



ACADEMY for
JUSTICE COMMISSIONING

Gateway to better Justice Services

Evening Seminar

How many lawyers does it take to change a light bulb?

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Legal Services Commission

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Overview

- What is legal aid
- Who qualifies
- Legal Aid spending
- Legal Services Market
- Developments in Legal Aid
- Current reform programme
- The future

Introduction

- Two million people with legal problems use legal aid every year across England and Wales
- £2 billion budget
- Key part of Welfare State for 60 years and run by lawyers first 40 years
- For past ten years managed by Legal Services Commission
- Been moving towards Commissioning approach for five years

What is Legal Aid?

- ‘No one will be financially unable to prosecute a just and reasonable claim or defend a legal right’(Legal Aid and Advice Act 1949)
- Expanded since 1949 to cover wide range of help in both civil and crime
- 2008/09 civil and crime providers delivered nearly 2.9 million acts of assistance
- Most legal aid clients do not have to repay costs
- Different approaches between criminal and civil

What is Legal Aid continued

- Service provision is growing all the time
- Consultations either face to face or by telephone
- Volumes (2008/09 financial year):
 - Face to face (crime) – 1.5m
 - Telephone (crime) – 135,000
 - Face to face (civil) – 1m
 - Telephone (civil) – 340,000

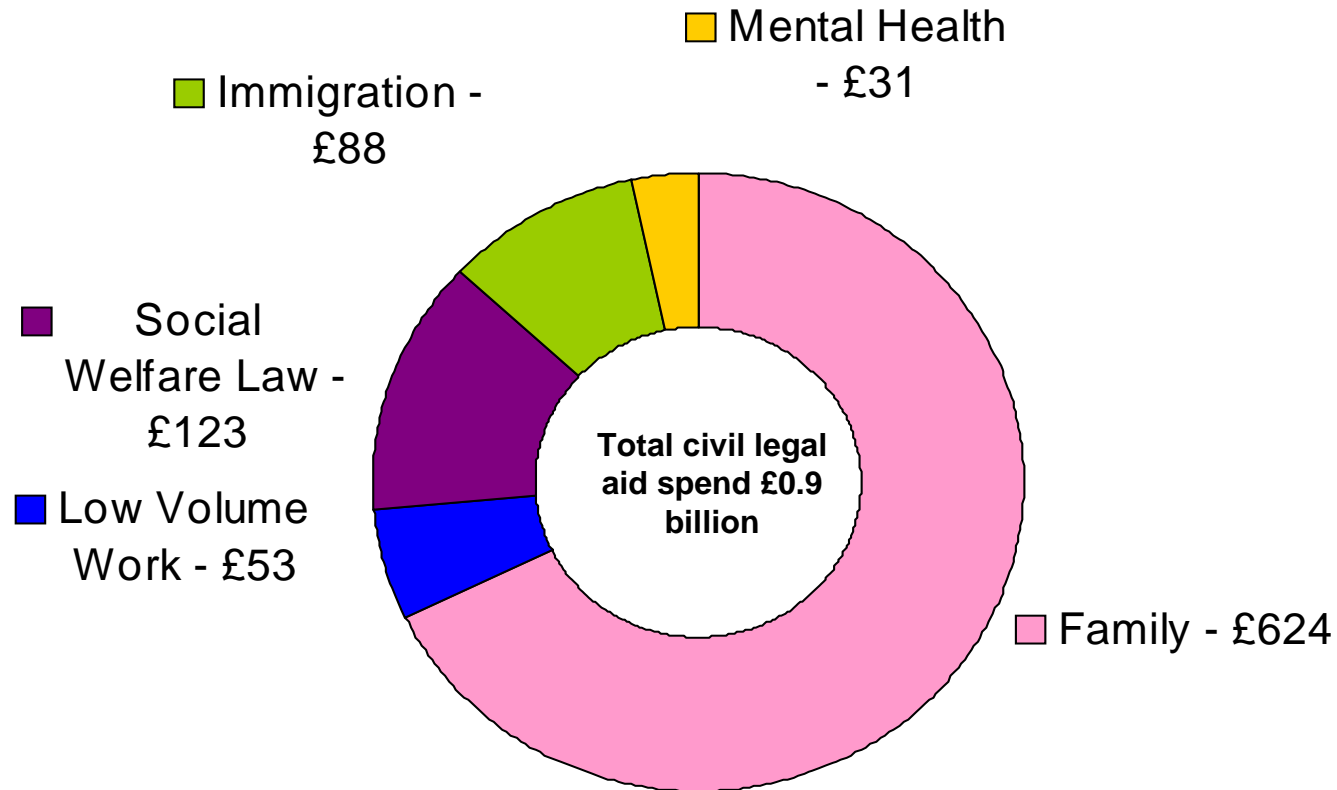
Who qualifies for Legal Aid?

- Granting of legal aid is subject to a means test
- Everyone eligible for free legal advice in police station
- 500,000 people in 2008/09 eligible for Magistrates Court representation
- Piloting means testing in Crown Court – by June 2010 all crown court cases means tested
- 44% of the population eligible for criminal legal aid in Magistrates and Crown Courts
- 37% of population (2008/09) eligible for civil legal aid

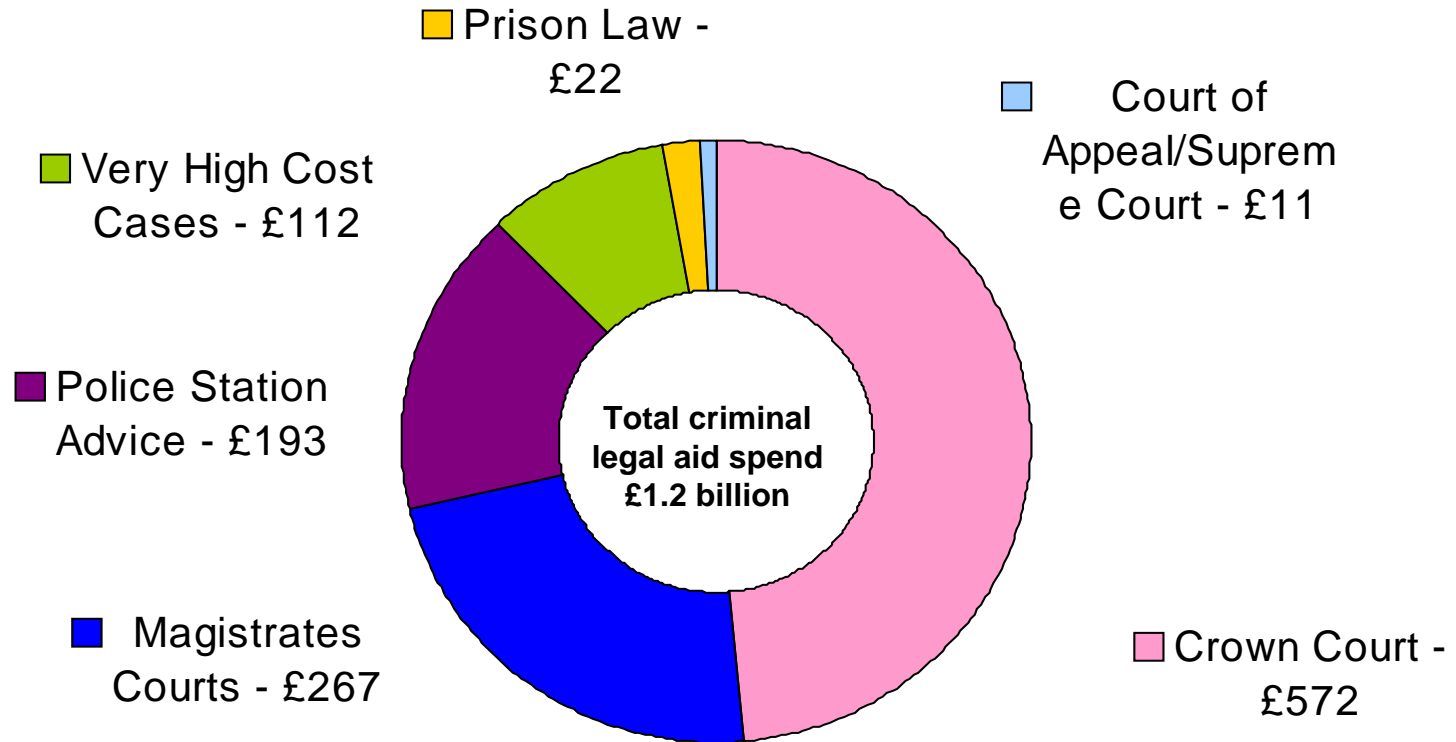
How is Legal Aid spent?

- The £2.1 billion we spend is split between crime and civil
- In 2008/09 we spent around £1 billion in both areas
- Civil spend reduced by about £100m through income such as cost awards

Civil Legal Aid Spend (2008/09) by category (£m)(net)



Criminal Legal Aid Spend (2008/09) (£m)

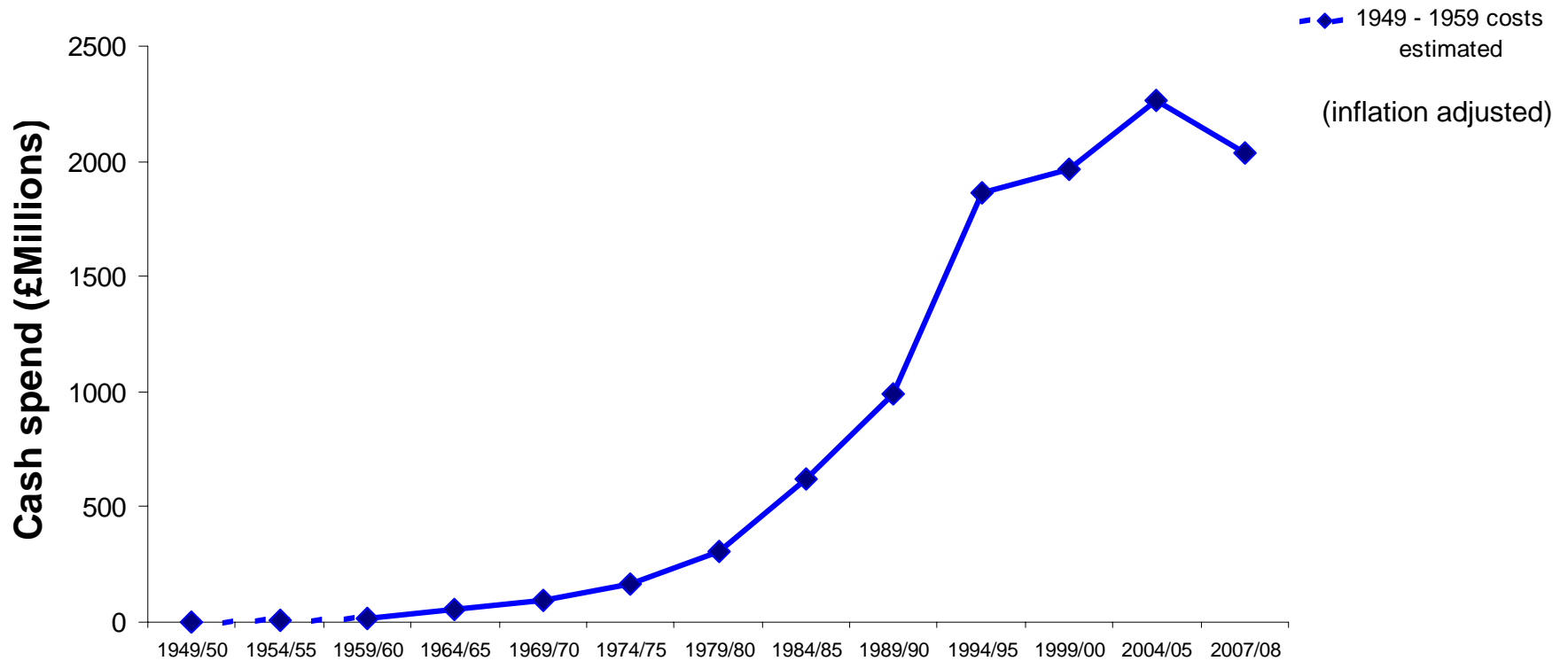


The legal services market

- Market for legal services worth £20 billion
- Our £2 billion spend a significant slice of market
- In 2008/09 around 4,400 contracts between LSC and legal aid providers
- Small reduction in provider numbers over recent years

History of legal aid – key developments

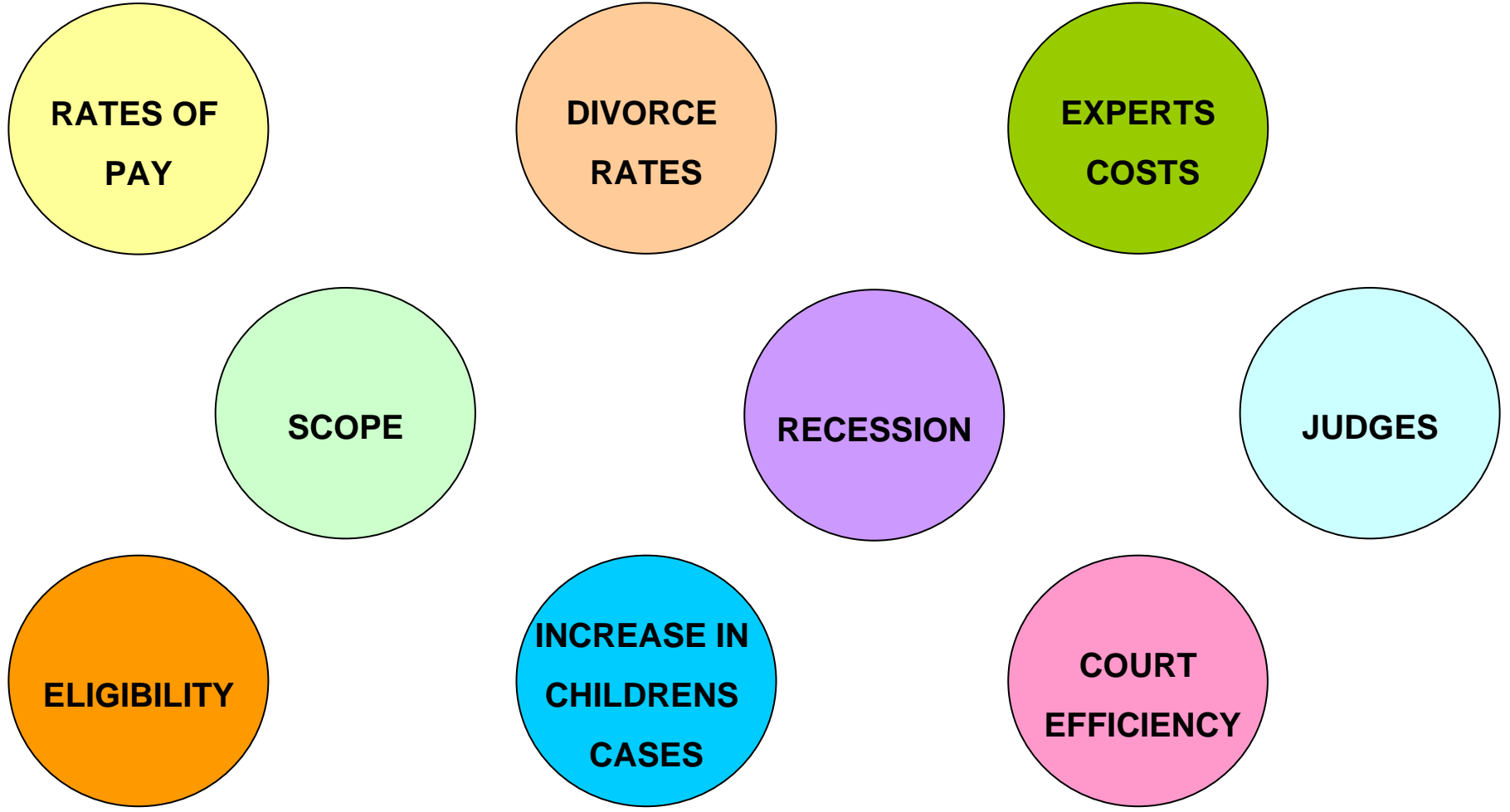
Legal Aid Cash Spend - 1949 Onwards



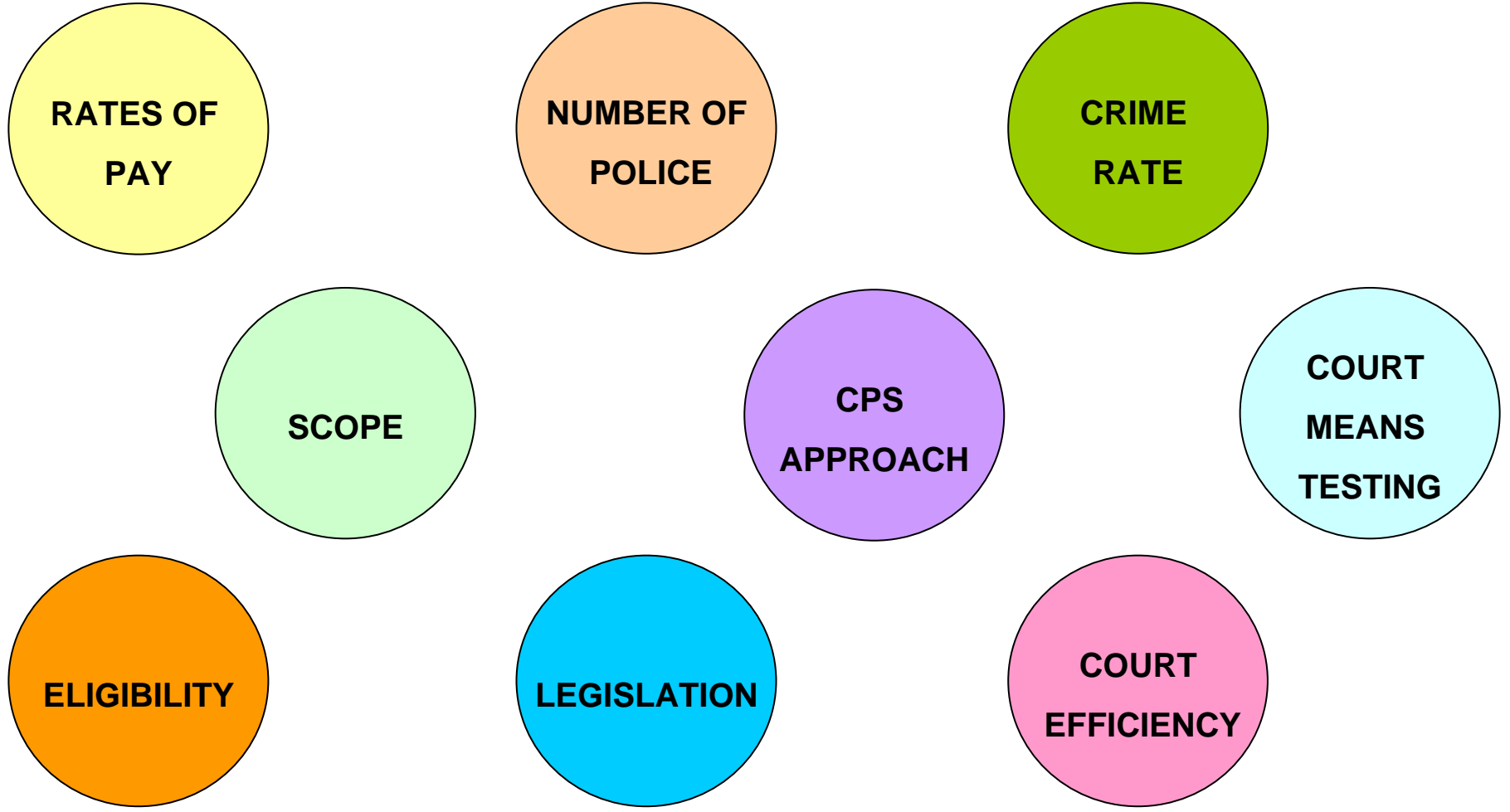
The Reform Programme

- Increasing demands on legal aid budget
- Key projects:
 - Civil & crime 3-year contracts using e-tendering for the first time
 - Introduction of means testing in the Crown Court 2010
 - Family Fees
 - Introduction of fixed fees for prison law
 - CLAC/CLAN programme
 - Quality Assurance for Advocates
 - *Crime Best value tendering*

What drives civil legal aid spending?



What drives criminal legal aid spending?



The Future

- Possible options
- More telephone /web - less face to face
- Lower eligibility levels
- Scope changes
- More price competition



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Questions ?

