% | 99% |
| Has solicitor data – specific year | 96% | 89% | 91% | 90% | 87% | 94% | 94% | 95% |
| Non-SRA | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |

Annex II – Income from inter partes costs

161. The tables in this annex show some further information on inter partes costs as a part of income from mental health legal aid for firms. The columns titled “Income from mental health legal aid (£m)” show income from mental health legal aid including inter partes costs, as shown in the main solicitor section.

162. Table A2.1 shows the proportion of active mental health firms and income from mental health legal aid, by income from mental health legal aid excluding inter partes costs band, in FY2014-15 and FY2021-22.

Table A2.1: Active mental health legal aid firms by income from mental health legal aid excluding inter partes costs, and year

| | 2014-15 | | 2021-22 | |
|----------------|-----------------|--|-----------------|--|
| | Number of firms | Income from mental health legal aid (£m) | Number of firms | Income from mental health legal aid (£m) |
| Blank or zero | 0% | 0% | 0% | 0% |
| £100k or less | 49% | 10% | 31% | 7% |
| £100k to £250k | 33% | 25% | 43% | 29% |
| £250k to £500k | 13% | 21% | 17% | 24% |
| £500k to £1m | ~ | ~ | ~ | ~ |
| £1m and over | ~ | ~ | ~ | ~ |
| Total | 170 | £35.1 | 130 | £32.4 |

163. Table A2.2 shows the proportion of active mental health firms and income from mental health legal aid, by income from inter partes costs only, in FY2014-15 and FY2021-22.

Table A2.2: Active mental health legal aid firms by income from mental health inter partes costs, and year

| | 2014-15 | | 2021-22 | |
|----------------|-----------------|--|-----------------|--|
| | Number of firms | Income from mental health legal aid (£m) | Number of firms | Income from mental health legal aid (£m) |
| Blank or zero | ~ | ~ | ~ | ~ |
| £100k or less | ~ | ~ | ~ | ~ |
| £100k to £250k | 0% | 0% | 0% | 0% |
| £250k to £500k | 0% | 0% | 0% | 0% |
| £500k to £1m | 0% | 0% | 0% | 0% |
| £1m and over | 0% | 0% | 0% | 0% |
| Total | 170 | £35.1 | 130 | £32.4 |

164. Table A2.3 shows the proportion of active mental health firms and income from mental health legal aid, by the proportion of income from mental health legal aid from inter partes costs, in FY2014-15 and FY2021-22.

Table A2.3: Active mental health legal aid firms by proportion of inter partes costs within mental health legal aid income, and year

| | 2014-15 | | 2021-22 | |
|--|-----------------|--|-----------------|--|
| | Number of firms | Income from mental health legal aid (£m) | Number of firms | Income from mental health legal aid (£m) |
| Less than 20% | 100% | 100% | ~ | ~ |
| 20-40% | 0% | 0% | ~ | ~ |
| 40-60% | 0% | 0% | 0% | 0% |
| 60-80% | 0% | 0% | 0% | 0% |
| More than 80% | 0% | 0% | 0% | 0% |
| Income from civil legal aid is blank or zero | 0% | 0% | 0% | 0% |
| Total | 170 | £35.1 | 130 | £32.4 |

Annex III – Out of Contract Billing Firms

165. The tables in this annex show some further information on the firms that are billing out of contract.

166. Table A3.1 shows the proportion of mental health firms and income from mental health legal aid, by income from mental health legal aid, in FY2014-15 and FY2021-22.

Table A3.1: Out of contract billing mental health legal aid firms by income from mental health legal aid and year

| | 2014-15 | | 2021-22 | |
|----------------|-----------------|--|-----------------|--|
| | Number of firms | Income from mental health legal aid (£m) | Number of firms | Income from mental health legal aid (£m) |
| Blank or zero | 0% | 0% | ~ | ~ |
| £100k or less | 84% | 26% | 75% | 27% |
| £100k to £250k | ~ | ~ | ~ | ~ |
| £250k to £500k | ~ | ~ | ~ | ~ |
| £500k to £1m | ~ | ~ | ~ | ~ |
| £1m and over | 0% | 0% | 0% | 0% |
| Total | 60 | £3.4 | 30 | £1.8 |

167. Table A3.2 shows the proportion of mental health firms and income from mental health legal aid, by mental health legal aid claim volume, in FY2014-15 and FY2021-22.

Table A3.2: Out of contract billing mental health legal aid firms by mental health claim volume and year

| | 2014-15 | | 2021-22 | |
|-------------------|-----------------|--|-----------------|--|
| | Number of firms | Income from mental health legal aid (£m) | Number of firms | Income from mental health legal aid (£m) |
| 1 to 10 claims | 60% | 21% | 82% | 50% |
| 11 to 50 claims | 26% | 33% | ~ | 38% |
| 51 to 100 claims | ~ | 29% | ~ | 6% |
| 101 to 200 claims | ~ | 7% | ~ | 6% |
| 201 claims + | ~ | 9% | 0% | 0% |
| Total | 60 | £3.4 | 30 | £1.8 |

Between 2014-15 and 2021-22, 53% of the out of contract billing mental health firms with over 100 mental health claims were in contract at the beginning of the financial year.

168. Table A3.3 shows the proportion of matched mental health firms and income from mental health legal aid, by total turnover, in FY2014-15 and FY2021-22.

Table A3.3: Matched out of contract billing mental health legal aid firms by total turnover and year

| | 2014-15 | | 2021-22 | |
|----------------|-----------------|--|-----------------|--|
| | Number of firms | Income from mental health legal aid (£m) | Number of firms | Income from mental health legal aid (£m) |
| Unknown | ~ | 5% | ~ | 8% |
| £250k or less | ~ | 7% | ~ | 3% |
| £250k to £500k | ~ | 4% | ~ | 1% |
| £500k to £1m | ~ | 22% | ~ | 4% |
| £1m to £5m | ~ | 12% | ~ | 28% |
| £5m and over | ~ | 50% | ~ | 56% |
| Total | 40 | £2.8 | 20 | £1.7 |

Annex – Barrister Datashare

Match rates

169. Table A4.1 shows the value of work matched for this publication. Only civil representation work undertaken by barristers who are directly paid by the LAA is able to be matched because the matching process requires the name of the barrister to be recorded on both LAA and BC systems. There are three categories of work where we cannot identify the advocate:

- Controlled work (where relevant, i.e. immigration and mental health tribunal work)
- Cases where the solicitor firm claims the advocacy fee and pays it on to an advocate (whether barrister or another profession)
- Where licenced work is paid directly to an advocate who is not a barrister

170. Two match rates are shown: one against all civil representation advocacy done in mental health, and another against only the work identified as being paid directly to an advocate. The latter of these match rates is high and shows that most advocacy work in this category is paid directly to a barrister and the matching process is able to identify almost all of these. The former is also high and shows that most advocacy work in this category is undertaken by barristers (and not other professions).

Table A4.1: Match rate by value of mental health civil representation legal aid work (exclusive of VAT)

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|--|------------|------------|------------|------------|------------|------------|------------|------------|
| Civil representation advocacy work (£m) | £1.8 | £1.9 | £2.2 | £2.3 | £2.4 | £2.2 | £2.6 | £2.6 |
| Advocacy work paid directly (£m) | £1.8 | £1.9 | £2.2 | £2.3 | £2.4 | £2.1 | £2.6 | £2.6 |
| Matched advocacy work (£m) | £1.7 | £1.8 | £2.1 | £2.2 | £2.3 | £2.1 | £2.5 | £2.5 |
| Matched against all advocacy work | 94% | 95% | 94% | 96% | 95% | 95% | 95% | 95% |
| Matched against advocacy work paid directly | 94% | 95% | 96% | 97% | 96% | 97% | 96% | 97% |

Annex – Coverage and limitation of data sources

171. The coverage and limitations of the data sources in this report are the same as those in the Overview Report, and so the following paragraphs in this annex are repeated from the Overview Report and should be considered alongside the report-specific match rates in the earlier annexes.
172. The LAA data includes billing information from the main civil legal aid schemes – Legal Help, Controlled Legal Representation, the Housing Possession Court Duty Scheme¹⁰ and Civil Representation. The data covers the relevant periods described in the following paragraphs, relevant to each of the two data sharing agreements.
173. The LS data contains separate sets of information on legal firms and individual solicitors. This is gathered by the Solicitors Regulation Authority (SRA) and covers the period August 2015–July 2016 to August 2021–July 2022. The data provided by the LS is a snapshot of the SRA data as per July of the relevant year. The firm datasets provide information on, among other things, the number of partners and solicitors, and turnover. The individual solicitor datasets contain information on age, gender, and year of admission to the roll. More detail on the match rate is shown in Annex I – Data matching rates, within the Solicitor Datashare annex.
174. The LS data contains only data on Law Society member firms and does not include Alternative Business Structures such as Not for Profit provision or charities. These providers are generally not included in the LS data share data, and so are not included here – this affects some categories of law more than others, so caution should be used when making comparisons between different categories of law.
175. BC data on barristers is gathered by the BC and the Bar Standards Board and covers the period April 2015–March 2016 to April 2022–March 2023. It includes information on barristers’ characteristics and practising details. The characteristics include the barristers’ age, gender, ethnicity, sexual orientation, religion, disability, socio-economic background, and whether they are a KC or junior. The barristers’ practising details include length of practice, declared total income band, declared proportion of total income which came from criminal work, and whether they belong to a Chambers or another organisation type.

¹⁰ This scheme has now been replaced by the Housing Loss Prevention Advice Service, however this happened after the time period referenced in the data publications here.

176. The Ministry of Justice sent data on all payments to advocates for civil legal aid (family and other civil) from financial year (FY) 2013–14 to FY 2022–23 to the BC. The records held by the BC were sufficient to match to the eight financial years from 2015–16 to 2022–23, the results of which are shown here. The fees data file from MoJ contained payments for 8,663 advocates and the BC matched 8,397 of them (97%) with their barrister records. Of those, 708 (8%) do not appear in the overall dataset, the majority of these because they received fee payments in 2015–16 or later for work carried out before 2015–16. More detail on the match rate for barristers doing mental health work specifically is shown in the Barrister Datashare match rate annex.
177. When matching the data some pragmatic decisions were made. For instance, the data matching showed that a small number of solicitors' firms had changed their constitution type (and, therefore, their SRA registration number) but their characteristics had remained largely unchanged. In these cases, for analytical purposes, these providers were treated as being the same throughout the period. It was also assumed that all providers' self-reported financial information in the LS datasets refer to the same time period, however, it is possible that some providers' financial information might refer to a slightly different period of time. This might help explain some of the small time-inconsistencies between the LAA and the LS data. As a result, care must be taken when interpreting the analysis in this data publication.



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