

WJEC Eduqas GCE AS in
LAW

Component 1 Section B
Access to Justice and Funding
Suggested Activities



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EXAM LEVEL: AS LEVEL

AREA OF STUDY: Access to Justice and Funding

Key Points:

- Learners should be able to explain what is meant by legal funding.
- Learners should be able to explain the role of the Legal Aid Agency and the impact of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.
- Learners should be able to describe sources of funding for both civil and criminal cases, including means testing, merits tests, priority for funding and eligibility criteria.
- Learners should be able to discuss the problems with access to justice and funding and the impact of recent cuts on the availability of justice.
- Learners should be able to explain conditional fee agreements and damages based agreements.
- Learners should be able to discuss the advantages and disadvantages of conditional fee agreements and damages based agreements.

Provides an opportunity to develop the following skills:

- Analysis of data by identifying the key issues and applying the law in order to form a legal argument.
- Analysis, application and evaluation of the legal rules and principles of public and private areas of law.
- breaking down into parts the relevant legal rules and principles for each area of law.
- Evaluation of the law in order to reach a reasoned conclusion.
- Construction of clear, concise and logical legal arguments which are substantiated by legal authority, using appropriate legal terminology.

Suggested Activities:

1. Due to the recent cuts to civil legal aid and the introduction of means testing for criminal legal aid, potential claimants feel that *"The Law Courts of England and Wales are open to all men like the doors of the Ritz Hotel"*.
Facilitate discussion of the meaning of this statement and research as many alternative sources of legal advice and funding as possible. Once a list has been gathered, learners could be an advocate for one of their chosen sources and explain to the rest of the class the role and benefits of their chosen agency.
2. Discuss the extent to which legal needs are met in England and Wales, with reference to the changes brought about by the Legal Aid, Sentencing and Punishment of Offenders Act 2012. Complete the following table:

YES (Legal needs are met)	NO (Legal needs are not met)

3. The Bar Council conducted a report a year after the Legal Aid, Sentencing and Punishment of Offenders Act 2012 was passed:

http://www.barcouncil.org.uk/media/303419/laspo_one_year_on_final_reportseptember_2014_.pdf

Read this report and summarise its findings in relation to legal funding, on a visual aid such as a poster or a Prezi presentation.

4. Conditional Fee Arrangements, or 'no win no fee' agreements were first introduced by the *Access to Justice Act 1999*. They are a private agreement between the lawyer and client which states that an agreed fee will only be paid if the case is won. Following the *Legal Aid, Sentencing and Punishment of Offenders Act 2012*, there are now two types of 'no win no fee' agreements.

Evaluate the advantages and disadvantages of both these types of agreements.