

Measuring Civil Legal Aid Demand

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Contents

Executive Summary	1
1 Background	8
1.1 Policy context.....	8
1.2 Project aims and scope	10
1.3 Report structure.....	12
2 The current landscape	13
2.1 'User' journey and demand funnel	13
2.2 Current data landscape	16
3 Measuring civil legal aid demand	20
3.1 Approach to developing a policy longlist.....	20
3.2 Critical success factors	21
3.3 Policy longlist assessment.....	23
4 Policy Shortlist: In-depth assessment	29
4.1 Option 1: High-level monthly capacity reporting by providers	29
4.2 Option 2: Provider collection of basic case information at the first point of contact.....	32
4.3 Option 3: Recruitment of a sample of providers to report additional data.....	35
4.4 Option 4: LAA creation of a "report a lack of legal aid provision" service	38
4.5 Option 5: Centralised LAA case allocation and monitoring.....	40
4.6 Option 6: General population survey	44
4.7 Option 7: Legal aid provider survey	48
5 Policy implications: discussion	51
5.1 Comparative assessment of the policy shortlist.....	51
5.2 Reflections and policy implications	54
Glossary	58

Executive Summary

Background and policy context

Legal aid involves the provision of public funding to support individuals to meet the costs of securing legal advice and, where necessary, legal representation in court or at a tribunal. This is administered by the Legal Aid Agency (LAA), in accordance with the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO). Under Section 1(1) of LASPO, the Lord Chancellor is bound by a statutory duty to "secure that legal aid is made available" for matters defined within the Act for individuals who qualify.

LASPO significantly reduced the scope of legal aid in civil cases, and in real terms, spending on legal aid has fallen by 28% since its reforms. Alongside a range of policy interventions aimed at supporting access to legal aid and sustaining provider supply, there has been a recognised need within the Ministry of Justice (MoJ) to improve its understanding of demand for civil legal aid and the sector's capacity to meet that demand. This focus aligns with, and is reinforced by, recommendations from the National Audit Office (NAO) and the Public Accounts Committee (PAC), which have highlighted the importance of robust evidence on demand and capacity in ensuring the long-term viability of the legal aid system. This includes building a clearer picture of whether provision is sufficient to meet need across different areas and of the extent to which sector capacity constraints may limit access to legal aid for eligible individuals.

In this context, **the MoJ commissioned Ipsos to provide advice on how the government could routinely monitor demand for legal aid by eligible individuals.** This research was guided by two core aims:

1. In the **short-term**, to enable MoJ to identify the best way to put in place routine monitoring processes which give a timely and accurate way of assessing civil legal aid demand and give early warning about areas where demand may outstrip capacity.
2. In the **long-term**, to ensure that any options implemented by MoJ based on this work should provide evidence for future policymaking, supporting targeted interventions.

The **research methodology** included analysis of current data availability, a rapid review of existing studies, and semi-structured interviews and workshops with policy and operational teams within the MoJ and LAA, representative organisations for civil legal aid providers, and representatives from individual civil legal aid provider practices.

The current landscape

Individuals who believe they have a civil legal problem move through a series of stages before they either receive legal aid or not. The journey typically begins when a potential legal problem arises, progresses through seeking help and entering the legal aid system, undergoing initial triage and eligibility checks, and potentially receiving funded legal assistance. However, individuals may also

exit the legal aid system at several points due to circumstantial factors despite being eligible. To better understand how individuals interact with the system, Ipsos has conceptualised **civil legal aid access** through a four-stage demand funnel that tracks how individuals experiencing problems of a legal nature progress to receiving funded civil legal aid. Acknowledging that there will be other ways of defining different forms of demand for legal aid and the relationships between them, this project considers:

- **Latent demand:** Every individual experiencing a legal problem for which legal aid could be available, regardless of whether they recognise the issue as a legal one or attempt to access support. At this stage of the demand funnel, individuals have not taken any action to obtain legal aid.
- **Expressed demand:** When individuals actively seek assistance in relation to their legal issue from a solicitor, advice organisation, charity, or government advice service. Not all demand of this type will lead to individuals receiving legal aid, and not all individuals in this category will be eligible to receive legal aid.
- **Unmet demand:** Individuals who seek help and are eligible for legal aid but ultimately do not receive it due to factors such as providers lacking capacity to take on their case. **This is the core area of focus for this research.**
- **Met (or funded) demand:** Individuals whose cases are taken on by providers and who receive civil legal aid.

Measuring the true scale of demand for civil legal aid across these stages is an inherently complex challenge. As it is currently designed, the civil legal aid system predominantly captures information related to cases that are taken on by providers and individuals that ultimately receive legal aid, providing rich data on met demand.

By contrast, there is no routine data collection where an individual is unable to secure legal aid. If an individual is turned away by a provider, in most cases information is not captured and there is no obligation to report this to the LAA. Although some providers track these enquiries informally, the lack of formal reporting means that the MoJ and LAA lack a clear, granular view of the extent to which unmet demand arises and where any specific supply/demand mismatches are most acute. Equally, while there are proxies for the volume of legal problems and potential demand for civil legal aid (such as the number of asylum applications or children with special educational needs), these are not available at the same level of granularity and completeness across all categories of law and do not provide a reliable mechanism for understanding demand across the full legal aid system accurately.

This visibility gap can make it difficult to identify where specific pressures on the civil legal aid system exist. Although the MoJ has implemented policy measures to address identified pressures, acquiring better data on individuals who fail to access civil legal aid would improve the department's understanding of the extent to which pressures are driven by geography, specific categories of law,

or barriers facing specific population groups. In turn, improved data availability should support more effective targeting of remedial measures to resolve pressures on the civil legal aid system.

Approach to developing options to measure civil legal aid demand

To approach the task of developing and assessing options to remedy this lack of data availability with respect to unmet demand for civil legal aid, the research team considered four broad categories of policy options relating to the source of the data that the MoJ might seek to draw on:

1. Legal aid providers as the data source
2. Government (MoJ / LAA) as the data source
3. The voluntary sector as the data source
4. Proxy- and sample-based data sources

To assess options consistently, this project developed seven critical success factors (CSFs) through discussions with the MoJ about their key priorities in this area and reflection on the NAO and PAC recommendations, grouped into two categories. These represent the core criteria that a policy would need to meet to be deemed a successful means of addressing the policy problem of how best to measure demand for civil legal aid.

Impact CSFs

- **CSF 1: Demand funnel visibility and precision** – The extent to which any new approach moves the MoJ and LAA towards a routine view of expressed and unmet demand.
- **CSF 2: Coverage across categories, geographies and groups** – Understanding demand across different categories of civil legal aid, regions, and population sub-groups.
- **CSF 3: Timeliness and early warning value** – Enabling timely, routine monitoring that allows for early identification of areas where demand may outstrip capacity.
- **CSF 4: Robustness and reliability** – Ensuring indicators of unmet demand are analytically robust and withstand scrutiny.

Feasibility CSFs:

- **CSF 5: Practical feasibility and burden** – Ensuring routine measurement is practical and proportionate for the MoJ, LAA, legal aid providers and voluntary organisations.
- **CSF 6: Ethical, legal and reputational soundness** – Meeting legal and ethical requirements and maintaining trust across the legal aid system.
- **CSF 7: Strategic fit and futureproofing** – Aligning with MoJ's future priorities for civil legal aid and addressing current information gaps.

To inform the development of a longlist of policy options, the research team held initial scoping discussions with the two representative bodies within the legal aid sector, two legal aid providers and the LAA. The research team then shortlisted options with reference to the CSFs and held policy workshops with (1) a selection of 6 representatives from legal aid providers, law centres and representative bodies spread across categories of law and regions, and (2) representatives from the LAA. During these workshops, the research team presented the shortlisted policy options and invited views on the benefits and cost of each option, how each interacts with the practical realities of delivering civil legal aid, and what practical considerations would be needed to implement them.

Policy options shortlist

Measuring demand for civil legal aid is inherently challenging and there is a stark trade-off between collecting data with sufficient depth and accuracy to be valuable, and minimising administrative burdens and costs for both legal aid providers and government departments and agencies.

Drawing on a policy longlist (outlined in chapter 3), the research team determined 7 options to shortlist for detailed assessment. A summary of these options is presented in the table below.

Table 1.1: Policy options shortlist assessment – summary

Option	Impact CSFs	Feasibility CSFs	Stakeholder feedback
<p>1. High-level monthly capacity reporting: Providers submit monthly returns to the LAA reporting the number of enquiries received, reasons for turning cases away, and their current capacity to accept new legal aid work.</p>	<p>Demand funnel visibility – weak: Captures expressed demand, but cannot distinguish between cases turned away that are ineligible</p> <p>Coverage – weak: No individual level characteristics</p> <p>Timeliness – strong: routine, frequent reporting</p> <p>Robustness – weak: Likely to result in duplicate data as individuals contact multiple providers</p>	<p>Feasibility and burdens – Somewhat strong: Light touch approach using aggregate data</p> <p>Ethical, legal, reputational soundness – strong: low data protection risk given use of aggregate data</p> <p>Strategic fit – strong: practical market monitoring tool</p>	<p>Providers considered this the most proportionate universal option if kept simple and digital but raised concerns about workload and decline-reason data becoming a contract-management tool. LAA staff saw it as contractually realistic and useful for capacity monitoring, acknowledging that data would be approximate.</p>
<p>2. Provider collection of case information at first contact: Providers collect standardised information on location, category of law and eligibility indicators.</p>	<p>Demand funnel visibility – somewhat strong: Captures expressed demand with some eligibility flags and turn-away reasons</p> <p>Coverage – strong: Potential across all areas where providers operate</p> <p>Timeliness – strong: Routine, frequent reporting</p>	<p>Feasibility and burdens – weak: Significant admin burden at time-pressured stage; likely requires funding</p> <p>Ethical, legal, reputational soundness – weak: Concerns about asking eligibility questions of people providers cannot help</p>	<p>Providers saw analytical value but described this as unrealistic within the current funding context and given lack of admin capacity. Strong ethical concerns arose about questioning of people who cannot be helped. LAA noted even 'basic' eligibility checks are complex, and previous paid determinations drove high</p>

Option	Impact CSFs	Feasibility CSFs	Stakeholder feedback
	<p>Robustness - weak: Eligibility judgements at triage are approximate; limited mechanism to identify duplicates</p>	<p>Strategic fit - strong: Richer data on likely unmet eligible demand</p>	<p>volumes without corresponding advice. Stakeholders questioned feasibility and ethics without wider contractual reform.</p>
<p>3. Recruitment of a sample of providers for additional reporting: A funded panel of providers selected to reflect different regions and categories of law to collect detailed first-contact data and submit regular returns on demand and turn-aways.</p>	<p>Demand funnel visibility - somewhat strong: Captures expressed demand and turn-aways with some eligibility flags within sample</p> <p>Coverage - somewhat strong: Inherently partial; risks bias toward better-resourced providers</p> <p>Timeliness - strong: Routine, frequent reporting</p> <p>Robustness - weak: Representativeness challenges; variation in triage practices; potential duplicates</p>	<p>Feasibility and burdens - somewhat strong: Targeted burden on funded, opted-in providers</p> <p>Ethical, legal, reputational soundness - somewhat strong: Concerns about eligibility probing for people who cannot be helped</p> <p>Strategic fit - strong: Offers indicative estimates of unmet demand. However, not comprehensive and sample findings easier to challenge</p>	<p>Providers saw this as the most practical detailed option since burden is limited to a funded group that opts in. They warned about sample bias and the need to avoid lengthy eligibility probing. LAA viewed it as a pragmatic compromise but noted sample-based findings are easier to dismiss and constructing a representative panel is non-trivial. Both stressed this should be part of a broader evidence strategy, not a standalone solution.</p>
<p>4. LAA creation of a 'report a lack of legal aid provision' service: Establish an online portal and helpline for individuals to report to the LAA when they have been unable to find a legal aid provider.</p>	<p>Demand funnel visibility - weak: Relies on voluntary self-reporting with low incentive to engage</p> <p>Coverage - strong: Theoretical capacity to cover all areas</p> <p>Timeliness - strong: Immediate visibility of reported unmet demand</p> <p>Robustness - weak: Incomplete, inconsistent data; eligibility based on self-assessment</p>	<p>Feasibility and burdens - somewhat strong: No additional admin burden on providers, but requires the LAA to build a new online reporting service</p> <p>Ethical, legal, reputational soundness - weak: Risk of raising expectations without solutions; data protection concerns</p> <p>Strategic fit - somewhat strong: Potential to identify specific provision gaps</p>	<p>Both providers and LAA were sceptical that individuals would use a service that cannot resolve their problem. Providers worried about directing vulnerable clients to report to government, particularly in sensitive areas like immigration. LAA highlighted difficulty defining when someone has "failed" to find provision. Stakeholders saw analytical value in principle but doubted real-world uptake.</p>
<p>5. Centralised LAA case allocation and monitoring: LAA as a central point of contact for individuals seeking legal aid to allocate eligible cases to providers, either universally or as a</p>	<p>Demand funnel visibility - very strong: Full visibility if LAA allocates all cases; partial in backstop model</p> <p>Coverage - strong: Potential to cover all areas, but engagement may be challenging for vulnerable groups or those distrusting government</p>	<p>Feasibility and burdens - very weak: Requires fundamental system changes, new platforms, governance reform and significant costs. Major disruption to provider operating models</p> <p>Ethical, legal, reputational soundness - very weak: Concerns about provider</p>	<p>Both providers and LAA viewed this as major structural change with significant risks. Providers raised strong concerns about independence, conflicts of interest (LAA both protecting funds and granting aid), and being compelled to take cases. LAA emphasised large new administrative functions and doubted adequate</p>

Option	Impact CSFs	Feasibility CSFs	Stakeholder feedback
backstop when individuals cannot find a provider themselves.	<p>Timeliness – very strong: Immediate visibility with trend monitoring potential</p> <p>Robustness – strong: Potential for complete data in universal model</p>	<p>independence, competition, and conflicts of interest</p> <p>Strategic fit – strong: End-to-end visibility of supply and demand</p>	<p>resourcing. A backstop model was seen as slightly more acceptable but still challenging. Stakeholders recognised analytical value but saw this as high-risk and difficult to implement.</p>
<p>6. General population survey: Regular, independent surveys of the general public to understand demand for civil legal services, including from those who do not engage with the civil legal aid system.</p>	<p>Demand funnel visibility – Strong: Potential visibility of all demand stages</p> <p>Coverage – somewhat strong: Random probability sample enables robust inference across areas and sub-groups. Low incidence of some law categories makes adequate coverage difficult</p> <p>Timeliness – weak: Scale of surveying limits frequency to annual at most</p> <p>Robustness – weak: Cannot reliably distinguish eligibility given complexity</p>	<p>Feasibility and burdens – weak: No burden on providers but significant funding and commissioning activity, and significant methodological limitations</p> <p>Ethical, legal, reputational soundness – strong: Information provided with consent</p> <p>Strategic fit – moderate: Exists outside LAA systems; not fully integrated</p>	<p>Providers and LAA recognised this as a rigorous way to understand overall levels of potential need for legal services, including people who never reach providers, but viewed it as an additional source rather than a solution to MoJ’s specific objectives. Concerns centred on cost, survey complexity for low-incidence categories, and reliance on public recall. Stakeholders supported an independent survey as part of a wider evidence mix with realistic expectations about frequency and scope.</p>
<p>7. Legal aid provider survey: Regular, independent surveys of contracted civil legal aid providers about their experiences of demand, capacity and unmet need.</p>	<p>Demand funnel visibility – weak: Captures expressed demand but unlikely to distinguish eligibility</p> <p>Coverage – somewhat strong: Potential to cover all areas, subject to response rates</p> <p>Timeliness – somewhat strong: Potential for quick polling; sensitive to long-term changes</p> <p>Robustness – weak: Providers are unlikely to have accurate records to support detailed responses</p>	<p>Feasibility and burdens – somewhat strong: Quick to implement but additional burden on provider staff to respond</p> <p>Ethical, legal, reputational soundness – strong: May duplicate existing reporting; risks opposition without tangible outcomes</p> <p>Strategic fit – somewhat strong: Potential to improve understanding of demand relative to capacity</p>	<p>Providers noted they already share views through various channels and questioned added value of another survey. They anticipated low response rates given existing burden and scepticism about whether findings would lead to change. Independent administration was welcomed for improving trust. LAA saw this as quick to implement with potential to fill gaps, but acknowledged its anecdotal nature and risk of duplicating existing feedback mechanisms.</p>

Policy implications and conclusions

The assessment confirms that no single perfect solution exists. The core difficulty lies in how individuals interact with the system and in the specific difficulty of accurately distinguishing between expressed (ineligible) demand and unmet (eligible) demand without a comprehensive eligibility assessment. Every policy option evaluated therefore involves compromises.

Through the activities undertaken during this project, the research team reached the following overarching conclusions:

- **There is no clear consensus on how (or even whether) to routinely measure demand for civil legal aid across the whole system.** All options involve trade-offs stemming from a tension between obtaining sufficiently granular data and managing administrative burdens. Among some providers, there was concern that expending resources to develop a precise view of unmet demand would delay changes to increase capacity, based on a view that sufficient evidence of supply/demand mismatches already exists.
- **It is unlikely to be feasible to accurately determine the exact number of eligible individuals without imposing disproportionate burdens.** Determining eligibility for civil legal aid is complex and time-consuming. Without undertaking a detailed eligibility assessment for all enquiries, any assessment of unmet demand would be approximate with a potentially large margin of error.
- **Options that alter the operating model by positioning the LAA as a central point of contact could yield the most impactful data, but obstacles are significant.** This would represent wholesale reform of the legal aid system with concerns about provider independence, conflicts of interest, and significant resource requirements.
- **Measures relying on additional data collection from providers must account for sector pressures and are unlikely to be feasible without further funding.** Providers expressed strong opposition to additional administrative tasks without commensurate funding.
- **There is likely to be provider opposition to data collection without communication of how data would be used.** Stakeholder engagement indicated greater appetite to engage constructively if outputs were transparent and linked to clear policy responses.

The key trade-off for the MoJ when determining how best to improve its understanding of demand for civil legal aid is therefore the balance between the granularity of data deemed necessary for more targeted policy making and the administrative workload (and cost) it is willing to impose on providers and/or the LAA. The greater the accuracy of an assessment of levels of any unmet demand required for policymaking, the greater the associated administrative burdens.

For example, pursuing full reform of the legal aid system to collect data via applications to the LAA could offer the most granular and robust data on demand, but would pose the greatest disruption to the legal aid market and legal aid providers. By contrast, requesting simple counts of the number of cases turned away by providers presents far fewer feasibility challenges and alterations to provider processes, but provides a comparatively inaccurate measure of unmet demand.

Given the current lack of data collected on unmet demand within the legal aid system, any of the measures considered during this project could improve the MoJ's understanding of unmet demand for civil legal aid, though there are clear variations in their likely impact and feasibility. Whether to implement any of the options is a matter for the MoJ and would need to account for wider priorities.

1 Background

1.1 Policy context

Legal aid involves the provision of public funding to support individuals to meet the costs of securing legal advice and, where necessary, legal representation in court or at a tribunal. This is administered by the Legal Aid Agency (LAA), in accordance with the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO).

Under Section 1(1) of LASPO, the Lord Chancellor is bound by a statutory duty to "secure that legal aid is made available" for matters defined within the Act for individuals who qualify.¹ This obligation generally covers individuals with income and assets below a certain threshold and where the case's merits meet the Civil Legal Aid (Merits Criteria) Regulations 2013, though some matters are means-free. Section 10 of LASPO establishes a "safety net" through Exceptional Case Funding (ECF). This requires the Lord Chancellor to provide legal aid even for cases typically outside of scope, where the LAA's Director of Legal Aid Casework makes a determination that it is necessary to provide legal aid to avoid a breach or likely breach of an individual's human rights, and they pass the relevant means and merits tests. To fulfil the mandate established by LASPO, the Lord Chancellor must therefore maintain the infrastructure of the LAA and ensure sufficient funding is allocated to allow eligible individuals to obtain legal advice and representation for eligible issues.

The entry into force of LASPO in 2013 significantly reduced the scope of legal aid in civil cases. Under the previous Access to Justice Act 1999, a matter was in scope of legal aid unless it was explicitly excluded. By contrast, under LASPO, matters are in scope if they relate to specific types of legal dispute. In real terms, spending on legal aid fell by 28% (from £2,584 million to £1,856 million) since LASPO's reforms, with expenditure remaining largely stable since 2016 in real terms.²

Since LASPO and a [Post-Implementation Review](#) in 2019, several further amendments have been made to civil legal aid, including but not limited to the following changes:

- In October 2019, separated migrant children were made eligible for legal aid to help with citizenship and non-asylum immigration applications and appeals.
- In February 2023, the Government laid a Statutory Instrument to expand civil legal aid to bring Special Guardianship Orders in private family proceedings and Domestic Abuse Protection Orders (DAPOs) and Domestic Abuse Protection Notices (DAPNs) into scope.

¹ Legal Aid, Sentencing and Punishment of Offenders Act 2012. Available at: <https://www.legislation.gov.uk/ukpga/2012/10/contents>

² In real terms, spending on legal aid fell by £728 million (from £2,584 million to £1,856 million, a 28% reduction) between 2012-13 and 2022-23 (in 2022-23 prices). Cf: National Audit Office (2024), Government's management of legal aid. Available at: <https://www.nao.org.uk/wp-content/uploads/2024/02/governments-management-of-legal-aid.pdf>

- In August 2023, the Government introduced the **Housing Loss Prevention Advice Service (HLPAS)**, which provides non-means tested advice to anyone facing possession or illegal eviction. Users can access both early legal advice and in-court representation.
- In 2023, the Government launched the **Review of Civil Legal Aid** to consider the civil legal aid system in its entirety, from how services are procured to how well the current system works and how civil legal aid impacts the wider justice system. This led to a 2025 uplift of fees for housing and immigration legal aid work.³
- In May 2025, the Government made several changes: it ensured legal aid is available for migrant domestic abuse victims whose leave to remain in the UK was based on their partner or spouse's immigration status to help them apply for settlement in the UK. The changes also enabled overseas medical evidence to be accepted for legal aid applications; updated terminology to align with the Domestic Abuse Act 2021; broadened the definition of behaviour considered as domestic abuse and ensured the fuller availability of legal aid for Domestic Abuse Protection Orders and Notices for individuals where appropriate.

Alongside these policy interventions aimed at supporting access to legal aid and sustaining provider supply, **there has been a recognised need within the MoJ to improve its understanding of demand for civil legal aid and the sector's capacity to meet that demand.** This focus aligns with, and is reinforced by, recommendations from the National Audit Office (NAO) and the Public Accounts Committee (PAC), which have highlighted the importance of robust evidence on demand and capacity in ensuring the long-term viability of the legal aid system.

In a 2024 report, the NAO specifically recommended that the Ministry of Justice (MoJ) should focus on "improving its view of demand and capacity in the legal aid market, [...] and addressing any barriers found; [...] and how it monitors whether those who apply for its exceptional case funding scheme individually are able to find a provider and acting to address any issues found".⁴ The PAC similarly recommended in 2024 that MoJ and LAA should "[...] set out how they intend to improve the data they collect on demand for and access to legal aid so that they can better monitor:

- whether an area has sufficient provision for a particular category of law to meet demand. This should include details of how they plan to consider specific local variation such as deprivation or access to public transport and demographics such as disability; and

³ Ministry of Justice (2025), Government to boost legal aid funding to support those at risk of eviction. Available at: <https://www.gov.uk/government/news/government-to-boost-legal-aid-funding-to-support-those-at-risk-of-eviction>

⁴ National Audit Office (2024), Government's management of legal aid. Available at: <https://www.nao.org.uk/wp-content/uploads/2024/02/governments-management-of-legal-aid.pdf>

- the extent to which capacity constraints may mean people are unable to access legal aid in areas where there are providers”.⁵

In a follow-up report published in January 2026, the PAC asserted that significant gaps in face-to-face legal provision still exist in areas of the country, in particular for housing and debt advice. The PAC report reiterated concerns that “such gaps disproportionately penalise those who are digitally excluded and often most in need of legal assistance, including individuals with disabilities or those living in poverty”. Therefore, the PAC report specifically recommended that MoJ and LAA set out how they “plan to better monitor whether digitally excluded individuals can access legal aid and set out a plan” for closing such gaps in provision.⁶

1.2 Project aims and scope

In the context of the NAO and PAC recommendations to improve data collection across the civil legal aid system, **the MoJ commissioned Ipsos to provide advice on how the government could routinely monitor demand for legal aid by eligible individuals.** Improved data availability in relation to demand, particularly if this demand is unmet, would support the MoJ to develop more targeted policy interventions to improve the availability and accessibility of civil legal aid. Although there have been isolated pieces of research into this area, these are expensive, generally retrospective and do not constitute a means of measuring demand on a routine basis.

This research was guided by two core aims:

1. In the **short-term**, to enable MoJ to identify the best way to put in place routine monitoring processes which give a timely and accurate way of assessing civil legal aid demand and give early warning about areas where demand may outstrip capacity.
2. In the **long-term**, to ensure that any options implemented by MoJ based on this work should provide evidence for future policymaking, supporting targeted interventions.

Informed by these aims and the policy context, this research therefore aimed to identify a range of policy options to meet the MoJ’s objective to routinely monitor demand for civil legal aid by eligible individuals, and compare their potential benefits (i.e. how effective each policy option may be in measuring demand) and their relative feasibility for the MoJ, LAA and legal aid providers. These policy options relate only to measuring demand for civil legal aid; this project did not consider demand for criminal legal aid or wider policy questions related to the legal aid system such as the mode of delivery of service provision. Equally, these options seek to identify a means of identifying unmet but eligible demand for civil legal aid; while there may be a need for legal services and

⁵ Committee of Public Accounts (2024): Value for Money from Legal Aid. Available at: <https://committees.parliament.uk/publications/44957/documents/223163/default/>

⁶ Committee of Public Accounts (2026): Ministry of Justice follow-up: Autumn 2025. Available at: <https://committees.parliament.uk/publications/50887/documents/281680/default/>

expressed demand for civil legal aid outside of the policy's current scope, this research exists within the boundaries of the current legal aid system and does not consider the measurement of ineligible demand. **Whether to implement any of these options is a matter for the MoJ.**

To establish the baseline of current data availability to monitor demand for civil legal aid, develop options to address gaps in data availability, and assess the potential impact and feasibility of those options, this project utilised a multifaceted analytical approach, with research conducted between December 2025 and March 2026. This included:

- **Establishing current data availability:** Analysis of the fields against which the MoJ and LAA currently collect data from civil legal aid providers, and the extent to which these can be used to assess demand for civil legal aid.
- **Consideration of literature and other data sources:** A rapid review of existing studies into civil legal aid demand conducted by academics, reputable stakeholders with an interest in the topic (such as representative bodies for legal aid providers) and other research agencies commissioned previously by the MoJ and others. This included the identification of existing data sources that may indicate the potential for, or act as proxies for, demand for civil legal aid across each category of law.
- **Stakeholder Engagement:** Semi-structured interviews and workshops with (1) policy and operational teams within the MoJ and LAA; (2) two representative organisations for civil legal aid providers; and (3) representatives from 8 individual civil legal aid provider practices (two when developing an options longlist, and 6 when testing a policy shortlist).

This methodology supported a three-stage approach to developing and assessing options to routinely measure demand for civil legal aid: identifying gaps in the existing data held by the MoJ and LAA to measure demand to define the problem; identifying a longlist of policy approaches to filling data gaps based on stakeholder engagement; and undertaking a more in-depth consideration of a shortlist of options through more detailed testing with the LAA and provider representatives. This allowed for the development and assessment of policy options to routinely measure demand for civil legal aid within a short timeframe while still accounting for the views of key stakeholders within this process. Each of the sections that follow describe the analysis process for each stage (such as the process for assessing the strengths and weaknesses of options) in more detail.

However, **the pace of this exercise was such that there are limitations to this analysis.** Firstly, primary research was limited to engagement with a small number of civil legal aid providers. While these providers varied in their coverage of categories of law and geographic areas, their views may not be representative of the wider population of civil legal aid providers. Secondly, this research did not engage directly with those with lived experience of seeking civil legal aid, either successfully or unsuccessfully, which would need to be accounted for during policy development where there may be alterations in the user journey to account for additional data collection and reporting.

1.3 Report structure

This report presents an analysis of policy options to routinely measure demand for civil legal aid and details the evidence gathering and analytical process for this project. The remainder of the report is structured as follows:

- Chapter 2 considers the current landscape of legal aid demand, mapping the data available to understand civil legal aid demand against the civil legal aid “journey”
- Chapter 3 outlines a conceptual framework and approach for comparing potential policies and applies this to a longlist of options
- Chapter 4 considers each shortlisted option in greater depth, including reflections on policy design and implementation considerations.
- Chapter 5 provides a summary assessment of the shortlisted policy options, conclusions and final reflections.

2 The current landscape

To develop and assess policy options to routinely measure demand for civil legal aid, it is necessary to understand the current landscape for this demand and define the problem the options would seek to address. This section outlines (1) a typical “user journey” for civil aid to map how different forms of demand may be visible within the existing legal aid system and (2) the available data on civil legal aid demand against this journey.

2.1 ‘User’ journey and demand funnel

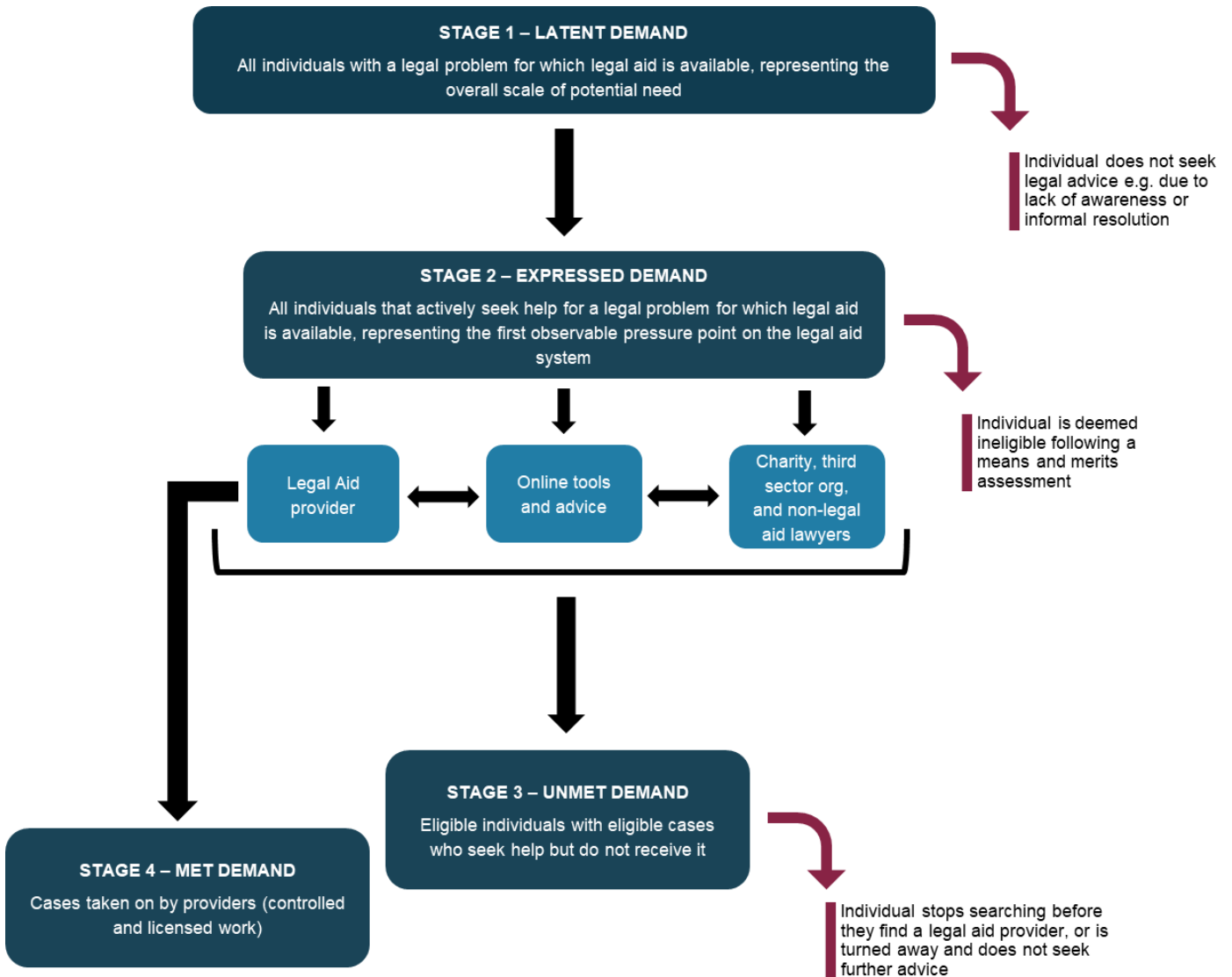
Individuals who believe they have a civil legal problem move through a series of stages before they either receive legal aid or not, and the extent to which individuals progress through this journey leads to different forms of demand for civil legal aid. Although there are likely to be different ways of defining and categorising these forms of demand, this study drew on desk-based research and initial discussions with stakeholders to build its own framework for understanding demand that is based on a user journey for civil legal aid.

The journey typically begins when a **potential legal problem arises** in someone’s life; for example, related to housing, family matters or immigration. At this stage individuals may not recognise the issue as legal, may attempt to resolve it independently, or may seek advice from informal sources. Equally, some individuals may incorrectly believe they have a legal problem. **Some (but not all) individuals decide to seek help** and enter the legal aid system through a variety of entry points, including legal aid providers, online advice tools, charities, third-sector or private-sector organisations, as well as government helplines. Once contact with a legal aid provider is made, individuals typically undergo **initial triage and eligibility checks** to determine whether their case falls within the scope of civil legal aid and whether they meet the relevant financial and merits criteria. If the case and individual are eligible and the legal aid provider has sufficient capacity, the individual may receive funded legal assistance through **Controlled Work** or **Licensed Work**, meaning their case is formally opened within the legal aid system.

However, individuals may also exit the legal aid system at several points, either by design (they are not eligible) or due to circumstantial factors despite being eligible. For example, their case may be assessed as out of scope; they may not meet eligibility requirements; or practical barriers such as limited provider capacity may prevent them from obtaining support.

These pathways, including both successful progression towards securing legal aid and points where individuals may disengage or be turned away, are illustrated in Figure 2.1 below. This figure also covers the implications of different stages of the journey for demand for civil legal aid.

Figure 2.1: 'User' journey for civil legal aid



Ipsos has conceptualised civil legal aid access through a four-stage demand funnel that tracks how individuals experiencing problems of a legal nature progress to receiving funded civil legal aid. This draws on the initial desk research undertaken for this study and does not present an MoJ view on these issues. Rather, the funnel provides a structured way to describe how experiencing a legal problem could translate into observable demand and, in some cases, funded legal aid cases. Although this funnel focusses on individuals that are eligible for civil legal aid with eligible cases, it does include instances of ineligibility given that such individuals will nonetheless contact providers and exert pressure on the legal aid system to respond (even if only to confirm ineligibility). These instances of ineligibility are not, however, a core area of interest for this research.

Each subsequent stage of the funnel represents a subset of the previous stage, narrowing from the broadest population with potential legal problems to those who ultimately receive funded support:

- The first stage is **latent demand**. This refers to every individual experiencing a legal problem for which legal aid is available, regardless of whether they recognise the issue as legal, know that legal aid exists, or attempt to access it. Latent demand reflects the overall scale of

potential need for legal services within the population. However, a large proportion of latent demand may never translate into actual pressure on the legal aid system. For example, individuals may lack awareness of available support, resolve issues informally, pursue alternative dispute routes, or attempt to manage problems themselves. For the purposes of this project, the MoJ is most interested in latent demand among individuals who would be eligible for legal aid. While there could be some latent demand among individuals who would not be eligible (i.e. individuals with a legal problem that may not pass a means and merits assessment), this project does not seek to consider the scope boundaries of the legal aid system and as such does not consider this latent demand any further.

- The second stage is **expressed demand**. This occurs when individuals experiencing a legal problem actively seek assistance from a solicitor, advice organisation, charity, or government advice service. Expressed demand therefore represents the first observable pressure point on the system, as individuals attempt to access support. Not all expressed demand will translate into funded legal aid cases. Some enquiries may be made by individuals who fail to meet financial or merits eligibility criteria. While this ineligible expressed demand is not a core area of interest for this project, it is important to recognise its existence as receiving ineligible enquiries will impose a pressure on providers and providers may not know that those enquiries are ineligible at the point they are turned away (such that any provider counting of turn-away volumes would likely include some ineligible cases). However, as with ineligible latent demand, this ineligible expressed demand is not an area of focus for this research. However, in some cases, individuals may exit the system positively—for example by resolving their issue through alternative advice and legal support services, pro bono support, or by pursuing their case as litigants in person. In other cases, individuals could disengage due to frustration, confusion or barriers encountered during the process.
- The third stage is **unmet demand**. This refers to individuals who seek help and are eligible for legal aid but ultimately do not receive it. This may occur for several reasons – for example where there are no providers available locally to take the case and individuals disengage, the case is considered too complex or resource-intensive for providers to accept, or providers are available locally but lack the capacity to take on additional matters. Understanding the scale and drivers of any unmet demand among individuals who would be eligible for legal aid across different areas of law, regions and demographic groups is of particular interest to the MoJ. **As such, unmet demand is the core area of focus for this research.**
- The final stage is **met (or funded) demand**. This represents individuals whose cases are taken on by providers and who receive civil legal aid. In practice this includes both **Controlled Work** and **Licensed Work**, which together form the core categories through which legal aid services are delivered. Within administrative data, funded demand is typically captured through **matter starts** and other Legal Aid Agency (LAA) statistics. Funded demand therefore provides the most visible and consistently measured stage of the funnel and forms the baseline against which other stages can be compared—for example examining the relationship between expressed and funded demand in different regions or legal aid categories or comparing funded cases with estimated levels of unmet demand relative to provider capacity.

2.2 Current data landscape

To establish a baseline of the information on demand for civil legal aid that is currently available to the MoJ, LAA or other stakeholders across the legal aid system, it is important to recognise the data that is currently produced throughout an individual's legal aid journey. With a view of what is currently measured across this user journey, we can identify what claims are possible to make about demand for civil legal aid based on the available data, what gaps exist across the data landscape, and begin to assess how realistic it may be to collect additional data on top of that which is already collected. Following an illustrative user journey, the table below outlines what data is available as an individual progresses through, or drops out of, the civil legal aid system.

Table 2.1: Data currently captured across the civil legal aid user journey

User journey stage	Data collection	Utility for measuring demand
A legal problem arises	Proxy indicators of legal issues across government: This includes but is not limited to the number of asylum applications (Home Office); Number of people detained under the Mental Health Act (NHS England); Number of children with special educational needs and an Education, Care and Health plan (DfE); Number of individuals receiving benefit sanctions (DWP).	Strong indication of latent demand in some categories of law where the data provides a complete view of all affected by an issue, and where most/all are likely to have an eligible matter for legal aid (e.g. Asylum). Limited utility across all categories of law given lack of indicators across all areas, and significant proportions of these cohorts may not pass means/merits tests.
Individual seeks advice / support	MoJ management information: Online eligibility tool number of webpage visits; Civil Legal Advice helpline call volumes and referrals, and the Find a Legal Aid or family mediator website ⁷ run by MoJ. Voluntary sector management information: Call volumes seeking advice relating to legal aid; data on nature of enquiries. Providers: In a very limited number of cases, overall enquiry volumes. Online survey of individuals' handling of legal issues in England and Wales (ILNS), run by the Legal Services Board and the Law Society: Asks a nationally	Very limited visibility of the first point of contact for legal aid if the case does not progress further through the legal aid journey. Data sources that are available do not provide a full view of all enquiries for legal aid.

⁷ <https://find-legal-advice.justice.gov.uk/>

User journey stage	Data collection	Utility for measuring demand
	representative sample of adults in England and Wales whether they have faced any legal issues in the last four years, how they handled them and their reasons for seeking/not seeking legal support.	
Provider engages and checks eligibility	Legal aid provider case files: Client details (name, date of birth, postcode, gender, ethnicity, disability); Case details and evidence of eligibility.	Strong visibility of expressed demand for legal aid across different categories of law, but this data is only available where cases are taken on by providers.
Provider offers legal aid for controlled work or applies for legal aid for licensed work	LAA application data: Contracted Work and Administration Portal (CWA) ⁸ data on the volume of New Matter Starts for controlled work. Client and Cost Management System (CCMS) data on application volumes for licensed work.	Strong visibility of met demand for controlled work, and expressed demand for licensed work (noting some applications will be ineligible), but as above, this data is only available where cases are taken on by providers.
LAA processes legal aid applications for licensed work	LAA management information: Number of applications accepted and legal representation certificates granted; number of applications declined (and reasons for this); number of internal reviews and appeals; processing times; performance against key performance indicators.	Strong visibility of met demand and partial visibility of expressed but ineligible demand for licensed work.
Provider submits claims to the LAA for payment	LAA management information: Number of providers completing work; volume of cases; timings between case starts and conclusions; proportion of cases classified as high cost; Details of the nature of the legal issue and the client/opponent; time spent on advice, travel and waiting.	Clearest visibility of met demand upon case conclusion including with proxies of the complexity of cases (time). No visibility of unmet demand.
Steps outside of the user journey	LAA contract information: Number of providers holding a legal aid contract by category of law and region.	LAA contract information provides a view of potential supply for civil legal aid. This is valuable for

⁸ The Submit a Bulk Claim (SaBC) service went live on 4 February 2026, replacing the Controlled Work Administration (CWA) system.

User journey stage	Data collection	Utility for measuring demand
	<p>HMCTS management information: For example, number of litigants in person; number of mortgage and landlord possession actions (MoJ); Number of cases in the First-tier Tribunal Immigration and Asylum Chamber and Special Educational Needs and Disability (SEND) Tribunal; Number of applications regarding Deprivation of Liberty (DoLS) under the Mental Capacity Act.</p>	<p>understanding supply/demand mismatches.</p> <p>HMCTS and MoJ management information can, in some limited areas of law, demonstrate a potential ceiling of demand for civil legal aid (though not all cases would be eligible).</p>

Across these data sources, we can observe that, as it is currently designed, the civil legal aid system predominantly captures information related to cases that are taken on by providers and individuals that ultimately receive legal aid. This therefore provides rich data on met demand, including with respect to how this breaks down across different categories of law, regions of England and Wales, and different groups across the population.

By contrast, **there is no routine data collection where an individual is unable to secure legal aid.** If an individual is turned away by a provider, in most cases information is not captured and there is no obligation to report this to the LAA, though some do monitor enquiry levels on a voluntary basis. Accordingly, there is not sufficient data for the MoJ and LAA to have a clear view of level of demand for civil legal aid, whether it outstrips supply and where any supply/demand mismatches may be most acute (either in relation to categories of law, regions of groups across the population). This provides limited visibility of how best to target any remedial measures beyond overarching changes. **While there are proxies for the volume of legal problems and potential demand for civil legal aid, these are not available at the same level of granularity and completeness across all categories of law** and do not provide a reliable mechanism for understanding demand across the full legal aid system accurately. For instance, data is available on the number of asylum applications such that it is possible to understand the upper bound of potential demand for civil legal aid in this area. This is less possible for the majority of civil legal aid categories; for instance, there is no definitive proxy that could be used to provide a comprehensive view of the upper bound of demand for civil legal aid in relation to housing issues, domestic abuse or discrimination (amongst other categories).

Legal aid providers engaged with during this project also highlighted the potential to understand supply / demand mismatches at a high level by considering declines in the number of legal aid providers, both in aggregate and across specific categories of law or regions. For instance, MoJ statistics show that 2,456 provider offices completed legal representation work in 2019-20, falling to 2,174 provider offices in 2024-25 (an 11% reduction). These statistics can show specific reductions in certain categories of law, such as a reduction in the number of provider offices completing housing related legal representation work falling from 438 in 2019-20 to 354 in 2024-25

(a fall of 19%).⁹ Whilst some drivers of demand stayed largely unchanged over this period, others have reduced. Landlord possessions for instance experienced an 18% reduction between 2019 and 2025.¹⁰ **Assessed in aggregate, the current data landscape demonstrates clear gaps in visibility of latent demand, expressed demand and unmet demand.** While there are proxies to estimate the volume of legal problems in some categories of law, this is not universal and there is no routine method for understanding unmet demand in particular.

⁹ [MoJ Provider Dashboard](#)

¹⁰ MoJ: Mortgage and landlord possession statistics: October to December 2025: <https://www.gov.uk/government/statistics/mortgage-and-landlord-possession-statistics-october-to-december-2025>

3 Measuring civil legal aid demand

3.1 Approach to developing a policy longlist

In the context of the current data landscape and the consequent inability to measure unmet demand for civil legal aid accurately across England and Wales, there is a wide range of policy options that the MoJ could consider for improving data collection, mostly within the current structures for delivering legal aid. **The desk research and initial stakeholder engagement undertaken during this project led to the identification of four broad categories of policy options**, to form a longlist for further testing and interrogation.

Across each category, the primary focus is to capture data on unmet demand that would be (or would likely be) eligible for legal aid, rather than other forms of expressed but ineligible demand.

These categories relate to the source of the data that the MoJ might seek to draw on, with methodological variations in how data could be collected sitting within each category:

- 1. Legal aid providers as the data source.** The LAA currently collects a large volume of data from providers to serve as management information. As a result, data collection focusses on cases that providers take on (i.e. met demand) and the information that is required to process legal aid claims. One potential means of measuring demand for civil legal aid is to expand this data collection from providers to capture details of cases that they do not take on but are likely to be eligible (i.e. unmet demand). There is a wide range of potential methods to collect such information: detailed data collection via the addition of mandatory fields to the Client and Cost Management System (CCMS) and Contracted Work and Administration (CWA)¹¹ system; lighter touch template reporting of triaging outcomes or capacity; or basic data collection at the client's first point of contact with a provider, amongst other options.
- 2. Government (MoJ / LAA / HMCTS) as the data source.** Recognising that individuals who are unable to secure civil legal aid do not have an established relationship with a provider, there are options in which there is a more direct data collection relationship between government and individuals seeking legal aid. This could include direct reporting from those who are unable to secure legal aid (such as via a "report a lack of available legal aid provision service"); additional collection and linkage of data across the justice system such as among litigants in person; data collection and monitoring from other parts of government such as Local Authorities; or significant reform to the structures of legal aid delivery by positioning the LAA as a point of contact through which individuals can apply for and secure legal aid.
- 3. The voluntary sector as the data source.** The "user journey" for individuals that encounter a legal problem is complex and, in many cases, their first point of contact may be organisations with broad range of support offered such as Citizens Advice, or a more specific focus (such

¹¹ Replaced by SaBC in February 2026.

as Shelter, with respect to housing). There are a large number of such organisations which vary in their coverage of legal problems, with some providing legal aid, and some being outside of the purview of the legal aid system. These “point-of-first-contact” organisations could provide a means of further data collection and reporting, such as through data sharing agreements or the establishment of advisory panels with voluntary sector representatives.

4. **Proxy- and sample-based data sources.** Given that additional data collection of any sort introduces further administrative burden and cost for those with reporting obligations, the MoJ may wish to consider less “disruptive” options that draw conclusions from existing data or representative samples. This includes the curation of a list of accepted proxies for the potential drivers of legal aid demand to be monitored over time and routine research cycles with surveying of providers, individuals and other actors within the legal aid system.

The full longlist is explored in section 3.3.

3.2 Critical success factors

As a policy longlist, the options across these categories vary in their benefits and costs and do not necessarily address the challenge of measuring demand for civil legal aid equally. Assessing the merits of these options consistently requires a view of the core features of a “successful” policy to measure demand for civil legal aid. To that end, drawing on the recommendations of the NAO and PAC reports into legal aid, and discussions with the MoJ, LAA and legal aid provider representative bodies, we observe seven **critical success factors (CSFs)** that any successful means of measuring demand for civil legal aid would reflect.

The table below outlines these CSFs, which can be grouped into two categories: **impact and feasibility**. To be successful, any option to measure demand for civil legal aid must ultimately:

1. provide accurate visibility of unmet demand as well as met demand, with coverage across different categories of law, geographies and population groups, and
2. be feasible for legal aid providers and the MoJ / LAA to implement with minimal additional burdens and cost, and be legally, ethically and reputationally sound.

Table 3.1: Impact Critical Success Factors

Critical Success Factor	Rationale and sub-factors
<p>CSF 1: Demand funnel visibility and precision</p>	<p>The core value of any new approach to measuring demand is how far it builds on the MoJ’s and LAA’s current view of met demand to develop a more routine and systematic view of expressed and unmet demand.</p> <p>This includes considering which stages of the demand funnel are visible; whether it is possible to distinguish eligible from ineligible demand; whether we can understand why demand is unmet; and whether we can track users through their journey.</p>

CSF 2: Coverage across categories, geographies and groups	<p>To inform targeted interventions, the MoJ and LAA must understand where and for whom demand is met and unmet.</p> <p>This includes an understanding of demand across different categories of civil legal aid, regions, and population sub-groups.</p>
CSF 3: Timeliness and early warning value	<p>To have maximum policy impact, options for measuring demand must enable timely, routine monitoring that allows for early identification of areas where demand may outstrip capacity.</p> <p>This includes an understanding of the frequency of data updates, the sensitivity of the option to measure changes (e.g. short-term shocks), and consideration of its role as an early warning tool.</p>
CSF 4: Robustness and reliability	<p>Any indicators of unmet demand must be analytically robust and withstand scrutiny, especially if they are to inform policy.</p> <p>This includes consideration of the completeness of data and any biases within it; the consistency of definitions and coding practice; whether findings can be validated against other sources; and whether data collection can identify unique individuals and avoid “double counting” individuals.</p>

Table 3.2: Feasibility Critical Success Factors

Critical Success Factor	Rationale and sub-factors
CSF 5: Practical feasibility and burden	<p>Any routine measurement of demand must be practical and proportionate for the MoJ, LAA, legal aid providers and voluntary organisations, particularly in the context of constrained capacity.</p> <p>This includes consideration of whether additional data can be collected within natural points in the user journey; whether it can be integrated with existing workflows and current systems; the time, resource and cost implications for both providers and the MoJ; and the sustainability of options over time.</p>
CSF 6: Ethical, legal and reputational soundness	<p>Measuring demand must meet legal and ethical requirements and maintain trust across the legal aid system.</p> <p>This includes consideration of data protection; fairness, inclusion and biases; and the acceptability of options to legal aid stakeholders.</p>
CSF 7: Strategic fit and futureproofing	<p>Methods for measuring demand should align with and not inhibit future priorities for civil legal aid over time, as well as addressing current information gaps.</p> <p>This includes consideration of the extent to which options align with the MoJ’s objectives and the NAO/PAC recommendations, and the flexibility and scalability of options over time.</p>

3.3 Policy longlist assessment

To assess options across the four categories of data sources, the research team considered the extent to which a longlist of policy options meet the sub-factors within each CSF, based on the initial desk research and engagement with legal aid provider representative bodies (but not more detailed engagement with individual legal aid providers, which had yet to occur). The team then shortlisted options that could meet most conditions within each CSF or fulfil each CSF entirely, based on this high-level initial assessment, while discounting those that may only meet a minority of conditions across the CSFs. A summary of this assessment against each option is provided in the tables below.

Across this assessment, **no option is likely to deliver perfectly against all CSFs**. Measuring demand for civil legal aid is inherently challenging and there is a stark trade-off between collecting data with sufficient depth and accuracy to be valuable, and minimising administrative burdens and costs for both legal aid providers and government departments and agencies.

Additional data collection from providers accounts for the largest group of shortlisted options (three) due to the potential for strong visibility of the demand funnel, albeit with significant feasibility and robustness challenges:

- Introducing **a requirement to collect and report basic eligibility information at the first point of client contact** could provide strong visibility of expressed demand for legal aid across different categories of law and geographies. Introducing **high-level capacity reporting by providers** could provide a lighter-touch tool to monitor whether providers are accepting new cases or not, and **funding a subset of providers to provide additional reporting on turn-aways** could deliver enhanced data collection through a representative sample.
- However, provider-sourced options would fail to capture latent demand and those that offer the granular and robust information (such as detailed unmet demand routine data collection via CCMS and CWA/SaBC) would impose significant additional burdens on providers, necessitate system changes and introduce ethical concerns where data could be collected by providers that do not intend to provide any assistance. In practice it is also likely to be highly challenging for providers to distinguish between expressed (ineligible) demand and unmet demand at first contact given the complexity of assessing eligibility. Lighter-touch alternatives like aggregate reporting of triaging outcomes and assessing the utilisation rates of New Matter Starts may be more feasible but offer less understanding unmet demand.

Some options that rely on data collection (or linkage) via Government present opportunities for a direct, granular view of unmet demand, albeit with significant system design and in some cases significant reform to the delivery structure for civil legal aid. However, most options in this category offer limited visibility of the demand funnel:

- Introducing **new services via the LAA for individuals to either report a lack of legal aid provision or use the LAA as a point of contact to determine eligibility and allocate cases to providers** could have a strong impact by providing direct, real-time visibility of expressed

demand across all categories of law, and visibility of why demand may go unmet. However, these options face feasibility challenges in requiring the LAA to establish new services, with high associated costs, and likely stakeholder concerns regarding the independence of legal aid provision and the perceived risks of engaging directly with government on legal issues in sensitive areas such as immigration.

- Other government-oriented data collection options present more modest potential impacts. For example, enhancing the data collection and monitoring of individuals that contact the Civil Legal Advice helpline¹² could offer useful insights but may not materially address the full measurement challenge without other measures.

Options that rely on leveraging the voluntary sector as a data source align least well with the CSFs and were discounted. Although data sharing agreements with organisations across the voluntary sector or the establishment of advisory panels could offer visibility of expressed demand from individuals who contact those support services, they are likely to face significant limitations as methods for routinely measuring demand. These options are likely to provide only limited visibility of demand by capturing only those who approach voluntary organisations, which would be more pronounced if data sharing agreements were only in place with a small number of organisations.

Finally, **some proxy- and -sample based data source options could provide a means of assessing demand with limited additional burden** on providers at the cost of the granularity of additional data:

- **Regular research cycles with surveys of the overall population** could, with a sufficiently representative sample (acknowledging the significant challenges associated with this), offer visibility across the demand funnel across categories of law, geographies and population groups. Likewise, **routine surveying of legal aid providers** to assess the levels of demand they are experiencing could offer a practical mechanism to gauge demand relative to capacity. These are, however, less routine forms of demand measurement than approaches that treat data collection as a management information exercise and introduce sampling challenges.
- **A proxy-based approach, in which the MoJ curates a list of and monitors accepted proxies for the drivers of legal aid demand could offer significant value in some categories of law.** Stakeholders engaged with during this project regularly referenced Dr. Jo Wilding's research into and analysis of legal aid provision for immigration and asylum cases as a means of assessing mismatches between supply and demand for legal aid using proxies for latent demand.¹³ However, proxies are not available across all categories of law and it is not clear that this can be replicated as a mechanism for measuring demand across the whole system.

¹² As of March 2026, not covering all categories of civil legal aid.

¹³ Wilding, J. (2025) *No Access to Justice 2: Mapping the UK's continuing immigration and asylum legal advice crisis*

Notwithstanding the discussion above, it is important to note that **some legal aid practitioners engaged with during this project disagreed with the exercise's premise**. For many, the decline in the number of legal aid providers, both in aggregate and within specific categories of law and regions, is sufficient evidence of a supply-demand mismatch to justify policy action given their view that drivers of demand have not changed since this decline in provision. Similarly, the absence of providers in specific categories of law in certain regions was seen by some practitioners as sufficient evidence of the areas in which those supply-demand mismatches are most prominent for targeting purposes, particularly where such regions overlap with those scoring highly on deprivation indices. On this basis, it should be recognised that some stakeholders would advocate for policy action in advance of any mechanism for routinely measuring demand being deployed.

The tables below present the full policy longlist (broken down by category of option) and a summary of the impact and feasibility considerations made for each option. The options that Ipsos decided to shortlist are highlighted in green.

Table 3.3: Full policy longlist: Providers as a data source

Option	Impact considerations	Feasibility considerations
Inclusion of mandatory fields within existing provider reporting (CCMS/CWA) capturing the number of clients turned away and reasons for this.	Provides detailed visibility of expressed and unmet demand with structured reasons for non-progression across categories and geographies.	Introduces significant additional burden at triage requiring system changes and training, though aligns strongly with MoJ's strategic objectives.
Requirement for providers to report monthly on aggregate counts of the number of enquiries they received vs. cases funded.	Provides partial visibility of expressed versus met demand at aggregate level across categories and geographies, but offers limited ability to distinguish eligibility or understand reasons for unmet demand.	Imposes relatively light burden through periodic aggregate returns with limited ethical risk, though offers only an interim contribution to MoJ's longer-term vision for granular unmet demand insights.
Requirement for providers to report monthly on (1) their capacity to take on new civil legal aid work and (2) number of cases turned away vs. accepted.	Provides a useful proxy for expressed and unmet demand through enquiry versus case counts and capacity status across categories and geographies, but cannot reliably distinguish eligible from ineligible enquiries and risks inconsistency in self-reported data.	Requires providers to complete relatively simple periodic returns representing manageable burden, presents low ethical risk, and closely supports MoJ's need to monitor demand relative to capacity as an operational early-warning tool.
Requirement for providers to track and report key dates within the civil legal aid process from first contact to decision.	Provides visibility of progression times for those who enter the formal application pathway across categories and geographies, but offers limited insight into those turned away or not progressing to application.	Requires adjustments to current systems to capture key dates. Uses familiar data items, fits within existing legal aid administration purposes, and provides value for understanding process efficiency, though limited measurement of unmet demand.
Creation of an online directory through which providers give a view of whether they have capacity for new cases, with click-through tracking to monitor how many individuals seek more information.	Provides indirect indications of expressed demand through click-throughs and supply constraints through self-reported capacity with strong timeliness, but does not record whether users ultimately receive legal aid and has limited coverage of digitally excluded groups.	Technically feasible as an enhancement to an existing platform with modest ongoing effort, but raises fairness and inclusion concerns due to reliance on digital access and provides only a partial view of demand within a wider measurement framework.

Option	Impact considerations	Feasibility considerations
Utilisation of unique identifiers to support linkage of data related to the same individuals across provider reporting (must be combined with other options on reporting turn-away data).	Enhances funnel visibility by enabling tracking of individuals across providers including repeated unsuccessful attempts, inheriting coverage from underlying CCMS/CWA data, though depends heavily on identifier quality and must be combined with other options.	Requires substantial system development and additional data-entry effort, involves more intrusive use of personal data necessitating strong governance controls, though aligns well with a longer-term user-journey-focused monitoring strategy.
Creation of a dashboard showing provider New Matter Start quota usage by area and category.	Provides clear visibility of funded demand and indirect signals of unmet demand where quotas are exhausted or unused, but does not directly observe expressed or unmet demand and the ability to adjust quotas reduces its value.	Highly feasible as it relies on existing administrative data requiring minimal change for providers, presents very low ethical risk using aggregate contractual data, though is unlikely to materially address NAO/PAC recommendations.
Requirement for providers to collect and report basic eligibility data for all enquiries at triage.	Provides strong visibility of expressed demand at the earliest point including a basic eligibility flag with wide coverage across categories, geographies and potentially sub-groups, supporting timely monitoring, though with some risk of variation in scope assessment.	Creates additional workload at triage but this could be mitigated by minimal data items and automation, and is strongly aligned with MoJ's core objective as a central pillar of future monitoring.
Establishment of a funded provider panel to report data on volume and nature of cases turned away.	Provides enhanced visibility of expressed and unmet demand with the potential to understand eligibility across a representative sample covering all categories, geographies and groups, with fresh data.	Has overall high feasibility with potential to integrate through provider/LAA data collection though also involves high cost, and utility is limited by the ability to recruit a representative sample of providers.

Table 3.4: Full policy longlist: Government as a data source

Option	Impact considerations	Feasibility considerations
Additional data collection via HMCTS to identify whether litigants in person previously sought legal aid.	Provides partial visibility of unmet demand for those who progress their case without legal aid across categories of law, but does not capture those who do not progress their case due to lack of supply and is contingent on wider HMCTS data collection timescales.	Represents a limited addition of a data field to existing collection with clear consent basis, though is unlikely to materially address NAO/PAC recommendations without additional actions.
Creation of a public portal for individuals to report an inability to find a legal aid provider to take on their case.	Provides direct visibility of expressed and unmet demand at individual level with potential to understand reasons and include basic eligibility checks across all categories and geographies in real-time, though does not capture those who do not engage with the system and is reliant on self-reporting with potential for duplication.	Requires MoJ/LAA burden and cost to establish a new reporting portal with potential additions for digital exclusion, raises potential stakeholder concerns about data security and trust in government, though aligns strongly with NAO/PAC recommendations and has potential to scale with wider data transformation.
Additional linkage of existing LAA and HMCTS data to map justice system journeys..	Offers potential visibility across the demand funnel if additional provider reporting on turn-aways is incorporated with triangulation enhancing reliability, but has limited visibility without this additional collection and existing HMCTS/MoJ data varies in granularity depending on case progression.	Integrates existing data points across MoJ/LAA/HMCTS with clear justification, though inclusion of additional provider data would add burdens and reduce feasibility, and is unlikely to materially address NAO/PAC recommendations without wider accompanying measures.

Option	Impact considerations	Feasibility considerations
Centralised LAA processing of all eligibility enquiries and case allocation (full system reform with the LAA as the first point of contact) Note – combined with the option below for the shortlist assessment.	Provides direct visibility of unmet demand with real-time reporting across all categories and geographies that can be compared against NMS, though is reliant on self-reporting with potential for duplication and has limited visibility of demand from individuals who may not wish to engage with government.	Likely involves high costs through system redesign and significant disruption to provider business models, raises stakeholder concerns about trust and data security, and while aligned with NAO/PAC recommendations may not align with wider market-based objectives for legal aid provision.
Creation of an LAA service to match individuals that have been unable to find a legal aid provider with a suitable provider with capacity Note – combined with the option above for the shortlist assessment.	Provides direct visibility of expressed eligible demand with real-time reporting across all categories and geographies through a matching service following provider referrals, though is reliant on self-reporting with potential for duplication and has limited visibility of demand from individuals who may not wish to engage with government.	Requires MoJ/LAA burden and cost to establish a new matching portal, raises potential stakeholder concerns about data security and trust in government, though aligns strongly with NAO/PAC recommendations and has potential to scale with wider data transformation programmes.
Additional tracking of existing CLA helpline/eligibility checker users through to their outcomes.	Provides visibility of drop-offs where case references do not progress to NMS across all categories and geographies, but funnel visibility is limited to those who use these services and continue to use case references, with limited timeliness due to waiting for progression through the system.	Represents an adjustment to data collection within existing services requiring alteration to scripts and fields with clear justification, though is unlikely to materially address NAO/PAC recommendations without wider accompanying measures.
Requirement for Local authorities to report legal aid enquiries or complaints they have received.	Provides funnel visibility limited to those who contact their local authority across potentially all categories, but is highly unlikely to be timely due to the need to consolidate data from multiple touchpoints and is likely to involve significant variation in experiences and reporting across local authorities.	Creates new data collection and reporting obligations with likely significant burdens on resource-constrained local authorities, is likely to be unwelcome with significant gaps, and is unlikely to materially address NAO/PAC recommendations with limited scalability.
Requirement for MP offices to report the volume and nature of legal aid casework in their constituencies.	Provides funnel visibility limited to those who contact their MP across potentially all categories, but is highly unlikely to be timely due to the need to consolidate data and is likely to involve significant variation in experiences and reporting across constituencies.	Creates new data collection and reporting obligations with likely significant burdens on MP caseworkers, is likely to be unwelcome with significant gaps, and is unlikely to materially address NAO/PAC recommendations with limited scalability.

Table 3.5: Full policy longlist: Voluntary sector as a data source

Option	Impact considerations	Feasibility considerations
Establishment of data sharing agreements to share management information of charities that provide guidance to individuals experiencing legal problems.	Provides potential visibility of expressed demand that can be compared against NMS across potentially all categories and geographies, but is limited to individuals who contact third sector support services, is highly unlikely to be timely due to the need to consolidate data across organisations, and is likely to involve significant variation in reporting and data completeness.	Requires new data sharing at financial and resource cost to MoJ/LAA and third sector organisations with new burdens on voluntary organisations, has policy justification though likely to contain significant gaps, and is unlikely to materially address NAO/PAC recommendations with limited scalability.

Option	Impact considerations	Feasibility considerations
Establishment of an advisory panel of third sector organisations to report their experience of legal aid enquiries and referral outcomes.	Provides potential visibility of expressed demand that can be compared against New Matter Starts across all categories and geographies, but data will only be a snapshot from a select group of intermediaries, is unlikely to be timely due to the need to consolidate data, and is likely to involve reporting variations.	Requires new data sharing at financial and resource cost to MoJ/LAA and third sector organisations with new burdens on voluntary organisations, has policy justification though likely to contain significant gaps, and unlikely to meet MoJ objectives, with limited scalability.

Table 3.6: Full policy longlist: Proxy- and sample-based data sources

Option	Impact considerations	Feasibility considerations
Monitoring of deprivation indices and indicators of the drivers of the need for legal support as proxies for latent demand.	Provides visibility of latent demand that can be monitored nationwide, but does not show eligibility, offers no understanding of why demand would be unmet, and relies on official statistics that can run at a time lag.	Requires no additional data collection with no burden on providers and low cost using publicly available data, though does not measure expressed or unmet demand and is therefore unlikely to address core strategic objectives.
Commissioning of regular surveys of providers to gauge demand vs capacity.	Provides a mechanism to gauge the approximate size of unmet demand with fresh data that could be collected regularly enough to show sensitivity to change, though remains a proxy with opportunity for duplication and some categories are covered by a limited numbers of practices.	Requires no additional data collection burden beyond survey completion with low time commitment and medium cost.
Regular sampling of provider turn-away volumes and reasons for turning away prospective clients.	Provides unmet demand visibility with fresh data that could show sensitivity to change across categories and geographies if sufficient providers are selected, but offers only some understanding of reasons for unmet demand and has opportunity for poor consistency and duplication.	Represents medium burden for providers affecting sustainability and making it difficult to secure buy-in, and while it could be integrated into the triage stage it produces poorer quality data making it less scalable and harder to embed.
Regular surveying of CLA helpline/eligibility checker users on outcomes they experienced.	Provides a very biased sample that is not representative and therefore cannot reliably estimate the size of overall demand, with limited coverage that further excludes digitally excluded people, and even if conducted regularly is unlikely to be fully sensitive to change.	Requires set-up of a new study with a difficult population to access at high cost, has clear legal basis though excludes non-digital users, and does not provide full demand visibility with only proxy measures available.
Commissioning of a regular population-wide survey with legal aid questions.	Could attend to each stage of the demand funnel including reasons for unmet demand because it surveys individuals directly.	Places no additional burden on providers with no integration or embedding required but is sustainable if funding allows, but low incidence of legal issues across the population in some categories of law limits its value across the full legal aid system.
Regular surveying of MP offices on legal aid-related casework volumes.	Provides a biased sample that is only a proxy measure, does not show the funnel, eligibility or reasons for unmet demand, has coverage across geographies but brings potential for poor data completeness.	Introduces additional burden for constituencies that are unable to embed or integrate with recurring burden reducing sustainability, may be difficult to secure buy-in due to administrative burden especially if routine.

4 Policy Shortlist: In-depth assessment

This section provides a more detailed assessment of the benefits and costs of each shortlisted option for further consideration by the MoJ. It assesses the extent to which each option could achieve the MoJ's objective to routinely measure demand for civil legal aid, rather than ranking options. **Whether to implement any of these options is a matter for the MoJ and would need to account for wider policy priorities, which were not within the scope of this research.**

For each option, the analysis includes: a discussion of the policy design (including design variables that would require further exploration if the MoJ wished to take the option forward), an assessment against the CSFs, and (at a high level) the initial steps that the MoJ would need to take to implement the option.

To note, all references to views expressed by legal aid providers and stakeholders in the following analysis reflect feedback received on the options during a roundtable discussion held with representatives from 6 providers in February 2026. All references to views expressed by LAA staff reflect feedback received during a workshop with LAA representatives, also in February 2026.

4.1 Option 1: High-level monthly capacity reporting by providers

Under this option, providers would submit a short, standardised return to the LAA alongside existing contract reporting (see section 2.2). This would capture the number of civil legal aid enquiries the provider has received that reporting period, broken down by category of law, and how many of those were not taken forward against standardised turn-away reasons such as 'no capacity', 'out of scope', 'fails means/merit'. The provider would also indicate their current capacity status (e.g., 'accepting new legal aid work', 'accepting in some categories only', or 'not accepting'). The MoJ and LAA would design this reporting template and aggregate data for analysis.

Design considerations

For this option to work, the MoJ would need to:

- Set clear guidance and definitions for what constitutes an enquiry and a case taken on, recognising that many triage contacts are brief and do not involve a full eligibility assessment. Providers may interpret these terms differently without standardised guidance.
- Develop a short list of decline reasons that is meaningful for analysis but simple enough to apply consistently given overall pressure on providers. This would need to balance the desire for richer insight against the practical constraints of rapid triage calls.
- Design the reporting mechanism and format, considering whether the template can be integrated into existing digital portals or will sit alongside current systems. LAA representatives emphasised that any such template and process would need to be 'slick' and fully digital, avoiding a return to paper-based or heavily manual collation.

- Align the form with existing reporting cycles, taking into account that some providers do not currently report monthly and would need to establish new processes to comply with this requirement.
- Secure provider buy-in, including through co-design and consultation on the reporting template. Given concerns raised about workload, burnout and the absence of back-office capacity in many firms, the MoJ and LAA would need to consider whether and how to fund additional capacity (for example, through a management fee that is substantial enough to make a difference) if providers are expected to take on new reporting obligations.
- Give clear assurances about how the data will and will not be used in contract management, to avoid perceptions of punitive oversight and ensure providers report candidly on their capacity constraints.

The burdens and costs of this option would fall on both the LAA and providers. The main cost drivers would be the upfront design and development work for LAA systems and templates, the ongoing staff time within providers to count and submit data every month (especially in smaller organisations), and the analytical capacity needed within the MoJ and LAA to quality-assure, aggregate and interpret the information in a way that genuinely informs policy.

Strengths:

- **CSF 1 – Demand funnel visibility:** From a contract-management perspective, LAA staff engaged during this project highlighted that simple counts of enquiries and declines by category could help them understand provider-specific patterns in case-mix and capacity decisions, offering additional insight alongside existing performance information.
- **CSF 3 – Timeliness:** This option improves timeliness of data compared with relying on funded case data alone, by capturing counts of enquiries as well as new cases on a monthly basis.
- **CSF 5 – Feasibility and burdens:** This option performs relatively well on feasibility, as it relies on simple monthly aggregate returns that can be aligned with existing reporting cycles and embedded in current administrative processes.
- **CSF 6 – Ethical, legal and reputational soundness:** Carries relatively low ethical and reputational risk, given its focus on organisational-level counts and capacity status rather than detailed personal data. Some providers recognised its value as a proportionate first step that could give the MoJ and LAA a clearer high-level picture of where providers are struggling with excess demand, without radically changing client-facing processes. Some providers indicated that aggregate reporting would be preferred to more demanding options.

Weaknesses:

- **CSF 1 – Demand funnel visibility:** This option does not distinguish systematically between eligible and ineligible enquiries (i.e. unmet versus expressed demand), given the reliance on

aggregate counts of enquiries against cases taken on. Several stakeholders questioned the value of aggregate counts that cannot tell whether people being turned away might, in fact, qualify for legal aid. Providers questioned the reliability of any implied eligibility signals in the data, noting that initial triage calls are often brief and do not allow for a full means/merits assessment. They cautioned that figures derived from such contacts could give a misleading impression of the underlying eligibility profile of enquiries.

- **CSF 2 – Coverage:** This approach offers limited coverage of population sub-groups, since it does not capture individual-level characteristics. This would mean the MoJ would be unable to assess directly which groups are most affected by unmet demand or to explore equity of access.
- **CSF 4 – Robustness:**
 - There are significant data quality and comparability challenges, because providers differ in their internal systems and do not all have monthly reporting cycles.
 - Legal aid providers highlighted a significant risk that one client could appear in multiple providers' returns, potentially across different areas or categories of law, without being identifiable as the same individual. This would occur if an individual is turned away by one provider and proceeds to enquire with others, with each contact being captured within aggregate counts of enquiries. Equally, an individual could contact the same provider multiple times. These plausible scenarios would lead to duplicate data that could lead to overestimation of demand, particularly in the event that those duplicate individuals were ineligible for civil legal.
 - In the absence of resources and incentives for providers to collect data (linked to CSF 5 below), some providers may collect approximate rather than exact figures, limiting the value of the data.
- **CSF 5 – Feasibility and burdens:** This would place additional administrative burden on providers, at a time when many described themselves as 'underpaid, overworked and very close to burnout'. For example, stakeholders in the mental health and community care sectors stressed that they have no additional room for extra data capture given existing pressures such as the impact of the recent cyber-attack, recoupment activity and new reporting systems, and that many firms lack dedicated back-office staff. LAA staff acknowledged that, even if the template is light-touch, there will always be a trade-off between the richness of the information collected (for example, capturing reasons for declines) and the administrative burden on providers.
- **CSF 6 – Ethical, legal and reputational soundness:** Some providers raised concerns that asking them to report reasons for declining cases could become a contract-management tool, with the LAA challenging patterns in refusal. They worried this might feel punitive,

damage trust and make providers reluctant to report candidly on their capacity constraints and any decisions underlying cases being turned away.

Broad implementation pathway

Should the MoJ wish to implement a version of this option, a first step would be to engage with providers and representative bodies to co-design a reporting template that balances analytical value against administrative burden. This would include agreeing definitions for enquiries, cases taken on, and a standardised list of decline reasons.

Following this, the MoJ and LAA would need to engage across digital and operational teams to scope and cost the integration of this reporting into existing systems, or the development of a standalone submission mechanism. LAA representatives emphasised the importance of ensuring any solution is fully digital and minimises manual collation.

Subject to obtaining sufficient funding and resource to deliver this option, further policy work would be required to determine whether additional funding (such as a management fee) would be provided to providers to offset the burden of new reporting. Clear guidance would need to be produced for providers on how to complete returns consistently, alongside assurances regarding how the data will be used and protected from contract-management scrutiny. There would also be a need to build analytical capacity within the MoJ and LAA to quality-assure, aggregate and interpret the data for policy purposes.

4.2 Option 2: Provider collection of basic case information at the first point of contact

Within this scenario, providers would collect a standardised set of basic case and eligibility information from each individual that enquires about civil legal aid, to report to the LAA alongside existing contract reporting. At the first point of contact or triage (e.g. an initial phone call or walk-in), staff would ask individuals for their postcode, the category of law their problem relates to and very high-level information relating to means and merits. The MoJ and LAA would define a minimum dataset for providers to report against and issue guidance on classifying problems and applying eligibility flags. Prospective clients would be asked to voluntarily supply this basic information even where their case is not taken forward.

Design considerations

For this option to function effectively, the MoJ, LAA and providers would need to determine several key features:

- The minimum data that is of value for policy making, agreeing which fields are essential for monitoring expressed and approximate eligible demand, and which elements—particularly around means and merits—are too burdensome to collect routinely at triage.
- Clear, practical guidance and worked examples to help staff classify enquiries into legal categories and apply a simple "likely in scope / likely out of scope / unknown" judgement

consistently, recognising that accurate means and merits assessments are not feasible at the first point of contact.

- Integration with existing systems, including how new fields would be incorporated into case management systems and intake scripts, or what interim tools would be used where such systems are absent.
- Whether and how to remunerate initial assessments that do not progress to funded cases. If any form of fixed fee or lump-sum payment were considered, scheme design would need to incorporate safeguards against fraud or gaming, drawing on lessons from previous experiences with paid determinations (such as the former Civil Legal Advice telephone service).
- Connection to wider triage and matching functions. From the LAA's perspective, this kind of basic eligibility recording would need to be conceived as part of a wider triage model, potentially spanning multiple advice and referral organisations, so that information gathered can be used to route people towards appropriate support, rather than functioning purely as a standalone data collection exercise.
- Clear communication on purpose and safeguards to ensure providers and clients understand that information collected is ethically justified and used to improve access to justice.

The burdens and costs of this option would fall predominantly on providers, with supporting costs for the LAA in terms of system development, guidance production and data analysis. Provider participants emphasised that this option could not realistically proceed without being embedded in a wider redesign of contracts and funding that recognises the full cost of data collection and management functions.

Strengths:

- **CSF 1 – Demand funnel visibility:** This option creates a structured record of expressed demand at first contact, including a basic indication of whether cases appear to fall within the scope of civil legal aid (providing a potential view of unmet eligible demand), rather than only capturing matters that progress to funding. Some providers acknowledged that richer data of this kind would be analytically more informative than high-level capacity counts.
- **CSF 2 – Coverage:** This could strengthen coverage across categories and geographies, as every enquiry is coded by category of law and linked to a postcode, enabling detailed comparison of expressed demand and funded demand by area and problem type.
- **CSF 4 – Robustness:** Subject to a policy design that would enable data linkage across the returns submitted by providers, this approach could support the identification and removal of duplicate reports of enquiries from the same individual, such that each datapoint represents a unique contact. As described in option 1, this would arise in the scenario of an

individual contacting multiple providers for the same issue, or contacting the same provider multiple times.

- **CSF 5 – Feasibility and burdens:** LAA staff engaged during this project noted that there is some precedent for remunerating initial determinations in parts of the system (for example, the former Civil Legal Advice telephone service), demonstrating that paid triage functions separating assessment work from ongoing casework are possible in principle.
- **CSF 7 – Strategic fit:** There is strong potential alignment with the MoJ's core objective to understand unmet eligible demand, providing a clearer view of how many apparently in-scope enquiries are made, against which funded work and provider capacity can be compared. This has potential, if a strictly limited set of non-sensitive access or vulnerability markers can be included, to support emerging equity analysis by flagging patterns among clients with particular barriers.

Weaknesses:

- **CSF 4 – Robustness:** Providers engaged with during this project noted that full means and merits assessments can take up to an hour and are only undertaken once it is clear that the case falls within a relevant category of law. Applying even a simplified "means/merits" flag at first contact risks being superficial and inaccurate, limiting the robustness of the data.
- **CSF 5 – Feasibility and burdens:**
 - Many providers noted that collecting additional structured data for every enquiry would add significant administrative burden at a particularly time-pressured part of their work, which could not be resourced under current business models.
 - Creates a significant shift in practice for providers who do not currently log all enquiries in a structured way, particularly smaller firms and not-for-profit organisations with limited administrative support. In a context of "underpaid, overworked and close to burnout" staff, adding detailed first-contact reporting without addressing wider capacity issues was seen as unrealistic by the providers engaged with during this project. Providers were sceptical that the LAA would fund the additional administrative work required. Examples were given where requests for compensation for one-off large data-upload tasks had been declined, leading many to conclude that new routine data collection of this intensity is unlikely to be resourced.
 - Providers and LAA staff highlighted that carrying out even a basic means and scope assessment at first contact is far from straightforward, particularly for vulnerable clients who present with complex problems and large volumes of unsorted information. This work can be time-consuming and would not be a quick "tick-box" exercise in many cases.

- LAA staff reflected on past experience that paying small fees for eligibility determinations can lead to high volumes of determinations without corresponding funded advice, raising questions about cost-effectiveness and the risk that a similar model here could divert resources away from substantive legal support.
- **CSF 6 – Ethical, legal and reputational soundness:** Providers engaged with during this project questioned the ethics of asking clients to share detailed information about their circumstances and eligibility if the firm does not have capacity to assist or does not work in the relevant area of law. This could raise expectations and generate conflict when help cannot be offered, and place frontline staff in difficult positions.

Broad implementation pathway

Should the MoJ wish to implement a version of this option, a first step would be to engage with providers and representative bodies to co-design a minimal first-contact dataset that balances analytical value against the practical constraints of triage. This would include agreeing definitions, category classifications and simplified eligibility flags.

Following this, the MoJ and LAA would need to determine whether this option can proceed as a standalone reporting requirement or whether it must be embedded within a wider redesign of contracts and funding. Decisions would be required on whether to remunerate initial assessments and, if so, what safeguards would apply.

Subject to these decisions, the LAA would need to scope and cost the integration of new data fields into existing systems or the development of interim tools. Clear guidance would need to be produced for providers, alongside assurances regarding how the data will be used. There would also be a need to build analytical capacity within the MoJ and LAA to interpret the data for policy.

4.3 Option 3: Recruitment of a sample of providers to report additional data

Within this scenario, the LAA would recruit a sample of providers to form a civil legal aid demand monitoring group, designed to reflect a spread of regions and categories of law, with scope to focus on areas where concerns about unmet demand are greatest. Participating providers would collect core information at first contact (e.g., postcode, category of law, likelihood of being in scope, and light-touch means/merits indicators), including for enquiries not progressing to funded cases. Monthly, providers would submit summary returns showing volumes, eligibility indicators, and counts of those turned away with standardised reasons. The LAA would monitor demand patterns and adjust the panel's composition over time to focus on emerging areas of concern.

Design considerations

For this option to function effectively, the MoJ, LAA and providers would need to determine several key features:

- A sampling strategy to select a monitoring group that reflects, as far as possible, the diversity of regions and categories of law, while acknowledging the structural limitations created by uneven provider distribution. This sampling frame would also need to balance an urban and rural mix and varied levels of deprivation to ensure the panel is as representative as possible.
- A minimum dataset for panel members to collect, keeping questions simple enough that staff can answer them quickly without embarking on full means or merits assessments, alongside practical guidance to ensure problem categories and eligibility flags are applied consistently across participating providers.
- How often and in what format data would be reported, and how this aligns with existing contract reporting cycles.
- The extent to which participating providers are remunerated, recognising that even targeted reporting adds to existing pressures and would need to be adequately resourced to secure buy-in and maintain data quality.
- The expected duration of panel membership and the criteria for altering the group over time, including how the LAA would adjust composition to focus on emerging issues of concern.
- Clear external communication about how the panel has been constructed, what it can and cannot show, and how its findings will be used. This will be important to reduce the risk that stakeholders either over-interpret the data or dismiss the evidence on the grounds that the sample does not reflect their local circumstances.

The burdens and costs of this option would fall on both the LAA and participating providers. The LAA would bear costs associated with designing the sampling strategy, recruiting and compensating panel members, developing reporting templates, and conducting data analysis. Participating providers would bear the burden of collecting and submitting structured data, though this would be offset by dedicated funding for their participation.

Strengths:

- **CSF 1 – Demand funnel visibility:** This offers improved visibility within the provider sample by capturing structured data on enquiries, basic eligibility indicators and turn-aways, and linking these to whether cases are taken forward. This provides a clearer view of expressed demand and apparent unmet demand than high-level capacity reporting alone (though it would remain possible that individuals who are not supported by the provider sample obtain legal aid via other providers).
- **CSF 2 – Coverage:** This option supports coverage across categories and geographies within the monitoring group, as the LAA can deliberately recruit providers from a range of regions and areas of law, and adjust the composition over time to focus on categories or areas of particular concern.

- **CSF 4 – Robustness:** Subject to selecting providers with sufficient variation in geographic coverage and category of law, this sampling approach could reduce the risk of data quality being reduced by duplicate reports (i.e., of the same individual contacting multiple providers or the same provider multiple times). While there may still be some risk of duplicate data on enquiries for legal aid where remote provision is offered, there should be less of this relative to other provider-led options.
- **CSF 5 – Feasibility and burdens:** This option performs better on feasibility than a universal first-contact eligibility requirement, because only a subset of providers is asked to collect detailed information, and those providers would receive dedicated funding to reflect the additional reporting work. Providers engaged with during this project generally viewed this as the most practical provider-based option discussed, indicating that a funded sample felt more realistic and proportionate than asking all providers to undertake detailed reporting on every enquiry. LAA stakeholders recognised that a funded, sample-based approach could be a pragmatic way to obtain richer data where a universal requirement proves too burdensome.
- **CSF 7 – Strategic fit:** This option aligns reasonably well with MoJ's stated aims, as it could act as a targeted observation window on expressed, unmet and met demand, while limiting the burden to providers who have explicitly agreed to participate and been resourced to do so. LAA staff also considered that there may be potential for this option to sit alongside other data sources as part of a wider, regular evidence-gathering exercise.

Weaknesses:

- **CSF 2 – Coverage:** LAA staff highlighted the difficulty of constructing a sample that is credibly representative across multiple dimensions, including urban and rural areas, deprivation levels, categories of law, and local authority expectations about coverage. This could leave the approach open to challenge from areas or client groups not well covered by the panel.
- **CSF 4 – Robustness:** There is potential for self-selection and bias, whereby areas with stronger or better-resourced providers are more likely to appear in the monitoring group and generate higher-quality data, which could make it easier to evidence need in those areas while weaker regions remain under-represented. As noted in relation to CSF 2, stakeholders expressed concern that sample-based findings are easier to dismiss than universal data, which could weaken the influence of the evidence on policy and resourcing decisions.
- **CSF 5 – Feasibility and burdens:** The burden, while targeted, is still non-trivial for participating providers. They must collect structured data on all enquiries, including turn-aways, and submit regular returns. Even with funding, this adds to existing pressures and would need to be carefully calibrated to avoid overloading the monitoring group.
- **CSF 6 – Ethical, legal and reputational soundness:** As with Option 2, data quality and ethical concerns remain if basic eligibility assessment requires more than a very simple

check. Stakeholders warned against scenarios where staff spend substantial time exploring eligibility for clients they cannot assist, both because of workload implications and because of the ethical tension in asking for detailed information when no service can be offered.

Broad implementation pathway

Should the MoJ wish to implement a version of this option, a first step would be to develop a sampling strategy that identifies an initial cohort of providers across different regions and categories of law, taking account of structural limitations in provider distribution.

Following this, the MoJ and LAA would need to engage with potential panel members to co-design the first-contact dataset and reporting template, ensuring requirements are practicable within triage settings. Decisions would be required on the funding model and compensation levels for participation.

Subject to securing funding and provider agreement, the LAA would need to develop or adapt systems to receive and analyse panel submissions, and produce guidance for participating providers on consistent data collection. The MoJ and LAA would also need to determine how panel findings would be triangulated with other evidence sources and communicated externally, including clear acknowledgement of what the sample can and cannot show about civil legal aid demand.

4.4 Option 4: LAA creation of a “report a lack of legal aid provision” service

Within this scenario, the LAA would create an online portal hosted on gov.uk, with an accompanying telephone helpline, for individuals to report their inability to find a provider. The portal/helpline would collect basic information regarding the individual’s case, such as their location, the category of law their case relates to, and basic eligibility information as might be discussed during calls to the existing Civil Legal Advice helpline. Providers could signpost individuals to this reporting option, but would not need to submit any returns themselves, and the LAA would monitor data for trends but not resolve these issues directly.

Design considerations

For this option to function effectively, the MoJ or LAA would need to determine several key features:

- The minimum data that is of value for policy-making to maximise utility while minimising reporting burdens. Given the MoJ’s objectives, this could be limited to the category of law the issue relates to and a postcode so as to determine pressures within the legal aid system. However, the service could also collect demographic information to identify any challenges to accessing legal aid among specific groups.
- Clear guidance on when the service should be used, including at what point an individual is considered to have “failed” to secure legal aid. While there is unlikely to be any means for policing this or any desirable sanctions for not following this guidance, it may reduce (but not remove) some inconsistency in self-reporting. For example, an individual may be considered

unable to find legal aid if they believe there are no legal aid providers for their issue in their local area, or they have been turned away by two or more providers on capacity grounds.

- Mechanisms to increase awareness of and incentivise engagement with the service, despite there being no direct mechanism to resolve individual difficulties. This might include, for instance, regular transparent reporting of report volumes and clear information on how the information received would be used by the MoJ for policymaking purposes.

The burdens and costs of this option would fall predominantly on the MoJ and LAA. The exact costs of this have not been scoped as part of this exercise as they will be contingent on the extent to which existing internal or external resource could be redeployed to develop and maintain this service. However, in principle it would require some upfront capital expenditure to establish the service and ongoing resource expenditure to staff the helpline and conduct data analysis.

Strengths

- **CSF 2 – Coverage:** This option offers the potential to collect a wide range of unmet demand data across different categories of law, regions and different population groups (including among digitally excluded individuals via a telephone reporting option), subject to achieving sufficient response rates from individuals that are unable to find a provider.
- **CSF 3 – Timeliness:** Any data collected via this route would be timely, with a direct reporting line between individuals that are unable to obtain legal aid and the LAA.
- **CSF 5 – Feasibility and burdens:** This allows for additional data collection on unmet demand with no further administrative burden on legal aid providers beyond signposting the service to those that they are unable to support.

Weaknesses:

- **CSF 4 – Robustness:**
 - Stakeholders across legal aid providers and the LAA raised concerns regarding the potential for significant under-reporting of a lack of provision. While the option has hypothetical coverage across the legal aid system, there would be little incentive for individuals in stressful situations that have already contacted multiple providers to contact another organisation if it does not offer any prospect of resolving their issue.
 - Legal aid providers noted that at the first point of contact, it is highly challenging to ascertain whether an individual is eligible for legal aid. This would introduce a risk that providers direct individuals to this service even if they are ineligible for legal aid.
- **CSF 5 – Feasibility and burden:** Representatives from both legal aid providers and the LAA highlighted the operational challenge of defining the point at which an individual might be deemed to have been unsuccessful. It is likely that some individuals will try repeatedly to

obtain legal aid given the likely troubling circumstances they are experiencing, and there is no clear cut off for an unsuccessful user journey. Without specified parameters, it could be unclear when a report should be made and it is likely the data obtained would be inconsistent.

- **CSF 6 – Ethical, legal and reputational soundness:**

- Individuals seeking legal aid are likely to be facing stressful situations. There is a risk of exacerbating this stress and burden by asking for additional reporting that will not directly address the problem. LAA representatives noted that the service may be used by individuals to vent understandable frustrations, for example.
- Representatives from legal aid providers noted that many individuals (and particularly those facing issues with certain categories of law such as immigration) lack trust in government organisations and providers may feel uncomfortable in asking those they turn-away to report their issues to government. Some also noted data protection concerns depending on whether identifiable information would be held.
- Vulnerable individuals may struggle to engage with this service, despite the provision of a helpline as an alternative to the online service. Language barriers and lack of access to a phone, for instance, could inhibit engagement.

- **CSF 7 – Strategic fit:** The creation of a service that logs problems without offering solutions may create a policy challenge and significant pressure on government to act without built in levers for doing so.

Broad implementation pathway

Should the MoJ wish to implement a version of this option, a first step would be to define the data requirements (using the minimum suggested above, or an alternative). At this point, the MoJ and LAA would need to engage across digital and operational teams to scope and cost the creation of an online portal to deliver this reporting service. This may involve the commissioning of an external contractor to perform this service if it is not within scope of existing capabilities or capacity.

Subject to obtaining sufficient funding and resource to deliver this option (noting that additional headcount would likely be required both to create the service, operate the helpline, and monitor the outputs), further policy work would be required to produce guidance for both service users and legal aid providers. There would also likely be a need to produce communications to build awareness of the service and incentivise public engagement with it.

4.5 Option 5: Centralised LAA case allocation and monitoring

Within this scenario, the LAA would function as a central point of contact for individuals seeking legal aid, collecting case information and allocating eligible cases to providers. There are different models within this: (a) a universal gateway model in which the LAA acts as the first point of contact for individuals seeking civil legal aid; or (b) a backstop model in which the LAA provides an allocation service for individuals who have failed to find a provider through traditional routes (based on pre-

defined criteria for when this can be triggered). Under either variation, the LAA would establish an online portal and telephone helpline to collect data regarding location, category of law, case details and the information required to assess eligibility, before allocating eligible cases to a provider.

Design considerations

For either variation of this option to function effectively, the MoJ and LAA would need to develop detailed policy to significantly revise the overarching operating model for civil legal aid. Key determinations would include:

- Governance arrangements to separate the LAA's existing role in protecting public funds from any new role in granting legal aid and allocating cases to providers. Within the current structure, the LAA may face conflicts of interest across its responsibilities, likely requiring a degree of separation across functions or the creation of new entities.
- The stage at which the LAA allocates cases to providers, including whether a full eligibility assessment (means and merits) is conducted by the LAA prior to allocation, or whether this continues to be conducted locally by providers following allocation. This would, in turn, have a bearing on the resource and capability requirements within the LAA to fulfil new allocation functions, including the skillsets required to screen cases across different categories of law.
- Mechanisms for identifying and selecting providers with sufficient capacity and appropriate expertise to take on allocated cases, in a manner that is fair, timely, and does not unduly remove competition between providers.
- Contractual revisions required to facilitate LAA case allocation and ensure that providers retain appropriate flexibility to manage their caseloads, including whether providers could decline allocated cases in certain circumstances.
- Escalation procedures for scenarios in which the LAA is also unable to identify a provider to deliver legal aid services for an allocated case.

For the backstop allocation model specifically, the MoJ and LAA would also need to consider the trigger point for LAA intervention, including at what point an individual can be considered to have failed to find a provider (as with Option 4, this could be defined as having been turned away by two or more providers on capacity grounds, for example). There would also be a need for a mechanism to ensure providers remain the default first point of contact, such that individuals do not turn to the LAA immediately for ease, rather than approaching providers directly.

The burdens and costs of this option would fall predominantly on the MoJ and LAA. The exact costs have not been scoped as part of this exercise as they will be contingent on the variation selected and detailed implementation decisions. However, we anticipate that the LAA would require significant levels of additional resource to deliver a case allocation model effectively, with associated upfront capital costs to develop new systems to process enquiries and manage

communications with providers. Providers could, hypothetically, benefit from reduced administrative burdens in the event that eligibility assessments are undertaken by the LAA.

Strengths:

- **CSF 1 – Demand funnel visibility:** Under either variation of this option, the LAA (and MoJ) would benefit from significantly greater visibility of demand for legal aid by having, at a minimum, visibility of cases that individuals have been unable to source legal aid for in the market. LAA representatives considered that this could offer significant improvements to their analytical capabilities.
- **CSF 2 – Coverage:** In both variations, the LAA would be able to identify levels of demand across different categories of law, regions and groups within the population.
- **CSF 3 – Timeliness:** In both variations, the LAA would receive data in relation to demand for civil legal aid as and when that demand arises (or, in the case of the backstop option, the point at which that demand is deemed to not be met by the market)
- **CSF 4 – Robustness:** In both variations, the LAA could have the capability to assess the information supplied by individuals to ascertain the eligibility of cases, thereby enabling data to distinguish between eligible and ineligible demand (notwithstanding implementation challenges, covered below)
- **CSF 6 – Ethical, legal and reputational soundness:** Some legal aid providers engaged with during this project considered that the backstop option could be more workable than the universal gateway option and offer value to individuals who would otherwise not obtain legal aid.

Weaknesses:

- **CSF 5 – Feasibility and burdens:**
 - Both LAA and provider representatives considered that either of these models would require a fundamental revision to how the LAA is structured and operates. Some providers argued that this is particularly due to the need to avoid the LAA facing a conflict of interest in which they must both protect public money (creating an incentive to minimise costs) and grant legal aid. Many also questioned whether the LAA would be able to screen and allocate cases in an appropriate and timely manner, noting the complexity of this at a local level.
 - Some legal aid providers questioned whether either model is compatible with exceptional case funding, noting that these cases involve complex arguments made by providers which vulnerable clients may not be able to make alone.

- Full centralisation of case allocation to the LAA would fundamentally change how some providers operate. Some providers noted that they source clients through community outreach and independent projects. This could create scenarios in which a law centre (for instance) finds a prospective client only for that individual to be passed to another firm via the LAA.
 - Some providers expressed concern that LAA case allocation would compel providers to take on cases and remove their ability to decline work to balance their caseloads, contributing to increased stress and burnout in a demanding field.
 - LAA representatives noted that either option would introduce significant new admin roles for the agency that would need to be resourced, particularly if the assessment of means and merits is conducted by the LAA. Some providers similarly considered that either model (but particularly full centralisation) would drive high costs for government. They expressed concern that such a programme may not be sufficiently funded, and undermine access to justice.
- **CSF 6 – Ethical, legal and reputational soundness:**
 - Legal aid providers engaged with during this process expressed significant concern that an allocation role for the LAA would weaken their independence, which they value strongly. This was less of a concern for the lighter touch option, but remained present.
 - Some legal aid providers noted competition concerns, particularly with respect to full centralisation of case allocation within the LAA, as it is not clear how the LAA could allocate cases to providers fairly.
 - Some legal aid providers highlighted ethical and legal concerns in relation to whether and how individuals could appeal an LAA determination not to grant legal aid, given that providers currently fulfil this role and individuals may be unlikely to challenge an LAA decision without support.

Broad implementation pathway

Should the MoJ wish to implement a version of this option, a first step would be to determine which variation (universal gateway or backstop allocation) best aligns with policy objectives and practical constraints, likely requiring a more thorough consultation with legal aid providers and other engaged stakeholders. Following this, detailed policy development would be required to address the governance, operational and contractual considerations outlined above.

The MoJ and LAA would need to engage across digital, operational and legal teams to scope and cost the creation of an online portal and case management system to deliver this service. This would likely involve the commissioning of external contractors if development is not within scope of existing capabilities or capacity. Subject to obtaining sufficient funding and resource to deliver this

option (noting that significant additional headcount would likely be required both to create the service, operate the helpline, conduct eligibility assessments and manage provider allocation), further policy work would be required to produce guidance for service users, legal aid providers and LAA staff. Contractual negotiations with providers would also be necessary to establish the terms under which cases would be allocated and accepted. There would also likely be a need to produce communications to build awareness of the service among the public and the legal aid provider base.

4.6 Option 6: General population survey

Within this scenario, the MoJ and LAA would gather data from the public via a survey, without requiring them to engage with the legal aid system directly. Before implementation, the MoJ would likely need to commission a feasibility study or pilot to confirm a balance between rigour, data coverage, and feasibility (including funding, timing, and frequency). Once an optimal approach is agreed, the MoJ would commission a supplier to carry out data collection periodically, likely once per year given the scale and complexity of the research task. This option requires no system changes or regular input from the LAA or providers.

Design considerations:

For this option to function effectively, the MoJ would need to determine several key features:

- The desired survey methods for implementing the survey:
 - Face to face: either probability or quota sampling, offers the best coverage of digitally excluded populations and low responding groups (young people, people from ethnic minority backgrounds), but at a higher cost.
 - Push to web: good coverage of digitally excluded if a paper questionnaire is offered (usually with the 3rd mailing), but this also leads to data quality issues given the expected complex routing required. Sample sizes not restricted, allowing for boosts at the local authority area.
 - Random probability panel: Extensive effort given to accessibility requirements means coverage of digitally excluded is much better than opt-in online panels (e.g. offline recruitment, offering a tablet and restricted internet connection, dedicated helpline). As all respondents complete the survey online, we can accommodate very complex routing and be certain differences in responses are genuine and not due to mode effects. Sample sizes are limited by overall panel size (e.g. Ipsos' KnowledgePanel can reach 15-20,000 respondents 16+), allowing for national and regional estimates, but not local authority estimates.
 - Online opt-in panel: more cost-effective, but poorer coverage of digitally excluded (and no coverage of those with no internet access). Sample sizes are also limited by the size of the panel, likely allowing for detailed regional analysis, but unlikely to allow for local authority level estimates.

- The required sample size, which would need to account for the low incidence of some civil legal aid categories. Similar surveys, such as the Legal Problem and Resolution Survey 2023 and the Legal Needs of Individuals in England and Wales 2023, have boosted samples for low-incidence legal problems to ensure sufficient coverage. The former used a sample of approximately 10,323 adults across England and Wales, while the latter used a sample of 17,668 adults across England and Wales. Samples of 15-20,000 are achievable with probability panels, which would allow for detailed analyses of legal aid demand by demographic characteristics and regions, giving councils information on the likely nature of unmet demand in their area. If local authority analysis is essential, we would recommend a sample of 4-500 completes per local authority, approx. 160,000 respondents across England and Wales, which is only achievable through push-to-web.
- The questionnaire design, including the core questions of interest and cognitive testing to ensure validity of the results. Providers engaged with during this project noted, for instance, that individuals are not always aware that the problem they have is a legal issue. Any survey questions would need to be designed with likely public perceptions of legal problems and legal aid in mind, using accessible language and scenario-based questions. Questions should be factual and concrete, framed to collect straightforward information rather than opinions. Key topics would have to include: A range of justiciable problems for respondents to select, perhaps adapting the OECD guidance on legal needs and access to justice surveys¹⁴, a simplified version of any eligibility assessment, and a module collecting details of any interactions with the civil legal aid system.
- How to ensure coverage of digitally excluded populations. The survey would likely be administered online, hosted on the independent supplier's secure platform. Online administration offers convenience and flexibility for providers, avoids interviewer costs, and can be deployed at scale. Hosting on an independent platform may help reassure providers that responses will be handled confidentially and are not linked to contract management. However, some individuals that might be experiencing legal problems may not be able to engage with this method easily. Some panel-based approaches address this by providing tablets and basic internet access to digitally excluded panellists, ensuring all respondents have a similar experience of completing surveys and avoiding mode effects that could compromise data quality.
- The frequency of data collection, balancing the desire for timely data against the cost and complexity of large-scale surveys. An annual research cycle is likely to strike this balance. However, LAA staff also considered that this option could be conducted less regularly than

¹⁴ OECD/Open Society Foundations (2019), *Legal Needs Surveys and Access to Justice*, OECD Publishing, Paris, <https://doi.org/10.1787/g2g9a36c-en>.

other data collection options, such as once every two years, while still providing valuable strategic insight.

Considering these different features, Ipsos recommends implementing a recurring push-to-web survey to enable the required sample size at local authority level, and to enable robust generalisation to groups of particular interest.

The burdens and costs of this option would fall predominantly on the MoJ. The exact costs have not been scoped as part of this exercise but are likely to be high due to the complexity and scale of the undertaking, particularly given the need to achieve sufficient sample sizes for low-incidence categories of law. However, this option places no additional burden on the LAA or legal aid providers.

Strengths:

- **CSF 1 – Demand funnel visibility:** This option could allow for visibility of the whole demand funnel, including latent demand from individuals who have not engaged with the legal aid system. By collecting data directly from the public (though subject to including survey questions to this effect), it could provide a full picture including the reasons behind unmet demand, or reasons for not expressing demand in the first place.
- **CSF 2 – Coverage:** A well-designed probability survey has the potential to cover all regions and population sub-groups, enabling analysis of demand across different demographics and geographies.
- **CSF 5 – Feasibility and burdens:** This would be a responsive mechanism allowing the MoJ to determine priorities for research annually (or less frequently if determined as such) and additional lines of inquiry for each wave of the survey, whilst retaining a core set of questions that provide tracking of each stage of the demand funnel over time. The independence of an external supplier also provides unique strengths: the burden of data collection sits outside the civil legal aid system and does not require systems change; the survey option could also be implemented in different ways tailored to specific MoJ requirements, for example targeting those who are digitally excluded or those with other characteristics of interest.
- **CSF 6 – Ethical, legal and reputational soundness:** Using an independent supplier provides reputational soundness by removing data collection from government and providing respondents with confidentiality. If the survey uses a random probability approach, the data could be generalised to the wider population and would cover all regions and characteristics.

Weaknesses:

- **CSF 2 – Coverage:** The low incidence of legal issues in some categories of law, and potentially even lower incidence of eligibility for legal aid in those categories, is such that achieving a sufficiently representative sample to reach conclusions about the legal aid system as a whole is likely to be highly challenging. This would be particularly challenging in the context of

aiming to acquire data on levels of unmet demand within specific regions of England and Wales, noting the very specific circumstances that this would be targeting across the general population.

- **CSF 3 – Timeliness:** Given the scale and complexity of a robust population survey, data collection and analysis cycles are likely to be lengthy. This limits the option's utility for monitoring short-term fluctuations in demand or responding rapidly to emerging pressures in specific categories or regions.
- **CSF 4 – Robustness:** This option relies on the ability of individuals to understand and report what their need for legal support and their experiences accurately and consistently. This could present issues when exploring the earlier stages of the demand funnel, where perceptions of what constitutes a need for legal support may differ and in identifying unmet demand, noting that public perceptions of eligibility may not be accurate. For example, providers engaged with during this project were clear that the public are not always aware that the problem they have is a legal problem, which could affect the accuracy of self-reported data.
- **CSF 7 – Strategic fit:** LAA staff saw this option as a useful additional source of information on what is working within the system and what is not, including the potential for independent recommendations. However, they did not see this as a full-scale solution to measuring demand for civil legal aid, and accepted that it could be conducted semi-regularly, such as once every two years.

Broad implementation pathway

Should the MoJ wish to implement this option, a first step would be to commission a feasibility study or pilot to confirm survey methodologies and approaches. This would include cognitive testing of draft questionnaires, estimation of the incidence of legal issues in the general population to inform sample size calculations, and assessment of costs and timescales for different methodological approaches.

Following this, the MoJ would need to confirm the preferred methodology, balancing trade-offs between rigour, coverage of low-incidence categories, and cost. The MoJ would then commission a supplier to carry out data collection, with decisions required on frequency, core question sets for tracking over time, and any additional modules to address emerging policy priorities. Subject to obtaining sufficient funding, the MoJ would also need to develop analytical capacity to interpret survey findings and integrate them with other data sources on civil legal aid demand. Clear communication would be required to explain to stakeholders how survey data complements other evidence and what it can and cannot tell policymakers about the operation of the legal aid system.

4.7 Option 7: Legal aid provider survey

Within this scenario, the MoJ would commission an independent supplier to conduct a periodic survey of civil legal aid providers to capture their experience of delivering services and their perspectives on demand pressures. As the MoJ holds complete sample information through contractual data, there would be no need for an extensive feasibility study, though a pilot would be advised to detect and correct for any issues such as low response rates. This option requires no system changes or regular input from the LAA, but does require additional input from civil legal aid providers to complete the survey.

Design considerations

For this option to function effectively, the MoJ would need to determine several key features:

- The sampling approach, choosing between targeted sampling of a subset of providers or a census approach inviting all contracted providers to participate. A census approach is recommended for several reasons: it mitigates response rate risk by casting a wide net; it is fairer and easier to justify to providers; it does not materially increase fieldwork costs since the primary cost drivers are questionnaire programming, data processing and analysis; and it provides greater analytical flexibility to examine patterns by category of law, region or provider characteristics.
- The survey administration method. The survey would be administered online, hosted on the independent supplier's secure platform. Online administration offers convenience and flexibility for providers, avoids interviewer costs, and can be deployed at scale. Hosting on an independent platform may help reassure providers that responses will be handled confidentially and are not linked to contract management.
- The respondent nomination process. Each provider organisation could be asked to nominate a single individual to complete the survey on behalf of the organisation, typically a practice manager, senior partner or equivalent with sufficient oversight of the organisation's legal aid caseload and enquiry volumes.
- The questionnaire design. It would be advisable to keep the survey very short, with a target completion time of five to seven minutes maximum. Questions should be factual and concrete, framed to collect straightforward management information rather than opinions, and should make clear that approximations are acceptable. Content areas would likely include: volume of enquiries by category of law; cases taken on; enquiries not taken forward with standardised reasons; current capacity status; perceived demand trends; and an optional free-text field for additional context.
- The response rate strategy. Achieving adequate response rates is a key challenge given that providers feel over-surveyed, under-resourced and sceptical about whether providing data will lead to meaningful change. The strategy should include independent administration to provide separation from contract management; clear communications acknowledging

existing burden and explaining how data will be used to support the case for improved funding; formal endorsement from senior MoJ and LAA officials; targeted follow-up focused on under-represented segments; and commitment to demonstrating how findings have informed policy.

- The frequency of data collection. To provide timely, routine monitoring data, the survey could be administered monthly, with providers asked to report on activity from the previous month. Monthly data provides more responsive insight into demand pressures than annual surveys, minimises the recall period to improve accuracy, and allows tracking of trends and seasonal patterns over time. This frequency would be more feasible than in the context of a general population survey given the greater complexity of that approach, though less frequent data collection (e.g. annually) would also be possible.

The burdens and costs of this option would fall on the MoJ for commissioning and analysis, and on providers for survey completion. Provider burden would be minimised through a short questionnaire design, though monthly participation would represent an ongoing commitment.

Strengths:

- **CSF 1 – Demand funnel visibility:** A survey of providers could provide more granular information than is available now in relation to the scale and nature of expressed and unmet demand across the legal aid system, moving beyond anecdotal feedback.
- **CSF 2 – Coverage:** A census approach ensures all provider types, regions and categories of law are invited to participate, enabling analysis across multiple dimensions of interest.
- **CSF 3 – Timeliness:** Monthly administration provides more responsive insight into demand pressures than annual or biennial surveys, allowing the MoJ and LAA to identify emerging issues more quickly and track trends over time. However, the frequency could be reduced to lower the administrative burden on engaged providers.
- **CSF 5 – Feasibility and burdens:** The MoJ and LAA already hold complete sample information through contractual data. This would therefore cover all categories of law, geographies and characteristics of providers, and therefore facilitate the issuance of the survey to interested parties relatively quickly. It would also not require any system changes within the MoJ, LAA or among providers and could be scaled to other areas of MoJ/LAA interest such as criminal legal aid provision.
- **CSF 6 – Ethical, legal and reputational soundness:** The survey request coming from an independent supplier rather than the MoJ or LAA directly may encourage providers to engage more honestly and provide candid responses about capacity and demand pressures. Engagement would be voluntary, therefore ensuring the administrative burden does not fall on those that cannot absorb this, and information would be provided with clear consent.

Weaknesses of this option:

- **CSF 4 – Robustness:** As with other provider-centric options, this approach can only provide an approximation of unmet demand. Providers are unlikely to be able to make an accurate assessment of eligibility at the point of enquiry given the complexity of this and, in most cases, providers are unlikely to have precise records of enquiry volumes and outcomes to draw upon, requiring an estimation of core datapoints of interest. Response rate challenges could also limit the representativeness of findings.
- **CSF 5 – Feasibility and burdens:** The survey would not be embedded in the already existing data exchange between the LAA and providers, representing an additional reporting channel for providers. Some providers engaged with during this project advised that this would be unwelcome, noting that they already supply substantial data to the MoJ and LAA on their experiences, alongside being members of umbrella organisations such as the Legal Aid Practitioners Group or Law Society, and felt that this option could duplicate existing efforts. As such, there is significant potential for low response rates due to the perceived burden of engagement.

Broad implementation pathway

Should the MoJ wish to implement this option, a first step would be to commission an independent supplier to develop and pilot the survey instrument, including cognitive testing of draft questions with a small number of providers to ensure clarity and feasibility.

Following this, the MoJ and LAA would need to provide the supplier with up-to-date contact details for contracted providers and issue formal communications introducing the survey and signalling endorsement. Decisions would be required on the frequency of administration and whether to begin with a pilot phase before moving to full monthly rollout. Subject to securing funding and supplier capacity, the MoJ would need to develop a response rate strategy including targeted follow-up for under-represented segments. Clear communication would be required to explain to providers how survey data will be used and protected from contract-management scrutiny, and the MoJ should commit to reporting back to providers on how findings have informed policy to sustain participation over time.

5 Policy implications: discussion

5.1 Comparative assessment of the policy shortlist

As noted earlier in this report, measuring the true scale of demand for civil legal aid is an inherently complex challenge, and this analysis, based on targeted engagement across the legal aid system, confirms that no single perfect solution exists. The core difficulty lies in how individuals interact with the system and in the specific difficulty of accurately distinguishing between expressed (ineligible) demand and unmet (eligible) demand in the absence of a complex eligibility assessment.

Every option evaluated involves compromises, and while there is merit in each proposal, there are also strong and valid reasons against pursuing each of them.

Table 5.1 below summarises the assessment of each shortlisted option from Chapter 4 against the CSFs (i.e., whether the option strongly or weakly aligns with each CSF) to illustrate the tensions and necessary compromises within and between each policy option. Where stakeholder feedback is provided, this refers to the workshop discussions held with (1) legal aid providers and (2) LAA staff in February 2026.

Table 5.1: Policy shortlist summary assessment

Option	Impact CSFs	Feasibility CSFs	Stakeholder feedback
<p>1. High-level monthly capacity reporting: Providers submit monthly returns to the LAA reporting the number of enquiries received, reasons for turning cases away, and their current capacity to accept new legal aid work.</p>	<p>Demand funnel visibility - weak: Captures expressed demand, but cannot distinguish between cases turned away that are ineligible</p> <p>Coverage - weak: No individual level characteristics</p> <p>Timeliness - strong: routine, frequent reporting</p> <p>Robustness - weak: Likely to result in duplicate data as individuals contact multiple providers</p>	<p>Feasibility and burdens - Somewhat strong: Light touch approach using aggregate data</p> <p>Ethical, legal, reputational soundness - strong: low data protection risk given use of aggregate data</p> <p>Strategic fit - strong: practical market monitoring tool</p>	<p>Providers considered this the most proportionate universal option if kept simple and digital but raised concerns about workload and decline-reason data becoming a contract-management tool. LAA staff saw it as contractually realistic and useful for capacity monitoring, acknowledging that data would be approximate.</p>
<p>2. Provider collection of case information at first contact: Providers collect standardised information on location, category of law and</p>	<p>Demand funnel visibility - somewhat strong: Captures expressed demand with some eligibility flags and turn-away reasons</p> <p>Coverage - strong: Potential across all areas where providers operate</p>	<p>Feasibility and burdens - weak: Significant admin burden at time-pressured stage; likely requires funding</p> <p>Ethical, legal, reputational soundness - weak: Concerns about asking eligibility questions of people providers cannot help</p>	<p>Providers saw analytical value but described this as unrealistic within the current funding context and given lack of admin capacity. Strong ethical concerns arose about questioning of people who cannot be helped. LAA noted even</p>

Option	Impact CSFs	Feasibility CSFs	Stakeholder feedback
eligibility indicators.	<p>Timeliness - strong: Routine, frequent reporting</p> <p>Robustness - weak: Eligibility judgements at triage are approximate; limited mechanism to identify duplicates</p>	<p>Strategic fit - strong: Richer data on likely unmet eligible demand</p>	<p>'basic' eligibility checks are complex, and previous paid determinations drove high volumes without corresponding advice. Stakeholders questioned feasibility and ethics without wider contractual reform.</p>
<p>3. Recruitment of a sample of providers for additional reporting: A funded panel of providers selected to reflect different regions and categories of law to collect detailed first-contact data and submit regular returns on demand and turn-aways.</p>	<p>Demand funnel visibility - somewhat strong: Captures expressed demand and turn-aways with some eligibility flags within sample</p> <p>Coverage - somewhat strong: Inherently partial; risks bias toward better-resourced providers</p> <p>Timeliness - strong: Routine, frequent reporting</p> <p>Robustness - weak: Representativeness challenges; variation in triage practices; potential duplicates</p>	<p>Feasibility and burdens - somewhat strong: Targeted burden on funded, opted-in providers</p> <p>Ethical, legal, reputational soundness - somewhat strong: Concerns about eligibility probing for people who cannot be helped</p> <p>Strategic fit - strong: Offers indicative estimates of unmet demand. However, not comprehensive and sample findings easier to challenge</p>	<p>Providers saw this as the most practical detailed option since burden is limited to a funded group that opts in. They warned about sample bias and the need to avoid lengthy eligibility probing. LAA viewed it as a pragmatic compromise but noted sample-based findings are easier to dismiss and constructing a representative panel is non-trivial. Both stressed this should be part of a broader evidence strategy, not a standalone solution.</p>
<p>4. LAA creation of a 'report a lack of legal aid provision' service: Establish an online portal and helpline for individuals to report to the LAA when they have been unable to find a legal aid provider.</p>	<p>Demand funnel visibility - weak: Relies on voluntary self-reporting with low incentive to engage</p> <p>Coverage - strong: Theoretical capacity to cover all areas</p> <p>Timeliness - strong: Immediate visibility of reported unmet demand</p> <p>Robustness - weak: Incomplete, inconsistent data; eligibility based on self-assessment</p>	<p>Feasibility and burdens - somewhat strong: No additional admin burden on providers, but requires the LAA to build a new online reporting service</p> <p>Ethical, legal, reputational soundness - weak: Risk of raising expectations without solutions; data protection concerns</p> <p>Strategic fit - somewhat strong: Potential to identify specific provision gaps</p>	<p>Both providers and LAA were sceptical that individuals would use a service that cannot resolve their problem. Providers worried about directing vulnerable clients to report to government, particularly in sensitive areas like immigration. LAA highlighted difficulty defining when someone has "failed" to find provision. Stakeholders saw analytical value in principle but doubted real-world uptake.</p>
<p>5. Centralised LAA case allocation and monitoring: LAA as a central point of contact for individuals</p>	<p>Demand funnel visibility - very strong: Full visibility if LAA allocates all cases; partial in backstop model</p> <p>Coverage - strong: Potential to cover all areas, but engagement may be</p>	<p>Feasibility and burdens - very weak: Requires fundamental system changes, new platforms, governance reform and significant costs. Major</p>	<p>Both providers and LAA viewed this as major structural change with significant risks. Providers raised strong concerns about independence, conflicts of interest (LAA both protecting</p>

Option	Impact CSFs	Feasibility CSFs	Stakeholder feedback
<p>seeking legal aid to allocate eligible cases to providers, either universally or as a backstop when individuals cannot find a provider themselves.</p>	<p>challenging for vulnerable groups or those distrusting government</p> <p>Timeliness – very strong: Immediate visibility with trend monitoring potential</p> <p>Robustness – strong: Potential for complete data in universal model</p>	<p>disruption to provider operating models</p> <p>Ethical, legal, reputational soundness – very weak: Concerns about provider independence, competition, and conflicts of interest</p> <p>Strategic fit – strong: End-to-end visibility of supply and demand</p>	<p>funds and granting aid), and being compelled to take cases. LAA emphasised large new administrative functions and doubted adequate resourcing. A backstop model was seen as slightly more acceptable but still challenging. Stakeholders recognised analytical value but saw this as high-risk and difficult to implement.</p>
<p>6. General population survey: Regular, independent surveys of the general public to understand demand for civil legal services, including from those who do not engage with the civil legal aid system.</p>	<p>Demand funnel visibility – Strong: Potential visibility of all demand stages</p> <p>Coverage – somewhat strong: Random probability sample enables robust inference across areas and sub-groups. Low incidence of some law categories makes adequate coverage difficult</p> <p>Timeliness – weak: Scale of surveying limits frequency to annual at most</p> <p>Robustness – weak: Cannot reliably distinguish eligibility given complexity</p>	<p>Feasibility and burdens – weak: No burden on providers but significant funding and commissioning activity, and significant methodological limitations</p> <p>Ethical, legal, reputational soundness – strong: Information provided with consent</p> <p>Strategic fit – moderate: Exists outside LAA systems; not fully integrated</p>	<p>Providers and LAA recognised this as a rigorous way to understand overall levels of potential need for legal services, including people who never reach providers, but viewed it as an additional source rather than a solution to MoJ’s specific objectives. Concerns centred on cost, survey complexity for low-incidence categories, and reliance on public recall. Stakeholders supported an independent survey as part of a wider evidence mix with realistic expectations about frequency and scope.</p>
<p>7. Legal aid provider survey: Regular, independent surveys of contracted civil legal aid providers about their experiences of demand, capacity and unmet need.</p>	<p>Demand funnel visibility – weak: Captures expressed demand but unlikely to distinguish eligibility</p> <p>Coverage – somewhat strong: Potential to cover all areas, subject to response rates</p> <p>Timeliness – somewhat strong: Potential for quick polling; sensitive to long-term changes</p> <p>Robustness – weak: Providers are unlikely to have accurate records to support detailed responses</p>	<p>Feasibility and burdens – somewhat strong: Quick to implement but additional burden on provider staff to respond</p> <p>Ethical, legal, reputational soundness – strong: May duplicate existing reporting; risks opposition without tangible outcomes</p> <p>Strategic fit – somewhat strong: Potential to improve understanding of demand relative to capacity</p>	<p>Providers noted they already share views through various channels and questioned added value of another survey. They anticipated low response rates given existing burden and scepticism about whether findings would lead to change. Independent administration was welcomed for improving trust. LAA saw this as quick to implement with potential to fill gaps, but acknowledged its anecdotal nature and risk of duplicating existing feedback mechanisms.</p>

5.2 Reflections and policy implications

The process of engaging with a small number of legal aid providers and LAA staff on the shortlisted options, and the assessment of those options, points towards several broad conclusions for consideration across MoJ and stakeholders across the legal aid system:

- 1. There is no clear consensus on how (or even whether) to routinely measure demand for civil legal aid across the whole system.** As noted within the analysis in section 5.1 there is no option that delivers comprehensively on all the MoJ's priorities. All options involve trade-offs and, as a result, all are likely to require the MoJ and wider stakeholder landscape to find compromise. This stems from a tension between obtaining sufficiently granular data on the transition from expressed to unmet demand to be meaningful for policy development and managing the administrative burdens that doing so would impose on legal aid providers, the LAA and, in some cases, individuals seeking legal aid. Stakeholder engagement undertaken during this project did not identify any options that would be received positively across the legal aid system given differences in opinion about how to strike this balance between visibility of demand and provider burdens. Among some providers engaged during this project, there was concern that expending resources to develop a precise view of unmet demand would delay changes to increase capacity within the legal aid system, based on a view that sufficient evidence of supply/demand mismatches already exists from the provider testimony to justify policy action on a system-wide basis.
- 2. It is unlikely to be feasible to accurately determine the exact number of eligible individuals with eligible cases without imposing disproportionate burdens on both legal aid providers and individuals seeking legal aid.** Robustness and reliability of data is a challenge across all options and most therefore provide a better indication of expressed demand than truly unmet but eligible demand. Both providers and LAA staff engaged during this project noted that determining eligibility for civil legal aid is complex and takes time. For instance, one provider stated that a full means and merits assessment can take over an hour, and others noted that evidence provided to make these determinations can be unstructured and challenging to interpret. Without undertaking a lengthy eligibility exercise for all enquiries for civil legal aid, it would not be feasible for providers to determine accurately whether individuals and their cases are eligible. Reporting the numbers of individuals turned away, for instance, would likely provide an overestimate of unmet demand as some individuals that enquire about legal aid are likely to be ineligible. Given the options considered in this project do not include a robust eligibility check, due to both the heavy new workload this would impose on providers and ethical concerns relating to requesting detailed information from individuals even if a provider is not able to provide legal services (for example due to lack of capacity), any eligibility assessment would be approximate. In turn, any assessment of the level of truly eligible but unmet demand would also be approximate, and there could be a large margin of error.

- 3. Demand measurement options that alter the civil legal aid operating model by positioning the LAA as a central point of contact could yield the most impactful data, but the obstacles to overcome to achieve this are significant.** Establishing the LAA as the default first point of contact within the legal aid journey, such that individuals apply to the LAA for legal aid to find a provider and potentially confirm their eligibility, could offer the government end to end visibility of supply and demand across the legal aid system. Such a scenario would enable the LAA to know exactly how many individuals are seeking legal aid, how many are eligible and the extent to which that demand can be met. A more limited reform in which the LAA fulfils this role only where individuals cannot find a provider through the existing routes for doing so could also achieve this to a lesser extent. However, this would represent wholesale reform of the legal aid system. The providers engaged during this project raised strong concerns that such a model could threaten their independence, disrupt the relationships and networks that providers hold across communities and create conflicts of interest within the LAA as it navigates the roles of protecting public money and allocating cases. Implementing such an option is therefore likely to require extensive consultation, organisational redesign of the LAA including governance changes, and a significant uplift in LAA resources to manage the additional workload (such as developing mechanisms to assess eligibility and identify which providers might be suitable and have capacity to take on cases). Hypothetically, the LAA could seek to collect data from individuals that have been unable to find a provider without taking on these additional responsibilities, but there would be little incentive for individuals to engage with this if it does not provide a route to resolving their problem.
- 4. Measures that rely on additional data collection from legal aid providers must account for the pressures experienced within the sector and are unlikely to be feasible without further funding.** Providers are the primary source for the rich data that the LAA currently holds on met demand for civil legal aid. By acting as the main point of contact for those seeking legal aid, providers are therefore also likely to be best placed to collect additional data within the legal aid system as it currently exists. Providers could, in principle, record more information than is currently required in relation to individuals they turn-away. At the very least, this could involve basic aggregate counts of expressed demand, though further engagement with individuals at the first point of contact could yield approximations of unmet eligible demand. However, the more granular the information collected (and by extension, the more useful that information is), the greater the administrative burden for providers. Providers engaged with during this project expressed strong opposition to additional administrative tasks without commensurate funding, noting that unless this is sufficient to hire additional administrative staff to undertake the work, it would otherwise add to a stretched legal aid workforce. This being the case, stakeholders may question why this administrative task would receive dedicated funding while others do not.
- 5. There is likely to be provider opposition to data collection without communication of how that data would be used and what the policy approach for responding to identified unmet demand could be.** Providers engaged with during this project expressed concern about how

data on unmet demand could be used by the MoJ and LAA. Where data collection includes reasons for not taking on cases, for example, some providers queried whether the MoJ would be able to use this information as a punitive contract management tool. Others questioned what the incentive to report this data would be in the absence of clear evidence that information on unmet demand would be used to improve capacity within the legal aid system. The stakeholder engagement undertaken within this project indicated that there could be significantly greater appetite among providers to engage constructively with data collection efforts if the outputs of that data collection were transparent. This points towards value in exploring and communicating what policy options could be available in the event that clear problems related to unmet demand are identified and evidenced, and pilot programmes to show the value and feasibility of data collection before full rollout.

Considering these conclusions in aggregate, the key trade-off for the MoJ when determining how best to improve its understanding of demand for civil legal aid is the balance between the granularity of data deemed necessary for policy making and the administrative workload (and cost) it is willing to impose on providers and/or the LAA. The greater the accuracy of an assessment of levels of unmet demand required for policymaking, the greater the associated administrative burdens. For example, pursuing full reform of the legal aid system to collect data via applications to the LAA could offer the most granular and robust data on demand, but would pose the greatest disruption to the legal aid market and legal aid providers. By contrast, requesting simple counts of the number of cases turned away by providers presents far fewer feasibility challenges and alterations to provider processes, but provides a comparatively inaccurate measure of unmet demand. Given the current lack of data collected on demand within the legal aid system, any of these measures could improve the MoJ's understanding of demand for civil legal aid, though there are clear variations in their likely impact and feasibility.

However, the shortlisted options are by no means mutually exclusive, and those that require less change to existing processes could be combined to mitigate some of their individual weaknesses:

- Combining high-level monthly reporting of the number of cases turned away by providers (option 1) with the funding of a sample of providers to collect more detailed data at the first point of contact with clients (option 3) could allow the MoJ to collect information on unmet demand with which approximate judgments could be made about the legal aid system. This would not provide perfect information, but could increase the utility of the aggregate counts of turn-aways obtained through option 1, which would likely be the most feasible form of data collection from providers. Moreover, where those turn-away counts identify potential gaps in provision that merit further exploration, the MoJ could adjust the sample of providers in the smaller monitoring group to validate or challenge those gaps.
- Combining high-level monthly reporting of the number of cases turned away by providers (option 1) with a periodic general population survey (option 6) could allow the MoJ to identify where there are pressures of expressed demand and explore the drivers of those pressures through a survey methodology. Noting that some of the expressed demand that is turned

away by providers may not be eligible for legal aid, this combination of options would recognise the administrative difficulties associated with asking providers for more granular information that might allow eligible unmet demand to be identified and instead seek an alternative means of adding depth to basic reported data (acknowledging the limitations of this).

Glossary

Legal aid – public funding for legal advice, assistance, representation and mediation.

Legal support – A variety of support available to people from information, guidance and signposting at one end of the spectrum to legal advice and representation at the other. Within the MoJ, Legal Support policy focuses on forms of support not funded by legal aid, including general information, guidance and signposting that helps people to resolve their legal problems.

Legal aid is split into two main areas – civil and criminal.

Civil legal aid work can usually be classified as **Controlled Work** and **Licensed Work**.

Controlled Work is made up broadly of two types of work:

- Legal help, help with family mediation, help at court and family help (lower).
- Controlled legal representation, which involves representation specifically at mental health and immigration tribunals.

Licensed Work – family help (higher) or legal representation – is funding for representation by provider caseworkers for civil cases, which are in court or are to be issued. Many legal help cases will progress to legal representation as either investigative representation or full representation.

Legal Aid Agency (LAA) is an executive agency sponsored by the Ministry of Justice, whose remit is to make legal aid available to the public in accordance with the statutory scheme. They do this via **contracts** with **legal aid providers**. The [Standard Civil Contract 2024](#) governs the provision of face-to-face legal advice through the legal relationship between the Lord Chancellor (acting through the LAA) and the provider.

Legal aid providers – organisations and individual practitioners with a legal aid contract – primarily solicitors, charities, and not-for-profit agencies – which authorises them to provide free or subsidised legal advice support.

Legal Representation Certificate is an official document confirming legal aid funding for civil legal cases in England and Wales.

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For more information

3 Thomas More Square
London
E1W 1YW

t: +44 (0)20 3059 5000

www.ipsos.com/en-uk
<http://twitter.com/ipsosUK>

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