
Balancing the Advice Needs of Bristol



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1. Thanks

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Jane Emanuel

Bristol Law Centre May 2019

2. Introduction

This report considers the need for social welfare legal advice in Bristol. It looks at: the key needs of Bristol's citizens; the needs of communities; the impact of legislative change in particular the withdrawal of legal aid in many areas of law; legislative change and the impact on Bristol and response by advice agencies; opportunities and developments as they relate to technological solutions and how Bristol's' advice agencies respond to the key strategies of the city.

It also details the contribution that advice agencies and legal pro-bono activities make to the city, the work they undertake and how this work supports individual citizens to ensure their well-being. It further details how advice agencies contribute to the local economy and support a range of volunteering options for people of working age and in retirement.

Securing advice on a range of different issues is key for many of Bristol's residents and particularly for those that are vulnerable economically or because of poor mental or physical health. There are many challenges that those providing advice face, crucially:

Their ability to continue to respond to the advice needs of all communities in the face of reducing and time-limited funding and increasing legal and regulatory complexity.

Their ability to deliver services appropriate to those citizens most in need who present with complex needs and complex problems whilst continuing to enable those who are more able to access services to resolve their problems.

Their ability to deliver services that are appropriate and in reach of local communities and maximise effectiveness through a range of different partnerships with other providers of services.

Their ability to in the face of reducing resources to expand services and harness relevant expertise to enable legal help and support to be available in different areas of law, which Bristol's more vulnerable citizens need.

The provision of advice remains little changed over decades of providing advice, it is premised on the basis that people require free and confidential advice in a one to one environment and that their needs can be met either through one off advice or through

casework. What has changed is the way people can access this, there is a heavier reliance on technology and less opportunity to undertake (costlier) face to face advice and home visits. Funding for public legal education and take-up campaigns has largely disappeared as has funding specifically to support people in hospitals waiting to be discharged and in prisons for those on remand or nearing release.

Nonetheless Bristol has an active and co-ordinated advice sector, it has demonstrated considerable resilience in ensuring services have continued to be delivered in a period of sustained cuts and austerity, it has developed nationally acclaimed projects and secured funding to develop different ways of working and ‘testbed’ new ideas to respond to need. However, it needs to continue to juggle with the complexity of meeting people’s needs whilst developing and realigning provision, to ensure it keeps pace with new developments and allied funding opportunities and continues to maximise the expertise and commitment of all those involved, be they trustees, paid staff or volunteers.

The sector contributes in a variety of ways to the city. In 2018/19, 10 of Bristol’s key advice agencies:

- Provided advice and /or casework services to nearly 20,000 people over 90% of whom were Bristol residents
- Secured nearly £8 million pounds in back dated benefits
- Put just over £23 million pounds of people’s debt into controlled management
- Levered £2 million pounds of external funding
- Supported 246 volunteers who cumulatively provided, £500,000 (gross) of in-kind support

Maintaining and developing this provision, will continue to be challenging. The sector needs to continue to build on relationships with external agencies and it needs to focus on how it can develop partnerships with providers of non-advice services to secure a wider reach into the most disadvantaged communities. It also needs to ensure that the services it provides and the way they are provided continue to be supported by those communities most in need of advice, in particular it needs to determine what happens to those who fall through the advice safety net and/or do not ever reach it.

3. Demographics and Need

This section of the report considers the demographics of Bristol's population with a focus on indicators that can identify that there may be a need for advice in social welfare law. The second section considers the needs of communities of interest and highlights why they may require advice services over and above those in the general population.

3.1. Demographics

Population of Bristol¹

The population of Bristol is about 459,300 and is expected to reach 500,000 by 2027.

There are roughly the same amount of men and women in Bristol's population

Age

Bristol has a young profile with 18.6% of the population under 16, against 13% of the population who are 65 or over.

The highest density of children is found in the following wards: Lawrence Hill (27%); Hartcliffe and Withywood (26%) and Filwood (26%). Correspondingly these are amongst the most deprived wards in Bristol.

31% of children living in Bristol West, 25.8% in Bristol North West, 28.8% in Bristol South and 26% in Bristol East are living in poverty²

The highest density of older people is found in the following wards: Westbury on Trym (24%); Stockwood (22%); Hengrove and Whitchurch Park (21%) and Stoke Bishop (20%). Both Westbury on Trym and Stoke Bishop are amongst the most affluent wards in the city.

Of the total population it is estimated that 15% of the population is over 65 and 9,100 people are aged 85 + (2% of the population).

¹ The Population of Bristol. Bristol City Council December 2018

² End Child Poverty, Child Poverty Action Group January 2018

In August 2018 10,100³ people were claiming Pension Credits.

Disabled People

The most reliable data regarding people with disabilities is taken from the 2011 census. According to that the proportion of the population of Bristol whose day-to-day activities are limited is 16.7% (71,724 people). Of these 34,570 (8%) had day-to-day activities that were limited a lot, and 37,154 (9%) had day-to-day activities that were limited a little. There are more disabled women (17.8%) than men (15.6%), which is due to women living longer than men.

35,256 of these people (50%) are within the working age population. Filwood has the highest density (20.9%) followed by Whitchurch Park (18.3%), Hartcliffe (17.9%) Kingsweston (17.7%) and Southmead (17.4%)⁴

11% of disabled people are from BAME communities which is lower than the city population (16%), however this is accounted for, because the BAME communities are younger than the city averages.

In respect of mental health 20% of Bristol residents (28% in the most deprived wards) reported below average mental wellbeing in 2018, this represents a 7% increase from 2015⁵.

Black and Minority Ethnic Communities

22% of the Bristol population describes themselves as not White British. Of these 16% belong to a Black or minority ethnic group and 6% to Eastern European, White Irish or White Gypsy or Irish Traveller groups.

Of the Black and Ethnic Minority Communities the largest single ethnic group is Somalian estimated at 2.8% of the population, followed by Caribbean (1.6%), Pakistani (1.6%) and Indian (1.5%).

³ NOMIS

⁴ Equalities Profile Disabled People Living in Bristol October 2014

⁵ Quality of Life Survey Bristol City Council 2019

The ward with the highest density of BAME population is Lawrence Hill (60%). Easton, Eastville, Ashley, Lockleaze, Central and Hillfields all have BAME populations over 20%.

The highest influx of new migrants arrived in Bristol between 2004-2009 accounting for 24,390 people. However, in the last number of years (2015-2017) the number of international migrants coming to Bristol has fallen dramatically to 300 people in 2016/17. The full impact of Brexit has yet to be felt and it is assumed that during the 2017/18 period, it is likely that outward net migration from international migrants will exceed inward net migration.

New migrants are heavily populated in both Central and Lawrence Hill wards.

9% of people do not speak English as their main language (with Polish and Somali accounting for the highest levels of main language spoken). Overall 1.5% (7,000 people) cannot speak English or cannot speak it very well.

Refugees and Asylum seekers

Obtaining and keeping track of data relating to asylum seekers and refugees is challenging. Agencies typically divide their members between those seeking asylum or who have been refused asylum and those who have refugee status. Once granted refugee status some organisations time limit their involvement, whilst others do not. Membership information is not held by any central or coordinating group and therefore any one individual could be (and often are) members/service users of different groups.

The city of Bristol is a recognised Home Office Dispersal Area and as such provides a team within the Council to support a range of needs. Bristol City Council is currently supporting over 65 unaccompanied children who have come to Bristol through spontaneous arrivals and different arrangements.

Asylum seekers

For the purposes of this report asylum seekers are people without status. They may be in the process of seeking asylum, appealing against decisions or have been refused status.

In 2017 for those seeking asylum⁶

- Ready Homes the agency contracted by the Home Office to provide bed spaces for asylum seekers was providing 340 bed spaces, although it has the capacity to provide 500 bed spaces.
- Approximately 80 individuals and families were receiving support from the Bristol City Council. This includes people who are destitute failed asylum seekers and those who have No Recourse to Public Funds who are fleeing safe countries but have humanitarian needs and who are making an application to the Home Office on Human Rights grounds. Support is only given by Bristol City Council to those who have needs under the relevant sections of the Children Act 1989
- Bristol Hospitality Network supports 30 destitute failed asylum seekers by providing supported lodgings in homes throughout Bristol, they estimate that a further 100 refused asylum seekers are without support in Bristol
- Between October 2015 to September 2016 Bristol Refugee Rights welcomed at least 850 different members. An estimated 27% of members were asylum seekers without financial support
- Between October 2015 – September 2016 Borderlands welcomed at least 469 different members. Borderlands estimate that 40% of its members are asylum seekers
- Refugee Women of Bristol support around 300 women who are asylum seekers

Refugees

For the purposes of this report, refugees are people who have gained status within the UK.

- British Red Cross move on service works with refugees for up to a year after they are granted status. In any one calendar year there are at least 259 people eligible for this support

⁶ Bristol: A City of Sanctuary, Welcoming Asylum Seekers and Refugee Strategy Action Plan 2017-2020 – Bristol City Council

- Ashley Community Housing provides 130 rooms for newly recognised refugees in Bristol, there are 100 people on their waiting list. Provision is mainly for single refugees rather than families due to the nature of the accommodation rooms.

Tenants are encouraged to move on within 12 months

Lesbian, Gay, Bisexual and Transgender (LGBT)

A mapping exercise undertaken by ONS based on estimates derived from the Annual Population Survey over a 3-year period (2013-15) estimates that the lesbian and gay population of Bristol is 2.1%.

Locally, the Bristol Quality of Life survey – a large random sample of Bristol residents– found in both 2014/15 and 2015/16 that 4% of the Bristol adult population identified as LGBT. Based on the 2017 population, the QoL 4% figure suggests there are around 15,000 Lesbian, Gay and Bisexual adults in Bristol, though this is a very broad estimate. There is also no accepted estimate of the Trans population. A conservative estimate (from US sources) is that transgender people make up 0.2% of the population, though the Gender Identity Research and Education Society (GIRES) in 2009 estimated 1% are on a ‘gender variant’ spectrum.

Faith Communities

According to the latest statistics taken from the 2011 census. 46.8% of Bristol’s population identify as Christian, 5.1% as Muslim and 37.4% as having no religion. All other religions account for 2.6% of Bristol’s population.

3.2. Deprivation⁷

Bristol has some significant hotspots of deprivation. It has 42 areas in the most deprived 10% in England, including 6 in the most deprived 1%. The greatest levels of deprivation are in Hartcliffe and Withywood, Filwood and Lawrence Hill.

Between 2010 and 2015 Bristol experienced greater increases to levels of relative deprivation than other core cities but came from a lower starting point.

⁷ Deprivation in Bristol 2015 Bristol City Council

In 2015 16% of residents (69,000 people) lived in the most deprived area of England including 17,800 children and 10,500 older people. This has increased by 2% overall from 2010. Amongst children 22% lived in the most deprived area, increasing by 3% from 2010.

In 2018 11% of people found it difficult to manage financially, this has stayed the same since 2015⁸

Income Deprivation

17% of Bristol's residents are income deprived; the rates vary widely across the city, with more than a third of residents being income deprived in Lawrence Hill (36%) and Filwood (35%).

Nearly half of all children live in income deprived households in Lawrence Hill (46%), Filwood (45%), Whitchurch Park (45%) and Hartcliffe (42%).

Employment Deprivation

Employment deprivation measures the proportion of the working age population in any area of those people who are involuntarily excluded from the labour market. This includes people who would like to work but are unable to do so due to unemployment, sickness or disability or caring responsibilities.

In Bristol 36,000 people experience employment deprivation, 13% of the population. In line with other statistics relating to deprivation, this varies widely across the city, with 37% in Harecliffe (Whitchurch Park) to less than 1% in Stoke Bishop. The wards with the highest proportion of those who are income deprived are: Filwood (26%), Lawrence Hill (25%), Southmead (20%).

Health Deprivation

51,000 people live in areas of the city identified in the most 10% nationally for health deprivation and disability. 6 areas feature within the most 2% nationally for health

⁸ Quality of Life Survey Bristol City Council March 2019

deprivation and disability which include Bedminster East and Bedminster West in Southville ward.

Further, the State of Bristol report⁹ states:

Life expectancy for women is 82.8 years and for men 78.8, however the inequalities gap between the most deprived areas in Bristol is 9.5 years for men and 7.4 years for women – broadly in line with national averages.

What is equally important is healthy life expectancy where the average for living in good health for 62.9 years for women (similar to the national average) and 58.9 years for men (significantly below the national average of 63.3) Both women and men in Bristol live 19.9 years in poor health on average.

10% of Bristol GP patients (40,400 people) have a diagnosis of depression above the England average of 9.1%, 8,700 of whom were diagnosed for the first time in (2016/17).

Labour Supply

This relates to the working age population

According to data provided through NOMIS¹⁰, in 2017- 18 65,200 people in Bristol were economically inactive due to the following circumstances:

8, 600 claiming JSA, 22,800 because they were students, 13,300 because they are looking after the family/home, 14,200 because they are on long term sick, 7,300 because they are retired (but within working age) and 7,000 for other reasons.

Of these groups 11,600 want a job and 53,700 do not want a job.

In all 17, 300 households are workless (11.5% of all households).

In August 2018 in Bristol the following benefits were being claimed¹¹: 4,490 Income Support; 5,450 Carers Allowance, 12,060 DLA, 18,730 ESA, 3,050 JSA

⁹ State of Bristol: Key Facts 2017-18 (April 2018)

¹⁰ NOMIS Official Labour Market Statistics: ONS 2019

¹¹ NOMIS

Fuel Poverty

Based on the Low-Income High Costs indicator, there are an estimated 20,709 fuel poor households in Bristol, 10.8% of all households. This is higher than the South West where 10.2% are fuel poor, but lower than England overall, where 11.1% are fuel poor.¹²

According to the JSNA¹³ report:

‘Fuel poverty is broadly caused by low incomes, low efficiency homes, heating systems and appliances and high energy costs. Households on low and unreliable incomes are vulnerable to fuel poverty’ Key groups at risk from the harmful effects of living in a cold home are: older adults, young children, households where someone is disabled or has a limiting illness/respiratory or circulatory disease/mental health problems.

A small study conducted for the JSNA found that the needs of fuel poor households are complex and access to advice needs to span heating, energy efficiency and tariff advice. Households also need advice on benefits and debt to help maximise their income and reduce the burden of fuel costs on household finances.

Food Poverty

There are a range of food banks providing support across Bristol. The Trussell Trust manages four key outlets, with Refresh (Bedminster) and the Matthew Tree Project (South Bristol) also providing food parcels and other support.

Nationally the Trussell Trust¹⁴ reports that food bank usage over the last 5 years has increased by 73%. 33.11% due to income not covering essential costs; 20.3% due to benefit delays. 17.36% due to benefit changes.

North West Bristol Foodbank reports that they handed out 4,500 emergency food supplies in 2018/19, a 9% increase on the previous year but between Jan-April 18 compared to the corresponding period this year a 30% increase, much of which is associated with the roll out of universal credit for new claimants in Bristol.

¹² BEIS 2018

¹³ JSNA Fuel Poverty, Bristol City Council 2018

¹⁴ The Trussell Trust End of Year Statistics 2018/19

A study undertaken by the University of Bath¹⁵ found the main causes of food bank usage in Bristol included benefit delays and sanctions, job loss or equally sudden unanticipated costs often relating to housing or heating.

3.3. Need

The above gives a general overview of the range of people in need in Bristol in respect of deprivation, income, health. It is more likely that these groups of people need to access advice services, as they are more likely to need support in respect of debt, benefits, housing and health. This is not to say they will all need help nor is it true to say that member of the general population do not themselves need advice, advice needs are for many people, rather like health needs, some can be anticipated, whilst others arrive unexpectedly and because of a small life change or a decision. Many clients of advice agencies require support once in their lives, whilst for others, the need for advice interventions is an ongoing feature.

Advice providers also need to be reflexive to the needs of groups of people, as they are more vulnerable or experience various barriers to entry to advice, not experienced by the general population. This may be done through establishing pathways for clients through projects aimed at those groups within advice settings or may be through developing clear referral procedures with other third sector organisations who support the needs of vulnerable groups.

Disabled People

Disabled people have suffered disproportionately from austerity measures and are along with lone parents and certain BAME groups, are most likely to experience poverty.

In terms of those seeking advice in Bristol, particularly on Welfare Benefits, disabled people are disproportionately represented.

¹⁵ Why do people use foodbanks? A qualitative study of food bank users in Bristol Wainwright and Buckingham, University of Bath October 2018

Women who are disabled suffer proportionately more than their male counterparts.

According to the Women's Budget Group¹⁶

- 50.7% of disabled people were employed but they were more likely to be underemployed and in low-paid jobs.
- Disabled women earn less (22.1%) than non-disabled men, a gender pay gap four percentage points higher than between all men and women. Disabled women earn 11.8% less than disabled men.
- Poverty rates have been increasing since 2010 and now 26% of households with a disabled person are in poverty, compared to 22% in the overall population. This figure is likely to underestimate poverty rates of disabled households as it does not consider additional costs associated with disability, estimated at £570 per month.
- Benefit sanctions have increased in recent years but most sanctions and decisions not to grant disability benefits are overturned on appeal: nationally 63% of PIP cases and 60% of ESA cases are ruled in favour of the claimant*.

*This figure is much higher in Bristol, where people have secured support and/or representation from an advice provider. For example, in 2018/19 of the cases taken to tribunal by Bristol Law Centre for ESA and PIP, 100% were successful for ESA and 91% for PIP. Similarly, Bristol City Councils Welfare Rights and Money Advice Service (WRAMAS) reports that of the 188 cases they took to tribunal (in 18/19) 156 were successful, 12, adjourned, 6 referred to the Upper Tribunal and 14 unsuccessful.

The introduction of Universal Credit has meant that many claimants will lose out. The Institute of Fiscal Studies has estimated that £1.9m people are likely to lose at least £1000 per year, although in many circumstances they will reduce their losses from UC over eight years. But those who are disabled or who live with a disabled person are especially likely to be persistently, rather than temporarily poor.¹⁷

¹⁶ Disabled Women and Austerity, Women's Budget Group, October 2018

¹⁷ IFS Briefing; Tom Waters, April 2019

Mental Health

A recent study by MIND ¹⁸ reported that:

- People with mental health problems are more likely to experience legal problems than others. 52% of people with mental health problems experienced a legal problem against 27% of those without a mental health problem
- People with mental health problems are more likely to have more legal problems. People with mental health problems reported an average of five legal problems compared to 3 legal problems reported by those without mental health problems. There was a particularly large differential in the six or more problems, where 22% of those with mental health problems reported a need against 8% of other respondents
- One in five legal problems leads to a worsening of mental health. This type of negative consequence was particularly common in relation to legal problems concerning the break –up of a relationship, followed by problems with benefits
- People with mental health problems are more likely to experience adverse consequences of legal problems. They were twice as likely to have had to move home or become unemployed because of a legal issue, three times as likely to have suffered harassment, abuse, assault or threats and four times more likely to have become homeless or experienced poorer physical health due to a legal problem
- People with mental health problems feel less confident handling legal issues and are less confident in legal settings
- There is no differential between people with mental health problems and those without in being successful in their legal case

Given this, it is not surprising that many clients seen by generalist advice providers report having a mental health condition. Given the vulnerabilities of those with mental health problems and that they are likely to ‘present’ with a range of legal issues which add to the complexity of the work undertaken.

¹⁸ An Unjust system? How changes to the justice system have affected people with mental health problems. MIND May 2018

Age

Older People

The State of Ageing¹⁹, a recent report undertaken by the Centre for Ageing Better, found that huge inequalities exist between older people, the steady accumulation of a lifetime of advantage or disadvantage has a significant impact on unequal levels of health, wealth and security in later life.

Key to their findings is that progress on pensioner poverty in the 1990's is beginning to reverse and simultaneously the number of people aged 65 or over is growing and set to increase nationwide by 40% within the next 20 years.

The study found:

- Single women, ethnic minorities and those over 80 are more likely to live in relative poverty in later life. There is a greater incidence for BAME communities where 29% of Asian or Asian British and 33% of Black or Black British older people are living in relative poverty against 19% of White and White British people
- Half of people over 65 have at least two chronic health conditions. However, health conditions are forcing many people out of the labour market prior to pension entitlement, 50% of men and 38% of women aged between 55-64 in the poorest quintile have a health problem that limits the work they can do, this compares with 10% of men and 9% of women in the richest quintile
- 34% of men and 41% of women aged 50+ in the poorest quintile struggle with daily living requirements, against 13% of those in the richest quintile
- The number of private renters aged 55+ has increased by 103% since 2004, to nearly three quarters of a million (2017/18), where there is a greater level of sub-standard housing. More people aged 55+ from BAME backgrounds (29%) than from white backgrounds (17%) rent in this sector, and are more likely to live in deprived neighbourhoods in older and poorer quality housing

¹⁹ State of Ageing – Centre for Ageing Better, March 2019

In terms of providing advice for older people, research shows²⁰, that providers need to be aware of:

- Older people's decisions about assistance involve considerations of decline, independence and preparedness to be a recipient
- Older people might avoid assistance and treat public services as a last resort even in urgent circumstances
- Older people's attempts to self-manage their needs may put them at risk of unsolicited or emergency intervention
- Services and carers must take account of older people's reservations and preferences to improve the palatability of assistance

Further to this Age UK has found that there are stark differences between how men and women access services. As the differentials in age longevity decrease between genders it is important to be aware that:

'Meeting the needs of older men is an important, but often overlooked, public health issue. It is well recognised that older men use fewer community-based health services than women and are less likely to participate in preventive health activities. They also find it harder than women to make friends in later life and are less likely to join community-based social groups that tend to be dominated by women. The reluctance of older men to engage with services and activities; growing rates of social isolation and loneliness; and the poorer health-seeking behaviours of men compared with women places older men at greater risk of physical and mental ill-health²¹'

Young People

Young people aged 16-25 are underrepresented amongst client cohorts of current advice agencies in Bristol. This mirrors the national picture, with young people reporting that they don't always recognise advice agencies such as Citizens Advice as organisations that are 'for

²⁰ Seeking assistance in later life, how do older people evaluate their need for assistance (Canvin, Macleod, Windle Sacker) Age and Aging January 2018

²¹ Improving Later Life, services for older people – what works. Age UK October 2018

them', seeing them as places that serve older people, despite the fact that young people face the same types of issues as any other segment of the population – problems with money, benefits, employment, housing and relationships for example, or for the most vulnerable problems in accessing care and support packages to which they are entitled, or issues around immigration.

For young people to progress to independence it is important that they are aware of their rights and responsibilities and confident in seeking help when they need it.

Children

Children are impacted by a range of different factors, often based on their parent's situation (but not exclusively so).

According to the Social Metrics Committee²², in the UK 4.5 million children are impacted by poverty. With more than half trapped in poverty for years. Poverty is particularly prevalent in families: with at least one disabled person; single parent families and households where no one works or who are dependent on irregular hours or zero-hour contracts.

Children in low-income families suffer shame and exclusion because they do not have enough to eat. Many do not qualify for free school meals because their families do not have recourse to public funds, whilst others who remain entitled are not provided with enough food during the school day²³.

CPAG have found:

That work does not provide a guaranteed route out of poverty in the UK. 67% of children growing up in poverty live in a family where at least one person works.

Children in larger families are at a far greater risk of poverty – 42% of children living in families with 3 or more children live in poverty.

BAME Communities

The UK poverty rate is twice as high for BAME communities²⁴. There are:

²² Social Metrics Committee September 2018

²³ Living Hand to Mouth: children and food and low-income families. UCL/CPAG April 2019

²⁴ Poverty and Ethnicity in the Labour Market, Joseph Rowntree Foundation September 2017

- Higher unemployment rates: despite rising levels of employment, some groups are still more likely to experience unemployment particularly White gypsy/Irish traveller groups, African groups and Mixed White and Caribbean groups.
- Higher rates of economic inactivity. Specific groups such as women of Pakistani and Bangladeshi background have much higher levels of economic inactivity than others, linked to unpaid caring responsibilities in the home
- Concentration on lower paid work, where often there is little prospect of progression
- The risk of remaining in persistent poverty is especially high for African, Pakistani and Bangladeshi groups

BAME communities also suffer disproportionately from poor housing and homelessness. In Bristol for example of the 146 people who were unintentionally homeless and in priority need ²⁵80 were White, 29 Black, 8 Asian, 9 mixed race and 11 not stated. Therefore, of those stating their ethnicity 34% were from non-white backgrounds (against 16% of the Bristol general population).

Nationally²⁶, whilst the rate of home ownership for Indian, mixed White and Asian households are in line with White British households (68%), homeownership rates are markedly different for Black African (21%), Arab (27%) and other white ethnic groups (29%).

According to the Mental Health Foundation, people from black and minority ethnic groups living in the UK are:

- more likely to be diagnosed with mental health problems
- more likely to be diagnosed and admitted to hospital
- more likely to experience a poor outcome from treatment
- more likely to disengage from mainstream mental health services, leading to social exclusion and a deterioration in their mental health.

²⁵ Statutory Homelessness: January – March 2018. Published December 2018 Ministry of Housing Communities and Local Government

²⁶ Home Ownership. Ministry of Housing, Communities and Local Government October 2018

Women

According to the Women's Budget Group²⁷:

Austerity has a disproportionate impact on women's lives. When it comes to cuts in public spending, women are affected by a 'triple whammy':

- Women use more public services and are the majority of welfare benefit recipients. This is because women are more likely to be poor, a consequence of a looser attachment to the labour market due to their traditional role as unpaid carers
- Women have a longer life expectancy, and their responsibility to manage care for children, elderly people and sick and disabled people.
- Women make up the majority of the public-sector labour force. Cuts to public spending and to public sector jobs have thus sent many women into unemployment or low-paid and temporary job positions, increasing their financial insecurity.
- Women are more likely to have to make up for lost services by increasing the amount of unpaid care work they perform in looking after elderly, disabled or young family members.

The House of Commons library estimates that looking at changes to tax and benefits from 2010-2017, 86% of the reduction in government spending is spending on women, however this does not factor in the 'indirect impact' on heterosexual partners and household budgets.

Further research from the JRF²⁸ found:

- 90% of lone parents are female, female lone parents (46%) are in poverty against male lone parents (22%)
- A quarter of women in poverty have children compared to 17% of women who don't
- 27% of working lone parents are in poverty (68% of lone parents were working in 2016)

²⁷ The Impact of Austerity on Women in the UK, Sara Reis, UK Women's Budget Group February 2018

²⁸ Time to loosen the grip of poverty on women in the UK: March 2018 Joseph Rowntree Trust

According to the OHCHR²⁹:

‘Women are particularly affected by poverty. Reductions in social care services translate to an increased burden on primary caregivers who are disproportionately women. Under Universal Credit, single payments to an entire household may entrench problematic and often gendered dynamics within a couple, including giving control of payments to a financially or physically abusive partner. Changes to the support for single parents also disproportionately affect women, who make up about 90% of single parents, and as of August 2018, two thirds of Universal Credit recipients who had their benefits capped were single parents. Single pensioners are also driving the uptick in pensioner poverty and are significantly more likely to be women.’

Asylum Seekers and Migrants

Those seeking asylum are impacted by a range of issues. Destitution even for those seeking asylum (rather than those refused asylum), is inbuilt into the system. Asylum seekers are not allowed to work, although can study and volunteer. Whilst housing is provided, each asylum seeker is then entitled to a payment of £37.75 per week, with additional weekly payments of £3 per week if the asylum seeker is pregnant, £5 per week if there is a baby under 1 years old, and £5 per week for a child between 1 and 3 years old. Failed asylum seekers may not be entitled to anything. For those granted refugee status, there is often a period of transition which places those people in a precarious financial and vulnerable position where a great deal of advice and support is needed. As noted elsewhere in this report, claims for asylum are not straightforward, can be very lengthy and leave individuals and families in very vulnerable situations, often at risk of exploitation.

Lesbian, Gay, Bisexual and Transgender

LGBT communities are not disproportionately impacted by poverty because of their sexuality, but may do so because they are women, lone parents, disabled, refugees or members of BAME communities.

²⁹ Statement on Visit to the United Kingdom by Professor Philip Alston, United Nations Special Rapporteur on extreme poverty. ONCHR November 2018

Despite great strides in the equalisation of the law for LGBT communities, they remain disproportionately at risk from hate crime and from discrimination. A survey³⁰ undertaken in Bristol by Healthwatch identified:

- Far higher levels of anxiety and depression than that of the general population, with 34% of respondents stating they had a mental health condition, expected to last 12 months or more
- 68% said they had felt discriminated against because of their gender identity and/or sexual orientation
- 55% had experienced discrimination on the streets. 48% whilst at work, 44% in bars and clubs and 37% whilst at school.

Nationally, research undertaken by Stonewall³¹ determined:

- Almost one in five LGBT staff (18 per cent) have been the target of negative comments or conduct from work colleagues in the last year because they're LGBT.
- One in eight trans people (12 per cent) have been physically attacked by customers or colleagues in the last year because of being trans.
- One in ten black, Asian and minority ethnic LGBT staff (10 per cent) have similarly been physically attacked because of their sexual orientation and/or gender identity, compared to three per cent of white LGBT staff.
- Almost one in five LGBT people (18 per cent) who were looking for work said they were discriminated against because of their sexual orientation and/or gender identity while trying to get a job in the last year.
- One in eight black, Asian and minority ethnic LGBT employees (12 per cent) have lost a job in the last year because of being LGBT, compared to four per cent of white LGBT staff.
- Almost two in five bi people (38 per cent) aren't out to anyone at work about their sexual orientation.

³⁰ Evidence for Change Bristol Lesbian, Gay, Bisexual and Trans Health and Wellbeing Research Report 2016. The Diversity Trust and Bristol Healthwatch

³¹ LGBT in Britain – Work Report. Stonewall April 2018

- More than a third of LGBT staff (35 per cent) have hidden or disguised that they are LGBT at work in the last year because they were afraid of discrimination.
- One in eight lesbian, gay and bi people (12 per cent) wouldn't feel confident reporting any homophobic or biphobic bullying to their employer. One in five trans people (21 per cent) wouldn't report transphobic bullying in the workplace.

Faith Communities

There is no available data to suggest that belonging to a faith group, makes an individual more vulnerable to poverty. However, membership of faith groups does make people more vulnerable to discrimination in respect of harassment as either an employee or as arising from the provision of goods and services.

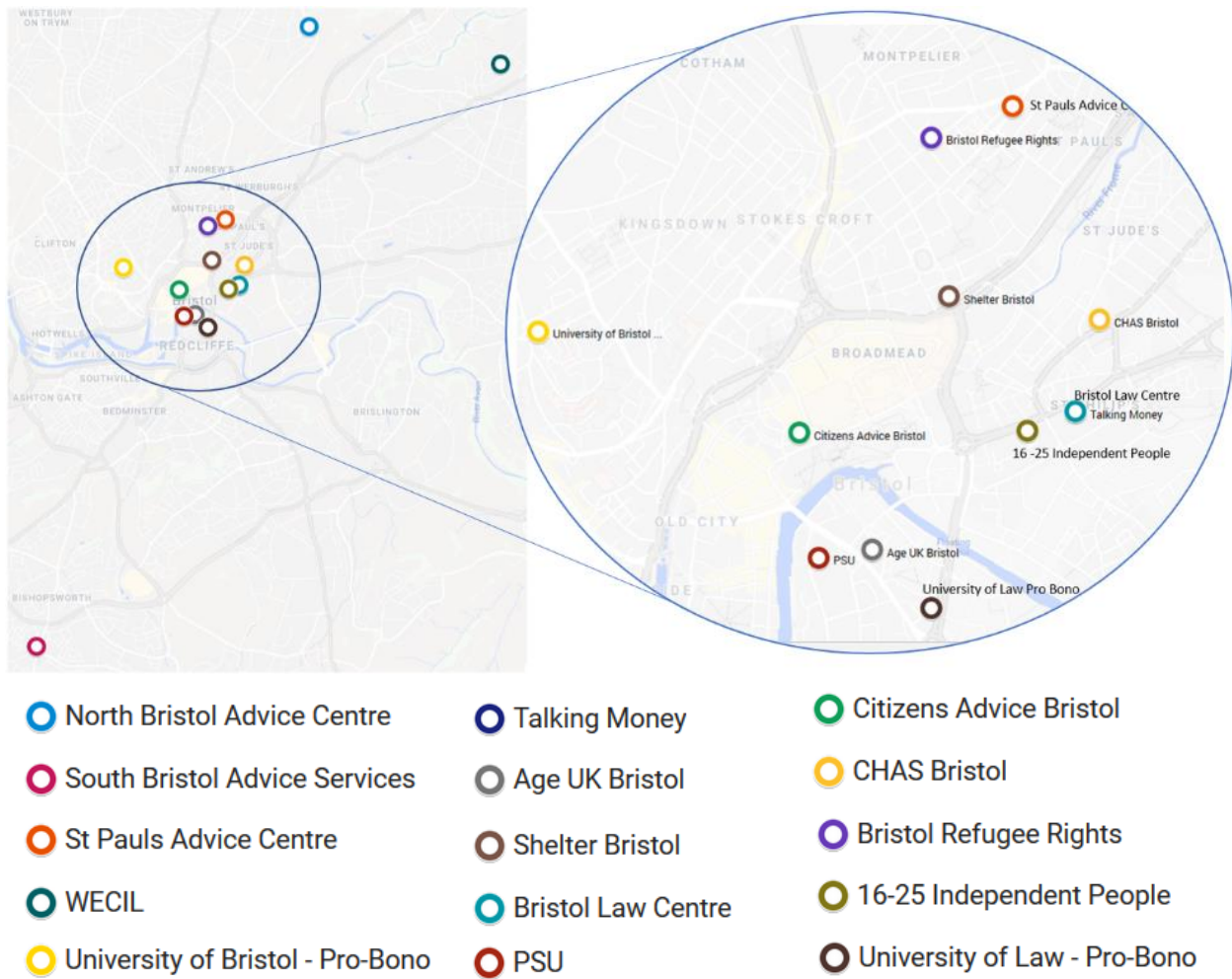
There has also been a significant rise in reported hate crime. In 2017/18 religious hate crime rose by 40% across England and Wales. Police recorded 94,098 hate crime offences, more than double the total of five years previously, more than half were directed at Muslims and the next most commonly targeted group were Jewish people³².

3.4. Response from Advice Agencies

3.4.1. Geographical Reach

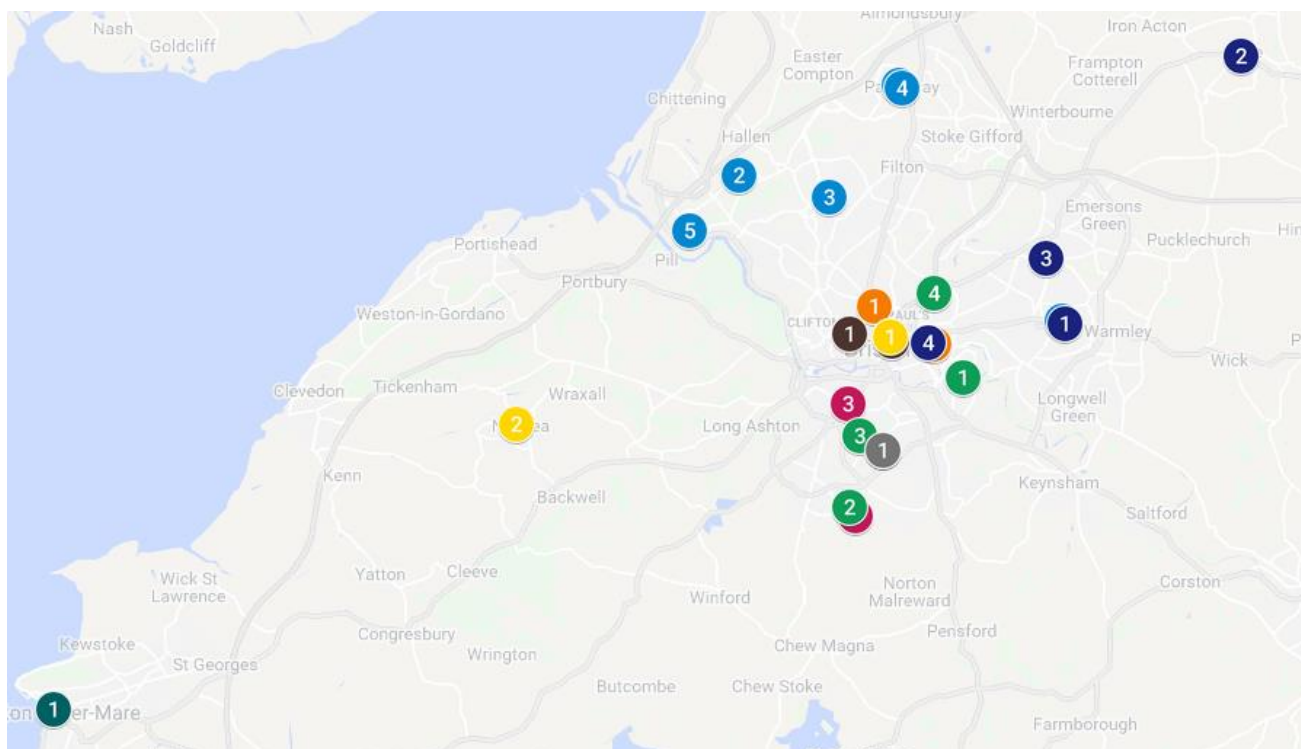
The diagram below shows the key advice agencies in Bristol and their location.

³² The Independent 16th October 2018



3.4.2. Outreach Services

The diagram below shows the outreach services provides by the key agencies shown above.



North Bristol Advice Centre - Outreach

- 1 Patchway Community Centre
- 2 Lawrence Weston Youth Centre
- 3 Greenway Community Practice
- 4 One Stop Shop Patchway
- 5 Shirehampton Health Clinic
- 6 Kingswood Civic Centre

South Bristol - Outreach

- 1 Symes Community Building
- 2 Filwood Hope Centre
- 3 Monica Wills House (Bedminster)

Citizens Advice Bristol - Outreach

- 1 Brooklea Health Centre
- 2 Hartcliffe Health Centre
- 3 William Budd Health Centre
- 4 East Trees Health Centre

Talking Money - Outreach

- 1 The Park Centre (Kingswood)
- 2 Yate One Stop Shop
- 3 Staple Hill Citizens Advice
- 4 Barton Hill Settlement

University of Law - Pro Bono

- 1 St Mungo's
- 2 Nailsea Disability Initiative

Age UK - Outreach

- 1 Filwood Hope Centre

Bristol Law Centre - Outreach

- 1 Black & Minority Ethnic Network

University of Bristol - Pro Bono

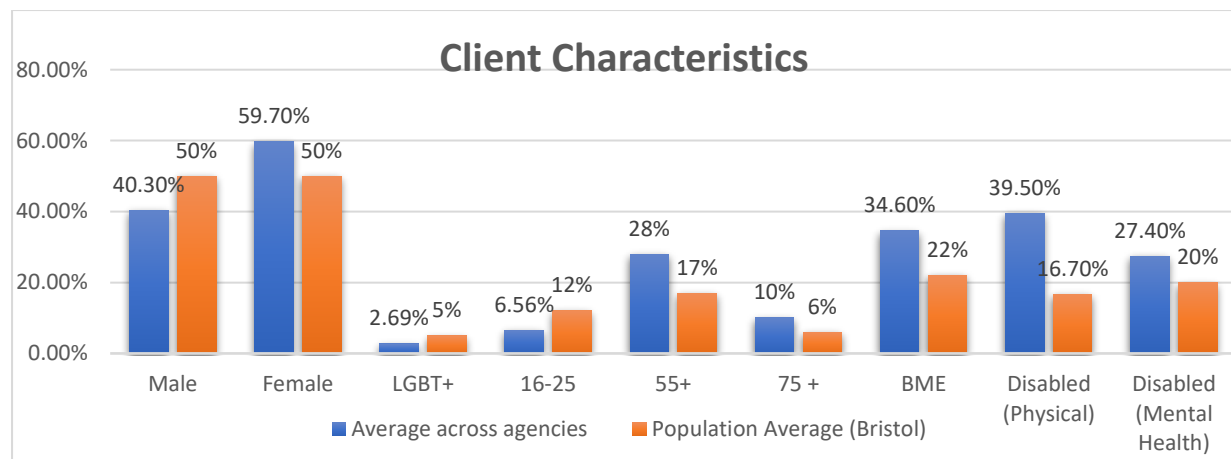
- 1 CLIC Sargent - Sam's House
- 2 St Mungo's
- 3 MIND

St Pauls Advice Centre - Outreach

- 1 Montpelier Health Centre
- 2 Wellspring Healthy Living Centre

3.5. Client Characteristics

The chart below shows the mean average across all advice agencies that responded to the survey³³, of key client characteristics in 2018/19. This information is routinely collected by each advice agency where a client receives legal advice and/or where casework is undertaken on their behalf.



In respect of gender, more women are using advice services than men. This accords with data above, demonstrating that women are at a greater disadvantage, and thus more likely to need advice.

In respect of people identifying as LGBT, this is lower than the Bristol population average. This may be due to a range of factors: LGBT people are less confident in seeking support; LGBT people are less impacted by poverty as a group and therefore have less need for key advice services; the monitoring by each agency is not consistent.

In respect of people who are older, there are more people from this cohort seeking advice than the Bristol average population. This is due, firstly to one responding agency dealing only with clients aged 55 plus, but even excluding them, the averages for this cohort, remain higher than the city population.

In respect of young people (16-25), there are significantly fewer people seeking advice as a percentage of their cohort. There is no evidence to suggest that young people are any less

³³ Agencies that responded were Age UK Bristol, Bristol Law Centre, Citizens Advice Bristol, CHAS Housing Aid, North Bristol Advice Centre, St Pauls Advice Centre, South Bristol Advice Services, Talking Money, Welfare Rights and Money Advice Service (Bristol City Council), West of England Centre for Inclusive Living.

vulnerable to issues relating to poverty, however these figures do accord with national research, demonstrating that young people are less likely to seek advice, particularly from traditional sources.

In respect of BAME communities, there are consistently greater numbers seeking advice than the average population cohort, this again accords with the deprivation indices for this group. However, provision highly dependent on where services are located and the focus of their work. Agencies providing services exclusively to older people and disabled people tend to see fewer people than the average (which accords with the population splits for age and BAME) whereas some of those agencies supporting the advice needs of the general population, see much higher percentages: Citizens Advice Bristol – 56%, St Pauls Advice Centre -75%.

In respect of disabled people, even excluding the agency which primarily deals with people with disabilities, all agencies provide greater levels of advice to this cohort. This is undoubtedly due to people with disabilities being significantly disadvantaged within the welfare reform agenda as well as being far more likely to be indebted. Figures also vary due to the location of services. For example, 40% of South Bristol Advice Services clients are physically disabled and 41% of North Bristol Advice Centres clients are physically disabled.

In terms of mental health, the use of advice services is again greater than those experiencing mental ill health in the general population. Whilst only two agencies report below city averages, the remaining report above city averages, with North Bristol Advice Centre and South Bristol Advice Services both reporting over 40% of their clients as having mental health issues. This accords with much of the city data about mental ill health being equally prevalent in poorer non-inner-city wards. Nevertheless, agencies that see the highest cohorts of BAME communities, have far less reported mental health (SPAC 7%, Bristol Citizens Advice 17%), as mental health is self-declaring, there may be an overall reluctance by BAME communities in either identifying mental health issues or being confident in declaring them.

4. The Impact of Legal Aid Changes

4.1. Background

The importance of changes to civil legal aid over the last decade cannot be underestimated in respect of its impact of the work of advice agencies and the demand from clients. Most clients (prior to 2013) of advice agencies were sufficiently without means to be eligible for legal aid.

The Legal Aid and Sentencing and Punishment of Offenders Act (2013) significantly and seriously curtailed legal aid available for a range of civil law matters, thereby denying access to justice for many people in the UK.

The Ministry of Justice in applying these reforms highlighted the need to:

- More effectively target legal aid to those most in need
- Reduce unnecessary (and costly) litigation
- Make significant costs savings and thus reduce the burden on the taxpayer

Civil legal aid falls into two categories legal help and legal representation. Legal help refers to initial advice and assistance, including specialist casework and work undertaken leading up to a court or tribunal. Legal representation is where a person is represented by a solicitor or barrister in a court or an upper tribunal. Both these forms of support were removed in the following areas:

- Private family law cases such as divorce and child contact
- Employment, except for employment-related discrimination
- Welfare benefits, except for appeals to the upper tribunal and subsequent appeals and judicial review
- Immigration, unless they involve claims for asylum, human rights issues or domestic violence
- Housing, unless there is a direct threat of homelessness
- Debt

The impact of these reforms to advice agencies in Bristol was calculated at as a net annual overall loss of £539, 520³⁴, this did not include other costs that could be recovered through disbursements. This reduced funding to advice agencies by a third.

These overall cuts were further compounded by:

- Different access routes, to those areas of law that remained in scope. For example, in debt, discrimination and special educational needs there is a need for those eligible to pass through a mandatory telephone gateway, which has shown to reduce the number of claims reaching full conclusion
- Changes to how legal eligibility is calculated. For example, prior to the reforms the capital of the family home was always ignored in the means assessment for family mediation, as was any asset that formed part of the dispute. Now if a client is on no or low income but has equity in the home or an asset in dispute, they may not be entitled to legal aid for this matter.

An analysis by James Harper for the Law Society Gazette, using data from the MOJ and others, identified:

³⁵ 'That just 30% of all legal issues are currently dealt with via qualified advice. The remaining 70% self-serve rely on friends and family or leave their issue unresolved. A couple of years ago, MoJ reports suggested that over seven million individuals had no access to legal advice, especially in areas such as immigration and family law. That number will now undoubtedly be significantly higher.

Of the 30% that do get some form of advice, only 35% is from the for-profit legal sector, with the free legal advice sector (including law firm pro-bono) being by far the biggest provider at around 53%.'

³⁴ The State and Future of Advice in Bristol, The Advice Network 2012

³⁵ Is Civil Legal Aid Discretionary? Law Society Gazette 7th January 2019

4.2. Review of Legal Aid

The impact of these reforms has been considered widely and specifically to address a consultation exercise announced by the MOJ in 2018 to look at the effect of the cuts in legal aid for family, civil and criminal cases, including access to justice and knock-on costs.

The review published in February 2019³⁶ has sought to ameliorate some of the concerns raised in the consultation exercise by providers of legal services. The MOJ have stated they will inject £8m into improving provision in certain areas. This sum represents a 2% return out of the overall £350m that was cut from civil legal aid in the 2012 reforms.

With these funds, the MOJ intends to:

- Review thresholds for legal aid entitlement by Summer 2020
- Launch a campaign to improve awareness of how people can access legal support, including legal help by Autumn 2019
- Bring into scope separated migrant children in migration cases by Spring 2019
- Expand the scope of legal aid to cover special guardianship orders in private family law by Autumn 2019
- Simplify Exceptional Case Funding processes by the end of 2019
- Remove the mandatory requirements for the telephone gateway for debt, discrimination and special education needs by Spring 2020

³⁶ Legal Support: The Way Ahead - Ministry of Justice, February 2019

- Make changes to legal aid for inquests, to ensure bereaved families are properly supported

In addition, the MOJ intends to:

- Work collaboratively with providers to develop web-based products which bring together a range of legal support tools in one place
- Improve the signposting advice and support available from specialist telephone service and test enhancements
- Use funding to encourage the delivery of legal support through technology
- Work collaboratively with the legal and advice sector to evaluate the impact of legal support hubs – this includes co-location development
- Test the impact of early legal advice in promoting early resolution by Autumn 2019
- Enhance the support offered to Litigants in Person
- Set up a Legal Support Advisory Network to bring together organisations from the tech and legal sectors

Despite this commitment, there remain significant problems, within the legal aid structure and the response from the MOJ is disappointing. There is already enough information, for example on the effectiveness of early legal advice, nevertheless it is the MOJ's intention, to 'test' this rather than immediately reinstate previous provision. Co-location of services has also, for example, been a feature of service delivery by Bristol based advice agencies, with many drop-in and/or appointment services being made at local doctor's surgeries.

4.3. The Creation of Advice Deserts

The cuts to legal aid funding have had quite disastrous consequences for some communities who remain eligible to access advice and assistance.

Advice deserts are frequently framed within the context of physical distance from the provider, and that has certainly shown to have a considerable impact on those seeking advice, who are required to travel and find the funds to do so. Combine this requirement with people whose lives are already chaotic and stretched by lack of resources and it becomes an impossible ask. However, 'deserts' can also be found within many urban environments including Bristol which may focus less on the physical distance of legal services, but rather the appropriateness of the way that services are provided, whether there is sufficiency of provision for the population, whether legal aid covers the area of law and whether the individual remains eligible.

What remains of legal aid, is constrained by a range of further factors relating to funding formulas applied by the Legal Aid Agency. These differ for different areas of law, but crudely the more complex the case the more income can be earned. Due to the relative value of cases (and that value being diminished over the years), means that cross subsidizing complex work with less complex work within the same agency is no longer financially viable for many small private sector 'high street' firms who have subsequently given up running legal aid contracts.

Added to this pressure, in some areas of law, a lawyer must make a reasonable estimate of the likely success of a case to claim legal aid.

As an example:

When taking on an asylum case, the legal representative must determine whether there is 'sufficient benefit' (broadly would a person pay for this in other circumstances) to take on the case. For appeals, the legal representative must apply a 'merit test' to the case, and judge whether the appeal has more than a 50% likelihood of success. There is no funding (when

coming to this decision), to undertake any additional research on say changes to the political situation of the home country on behalf of the client. Therefore, unless organisations have other resources at their disposal, cases on the margins are unlikely to be progressed.

This example demonstrates that the existence of legal aid providers in any one area is far too crude a measure to determine whether people, who remain eligible for legal aid, have recourse to representation and support. However, the lack of legal aid providers certainly compounds the situation.

Research undertaken by the BBC's shared data unit³⁷, demonstrated that cuts to civil legal aid were not equally shared across the country. Finding:

- Around a million fewer claims for legal aid are being processed each year.
- More than 1,000 fewer legal aid providers were paid for civil legal aid work than in 2011-12.
- Four legal aid providers for welfare cover Wales and the South West, while 41 cover London and the South East.
- Almost half of all community care legal aid providers are based in London

Further analysis of the civil legal aid contracts awarded in the South West in 2018³⁸, shows the following:

- Of the four legal aid providers who cover welfare (as cited above) only Bristol Law Centre is based in the South West of England, the remaining 3 are in Wales
- Of the 300 contracts let for Housing and Debt, 9 providers are based in the South West. There is one 1 provider in Somerset (Bridgwater) 1 provider in Cornwall (Falmouth), 1 provider in Gloucestershire (Gloucester), 1 in North Somerset, 2 in Devon (Exeter and Plymouth) with the remaining in Bristol (3)

³⁷ BBC December 2018

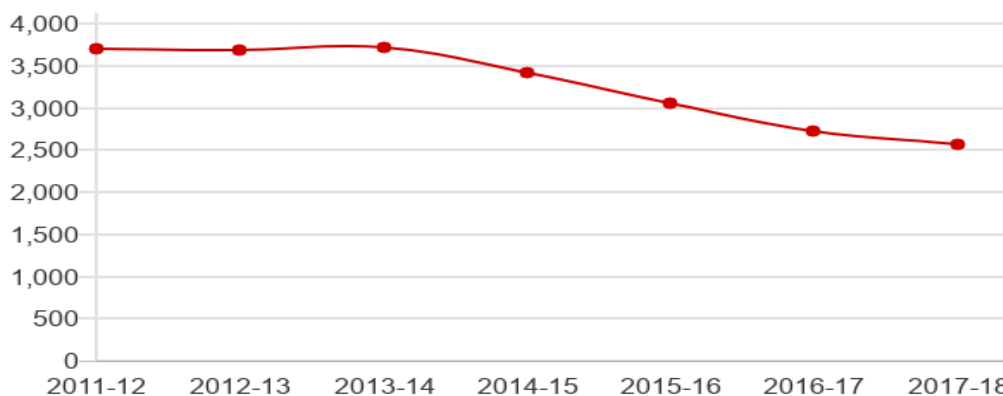
³⁸ Legal Aid Agency Civil Contracts 2018

- Of the 312 contracts let for Immigration, 10 providers are based in the South West and Wales. Of these: 9 have offices or available space in Bristol. Only the Migrant Legal Project, (which has an office in Bristol) has another office elsewhere in the South West in Plymouth. There is no provision in Cornwall, Somerset or Gloucestershire and other than Plymouth, nothing in the rest of Devon

The number of providers should not be confused with the amount of work undertaken by each agency. Agencies are not of equal size and thus their capacity to respond to demand varies significantly. Unfortunately, the Legal Aid Agency no longer identifies the amount of matter starts awarded to each firm, so it is harder to gauge the capacity of each firm/agency to provide services.

Solicitor firms providing civil legal aid

Number active in England and Wales



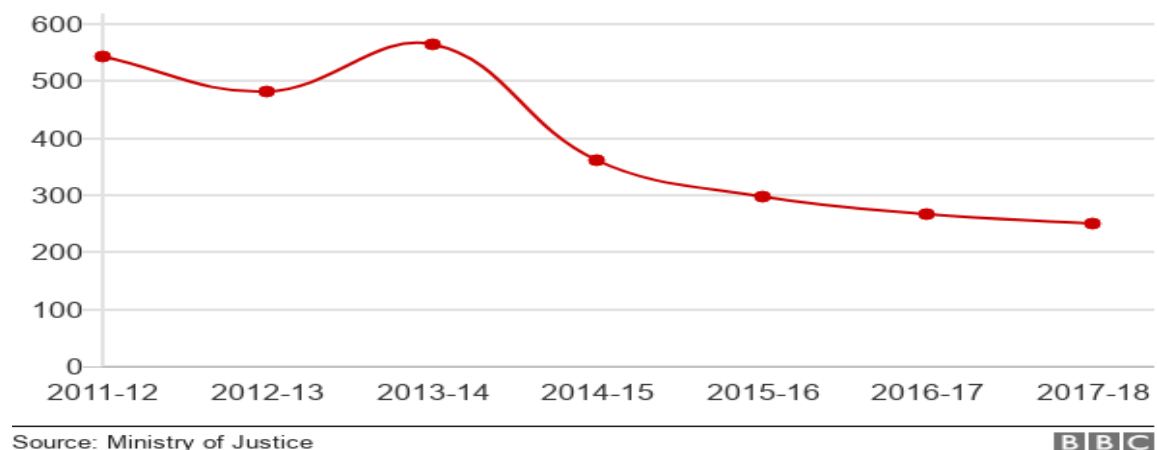
Source: Ministry of Justice

BBC

The demise of many smaller firms offering civil legal aid has gone hand in hand with the reduction of not for profit providers doing the same:

Not for profit civil legal aid providers

Number active in England and Wales



4.4. Unmet Need

In Bristol, and surrounding areas prior to LASPO, North Somerset CAB, South Gloucestershire CAB, St Pauls Advice Centre, North Bristol Advice Centre, South Bristol Advice Services, Talking Money were all contracted to provide legal aid services in debt, welfare benefits and housing – in various combinations. In 2019 only, North Somerset CAB (Housing and Debt) and Shelter (Housing and Debt) remain.

Bristol Law Centre in 2012 held contracts to provide for Employment, Immigration and Asylum, Community Care, Welfare Benefits, Housing, Mental Health and Public Law.

In 2019 it holds contracts to deliver: Immigration (mostly asylum)), Welfare Benefits (appeals to the Upper Tribunal only), Housing and Debt, Mental Health (which was little changed by LASPO) and Public Law.

In the South West of England and Wales there remain two Law Centres; Bristol and Gloucestershire. The impact of LASPO and austerity measures in local government saw the closure of centres in Cardiff and Devon, though recently Speakeasy Cardiff (Feb 2019) has been accepted in to Law Centres status.

In its response to the MOJ LASPO Post-Implementation review The Law Centres Network³⁹, using data including legal aid statistics, the Legal Problem and Resolution survey and populations in poverty from the JRF, projected an indicative approximation toward the scale of legal need in 2017/18 that legal aid did not meet:

Diversity Category	Number in poverty	Rate of legal need likelihood	Estimated number of people in legal need	Category rate among legal aid cases	Legal aid case volume	Gap between need and uptake
Children (under 18)	4.1m	32%	1,312,000	19.44%	46,070	1,265,930
Young adults (18-25)	3.118m	37%	1,153,643	13.68%	32,257	1,121,386
Aged 55-64	1.516m	31%	469,960	4.78%	11,113	458,847
Aged 65+	1.9m	14.5%	275,500	2.78%	6,437	269,063
Women	5.2m	32%	1,664,000	50.79%	120,194	1,543,806
People with disabilities	4.2m	33.5%	1,407,000	22.75%	53,810	1,353,190
BAME people	3.146m	38%	1,195,480	20.63%	48,311	1,147,169

Key findings from the Equality and Human Rights Commission⁴⁰ study in Family, Housing and Employment areas of law found the following:

Family:

- Participants reported multiple unsuccessful efforts to engage an affordable solicitor
- Other costs such as court fees and the costs associated with providing the evidence needed to support a case, are also barriers to accessing justice
- Inability to pay for an expert or specialist evidence can lead to courts making decisions with insufficient evidence

³⁹ LASPO Act 2012 Post-Implementation Review Submission from the Law Centres Network September 2018

⁴⁰ The impact of LASPO on routes to Justice Organ/Sigafoos University of Liverpool EHRC September 2018

- Children are adversely affected by unresolved legal problems particularly in relation to contact with their non-resident parent.

Employment:

- Participants were often forced to handle cases alone because they could not access legal aid for legal help or representation
- Participants indicated a range of barriers to accessing justice, including costs, lack of knowledge about their rights, difficulty dealing with complex legal issues on their own, or with only informal support, and concerns about job precariousness
- Participants were deterred from bringing claims because the costs they would need to meet without legal aid were disproportionate to the value of their claims
- Some participants who had been unable to resolve an employment issues were now unemployed and reported having to claims welfare benefits

Welfare benefits:

- LASPO has significantly diminished the capacity and scope of charities and voluntary advice organisations, who are the principal providers of formal welfare law advice. There is little specialist advice left to support appeals against welfare benefits decisions
- The complexity and stress of legal processes and the scarcity of specialist legal advice are identified as barriers to justice
- LASPO has exacerbated the impact of recent changes to the welfare benefits system, with a disproportionate impact on disabled people

In 2011/12 legal aid funded 102,920 social security legal help advice only cases, this dropped to 433 in 2017/18⁴¹

⁴¹ HC Written Question 207160

In relation to other areas:

Immigration

Whilst immigration issues only accounted for a small proportion of expenditure before LASPO (2% of the budget in the year before LASPO was introduced) the impact of reduced scope of immigration has been considerable.

Immigration law is acknowledged to be extremely complex. In his report to the Bach Commission⁴² Sir Henry Brooke highlighted:

‘The biggest impact of LASPO on those seeking advice in immigration or asylum law matters that are out of scope is the unavailability of advice for vulnerable clients who do not meet the new criteria. They must fund their advice themselves, and this is not possible for many of them. Therefore, they either have to represent themselves in a very complex area of law that is constantly changing, or they stay in this country without regularising their status. This in turns slows down the judicial process’

And further

‘The laws and the rules do not only prescribe the criteria for entry and stay. They also set strict procedural requirements. Applicants are obliged to submit the correct application form, to complete all the necessary parts of the form and to provide prescribed evidence through the medium of prescribed documentation. If they fail to comply with these procedural requirements, their application can be returned as invalid, and in many such cases they will lose their legal status and with this the rights they previously enjoyed taking employment, to rent accommodation, to drive their cars or to have access to medical services. These provisions affect lawful foreign residents who may lose their rights due to the vagaries of the

⁴² Bach Commission on Access to Justice; Appendix 5 An analysis of Evidence Sir Henry Brooke September 2017

application and appeal process, as well as long term overstayers or illegal entrants who have never held such rights’.

Even if an individual can regularise their status or indeed their family’s status, application fees for British Citizenship are unnecessarily prohibitive.

In 2018/19 the following applied⁴³:

Indefinite leave to remain	£2,389
Leave to remain (time-limited)	£1033
Naturalisation (not including passport) for an adult	£1,330
Naturalisation (not including passport) for a child	£1012

Naturalisation fees by comparison are less than half of the UK rate in the United States and less than a quarter of the UK rate in Germany.

According to Amnesty International⁴⁴ in 2017

‘The fee to apply for a child to register as a British citizen is £1,012. This fee is payable by all children who were not automatically British citizens at birth, including those born in the UK and entitled to register as British citizens. This fee is charged for every application, despite the Home Office calculating an actual processing cost of £372 per application. This means a profit of £640 is made from every child accessing their right to register as a British citizen. There are no exemptions or fee waivers for any children seeking to register, whatever their circumstances’.

Debt

LASPO removed all debt work from Legal Aid, except for that which remained as it relates to housing. This exists only for cases where a creditor, or a trustee in bankruptcy proceedings,

⁴³ Gov.UK Fees for Citizenship and Registration

⁴⁴ Then Price of Citizenship, Amnesty International April 2017

enforces an order for the sale of a property where there is a charge on the property; legal aid then becomes available at this relatively late stage in proceedings. Therefore, for the purposes of this report it is assumed that all debt work was taken out of scope in 2013.

Community Care

This is not an area of law covered in depth by most of the advice agencies in Bristol other than by Age UK and WECIL. Whilst legal aid remains for Community Care issues, which also can on occasions be managed through Public Law or Mental Health legal aid contracts, there are few contract holders in Bristol, all in the private sector. Much of their work is involved with Court of Protection issues, as the legal aid funding formula to enable agencies to recoup costs is complex and necessitates complex work. These services do not readily assist, many of the problems encountered by average Bristol citizens.

4.5. Exceptional Case Funding

Exceptional Case Funding is available for areas of law outside of the scope of legal aid, if there is an infringement of Article 6. *This* protects a person's *right* to a fair trial. A person has the *right* to a fair and public trial or hearing if: they are charged with a criminal offence and must go to court, or a public authority is making a decision that has an impact upon their *civil rights* or obligations. ECF applications dropped considerably under LASPO to fewer than 2,000 per annum. The MOJ review has agreed to simplify the current procedures and introduce an 'emergency procedure' to fast track certain applications.

It can be used for a variety of different areas of law including immigration. According to the Public Law Project⁴⁵:

'Legal Aid Agency statistics tables published on 29 March 2018 show that between the beginning of April 2015 and the end of March 2016, there were 493 applications for ECF for immigration cases, of which 326 were granted; in the same period 2016/2017 there were

⁴⁵ Exceptional Case Funding. Public Law Project Briefing Paper, Kat Watts May 2018

1,008 applications of which 693 (71%) were granted. In the first three quarters of 2017/18, there were 1,883 non-inquest applications, 52% of which were granted. However, these figures are still well below the number of applications for ECF that was anticipated pre-LASPO. In advance of LASPO, the Government's best estimate of the annual number of ECF applications for non-inquest ECF was 6,500 with further applications anticipated for legal help'

It is the PLP's view:

- '• The relevant information now available on the website is presented in a way which is likely to lead many applicants to conclude that they cannot get legal aid before they reach the information about how to apply for ECF;
- It is difficult to identify the correct application forms and the links to download those forms are not immediately obvious;
- There is no readily available information on the ECF section of the website about the "means" and "merits" criteria, which an applicant for ECF must also meet, making it difficult for such a person to know what information to provide to the LAA in support of an application for ECF.'

Applications can be made by anyone for ECF, once the LAA agrees with this, then the individual requiring assistance can approach any agency who holds a legal aid contract in the area of law to undertake the case for them.

In Bristol, Bristol Citizens Advice frequently provides this service for people seeking ECF for immigration issues, once granted, applicants then can approach legal aid providers in the city, including the Law Centre to undertake the case.

4.6. Litigants in Person

Litigants in Person (LIPs) are individuals (litigants) that have no formal representation in a court of tribunal.

The cuts in legal aid, have meant that many people, who had previously had representation, were no longer entitled to it.

In a report for the Law Society in 2011⁴⁶, Cookson warned that

‘Two factors will lead to an increase in self-representation. First, removing funding for legal advice may increase the number of people who will issue proceedings rather than being deterred by legal advice of the merits of their cases. Second, even where good private or alternative advice has been sought, removing legal representation for many cases will increase the likelihood that motivated litigants with meritorious cases, but without the funds for private representation, will pursue their cases to court or tribunal themselves.’

And further

‘Evidence suggests that almost 80 percent of cases which will fall out of scope under the reforms will relate to people in the bottom income quintile, and who are unversed in court procedure’.

Figures obtained through a parliamentary question, showed that the proportion of applicants going to the family court unrepresented surged from one in five in 2011 – the year before legal aid restrictions were introduced – to almost half the cases in 2017. Overall, including applicants and respondents, the figure was up 85% from 29,353 to 54, 287⁴⁷.

The rise in LIP’s in all civil cases has had a significant impact on the Courts, where cases are taking longer and adding to the distress, particularly in the family courts, of both parents and children.

⁴⁶ Unintended Consequences: the costs of the Governments Legal Aid Reforms, Dr Graham Cookson Kings College London November 2011

⁴⁷ Surge in parents forced to fight child custody battles with no legal representation. The Independent 4/2/2019

Whilst lawyers argue that the law is complex and confusing, and there is an absolute need for legal representation to ensure that justice is served on all sides. Others refute this and argue that people acting as McKenzie Friends can provide an equally good and valuable service.

A McKenzie Friend is someone who accompanies a Litigant in Person to court and can help by taking notes, help with case papers and providing support. They do not have rights of audience, and thus are unable in most circumstances to speak on behalf of the LIP in the court. They are not allowed to sign documents on behalf of the LIP. Whilst traditionally many people acting as McKenzie Friends have been there as volunteers, there has been more recently a rise in people acting in a paid capacity.

Research undertaken by Cardiff and Bristol Universities⁴⁸ on paid for McKenzie Friends concluded:

‘We should be neither completely sanguine nor extremely concerned about the work of fee-charging McKenzie Friends in private family law. The authors do not consider that the findings support placing heavy restrictions on individuals’ ability to conduct this type of work or to charge for doing so. However, there is enough that is concerning in relation to fee-charging McKenzie Friends to merit efforts to tackle the worst of the sector and a more detailed evaluation of their services than this study afforded would also be welcome. Steps could usefully be taken to provide greater protection to the litigants who use fee-charging McKenzie Friends. Broader reflection on and clarification of the tasks McKenzie Friends are and are not permitted to do within the current framework of legal services regulation would also be worthwhile. Any interventions should heed the following caveats: first, they should be cognizant of and proportionate to the apparently very limited scale on which McKenzie Friends operate; secondly they should account for the fact that, for many litigants, the choice is between being unsupported or using a fee charging McKenzie Friend - free support is limited and paying for lawyers throughout a case is beyond their means.’

⁴⁸ A study of fee-charging McKenzie Friends and their work in private family law cases. Dr Leanne Smith (Cardiff University) Dr Emma Hitchens (University of Bristol) June 2017

5. Advice in Bristol

5.1. Overview

All advice agencies in Bristol and surrounding areas are members of Advice Centres for Avon (ACFA). ACFA is a long-established network. It provides low cost training for members and non-members, it hosts monthly meetings giving opportunities for members to discuss issues relating to provision, good practice, funding and policies and procedures. It also supports several sub-committees looking at fundraising and strategy.

In addition, ACFA hosts a website, which is outward facing to potential clients, enabling them to search for advice, whilst also supporting a member's area. ACFA is entirely reliant on subscriptions for funding from its members, as well as making a small profit from its training arm. As such it is unable to employ staff to support and manage it and is entirely reliant on members apportioning tasks between themselves. This means that inevitably some areas fall through the gaps. The website is quite out of date, and whilst members are meant to update their own areas, some are failing to do this. Membership is restricted to not for profit agencies providing advice free at the point of delivery. Associate membership is granted to other organisations who support advice agencies, for example Wessex Water is also a member.

Current members of ACFA who provide direct advice are 16-25 People, Age UK Bristol, Bristol Law Centre, Brigstowe Project, Bristol Refugee Rights, Bristol City Council Welfare Rights and Money Advice Service (WRAMAS), Centre for Sustainable Energy, CHAS Housing Aid, Citizens Advice Bristol, Citizens Advice South Glos, Citizens Advice BANES, Missing Link, Shelter, North Bristol Advice Centre (NBAC), South Bristol Advice Services (SBAS), St Pauls Advice Centre (SPAC), Talking Money, Care Forum, PSU, West of England Centre for Inclusive Living (WECIL).

Not all organisations that provide advice in Bristol are members of ACFA. Most notably are Christians Against Poverty, the University Law Clinics and Registered Social Landlords / Housing Associations. In the past many local RSL's provided funding to local advice agencies, to provide advice support for their tenants particularly for benefits and debt. As RSL's have

merged and become larger (and thus less locally focussed) many have taken this function back in-house and provide the service themselves directly to their tenants. There is some concern that tenants are encouraged to access advice services provided by their landlord where there is a primary incentive for the landlord to recover arrears from the tenant and thus other issues the tenant may be grappling with, might be de- prioritised.

All these agencies are insured to provide legal advice and mostly audited as legal advice providers, either as a large organisation under their own framework (Citizens Advice, Age UK, Shelter) under the professional Law Society auditing framework (Bristol Law Centre) or under the Advice Quality Standard (most independent advice givers: NBAC, SBAS, SPAC, CHAS. Brigstowe, Missing Link, Talking Money) a quality mark approved by Advice Services Alliance. Those agencies which are non -legal firms, who provide immigration and asylum advice will also be registered under the OISC⁴⁹ framework (Bristol Law Centre, BCAB, Bristol Refugee Rights, SPAC, NBAC). Legal aid providers are also subject to audit by the legal aid agency for each contract area they hold. What is important to note, is that the auditing process considers how organisations are managed, client care procedures and file management systems are robust, and that relevant policies and procedures are in place. It does not determine the 'quality' of the work undertaken. To address this, some agencies have adopted internal peer review methods, or have supervising caseworkers who review the work of others. In a few cases where there are lone workers, supervision and/or reviews have been arranged between agencies.

Advice agencies generally receive funding to support advice services for specific groups of people, or to support specific areas of legal advice, to support specific legal advice in specific geographical areas (or both), with the view that these services will be open to all within the geographical parameters. Occasionally project funding will be secured to support a group of people vulnerable to missing out on their rights: The Ask Us project (Bristol Law Centre/ BCAB/ 16-25 People) for young people; The Migrant Children's project (Bristol Law Centre).

What is important to distinguish between is agencies that provide legal advice and are properly insured to do so and agencies which provide an array of support and advocacy

⁴⁹ Office of the Immigration Services Commissioner. It is compulsory for community and voluntary sector organisations to be registered, if they are providing legal advice on any immigration matter– legal advice is split into different levels.

functions, but where the functions stop at giving legal advice. For example, a client may receive advice from an advice organisation, but be unable to 'act' on that advice. A support agency then may be able to offer help to this client, by helping them to fill in relevant forms. Some organisations combine advocacy and advice roles or support both functions within the same agency, other organisations may either fund advice organisations to provide direct support to their clients or invite advice organisations to undertake advice sessions at their organisation. These arrangements are brokered for a variety of reasons - where all agencies have a financial stake in a project or because of funding streams where one agency receives funding on the premise of delivering advice in other non -advice agencies or specific geographical areas. In respect of the latter, it may be the case that the advice deliverer must pay the venue provider; doctors' surgeries, community centres, but this is not always the case.

The integration of both functions into one agency is realistically only achievable if the organisation is sufficiently large or supports a client group where the need for such support reaches a critical mass amongst its members/clients and enough funding can be secured.

Examples of this in Bristol include:

Integration of advice and advocacy:

Age UK – this has an advice team, but also provides an array of other support activities for older people.

Bristol Refugee Rights – provides advocacy for its members as well as dedicated legal advice on welfare benefit entitlements and is currently developing other avenues.

Funding streams to advice agencies:

MacMillan fund a service delivered by Bristol Citizens Advice to deliver a dedicated welfare benefits advice service aimed at supporting people affected by cancer.

Solon Housing Association provides funding to Talking Money to deliver welfare benefits and financial capability advice to their tenants

Advice sessions located in other agencies:

University of Bristol hold a weekly clinic at Bristol Mind to support the specific needs of MIND's clients.

Talking Money support the Boost project located at Barton Hill Settlement

SPAC, NBAC, CA Bristol, SBAS, Talking Money – provide a range of appointment and drop in clinics in welfare benefits and debt across Bristol, ensuring that there is enough local geographical coverage for people to access services locally. This includes the following:

Age UK: Filwood Hope Centre

Citizens Advice Bristol: Brooklea Health Centre (Brislington); Hartcliffe Health Centre; William Budd Health Centre (Knowle); East Trees Health Centre (Fishponds).

NBAC: Lawrence Weston Youth Centre; Greenway Community Practice (Southmead); One Stop Shop (Patchway); Shirehampton Health Clinic; Kingswood Civic Centre.

SPAC: Montpelier Health Centre; Wellspring Healthy Living Centre

SBAS: @symes Community Building; Filwood Hope Centre; Monica Wills House

Talking Money: The Park Centre (Kingswood); Yate One Stop Shop; Staple Hill Citizens Advice, Barton Hill Settlement

Legal advice can fall into several categories and can be described as advice and advice with casework. However, this is not always the case with agencies often referring to undertaking specialist and /or generalist advice.

Even within the categories of 'specialist' there is sometimes a variation of what the agency can advise on and the extent of the casework involved. This can be confusing for stakeholders of agencies, be they clients or funders.

5.2. Clients

The process through which a client travels, is a subject to different interpretations. Clients may be signposted – that is given details about another organisation that may be able to help and left on their own to navigate to that organisation; or referred where the organisation

makes an appointment with another organisation on the client's behalf. Occasionally organisations conflate these two actions, and some refer to active referrals where they book an appointment on behalf of the client.

There has been great pressure on organisations to refine their systems to make the 'client journey' as easy as possible, this is to ensure that clients do not fall through the net as they move from one agency to another and/or are discouraged from shopping around to seek the answer they want.

Many clients, presenting their issue at an advice agency will come with a range of problems. The one they are seeking advice on, may be the most immediate to them, but in fact may have the least consequences in respect of their well-being and security. Therefore, most advice agencies employ a triage process, determining what the client's problems are, whether any these are critical and whether the agency themselves can help or whether the client needs to be signposted or referred elsewhere (or both).

Clients can access services through a variety of means; phone, email or visit. Agencies offer a variety of routes, but given the pressure and demand on services, it is not guaranteed that a client will be seen, or the phone call answered. For example, between March 2018- March 2019, Citizens Advice in Bristol were unable to answer 14,274 calls.

Most advice agencies offer a combination of these routes, with drop in services located at main offices and at outreach sessions.

Drop- in services are advertised as either being for specific areas of law: welfare benefits; debt; immigration or for generalist, where a person can turn up with a general enquiry – clients who are seen may require advice only – where their issue is remedied at the session, may require further appointments where the agency opens a case on behalf of the client or may need to be referred or signposted to another agency (or a combination of these actions), or may need to return on a different day because the drop-in has reached capacity.

Referrals from one advice agency to another are rarely about capacity, as all agencies are equally pressurised in respect of demand. They are more often about the specialist areas that an advice agency supports, and in some cases about geographical proximity. A referral will not always be guaranteed, as the referral agency may also have enough work and be closed

to new cases. Referrals between one agency and another are usually undertaken by phone by advisor to advisor. There is no developed on-line referral system or joint single place of referral.

This has been developed in other areas of the country. For example, Hertshelpnet⁵⁰ is a cross sector initiative in Hertfordshire working with local health providers, the local authority, fire service, voluntary sector agencies who are all signed up to a joint referral arrangement, potential clients or professionals acting on behalf of clients access the variety of services through a single phone number and the client journey is then managed through different streams as necessary. The on-line process is supported by Pohwer, who are also engaged in a variety of co-ordinated activities mainly in the health arena involving both advocacy and advice.

Where agencies are unable to secure a referral on behalf of the client, a client will be given details of national support lines, providers where there may be a fee involved (if the client does not meet legal aid thresholds, if legal aid is available) or asked to keep trying as slots may become available. Waiting lists are discouraged by all organisations, as they do not work and simply stack up problems into the future.

What is unknown, is what then happens to many of these people who cannot secure advice. Advice agencies themselves do not have the resources to investigate the consequences of not being able to provide advice to all those that want it – that is actively turn up to drop in sessions or try and phone /email for support. It is also recognised that many people miss out on their rights and entitlements because they simply are unaware that they exist. For example, according to the DWP⁵¹ in 2018 £10.1 billion of welfare benefits remained unclaimed:

Housing Benefit:

- £4.2 billion unclaimed
- 1.3 million families missing out
- Average household missing out on £3,000 per year.

⁵⁰ www.hertshelpnet

⁵¹ £10 billion of unclaimed benefits Turn to Us 15/11/2018

Income related Employment and Support Allowance and Income Support

- £2.4 billion unclaimed
- 0.5 million families missing out
- Average household missing out on £4,500 per year.

Pension Credit

- £3.5 billion unclaimed
- 1.3 million families missing out
- Average household missing out on £2,500 per year.

Well-resourced advice agencies have in the past been able to support 'take-up' campaigns, encouraging people to apply for benefits to which they are entitled. However, this is no longer the case, with agencies struggling and not meeting general demand, never mind encouraging greater levels of demand. Obviously, clients who present themselves for advice, and who are not claiming their full entitlement will be supported to do so.

5.3. Funders

From an outside perspective, it can appear that many advice agencies are replicating what each other does. To some extent this is true – in that agencies are providing advice and casework on the same issues, but all agencies are overloaded.

Agencies in Bristol have developed in response to the needs of communities and to the city. Some of this has been as a consequence of the need for people to access locally based services and agencies have been designed to support the needs of their local communities (South Bristol, North Bristol, St Pauls) others because they service and support particular groups whose advice needs are better managed because of them belonging to a particular group and their entitlements are determined by belonging to that group (older people – Age UK, refugees -BRR, disabled people - WECIL) and others because the particular unmet legal issue was acute (Shelter, CHAS, Talking Money). These may have been the original motivators for establishing each agency, but over time all agencies have had to adapt to and take advantage of different opportunities that have presented themselves. This may have been through traditional funding routes, funding for specific groups, regeneration funding, commissioning, tendering arrangements and government contracts. Some agencies have

been able to take advantage of larger contracts brokered by their national organisations or membership bodies (Citizens Advice, Bristol Law Centre, Shelter).

Two agencies provide city-wide coverage for all people (Citizens Advice Bristol and Bristol Law Centre) over a wide range of legal issues. CA Bristol offer a mostly generalist service, although themselves specialise in welfare benefits and debt, whilst the Law Centre provides a specialist service, not undertaking debt and only welfare benefits appeals.

Citizens Advice Bristol provide a drop-in service at their main offices and through various outreaches across Bristol (North Somerset, South Gloucestershire and BANES all have separate CAB's). CA-B train volunteers to work alongside paid advisors to provide advice and support to clients and help clients through basic legal advice and specialised legal advice and casework in debt and welfare benefits. They run specialist projects focussed on issues (universal credit) or clients (Macmillan). They are OISC registered. They do not employ solicitors to work as solicitors and do not hold any legal aid contracts. They undertake a mixture of work, balanced between one off advice and casework.

The Law Centre takes referrals from advice agencies, and except for a fortnightly drop-in immigration service, does not run drop in services. It does not run outreach services, other than the Housing Court Desk at Bath County Court which is funded through legal aid and a new legal advice drop-in service in partnership with North Somerset BME Network. It holds legal aid contracts for Mental Health, Welfare Benefits (Upper Tribunal), Immigration and Asylum, Public Law and Housing. It also provides legal advice on Employment (through a dedicated employment helpline), discrimination in both employment and goods and services, and advice to migrant children. It acts as a law firm and employs 6 qualified solicitors and supports a trainee solicitor post. Its geographical sphere of operation is complex as in the most part it is governed by legal aid contracts: for WB that covers the whole of the South West; for Mental Health the Avon and Wiltshire MHP area. It only uses volunteers as part of specific projects to give advice – students for the LASP project, volunteer solicitors (who are at least 2 years plus qualified) for its Bristol law clinic and virtual law clinic. Most of the work is complex casework including representation. The Law Centre can represent clients at all Tribunals and in the County Court.

It should be noted that representation at tribunals and in courts varies and is controlled by several factors. All advisors (legally qualified or not) can represent clients at the Welfare Benefits and Employment Tribunals. At the Immigration Tribunal a person must either be a qualified lawyer or OISC accredited at Level 2 or 3. For Immigration Upper Tribunals in the case of legal aid cases, currently only qualified lawyers can represent. For Mental Health Tribunals for all legal aid cases (and as there is no means -test applied for mental health legal aid, most people are eligible) the representative must hold Law Society mental health accreditation – this is available to both qualified lawyers and non -qualified advisors. For court work, rights of representation are limited to the litigant themselves or a qualified solicitor in the County Court or Magistrates Court and a barrister in the higher courts – solicitors can secure rights of audience in the higher courts for certain issues.

It should also be understood that the balance of work between one off advice, telephone advice, face to face advice, and advice with casework is highly dependent on the demands of funders, commissioners or contract holders. Agencies are not always able to ‘shape’ their services to respond to the needs of communities or the needs of those most in need. Instead they must take account of billing hours or numbers of people that are expected to be seen.

Funding arrangements can act as a blunt instrument, treating people as a homogenous group whose needs can be met in a certain timeframe, often paying little regard to the complex needs of the client.

Advice agencies also need to be aware that for many external funders, the nuances and differences of advice provision by different agencies is not apparent. Raising enough funding to keep an agency profitable and sustainable is not without cost. Agencies spend a great deal of time securing funds, much of this is ‘dead – time’ as not all funding applied for is successful.

Advice agencies have within the last decade experienced a range of funding shocks: the withdrawal of legal aid compounded by reduced local authority funding and greater levels of competition for funding from Trusts and Foundations.

Unlike other parts of the charitable sector, advice provision within agencies, and advice agencies themselves do not historically lend themselves to appeal type or legacy type funding. Whilst some brands such as Citizens Advice, Age UK and Shelter are well known and

recognised, if there is any funding to be secured in the appeal or legacy arena, this will be undertaken by their national bodies (and not for local provision) often directed at campaigns or issues. Advice agencies simply do not 'fit' the sympathetic giving profile – most of the population do not use them and do not think they will need to (unlike health charities) and probably do not know anyone who has used them – as this is not something clients wish to disclose. It is also unclear whether people are aware that most advice agencies are charities in the first place.

Occasionally issues do become popular causes amongst the public; homelessness, refugees for example. But this tends to be short-lived, often results in a lot of activity occurring and funding being released but is often not sustainable as one cause is replaced by another. Advice agencies have been able to take advantage of certain spikes in funding where such causes have aligned to their provision, but generally only to support time-limited projects. In addition, some agencies have been able to crowdfund for projects, notably Bristol Refugee Rights, but less for the advice side of their organisation and more for direct provision.

Another burden which is not unique to advice agencies, but particularly impacts providers of services, is the requirement for 'new' funding to deliver 'new' things or ideas. Whilst most agencies are open to innovation and change, if they provide better results for clients and for the organisation, the constant demand for change is difficult to manage. This is particularly the case when the needs of the client groups served are not changing. Securing core funding (that is money to keep the organisation going to do what it does and do more) is a considerable challenge.

In terms of the situation in Bristol, and in the country, there is a great deal of uncertainty. Nationally much of the political debate has focussed on Brexit and the consequences of this and impact on communities is unknown both in the short and long term. The MOJ has undertaken a review of legal aid, with very little being returned into scope, whilst the Labour⁵² party (currently in opposition) has committed within its current manifesto to restoring some areas of legal aid, but by no means all.

Local government funding has been under considerable pressure. Bristol City Council have since 2010 had to secure savings of £200m. Between 2018 – 2023 a further £108m of savings

⁵² Labour party manifesto April 2018

must be made, which includes £34.5m of savings identified in the 2019/20 budget. Because of this, since 2012 over 200K of local government cuts have been made to the six largest advice agencies, currently funded under a commissioned arrangement until December 2020.

Unlike many local authorities, despite these cuts, Bristol City Council has remained committed to funding advice agencies and maintaining their in-house provision (WRAMAS). Advice services in other cities have fared differently. Some of this, for example in Manchester was because of arrangements made with the then Legal Aid Board in 2010/11, which Bristol City Council was not persuaded by. Other cities have considerably scaled back their support and by doing so, have concentrated their resources to a few providers. This has had an alarming impact on the provision of advice. From 2005 – 2015 the number of Law Centres in the country had reduced by a third and the number of not for profit legal advice providers had plummeted from 3,226 to 1,462.

6. The Context and Delivery of Advice in Bristol

This section considers the key legal areas of advice provision in Bristol. The issues facing Bristol's residents in these areas of law and the advice sectors response to supporting individuals to secure their rights.

6.1. Housing

According to the State of Bristol⁵³ report:

- Overall Bristol household tenure is: 53% owner occupied, 29% private rented, 18% social rented. The private rented sector has grown from 12% in 2001 to 29% in 2017
- Average house prices: Bristol: £276,000. England & Wales: £238,000 (Nov 2017)
- Average house prices in Bristol have increased by £82,000 over the last ten years, an increase of 43% (24% for England and Wales)
- Earnings in Bristol are similar to the national average and the English Core Cities but house prices in Bristol are significantly higher, resulting in affordability issues
- In 2016 Bristol had a 'housing affordability ratio' of 8.61 for average house prices to average earnings. This is higher than the England average of 7.72, and the highest of all the English Core Cities (who all have affordability ratios lower than the national average)

In addition, the Resolution Foundation⁵⁴ found:

- The share of people living in socially rented accommodation is lower than most city regions and has been falling
- Whilst the net number of homes in the West of England has grown faster than the English average, the share classified as affordable has not been high enough to address key issues
- Median rents in the West of England were 21% higher than the city region average in 2011. By 2016 this had jumped to 38% higher. Median rents made up 41% of the

⁵³ State of Bristol Key Facts Bristol City Council April 2018

⁵⁴ A Western Union.: Living Standards and Devolution in the West of England. Resolution Foundation 2017

typical gross monthly salary, significantly higher than in other cities such as Greater Manchester and Leeds (31%)

6.1.1. Mix of Tenure

In 2010 there were 28,435 council houses in Bristol and 10,744 in the profit or not for profit sector that provides social housing (PRP). In 2017, despite building 1261 new social houses (2010- 17), the net gain of social housing was 6 properties, as during the same period 1255 properties were lost because of the right to buy scheme. Simultaneously the population of Bristol increased by an additional 30,000. Therefore, the social housing stock available to the population has shrunk to 18%, whilst the PRS has risen to 29%.

This has had a significant impact on communities in Bristol, with many more people renting within the private sector and subject to the many uncertainties associated with that tenure.

Nevertheless the 2018/19 Quality of Life Survey⁵⁵ found that 78% of people were satisfied with the state of repair of their home and 84% satisfied with current accommodation.

6.1.2. Homelessness and Rooflessness

Data shows⁵⁶ that in 2017/18 there were 2.4 homeless households for every 1,000 of the population in England (not including London). In Bristol there were for the same period 405 households in temporary accommodation which equalled 2.5 per 1000. This has recently increased to 530 homeless households in Bristol (2.7 per 1000)⁵⁷.

A further study⁵⁸ shows that in 2017 there were 9.4% (per million) deaths of homeless people in the South West, this compares to a national average of 10.2% and ranks the South West as the 4th highest region for deaths of homeless people.

There are also 11,500 people on the Bristol housing register seeking different accommodation.

⁵⁵ Quality of Life Survey Briefing Report Bristol City Council March 2019

⁵⁶ Statutory Homeless 2018– Gov.uk

⁵⁷ Bristol Post 1/2/2018

⁵⁸ Deaths of Homeless People in England and Wales. ONS December 2018

Outside of London, Bristol has the third highest count of people sleeping rough (82 people)⁵⁹. Whilst the annual count is seen as a crude and often unreliable method of calculating the full extent of rough sleeping, it does give an indication of where Bristol is placed. Bristol had reduced rough sleeping by 5% from the previous year (and was one of two local authorities to manage this in the top ten areas). However, at 5%, this accounted for 2 people, which could be disregarded within reliability parameters.

There is little reliable data about the extent of overcrowding in Bristol homes. Nationally according to the English Housing Survey⁶⁰ there are 300,000 households which are overcrowded in the social housing sector and 250,000 households who are overcrowded in the private rented sector.

In respect of the Decent Homes Standard: In 2018 1,115 of Bristol City Council properties did not meet the Decent Homes Standard⁶¹ (4%), this is against a national mean average of 180 homes. (This data is only collected for the relatively few local authorities who have retained their own housing stock).

The latest data available for the private rented sector in Bristol⁶² states that 28.4% of homes within the private rented sector fail the Decent Home Standard. Nationally 27% of the PRS failed the DHS in 2018⁶³

There is little local information regarding Decent Homes Standards in Bristol for Registered Social Landlords. Nationally latest data⁶⁴ shows that 11.9% of stock fails the DHS (RSL's regulation requires that no more than 10% of each providers stock should fail the standard). This is against 19.7% of owner-occupied stock failing the standard.

In respect of the Private Registered Provider Stock - which comprises of 256,745 dwellings in the South West, 0.2% of the stock fails the DHS (against a national average of 0.4%)⁶⁵

Nationally 20% of owner-occupied housing failed the Decent Homes Standard⁶⁶

⁵⁹ Rough Sleeping in England Autumn 2018 Gov.uk

⁶⁰ English Housing Survey 2018/19 Ministry of Housing, Communities and Local Government 31/1/19

⁶¹ Local Government Association Decent Homes 2018

⁶² Private Sector Housing Stock Condition Survey 2012 Opinion Research Services for Bristol City Council

⁶³ Ministry for Housing, Communities and Local Government, English Housing Survey 2018

⁶⁴ English Housing Survey Non –decent homes, by tenure 2006-2016

⁶⁵ Private Registered Provider Stock, Regulator of Social Housing December 2018

⁶⁶ Ministry for Housing, Communities and Local Government, English Housing Survey 2018

6.1.3. Evictions and Repossession

Social housing tenants can usually only be evicted for rent arrears or a breach of tenancy, such as antisocial behaviour (ASB). Most private rented tenants have assured shorthold tenancies (ASTs) which can also be ended after their initial fixed term without the landlord having to give a reason ('no fault' evictions, often known as Section 21 evictions, under Section 21 of the Housing Act 1988). There is little reliable data from the Bristol County Court about the extent of evictions and /or repossessions by tenure. Whilst overall all action has decreased since 2015, this has largely as a result in a decrease in action by Social Landlords (including BCC). Section 21 notices have also decreased, but action by the PRS has remained static, with Landlords opting to use a longer procedure as within this they are able to recover rent arrears, which is not available under the Section 21 expedited process. The Government has recently announced (April 2018) that they intend to abolish Section 21 notices, although they have yet to announce the date when this will happen.

Nationally:

According to the Joseph Rowntree Foundation⁶⁷:

'In the past 12 years (2005-2017), the rented sector, both private and social, has grown by a third, and the number of tenants across both sectors evicted from their homes has grown by a fifth: 7,200 more tenants lost their homes in 2015 than in 2003. Over this period, social housing landlords evicted more tenants than private sector landlords in every year until 2014. However, the rate of repossession per thousand properties in the social housing sector has been in decline since 2003, while the rate per thousand in the private rented sector has been increasing, so the rate of repossessions in the two sectors is now similar, at 4.7 tenants per thousand per year.

National data from the English Housing Survey suggests that just under a quarter of current tenants reported that their last move from private rented properties in England was forced in

⁶⁷ Poverty, evictions and forced moves JRF July 2017

some way and was not because they wanted to move. Most of these were cases where the tenant believed the landlord wanted to sell or use the property themselves'

During the period of the survey, few tenants in the Private Rented Sector believed the reason for their eviction was a result of rent arrears. However as benefit reforms continue to impact on claimants, (in particularly the roll –out of universal credit), The Residential Landlord Association found:⁶⁸

- 61% of landlords that let to tenants on Universal Credit have experienced their UC tenants going into rent arrears in the past 12 months. This is over double from 27% of landlords in 2016, and a significant increase from the previous year where it was 38% of landlords.
- The amount owed by Universal Credit tenants in rent arrears has increased by 49% in comparison to the previous 12 months. This has increased from £1,600.88 in 2017 to £2,390.19.
- Rent arrears for Universal Credit tenants are likely to be driving homelessness, with 28% of landlords regaining possession of their property from a UC tenant and the primary reason being rent arrears (77% of landlords).
- The significant increase in rent arrears for both UC tenants and 'legacy' Housing Benefit tenants also points to much broader issues than just the implementation of Universal Credit. The findings suggest that the freeze to LHA rates since 2016 and that LHA rates had not increased with market rents between 2010 and 2016

6.1.4. Housing Benefit

Citizens Advice analysis⁶⁹, using 190,000 people the organisation helped between July and September 2018 suggested many people were struggling due to Universal Credit and delays in receiving the first payment:

- 49% of people helped were in rent arrears or fell behind on their mortgage payments while waiting for their first payment

⁶⁸ Investigating the Effect of Welfare Reform on Private Renting. RLA October 2018

⁶⁹ Managing Money on Universal Credit. Citizens Advice February 2019

- 60% of people it helped are taking out advances while they wait for payment
- 24% of the people it helped with Universal Credit were also seeking debt advice

Universal Credit began a full service for new claimants in 2018, although a few smaller pilots had commenced before this date. There is no confirmed date about when existing claimants will be migrated to UC. The Government has recently announced a pilot project of 10,000 existing claimants for later in 2019; Bristol does not expect to be part of this.

There is no confirmed data for those claiming Housing Benefit in Bristol under UC arrangements. Under existing Housing Benefit arrangements, there are just over 31,000⁷⁰ households claiming HB: 15,960 live in BCC housing, 7,700 in RSL properties and 7,100 in the private rented sector. Approximately 20,000 households claim full housing benefit and 10,800 households partial housing benefit.

In total there is £17.9m of outstanding HB debt owed to BCC by their tenants. 9.22m is owed by those still in receipt of HB, which is subject to ongoing recovery and £8.68m owed by people no longer in receipt of HB.

In Bristol between December 2017 and December 2018, Bristol City Council's overall rent arrears decreased by £400,000. The amount owed by people on universal credit grew by £138,137. As of December 2018, the average level for those tenants in arrears claiming universal credit was £944.15, compared to £525.33 which was the average level for tenants in arrears not claiming universal credit.

Housing benefit payments to those housed in the private rented sector, are subject to full payments being made so long as the rental is below the 30th percentile of the overall market. This is then quantified as the Local Housing Allowance. It is estimated that 70% of people housed in the PRS and receive full LHA, still must pay a contribution towards their rent; some of this is alleviated by Discretionary Housing Payments.

⁷⁰ Bristol City Council figures February 2019

Across tenures, 2,600⁷¹ households (Feb 2019) were responsible for paying the ‘bedroom tax’, this compares to 4,200 households in 2013 who were responsible for ‘bedroom tax’ payments. This does not mean that people were able to secure different properties, as the reduction has been achieved through a variety of changes including: people claiming disability entitlements (thus making them exempt); people reaching retirement age (thus making them exempt); people renting out spare rooms, as well as those who have moved.

In Bristol in 2019 454 households remain impacted by the Benefit Cap.

In 2018/19 Bristol City Council received £1.3m to support Discretionary Housing Payments, these can be made to ‘top-up’ shortfalls in rent or to support rent deposits and moving costs. Households on either UC or Housing benefit can apply to this fund; approximately 80% of applications to this fund are successful. In 2018/19, the following was apportioned:

£434,000 to support households impacted by the Benefit Cap

£278,000 to support households impacted by the ‘Bedroom Tax’

£136,000 to support households for any other reason

6.1.5. Response from Bristol agencies

Four organisations have a contract to deliver advice under the legal aid contract: Bristol Law Centre, Shelter, Citizens Advice North Somerset and South West Law (Private Sector). Legal aid is limited to:

- homelessness
- allocations (if homeless/threatened with homelessness)
- community care
- county court duty schemes
- accommodation provision to asylum seekers
- repossession of a rented home (i.e. not owner-occupied properties)
- lawful and unlawful eviction from the home (but squatters are excluded)
- injunctions relating to harassment in the home

⁷¹ Bristol City Council February 2019

- antisocial behaviour cases in the county court
- disrepair, but only in relation to the removal or reduction of a serious risk of harm to the health or safety of the occupiers (claim for damages are out of scope, save as a counterclaim in possession proceedings)
- judicial review

South West Law have the contract to deliver the duty scheme (Bristol, Bath and Taunton), Bristol Law Centre acts as their agent for the Bath court.

Where housing issues are out of scope, which includes: lower level disrepair, allocations, tenure issues, succession, tenancy rights and responsibilities. Advice, including casework can be provided by Shelter, Bristol Law Centre, Citizens Advice Bristol and CHAS. Shelter nationally also run a telephone helpline and webchat facility, which can be accessed UK wide.

In Bristol, there is a general concern that many groups of people are missing out on their rights. BLC has recently secured funding to work with vulnerable and marginalised communities to deliver guidance to both tenants and landlords on rights and responsibilities.

Age UK run a housing support programme for vulnerable tenants (aged 55 plus) who are owner occupiers or renting, whilst much of the support focuses on improving the well-being of the client, it does include support for income maximisation and completing benefit applications.

6.2. Employment

As explained elsewhere, employment advice was taken out of the scope of legal aid under the legal aid reforms. This was further exacerbated by the introduction of charges by the MOJ for those wishing to seek redress at the Employment Tribunal. The fees ranged from £350 - £1,200. The intention was to cut the number of malicious and weak cases. Over the period (2013-2016) cases taken to the Tribunal dropped by 79%⁷². In July 2017 the Supreme Court ruled that the charging of fees was unlawful. Claims to the Tribunal have risen

⁷² Ministry of Justice

significantly since then. However, without legal aid to support claims, many people lodging a claim are doing so as a Litigant in Person.

The rise in people who are described as working poor has been dramatic over the last decade. In 2017, the JRF ⁷³ found:

- in three years to 2016/17 the number of people living in poverty in working families has risen by over 1 million
- jobs that are low paid, insecure, offering a dead end not a stepping stone to a better job, trap people in poverty. Five in every six people in low-paid work fail to escape low pay after 10 years

In Bristol in 2015, Citizens Advice⁷⁴ found

‘That workers on zero-hours contracts as well as other casual, agency and temporary workers are ending up in debt, or with their homes threatened when promised work hours do not materialise. Irregular work and unpredictable incomes can make it hard to budget for living expenses or claim top-up welfare benefits. In many cases, the flexibility of these working arrangements is all on the employer’s side with workers expected to be available all day or at short notice, with no guarantee of work’. Of the 420 clients interviewed:

- 11% of in-work Citizen Advice clients were employed on zero-hour contracts compared to 2.8% of the workforce in the South West
- 20% of in-work clients were in temporary work (casual, fixed-term or agency workers) compared to 6.5% of the national workforce
- Of those in insecure employment, Citizens Advice researchers found that 70% said their work made it hard or very hard to budget and manage bills compared to 38% of people with permanent jobs

Using ONS data the South West TUC⁷⁵ estimate there are 16,000 people in the West of England area whose main job is based on a zero-hour contract, with two thirds of them, seeking alternative and more stable employment. It was further estimated that 1 in 7

⁷³ Budget 2018 Tackling the Rise of in-work Poverty. Joseph Rowntree Foundation

⁷⁴ Working for You? Investigating the Impact of Insecure Employment in Bristol. Bristol Citizens Advice 2015

⁷⁵ West Face Lower Pay and Higher Health Risks – South West TUC 12th February 2019

workers on these contracts did not have work every week. In addition to this, it is also estimated that a further 39,000 workers in Bristol have some form of insecure contract, be that agency work, casual work or ‘bogus self-employment.’

In Bristol 237,500 working age residents were in employment in June 2017. This is equivalent to an employment rate of 77.2% which is the highest of British Core Cities and 2.8 percentage points above the national (GB) average⁷⁶.

Nationally those in low pay appear to have decreased. The Resolution Foundation found⁷⁷:

‘The share of employees in low pay fell from 19 per cent to 18 per cent, the lowest proportion since 1982. This represents a meaningful improvement, with the number of employees that are low paid falling to 4.9 million, the first time that figure has dipped below 5 million since 2003. An even higher number – 5.9 million, or 22 per cent of all employees – earned less than the Living Wage, the voluntary standard that aims to provide a minimum acceptable standard of living. But gains were evident on this measure too, having fallen from 23 per cent a year previously’.

Nevertheless, national figures mask local stresses, as noted elsewhere Bristol is one of the most expensive cities to live in, in terms of housing costs, and thus pay gains are undermined by higher costs elsewhere.

There is also a lack of data on those in part-time employment and the percentage of the population in the low waged economy in Bristol. Whilst employment problems are not the preserve of those in low waged work, they tend to be more frequent particularly as they relate to contracts, unpaid wages, and unlawful deductions of wages. Many employment breaches feature relatively small amounts of money, which may act as a tipping point (as noted in the Citizens Advice study above) to the individual employee, however such claims are not enough for an employee to seek redress through paid for employment advice, nor will they be attractive to private sector lawyers offering no win –no fee resolution.

⁷⁶ State of Bristol. Key Facts 2016/17

⁷⁷ Low Pay Britain Resolution Foundation 2018

6.2.1. Response from Bristol Agencies

For those unable to pay privately or via insurance cover, the only help they can get is from independent advice. This is limited:

Citizens Advice offer employment advice through their generalist service and undertakes a limited amount of casework.

Bristol Law Centre runs a weekly employment helpline for Bristol residents. It provides one-off specialist advice, but not a casework service. This is supplemented by a weekly evening clinic co-ordinated by the Law Centre, offering appointments with pro-bono private sector lawyers. Clients can book in for a 45-minute appointment; again, this is one off and does not provide a casework service.

Currently in Bristol, without the ability to pay /claim on insurance or to enter in a no win-no fee arrangement with a private sector lawyer, there are no casework services, for people (other than those belonging to a trade union⁷⁸) with claims involving employment disputes that do not involve discrimination.

6.3. Discrimination

Whilst discrimination for employment and goods and services remains in scope of legal aid, it is currently subject to a mandatory telephone assessment gateway, recognising how unsuccessful this has been, the MOJ have announced that this will be removed in 2019 and notice of tendering opportunities were released in May 2019.

6.3.1. Response from Bristol Agencies

Bristol City Council as part of its commitment as an equality champion, currently funds the Bristol Hate Crime and Discrimination Service, this is a 6 partner⁷⁹ project, providing a holistic service to residents of Bristol impacted by hate crime and/or discrimination. As part of this service Bristol Law Centre provides advice and casework. This is one of a very few services in

⁷⁸ South West TUC estimate that there are 250,000 union members across the South West

⁷⁹ Led by SARI and includes the Brandon Trust, LGBT Bristol, Bristol MIND, Resolve West and Bristol Law Centre

the UK that offers discrimination casework and advice through public funding. The funding from Bristol City Council is provided on a tapering basis and is agreed until June 2021.

Bristol Law Centre (18/19) provided advice to 76 people impacted by discrimination and undertook a further 68 cases. Through additional funding, it is also able to offer a small service to residents of Bath and North East Somerset.

Advice agencies do not provide advice on hate crimes as these are a criminal matter, however if these are identified by a client, they will be referred to the BHCDs and/or the police.

6.4. Immigration and Asylum

As noted elsewhere much of immigration advice was taken out of scope by LASPO. However, the erosion of available advice started well before 2012, due to the way payments for legal aid work were calculated.

It is estimated that between 2005 -2018 over 50% of private practice legal aid providers were lost and 64% of not for profit providers⁸⁰. Prior 2012 there was an opportunity to balance and cross subsidise work between less complex immigration work with complex asylum work, after LASPO, this has not been possible and thus providers, have not been able to receive payment under legal aid commensurate with the time taken.

The consequence of this has had a dramatic impact on those seeking advice for what remains in scope. In their report, Refugee Action concluded that:

‘76% of respondents said it was difficult or very difficult to refer people on to legal representatives. Too often organisations find they cannot find legal representatives where provision exists on paper, due to capacity and the difficulty of taking time –consuming, complex cases which cost far more than the official remuneration rates’

Even when referred on, delays in processing applications are lengthy and the appeal process for refused applications complex. Between April 2017- March 2018⁸¹, 11,974 rejected cases were appealed with 4,332 cases overturned, of these decisions (granting leave to remain),

⁸⁰ Tipping the Scales: Access to Justice in the Asylum System, Refugee Action/NACCOM July 2018

⁸¹ Freedom of Information Request. The Guardian 3/9/2018

the Home Office then referred 1,235 of these to the Upper Tribunal for further appeal, where 900 of these cases were rejected. The wait time for a hearing at the Upper Tribunal (which could refer a case back to a lower tribunal) is a minimum of eight months. So, the whole process can go on for over a year and a half at minimum, even when the Tribunal's decision is in favour of the client, the date of their leave to remain is determined when the Home Office releases documentation and not the decision date of the Tribunal.

6.4.1. Response from Bristol agencies

For those in scope of legal aid, there are a range of providers in Bristol that can provide support (see chapter on legal aid).

For issues out of scope of legal aid or where the client is ineligible for legal aid (which is mostly immigration rather than asylum work) and who are unable to pay for a private solicitor, there is little resource.

Bristol Law Centre operates a fortnightly immigration drop-in service and gives one-off advice and will only provide casework if the client is eligible for legal aid. The drop-in commenced in October 2018 and between that date and the 24th April 2019, 144 clients have been seen.

It also runs a specialist project for children and can provide advice and casework on both immigration and asylum matters for children.

Bristol Refugee Rights operates a fortnightly legal advice service (provided by Fountains solicitors), for up to half an hour appointment for BRR members, it provides one-off advice and can follow through with casework only where the client is eligible for legal aid.

Migrant Legal Project, (this is a community interest company) has an office in Bristol, it undertakes legal aid work and can offer limited assistance on other matters, but mostly this is on a paid basis, although at a not-for-profit cost.

Bristol Law Centre, Bristol CAB, St Pauls Advice Centre and BRR are all registered with the Office of the Immigration Services Commissioner (OISC). The extent and complexity of the work that these agencies can undertake is dependent on their OISC registration and what level that they have achieved within the registration. This varies between agencies.

In response to immigration issues arising from the UK 's decision to leave the European Union and the requirement for EU nationals wishing to remain in the UK to apply for settled status, Bristol Law Centre, North Bristol Advice Centre, South Bristol Advice Services and St Pauls Advice Centre, have all secured funding from the Home Office (until March 2020) to work with vulnerable people to secure settled status and with grassroot community groups to ensure that they are aware of the arrangements and how to properly refer people if they require additional advice. Of these providers only Bristol Law Centre will be able to undertake complex casework on a client's behalf. In addition, North Bristol Advice Centre is also providing support (accessed through a Home Office gateway) for people who are having technical difficulties in making their settled status application.

6.5. Welfare Benefits

6.5.1. Council Tax

Bristol City Council is one of 20 remaining local authorities that have retained full reduction of Council Tax for those on passported benefits. As of February 2019, 21,000 households received full entitlement, and thus were exempt for paying any Council Tax. A further 14,000 households received partial reduction.

6.5.2. Local Crises and Prevention Fund

These initially replaced single payments administered by the DWP and were transferred to Local Authorities in 2013. Bristol City Council has elected to continue to support this fund from its own budget, after transitional funding ceased. The fund is split into two components: grants for household goods (£500k) and emergency payments (250K). For 2018/19 (at Dec) 3,600 claims had been made, 50% were awarded and 1,800 people assisted. For emergency payments 80% was awarded for food, 10% for fuel and 10% for clothing. Of all applications for emergency payments 18% were because of failures in UC and 30% of funds were allocated because of these claims.

Where BCC is unable to provide further assistance, they can refer people to food banks. As of December 2018, they were making 132 referrals a month, In July (2018) prior to the roll out of UC to new claimants, they were making 75 referrals a month.

6.5.3. Universal Credit

The phased introduction of Universal Credit has been pushed back numerous times. The rolling out of the full digital service of Universal Credit to all areas of the country was completed on 12 December 2018 for new claims or for people having to make a new claim due to a change of circumstance.

The government plans to start transferring a few people from the existing benefits or tax credits onto Universal Credit from July 2019. The Secretary of State has announced that they will begin by transferring around 10,000 people in 2019 as part of a pilot scheme. They won't start moving people over to Universal Credit in great numbers until the pilot scheme has been completed and assessed. They plan to complete this process, known as managed migration, by December 2023.

6.5.4. Disability and Sickness Benefits

Disability Living Allowance (DLA)

This is a non- means tested benefit for people under 18, who require additional support because of their disability.

Attendance Allowance

This is a non-means tested benefit for people of pensionable age who require additional help and support to live their everyday life

Employment Support Allowance

This is a means tested benefit, for people of working age who have a temporary disability or period of sickness and are temporarily unable to work and who are not entitled to Statutory Sick Pay.

ESA was first introduced for people making new claims in October 2008. Before that, claimants who had qualifying National Insurance records received Incapacity Benefit.

Claimants whose National Insurance contributions record was incomplete, or who had additional needs, and who met a means test, were able to claim Income Support on the grounds of illness or disability. The DWP reassessed around 1.5 million existing claimants of legacy incapacity benefits between February 2011 and June 2017 to determine whether these people were entitled to ESA. Most had been reassessed by late 2014.

The amount of ESA people are entitled to claim varies according to their capability for work-related activity. The DWP makes this decision based on a work capability assessment which includes an 'independent medical assessment'. Following this assessment, the claimant will be:

- found to be fit for work and redirected to claim Jobseekers' Allowance; or
- found to be capable of work-related activity, placed in the ESA work-related activity group and required to undertake activity such as training or CV skills courses as a condition of their benefit. Historically, these claimants received an additional work-related activity component, but this is no longer paid for new ESA claims starting on or after 3 April 2017; or
- found not to be capable of work-related activity and placed in the ESA support group.

These claimants are not required to undertake work-related activity and receive a higher rate of benefit through an additional support group component of £36.55.

According to the Ministry of Justice in a 3-month period (Oct-Dec 2017) out of 17,785 ESA appeals 12,195 went in favour of the claimant. Further information relating to the whole year period 2017/18 68% of appeals went in favour of the claimant.

Personal Independence Payment

This is a payment to help people of working age with disabilities to live their everyday life. It is a non-means tested benefit and payable to people who are in or out of work.

In 2010 a review of the disability living allowance (DLA) was announced. This was the principal disability benefit for working -age adults. In 2013 DLA began to be replaced by the personal independence payment (PIP) which included an "objective medical assessment" for new and existing working -age claims. The initial intention was to reduce the caseload by 20% over the subsequent 3 years (to 2017).

According to the Office for Budget Responsibility⁸²:

‘From 2013 /14 – 2017-18 following the introduction of PIP for working -age adults, cash spending has continued to rise steadily, but it has remained around 1.1 % of GDP. The caseload has also been reasonably stable as a share of population, as declining prevalence among pension-age adults has been offset by rising prevalence among children and working-age adults. ‘

The OBR concludes that this rise in expenditure is due to a range of factors:

- When a new disability benefit is introduced, it takes many years for the average duration of claims to reach steady state. This means that there is uncertainty over trends in the prevalence of benefit receipt for an extended period
- Changes in caseload composition have typically pushed average awards higher than can be explained simply by uprating policy. This could reflect claimants (and their advisors) learning how to navigate the system better – a factor accentuated by the rise of the internet and social media
- The effects of major reforms on spending are hard to predict and subject to risk optimism.

According to its own research⁸³, the DWP found:

‘Between the introduction of PIP in April 2013 and April 2018, over 3.4 million claims for PIP had been cleared, resulting in 1.8 million claims in payment. Forty-five per cent of new claims and 72 per cent of reassessment decisions had been awarded PIP, with over a quarter of normal rules claims receiving the highest level of award. Nearly all special rules (terminally ill) claimants were awarded PIP. By the end of April 2018, there had been 781,000 requests for a mandatory reconsideration (23 per cent of all cleared claims) resulting in 83 per cent of new claims and 77 per cent of reassessment decisions receiving no change to the award. As of March 2018, there had been 300,000 PIP appeals lodged (9 per cent of all cleared claims) of these 211,000 PIP appeals were cleared at hearing, resulting in 35 per cent of these cases being upheld and 65 per cent in favour of the appellant’

⁸² Welfare trends report January 2019 Office for Budget Responsibility

⁸³ Personal Independence Payment claimant research – Final Summary Report. Government Social Research, DWP September 2018

Therefore, whilst only 9% of claims were appealed of these 65% were successful.

And further:

‘When it came to completing ‘How your disability affects you’ questionnaire, over half of survey claimants sought help (59 per cent). The most common source of help was a friend or relative (33 per cent) followed by help from a charity or support group, a social care professional or from Citizens Advice’.

They also found, that whilst for many people completing the initial application forms was relatively straightforward, for a sizeable minority both completing forms and/or facing tribunals this was not the case, with the following as the most common reasons:

- Errors in reports: the inclusion of basic factual errors, omission of relevant details that were shared either during the assessment or in supporting evidence, or misrepresentation of the assessment;
- Difficulties in completing PIP and ESA application forms—in particular, the distress experienced by claimants in having to focus extensively on what they are unable to do;
- Problems arising from lack of assessor knowledge about the functional implications of different conditions, and inappropriate use of observations of claimants to judge functional impact;
- The effectiveness of Mandatory Reconsideration in challenging a decision, and the stress associated with going through both Mandatory Reconsideration and Appeal.

6.5.5. Response from Bristol agencies:

All advice agencies provide support to clients in respect of Welfare Benefits. This may be focussed on areas; Age UK supports people over 55 and is more likely to deal with older people's age-related benefits; Bristol Law Centre only deals with appeals for ESA and PIP; CHAS Housing Aid deals with housing related benefits. The demand for benefits advice consistently exceeds supply in Bristol and of all advice areas it is the highest in demand from residents. There is no legal aid available to provide most of the advice in this area, and since

2013, many of the key advice providers have had to juggle funding to continue to provide a welfare benefits service.

6.6. Debt

According to the Money Advice Service⁸⁴ 14.4% of the population in the South West is over - indebted against a national average of 15.58%. In Bristol 17.1% of the population is over-indebted.

Over-indebted individuals are defined as those who are likely to find meeting monthly bills a 'heavy burden 'and/or are missing more than two bill payments in a six-month period.

According to the Financial Conduct Authority⁸⁵:

- Nationally 3% of adults are unbanked
- 57% of adults have no cash savings or savings less than £5,000
- Unsecured debt in the South West excluding SLC loans is broadly in line with the UK average with adults owing £3,500 on average and with adults with debts owing £10,000 on average
- Nationally 31% of adults have no private pension provision. The state pension is the main source of income for 44% of retirees and in the Core Cities⁸⁶ this is 52%
- Amongst non –retirees aged 45 and over 29% still expect the state pension to be the main source of income in retirement

The FCA also calculated that the South West has the 3rd highest mortgage debt of the nine English regions, the 2nd highest personal debt (including student loans) of the English regions and the 3rd highest personal debt (excluding student loans) of the English regions⁸⁷.

⁸⁴Over-indebtedness Money Advice Service 2017

⁸⁵ The Financial Lives of Consumers Across the UK. The Financial Conduct Authority June 2018

⁸⁶ Core Cities are : Birmingham, Bristol, Cardiff, Glasgow, Leeds, Liverpool, Manchester, Newcastle, Nottingham and Sheffield

⁸⁷ Financial Conduct Authority 2017

Worryingly trends that were reversing in respect of borrowing and debt are once again increasing. The TUC found⁸⁸:

- Unsecured debt per household rose to £15,385 in the third quarter of 2018, which is up £886 on a year earlier
- Unsecured debt as a share of household income is now 30.4% - the highest it has ever been, and above the level it reached in 2008 ahead of the financial crises (27.5%)

According to data released by the ONS⁸⁹:

Household spending in 2018 was the highest (adjusted for inflation) since 2005. Transport followed by housing (excluding mortgages) and fuel and power accounted for the greatest share of weekly household expenditure.

Average weekly household spending was the highest in London, followed by the South East and South West.

Short term borrowing is also rising in the high cost short-term market⁹⁰. Whilst lending volumes in the market remain below levels seen in 2013, they have risen since 2016.

Nationally over 5.4m loans were made in the year to 30th June 2018. On average borrowers are now repaying 1.65 times the amount they borrow.

Borrowers are predominately young, with 37% of payday loan borrowers and 29% of short-term instalment borrowers aged between 25 and 34.

In respect of Bristol, Talking Money report that the issues that they are seeing the highest incidence of mostly relate to functions that Bristol City Council or the DWP are responsible for, as other than rent arrears (which include BCC tenants, RSL tenants and private tenants), the most common problems are reported as council tax, housing benefit overpayments, parking fines (local authority) and most recently an increase in clients presenting with DWP deductions from universal credit. In 2012 the key issues were council tax, housing benefit overpayments, rent and utilities.⁹¹

⁸⁸ Unsecured Debt Hits New Peak. TUC 7/1/2019

⁸⁹ Household Expenditure 2018. ONS January 2019

⁹⁰ Trends in the high cost short-term credit market, FCA 24/1/2019

⁹¹ The State and Future of Advice in Bristol: The Advice Network 2012

6.6.1. Response from Bristol agencies:

Talking Money is the lead partner for the Money Advice West project which is funded through Money and Pension Services and delivers in Bristol and surrounding areas. The other partners in Bristol are Bristol Citizens Advice, NBAC, SBAS and SPAC, with further partners: Citizens Advice North Somerset and GL Communities providing services in their districts. The funding for this project is guaranteed for a further year and it is likely it will be re-tendered in future years but is dependent on the strategies being developed by MAPS in 2018/19.

Other agencies also provide direct advice or allied support to people with debts: The Centre for Sustainable Energy provides support to individuals to improve the conditions of their homes and thus reduce fuel bills; Age UK Bristol offers advice on priority debts and how to resolve them.

The inextricable links between food poverty, fuel poverty, debt and welfare benefits, mean that agencies providing advice and support on debt issues, are also tackling fuel tariffs and priority debts relating to fuel, they are also supporting the needs of clients as they relate to benefits and debt arising from delays, sanctions and overpayments.

6.7. Community Care

As noted in the legal aid chapter, there are several Community Care legal aid providers in Bristol, however they rarely give advice on day-to-day issues, such as challenging care assessments, undertaking care reviews, supporting financial assessments and reviews. Only WECIL (90 cases in 2018/19) and Age UK (100) cases per year undertake this work. Both believe that this is the tip of the iceberg and people are woefully underrepresented in this area of law.

6.8. Mental Health

As previously noted legal aid for mental health was left largely untouched by the 2012 legal aid reforms. Legal aid work is confined to those people impacted by the framework of the Mental Health Act – where people are detained in hospital, subject to recall, or who are conditionally discharged. It also covers issues of mental capacity and welfare issues under the

Court of Protection. The provision of mental health advice, which is undertaken by Bristol Law Centre under a legal aid contract, should not be confused or conflated with supporting people with mental health problems. Agencies support many people with mental health problems who have problems with housing debt, benefits etc, and of which a very small proportion are impacted by the Mental Health Act.

6.9. Overarching Projects

There are a range of other projects that advice agencies are engaged with, that seek to provide holistic services to users or integrated services with other non-advice projects.

Ask Us. This is a collaborative project between Bristol Citizens Advice, Bristol Law Centre and 16-25 People. The purpose is to help connect young people in hardship crises with advice and support, which includes helping make referrals, preparing them for getting advice and undertaking casework when necessary. In the most recent full financial year (2017- 2018) the project worked with 120 young people.

Boost Finance Project. This is a collaborative project. Led by Barton Hill Settlement, with Talking Money, BRAVE Enterprise, West of England Works Team and the Somali Resource project. The intention is to work in a holistic way with individuals taking a community development approach to their needs providing a range of different support interventions to those considered furthest away from employment. Support includes preparing CV's and applying for jobs, developing business ideas and getting these off the ground and providing benefits advice to ensure people are on a stable footing. In 2018/19, there were 268 registered participants, 43% of whom presented 3 times or more.

Bristol Law Centre is working with North Somerset BME Network (with funding from the Guardian's Hostile Environment Christmas appeal) to develop a monthly advice clinic in Weston – Super -Mare, launching in June 2019, responding to the advice needs of BAME communities there.

Bristol Hate Crime and Discrimination Partnership. This is a partnership led by SARI and including the Brandon Trust, LGBT Bristol, Bristol MIND, Bristol Law Centre and Resolution West, it has confirmed funding until 2021 from BCC. This is a unique project offering a

holistic service for victims of hate crime including hate crime advocacy and casework, discrimination legal casework or advice, mediation, conflict resolution and restorative approaches.

7. Pro Bono Work

7.1. Overview

In Bristol, there are a range of different initiatives that have been developed that provide advice and assistance both individuals and communities through pro-bono work.

Pro-bono work in this context is where an individual, private sector firm or chambers, or law student provides (under qualified solicitor supervision) advice for free to organisations and/or individuals. There are various rules around such provision, which ensure that such advice is free, that there is no conflict of interest between the giver of advice and their paid work and that those receiving advice are not coerced into securing paid for advice from the firm/individual. This differs from advice agency provision, as it is taken from a volunteer pool and is limited in its scope and generally supports one-off advice, rather than casework although this is not always the case for university led pro- bono provision.

It is also important to distinguish where private sector agencies may provide services through another organisation and where they are delivering a service that enables them to refer clients to their own agency as they hold a legal aid contract in this area of law. They may hold these sessions in another third sector organisation as it is acknowledged that clients feel more comfortable in these settings and the settings are more accessible to them. Part of the work may include a level of free advice, to ineligible legal aid clients, but generally, the purpose of these sessions is to secure entitled clients.

In terms of overall pro-bono support to organisations, there are a range of private sector firms in Bristol who offer their support to agencies in the not for profit sector. This may be in respect of advice on legal transactions: buildings, leases, technology etc. or where barristers offer support on specific cases. However, how agencies secure such support is varied, it may arise due to personal connections between firms/chambers and not for profit providers, or because firms have adopted charities to support within a given year, such advice can be both one-off or part of a partnership with a given charity. As this work is very much in the gift of firms or chambers, there is currently no opportunity to measure the extent of this work. This

may change, as some of the larger firms are working together in conjunction with Bristol Law Society, to develop higher levels of co-operation and transparency.

What is important to note is that few firms in Bristol have extensive departments dealing with the same issues that arise for advice agencies clients. Therefore, whilst pro-bono is valuable, it cannot begin to replace what is delivered from advice agencies. Securing enough pro-bono support for Family and Employment clinics is a continuing struggle, there is very little immigration expertise in the private sector (as there is in the whole of the country), and there needs to be a much clearer alignment of what firms can offer and what communities need. Currently Bristol Law Centre, is working with several firms to develop a new Civil Litigation clinic which more closely matches supply and demand.

Bristol Law Centre is working with private sector firms to secure their commitment to leading a pro-bono committee for the city. The membership encompasses private sector firms, the universities and relevant third sector organisations (Bristol Law Centre, Citizens Advice Bristol and the PSU). Pro Bono Bristol is due to launch in June 2019 and part of the initial work, will be to map what firms are able to offer against differing needs in Bristol.

What is more transparent is where firms and chambers or law schools engage with projects or initiatives that are promoted and administered by a third sector organisation, or in the case of law schools by themselves. These fall into different categories:

- Those run by advice agencies/third sector organisations offering face to face advice
- Those run through the courts system
- Those run specifically by universities and contained within the university structure.

7.2. Provision

7.2.1. Support at court/tribunal for Litigants in Person in Bristol and surrounding areas

There are a variety of agencies and projects supporting Litigants in Person in court or at tribunal:

The Personal Support Unit (PSU)

This is located at the Civil Justice Centre in Bristol. The project provides a range of help and support (but does not give legal advice). This includes: providing information and support; helping people access free legal advice; discussing settling issues without going to court; explaining how the courts work; help in filling in court forms and organise court papers; help plan what to say in court; accompany the LIP into court and take notes and help afterwards.

They operate a drop-in service between 9.30- 4.30 Monday – Friday. This is open to anyone facing proceedings at the CJC.

Overall the PSU nationally have seen a significant rise in the people they are supporting, helping around 65,000 people in 2017 against fewer than 10,000 in 2011. In Bristol over a 12-month period (to 31 March 2019) the PSU working with 63 volunteers supported clients 3,822 times, a 16.5% increase on the previous year. 60% of cases were Family related of which 82% involved child disputes. PSU volunteers supported clients in 530 hearings (an increase of 43% on 17/18). Of all the clients they supported 53% of clients were under 40, 22% under 30, 47% of clients were female, 24% of clients said English was not their first language and 40% were unemployed.

Students from the universities volunteer with the PSU.

LIP Service – for Bristol Civil Justice Centre

Students from the universities in Bristol hold information sessions where they explain about the court procedure, what a person can expect in court and what a person needs to do in preparation for a court hearing, people will also be given a tour of the court.

Bristol Family Law Advice Scheme

Offers half hour face to face appointments with pro-bono lawyers, for people involved or likely to be involved in a Family Court case about arrangements for children at the CJC. This service is co-ordinated by the PSU and the pro-bono register is supported by St John's Chambers.

Civil Litigation Appeals Scheme

Offers half hour telephone advice appointments with pro-bono lawyers, for either party wishing to appeal a civil litigation issue. This covers decisions from any court in Somerset, Gloucestershire, Bristol, BANES, North Somerset and South Gloucestershire. This service is co-ordinated by Bristol Law Centre.

Employment Litigants in Person Scheme (ELIPS)

This service provides on the day representation for unrepresented litigants in person on any claim for simple, one day (or less) claims, preliminary hearings and advice on claims already issued. The ELIPS volunteers are only able to advise litigants in person who have a claim issued at the employment tribunal. Priority is given to those with hearings on the day the clinic is open, and no ongoing advice is available through this clinic. The scheme currently operates monthly at Bristol CJC and is available all day on the last Friday of the month, it is a drop-in service and based on a first come first service.

It covers claims from Bristol, North Somerset, BANES, South Gloucestershire, Somerset and Gloucestershire. The scheme is co-ordinated by the Employment Lawyers Association and on the day support is provided by students from BPP.

Legal Advocacy and Support Project (LASP) – Social Security First Tier Tribunal

The scheme provides help and representation for people appealing decisions made regarding disability and sickness benefits. Law students from the universities in Bristol (University of Bristol, UWE, BPP and University of Law) prepare submissions for first tier tribunals and accompany and represent people at the first-tier tribunal. This is overseen and co-ordinated by the Welfare Benefits Team at Bristol Law Centre. This scheme is open to residents of Bristol and South Gloucestershire. The Law Centre holds the Legal Aid contract for Upper Tribunal work, and thus can take on cases for this work from across the South West; this is undertaken by its specialist in-house team.

In 2018/19 the LASP project took on 139 cases, working with 37 volunteers and raised a total of £1, 353,085 on behalf of clients represented. Money raised is calculated as the value of the award backdated plus the full year of award.

Student Hosted Advocacy and Research Project (SHARP) - Social Security First Tier Tribunal

The scheme provides help and representation for people appealing decisions made regarding disability and sickness benefits. Law students from the University of the West of England (UWE) prepare submissions and accompany and represent people. This scheme is open to residents of North Bristol and South Gloucestershire. There are 9 students from UWE supporting this project.

Citizens Advice Witness Service

Students from the University of Law support witnesses and their friends and family when they come to court. Students give witnesses practical information about the process, court terminology and court decisions as well as emotional support to help witnesses feel more confident when giving evidence.

7.2.2. Face to Face One off Advice Provision

Potential clients can book appointments to see a qualified lawyer acting in a pro-bono capacity. This is for one off advice only and does not include a casework service.

Family Law

Bristol Law Centre co-ordinates a fortnightly advice session, for residents of Bristol wishing to secure advice on family legal issues. The advice is delivered by qualified lawyers from a range of firms across the wider Bristol area.

Bristol Law Centre co-ordinates fortnightly advice sessions, which are delivered by Skype (generally from the volunteer lawyer's office), to partner organisations: South Somerset CAB and North Somerset CAB.

Employment Law

Bristol Law Centre co-ordinates a fortnightly advice session, for residents of Bristol wishing to secure advice on employment legal issues. The advice is delivered by qualified lawyers from a range of firms across the wider Bristol area.

Bristol Law Centre co-ordinates fortnightly advice sessions, which are delivered by Skype (generally from the volunteer lawyer's office), to partner organisations: Citizens Advice South Somerset, Citizens Advice North Somerset and lunchtime sessions for Citizens Advice Bristol .

Civil Litigation

Bristol Law Centre is currently developing a civil litigation advice service, supported by qualified lawyers, it is anticipated that this will be developed into a weekly session and available to clients from the wider Bristol area. Advice can be given face to face, by phone or by Skype.

In total 16 different firms are engaged with the Law Centre in offering pro-bono support to these different clinics.

Immigration/Asylum

Fountains Solicitors offer a free half an hour appointment to members of Bristol Refugee Rights, which happen fortnightly. Those eligible for legal aid are then taken on into full casework, which the firm also provides.

7.2.3. University Provision

Aside from the valuable contribution students make to the projects listed above, universities also undertake work within their own structures.

University of Bristol

Bristol University Law Clinic

Law student involvement in the Law Clinic can either be as part of the curriculum that they are undertaking or additional to the curriculum. This operates throughout the year and is supported outside term time by interns. Supervision for all advice and casework is provided by three qualified lawyers who are employed by the University (to run and support the clinic as well as run courses) and hold current practising certificates.

The clinic is open 5 days a week and the clinic receives enquiries (by phone or email) either directly from the client or through referrals from Citizens Advice Bristol, SARI or the Students Union.

Most cases involve civil disputes: consumer, contract (building works, used cars etc|); employment; benefits cases; housing (tenancy issues but not disrepair) some family involving children (but not finances); advice in connection with wills and probate (but not writing them).

They do not cover immigration or asylum and do not do debt (these are referred to Talking Money), whilst they do a little low-level criminal such as driving without insurance, these are mostly referred to private practice. They do not provide business advice.

If the client needs further support, this if possible will be continued, including representation at 1st tier tribunals, but not thereafter, if the case involves discrimination these will be referred to the Law Centre.

They provide support at various outreaches:

Clic Sargent: 'Sam's House' weekly Wednesday lunchtime. This provides advice on benefits/housing/employment for parents of children undergoing cancer treatment.

The Common: (used to be Bristol branch of Kids Company) providing advice to young people at St Mungo's drop- ins on Mondays and Fridays.

MIND: weekly Law Clinic, covering most issues but not immigration and asylum

They are also currently looking at developing focussed projects to support those without representation at inquests and to support people with Community Care issues.

There were 221 students engaged with the Law Clinic at the start of the academic year, as of May 2019 there are 213 students.

Total cases taken on since start of 18/19 academic year	Total Cases carried forward from previous academic year 17/18	Total cases still active from current academic year	Cases carried forward and still active from previous academic year
217	83	149	34

University of the West of England (UWE)

UWE does not operate a stand – alone clinic in the same way as the University of Bristol. Provision is significantly more limited, as it is provided in terms time only, interns are not employed to cover holiday periods. Supervision is provided by legally qualified staff within the Law School at UWE. They run a range of different initiatives supporting people abroad.

The following programmes/projects are run in Bristol or surrounding areas:

Business Advice Clinic - providing advice on business law and practice mainly for start-ups, run at main campus (Frenchay) and other outreaches in Bristol

Musicians Advice Service – targeted towards the arts/creative sector, about 35% of the work is undertaken in Greater Bristol, the remainder further afield

Consumer Rights – they are currently developing this with Citizens Advice

BPP

In addition to the above activity's students from BPP are also involved in the following initiatives (whilst not Bristol specific, they are open to agencies /clients from Bristol):

Employment Law Telephone Advice Line (ELTAL) - students interview clients over the telephone to obtain case background information. This information is then sent to volunteer solicitors who provide free legal advice to the client over the phone. Participation in this project helps students to develop interviewing, note-taking and client-handling skills.

Legal Translation Service (LTS) aims to provide legal advice centers and not-for-profit organizations with free interpretation and translation, both in writing and in person, by involving students with native or fluent foreign language abilities.

Streetlaw – working in Bristol schools.

As of May 2019 BPP, have 84 students In Bristol supporting a range of these activities.

University of Law

In addition to the activities listed above, students from the University of Law are also involved in the following:

Legal Advice Clinic at St Mungo's – this produces a variety of legal enquiries including crime, family, housing, welfare benefits and employment law. No advice is given by the students at the initial meeting which is an information gathering exercise. Advice is then provided in a formal letter of advice.

Nailsea Disability Initiative (North Somerset)

NDI provides support mainly for adults with issues connected with welfare benefits and equipment to meet their needs. Students become involved by reading client files, possibly meeting the service user and drafting detailed submissions on appeal.

National Centre for Domestic Violence (NCDV)

NCDV provides legal advice and support for victims of domestic violence and runs an emergency injunction service. Students engaged with NCDV assist them with this work by interviewing victims and drafting instructions.

Streetlaw – in 2019 students are working with Avon and Somerset police to deliver workshops across Bristol schools on knife crime.

Recovery College in St Mungo's – students deliver separate sessions as part of the programme on communication skills.

Criminal Law Advice Service – providing initial advice for criminal law related enquiries.

146 students from Bristol have been involved in volunteering for these projects during 2018/19.

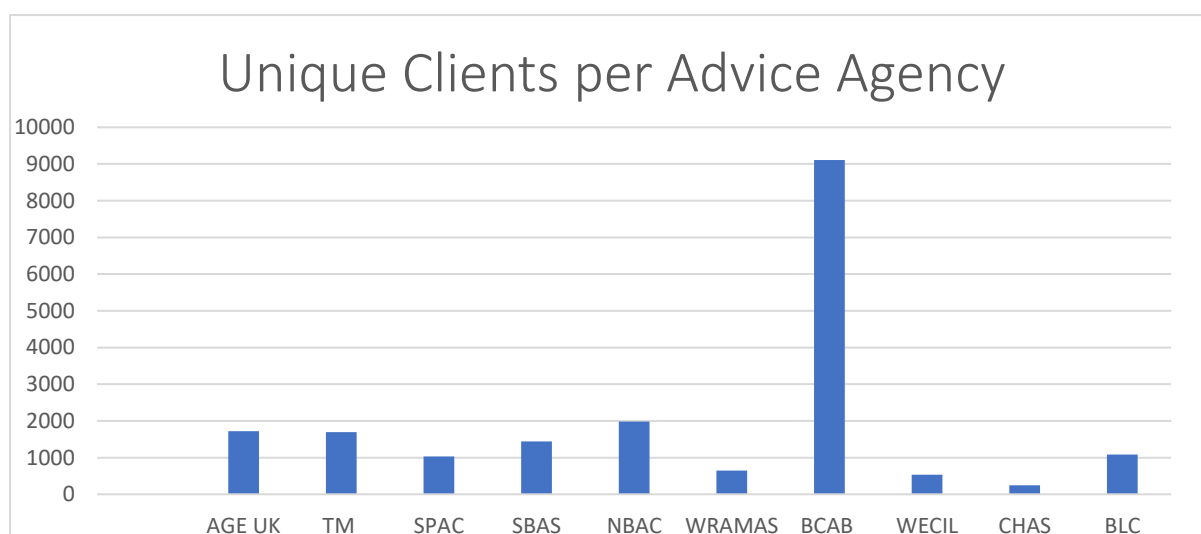
8. Advice Agencies activities and impact in Bristol.

As part of this report, all agencies responsible for providing front- line advice as a key part of their service in social welfare law were contacted and asked the same questions (see Appendix 1). The purpose of this was to look at several key issues:

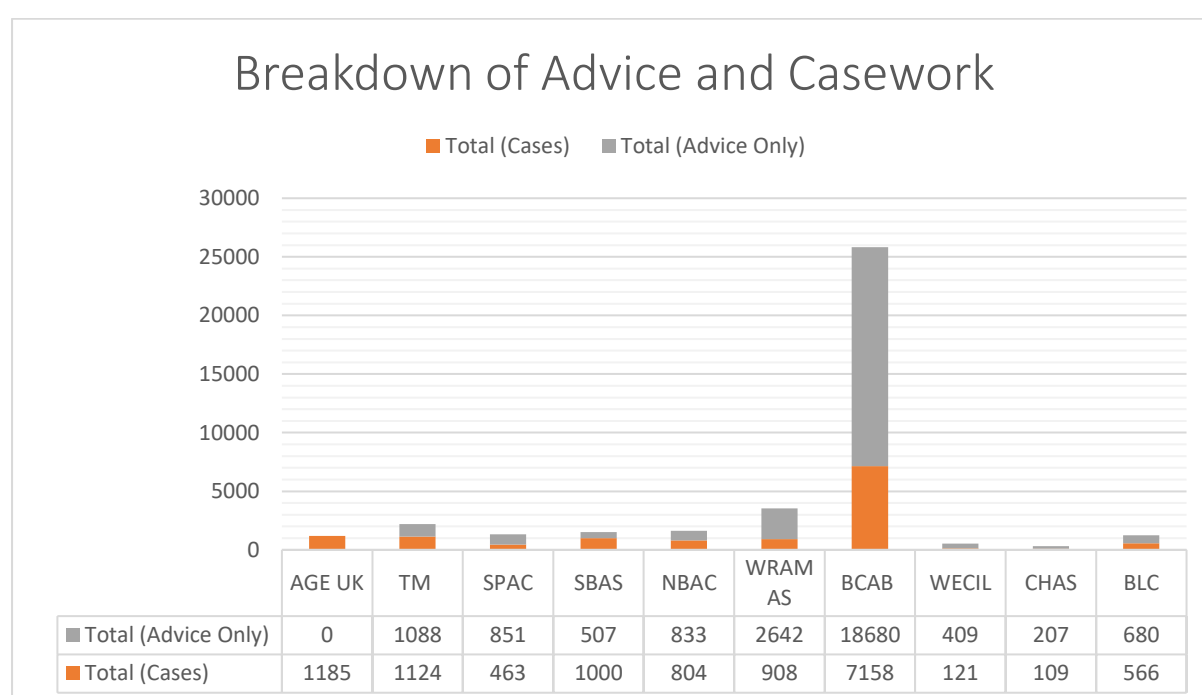
- What areas of law were advice agencies engaged in delivering and the complexity of advice based on whether advice was given, or cases opened
- How many clients each agency dealt with and what their key characteristics are
- How much money advice agencies bring back into communities through securing awards for their clients
- How many volunteer's advice agencies use and the gross value of the volunteering commitment
- What funding for advice each agency secured and where from
- What partnerships each agency is involved with

Responses were received from: Age UK Bristol, Bristol Law Centre, Bristol Citizens Advice, CHAS Housing Aid, North Bristol Advice Centre, St Pauls Advice Centre, South Bristol Advice Services, Talking Money, WECIL, Welfare Rights and Money Advice Service (Bristol City Council).

Client Breakdown

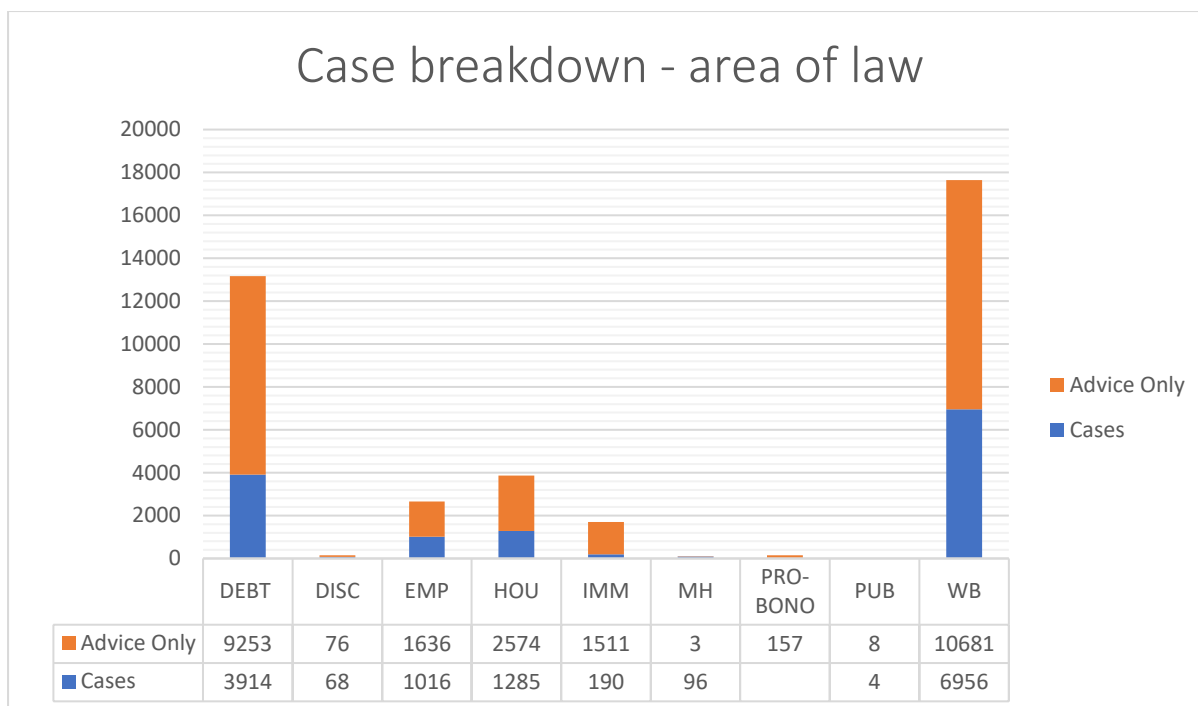


In total the ten agencies responding saw 19,675 different people in 2018/19 and provided either advice or casework services to them. This figure does not include people who advice agencies routinely provide information to or signpost or redirect to other services. The graph below shows the breakdown by agency of advice and casework. The figures will be higher than the overall unique client total (see above), as in many cases a client can be seen on multiple legal issues or advised in different areas of law. Each intervention on a different area of law for the same client is recorded separately.



Areas of Law

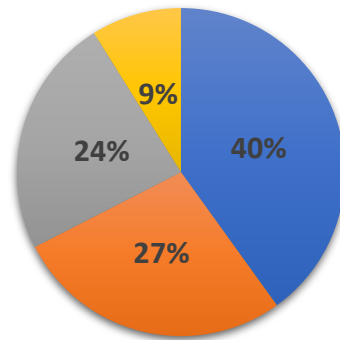
The graph below demonstrates the volumes for the main areas of law the responding agencies covered in 2018/19. Over the last ten years there has been little change in the provision/demand for advice areas, with welfare benefits and debt being the stand out areas. However, demand is limited by supply and there is a much higher supply of welfare benefits and debt advice. As agencies do not consistently record what they are turning away or signposting elsewhere, it is impossible to determine which the key areas of unmet need are from this information.



Volunteering

Offering volunteering opportunities has been integral to the way many advice organisations have arranged their services over decades of provision. What has notably changed in Bristol over the last ten years, are the number of university students who now regularly volunteer. This has mostly (but not exclusively) arisen from the development of projects engaging students. It is likely, as the route to law qualification changes, the involvement of students will remain a critical feature in provision. It should be noted however that separate funds need to be raised to support these projects which to date have been supported by trusts and foundations. Of the ten agencies that responded to the survey, only 9 regularly use volunteers, this is because WRAMAS, as a department of Bristol City Council cannot use volunteers to deliver services.

Volunteers - who are they?



■ Students ■ Working age ■ Retired ■ Professional

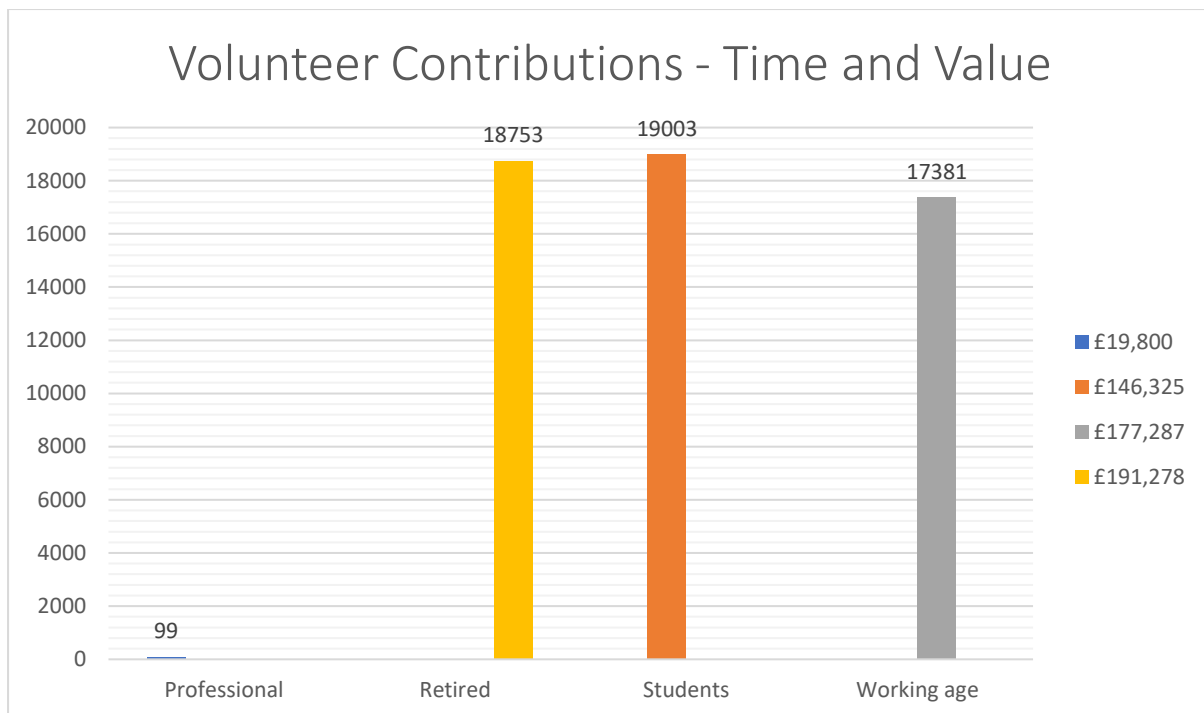
To determine a monetary value of volunteering, the following was used, it should be understood this is a gross value, and training costs and associated support costs have not been separately calculated. It should also be noted that the hours worked were based across 46 weeks, thus holidays and office closures were accounted for.

Students: £7.70 per hour, based on the governments living wage for those under 21.

Working Age £10.20 per hour based on the average not for profit agency salary outside of London.

Retired: £10.20 per hour based on the average not for profit agency salary outside of London.

Professional £200 per hour, based on the average billable hour for a 2 year post qualified solicitor.



Financial Gains

Financial gains are realised in different ways:

The value of an award made by a tribunal or court in respect of discrimination claims

The value of any welfare benefits gains from the time an advice agency intervened on behalf of the client until the case was resolved. Most claims are backdated to the time when the client was first assisted or appealed and submitted their documents. The value of this gain is based on the actual money the client receives as a backdated payment into their bank account.

The value of any on-going entitlement secured by the intervention of an advice agency, and it is agreed that this calculated based on what the client will receive on an ongoing basis for a year from the date of claim, net of any backdated payment.

It is important to note that monies received by clients as benefit payments are far more likely to be spent in the local community and thus recycle into the local economy.

A separate measurement is undertaken in relation to debt. Whilst clients are likely to be far better off once they have their debts under control, it is impossible to put a monetary figure on how much they may ultimately save as a result. Instead each agency identifies the amount of uncontrolled debt that a client presents with, and once management arrangements are

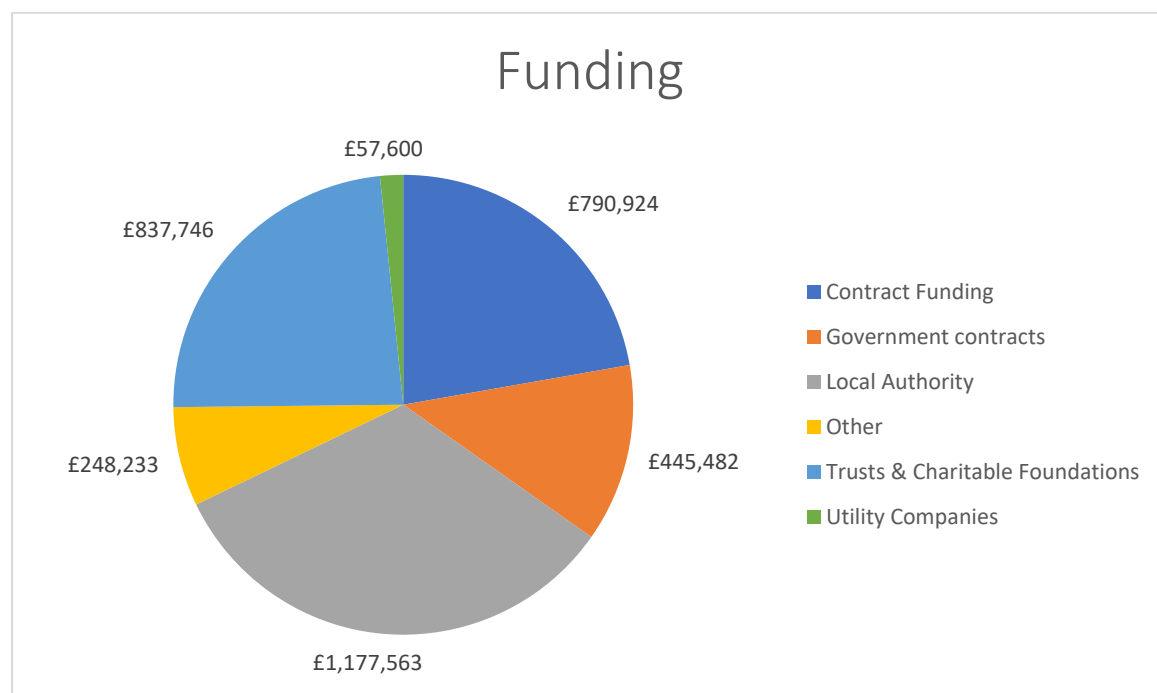
made, which includes write-off of debt, these are added up and presented as an overall total of 'debt managed'.

In 2018/19:

Total welfare benefit gains	£8,042,507
Total ongoing entitlement	£15,700,411
Total debt managed	£23, 188, 056
Discrimination:	£125,862

Funding

The chart below shows where funding for advice agencies came from in 2018/19. This represents nine of the advice agencies. WRAMAS has been deliberately excluded as all its funding is derived from Bristol City Council (£477,533) or Government contracts (£411,000) and as a non-charitable organisation is prevented from securing funds from other sources. Thus, including WRAMAS would disproportionately skew match funding ratios.



Partnerships

Some of the above funding is secured through partnership bidding and collaboration between agencies.

The key partnerships in Bristol in 2019/20 were:

Bristol City Council Information and Guidance Contract

This is agreed until December 2021, it is led by Citizens Advice Bristol and involves: Bristol Law Centre, St Pauls Advice Centre, North Bristol Advice Centre, South Bristol Advice Services, WECIL and Talking Money. The total value of the contract is £558,500 annually. This is a key contract for all agencies, as it provides core funding to support the needs of Bristol residents, which are shaped by demographics and needs and changing patterns in demand from across the city.

Money Advice West

This is agreed until the end of the 19/20 financial year, it is led by Talking Money and involves in Bristol: North Bristol Advice Centre, South Bristol Advice Centre, St Pauls Advice Services and Citizens Advice Bristol. The total annual value of the contract to Bristol agencies is £902,628. The contract is based on meeting specific targets in relation to debt which are prescribed on a national basis by the Money and Pension Service.

South Gloucestershire Council

This is led by South Gloucestershire Citizens Advice and is agreed until September 2020 and involves in Bristol; Talking Money, North Bristol Advice Centre and Bristol Law Centre. The total value of the contract annually is £104,028. The contract is based on a needs analysis undertaken by South Gloucestershire Council in respect of welfare benefits and debt. It engages Bristol agencies who deliver services on the borders of South Gloucestershire and Bristol, and for specialist casework with the Law Centre.

Aashyana

This is led by St Pauls Advice Service and is funded through Clarion Housing Group on an ongoing basis, it involves CHAS and Bristol Citizens Advice to deliver housing related advice

specifically to the South Asian communities. The total value of the contract is £78,000 annually.

Ask Us Project

This is led by Bristol Law Centre and is funded by the National Lottery Community Fund until 2021. It involves Citizen Advice Bristol and 16-25 People. The total value of the funding is £180,000 annually. The funding is restricted to supporting young people who are vulnerable and present with multi-faceted issues.

9. The Challenges of Digitalising Services

Over the past decade a range of agencies have sought to digitalise their services. This often has significant advantage in cutting costs in the long term and securing greater efficiencies from the provider side, whilst also providing greater ease of access and flexibility to the end user. Thus, many services have switched to digital platforms whilst simultaneously running down face to face help and support.

This section of the report will consider how switching to digitalised services can benefit the provider of services, as well as clients/customers. It will also consider the limitation of these services in so far as the client/customer is concerned, both in their ability to access appropriate technology and their competence in using different forms of technologies.

9.1. Provider side – Third sector as a whole

Generally, the third sector has been slow to adopt digital technology, where it has been done, this has tended to be incrementally, and there has been little transformation of the sector and few casualties of organisations failing or going out of business because of new transformative ways of working. This is very unlike the private sector.

In the charity sector, digital is often framed in terms of fundraising or campaigning. But often (and increasingly so) it is about streamlining processes, reaching the right people with the right tools, being more effective and efficient and reducing costs and saving money.

According to the 2018 Lloyds Bank UK Business Digital Index, more than 100,000 charities lack basic digital skills (more than half of registered charities) 9,000 charities don't use the internet at all and one in three believes being online is irrelevant.

There is little analysis about why this is the case, but various sources suggest that most charities at both senior and board level tend to be run by older people who are less convinced about wholesale change. Also, with very few new entrants or challenger

organisations emerging transforming the landscape, the status quo pertains and is significantly risk adverse. In their 2017 report⁹² techtrust found:

‘unfortunately, there is a growing divide between charities with progressive, digitally-savvy trustees and executives versus the majority of others, which are falling behind and risk missing out on opportunities to improve the way they fulfil their missions’

Their survey of 1,261 organisations from a wide range of charities (both in terms of size and scope) found:

- 58% did not have a defined digital strategy. Charities with a digital strategy were generally more optimistic about the future of their organisations than those without. With 92% saying they expect to increase their measurable impact in 2018.
- 74% planned to spend either the same or more on IT infrastructure in 2018/19, but 73% did not plan to provide digital training.
- 53% fundraise on line. Almost all of these (97%) have a social media presence.
- 63% of charities have at least one of their core applications in the cloud. Of these, only 41% allow staff to use their own devices to access them
- 45% of respondents overall are highly confident in their ability to protect from cyber-attacks.

Recognising this lag in the sector, the government as part of its Civil Society Strategy⁹³ has stated:

‘increased use of data and digital technology can make charities stronger and even better at what they do. But charities are taking time to adopt opportunities. The government has identified artificial intelligence and the data revolution as one of the four Grand Challenges facing the UK. We will work with partners to explore how best to use digital to build a stronger and even more effective social sector’.

Responding to the needs of the sector, the Charity Digital Code of Practice was launched in November 2018⁹⁴, the code includes seven guiding principles such as ensuring charity

⁹² No charity left behind: the need for a digital third sector. techtrust 2017

⁹³ Civil Society Strategy; building a future that works for everyone DDCMS, Office for Civil Society 9th August 2018

⁹⁴ <https://doit.life/charity-digital-code>

leaders are committed to improving digital capabilities and that service users and stakeholders are involved. This has been adopted by many of the third sector umbrella organisations.

9.2. Advice sectors response

Whilst the sector may be lagging in respect of their adoption of technological solutions, many organisations are developing digital responses and getting this right. This includes a range of organisations that are responsible for delivering advice.

The impetus for delivering changes through technological solutions has not always come from the sector itself and has commonly been driven externally from both regulatory and funders demands.

9.2.1. Internal environment

The regulatory environment for advice is necessarily stringent. Funders and commissioners – Bristol City Council, Legal Aid Agency – have or require advice organisations to have in place relevant quality marks. Organisations such as local Citizens Advice or Age UK use their umbrella agencies advice quality standard, whilst other independent advice agencies use the same standard which is administered by Advice Services Alliance. Law Centres typically adopt Lexcel, the Law Societies legal practice quality mark.

One of the key requirements of a quality mark and indeed of funders such as the Legal Aid Agency is to ensure that there is a robust and auditable case management process. In response to this advice agencies in Bristol adopted in the mid 00's Casetrack. Because of monies from the Advice Services Transition Fund in 2014/15 a more comprehensive system - Advice Pro was rolled out to key agencies. Members of national bodies such as local Citizens Advice, Age UK and Shelter, use their own in-house systems.

These systems have certainly improved the way organisations work, enabling agencies not only to adhere to audit requirements, but to develop different reporting mechanisms to satisfy various funding requirements and to be far more efficient and effective in responding to demands and requirements from contracts. However, this is not to say that organisations make full use of technologies or transform workplaces because of technologies. Steps tend to

be incremental and reflective of external drivers. Some of this is also a result of poor IT infrastructure.

As funding opportunities diminish, scarcer resources are used to maintain and support critical pinch points of the business. Investment in newer technologies (both in terms of hardware and software) or developing new applications is mostly in competition with staff salaries and day to day service provision.

According to the 2017 Lloyds Bank UK Business Digital Index, those charities doing the most digitally are twice as likely to save time, twice as likely to increase donations and ten times more likely to save costs.

This situation and the infrastructure lag of the third sector, is only likely to be resolved through a significant investment pathway that combines opportunities to both purchase technologies alongside providing enough funding for training and resourcing change. Maintaining the current ways of working come with some serious risks, not least, the failure to attract younger people who arrive in workplaces with huge knowledge of technologies (and the ability of these to transform environments) and are constantly thwarted by out of date applications and slow to change work patterns.

9.2.2. Outward facing

In terms of the outward facing environment, of the 10 main advice agencies in Bristol, all have a website presence. These have a range of features:

- 100% identify areas of law covered, times and location of services, contact details, privacy and confidentiality, sources of funding
- 80% have a donate button, using a variety of host agencies: Local Giving, Virgin Giving, My Donate
- 80% have a Twitter feed and 90% a Facebook profile
- 80% receive direct enquiries by email
- Only Shelter supports online chat through its national website

It is anticipated that amongst the seven providers in the Advice consortium for Bristol, a total of 201,000 hits will be made on their websites (just under 17,000 per month) in 2019.

The design of advice agencies websites varies widely. Pages require scrolling and are often densely populated, routes through drop down lists are not easily navigable (particularly so when using a phone), pages that are meant to link to other pages either don't link or the destination page does not exist. Information on some activities, particularly information/events is often out of date.

It is likely that many agencies either lack enough resources to maintain and keep up to date their website presence and/or fail to prioritise this activity. Organisations do need to give thought to how these are maintained and if they are hosting Facebook, Twitter etc, feeds are populated on a frequent basis.

It should be noted that according to the techtrust 2017 survey,' all charities that raise over 20% of their funds online have an active social media presence'

Services to clients

One of the key concerns of the advice sector is that digital means a step away from face to face advice.

According to James Plunkett (executive Director of advice and advocacy at Citizens Advice):⁹⁵

'You don't invest in digital as an alternative to face-to-face advice; you invest in digital to make all your services better'

However, there is an inevitable tension in perceptions. On-line and digital services have been introduced by a whole host of organisations, and most people use these daily, be they social media platforms, on-line shopping, online banking or bill payments. They have been heavily promoted by local authorities to pay council tax and parking charges, by HMRC to complete tax returns, the DVLA to apply for road fund licences and by the DWP for certain benefit claims.

Nevertheless, whilst this is the experience of most people, it is not the experience of all people, and certainly the people who are least likely to have the capacity to use digital solutions, are more likely to be clients of advice agencies.

⁹⁵ Charities can win at digital. Third Sector 26 July 2018

The Lloyds Bank UK Consumer Digital Index 2018 found the following:

In 2018 there were 4.3 million people (8%) in the UK with zero Basic Digital Skills – this is 470,000 fewer people than in 2017. 11.3 million adults (21%) do not have all five Basic Digital Skills. The proportion of UK citizens with the full five skills has plateaued. 11.3 million people have limited abilities online – the main tasks that the UK population are unable to do are:

- 43% (23.2 million) of the UK are not able to create something new from existing online images, music or video
- 24% (13 million) of the UK are not able to verify the sources of information found online
- 16% (8.6 million) of the UK are not able to fill out an online application form

There are 3.2 million people on the cusp of the full five skills. If they were to gain this missing skill, there would be 8.1 million people without Basic Digital Skills.

In addition

- 25% (3.5 million) of people with a registered disability are offline; they are four times more likely not to be online
- 28% of those over 60 are not online; 84% of this group say ‘nothing’ could motivate them to get online
- 18% of the UK adults claiming benefits* (1.2 million people) have low or no digital capability at all – this is compared with the UK average of 15%
- 56% of people without a bank account have the full five Basic Digital Skills compared with the UK average of 78%.

In the South West:

- 6% of the working population are without full Basic Digital Skills against a UK average of 10%
- 69% of those age 60+ are online against a UK average of 72%
- 18% (the same as the UK average) are benefit claimants with no or low digital capability

Whilst this report demonstrates that year on year digital exclusion is reducing. According to Cebr:⁹⁶

‘At the current rate of progress, by 2028 there will still be 6.9 million people without these skills’

A study undertaken for the Good Things Foundation⁹⁷, looked further into the demographics of those most likely to be excluded and found:

- 90% of non-users can be classed as disadvantaged. This takes into account the most common indicators - social class DE and being disabled, as well as leaving education at 16 or under
- Although age is a factor in defining non and limited users, it isn't the only one: 18.9% of under 65s are non or limited users of the internet; a population of approximately 7.5m people. Nearly half (48.9%) of non or limited users of the internet are under the age of 65.
- The most pronounced indicators of non and limited use include age, disability, social class, income and the age at which people leave education: 64.4% of non-users are aged 65 or over: 25.3% aged 65-74; and 39.1% aged over 75. 47.7% of non-users have a disability or long-standing health issue. 49.5% of non-users are in DE social class. 44.5% of non-users have an annual household income less than £11,500. 78.3% of non-users left education at aged 16 or under.

In addition to these groups, Justice ⁹⁸ suggests there are further cohorts of people who are extremely digitally excluded. These include:

- Care home residents, where it is suggested⁹⁹ that 70.5% of care homes with ‘old age’ provision do not offer the internet to their residents. It also suggests that superfast broadband is inaccessible in many care homes

⁹⁶ The Economic Impact of Digital Inclusion in the UK. A report for the Good Things Foundation Cebr September 2018

⁹⁷ The real digital divide? understanding the demographics of non-users and limited users of the internet. An analysis of Ofcom data. Good Things Foundation and Professor Simeon Yates June 2017

⁹⁸ Preventing Digital Exclusion from Online Justice ; A Report of Justice April 2018

⁹⁹ The Digital inclusion of older people in care homes. Age UK 2016

- Homeless people. Although many homeless people have mobile phones, they face obvious problems with paying for services such as unlimited calls and are more vulnerable to theft and being able to charge phones
- Detainees, for whom physical access to technology provides a significant challenge.

Digital exclusion does not simply mean that people may not have the capacity to engage with on-line services, but it can further exacerbate existing social and economic disadvantage:

‘Poor digital inclusion is expected to reduce households’ capacity to compare information and access the best available deals. This particularly pertinent to switching’¹⁰⁰

9.3. Bristol Connectivity and usage

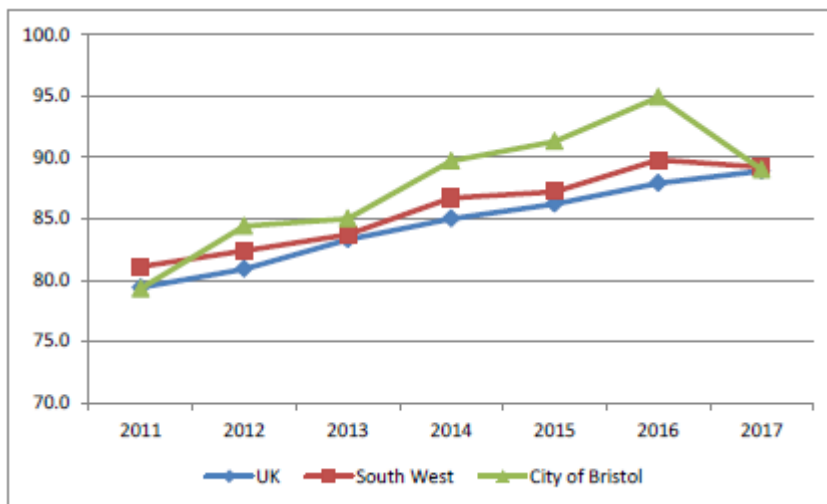
Internet connectivity 2017 estimates from the Office for National Statistics (ONS)¹⁰¹ showed that

- 89% of Bristol adults (321,000 people) had recently used the internet (in the last 3 months), down from 94.9% in 2016; while 10.7% had not used the internet recently (never used or not used the internet at all in the last 3 months), up from 5.1% in 2016.
- Bristol’s 89% of connected citizens is similar to the UK average of 88.9%. Although the proportion of the population using the internet dropped in the last 12 months, the general trend is an increase in users.
- Almost 35,000 more adults had recently used the internet in 2017 (89%) than in 2011 (79.3%). The chart below shows that the percentage of people who have “Used the internet in the last 3 months” was rising faster in Bristol than nationally up to 2016. In 2017 however, Bristol, the South West and UK have similar proportions.

¹⁰⁰ Paying to be Poor uncovering the scale and nature of the poverty premium. (Davies, Finney, Hartfree) University of Bristol November 2016

¹⁰¹ <https://www.ons.gov.uk/businessindustryandtrade/itandinternetindustry/datasets/internetusers>

- The ONS report that accompanies the data does highlight that, nationally, “virtually all adults (99%) aged 16 to 34 years were recent internet users”, in contrast with 41% of adults aged 75 years and over.
- In 2017 22% of disabled adults had never used the internet, down from 25% in 2016.



However, what is not clear is the frequency of usage and whose device is being used (their own, or through a third party) and overall capability.

9.4. Digital capability and skills

There has been significant change in the way advice is provided, particularly as a result of LASPO (2012), but also as a result of overall cuts in government services and grants. For many people, the availability of information on-line, the ability to complete forms online and to receive information on line, is of significant benefit. People can undertake things in their own time, from home, they are able to keep track of information and do not require time off work.

Clients of advice agencies are routinely directed to self –help materials as on- line services radically improve, providing greater access to a wider range of people, with greater numbers becoming familiar with different applications. However there remain difficulties with this, with search engines often promoting ‘paid for’ services above those that are free, and in some cases, users being unwittingly coerced into services they do not either want or need.

Nevertheless, widening access is not inclusive: Helsper and Reisdorf warn of an emerging digital underclass. In their study¹⁰² comparing usage in Sweden and the UK they state:

‘Worryingly, social exclusion and economic disadvantage have become stronger determinants of digital disengagement than they were when research into digital divides started, indicating the emergence of a digital underclass (Helsper, 2012, 2014). While this can be said for both countries, the non-user population in Sweden was considerably smaller and more concentrated among those with lower education, the unemployed, and the socially isolated. Within the next few generations, Sweden will probably have a very small, but potentially severely excluded group of non-users. In Britain, the non-user population is likely to remain larger but entrenched in a wider range of types of socio-economic disadvantages.

This section considers the impact on those in receipt of these services and their capability and ability to address their problems. It concentrates on those most at risk of digital exclusion and who require Assisted Digital Support.

Assisted Digital Support (ADS) is to ensure that everyone who needs a service can use it and is commonly applied to online services. The government states:¹⁰³

‘Any user may need assisted digital support, if they lack:

- trust in the service or the internet
- confidence to use an online service themselves
- access to the internet
- digital skills
- motivation to overcome these barriers on their own

Support can be provided over the phone or in person. Sometimes webchat will be appropriate too.’

¹⁰² Helsper, Ellen J. and Reisdorf, Bianca C. (2016) The emergence of a "digital underclass" in Great Britain and Sweden: changing reasons for digital exclusion. *New Media & Society*

¹⁰³ Assisted digital support: an introduction – Service Manual – Gov.UK

It should be also noted that issues of digital capability are substantially different from legal capability, and thus individual's capacity to make use of digital services, may be significantly compromised by their lack of legal capability.

Denvir¹⁰⁴ highlights, 'It is important not to conflate digital and legal capability as this risks two possible outcomes. The first is that the legal complexity of a system is not adequately addressed, and this represents a missed opportunity to develop a digital system that is truly responsive to user needs and to promote access to justice. The second is that advising the public that they do not need legal knowledge to complete a digital service risks user taking that instruction on face value, with consequences that may range from rejection of their claim, contempt of court, or the inadvertent signing away of rights. More generally, it constitutes a bold assumption that legal knowledge and therefore legal advice or representation is of no great importance'

Findings from a study with young people,¹⁰⁵ suggests:

'The Internet has the capacity to improve public understanding of the law, but it does so imperfectly. Making it a blunt instrument for public legal education'

It further concludes that:

'Whilst the internet relies on the user to derive benefit from online resources, the findings of the study suggest that there are at least some ways in which content might better reflect the needs and demands of users. Young people appeared to value experiential content that took the form of questions and answers'

Government departments have come to different conclusions about people's digital capability. Her Majesty's Revenue and Customs (HMRC) estimates that 15% of its users lack internet access and capability, whereas the Department of Work and Pensions (DWP) estimates that 5% of those applying for Universal Credit will be expected to require ADS.

Considering different ways in which people access the internet. Research shows that that the method of access is often related to task. Thus, browsing and simple appointment booking

¹⁰⁴ Assisted Digital Support For Civil Justice Users Catrina Denvir UCL April 2018

¹⁰⁵ Online and in the know? Public legal education, young people and the Internet. Catrina Denvir UCL 2015

services are accessed more by mobile than lengthy forms. For example, 77.8% of bookings for prison visits¹⁰⁶ are made by mobile phone whereas 76% of Lasting Power of Attorney applications are made by desktop and only 11.2% made by mobile.¹⁰⁷ (Unfortunately, at the time of writing, the DWP has not distinguished between the different devices used to connect to their services).

As Denvir again suggests ‘it is important not to assume that those without Internet access but with mobile access will be insulated from digital exclusion... the inability to distinguish ways in which respondents access the internet, suggest in practice digital exclusion may well exceed the 5% average reported by those with a civil justice problem’.

In their research on Digital Capability amongst Face-to-Face clients ¹⁰⁸ Citizens Advice found:

- Their face to face clients were twice as likely to lack basic digital skills than adults in the UK, with only 54% being able to complete a digital task in the 5 skill areas well below the 77% benchmark
- Were twice as likely to lack access to the internet as other adults in the UK. 61% said they had internet at home, 11% only had mobile access, with a very small number saying they could access the internet through friends, family or in public places.
- Older clients were more likely to lack basic digital skills and internet access; however, the proportion of face to face clients with basic digital skills was lower across all age groups.
- Whilst other studies had demonstrated that men were more likely to use the internet, this was not evident in this study, with slightly more women than men having basic digital skills.

Given the preponderance of clients that are likely to access advice services and who either do not have access to the internet or who do not have either digital and/or legal capability, it is necessary to consider the range of Assisted Digital Support, that users may need.

¹⁰⁶ Government Digital Service Performance Activity Dashboard Prison Visits 31December 2018- 6 Jan 2019

¹⁰⁷ Government Digital Service Performance Activity Dashboard Power of Attorney 31 December 2018 -6 Jan 2019

¹⁰⁸ Digital Capability. Citizens Advice 2016

9.5. Telephone advice

Many advice organisations have offered telephone advice for decades. Initial evaluations of telephone advice (Steele and Sergeant 1999) suggested that planned, targeted advice could act as an alternative to face-to-face advice in most civil law cases. Further studies (Pearson and Davis 2002) also suggested that telephone advice may offer advantages to those who live in rural areas, who experience mobility problems, who are time constrained and who are without private transport.

The Ministry of Justice in 2010 proposed that telephone advice could be part of a systems redesign that ‘caters better for the needs of clients, makes the most of advances in technologies and acknowledges changes in the structure of our lives’ it was also acknowledged by the MOJ that developing a telephone ‘gateway’ could substantially reduce costs.

Once again there is a tension between provision of services where costs drivers are the key consideration against services provided in different ways to provide greater client access.

People seeking advice are presented with different ways to secure legal help through the telephone:

- Advice lines, designed to help and assist people with their legal problem, offered as part of an overall package of legal help from the same agency, which includes other routes of support such as face-to-face advice
- Advice lines, designed to help and assist people with their legal problem which provide advice over the phone, but no other help, other than signposting to other agencies who may offer face- to -face advice
- Mandatory ‘gateways’ where an individual must pass through a telephone assessment, and where an assessment will be undertaken to determine whether they will be able to secure face-to-face advice

There is little assessment on the impact and effectiveness of advice lines and advice support that is provided over the phone and the client experience of this.

Local advice agencies routinely conclude cases without ever seeing the client, more frequently in debt and welfare benefits, but not exclusively so, as it also extends to employment and housing as well as other matters. Key reasons for whether this can be achieved or not relate to the client and their ability or otherwise to cope with telephone conversations, whether the presenting legal issue is largely form based- where information can be transmitted easily, and the extent of litigation involved. Thus, people with complex needs or complex problems (or both) are more often seen in a face -to-face environment.

There has been more research on the mandatory telephone gateway, which because of LASPO (2012), was introduced for those eligible for legal aid in debt, discrimination and special educational needs.

The Public Law Project undertook research in 2015¹⁰⁹ to consider the impact of the Gateway and in part to determine: ‘The effect, particularly in terms of access to justice, of the introduction of the mandatory telephone gateway’.

They found in particular:

- There appeared to be a corollary between the ‘Gateway’ and less favourable case outcomes.
- Around a third of all debt, and a quarter of all discrimination, matters completed in the first half of 2014/15 resulted in ‘outcome not known, or client ceased to give instruction’. This did not compare favourably with other means of legal aid advice provision, or with service delivery data in those areas of law before the introduction of the Gateway.
- There seemed to be a lack of quality assurance for Gateway services, and Specialist Telephone Advice Providers had expressed concerns that advice quality may ‘be driven into the ground by the current set up’.
- The National Audit Office had reported that the Ministry of Justice has ‘a weaker grasp’ of the quality of advice under certain aspects of the Gateway.

¹⁰⁹ Keys to the Gateway; an independent review of the Mandatory Civil Legal Advice Gateway. Hickman and Oldfield. Public Law Project 2015

- No peer reviews of Specialist Telephone Advice Providers had taken place during the first year of the Gateway being in operation (or as of September 2014).

The Law Society, in its report: 'Access Denied? LASPO four years on', commented that it was concerned that the gateway had created a barrier for clients for whom telephone advice is not appropriate, such as people with poor English skills, or physical or mental health problems.

Additional research¹¹⁰ has also shown that between 2013/14 – 2016/17 take up of this service has diminished.

9.6. Face -to -face advice

Whilst many clients value telephone advice, there remains a strong need to retain face- to-face advice. This can be for a variety of reasons:

- People are unable to use digital resources, for reasons stated above
- Telephone support is useful, it can support certain groups of people but not all- where people have poor English skills, or physical or mental health problems
- Telephone advice can be limiting, particularly for complex and more serious problems, there is some evidence that some cases conducted over the telephone have less favourable outcomes for the client
- Both telephone and digital advice rely on levels of legal capability. This is stronger for digital advice, than telephone, however for certain groups of people; this remains the case for telephone advice.

In her research¹¹¹ Burton found that face-to-face advice was linked to:

- A stronger emotional connection – serious legal problems can be emotionally overwhelming and even more capable clients expressed a need for emotional support

¹¹⁰ <https://sirhenrybrooke.me/2017/10/07/the-bach-report-12-the-legal-aid-gateway-telephone-service/>

¹¹¹ Calling for Justice: Comparing telephone and face –to-face advice in social welfare legal aid. M Burton LSE 2015

- A fuller exchange of information and advice: -
 - Communication is improved by face-to-face interaction
 - Advising becomes easier face-to-face
- The advantages of local knowledge, local relationships, local networks (where telephone advice is provided at a geographical distance)
 - Face-to-face advisers use their local knowledge to benefit clients. This knowledge can help to secure better case outcomes and improve clients' longer-term wellbeing
 - Telephone advisers have less contextual information about their cases

9.7. Advice by web-cam

Whilst much of the private sector has adapted to using webcam to facilitate client contact and advice, advice agencies themselves have been slow to adopt this. Thus, there has been little research undertaken on the impact of these technologies and how or whether it can straddle some of the gaps of telephone advice.

In 2014 because of Advice Service Transition Funding, Brighton and Hove Advice Partnership secured funding for a digital booking and webcam advice service.

Clients were either able to self-book themselves into the service, through an on-line booking service, or to go through third party support agencies to do the same. Advice for Housing and Welfare benefits issues were available through this service.

The evaluation¹¹² found that many potential participants were familiar with using applications such as Skype; this was particularly true of many EU workers in the area, who regularly used such services to call home.

Similarly, to that of telephone advice various key beneficiaries were described:

¹¹² Webcam and Online Booking Pilot. Advice Brighton and Hove, Vicky Ling November 2015.

- People who have existing access to Skype or can access it through an organisation they are working with
- People who are not in easy reach of face to face services
- People in low paid employment who find it difficult to take time off to get advice
- People with mental health issues or learning disabilities
- People who need support when accessing advice
- People who have mobility issues or are home based for other reasons
- People with dependent children

In addition to this various user thought that Skype provided additional benefits, like that of face-to –face advice. Comments from users included:

- It makes it a lot more personal, and to see someone's face makes you feel you have a bit of rapport going
- I don't like speaking on the phone, as I hesitate too much, it's easier if I can see them
- It would be much clearer for me to be able to see them and talk to them at the same time
- Its better as I can read their body language

However, it was acknowledged that for people booking from home, this required an internet connection, which for some was unaffordable, and a minority (but still sizable) number of participants in the focus groups were not familiar with using this technology – this was overcome when these participants were using third party agencies to access support.

What the evaluation was unable to determine was the cost per case, and whether this channel of delivery reduced overheads and associated costs to the participating agencies. It was also limited in its advice areas (Housing and Welfare Benefits) and did not test areas of significant complexity or where people were using interpreters. Nevertheless, without further funding, the project in its original iteration became unsustainable.

An Australian study¹¹³ also considered the use of webcam and how this could be utilised to support both pro bono lawyers and better support clients in regional, rural and remote areas.

They identified a range of factors that determined the success of providing a one-to-one service to clients, not least warning that ‘setting up this service of this nature is not simply a matter of having clients in one location with access to a computer and lawyers in the city willing to help at the other end’

They identified:

- The need for the client to both have help with technology, but also to help the client understand the advice given and any follow up actions required
- One off assistance is much easier to manage in the context of remote service provision because there is no ongoing need for client management. Ongoing client support can lead to inefficiencies of double handling of the matter by the pro bono lawyer and the local service provider who has physical access to the client
- Funding and resources required to both set up and maintain this type of service are not inconsiderable – and it does depend on high speed internet connections being available.

Thought needs to be given to the extent of hardware requirements. An example of a legal office in Brisbane was given, where advice givers are equipped with an additional computer screen that allows the client to view their documents as the solicitor staffing their appointments works on them and makes changes.

Bristol Law Centre has developed a project using Skype connecting pro-bono lawyers in Bristol providing advice in family and employment with clients from Citizens Advice in Weston-Super- Mare and Yeovil. Clients are triaged, and appointments are made by Citizens Advice at their offices, whilst conflict checks and rota administration with the pro-bono lawyers is undertaken by the Law Centre. Clients are offered a one –off appointment, and advice sheet is completed by the advising lawyer and this is transmitted to the client via

¹¹³ Pro-bono legal services video conferencing: Opportunities and challenges –Australian Pro Bono Society July 2015

direct email or through the CAB. This gives them an aide memoire and steps they should follow up.

This project is limited in its legal scope, both by the matters of law undertaken and the extent of the advice provided. That is, it is not followed up with casework or representation.

However, there are some clear benefits:

- Clients are generally happy with the Skype experience, they prefer to see someone (albeit on screen) than use a phone
- It enables some of the issues of geographical advice deserts to be overcome – however this has only been undertaken in a limited way
- It straddles some of the concerns about ‘a lawyer one end and a client the other’ and access to technology, as it is hosted in an existing agency which can provide triage, support in other areas of need that the client may have and provides the technological links

9.8. New developments and the future

Advice agencies are most likely to focus their resources on those ‘most in need’ and thus need to adjust their services to ensure that these are provided in ways that are accessible to those communities. As more people become confident with on-line interaction and the use of webcam, it is critical that advice agencies keep in step with emerging developments and how these may be utilised to increase efficiencies in back office functions and/or widening access to advice.

Looking back, an article on introducing the internet to advisers¹¹⁴ concluded that:

‘The internet has its costs and benefits. We have still to explore how it could enhance consumer protection and increase access to advice. But that, as people say, is another story for another time’

¹¹⁴ Adviser (Bi-monthly guide to housing , benefits, employment, consumer and money advice) September – October 1995

24 years later, all advice agencies regularly use the internet to extend their services.

Legal services overall have been, as previously noted, more cautious in adapting to new technologies, and to an extent have been led by other sectors.

Increasingly there are different products in development. There has been a considerable increase in the range of 'self-serve' legal documents for people to amend and use. Many common legal problems – such as parking fines challenges or basic civil claims involve defined processes with limited options – thus can be easily automated.

Looking at developing self-serve options may be a useful component of the development of advice, further facilitating those who 'can do' to undertake much of the work themselves, whilst simultaneously releasing resources to concentrate effort on those people who lack skills, confidence or ability.

Several large law firms have launched tech innovation spaces and/or incubators to host and or support tech start-ups in developing legal technology.

According to the SRA¹¹⁵ around 40 of the 100 biggest firms are already using Artificial Intelligence (AI) systems on active files, quadruple the number doing this than two years ago. AI systems have been developed and applied in areas that include:

- document reviews, such as contract reviews and discovery
- conflict checks and due diligence
- identifying precedents
- legal research and analytics
- predicting case outcomes
- billing

How the application of AI solutions could support advice agencies in developing their services would take at this stage some considerable thinking. The needs of private firms are manifestly different in many arenas (particularly profit lines, case viability and scope and

¹¹⁵ Technology and Legal Services, Solicitors Regulatory Authority 11th December 2018

complexity of law both in UK and overseas jurisdictions). Nevertheless, with proper scrutiny, there will be opportunities to consider how developments in AI could assist with both backroom functions, front of house services such as triage as well as developing systems that improve the consistency of advice given.

As previously noted, the advice sector faces many commonalities with the health sector. The health sector is considering seriously how it can utilise Chatbots to secure savings and ensure that patients are well informed and that their progress can be monitored. These developments are in the early stages and are being piloted in the United States. According to a recent report¹¹⁶:

‘Most if not all organizations using chatbots are so early in their chatbot programs that they don't have cost savings numbers yet. “Cost savings are translated in many ways. Patients don't end up coming back to the ED or getting admitted”

Northwell is also using chatbots to keep patients engaged after they're discharged from the hospital. Any patient—or their caregiver—enrolled in transitional care management is eligible to use the chatbot service, available in both English and Spanish.

A link sent to patients launches a HIPAA-compliant web interface, usable on mobile devices, where patients have conversations with chatbots about either their specific conditions or more general discharge topics. A patient who was in the hospital for heart failure might get questions about their weight, for example.

Because a chatbot can check in so much more frequently than a person could on the phone, Northwell gets about four times the discrete information from patients than it would with phone-based outreach. “Having one person call one person takes a lot of human capital,”

Nevertheless, there is a degree of nervousness about chatbots replacing healthcare professionals:

‘While chatbots can be useful for preliminary information, it’s vital that patients don’t try to use them to replace human doctors. They can answer fundamental questions, but patients

¹¹⁶ Healthcare providers are teaming with Chatbots to assist patients – Modern Healthcare 8/12/2018

should always verify the information with a medical professional before taking action or panicking¹¹⁷.

Thus, chatbots development may satisfy different needs of people, by providing a far more interactive ‘conversation’ with a potential client and a more reliable way of ensuring that information remains up to date. It is likely that for advice or legal needs, these will be at early stages of advice intervention as well as potentially supporting continuing case and appointment management.

In respect of the private legal sector in the UK, recent research¹¹⁸ by case generation company mmadigital found that:

‘83% of current and future consumers prefer to deal with law firms online, believing this to be the best way of keeping costs down. Just over half of those surveyed (55%) still want face-to-face contact with lawyers, with just 29% wanting to communicate over the telephone. More people would now start their search for legal services on Google over anywhere else, but 58% would also turn to online reviews before making their decision and 46% would use social media. Consumers were open to the idea of the use of robots and AI in the legal sector, with 39% claiming this would be a good idea as law firms would be available around the clock’.

However, in the OHCHR¹¹⁹ report, Professor Philip Aston comments; Government is increasingly automating itself with the use of data and new technology tools (and encouraging others to do so), including AI. Evidence shows that the human rights of the poorest and most vulnerable are especially at risk – he cites the lack of transparency in the development of systems by Government, and that whilst there is nothing inherently wrong in the use of AI and new technologies have a great potential to do good, it is crucial that this is done transparently and within a properly regulated framework.

¹¹⁷ 6 Leading Chatbots to watch in 2018 and beyond: Hitconsultant.net 11 September 2018

¹¹⁸ Law Society Gazette 26 April 2019

¹¹⁹ OHCHR Statement on Visit to the United Kingdom by Professor Philip Aston, United Nations Special Rapporteur on extreme poverty. November 2018

9.9. Opportunities

The MOJ have stated

‘We want to foster innovation in the legal services sector and create an environment that enables innovation to thrive. To do this, we will make funding available for initiatives developed by the market to deliver services in new ways. We are keen to explore how to deliver services remotely to those who are geographically isolated and may not have easy access to local providers’

They have set aside £5m for 2019 to explore a range of issues, including:

- new ways in which legal support and advice can be delivered remotely through digital means
- ways in which questions about a legal problem, and legal support itself can be broken down
- ways in which legal support can be delivered to litigants in person before, during and after their time at court or in tribunal

There are certainly opportunities to work with existing advice agencies in Bristol, combining particular projects working with for example : younger people (Ask Us) or older people (Age UK) migrant communities (BRR /BLC) to identify ways in which advice can be made more accessible, how information can be broken down into manageable parts and what innovations can be best deployed through for example through instructional /‘how to’ videos.

In addition, there are opportunities to evaluate and refine ways in which advice can be delivered remotely, how barriers to access and legal capability can be overcome, how case-work can be better supported and what technological solutions can be embraced to provide a 360-degree service to a client.

10. Responding to the Strategic Needs of Bristol

10.1. Overview

The strategy of Bristol City Council and key public sector partners is based on a range of factors. These include: what each public body has a statutory duty to provide; what information about the city (ONS and JSNA data) tells them and what they wish to put into place to alleviate some of the key disparities that is demonstrated by this data; what is urgent and pressing upon the city in the short, medium and long term; what political course they wish to take; and importantly what finance they have available to make things happen.

In similar ways providers of advice also need to consider a range of factors. These include; what communities and individuals need to make their lives better, safer and secure; what information about the city (ONS and JSNA data) tells them about the needs of people and the needs in particular geographical areas; what is urgent and pressing in respect of advice needs particularly for those who are most disadvantaged; what course agencies collectively and individually want to take to ensure services are provided that focus on those most in need; and importantly what funding and finance is available to ensure that communities are properly supported.

However, whilst local authority strategies focus on all aspects of running a city, the reach of advice is necessarily more nuanced to cope with issues and to react swiftly to legal and associated policy changes that impact significantly and detrimentally on people's lives. What is needed by communities in respect of advice is mostly dictated by these changes, many of which relate to the legislative framework of the country and the political and policy thrust of central government, and thus much is outside of the influence of local government.

As other chapters show, over the last decade, these changes have had a sizeable impact on people and communities, (many of which already suffered a level of disadvantage prior to the changes) that have simply worsened their position.

However, that is not to say that the aspirations of advice providers and that of local authorities and public sector bodies are at odds, rather the actions of agencies can

significantly underpin some of the key strategic intentions of the local authority as well as specifically responding to objectives.

10.2. One City Plan

The One City Plan is the agreed multi agency blueprint for Bristol. It covers a period up to 2050, and thus it is significantly aspirational in its content.

The plan is split into a range of activities/actions and aspirations, this is cut into different time –frames. This report considers the goals for 2019-2029 and demonstrates how the existence of advice agencies in Bristol can contribute to enabling some of these goals to be met. The plan by its very nature is large and encompasses many activities that have no relevance to advice agencies. A range of goals from the document are highlighted along with examples of how advice agencies respond to these.

10.2.1. Priority Themes

The following themes are perceived as the most significant in respect of the work of advice agencies and how they contribute to the overall vision of the City Plan.

Health and Well Being:

By 2050 everyone in Bristol will have the opportunity to live a life in which they are mentally and physically active.

- ***Mental Health will be as important as physical health in Bristol***
- ***Health inequalities will be reduced***
- ***Children will grow up free of adverse childhood experiences having had the best start in life and support through their life***

Homes and Communities

Every person in Bristol will be able to live in a home that meets their needs within a thriving and safe community.

- ***Every person in Bristol will be able to live in a home that they can afford, and which is secure and warm***

- *Bristol is a safe city and provides a safe environment for future generations*
- *Everyone can play their part in powerful connected inclusive neighbourhoods with access to things for a good life*

The key aim of all advice agencies in Bristol is to offer to its residents a place where they can secure their rights, understand their responsibilities and enable them, from a much firmer footing, to participate in their communities and contribute to the economy.

For a lot of people, the need for advice and/or information about how to resolve an issue is a one-off event, where the individual needs some help to solve their problem and to ensure it does not get out of control. Advice agencies provide a range of interventions that secure this for people, encouraging people to self-serve and /or to provide a little advice enabling individuals to be confident on how to approach their problem and enabling them to resolve it.

However, there are clear and obvious disparities for many residents in Bristol, whilst these people are by no means the majority of citizens, deprivation indices show that 16% (73,400) of Bristol residents live in areas that rank in the most 10% deprived areas in England. This is not to say that all these people need advice or assistance, many people living in these areas are fully employed, volunteer, act as unpaid carers, care for and support their children and are aspirational for their success. Equally within the wealthier areas of the city, there are individuals who struggle with difficult life circumstances, fall into debt, have problems with securing work and/or benefits, live in sub –standard housing, and experience periods of ill health.

Advice agencies want to be responsive to the needs of all citizens, however as identified in other chapters of this report, the weight of legislative change particularly for benefits, immigration alongside Brexit, changing tenure options and the patterns of work for those in the low-waged/skilled sector has meant that the demand for advice interventions continues to increase. Advice agencies do not have the capacity to meet all resident's needs – despite developing different ways of working through employing: better triage processes; greater digital support; more self-serve options; more efficient and effective referral processes; joining up services with key partners; using more volunteers; developing different projects.

For many years access to free advice was mostly determined by a person's ability to pay or otherwise. Whilst people's income remains of concern, the fact of being poor alone no longer guarantees that the individual will receive support. The complexity of law and lack of resources means that there is a demand to concentrate valuable face to face and casework services towards people presenting with multiple personal issues.

Casework statistics are a guide on how many complex areas of law are being dealt with but provide no indication of how much more time needs to be spent with individual clients because of their severe needs. The drive by different funders and commissioners of advice to continually 'do more' masks the struggle that agencies experience in being able to properly support individuals with these difficult and complex requirements. Nevertheless, without properly supported interventions, the needs of clients will remain unaddressed, resulting in further pressures on public services, be they in health, housing, children's services, social services or the criminal justice system.

What is also evident is that legislative change in the benefits system, in immigration and asylum, in family and employment, as well as greater levels of rooflessness and precarious tenancies cause greater stress to individuals, exacerbating both physical and mental health conditions. Changes to the way systems operate may be unnoticed or in the scheme of things or may be perceived as inconsequential but can and do have a significant impact on an individual.

An example of this is due to the reorganisation of the Courts structure, benefits and employment tribunals are no longer held in the Vintry Building in Bristol. This looked much like a suite of offices and inside like a meeting room, instead they have been re-located to the Civil Justice Centre and/or the Magistrates Court. The stress of entering any court building for many people who have hitherto not had experience of this cannot be underestimated. To respond to this advice agencies have had to establish different projects to support individuals, both within the court structure such as the Personal Support Unit (PSU) or through the volunteer student's schemes run by North Bristol Advice Centre and Bristol Law Centre to ensure that distressed clients are represented and/or provided with support.

Security and safety are key concerns amongst many of the most vulnerable clients that advice agencies support. Financial security is uppermost in many clients' minds. Ensuring people are

receiving the right support in respect of tax and benefits, in maintaining their homes, their employment, in what they owe and can manage is critically important.

Alongside this for some communities and individuals of more importance to them is that their status in this country is secure, that they can restart their lives free of domestic violence and abuse or addiction problems, they are no longer street homeless, they can secure their rights under the Mental Health Act, their health needs are being attended to, they receive the right support to remain living in their homes and where necessary as they age, transfer to supportive and managed care environments.

Whilst resolving all these problems is not in the gift of or the sole responsibility of advice agencies. It forms the basis of everything advice agencies do and contribute towards.

Advice agencies are a vital resource to Bristol, providing a key safety net for many residents. They also act as an independent arbiter -and as such are key to supporting a healthy and confident city – by ensuring that where decision makers get things wrong, be they offices of State, local authorities, health authorities- that they can also be brought to account on behalf of the citizens who they are responsible for and accountable to.

10.2.2. Specific Goals (2019-2029)

These are extracted from all the goals relating to all themes identified in the One City Plan and demonstrate how advice services support these goals. It should be noted these are illustrative examples and do not encompass all work undertaken by different agencies.

Establish an 'older people into work programme' to support people aged 65 plus into work, social action and volunteering to tackle social isolation and age- related poverty.

- Part of the Ageing Better Partnership led by Age UK Bristol focuses on supporting volunteer community navigators who are responsible for developing links with individual older people in Bristol to support their needs and aspirations. The Community Navigators programme is led by North Bristol Advice Centre for North Bristol.
- Citizens Advice Bristol use trained volunteers to deliver advice to communities of Bristol, 45 of these are retired and contribute 14,175 hours of their time annually.

Implement International exchanges with world leading partner cities to deliver Bristol's ambition and raise its profile as a Global City.

- With the support of the private sector and the Legal Education Foundation, Bristol Law Centre supports a Justice First Fellow (trainee solicitor) part of their role involves visiting other global cities (in the last programme New York) to look at innovative ways justice is delivered to disadvantaged communities in other legal jurisdictions.
- Bristol Law Centre is part of a network of information centres in the UK and across the European Union (EU). The Law Centre is also part of the Law Centres Network EU Citizens Rights Information Service

Open Bristol Universities Temple Quarter Enterprise Campus to bring economic and social benefits to Central Bristol east of Temple Meads

- The Advice sector is represented on the Social Justice Group (partnership between the University of Bristol, Barton Hill Settlement and others) which is engaged in developing a social justice project that will be sited within the campus

Implement smart energy technology in 50% of homes in Bristol to support the efficient use of energy, particularly from sustainable resources and contributing to ending fuel poverty

- The WHAM project is an innovative new model for supporting Bristol's most vulnerable residents – led by the Centre for Sustainable Energy it gives advice on energy, money, and carrying out home repairs. Working together with Talking Money and WE Care & Repair it provides a comprehensive service to Bristolians living in fuel poverty and financial hardship.
- Talking Money, St Pauls Advice Centre, South Bristol Advice Services, North Bristol Advice Centre and Bristol Citizens Advice all provide debt advice to Bristol residents. Part of this includes advice on priority debts, which includes fuel debt and advises people how to secure lower tariffs and provides information on fuel saving activities
- CSE, CHAS and Shelter, working in partnership with Bristol City Council have recently developed a project to support people living in properties with energy ratings F and G, the purpose of this project is to support tenants and landlords alike in improving the energy efficiency and uprating the properties

All employees with 500 + staff to take action to ensure that their working environments are supportive of the needs of LGBTQ+ staff

- Whilst advice agencies are not large employers, the advice sector has been robust in developing internal procedures which encourage LGBTQ+ staff into the workforce. However the advice sector is equally concerned about how it ensures LGBTQ+ people access their services and the services provided are relevant and supportive to the LGBTQ+ communities

Implement a programme improving access to work for lone parents and others not in employment due to health and/or life circumstances

- Improving access to work goes hand in hand with ensuring that people wishing to access the labour market are doing so from a sustainable footing. Advice agencies offer a plethora of volunteering opportunities to local communities. These often act as a springboard into paid work, as they build confidence amongst volunteers.
- Most advice agencies provide advice on welfare benefits (at different levels), people wishing to take up work, especially lone parents who have absolute responsibility for children, need to be confident and understand how the benefit system works, to enable them to step into work, without falling into unforeseen debt, and to be clear about what they are able to continue to claim within both the tax and benefit systems
- Citizens Advice Bristol has recently established a support scheme will help claimants through every step of making a Universal Credit claim. It offers people comprehensive and practical support they need to get their first payment on time and be ready to manage it when it arrives. It also provides 'Universal Support' giving advice and assistance to help claimants manage their Universal Credit claim, with a focus on budgeting advice and digital support
- For those with disabilities advice agencies can support claimants to make claims for Personal Independence Payments, which cover the additional costs relating to their disability, but which allow people to remain in work and/or re-enter the labour market
- For those unable to work due to issues of ongoing ill health most advice agencies offer specialist casework support. Bristol Law Centre and North Bristol Advice Centre,

both run projects engaging students to support those faced with first tier tribunals, appealing decisions on disability –related benefits. Bristol Law Centre is also able to support claims to the Upper Tribunals through its legal aid contract

- The ‘Ask Us’ project, led by Bristol Law Centre, with Citizens Advice and 16-25 people, delivers supported advice to young people in crises. Enabling young people to re-establish a firmer footing in the context of debt, housing, and benefits, which in turn supports some of these vulnerable young people to move towards employability
- WECIL alongside Community Learning West, has developed a pre-employment course with a difference, this is a course for anyone who identifies as disabled including hidden disabilities such as mental health conditions and dyslexia. Better Together is for those who are on their first steps of their journey back into employment or learning and will concentrate on building confidence and improving wellbeing

Bristol’s three integrated community health care localities will work more closely to enable people to stay healthy, well and independent in their communities

- North Bristol Advice Centre, St Pauls Advice Centre and Citizens Advice Bristol all currently deliver advice services from health settings. This enables people to secure advice that will improve their circumstances. The integration of advice into health settings is well understood, and has recently been highlighted by the MOJ in its 2019 review of Legal Aid for further development
- There is however an overall lack of advice in Bristol on issues relating to Community Care. Strengthening advice in this area, would significantly contribute to ensuring the wellbeing of those most vulnerable people in the city.

A city-wide ‘Housing First’ programme is helping homeless people with complex needs and mental health issues to access support services and enter safer and more suitable accommodation

- Alongside this programme, Bristol Law Centre offers a specialist housing casework service, ensuring people with mental health needs and other complex problems can maintain their current homes (and thus not fall into homelessness) and /or be assisted through the homelessness route to gain housing appropriate to their needs.

- CHAS Housing Aid reported that in 2017/18n 45% of presenting problems involved homelessness or street homelessness. In respect of outcomes 29% of cases prevented homelessness or street homelessness
- In 2017/18 Shelter reported that 81% of their clients were better able to stay in their homes due to advice provided tackling a combination of issues: financial difficulties improving, fending off eviction or repossession or coping and managing better. 22% of their clients needed assistance with homelessness
- Bristol Citizens Advice, CHAS, North Bristol Advice Centre, South Bristol Advice Services, St Pauls Advice Centre, Talking Money and WRAMAS are working in partnership to deliver an Advice + project ¹²⁰making early interventions based on welfare benefit and debt expertise to prevent homelessness

An up-dated community and cross sector approach to hate crime has been adopted across the city to help co-ordinate prevention activities and reduce hate crime

- Bristol Law Centre is a key member of the partnership which delivers the hate crime and discrimination service on behalf of Bristol City Council. Providing specialist legal advice in discrimination in employment and goods and services

Digital exclusion in Social Housing is ended through its accessibility and affordability and ultra fast broadband

- As many people have yet to have access to reliable and cheap broadband connections and lack levels of capability, advice agencies are responding to this. North Bristol Advice Centre offers a Get on-line drop in service staffed by North Bristol Advice Centre's IT volunteers. Support with getting online using computers, tablets and phones to fill in online forms, claim Universal Credit, set up and use email, search for jobs, find best deals and more. Citizens Advice and Talking Money both provide public facing computers to enable clients to self –serve
- Whilst it is important that digital exclusion is tackled, the advice sector is mostly interested in how to increase digital capability and what digital tools assist people to access and understand platforms that help them resolve their legal problems. The

¹²⁰ Homelessness Prevention Trailblazer Fund, Department for Housing Communities and Local Government

sector will be developing appropriate responses to this, working with university departments (Digital and AI) and service users

- It is also exploring how advice can be delivered directly through digital devices, many advice agencies as they seek funds to upgrade their technology are ensuring these are future proofed to enable advice to be delivered in different ways. However, this is predicated on those who are most disadvantaged having access to reliable and affordable connectivity

Reduce the need for food banks in Bristol by tackling the root causes of food insecurity (and the ability to secure enough food of sufficient quality to allow you to stay healthy and participate in Society)

- 42% of users of food banks run by the Trussell Trust in Bristol do so because of benefit delays or benefit changes (and this is before the full roll-out of universal credit). All advice agencies provide advice in this area coupled with the majority providing advice on debt. Whilst this work cannot prevent delays which are systemic within the current benefit system, the uptake of advice means that many residents are receiving expert advice, without which they would potentially fall into further debt and reliance on food banks.
- Many advice agencies also provide comprehensive debt advice and courses, enabling people to manage and budget accordingly, seek lower tariffs, reduce debt (by write off or proper management) and thus ensure that they can put enough money aside to maintain a healthy diet

People understand the signs of modern-day slavery and know how and where to report it

- As part of its commitment to justice, advice agencies would want to support any initiatives that further the reporting of modern-day slavery. There are clear reporting mechanisms that need to be observed (NRM) to ensure where necessary the police are involved. Bristol Law Centre under its Legal Aid contract for Immigration can assist with casework relating to securing immigration rights of individuals who have been trafficked and subject to modern day slavery

Property standards in the private rented sector are significantly improved from 2018, following work with landlords and tenants through discretionary licensing

- Bristol Law Centre has set up a Tenancy Information Project, (TIP) aimed at the most disadvantaged and vulnerable tenants in both the private rented sector and social housing. The project uses volunteers to provide 1 to 1 support either by phone or face to face to provide guidance on tenants' rights and responsibilities
- A joint project between CSE, Shelter and CHAS is working with both tenants and landlords to improve properties with energy ratings F and G and by doing so reduce fuel costs to tenants and further benefit the environment.

10.3. Bristol City Council Corporate Strategy 2018 -2023

The strategy works in tandem with the One City Plan, setting out Bristol City Council 's response to the One City Plan. Inevitably there is overlap between the two documents. However, the Corporate Strategy sets out in more detail about what the City Council wishes to achieve within five years. As a key partner and funder of advice and adjunct support services, it is important to understand how advice services can support key aspects of this strategy. These key elements of the strategy as they apply to advice are re-iterated below.

'We want Bristol to continue to be a city where the voluntary sector not only survives but thrives in a very challenging funding climate. We need to work closely together in the spirit of constructive support and challenge, maintaining a sector which is strong and sustainable in its own right'

Theme 1 - Empowering and Caring

Give our children the best start in life by protecting and developing children's centre services, bring great corporate parents and protecting children from exploitation or harm

Reduce the level of homelessness and rough sleeping with no-one needing to spend a 'second night out'

Provide 'help to help yourself and 'help when you need it' through a sustainable and diverse system of social care and safeguarding provision with a focus on early help and prevention

Prioritise community development and enable people to support their community

Theme 3 - Well Connected

Make progress towards being the UK's best digitally connected city

Reduce social and economic isolation and help connect people to people, people to jobs and people to opportunity

Theme 4 - Wellbeing

Tackle food and fuel poverty

How Bristol advice agencies addresses this strategy is covered within the One City Plan response.

10.3.1. Advice Sector

The advice sector needs to be clear about the various strategies adopted by the city, to ensure that it can both respond to emerging needs as well as reflect its work within the key headlines. By doing so, it will be better positioned to be in the forefront of tackling inequalities in a joined-up way, that is clear to and understood by partners, commissioners and citizens. This is not without cost and thought needs to go into how, with limited resources, this can be developed in a co-ordinated way. Whilst ACFA can achieve some of this work, its funding limitations, mean that resources will currently need to be released from agencies themselves, who have no spare capacity. Therefore, there is a need to consider how funding can be secured to support this. Importantly advice agencies need to ensure that their presence in Bristol, is considered vital to the well-being of the city and the contribution of work they undertake is understood and highlighted.

Appendix 1

Name of Agency:

In all circumstances please enter N/A where you do not collect this data

Unique Clients (total)	Cases WB	Advice only WB	Cases Debt	Advice Only Debt	Cases Housing

Advice only Housing	Cases Immigration	Advice only Immigration	Cases Employment	Advice only Employment	

Do you collect information on how much information you provide/signposting, if you do, please identify how many individual enquiries you dealt with and whether face to face, email or telephone?

Client Characteristics - Please identify as a percentage

Male	Female	LGBT+	16-25	55+	75 +	BME

Refugee/asylum seeker	Bristol Resident	Non-Bristol resident	Disabled (Physical)	Disabled (Mental Health)	Domestic Violence	Families

Financial Gains

Welfare Benefit Gains	Welfare Benefits Ongoing entitlement	Debt Managed	Debt Written off	Employment gains

Can you identify your funders?

Funder	Amount (one off)	Amount annual	Funding period (start date and finish date)	Purpose of Funding

Are you engaged with other organisations in delivering any project or aspect of your work?

Project Name	Are you the lead partner, if not who is?	Other partners	Description of project	Start and end date of project

Do you use volunteers to deliver any aspects of your service?

Where are your volunteers from?

Where from	How many individuals per year	How many hours per year	Please state what they do*
Student UWE			
Student U of B			

Student College of Law			
Student BPP			
Student – apprentice			
Student - other			
Working age individual not student			
Retired individual not student			
Acting in a professional capacity (i.e. Lawyer , HR)			

*what they do, can include: Reception, back office admin, delivery of face to face advice, specialist legal advice, delivery of support

** How many hours per year – add up all the hours provided by each section – if you normally do this by week, add together and times by 45 weeks

If you can please attach any other information that you think may be useful.