

Patterns of Civil Supply: National findings

July 2009

Background

As part of its remit to improve civil legal assistance and access to justice, the Board monitors the level of supply of [civil legal assistance](#). This includes legal aid, advice and assistance and ABWOR (Assistance By Way Of Representation) related to civil matters. This work on civil supply builds upon a [review of the Board's civil legal aid application data](#), carried out in 2006, by including more spatial analysis of the initial application data at a local level.

Aims and Objectives

The aim of the project was to identify areas that may pose access to justice concerns through analysis of the Board's application data.

There were a number of objectives:

- Provide a current picture of civil legal assistance provision
- Describe recent trends in the supply of civil legal assistance
- Develop potential explanations for patterns of supply
- Identify areas (geography, area of law, applicant group) for potential action research.

This research briefing addresses the first two objectives at the national level; the local authority research briefings address these for individual council areas. The second set of objectives will be addressed in the policy briefing.

Methodology

The Board's data from 2001/02 to 2008/09 was collated, and extensive work on assigning geographic information to outlets and applicants was undertaken. Mappable location data was available for more than 99% of outlets (firms or firm branches submitting at least one application or grant in any given year). For applicants, location data was produced for 94% of advice and assistance cases and 97% of civil legal aid cases. We assigned cases to areas of law matching those used in the [advice sector survey](#). The project was carried out in-house and overseen by a Steering Group drawn from across the organisation.

Analysis was conducted by comparing applicant addresses with outlet location and breaking down the data to 15 areas of law for advice and assistance, or 10 areas for legal aid.

Spatial data produced for the project includes the straight line distance between applicant and outlet location, as well as the proportion of help received from outlets located in the same 'local area' as applicants. A 'local area' is defined by council boundaries in urban regions and by travel to work areas in rural councils. Travel to work areas break up rural regions into smaller areas.

Summary of Findings

In 2008/09, 672 outlets submitted at least one civil legal aid application, with 17,738 applications in total. Of these outlets, most (85%) had done work on family and relationship matters; in contrast, less than 1% submitted an application for discrimination and human rights. The overall number of outlets has declined by -12% between 2004/05 and 2008/09. The number of applications has increased over the same period, by 4%. This reverses the fall in applications compared to the period from 2000/01 to 2004/05, following the [reform of civil legal aid carried out in 2003](#). Of the 10 areas of law, compensation and damages saw the biggest fall during 2004/05 to 2008/09 (-41%), whilst the volume of housing and homelessness applications increased most (88%).

Immigration and nationality applications under civil legal aid had the highest proportion of help received in the local area during 2008/09 (89%), whilst compensation and damages had the lowest proportion of local help (49%). This is reflected in the average distance between outlet and applicant for immigration and nationality (10 km), which was the shortest of the areas of law, with cases for discrimination and human rights having the greatest distance (65 km). Overall, the gender split of applicants was 56% female and 44% male in 2008/09. In that year, discrimination and human rights applicants were most likely to be male (75% male), whilst applicants for protective orders were most likely to be female (73% female). The average age of applicants overall was around 38 years old: the average age was highest in the mental health welfare and adults with incapacity category (53 years old), lowest for immigration and nationality (30 years).

In 2008/09, 782 outlets made at least one grant of civil advice and assistance, with 93,813 grants in total. Of these outlets, most (82%) had done work on family and relationship matters, whilst only 8% made a grant relating to discrimination and human rights. The overall number of outlets has declined by -26% between 2004/05 and 2008/09. The number of grants has also declined over the same period, by -27%.

The overall rate of decline for outlets and grants

has remained stable, compared with the period from 2001/02 to 2005/06. The [reform of civil advice and assistance in May 2007](#) abolished the minimum fee arrangement and introduced: the need for the Board to see evidence of the client's financial eligibility; and, a diagnostic interview for certain areas of law, only one interview being permitted every 3 months, with the aim of reducing the number of multiple grants per person. This has led to anticipated and substantial reductions in grants for cases within the following areas of law: benefits and tax credits; debt, money and tax; and housing and homelessness issues. Of the 15 areas of law, education has fallen the most rapidly from 2004/05 to 2008/09 (-48%), whilst grants relating to mental health welfare and adults with incapacity have risen fastest (85%).

Grants for benefits and tax credits cases had the highest proportion of help received in the local area during 2008/09 (96%), whilst discrimination and human rights showed the lowest proportion of local help (44%). This is reflected in the average distance between outlet and applicant for benefits and tax credits, which is the shortest of the areas of law at 4 km; with discrimination and human rights cases having the greatest distance of 68 km, in 2008/09. Overall, the gender split of applicants was 53% female and 47% male. The proportion of male applicants was highest for discrimination and human rights (85% male), but lowest for protective orders (28% male). The average age overall was 37 years old, with applicants facing consumer problems the oldest (47 years old), and those for immigration and nationality the youngest (30 years old).

Further information

Supply data will be refreshed and reported to the Board every six months, in order to help monitor civil supply at both the national and local level.

This research briefing and other national and local results can be accessed on our website http://www.slab.org.uk/about_us/research. If you would like further information please contact John Osborne, Policy Development Officer tel 0131 226 7061 or email OsborneJo@slab.org.uk.



Civil legal aid datasheet

Applications in Scotland

	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009	% change 2004/05 - 2008/09
Compensation and damages	2599	2460	1691	1249	1542	-40.7%
Consumer problems	41	91	93	67	84	104.9%
Debt, money and tax	666	649	564	606	560	-15.9%
Discrimination and human rights	0	4	6	4	12	-
Family and relationship matters	8879	9046	9186	8661	9544	7.5%
Protective orders	1906	1543	1357	1159	1277	-33.0%
Housing and homelessness	886	1279	1271	1491	1662	87.6%
Immigration and nationality	0	370	247	330	397	-
Mental health welfare and adults with incapacity	0	293	680	955	1353	-
Other	2017	1121	1193	1337	1307	-35.2%
Overall	16994	16856	16288	15859	17738	4.4%

Selected indicators

	2008/09 % help locally ¹	2008/09 distance between applicant and outlet (km)	Outlets	
			Number of outlets in 2008/09	% change 2004/05 - 2008/09
Compensation and damages	49.3%	25.3	257	-41.2%
Consumer problems	66.7%	14.0	60	93.5%
Debt, money and tax	74.5%	10.4	242	-17.4%
Discrimination and human rights	50.0%	62.5	6	-
Family and relationship matters	78.5%	10.2	574	-16.1%
Protective orders	80.6%	9.8	334	-21.6%
Housing and homelessness	79.5%	9.8	277	8.6%
Immigration and nationality	88.5%	9.6	29	-
Mental health welfare and adults with incapacity	63.7%	16.7	245	-
Other	67.1%	29.2	303	-29.5%
Overall	74.3%	13.5	672	-12.2%

Notes

¹ "Help locally" means that the outlet and applicant are within the same local area.

"nil" means that no cases with distance information are available

Civil advice and assistance datasheet

Grants made in Scotland

	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009	% change 2004/05 - 2009/09
Benefits and tax credits	7913	7623	7936	6580	6975	-11.9%
Compensation and damages	12637	10071	8061	7087	7431	-41.2%
Complaints and claims against professions	2688	2213	1724	1434	1498	-44.3%
Consumer problems	513	515	401	737	703	37.0%
Death related matters	3314	2999	2663	1961	2176	-34.3%
Debt, money and tax	11889	11325	9871	7473	8008	-32.6%
Discrimination and human rights	471	395	185	157	255	-45.9%
Education	393	298	300	176	123	-68.7%
Employment	3128	2724	2264	1737	2254	-27.9%
Family and relationship matters	36619	33861	32296	27749	30027	-18.0%
Protective orders	9059	7468	6386	4945	5068	-44.1%
Housing and homelessness	11245	10378	9193	7432	7886	-29.9%
Immigration and nationality	8287	8145	8140	7842	7732	-6.7%
Mental health welfare and adults with incapacity	2348	2883	3617	4179	4155	77.0%
Other	18381	17155	15969	10357	9522	-48.2%
Overall	128885	118053	109006	89846	93813	-27.2%

Selected indicators

	2008/09 % help locally ¹	2008/09 distance between applicant and outlet (km)	Outlets	
			Number of outlets in 2008/09	% change 2004/05 - 2008/09
Benefits and tax credits	95.7%	3.8	287	-36.1%
Compensation and damages	64.6%	19.1	483	-34.7%
Complaints and claims against professions	68.3%	19.1	285	-27.3%
Consumer problems	82.2%	8.3	216	-6.9%
Death related matters	84.7%	7.9	399	-30.2%
Debt, money and tax	86.7%	6.4	517	-30.3%
Discrimination and human rights	44.0%	68.0	63	-28.4%
Education	63.2%	17.6	73	-62.2%
Employment	78.6%	8.3	318	-37.9%
Family and relationship matters	80.8%	8.5	635	-25.4%
Protective orders	83.9%	7.8	476	-29.7%
Housing and homelessness	84.8%	8.4	493	-29.8%
Immigration and nationality	77.8%	16.1	105	-36.7%
Mental health welfare and adults with incapacity	48.0%	32.4	321	7.7%
Other	78.3%	15.3	614	-29.5%
Overall	79.5%	11.6	782	-26.2%

Notes

¹ "Help locally" means that the applicant and outlet are in the same local area

"nil" means that no cases with distance information are available