

1949-1999:

- Welfare state
- Demand-led resulted in 'unmet need for legal services'.



Legal Aid Agency

Director of Legal Aid Casework

will take decisions on individual cases.

1999-2012:

- Set budget
- Franchising legal services
- Introduction of conditional fee arrangements
- Administered by Legal Services Commission.

s10 LASPO Act 2012

'Exceptional funding' for cases where a failure to provide funding would breach human rights.

**Contracts:** Only those with a contract with the Legal Aid Agency can do civil legal aid. This introduces competition and improves standards.

Civil Legal Aid

s8 LASPO Act 2012

- Child protection
- Special Educational Needs
- Welfare Benefits
- Domestic violence
- Family mediation
- Clinical negligence in infants
- Loss of home.

These are the priority areas and are all subject to both means and merits tests.

Criminal Legal Aid

s16 LASPO Act 2012

Criminal Advice and representation is delivered through a mixed system which includes the **Public Defender Service** as well as **lawyers in private practice** who have contracts with the Legal Aid Agency.

At the Police Station:

- Defence Solicitor Call Centre
- Criminal Defence Direct
- Police station representative
- Public Defender Service
- Duty Solicitor Scheme – **s13 LASPO Act 2012**.

At the Magistrates' Court

s14 LASPO Act 2012



Legal Aid for Representation in court is only available subject to **means** and **merits** (interests of justice) test.

Other sources of civil legal aid:

Two types of 'no win no fee' arrangements – particularly useful for personal injury cases and for those who do not qualify for civil legal aid. These are private arrangements between the legal representative and their client.

Conditional fee arrangements

Damages-based agreements

WIN	LOSE	WIN
Legal representative gets paid the usual fee, plus an uplift, or success fee.	Legal representative does not get paid.	Legal representative gets paid a percentage of the damages recovered.
		

Other sources of legal funding:

- Citizens' Advice Bureaux** – A free, confidential, impartial and independent service available to the public on the High Street. They offer advice by telephone, face to face, email and home visits.
- Law Centres** – Law Centres work within the community and specialise in social welfare. They employ solicitors who offer free legal advice and representation.
- Pro Bono Work** – This is where lawyers act free of charge for clients. It is a registered charity for people who do not qualify for legal aid but can't afford to pay for their legal costs.
- Trade Unions** – Membership of a trade union will often include legal advice as part of the monthly subscription.