Making a drama out of a crisis

The Guardian liked it (‘good, strong, impassioned’); the Daily Mail didn’t, giving it one star and complaining its Law Society sponsorship was ‘a crime against theatre’ (although it had to concede the performances were good). As The Invisible finishes its inaugural run at the Bush Theatre, Legal Action asked a range of practitioners and campaigners for their responses to three key questions about the play:

1. What did the playwright get right about legal aid (given your personal knowledge of the subject)?
2. Was there anything she got wrong (wearing your nit-picky lawyer hat, just for one brief moment)?
3. Overall impressions of its impact as a piece of drama?

Richard Gordon QC, Brick Court Chambers
The play captured brilliantly the unrevealed part of the legal aid world: the unglamorous, largely unrecognised but vitally important behind-the-scenes advice work. I know many solicitors like Gail, God bless them. Lenkiewicz got it in one.

I found it hard to believe that clients would simply have been told that the advice centre couldn’t help them because of legal aid cuts. None of the solicitors I know would have surrendered without trying every loophole in the book.

Subtle. Great characters. Wonderful acting (especially Alexandra Gilbreath). Yet, I yearned for more dramatic conflict. It could have been lawyer against bureaucracy; client against lawyer, or even the clash of opposing ideas. It sometimes felt as if we were all on the same side.

Emma Scott, director, Rights of Women
By creatively weaving a number of individual stories, The Invisible captures the very essence of the loss of legal aid in the lives of its protagonists: the confused anger of those who once had it but can no longer get it; the desperate persistence of those seeking alternative sources of advice; and the frustrated defiance of those struggling to continue to provide advice services.

Telling the story of the complexities of the legal aid reforms was always going to be an incredibly tall order. So I forgive the play where the detail of, for example, the domestic violence evidence gateway may have got lost in the drama, but I was pleased that it gives hope to women like Aisha that legal aid might still be available to help her escape violence.

Although the play ends with the bleak reality of the closure of another law centre, the way in which the play humanises both lawyer and client is a very powerful antidote to the media images of fat cats and scroungers. Importantly, too, it captures the sense of humour, resilience and fight that I recognise in everyone I have worked with in the fight to save legal aid.

Carol Storer, director, Legal Aid Practitioners Group
That legal aid covers far fewer legal problems than it did in the past; that lawyers who carry out this work are extraordinarily committed; that clients come in with a range of issues – legal and non-legal – and that working out what can and cannot be done to assist them is complicated and very frustrating.

I thought that the solutions for the woman suffering domestic violence were not entirely clear.

I think it very clearly conveyed the commitment of lawyers and the complexity of clients’ lives. And indeed how legal problems can be overwhelming for those trying to pick the brains of lawyers even when on a date.

Fiona Bawdon, editor, Legal Action
Gail’s hair; that legal aid lawyers often become completely embroiled in all aspects of their clients’ lives, not just the law-related ones.

Despite the widely bandied-about term ‘Tesco law’, Tesco has never shown any interest in offering legal services; Gail’s response when Shawn tells her he is ‘not coping’ after his mother’s death (‘Just … go gently with yourself’). Community care lawyer Nicola Mackintosh QC (Hon), who has had many similar experiences, says her first question would have been: ‘How did the funeral go?’ ‘I would want to check that the mother’s body wasn’t just still in the house,’ she says.

I didn’t think the strand in the play about the domestic violence victim was entirely successful – it seemed a bit bolted on. Lenkiewicz has a wonderful ear for dialogue and the ability to create believable and recognisable characters.

Martha Spurrier, barrister, Doughty Street Chambers
I think the play really captured the holistic, and often all-consuming, nature of legal aid work. Being a legal aid lawyer is not just about advising a client on a niche point of law; legal aid clients often face a matrix of issues that are equal parts legal, social, economic and practical. Legal aid lawyers have to deal with the legal...
Joy Merriam, solicitor advocate, McCormacks Law
1. It conveyed the very difficult working life of a legal aid lawyer trying to help the vulnerable while struggling with scope restrictions and being under-resourced due to poor rates of pay.
2. Even as a lawyer I was struggling to see what the legal issue was for the housing client. I feel there could have been much clearer examples of potential injustice caused by cuts and scope changes as in the Legal Aid Team animated film made by Fat Rat.
3. I thought it was a good piece of drama well acted. Any play tackling these issues is to be welcomed, but I felt in some sense it was a missed opportunity to get a much clearer message across.

Nimrod Ben-Cnaan, head of policy, Law Centres Network
1. I think the play captures the commitment of legal aid lawyers, even as their own livelihood is under threat. It conveys well their refusal to turn their backs on people in crisis simply because the state does not entitle clients to help.
2. Not so much wrong as absent: Lenkiewicz spared the audience the necessary and fraught – but dramatically dull – step of establishing clients’ eligibility for legal aid.
3. I found the play rewarding because it is impassioned without being didactic. Its empathetic spirit, despite an underlying pessimism, was set off by great acting.

Ruth Hayes, director, Islington Law Centre
1. That legal aid is needed by people as a result of unexpected circumstances; that it helps people be respected as human beings in the face of injustice. Also, that many clients are trying to cope with a whole number of issues and, despite being resourceful and adapting to changes in circumstances, specialist legal help may be the thing that helps them unlock a different future.
2. I didn’t find it credible that the law centre lawyer Gail would have known about family law and given the estranged father legal advice during their date.
3. I thought that the play’s flaw was that, in trying to tackle such a big and important subject, it didn’t quite capture the frontline, bleak nature of some of the work and the profound vulnerability of some of the clients who have been hit by the cuts. Although the storyline about the father seeking contact with his kids was compelling, I did not feel that a middle-class dad dealing with a contact dispute was necessarily where the cuts are being felt most keenly.

Catherine Baksi, legal affairs journalist
1. The playwright captured the pressures of working at the legal aid coalface and the dedication, commitment and sense of hope that, despite all the odds, keeps legal aid lawyers going for the good of those in desperate need.
2. Generally, the play was well-researched and the attention to detail good. But a few errors or exaggerations did slip in: judges have not gone on strike; the budget has not been cut by two-thirds; and Tesco has not indicated that it will provide legal services.
3. The play did get across the impact of the cuts on clients and the stress on lawyers, though sometimes a little too doggedly. In parts, it would have benefited from greater subtlety. It also felt a little one-sided, as the audience was not presented with a contrary view, so was denied the opportunity to think about the issues for themselves.

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2. Wrong person to ask as I am not in fact a lawyer.
3. It made a big impact on me. You rarely see representations of legal aid work, although it is fascinating in terms of engagement with clients’ lives and often at a point of transition (if not crisis). The character of Shaun was especially compelling and in the light of recent figures on the spike in male suicides, linked to money worries, I am haunted by the thought of what happens to people who cannot get help now.