



In this article, Steve Hynes, LAG's director, and Paulina Taylor, a work experience intern at LAG, describe the likely impact on social welfare law (SWL) advice services and clients if the cuts proposed by the government are implemented.

Counting the cost of cuts to social welfare law

As anticipated, the Legal Aid, Sentencing and Punishment of Offenders Bill, which was published last month, contained no significant concessions on legal aid for SWL cases. The continued funding of advice on special educational needs cases partially rescinded the planned cuts in education law (see page 3 of this issue).

LAG has conducted research which has broken down the impact of the cuts in debt, employment law, housing and welfare benefits for each area of England and Wales. The total number of cases being cut in these common areas of SWL is shown for each region to give a snapshot of the effect of the cuts on people at a local level (Table A). A total figure for the income that would be lost by legal aid providers in each area was arrived at by multiplying the reduction in the number of cases by the standard legal help fee.

In 2008/2009, the government and the Legal Services Commission (LSC) responded to the impact of the economic recession by increasing the number of matter starts in civil legal help that were available to legal aid providers. In 2009/2010, the number of matters started under the legal help scheme again increased. Table B summarises the figures for the number of face-to-face matter starts for SWL legal help work in 2010/2011; in addition, it should be noted that there are also around 130,000 telephone cases. These figures still represent a cut of over 150,000 matter starts on the previous year if the number of cases commenced in the year 2008/2009

are taken as a starting point.¹ The 2010/2011 figures are taken from research by the Advice Services Alliance (ASA) which shows the figures for the number of new matter starts for which the LSC has contracted in each procurement area. The reduction in the number of matter starts on offer does not necessarily reflect the demand for advice on the ground: LAG believes that this is purely a cost-cutting exercise.²

The regional picture

Table A shows the impact of the cuts for each region. In addition, LAG has produced a list of each procurement area showing the total number of cases and the amount of cash to providers which have been cut.³ For example, Bolton in north west England will have the number of cases reduced by 1,616 and funding to providers will fall by £292,608. We would suggest that providers use the information on the level of the cuts to lobby their MPs and to make local media aware of the impact of the cuts in their area, particularly in places such as Bolton, which includes the marginal seat of Bolton West.

In the last civil bid round, the LSC tried to even out spending by using its indicative spend formula; however, many areas still spend more than they would if the supply of legal aid services was spread evenly throughout the country. This is not to say that there is no demand for advice in these areas, it is just that the pattern of supply of these services has always been determined by local factors which have led to variations in the take up of legal rights in different

locations depending on the availability of legal advice services.

So, for example, in Brent, north-west London, which has a high level of social deprivation, the funding for SWL is less than half that of Ealing, a neighbouring west London borough, which has both an average population and level of deprivation, but also a relatively high number of legal aid cases. In Brent, this

Table A Analysis from the Advice Services Alliance and LAG of the impact of the proposed cuts in civil legal aid for social welfare law

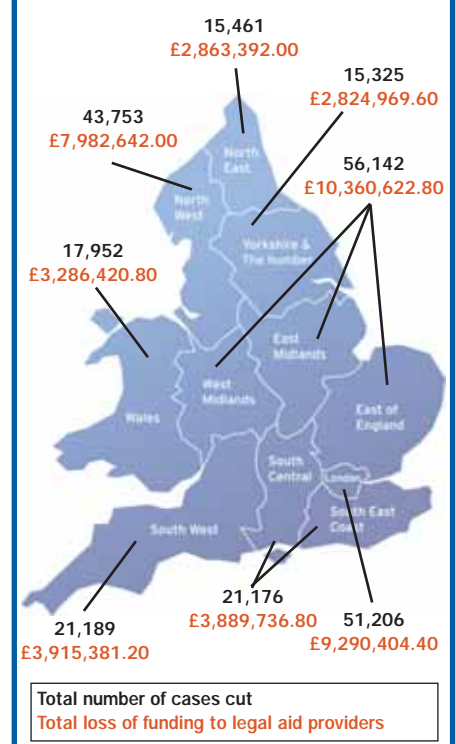


Table C

Twenty poorest areas of the country

Rank	Number of cases cut					Loss of funding to legal aid providers					CLAS	
	Debt	Housing	Bens	Emp	Total	Debt	Housing	Bens	Emp	Total		
1	Liverpool	1875	900	6270	750	9795	£375,000.00	£156,600.00	£1,047,090.00	£172,500.00	£1,751,190.00	
2	Middlesbrough	300	184	530	100	1114	£60,000.00	£31,946.40	£88,510.00	£23,000.00	£203,456.40	
3	Manchester*											£1,495,375
4	Knowsley	398	108	670	110	1286	£79,500.00	£18,792.00	£111,890.00	£25,300.00	£235,482.00	
5	Kingston Upon Hull*											£486,500
6	Hackney	930	1235	2770	380	5315	£186,000.00	£214,855.20	£462,590.00	£87,400.00	£950,845.20	
7	Tower Hamlets	578	716	2020	360	3674	£115,500.00	£124,653.60	£337,340.00	£82,800.00	£660,293.60	
8	Birmingham	1590	1231	3640	100	6561	£318,000.00	£214,228.80	£607,880.00	£23,000.00	£1,163,108.80	
9	Blackpool***											
10	Hartlepool	255	90	360	130	835	£51,000.00	£15,660.00	£60,120.00	£29,900.00	£156,680.00	
11/	Blackburn/	940	830	830	120	2720	£141,000.00	£51,991.00	£138,610.00	£27,600.00	£359,201.00	
12	Burnley**											
13	Salford	390	205	770	120	1485	£78,000.00	£35,704.80	£128,590.00	£27,600.00	£269,894.80	
14	Newham	908	842	1830	230	3810	£181,500.00	£146,577.60	£305,610.00	£52,900.00	£686,587.60	
15	Stoke on Trent	548	162	450	110	1270	£109,500.00	£28,188.00	£75,150.00	£25,300.00	£238,138.00	
16	Bradford	450	223	650	100	1423	£90,000.00	£38,836.80	£108,550.00	£23,000.00	£260,386.80	
17	Sandwell	563	90	370	140	1163	£112,500.00	£15,660.00	£61,790.00	£32,200.00	£222,150.00	
18	Pendle***											
19	Haringey	263	425	770	100	1558	£52,500.00	£73,915.20	£128,590.00	£23,000.00	£278,005.20	
20	Hastings***											
GRAND TOTAL		9988	7241	21930	2850	42009	£1,950,000.00	£1,167,609.40	£3,662,310.00	£655,500.00	£7,435,419.40	

* Area with Community Legal Advice Services (CLAS), under different contract.

** Both located in the same procurement area for the LSC, figures were combined.

*** Figures unavailable.

Table B

Area of SWL	Face-to-face matter starts (2010/2011)
Debt	102,230
Employment	18,470
Housing	107,890
Welfare benefits	108,220
Total	336,810

discrepancy is offset because Brent Council spends more on legal advice services, including a Law Centre® and a Citizens Advice Bureau, services that were cut in Ealing some years ago; whereas, in Ealing, this difference is, in large part, because of the success of the local advice service Law for All. It provides a high level of legal-help funded services that are paid for by the LSC. This is in response to local demand for such services, which is fed in part because of the lack of council-funded alternatives.

As a result of its proportionately higher level of legal aid services, Ealing will suffer the largest cut in the London region if the government's plans are implemented in October 2012 as envisaged: the borough will lose a total of £1,016,550 for advice in SWL cases. Such a high cut in local services by central government could have a significant impact on voters' opinions, particularly if the existence of such a popular local advice charity as Law for All is threatened. Ealing includes the marginal seat of Ealing Central and Acton, which was won by the Conservative party

on a notional five per cent swing at the general election (it was a new seat contested for the first time in 2010).

Nationally, Birmingham is one of the largest losers with a funding cut of £1,163,108. Local advice services, including the Citizens Advice Bureau, are also facing funding cuts from the city council which threaten their continuation. This combination of cuts could leave the UK's second city as one of the country's poorest-served populations for SWL advice services. Birmingham has ten parliamentary constituencies, at least three of which are marginal seats with sitting MPs who, at the last general election, had a majority of less than 4,000.

Social welfare law and poverty

Nationally, Liverpool stands to lose the largest amount in support for SWL cases. LAG estimates that the city will lose £1,751,190 in cash, which currently pays for 12,320 cases per year. LAG has combined the latest available data on the poorest areas, which Liverpool heads, with information on the SWL cuts to arrive at figures that outline the impact on the 20 poorest areas of the country (see Table C).⁴ Readers should note that not every area could be matched with data for legal aid spending, ie, Blackpool, Hastings and Pendle. In addition, in the two areas with Community Legal Advice Services, ie, Kingston upon Hull and Manchester, the approximate total spending is shown.⁵

LAG has also produced a similar table which shows the SWL cuts in the 20 areas of the country with the highest incidence of child poverty.⁶ The London boroughs of Tower Hamlets in east London, Islington in Greater London and Hackney in north London are at the top of this table.

Owing to differences in the pattern of provision across the country, the amount of cuts at a local level will vary. The worst hit areas will be those in which the local council is, at the same time, implementing cuts in advice services, or where there is a greater reliance on LSC-funded services because of the local council's historically low level of support for advice services. LAG's research demonstrates that the poorest areas of the country will be disproportionately affected by the government's planned legal aid cuts.

- 1 See *The real impact of legal aid advice cuts*, LAG, available at: www.lag.org.uk/files/93658/FileName/TheRealImpactofLegalAidAdviceCuts.pdf.
- 2 See also Adam Griffith, '2010 social welfare law bid round: what is on offer?', April 2010 *Legal Action* 6.
- 3 See *Local impact of the social welfare law cuts*, available at: www.lag.org.uk/policy.
- 4 *Indices of multiple deprivation*, available at: www.guardian.co.uk/news/datablog/2011/mar/29/indices-multiple-deprivation-poverty-england#data.
- 5 LAG is grateful to Adam Griffith, policy officer at the ASA, for supplying this data.
- 6 Available at: www.lag.org.uk/policy.