

Comisiwn
Cydraddoldeb a
Hawliau Dynol

Equality and
Human Rights
Commission

Access to Justice

Legal Advice Deserts in Wales

Angharad Price
Legal Principal Wales
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equalityhumanrights.com

Topics I will cover



- **What is the Equality and Human Rights Commission?**
- **Research on lack of discrimination advice and legal aid**
- **What are we doing about advice deserts?**

The Commission is:

- Catalyst for Change
- Information provider
- Influencer
- Evaluator
- Enforcer



The Commission was:

- Established in 2007 as an Independent organisation working across Great Britain
- To promote, protect and enforce equality
- Regulate the Equality Act 2010
- Promote and protect human rights
- Wide range of powers and duties



Disproportionate Impact of Covid-19

- Older people in care homes are not provided with sufficient protection or support
- Covid-19 has a disproportionate impact on BAME population
- Disabled people are unable to access essential services
- Domestic violence increases
- Workers face discrimination, particularly women and those in gig economy
- Predicted GCSE and A Level results this year are unfair to some groups; SEND children are not supported during school closures
- Human rights are not protected at a time of restrictions to civil liberties; long term implications of coronavirus





Is Wales Fairer?

The state of equality and
Human rights 2018

Is Wales Fairer? 2018

- **There have been a number of court and tribunal closures in Wales in recent years. There are concerns that these closures have created geographical barriers to people's access to justice, especially among people living in rural areas and those with mobility-related conditions.**
- **Reduced financial support through legal aid and the use of tribunal fees have created a negative effect on people's access to civil and criminal justice.**

Advice Deserts – research

- **Snakes and Ladders Research – 2003**



“Advice provision in Wales is fragmented, disjointed and sparse, with few trained and experienced specialists in this complex area of the law. Access to the available specialist support is ad hoc and more akin to entering a lottery than subscribing to a formalised system of support. It is the few, and only those well-equipped, who are using the system, but even for them the pathways are complex and the obstacles are many.”

Advice Deserts

2018 Research report looked at the impact of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) since it came into force in 2013.

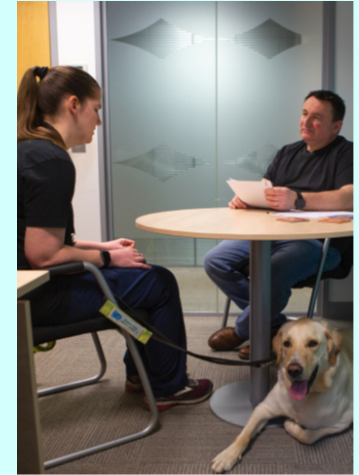
LASPO introduced funding cuts to legal aid and resulted in fewer people being able to access legal advice and representation.



Advice Deserts

June 2019 – Inquiry into access to legal aid for discrimination cases report published.

It reveals that people are facing unnecessary barriers to justice and vulnerable individuals are not being supported to bring discrimination claims. It also examines the effectiveness of the mandatory telephone gateway and makes recommendations to government.



Advice Deserts



October 2019 – Commission on Justice in report published

“We have unanimously concluded that the people of Wales are being let down by the system in its current state.”

“The criminal legal aid expenditure of £36 million in Wales in 2018-19 equates to £11.50 per head of population; the equivalent figure in England was £15 per head.”

Rapid Review of Legal Sector in Wales

Advice Deserts



March 2020 and June 2020 – Inquiry into Inclusive justice: a system designed for interim and final reports published

Inquiry to understand the experiences of disabled defendants and accused people in the criminal justice system. We looked at:

- whether the their needs are properly identified
- the types of adjustments being made to accomodate their needs, and
- whether they can fully participate in court processes and understand the charges they face.

What can you do for disabled parties or witnesses?

- Identify if they need reasonable adjustments not just by asking them but looking for signs they are having difficulties.
- Ask for adjustments to be made
- Tell us or others if you have concerns that adjustments are not being made.



What are we doing about it?



- Transfer of Expertise work to increase discrimination advice in Wales
- Policy work influencing Welsh and UK Government
- Strategic Litigation
- Resources for advisers and advisers helpline –
029 2044 7790 legalrequest@equalityhumanrights.com



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Thank you

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