

Unfinished business

In 2004, LAG published the discussion paper *Towards a national strategy for public legal education*. The ideas in the paper reflected the thinking of LAG, the Advice Services Alliance (ASA) and the Citizenship Foundation, as well as others active in the public legal education (PLE) field. The Public Legal Education Network (Plenet) was established partly in response to the discussion paper; it is hosted by the ASA and supported by the Ministry of Justice (MoJ), and helps bring together the agencies involved in providing PLE. Ministers and officials continue to make the right noises about the importance of PLE, but little seems forthcoming from the government by way of a strategy for such education.

Some lawyers and advice workers might have a cynical view of PLE, fearing another government ruse to excuse cuts in legal aid and advice services; however, LAG believes that facilitating self help for the public is an important element of PLE, which can range from helping people gain negotiation skills to resolve consumer disputes to raising awareness of the welfare benefits they are entitled to claim. Equally as important is PLE's role in promoting a wider understanding of legal rights. People need to be aware that the law can help them before they know that it is necessary to go to a solicitor or another source of legal advice. This is illustrated by a research report published in July which was carried out for the Plenet by Independent Academic Research Studies, a youth-led social policy think-tank (see also page 8 of this issue).

The research report, *Measuring young people's legal capability*, used evidence collected from focus groups of young people in which they discussed legal problem scenarios, as well as their experiences of facing problems in their lives. The research looked at respondents' knowledge, skills and attitudes around legal problems. It found that most participants had little or no knowledge of their most basic rights or the skills to resolve their legal problems. In a typical response, a young person faced with a consumer problem said that he would 'start shouting and ask for the manager': aggression or violence was the default response of

many respondents in tackling a problem. Most respondents also had little confidence to approach professionals: for example, a young person told researchers she wanted a foster home placement, but had no idea how to go about getting a lawyer to assist her. When respondents asked for advice, they tended to go to family and friends, who were often as unaware as they were about what the law could do to help with a problem.

Research by the Legal Services Research Centre has shown that many people when faced with a civil legal problem simply do nothing. The majority of the young people interviewed for the Plenet research had no idea that there is such a thing as the civil law which can be used to resolve disputes and enforce rights. Some respondents said that they had been reduced to tears of impotent rage and many felt lost and helpless when they were faced with what they thought were intractable problems.

LAG is aware of many good examples of PLE projects which are aimed at increasing public understanding of the law: for example, 'Lawyers in Schools' is a programme run by the Citizenship Foundation. The project facilitates volunteer lawyers going into mainly inner-city schools to run workshops on legal issues. ASA's 'advicenow' website is another example of an innovative project in the PLE field: it carries accessible information on various legal subjects.

While there is much good PLE already happening, it lacks a coherent strategy. There is a strong argument to say that the majority of PLE needs to be carried out by non-government organisations, as a great deal of the law engages rights that have to be enforced against the state. LAG is not arguing that the government should be responsible for planning and initiating all PLE, but the MoJ needs to take the lead in this regard across government departments. As well as providing leadership, it is essential that the MoJ develops a strategy for PLE that prioritises the sections of the public that need to be targeted and gives sustainable funding.

PLE's main social use is in convincing people that the law is something positive which can be used to help them and should not be either avoided or feared. The knowledge of the rights and duties which the law protects is a vital element of social engagement and helps to create a better society. For many marginalised groups, the legal literacy which PLE brings about provides them with an alternative to shouting and asking for the manager or, worse, doing nothing when faced with a problem and becoming disillusioned.

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