

Shelter Evidence to the Statutory Review of LASPO

The impact of changes to civil legal aid
under the Legal Aid, Sentencing and
Punishment of Offenders Act 2012

September 2018

Summary

Britain is experiencing a housing crisis. In 2017/18, there were 109,410 applications for statutory homelessness assistance and 56,580 households were accepted for statutory homelessness assistance: an increase of 28% since 2010/11. Shelter research shows that 43% of households in Britain live in homes which do not meet the Shelter Living Home Standard, a standard developed collaboratively with the British public to define what everyone needs from a home.

The Government has committed to halve rough sleeping in this Parliament and to end it for good by 2027. Its recent Rough Sleeping Strategy¹ put prevention at the heart of its approach, with the focus on providing timely support before someone becomes homeless.

Legal Aid is crucial to prevent and resolve housing issues, including the prevention of homelessness. But changes to Legal Aid have meant that fewer households can get timely advice to enable them to avoid a crisis – by which time homelessness cannot be prevented. An increasingly crisis-driven approach to housing advice in general, and the removal from scope of welfare benefits, and housing benefit in particular, is leaving people to fall through the net. The Government's 2017 housing strategy² identifies that *'high and increasing costs in the private rented sector can impact upon tenants who struggle to pay, and these households are more likely to be at risk of becoming homeless.'* Housing benefit is the main tool to prevent homelessness. The lack of early prevention work adds to the cost and burden of the system, increasing costs to the wider public sector and causing additional, unnecessary distress to individuals and families.

A new survey of Shelter lawyers, conducted in September 2018 (see Appendix), suggests that the LASPO changes and associated administrative changes to the legal aid system are severely compromising our ability to help clients resolve their housing and homelessness problems and secure access to justice, specifically:

- LASPO has made it more difficult for us to help clients resolve their problems
- The reductions in Legal Aid are having a negative impact on our clients' outcomes and taking up unnecessary court time
- LASPO makes it more difficult and time-consuming for us to help people.

From recent analysis and FOIs that Shelter has collated, we have understood the true financial burden of homelessness to local authorities and central government. If we wait until the household has been evicted and applies for homelessness assistance (and ignore the prior costs of eviction including court costs and foregone rent), the cost of processing homelessness applications is £673 in England³. This is dwarfed though by the

¹ [Rough Sleeping Strategy](#), August 2018, MHCLG

² [Fixing our broken housing market](#), 2017, DCLG

³ Public data: Housing expenditure RO4 costs of homelessness administration and homelessness prevention. We have combined the initial assessment and ongoing care into one cost

enormous bill for housing families in temporary accommodation. Based on average length of stays, we have estimated that it costs councils in England £18,688 each time a household is placed in temporary accommodation until the point at which they leave⁴.

If free legal advice and advocacy covered a wider range of housing issues and were available at a much earlier stage, it would be easier for advisers, within Shelter and elsewhere, to help people to negotiate a mutually-acceptable outcome to housing problems with landlords or local authorities, thus avoiding many of the consequential costs – to the court system, local authorities, the NHS and, most importantly, families and individuals themselves.

Last year's Grenfell Tower tragedy illustrates that where residents are worried about disrepair in their homes, it is vital that, assuming that the current Homes (Fitness for Human Habitation) Bill is enacted, they can access free legal advice, advocacy and, where necessary representation, to ensure that they can enforce their rights to a home that meets the fitness standard not only when, but before, it starts to pose a serious risk to health and safety.

Recommendations

Our overall recommendation to the LASPO review is that the scope restrictions in LASPO be substantially relaxed or extended. The end result would be that more people would preserve their homes or be assisted into suitable accommodation when homeless; together with reduced cost to the courts and the justice system; and unquantifiable savings to the public purse arising out of families or individuals keeping a roof over their heads, with all the attendant benefits for the health, education and criminal justice system.

Our specific recommendations are:

- **Restore legal aid for assistance with housing benefit, universal credit or other problems which are relevant to possession claims or which are likely to lead to homelessness**
- **Restore legal aid for matters of disrepair and unfitness, including damages-only claims**
- **Restore legal aid for advice on legal issues concerning the law of housing**
- **Restore legal aid to deal with general debt issues relating to the affordability of residential accommodation**

⁴ Based on average length of being in temporary accommodation (Live tables on homelessness), average weekly cost of temporary accommodation (RO4). Includes housing benefit.

- **Increase legal aid remuneration rates and provide a mechanism for rates to be increased to reflect cost of living/RPI increases**
- **Abolish the risk element in funding applications for judicial review under the Legal Aid (Remuneration) Regulations 2014**
- **Make the means test for civil legal aid easier to apply**
- **Abolish the capital limit for legal aid for people on passported benefits**
- **Reduce the bureaucracy imposed by the Legal Aid Agency and ensure the contract requirements are simplified**
- **The scheme of certificated work needs radical reform**

Introduction

1. Shelter welcomes the opportunity to submit evidence to the Ministry of Justice's review of the impact of changes to civil legal aid under the Legal Aid, Sentencing and Punishment of Offenders Act 2012 ('LASPO').
2. Nearly four million people a year come to us for advice and support via our website, webchat helpline and network of face-to-face services, including 6,395 households whom we saw last year under legal aid contracts. At present we employ over 200 advisers and 40 solicitors to give advice and offer legal representation to the public. Our evidence is concentrated in the areas of housing and homelessness casework and associated matters, in which we have wide-ranging experience. Housing law is complex, and successive governments have continued to add to or amend existing legislation. Consequently, it can be challenging at the best of times for our specialist advisers to advise people on their rights. It is well nigh impossible for individual residents, especially when they have complex needs, to make sense of their situation when trying to preserve their home or on finding themselves homeless.

Shelter Legal Services operate from 16 offices around England and Scotland. We take action under our housing contracts to:

- defend possession proceedings (social and private landlords)
- request review of and appeal against adverse homelessness decisions under ss. 202 and 204 Housing Act 1996
- apply for judicial review of local authorities' refusal to provide temporary accommodation to homeless families

- apply for judicial review of social services' refusal to assist families under the Children Act 1989
- assist young persons and care leavers who are homeless or threatened with homelessness
- provide advice to tenants coping with disrepair which poses a serious risk of harm to their health or safety
- defend applications for anti-social behaviour injunctions and committals
- seek reinstatement and/or damages for those who have been unlawfully evicted

We also have a public law contract at our Islington office.

3. Under Schedule 1 of LASPO, the following areas of housing casework have remained within scope of legal aid:

- loss of home;
- homelessness;
- housing disrepair, but only where there is a “serious risk of harm to the health or safety of an individual or a family member”, and only for the purposes of obtaining an order to carry out the necessary repair works;
- housing-related anti-social behaviour cases;
- claims under the Protection from Harassment Act 1997;
- provision of accommodation in relation to asylum support.

4. Despite the retention of these types of case, very many housing cases are now outside the scope of legal aid. As a result, many people find themselves without access to justice and are unable to enforce their rights. It is a source of enormous frustration to us and other housing providers that we are no longer able to provide advice under Legal Aid on debt and welfare benefit problems and many other housing matters falling short of actual or threatened court proceedings or homelessness (the point at which legal aid may finally become available). Even at the point of threatened homelessness, we cannot use legal aid funding to resolve a housing benefit problem or ensure that the household is getting all the benefits it should, which could prevent homelessness. This undermines Government policy and new legislation on homelessness (Homelessness Reduction Act 2017), which places a renewed emphasis on prevention by requiring housing authorities to assist applicants threatened with homelessness to remain in their homes.

Our experience is that welfare reforms, such as the household benefit cap, the freeze on local housing allowance, universal credit, the ‘bedroom tax’ and sanctions, coupled with maladministration of housing benefit, have led to the increased issue of housing possession proceedings, so that advice and advocacy on enforcing rights to housing benefit are needed more than ever if homelessness is to be tackled.

5. Even if full legal aid is not available for cases of a particular kind, and consequently tenants need to conduct their cases as litigants in person, people need to be able to get advice on what they need to do to bring or defend a claim, how to draft their claims (pleadings) in the way the court expects, what evidence they will need in court, how to comply with court directions etc. Otherwise, the law will fall into disrepute because people who are entitled to a remedy are unable to access it. Rights mean nothing if people are unable to enforce them.

It is evident that the Court Service itself incurs extra costs, as hearings involving litigants in person generally require additional resources.

Legal capability

The overarching policy rationale behind LASPO is that many of those in housing need are deemed to be “legally capable” and, with the assistance of digital or telephone advice, can be expected to pursue their own legal remedies to enforce their rights. Those with experience of providing housing advice, or who have ever been in a situation of housing crisis, strongly dispute this rationale.

Housing law is complex and often impenetrable, as is obvious from the five-volume *Encyclopaedia of Housing Law*.⁵ Even those who are well-educated and articulate find it difficult to present their case effectively when so much is at stake. Ultimately, this involves engaging with the Civil Procedure Rules and drafting court documents in the way the court expects. If this were not enough, people are attempting to cope in circumstances which are among the most traumatic and stressful imaginable, facing the threat or reality of homelessness or living in poor housing conditions, often with dependent children in the household), where there is a palpable imbalance of power. Landlords are invariably in a stronger position because of the lack of security of tenure, and are likely to be represented by solicitor and/or barrister. Local authorities are both providers and decision-makers under the homelessness legislation, and any challenge to their decisions or to the refusal to provide temporary accommodation is in the nature of a public law challenge, whether by judicial review or county court appeal. To suggest that most people can take it upon themselves to assert their legal rights in these circumstances is patently a fallacy.

The reality is that if people are to avoid a housing crisis, they need face-to-face advice, casework and representation. The personal interview enables the adviser to take comprehensive instructions and form a rounded view of the case, to show empathy and generate the client’s trust. The task of probing and questioning the client’s account can be more effectively accomplished in person. The more supportive relationship which develops from face-to-face contact makes clients more willing to accept advice, even

⁵ Published by Sweet & Maxwell.

when it is unwelcome. Techniques of persuasion and explanation can be deployed to ensure that the client follows advice and takes the steps necessary to advance their case. The meeting also enables the adviser to view the documents in the client's possession and to assess what other documents may be required. All this is necessary before the adviser can assess the merits of the case, prepare the court documentation and arrange for the client to be represented in court.

Vulnerable clients, often with multiple and complex needs, have a particular need for face-to-face contact, but in our experience virtually all clients need the personal engagement. It is self-evident that clients who have to go to court unrepresented are at a severe disadvantage. The court is an adversarial forum, and the judge can only adjudicate on the evidence and arguments before him or her. It is only legal aid that enables residents and homeless people to have the semblance of an equality of arms. Legal capability is a dangerous and damaging concept when applied to housing law, where a person's or a family home is at stake.

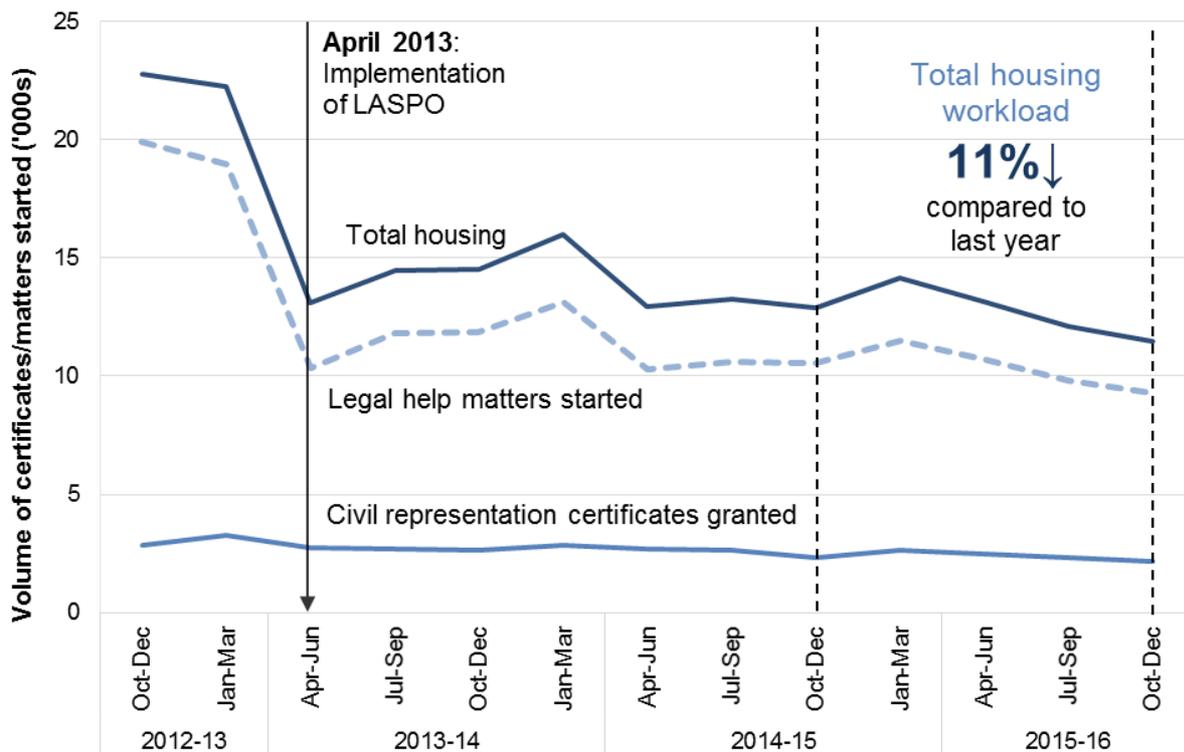
Cost savings?

While superficially LASPO may have produced savings in the legal aid budget, a fuller assessment must be made as to whether the legislation has made savings to the public purse. In fact, as noted below, the effect has been to impose disproportionately greater costs on the justice system and on other public services. Where a household are evicted who, with timely legal assistance, could have saved their home, or where families are compelled to continue living in unfit accommodation, this merely serves to impose further costs on the courts, social services, educational authorities and the National Health Service. Quite apart from the human misery involved, it is evident that the knock-on effects of homelessness and poor housing conditions will be felt by the state, possibly for years to come.

Impact of LASPO

As is shown by the chart below, immediately after the introduction of LASPO, the volume of legally aided housing cases halved between July to September 2012 and July to September 2013. It is unclear where these people are going for advice – or rather, it is clear that they are having to do without the advice they need.

Chart: Workload in housing law, Oct-Dec 2012 to Oct-Dec 2015



Source: MoJ (2016) *Legal Aid Statistics: October to December 2015*

Note: total housing workload calculated using legal help matters started and civil representation certificates granted.

Advice deserts

Despite Government assurances that the supply of legal aid would not be affected by the LASPO changes, it is clear that there are now areas of the country where it is almost impossible to get face-to-face advice.

Research commissioned by the MoJ at the end of 2015 found that, overall, the not-for-profit legal advice sector (if counted by the number of centres providing advice) has

shrunk by over 50% in the ten years from 2005 to 2015 and that 54% of those surveyed were forced to make major changes to their service due to the cuts to Legal Aid.⁶

The MoJ report did not include a geographical analysis of the locations where advice services are available. However, our analysis of the Legal Aid Agency's own data suggests that the map of legal aid providers who provide housing advice in England and Wales looks like this⁷ – leaving large areas of the country woefully under-resourced:



Access to justice cannot be a postcode lottery or depend on whether you have a car to travel long distances to an area with legally aidable advice. It will need concerted action if there is to be any prospect of re-populating the advice deserts. Once the expertise has gone from an area, it will take considerable improvements to attract people into, or back into, advice work. This is due to a range of factors, such as the complex processes of applying for legal aid and conducting legally aided casework, and the fact that legal aid rates have not increased for over 20 years. Providers who have struggled to make legal aid work pay in the past are not going to return to it unless there is a fundamental change of culture in the administration of legal aid.

⁶ MoJ research on advice deserts; <http://www.lawgazette.co.uk/news/legal-aid-cuts-creating-new-advice-deserts/5054789.fullarticle>

⁷ Shelter analysis of Legal Aid Agency data on the prevalence of Legal Aid providers who provide housing advice. Legal aid providers taken from Ministry of Justice, 'Directory of providers: Information about legal aid providers by category of law' Updated August 2018 <https://www.gov.uk/government/publications/directory-of-legal-aid-providers>

By way of example, the solicitor in our Norwich office states:

“This office and two law firms currently provide all the housing legal advice for Norfolk. No one provides for Suffolk, except what we manage to do, and there is one other provider in Essex. We get phone calls from Suffolk asking for assistance, which we only take on when we have capacity. The rest of the time we send them to the CAB or give the client the [Shelter] Helpline number.

We also have clients who live in remote areas of the county and have problems getting to a legal adviser, as they live more than an hour away and can't take a taxi that far. Clients who are unwell or don't have a car and rely on a friend giving a lift struggle to get in to see us. The internet is not a thing in some parts of the countryside either, so signing a client up remotely is hard work, and we take a number of postal applications.”

Impact on Shelter

The cuts in legal aid brought about by LASPO have had a major impact on Shelter. They have led to a 50% cut in funding of over 50% for our legal services from just over £6m, down to just over £2.8m. In March 2013, we were forced to close nine of our services in Rotherham, Ashford, Dover, Milton Keynes, Chester, Gloucester, Taunton, Hatfield and Kendal.

Apart from their effect on Shelter services, cuts in Legal Aid funding have been largely responsible for the closure of many law centres, legal aid private practices and voluntary organisations. Many advice services that have survived do so with much reduced capacity. The increased cost and bureaucracy, coupled with the static legal aid rates, makes it difficult if not impossible to make a legal aid practice pay for itself. This means that even people who are still entitled to legal aid will often not be able to find someone to provide the service they need.

In order to understand more about the impact of LASPO, we conducted a survey of Shelter solicitors. The survey findings confirm that our ability to provide legal advice and representation has been severely compromised by the LASPO changes. See page 25.

A Recommendations: reform of the LASPO scope limitations

Recommendation: Restore legal aid for assistance with housing benefit and universal credit problems which are relevant to possession claims or which are likely to lead to the loss of a home

Welfare benefit problems are now out of scope. This is despite the fact that welfare benefits legislation is highly complex, and that problems arising from this legislation are by their nature likely to affect the most vulnerable people in society. The assumption behind the LASPO changes seems to be that people can deal with their own benefits problems, but this is far from the case. In our experience, most people need not only advice, but active assistance. Housing benefit authorities and the DWP will often not respond in a timely manner to a request to deal with a problem unless it has come from an agency such as Shelter or a Citizens Advice Bureau (CAB).

This problem occurs in its starkest form in situations where people have fallen into rent arrears because they have not received their full housing benefit (HB) or universal credit (UC) entitlement. Where possession action has been taken against tenants on the ground of rent arrears, we are often able to obtain an adjournment of the first hearing to allow time to investigate what has gone wrong with the client's benefits claim. But legal aid is no longer available to fund this work – even though the fact that the tenant is not receiving their full HB/UC entitlement is at the heart of the case. It will be of no avail if the case comes back to court without any progress in obtaining a back payment of benefit, and a reduction in rent arrears. At the least, the court will need to be satisfied that the current rent is being covered by HB/UC, and by the client in respect of any shortfall.

Because legal aid is not available for this work, we find that we are often compelled to use our own limited voluntary income to help clients in this position, to ensure that the correct amount of benefit is in payment (together with any back payment) and enable us to demonstrate to the Court that rent arrears have been cleared or significantly reduced. Where our solicitors need to do this work pro bono, they are at risk of not meeting their billing targets. Our Advice, Support and Guidance advisers may be able to provide some casework support in such cases, at a significant cost to Shelter. Unless there is a local CAB which can offer assistance, there is nowhere to refer people to for expert housing benefit advice. In practice, either we attempt to resolve the problem ourselves or it is not done at all. In one recent case, we recovered £27,000 in housing benefit which gave our client a complete defence to the possession claim against him. However, the representations were very complicated and took many hours of unpaid work. This is not a sustainable situation, as self-evidently we do not have the resource to do this in most cases. There will be many more cases where tenants cannot find any assistance with their benefits problems and are left facing repossession and homelessness, at great cost to both the household and the state.

Where people cannot resolve their benefits problems without assistance, the court will have little alternative but to make an outright possession order (or a suspended order,

which will be enforced if its terms cannot be met). People may and do become homeless needlessly and unjustifiably, all for the lack of assistance in obtaining the housing benefit which is rightfully due to them.

We know that the main trigger of homelessness applications to local authorities is the service of a `section 21' notice by private landlords on assured shorthold tenants. In our experience, although landlords will use the section 21 procedure rather than a ground for possession, they will often be seeking possession on account of rent arrears which are caused by housing benefit problems (including the housing element of universal credit). If homelessness is to be prevented, then the tenant will require help to resolve the housing benefit issue.

So there is a compelling need to bring benefits advice back within scope of legal aid. There is no point in waiting until there is a threat of eviction and imminent homelessness, because all housing-related benefits problems are likely to lead ultimately to eviction, and it is clearly too late when rent arrears have spiralled out of control. General benefit problems, such as sanctions and direct deductions in universal credit claims, are equally a potential cause of homelessness. Solving housing benefit problems at a late stage may not prevent homelessness: the section 21 procedure is a `no fault' claim and the landlord may have decided that he does not want a tenant who cannot ensure regular and prompt payment of the rent.

Recommendation: Restore legal aid for matters of disrepair and unfitness, including damages-only disrepair claims

LASPO has severely limited the availability of legal aid for cases of disrepair. It is now only available for disrepair in relation to the removal or reduction of a serious risk of harm to the health or safety of the applicant or a family member where:

- (a) the risk arises from the deficiency in the individual's home
- (b) the individual's home is rented or leased from another person
- (c) the services are provided with a view to securing that the other person makes arrangements to remove/reduce the risk.

It is also available in relation to a counterclaim in possession proceedings.

Legal aid can therefore only be granted where there is deemed to be a "serious risk of harm to health and safety". Only the work done in obtaining an injunction or order requiring the landlord to remedy the deficiency is covered by legal aid. Legal aid does not cover the client's claim for damages by way of compensation for the disrepair. The government's general approach is that damages-only claims should not be funded by legal aid. While this may be appropriate for some kinds of civil claim, it is inappropriate for disrepair cases, since it allows a neglectful landlord to ignore their tenant's complaints,

aware that (assuming there is no action by the local authority) s/he is not likely to face any adverse consequences.

Before determining whether or not a disrepair case is covered by legal aid, it must first be determined that the disrepair constitutes a “serious risk” to the health and safety of the client or a family member. But there is both uncertainty and a lack of proportion about the concept of “serious risk”. As a result, many people find themselves in conditions which undeniably cause severe discomfort or hardship, but which do not meet the high bar necessary to make them eligible for legal aid. In such cases, people are faced with a choice: attempt to bring their own claim (including the need to obtain an expert’s report) to court as a litigant in person, or continue living in unsatisfactory and unfit accommodation.

If a case is deemed to pose a serious risk to health and safety, legal aid will still only continue for as long as it takes for the tenant to obtain an order compelling the landlord to do the necessary works to fix the problem. At that point, legal aid will end – even though the client’s claim for damages, which is an integral part of the injunction claim, has yet to be decided.

At this point, the tenant has very few options. In a limited number of cases, they may be represented in the damages claim through a conditional fee agreement (CFA). This is only feasible if the tenant is likely to recover costs, which – if the case is or becomes a stand-alone damages-only claim – is only possible if the likely value of the claim is over £10,000 (the financial limit of the small claims track)⁸. In a few cases, the tenant may find a solicitor to represent them under a damages-based agreement (DBA), but this is not feasible where modest amounts of compensation are involved, and where substantial costs, experts’ fees and other disbursements are incurred in obtaining a court judgment. It is difficult, if not impossible, to obtain “after the event” insurance against the other party’s costs in such cases. Only a small minority of tenants can find a solicitor to represent them under either of these options.

The one exception, where tenants can still receive legal aid in claiming compensation for disrepair, is where they do so by way of a counterclaim to possession proceedings (since counterclaims remain in scope). But if the possession claim falls away for whatever reason, the tenant is still left to pursue the damages claim on his/her own.

Prior to LASPO, where court action led to repair works being carried out, legal work could continue to ensure that compensation was paid to clients and (importantly for public funds) legal costs were often paid by the landlord. This resulted in many legal aid disbursements being repaid to the legal aid fund and no claim for costs being made against the fund, so that legal aid acted like a loan or an insurance.

⁸ Subject to the possibility of an order under CPR 26.8 allocating the matter to a different track.

As a result of the LASPO changes, many, if not most, tenants now have to go without any remedy for disrepair. Private sector tenants can turn to their council's environmental health department to consider serving a notice under the Housing Health and Safety Rating System, but this depends on local authority resources, and in any event this would not give rise to compensation. Assistance of this kind from the council is not available to the council's own tenants and housing standards teams rarely investigate cases of disrepair in housing association tenancies.

All we can do in so many cases is advise tenants of the procedure for claiming compensation in the county court, but framing a disrepair claim in the way the court expects is a complex matter. Advice is not enough: tenants need active assistance in bringing such a claim. In most cases they would also need to pay for an expert's report in order to establish the cause and severity of the problem. The level of court fees presents a further barrier to justice, even with the possibility of fee remission in some cases. Without legal aid, it is beyond Shelter's or anyone's resources to provide representation for people who need it in these circumstances.

Recommendation: Restore legal aid for advice on legal issues concerning the law of housing

A further effect of the LASPO changes is that there is no longer any provision for funded advice on the many issues that can arise during the course of a tenancy in both private and public sectors, including:

- Rent problems: such as early advice about the pre-action protocol for social landlords and representation to ensure that landlords comply with it (in our experience, non-compliance with the protocol is an increasing problem); advice about not withholding rent where the landlord is not complying with his/her obligations; making a formal offer of payment in order to stave off a notice of seeking possession; landlord attempting to increase rent during a tenancy; service charge issues.
- Advice on landlord harassment (other than behaviour which falls within the Protection from Harassment Act 1997); right to 'quiet enjoyment'
- Complaints of anti-social behaviour by or against the tenant; noise abatement notices; closing orders; negotiation and ASB contracts; Equality Act issues where behaviour caused by mental illness.
- Rights in relation to specific types of letting: such as rights of secure and assured tenants; service occupiers (people in 'tied accommodation' which goes with their job); people in temporary accommodation; supported accommodation; housing co-operatives; introductory tenancies; 'starter' tenancies; housing association fixed term tenancies; demoted tenancies;

flexible tenancies; Crown tenancies; student lettings; mobile homes, houseboats, etc

- Tenancy deposit issues
 - Multiple issues on condition of property, such as remedies for disrepair; fitness for human habitation; Housing Health and Safety Rating System, including local authority powers to serve improvement notices and prohibition notices; statutory nuisance; procedure for getting injunction to do repairs; compensation/damages for breach of repairing obligations; licensing of houses in multiple occupation; management orders; rehousing under Land Compensation Act 1973; tenants' obligations to keep property in acceptable condition. Impact of the Homes (Fitness for Human Habitation) Bill, when enacted (likely to have effect in April 2019).
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- Issues concerning rights and obligations under the tenancy, such as tenant wishing to leave a tenancy before the end of a fixed term; break clauses; tenant wanting to bring in another occupier to share rent; surrender or assignment of tenancy.
 - Joint tenancy issues: such as one tenant wishing to assign tenancy to the other; one tenant leaving; one tenant trying to give notice to quit; one tenant not paying his/her share of the rent; transfer/re-grant of tenancy to another set of joint tenants.
 - Unfair / oppressive terms in tenancy agreement: such as additional fees for being in rent arrears; fees for the agent or landlord dealing with correspondence; "check-out" fees. Impact of the Tenant Fees Bill, when enacted (likely to have effect in April 2019).
 - Sham agreements: such as pretended licence agreements which are in law assured shorthold tenancies
 - Issues on sharing of accommodation: such as whether a particular letting is a tenancy or licence; lawful and unlawful sub-letting; right to take in a lodger; caretaking a tenancy when the tenant is abroad, in hospital, in prison, etc; effect of the Prevention of Social Housing Fraud Act 2013.
 - Rights of occupier on relationship breakdown – where one or other partner is the tenant, or both are joint tenants
 - Rights of succession to a tenancy on death

- Tenants whose landlords are in mortgage default and who are threatened with eviction by landlord's lender)
- Rights under the Protection from Eviction Act 1977: occupiers excluded from basic protection; squatter/trespassers
- Rent repayment orders under the Housing and Planning Act 2016
- Equality Act issues: preliminary advice concerning reasonable adjustments where a provision, criterion or practice puts an occupier at a particular disadvantage because of a personal characteristic; effect of the public sector equality duty.
- Rights of homeless persons: preventative advice on what a client needs to qualify for local authority duties under Part 7 Housing Act 1996; in particular, whether they qualify for the prevention and relief duties under the Homelessness Reduction Act; the implications of non co-operation with the Personal Housing Plan; responding to offers of accommodation out-of-area; advice on how to present their case to the local housing authority; active support in ensuring that the client is not turned away and that the authority has the full facts of the case
- Allocation of social housing: whether the client qualifies for an allocation of social housing; what priority they have on the housing register; whether homeless persons and others are receiving the 'reasonable preference' that is due to them.

In all the above instances, advice under the Legal Help scheme is not available under LASPO unless there is an actual threat of eviction or (where the issues is disrepair etc) there is a serious threat to health and safety; or in homeless cases, where the client has received an adverse decision from the local authority. It is far better for clients to receive advice at an early stage, so that – in cases which arise from a course of action on their part – they may be informed of the consequences and can, where appropriate, adjust their behaviour accordingly. Importantly, legal aid may be used to obtain expert evidence (eg, from a doctor or surveyor) which may shed light on the underlying cause of the issues and facilitate a non-litigious solution to the issue.

The cornerstone of Government homelessness policy, and of the Homelessness Reduction Act 2017, is the prevention of homelessness. The connection between prevention of homelessness and early advice on tenancy problems is a clear one in all of the issues listed above. Virtually any tenancy problem will ultimately lead to a breakdown of the landlord and tenant relationship and often to eviction if it is not dealt with at an early stage. For those on incomes low enough as to be legally aidable, homelessness is often a serious risk.

There is a huge demand for advice and casework assistance in such matters – assistance

which would previously have been provided under the Legal Help scheme, but now no longer can be. Our Helpline can offer one-off advice on such matters, but cannot do the casework which people need, such as negotiating a resolution with the landlord, warning landlords to cease unlawful behaviour, or drafting particulars of claim for use as the basis of court action.

While many of these cases may be categorised as needing “early advice”, we prefer to regard the need as being for 'holistic' advice on a client's situation. For example, one client's case may involve elements of relationship breakdown, joint tenancy, housing benefit, rent arrears, homelessness and allocations. `Early advice' would be difficult to define and the concept would create its own problems. The essential reform is to extend the current scope limitations to include advice on relevant issues concerning the law of housing and homelessness. It would of course be possible specifically to exclude certain non-priority issues such as the right to buy or certain types of neighbour dispute.

It is essential to have a Legal Help scheme that simply pays for the work undertaken – not one that operates according to the present escape fee system, with its iniquitous rule whereby, if the provider does several hours' work, but not quite enough to reach the tipping point of £471, it receives only £157. We have no doubt whatever that such a scheme would prevent hardship, help to avoid court proceedings and save a great deal of money for the public purse.

Recommendation: Restore legal aid to deal with general debt issues relating to the affordability of residential accommodation

Legal aid is no longer available to enable people to obtain face-to-face assistance in dealing with threats of legal action for debt other than rent and investigating ways of structuring their debts so as to bring them under control. This is significant for Shelter's clients because many people who fall behind with their rent owe other debts – both priority debts (such as council tax and fuel bills) and other non-priority debts such as credit card arrear. It is difficult to assist people to address rent arrears that put them at risk of eviction without assisting with other debts as well.

Legal aid is still available for mortgage debt where there is a risk of the loss of the home. However, in order to obtain funded advice, borrowers cannot turn directly to a solicitor or advice agency of their choosing. Instead they are obliged to contact the 'Telephone Gateway' service, which will consider their financial circumstances and assess whether their problem can be resolved by telephone advice or whether they require face-to-face advice. This creates a further barrier to accessing legal aid where the home is at stake.

Recommendation: The risk element in funding applications for judicial review should be abolished

The Legal Aid (Remuneration) Regulations 2014 introduced a 'risk' element into legal aid payments for solicitors/barristers, on the basis that the Ministry of Justice believed that too many judicial reviews with insufficient merit were being issued in the High Court. The effect of the regulations is that solicitors and barristers will not be paid unless permission to proceed with the judicial review has been granted by the court or, if the case is settled prior to a decision being reached on permission, only at the discretion of the Legal Aid Agency. We are not aware of any review of the operation of these regulations which has shown that they are justified or effective in homelessness cases.

In Shelter's view, this risk element prevents solicitors from pursuing judicial review cases which meet the legal aid merits threshold for fear of the costs consequences. **The risk element creates a deterrent to take on justified claims and should be abolished.**

The majority of Shelter's judicial review cases involve challenges to the refusal of a local authority to accept a homeless application and to provide interim accommodation pending enquiries into that application. In Shelter's experience, most of our 'judicial review' cases settle either following a letter before action or after further correspondence, just before issuing the claim in the High Court. In neither of these scenarios are the local authorities in question under any costs obligation, despite having accepted the arguments that their decisions do not comply with the law and despite the considerable amount of work that has gone into challenging their decision.

We would therefore further suggest that consideration should be given to bringing the Judicial Review Pre Action Protocol in line with the Pre Action Protocol for Housing Disrepair. In disrepair cases, if, following a formal letter before action, the tenant's claim settles without litigation on terms that would have justified issuing proceedings, the landlord will be obliged to pay the tenant's reasonable costs and expenses. A similar approach to costs in judicial review proceedings might make local authorities less disposed to maintain an unlawful decision until forced to concede by the threat of proceedings and result in considerable savings to the LAA budget.

Other scope issues:

Injunctions for breach of tenancy

Legal aid is available to deal with applications for an anti-social behaviour injunction against the individual under section 153A of the Housing Act 1996. However, injunction applications in respect of a breach of tenancy, such as to require the tenant to clean or clear their property or garden, are outside the scope of legal aid. A mandatory, as opposed to prohibitive, injunction is generally more difficult to comply with. Most clients in these circumstances have some form of disability, even if the mental health problem has

not yet been diagnosed. Quite commonly, this manifests itself in a hoarding disorder, which itself is often related to a traumatic event such as bereavement of a partner.

If there is a breach of such an injunction, landlords will then bring possession proceedings and/or committal. Where the application is for committal, they will generally offer the client option of surrendering tenancy so as not to go to prison. It is ironical that if the landlord also seeks an anti-social behaviour injunction, the whole application will be in scope of LASPO. So someone who assaults their neighbour or plays loud music is likely to fall within scope but someone who has not cleaned their house or has hoarded items as a result of disability is not in scope. One of our clients is in her 70s, and has suffered a spinal injury necessitating emergency admission to hospital. She now runs the risk of being sent to prison for breach of an injunction she cannot comply with at a hearing she cannot attend as she is in hospital, and at which she will have no representation.

Harassment and illegal eviction

A tenant who is suffering harassment from a landlord or agent may be able to obtain legal aid to apply for an order prohibiting the landlord from disturbing their 'quiet enjoyment' of their home. However, to do so it is necessary to show that the landlord's behaviour is not only a breach of tenancy, but amounts to a 'course of conduct' under the Protection from Harassment Act 1997 (which is not tailored to the landlord and tenant situation).

Actions for breach of 'quiet enjoyment' (other than illegal eviction) are no longer within scope of legal aid. This is especially unfortunate because the Civil Procedure Rules specifically provide that such claims will not go into the small claims track, whatever their estimated value. Therefore even modest claims should be heard in the fast track, where costs may be awarded against the defendant landlord.

As a result, there are few claims, and consequently many tenants put up with harassment in silence. The situation might be more tolerable if tenants could call upon the assistance of tenancy relations officers (TROs) employed by the local authority to investigate allegations of harassment and unlawful eviction and instigate enforcement proceedings, but only a handful of authorities now provide these services.

Even where illegal eviction is concerned, the position is almost as bad. Although a claim for damages and an injunction are within the scope of legal aid under the 'Loss of home' category, there are now few providers with the capacity to take on such cases, which are time-consuming and can present difficulties of enforcement of money judgments. Few local authorities are prepared to put resources into prosecuting landlords for the criminal offence of illegal eviction, and in practice, the landlord seldom needs to fear a civil claim for damages. One of the unintended consequences of LASPO has been to bring about a situation in which rogue landlords know that they can resort to illegal eviction with impunity.

Exceptional funding

The Government points to the fact that, where a person's case is out of scope of legal aid, funding can be granted as an "exceptional case" under section 10 of LASPO, where failure to provide funding would breach the applicant's EU rights or Convention rights under the ECHR. However, the Legal Aid Agency has granted very few certificates in such cases. The criteria are so stringent that in very few cases of any kind can the applicant be confident of fulfilling the conditions, and the amount of unfunded time required to complete the lengthy application form makes it inevitable that there will be very few applications. It is clear that the exceptional case process makes no meaningful contribution to mitigating the damage to access to justice which has been wrought by the LASPO changes.

B Recommendations: Improving access to the legal aid system

The complexity of the legal aid system makes it difficult to navigate, resulting in a lack of clarity for those seeking to access it and for providers. It creates particular difficulties for those seeking to prove eligibility at points of crisis, and those who are vulnerable or have complex financial situations. It also places a heavy administrative burden on providers, substantially adding to the cost of running a legal aid practice.

Frequent changes in rules and inconsistent approaches on how the regulations and contracts rules should be applied make it extremely difficult for legal aid providers to survive. There are at least 11 different documents governing the practice of legal aid and it is often impossible to find reliable answers to essential questions, with very limited means to seek clarification.

This illustrates the overall impact of LASPO and the reason why many legal aid providers have left the sector, namely, that it has shifted all the risk onto the provider. At the same time, providers are expected to work under a sea of regulation which often fails to provide a clear answer to practitioners' questions.

At the same time, the Legal Aid Agency tends to respond to legitimate requests for assistance with inflexible adherence to its interpretation of the rules, rather than with the discretion that is necessary to achieve justice in the particular case. This attitude is wrong in principle. Legal aid work is difficult and demanding at the best of times. The executive agency should be a facilitator and a partner to its providers, not one which places obstacles in their way and attempts to save money by disallowing costs wherever possible, regardless of the impact on the very disadvantaged people whom we serve.

Recommendation: Increase legal aid remuneration rates and provide a mechanism for rates to be increased to reflect cost of living/RPI increases

It is essential to increase remuneration rates, which have remained the same for over 20 years, and to provide for index-linked increases, in order to create a sustainable model for legal aid providers to maintain services and to establish services in current advice deserts.

Recommendation: Make the means test for civil legal aid easier to apply

Providers need to spend an increasing amount of time obtaining proof of means. In housing and homelessness cases, legal aid solicitors need to assess the client's means as quickly as possible and then immediately get on with examining the merits of their case in confidence that the client is eligible for legal aid. The level of detail required by the LAA is unreasonable.

Many of our cases are emergencies, where we may have to take an element of risk of not being paid if we are to do the urgent work that the client needs. An obvious example is a family facing street homelessness. Although receipt of most means-tested benefits passports people through the means test for income for Legal Aid, they still need to prove that they have capital under £3000 in order not to pay a contribution from their capital towards their Legal Aid. People who are homeless, or facing possession proceedings do not always have easy access to full proof of 'means':

- Clients who are working and receive tax credits sometimes have one item of proof of earnings missing, even though their own testimony about their financial position is compelling.
- Clients who are self-employed, but whose income is low, are unlikely to be offered legal aid, especially in an emergency, because it is too risky for providers to start work without the assurance of funding. Their means have to be assessed by the LAA agency and not the provider, which builds delay and uncertainty into an already urgent situation.
- Clients on a very low income might only have a basic bank account, from which they will find it difficult to get the statements required to evidence their means.

We find that many more clients are now self-employed in the gig economy, on zero hours contracts, and it is often difficult or impossible of them to produce evidence of their means of the kind that the LAA require. Additionally, we are unable to delegate functions in self-employment cases. There have been two recent cases in which clients have lost their home when their legal aid did not come through in time for the court hearing, and so they were unable to file a defence and counterclaim. In one case, the client had already had one adjournment as a result of the problems with legal aid, but he then received continual requests for means evidence, as a result of which his application had still not been granted by the date of the hearing. In the other case, the client was a cleaner on a very low income, but the LAA refused to allow us to delegate functions and the client lost her home as a result. Both clients had potential counterclaims. As a result, homes which

should have been saved were lost, with all the consequent burdens on homelessness services alongside the personal distress of eviction.

Further examples include cases in which adult children living in the household are themselves required to complete full means assessments, and cases concerning destitute clients in which benefactors who have supported the client in the past have been regarded as a possible source of funding for litigation. Questions are sometimes raised about comparatively modest expenditure disclosed on a bank statement. A failure to respond to such enquiries (which are particularly intrusive when a household is or is about to become homeless) may lead to the client's certificate being embargoed at a crucial time in the proceedings, whereupon the provider is unable to do any more work under legal aid until the embargo is lifted. This has the effect that we are often unable to tackle the presenting issue in a timely manner – for fear that the client has not produced, or will not be able to, produce sufficient evidence of their means to satisfy the LAA. The client also would be risking a revoked certificate or not getting the help they need to prevent homelessness.

These demands are often rescinded following complaints, but they are part of a culture of distrust which places an unreasonable burden on people who are often in crisis and prevents providers from carrying out essential legal work on the client's behalf and puts their case at risk.

Recommendation: Abolish the capital threshold for legal aid for people on passported benefits

Asking people who are in receipt of benefits or who are faced with imminent homelessness to produce three months' bank statements in certificated cases before we can assist them can be particularly difficult, particularly if they only have a basic bank account.

Recommendation: Reduce the bureaucracy imposed on legal aid practitioners and ensure the contract requirements are simplified

Housing and homelessness cases are often extremely complex, both in the level of factual detail involved and the legal issues involved. Because of what is at stake, housing casework is always stressful, since the client is facing eviction or actually homeless. We need to be able to get on with analysing the issues as soon as possible in order to provide the help that is needed.

Any delay in preparation of their client's case could prejudice that case or indeed, where time is of the essence, defeat it altogether. Instead we have to navigate the layers of bureaucracy required to obtain Legal Aid, while worrying that payment will be denied or, worse, that we will be out of pocket when we have to pay for Counsel's advice, and/or to pay surveyors, doctors or other experts for their services.

Even when work is clearly in scope, the Legal Aid Agency questions funding. Recently, they challenged all of our Legal Helps for disrepair. In each case there was a clear serious risk of harm, in the form of medical evidence that the disrepair was causing a deterioration in the client's health, but in each case the LAA took the view that the work was out of scope. We won our appeals on all cases, but this demanded a great deal of unpaid work. It is little wonder that some practitioners are so disillusioned by having to argue with the LAA as well as the opponent in the case that they withdraw from legal aid work altogether. There is a real risk that unless the legal aid system in general becomes fit for its purpose, there will ultimately be no housing lawyers left to do this work.

If the process requirements surrounding legal aid were rationalised and reduced, and if guidance were consolidated and streamlined, providers might be encouraged to stay in, or come back into, legal aid work. Providers would be able to take on additional cases, because they could devote the time saved to actual casework rather than to unnecessary administration; and the next generation of housing lawyers would not be deterred from wanting to use their skills to the benefit of disadvantaged people. Legal aid audits should be a genuine assessment of the quality of the work done, not a tick-box exercise. Above all, the Legal Aid Agency needs to trust its providers and not place obstacles in their way.

One specific improvement which should be adopted is to implement a facility for electronic signatures (or equivalent) to be used by providers to sign clients up to legal aid without the current level of cost and risk. This would enable remote work to be carried out more efficiently and will increase access to justice, in particular for those with protected characteristics for whom travel to a fixed location is difficult, impracticable or impossible.

Recommendation: The scheme of certificated work needs radical reform

The scheme of certificated work needs fundamental reform. It should not be necessary for providers constantly to go cap in hand to the LAA in order to justify modest increase in the costs limit. The system should operate on a presumption that a provider will be paid providing a matter is in scope and the client is eligible. There must be an end to LAA practices which seek to deny providers payment for legitimate work. If this does not happen, the diminishing number of legal aid providers will eventually dwindle to none.

Summary

Our overall recommendation to the LASPO review is that the scope restrictions in LASPO must be substantially relaxed or extended. The end result would be that more people would preserve their homes or be assisted into suitable accommodation when homeless; reduced cost to the courts and the justice system; and unquantifiable savings to the public purse arising out of families or individuals keeping a roof over their heads, with all the attendant benefits for the health, education and criminal justice system.

SHELTER
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Appendix

The impact of LASPO on the ability of Shelter Legal Services to provide legal aid funded housing advice (Shelter Research: September 2018⁹)

As a provider of legal aid-funded help and advice, Shelter has a unique insight into the impact of the changes brought about by the Legal Aid, Sentencing and Punishment of Offenders Act (LASPO) 2012.

In order to understand more about the impact of LASPO, in September 2018 we conducted a survey of Shelter solicitors and paralegals, to which we received 25 full responses. This gave us valuable new insights into the ability of Shelter to help people get the legal advice they need to resolve their housing problems. An earlier survey was carried out in April 2016. Some of the questions asked respondents about their experiences since that date, and others relate to experiences in the five years post-LASPO.

The findings below confirm that our ability to provide legal advice and representation – and to prevent homelessness - has been severely compromised by the LASPO changes.

1. LASPO has made it more difficult for us to help clients resolve their problems

Housing and homelessness cases are complex and require advice on a range of issues in order to address and resolve the underlying causes of the client's problem. However, many of these issues – including welfare benefits, most cases of disrepair, debt and social housing allocation decisions - have been taken out of scope of Legal Aid.

85% of respondents have a current case that includes issues taken out of scope of legal aid by LASPO. For example:

Our client CD lacked capacity to manage her finances and was so unwell with schizophrenia she was admitted to the local mental health hospital. Her housing benefit was cancelled during that time because she wasn't able to manage paperwork and finances and hadn't responded to requests for information. Landlord issued possession proceedings while she was in hospital. Needed to challenge the decision to cancel HB and get her HB claim reinstated. A local charity helped the client do the appeal and provided all the paperwork including our psychiatric report on her, and got the HB back in. That local charity has since collapsed and there are now no support workers to do that sort of work.

This is not an unusual situation. In fact, **96% of respondents said that the cases they see in a typical week always or often include issues taken out of scope:**

We are unable to intervene at an early stage, when cases are often capable of resolution without court proceedings which have a very high cost. For example, we cannot make

⁹ Research carried out between 6th and 17th September 2018.

arguments that a client is entitled to succeed to a secure or assured tenancy [until possession action is taken against the client]. This area of law is very technical and we are better equipped to establish whether a succession has taken place than a housing officer. Our arguments were often successful, preventing expensive and stressful court proceedings. Another example of early intervention work which we are not unable to do is work on housing benefit problems. The regulations are now exceedingly complex and it requires legal knowledge to apply them to the facts and work out what the entitlement is. Many tenants are taken to court for rent arrears when they are in fact entitled to housing benefit which would have wiped out or reduced their arrears. Possession orders are made on arrears which should never have existed. People lose their homes because they are unable to identify and rectify housing benefit mistakes.

We used to be able to assist vulnerable people with making homelessness approaches to the local authority - now we can only help once they have approached the authority themselves and have been given a negative response or have been gatekept.

This makes it extremely difficult to provide a service that meets the client's needs. 84% disagreed that they were able to provide the same level of support to the clients they took on as they did before LASPO:

I can no longer support clients with most welfare benefit matters, disrepair or allocation issues. Further, I notice that many problems are much more complex and urgent now when they are referred, due to the lack of early advice available.

No longer able to assist resolve housing benefit issues on rent possession cases. Disjointed service offered as a result. We assist on court duty and state to the court that case needs to be adjourned to enable housing benefit issues to be resolved but by the time case returns to court this has often not been resolved as we are no longer able to assist with this.

Clients do not understand why one person can't resolve all their related issues. We see many vulnerable clients who find it hard to manage paperwork and appointments, because of language barriers, disabilities and mental health issues, for example. It is hard to tell them you cannot resolve everything, just due to the restrictions of legal aid.

We have also had to turn away clients as their case is not in scope for legal aid. 70% of solicitors surveyed have had to turn away someone who came to them for help, because their case was out of scope.

I was approached by an external advice agency this week, asking for help for a young care leaver who wanted advice on his housing allocation from the council. He wanted reassurance that the council's policy was correct and that he was in the correct position on the waiting list. I was not able to take on his case, but I did give brief, one off advice over the phone.

I simply don't have the time to deal with out of scope issues due to sheer volume of clients coming in at crisis point.

The removal of these issues from scope also means that time that could otherwise be spent providing legal advice, is taken up determining which aspects of the case can be advised on under legal aid and which must be referred out to other agencies (where this resource exists).

2. The reductions in Legal Aid are having a negative impact on our clients' outcomes and taking up unnecessary court time

It is clear that an inability to get help for issues removed from scope is damaging our clients' cases. Where previously legal aid solicitors could assist with issues as they arose, legal aid is now only accessible at crisis point: we often first see a client when they are faced with imminent homelessness. **74% of respondents say they often come across a case where the client's issues could have been resolved earlier, had the issues involved not been removed from the scope of legal aid.** By way of example:

My client ZH lacks financial capacity and we could have helped her much earlier to resolve her UC and get the payments sent over directly and worked with her social worker and landlord to fix the problem. Instead, landlord issued ground 8 proceedings and we are battling to get them set aside. We'll win, but it never needed to get to this point with such a vulnerable client.

I constantly have to run possession claims where the reason for the rent arrears is housing benefit mistakes. It is impossible to provide an adequate service and to meet professional conduct obligations and obligations to the client and the court without addressing the housing benefit issues. LASPO has effectively forced solicitors to do this work for free. This is completely unsustainable.

Ultimately, the client needs a holistic service and the issues that are out of scope are often the issues that will resolve the litigation.

Our survey suggests that scope restrictions and assessment issues are have a damaging impact on people's situations and our ability to help them: **68% of responding solicitors agreed that the cases they see in a typical week are harder to resolve than those they saw before LASPO was implemented.**

As stated above, cases are more complex and urgent when they are referred and these cases are usually harder to resolve. For example, a family requiring social services support who have no recourse to public funds and are homeless. I cannot grant emergency legal aid and have to apply on an urgent basis to the LAA, which can take over 48 hours. It is very difficult to get proof of income and the LAA requires bank statements and letters from all friends who have provided even one off cash support, which is often impossible. Any work on a potential JR of social services is frontloaded, but I may not get paid for any of it, if permission is refused.

3. LASPO makes it more difficult and time- consuming to deliver help

Changes in the way legal aid claims are processed and managed have also caused problems. Many solicitors highlighted how their time was increasingly taken up with administrative tasks, rather than providing legal assistance to clients. **68% of respondents said that the day-to-day administrative process of managing a legal aid case had become more difficult.**

The LAA make very harsh decisions when the wrong option has been chosen in error, punishing the solicitor for the mistake by not agreeing to amend the certificate. Their decisions are much harsher and there is no common sense approach to decision making.

CCMS often crashes and it is hard to get through to caseworkers at the LAA. They are much more stringent on what proof of income they will accept.

According to the solicitors surveyed, many clients, especially self-employed and part-time workers, struggle to provide evidence of means, as do people who only have access to basic bank accounts. Clients have to provide all the necessary evidence to claim legal aid, otherwise they need to return with the documentary evidence required – and many give up and don't come back.

70% of respondents said that they had had to turn someone away because they were unable to provide proof of means.

The client had a partner who had a job with an agency for a short time. The wages were shown on the bank statement but the partner could not provide the wage slip. The couple were homeless, vulnerable suffering from physical and mental health problems and they found it very difficult to obtain the requisite proof of income. I had to cease acting for them.

I have to do this regularly, e.g. for those who are self-employed. Many examples can be given, but one is where lady was a self-employed cleaner. She did not have sufficiently good evidence of her earnings for CCMS to allow us to delegate, which meant that we applied on an emergency basis, but this was not dealt with by the time of her possession hearing.

81% of respondents stated that it was now “much more difficult” to find other agencies to help in resolving issues which are outside the scope of LASPO (e.g. specialist benefit advice, disrepair cases outside scope, debt work, etc)

Overall, our research suggests that the LASPO changes and associated administrative changes to the legal aid system are severely compromising our ability to help clients resolve their housing and homelessness problems and secure access to justice.