

Annual Report 1986-87

1986 marked Legal Action Group's fifteenth anniversary. The events of this year have underlined the continuing relevance of LAG and its work.

The publication of the Government's legal aid efficiency scrutiny in June, the continuing problems of the duty solicitor schemes and the uneasy national introduction of the Crown Prosecution Service in October have all provoked renewed and heated debate about the nature of legal services. LAG has participated in this debate by covering the issues in *LEGAL ACTION* and other media.

Similarly, we have tried to widen the debate on the future of the legal profession through our evidence to the Marre committee.

LAG has also been concerned with the Government's continued examination of both civil justice, through its ongoing review, and criminal justice, through the Bill currently before Parliament.

Legal aid

Underpinning recent events, is the Treasury's relentless campaign to contain the cost of legal aid. In April 1986 new legal aid eligibility rules meant that for the first time since legal aid began in 1950 people were taken out of the scheme. Families with children were the undeserving victims of the cut. LAG argued vigorously against the rules, briefing MPs and covering the issue in *LEGAL ACTION*.

The summer was dominated by the legal aid efficiency scrutiny – a team of four civil servants who, as we said at the time, took on a task of Royal Commission proportions in only ninety days. The team's proposal to transfer £25 million of green form advice from solicitors to the advice sector hit the headlines and galvanised the legal services debate. The scrutiny team also proposed a miscellany of cuts in legal aid expenditure, seeking to justify them on the grounds of greater efficiency and cost-effectiveness. It put the case for taking the administration of legal aid away from the Law Society and putting it in the hands of a Legal Aid Board.

In a full response to the scrutiny, published in October, LAG criticised many of the proposals as designed solely to limit expenditure to the detriment of legal services. However, we welcomed the scrutiny's proposals for representation before tribunals and its recognition of the importance of lay advisers. We repeated our long-held view that the Law Society should cease to administer legal aid but urged its replacement by a Legal Services Commission or Board with a wide remit over all legal services and an independent membership working closely with regional legal services committees.

It now appears that the scrutiny's green form proposals will not be enacted. Although a closely guarded secret at the

time of writing, the Government's legal aid white paper, due out in March, is rumoured to have ditched the green form proposals in favour of random cuts in legal aid and to have adopted the proposal for a Legal Aid Board.

Legal services

Our response to the Society of Labour Lawyers' "Legal Services under Labour" stressed the need for such services to be seen in a wider context than the needs of the individual client.

Our evidence to the Marre Committee, in addition to arguing for fusion which has been LAG policy since 1977, also called for a national network of legal resource centres to give initial diagnostic advice and undertake casework where the client did not wish to go to private practice.

Civil Justice Review

LAG working parties, ably assisted by former CAB organiser and LAG committee member Vickie Macnair, have responded to the small claims paper and are currently considering the debt enforcement and housing cases papers. The general issues paper is expected imminently and will clearly provide a large amount of work for the next year.

The CJR has continued the trend of introducing management consultancy research into areas of legal administration. In our response to the small claims paper we expressed doubts about the methodology of this research. However, we broadly welcomed the proposals and the growth of a more inquisitorial role for small claims registrars.

The CJRs failure to support calls for specialist housing courts was a disappointment. Over the past year LAG has co-ordinated the work of the Housing Courts Steering Group. We assisted in the collation of all published material on the issue and helped to produce a four-page briefing paper *Housing courts: the issues* in January, to coincide with the publication of the CJR's proposals.

LAG has maintained a high profile on vital housing issues and administers the flourishing Housing Law Practitioners' Association.

Duty solicitors

The duty solicitor schemes are an essential safeguard for criminal defendants under PACE. LAG has continued its examination of the operation of the schemes. In an editorial in November's *LEGAL ACTION* we highlighted the Law Society's continuing failure to implement a

fully national scheme, particularly in urban areas, and the relatively high level of "standby" payments to solicitors in areas of low demand. We urged a more imaginative approach to meeting these deficiencies by experimentation with supplemental salaried provision in certain areas. The Law Society reacted strongly to our criticism and produced a lengthy press statement to counter our claims. The debate was covered in the *Guardian* and LAG's director Roger Smith met a Law Society representative on BBC Radio 4's "Law in Action" programme.

Defendants' rights

The Criminal Justice Bill runs to a massive 128 clauses. It is a rag-bag of proposals, many of which are aimed at cutting down on court time and, consequently, saving money. But this economy poses a number of threats to defendants' rights; proposals to relax the hearsay rule and to allow more documentary evidence in criminal trials, coupled with the abolition of peremptory jury challenge, are particularly worrying.

LEGAL ACTION

In November, we "revamped" the look of the magazine and reconsidered its content. The law and practice pages have remained essentially the same. They continue to depend in large part on the work of dedicated specialist authors to maintain their high quality and reliability.

In news and features coverage we have introduced a "news digest" to give readers a quick reference guide to events. News coverage is more concise and features more in-depth.

In September 1986 we were selling 5,800 copies of the magazine per month. The chart gives a breakdown of subscriptions.

Initial indications for 1987 show that the revamped magazine and extra promotional effort have been effective and subscriptions are expected to rise. A comprehensive readership survey is under consideration for later in the year to give our readers an opportunity to give us their views, not only on the content and presentation of the magazine, but on all aspects of LAG's work.

Courses

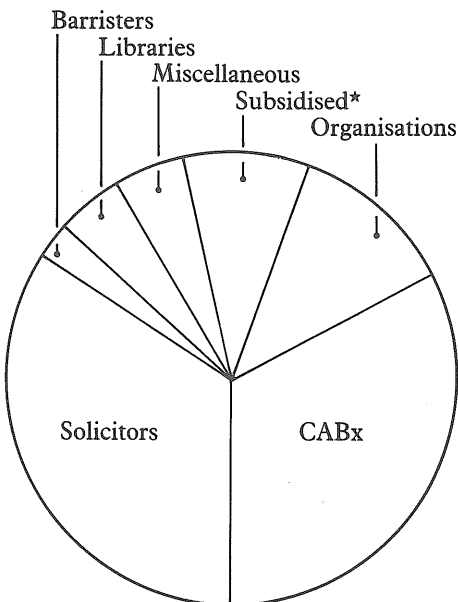
LAG's 1986-87 teaching programme has relied heavily on courses accredited under the Law Society's continuing education programme. Subjects have included legal aid (held in Bristol and Nottingham as well as in London), security of tenure, industrial tribunal procedure, ancillary matrimonial applications (all in Leeds and London), Police and Criminal Evidence Act (in

Bristol, Nottingham, Leeds and London), and care proceedings which was run jointly with the Family Rights Group.

Other courses included legal aspects of care in the community, run jointly with MIND, defending public order cases and medical negligence litigation, run in collaboration with the Association for Victims of Medical Accidents.

Courses in 1987-88 will be geared towards legal practitioners but we hope to broaden the programme to include a wider range of subjects for a wider range of people. This will include a seminar on countering racial harassment in housing, environmental pollution, social security in personal injury and matrimonial cases, representation at social security appeal tribunals, prisoners' rights (jointly with the NCCL), and the law affecting co-operatives (run jointly with the Industrial Common Ownership Movement and London Co-op Training).

LEGAL ACTION subscribers at January 1987



*subsidised rate for students, articled clerks and pupil barristers

Books

The publications programme now boasts ten titles in the Law and Practice series.

Richard Clayton's popular series on practice and procedure in industrial tribunals, which appeared in *LEGAL ACTION*, was brought together in book form and published in October 1986.

Other titles published over the year are *Immigration Emergency Procedures* (March 1986), a second edition of *Homeless Persons* (April 1986), *Repairs: Tenants' Rights* (May 1986) and *Defending Possession Proceedings* (January 1987).

Another new departure is *Police Misconduct: Legal Remedies* by John Harrison. This is being published in co-operation with NACAB.

A further employment title: *Sex and*



STEVE RICHARDS

Standing, left to right: Beverley Slaney, Jean Dyer, Ros O'Brien, Lesley Exton, Roger Smith, Jonquil Houghton, Ben Rose Seated, left to right: Sheila Kavanagh, Desna Roberts

Race Discrimination in Employment is due out in the summer.

Sales have generally gone well. We are currently exploring possibilities for greater bookshop sales.

The publications programme was given a welcome boost with a generous grant of £7,000 from the Law Society which helps us to continue to produce books at below commercial rates.

Finance

LAG's financial year runs from 1 October. The deficit projected in October 1985 would have outrun our reserves. Successful cost saving measures were therefore introduced, including a reduction in the size of *LEGAL ACTION*, subletting part of the premises and not replacing staff.

An appeal was launched in March 1986 which, so far, has raised £3,600 and a number of continuing covenants. The campaign also served to highlight the work of LAG over the last fifteen years. We express our gratitude to the sponsors of the appeal.

The anticipated improved sales figures for the revamped *LEGAL ACTION* should improve our financial situation. A change of printers in the autumn meant a significant reduction in the printing bill. Investment in the publications programme, initiated by Anne Radford, has begun to produce dividends, and expansion is planned in the courses programme.

In addition to the Law Society's grant for publications, we have received notification of an impending grant of £30,000 from the Runnymede Trust to conduct a study of local authority racial harassment procedures.

The restriction on staffing levels has led to severe pressure on the staff and the management committee wishes to express its grateful acknowledgement of the pressures which they have borne.

The Finance and General Purposes sub-committee has been fortunate in having the help of James Macnair, an accountant, who has acted in a voluntary capacity as financial adviser and whose invaluable support and advice during the year has

enabled more effective monitoring of our financial position.

Staff

There has been a relatively high turnover of staff during the past year.

Jean Dyer, who retired in a blaze of publicity in October after fifteen years with LAG, is continuing to work part-time as finance officer. Desna Roberts has assumed the post of office administrator.

Rosalind Malcolm resigned as Director in March and was replaced by Roger Smith, formerly of CPAG, who took up the post in October.

Sally Hughes, who had worked at LAG for five years, first as a researcher and latterly combining the roles of news and features editor and press officer, resigned in April. Sheila Kavanagh took over as news and features editor.

Rosemary Evelyn had an even longer record with LAG as courses administrator. She first joined us in 1976 and worked for LAG, on and off, for over six years. In October she moved on to a challenging new administrative post with the National Association of Probation Officers. Rosemary was replaced by Beverley Slaney.

Publications and "grey page" editor, Anne Radford, gave birth to a daughter, Lydia, in December and has been replaced during her maternity leave by Jonquil Houghton. Ros O'Brien has assumed temporary responsibility for the books programme while Lesley Exton is standing in as "grey page" editor.

Members and local LAG groups

At September 1986 LAG had 1,098 members, some of whom were active in local LAG groups. Local convenors keep in touch with the LAG office and their meetings are advertised in *LEGAL ACTION*. Since his appointment as Director Roger Smith has visited groups in Gwynedd, the North East and Central London and is due to speak to the newly formed Southampton group in March.