

Legal aid is the last line of defence

Legal aid is the only shield in the armoury for the vulnerable. Without it, justice will be eroded



- **Helen Grant**

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Since its introduction in 1949, legal aid has sought to provide access to justice for those of limited means and has remained a defining and essential feature of our democracy. But is that about to change?

Costing £536m in 1982, the budget has spiralled to over £2bn today, and I agree that this money should not be ringfenced from our government's attempts to rectify the astonishing financial deficit it inherited. Nevertheless, as civil liberty is to the freedoms of our nation, civil legal aid is to the protection of its citizens. For some of our most vulnerable people, it is the only sword and shield in their armoury. We must wear kid gloves when handling this delicate aspect of the public pot if we are to protect legal aid's *raison d'être*.

The coalition government's green paper – to be debated today – seeks to remove £350m of funding from family and other civil law by 2014. This is a reduction of more than a third and will affect an estimated half a million cases. The expectation is that people should now represent themselves, or seek alternative routes for resolving disputes outside the court service. I have been a legal aid solicitor for over 20 years, establishing my own firm specialising in family and social welfare law and looking after some 14,000 clients. My firm continues to work in partnership with citizens advice bureaux, law centres, not-for-profit (NFP) organisations and charities in the south-east, and I remain in personal contact with many of them. They tell me that the predicted increase in volume and complexity of cases will be both unmanageable and unsustainable, even under existing funding arrangements. This will only be exacerbated by the forthcoming reductions in their own legal aid funding and other cuts in revenue from local authorities, charitable donations and central government grants.

These proposals could be the straw that breaks the camel's back, effectively dismantling an established infrastructure which achieves an amazing amount with very little. What a waste.

NFP doesn't mean: "No funds, please" – they need cash just to stand still, let alone absorb the fallout from the legal sector.

Over the last three decades the distance between the haves and have-nots has increased, and our society has weakened due to the demise of the family unit and the rise of the benefits culture. These are ailments that will take some time to cure; but to stem the flow of legal aid while we are in such a critical condition, amid a stifling recession, could prove devastating.

Experience shows that members of the public are not well-equipped to represent themselves on a legal stage. Technical issues of law and procedure aside, it is virtually impossible to maintain composure and focus when you yourself are the subject of litigation. Further, self-representation will most likely fall to those least capable of planning or articulating their case. And let us be clear about who these cuts will affect: a third of legal-aid clients who have received advice on debt, and a staggering two-thirds of those needing advice on benefits, have an illness or disability. It cannot be right that those most in need of support are left without it.

I remain mindful of the justice department's duty to tackle its budgetary burdens, but this goes beyond its remit. It is also about families and society. Our country's financial health is a priority, but not at the cost of basic social justice. Perhaps we should be thinking more laterally and look to other government departments to share the responsibility.

The British taxpayer has spent many billions on the defence of our democracy in Iraq and Afghanistan. We must ensure we protect those most vulnerable here at home and treat this debate with the care it deserves.