

COMMUNITY LEGAL SERVICES: CURRENT DEVELOPMENTS IN SCOTLAND

Colin Lancaster
Head of Policy and Planning
Scottish Legal Aid Board

This paper outlines several parallel developments currently underway in Scotland as part of a programme of work to develop policy on community legal services¹. This programme has been established by the Scottish Executive (the Executive) and is being taken forward by the Executive and the Scottish Legal Aid Board (the Board). The paper focuses on three main aspects of this work: a research programme, including a review of the advice and assistance scheme administered by the Board; the development of pilot partnerships for the local strategic planning of provision; and the operation of pilot projects involving community-based lawyers employed by the Board.

BACKGROUND

In May 1998 the UK Government, through the Scottish Office, published "Access to Justice Beyond the Year 2000" - a consultation paper on civil legal aid. The consultation paper covered a range of issues: community legal services; the means and merits tests for legal aid; mediation and legal aid; contributions and the recovery of expenses; alternatives to legal aid; value for money; and extension of a Code of Practice and registration of solicitors providing civil legal assistance.

There was something of a lull in activity following the consultation as the Scottish Executive – Scotland's post-devolution administration - established its priorities. In October 2000, the Justice Minister established a Working Group to consider how a 'community legal service' might be developed for Scotland. The Group's overall aim was to examine how access to justice in Scotland might be improved and how a more effective country-wide network of advice provision could be created.

WORKING GROUP

The Working Group, which was chaired by the Executive, first met in December 2000 under the title of the Review of Legal Information and Advice Provision in Scotland (ROLIAPS). Group membership was drawn from a wide range of organisations with an interest in the provision of legal advice and the needs of users including:

- Scottish Legal Aid Board
- Citizens Advice Scotland
- Equal Opportunities Commission
- Commission for Racial Equality
- Disability Rights Commission
- Convention of Scottish Local Authorities
- Law Society of Scotland

¹ The term 'community legal service(s)' is used throughout the paper as shorthand for the policy area under consideration. This should be unproblematic for an international audience, but domestically care has to be taken to emphasise that this does not mean that the Scottish Executive (the devolved administration for Scotland) intends to adopt the policies developed for application in England and Wales by the UK government.

- Money Advice Scotland
- Shelter (a national housing charity and advice-provider)
- Scottish Consumer Council
- Scottish Association of Law Centres
- Faculty of Advocates
- Federation of Information and Advice Centres

The remit of the Group was to examine how to develop a community legal service in Scotland and to report to the Minister for Justice with proposals for how such a service could be established. Early meetings of the Group included considerable discussion about what the concept and purpose of a community legal service should be, who it should be for, what its scope should be and what legal services should be included within a community legal service framework.

A research study was commissioned to give the Group a detailed picture of perceived need and accessibility of legal advice and assistance within distinct urban and rural localities to allow comparison across areas with different geographical profiles. The research results helped inform the recommendations of the ROLIAPS Group. They can be accessed at www.scotland.gov.uk/cru/kd01/blue/ppal-00.asp.

Subgroups were tasked with providing more detailed thinking on four different areas that were important in the provision of effective advice. These subgroups covered:

- Delivery
- Referral
- Quality
- Funding

The Working Group reported on 26 November 2001. The full report and some of the working papers of the Group can be accessed at www.scotland.gov.uk/justice/legaladvice/.

REPORT OF THE WORKING GROUP

The ROLIAPS Group concluded that there were a number of existing barriers and shortcomings in the provision of legal advice and information which should be addressed if we are to provide better access to justice for the people of Scotland. The Group did not propose a blueprint for a community legal service but focused on a number of key recommendations; gave a clear diagnosis; set out useful principles and guidelines and suggested a number of avenues for further work.

The further programme of development work suggested by the ROLIAPS Working Group had three strands:

- a programme of research
- need and supply mapping, both locally and nationally
- the establishment of pilot partnerships based in different geographic areas in Scotland

The aim of this work is to provide Scottish Ministers with the information they need to take strategic decisions on the provision of legal advice services in Scotland with the ultimate aim of improving access to justice by creating a more joined-up, quality assured network of information, advice, assistance and representation.

CURRENT DEVELOPMENT WORK

RESEARCH PROGRAMME

The first strand of further work has been taken forward by way of a '*Review of evidence to inform further work on developing legal information and advice provision in Scotland*', which was commissioned by the Executive in September 2002 and is currently underway. This review covers:

- a scoping survey of the role of non-lawyers in the delivery of legal advice
- the available evidence on delivery of services using IT and outreach approaches
- existing standards and quality assurance schemes in use by providers of legal information and advice in Scotland
- the operation of contracts for the delivery of legal services by the Legal Services Commission as part of the Community Legal Service in England and Wales.

The final report of this Review is currently in preparation.

An additional aspect of the research programme is a review of the advice and assistance scheme administered by the Board. The advice and assistance scheme allows solicitors to advise clients on any matter of Scots law and to represent them in certain limited proceedings. Although solicitors must revert to the Board for prior authority to exceed pre-determined levels of expenditure, there is in theory no limit to the level of help that may be provided to the client. Thus the cost of a case under advice and assistance can vary from just over \$40 (the 'minimum fee') to many thousands of pounds, with the average for civil matters falling at around \$250 (although there are wide variations in the averages for different areas of law).

Advice and assistance can only be provided by a solicitor (although the Board will also meet the cost of counsel where required): non-solicitor agencies cannot access the scheme. The ROLIAPS group was keen that a review of advice and assistance should be included in the 'next steps', as the scheme represents a significant source of funds for advice of the kind provided by many non-solicitor agencies. As such, it was important that the scope of the scheme be considered in developing proposals for community legal services.

There were almost 332,000 grants of advice and assistance in 2001/02. Of these 158,000 related to advice on civil matters and a further 4,000 civil matters were dealt with under assistance by way of representation, otherwise known as ABWOR. The remaining 170,000 grants related to criminal matters. A very wide range of subject matters is covered by the scheme, from benefits and criminal injuries compensation to personal injury and judicial review. The total cost of this provision in 2001/02 was just under \$50 million, of which just over \$31 million related to civil matters.

Advice and assistance was originally introduced in 1972. Clearly, as the needs of society have changed, so has usage of advice and assistance: in 1975, it was used only 30,000 times in Scotland. As well as the increase in volumes, the scope of advice and assistance – and particularly ABWOR – has also changed. For example, only fairly recently has the availability of ABWOR been extended to employment tribunals in certain circumstances and to immigration adjudicators and the immigration appeal tribunal.

Despite this expansion, there has been little real analysis of the use of advice and assistance, how it operates in practice or whether it offers value for money. In some ways, it is

misleading to talk of advice and assistance as a single scheme. In our annual report, the Board presents separate figures for civil and criminal advice and assistance and civil and criminal ABWOR. We also break down each of those categories by broad subject matter. However, both within and between categories there is likely to be great variation in the kinds of services solicitors are actually providing for clients.

For example, 20% of civil advice and assistance accounts are paid at the minimum fee level of \$40. Typically, \$40 would allow half an hour or so to be spent with a client, or a solicitor to write a short letter on a client's behalf following an equally short initial meeting. For \$40, the solicitor may be able to resolve the client's problem, or provide advice on the best route of self-help for a client, or indeed reassure the client that no further action is necessary. The nature of the service provided in such a case is clearly different to that provided in a case that costs over \$350. That is not to say that one level of service is more legitimate than another, but simply to suggest that it might be unhelpful to think of everything done under advice and assistance as being equivalent in terms of the type of solicitor input required or the outcomes achieved for clients.

Nor can one assume that the structure of advice and assistance is equally suited to the different types of service it currently incorporates. For example, the technical requirements of ABWOR contained in the legal aid legislation do not necessarily sit well with the asylum process. However, the issues that affect the asylum process may not be so relevant for other subject matters, or types of service.

Because of this great variation within advice and assistance, we are currently conducting a review that will help us understand the way the scheme operates. The ROLIAPS group suggested that this review consider the scope and structure of the present scheme, as well as a number of funding issues. These referred to the scope for advice and assistance to be free at the first point of contact and the way in which the current eligibility and contributions structure operate. In addition, the Board wanted to be sure that the system was operating as effectively and efficiently as it could and that it was achieving value for money.

The analysis has a number of strands. Firstly, we are looking more closely at the range of subjects on which advice is given. Secondly, we are exploring the different levels of service provided, ranging from one off advice, to full blown casework, including representation, to the preparation of cases leading to an application for civil legal aid, or the negotiation and settlement of claims to avoid the need for court proceedings. This goes beyond statistical analysis to an examination of detailed accounts or case files. This will help us understand what solicitors do for their clients in practice and go some way to establishing the extent to which this differs from the service provided by non-solicitor advisers, many of whom will serve the same client groups and provide advice on the same subjects and to a similar level.

Thirdly, we have surveyed solicitors' clients to explore their experiences of advice and assistance. The postal survey was issued to 2,750 recipients of civil advice and assistance. 407 completed responses were received, broadly in line with our expectations.

The research found that overall satisfaction was high; 58% of respondents were 'very satisfied' with their experience of receiving advice and assistance, and a further 26% were 'fairly satisfied'. However 7% (31 people) described themselves as being dissatisfied.

More specifically, the majority of respondents felt that advice and assistance had a positive impact on both their understanding and the outcome of their problem. 86% felt they

understood a 'lot' or a 'little' more about legal and other solutions to the problem, whilst 71% stated that receiving advice and assistance had made their problem a 'lot' or a 'little' better.

Respondents were given a selection of aims that they might have hoped to achieve through advice and assistance, and were asked which ones applied to them; they were able to select more than one.

- 50% wanted to 'obtain information about my legal rights',
- 49% hoped to 'have someone help me solve the problem',
- 48% felt they wanted to 'obtain advice about ways to solve the problem',
- 36% aimed to 'find someone to solve the problem on my behalf'.

In each case, the majority of people were successful in achieving these aims. Those who originally hoped to obtain information about their legal rights were most successful (83% achieved this) compared with 66% who found someone to help them solve the problem. However, even where respondents did not achieve their original aim, most managed to achieve something through their experience of advice and assistance.

One of the most common problems mentioned by respondents related to lack of information. Respondents were asked about the amount of information provided on various aspects of advice and assistance at their introductory meeting. Although the majority of respondents thought that they had been given the 'right amount' of information, 19% of respondents (almost one in five) thought they were given 'too little' information on 'what would and would not be provided under advice and assistance' and 'how much the case might end up costing [them]'.

When asked generally how the advice and assistance scheme could be improved respondents also mentioned a variety of issues relating to information provision at all stages of the process. However the most common responses overall were 'it could take less time' and 'to have been treated better/ the same as those who pay for it themselves'.

Overall then, satisfaction with the experience of civil advice and assistance was high, with the majority of people achieving their aim(s). However, there are some issues regarding lack of information or lack of awareness. Whilst the majority of respondents felt well-informed there were various general and specific aspects of information that they felt could have been improved upon. Conversely, even where respondents felt that they were well-informed, there were areas where there appeared to be some confusion, specifically in relation to financial issues.

Some of the aspects where respondents wanted to see change, such as those relating to information on costs or eligibility, could be addressed by the Board, in conjunction with those who provide the information directly to the client (solicitors, or more general advice agencies). Other issues such as increased contact from the solicitor cannot be addressed by the Board; they are really a matter of client care for the individual firm. There may also be a case for managing client expectations, informing them at the outset regarding the level of contact they can expect. This also relates to the most commonly stated problem, that reaching a solution should 'take less time'. This may be simply a function of the legal process, which neither the Board nor solicitors can determine. In this case it is important that applicants are aware of the likely time that a case may take, so that they have realistic expectations.

Given the overall levels of satisfaction with the scheme and its clear value to recipients, it might be suggested that the system ain't broke, so we shouldn't try to fix it. However, as

suggested above, we have concerns about several aspects of the operation of advice and assistance, particularly the very broad range of topics and levels of help that can be provided under what is, in theory at least, a unified scheme. While keen to build on the strengths of the system, we are currently in discussions with the Law Society of Scotland on possible routes for reform. These will continue over coming months and will also involve the Scottish Executive. Various broad options are under consideration, but initial ideas have yet to be worked through. As such, no further detail is available at this point.

PILOT PARTNERSHIPS

As noted above, two other strands of development work were identified by the ROLIAPS group in addition to the programme of research: need and supply mapping and pilot partnerships. These are being taken forward together.

The Group identified that a consistent theme underlying their recommendations in respect of areas such as referral, quality and funding was one of partnership and co-ordination. The Group recognised that legal information and advice is provided by a range of organisations, and at present service provision is often inconsistent and patchy. Therefore, partnership was seen as a key issue to the success of a community legal service in Scotland and its ability to deliver an integrated service. The Group also recognised that there may be a place for both a national level partnership and local partnerships. At national level there could be a strategic vision and sharing of good practice from throughout Scotland; at local level, there is likely to be a role for assessing need and resource levels and some form of joint planning and referrals.

In May 2002, the Justice Minister announced that a number of pilot partnerships would be established. The first of these effectively involves the Executive and Board participating in a partnership group established by Glasgow City Council. During June 2001 – February 2002, Glasgow City Council undertook a review of advice and information services within the city. This review recommended that the council put in place the infrastructure to enable the development of a strategic system for delivering money and legal advice in the city. This infrastructure consists of a city-wide Strategic Planning Group, and nine area implementation groups (based on the council's social work administrative area boundaries). The tasks envisaged for the area implementation groups are similar to those set out below for the pilot partnerships. We are participating in the group covering the west of the city.

The Scottish Executive has now established four further pilot partnerships, in addition to that in Glasgow. Three of these partnerships are geographic in nature and are based on local authority areas. The first is in Argyll and Bute, a relatively large and rural area incorporating several islands and few significant centres of population. Advice provision is scarce, whether by solicitors or non-solicitor agencies, with little scope for specialists. The second partnership, in Edinburgh, is at the other end of the spectrum, covering the entire city with numerous solicitors, advice agencies and direct provision by the local authority. Finally, there is Fife, a smaller area than Argyll and Bute, with a number of reasonably sized towns and a proactive council that sees advice at the heart of its wider social strategy. A fourth partnership is thematic. It focuses on the advice needs of people with a disability and involves national organisations, both disability and advice based.

Objectives for the pilot partnership process

The principal objective for the Scottish Executive, following from the ROLIAPS report, is to facilitate effective access to quality assured information, advice, assistance and representation

services. In this context, the Executive is keen to explore the extent to which strategic planning at a local level can contribute to this objective by ensuring that services are sensitive to local needs and priorities. However, to ensure consistency in approach across the country (if not necessarily in patterns of provision), it is important that the development of such a local strategic approach is taken forward within a nationally agreed framework.

Accordingly, the Executive has several broad aims for the pilot partnership programme:

- To test methods of needs assessment, with a view to developing nationally applicable needs assessment tools
- To develop consistent methods of supply mapping
- To assess and evaluate the contribution and cost of the partnership approach in ensuring improved co-ordination, planning and delivery of services locally (from a user, provider and funder perspective). This will include an assessment of the impact of any differences in approach between partnerships in terms of membership, chairing and approaches to key tasks. To the extent that the partnership approach is found to be fruitful, the evaluation will inform the composition, organisation and operation of any future rolled out partnership structure. The Scottish Executive will be commissioning research to evaluate the partnership process.
- To establish how community legal services partnerships could function within the Community Planning framework². Different local authorities are taking different approaches to community planning and the prominence of advice services in the community planning process also varies.

The expected output of the pilot partnerships is not the creation of new services or provision of funds for existing services. Instead, the end-product of the partnerships will be a strategic plan for each area. While this plan may *recommend* certain forms of provision or the provision of funding to particular agencies, it is not within the scope of the pilot partnership process to implement such recommendations.

The pilot process is to be evaluated by the Executive, so that the usefulness of the process can be assessed. However, whether or not the partnership process itself emerges as a model for future development, it is hoped that much will be learnt along the way that will contribute to the development of policy.

Framework for the pilot partnerships

The timescale for the partnership process is short. Lessons emerging from the partnerships will be required in spring 2004, meaning that the pilots will operate for a maximum of 12 months. Given this timescale, it is not feasible for each pilot to develop organically. However, lessons from other jurisdictions, the deliberations of the ROLIAPS Group, emerging experience from the Glasgow Area Implementation Groups and initial discussions

² The convention of Scottish Local Authorities describes community planning as “a process that brings a range of key public, private and voluntary sector partners together with local communities, to promote the wellbeing of a local area. The aim is to present a single strategic vision for the area and improve the co-ordination of service planning and provision...the process is led by the local authority. The final community plan should present a coherent plan of action agreed by the partner organisations, to achieve the vision they have set out. Consultation with the community should be an integral part of the community planning process.” (From, *The A-Z of Scottish Local Government*, www.cosla.gov.uk/attachments/slg/a-z.pdf)

Further information on community planning is available at www.communityplanning.org.uk .

with potential partners have suggested several key characteristics that should form the basis of an initial framework within which the partnerships should operate.

Although the framework is designed to provide consistent objectives and activities between pilots, it is clear that, just as local advice needs may vary, so do the local circumstances within which the partnerships will operate. The framework outlined below is, therefore, a starting point for discussion and agreement by the partnerships themselves.

Membership

The pilot partnerships are designed to bring together providers, funders and, where possible, users of legal and advice services. Most partners fall into one of the categories below.

Providers

- Independent advice providers, both ‘generalist’ and ‘specialist’
- Private practice solicitors, in particular those providing services under legal aid
- Local authority run provision – e.g. trading standards, housing advice, welfare rights, money advice
- Providers whose main role/core function is not advice provision, but who do provide advice on legal matters to the public e.g. local authority social work, housing associations, advocacy projects for specific groups of people (ethnic minorities, carers, disabled people), health workers
- Providers based outwith an area but which nevertheless receive referrals from within an area are also included if practicable e.g. specialist or second tier services (including specialist solicitors), providers in neighbouring areas, national support agencies.

Funders

The major funders of advice services in most areas include one or more of the following:

- Local authority
- Scottish Legal Aid Board
- Community Fund³
- Scottish Executive (if relevant)
- Trust funds (if relevant)

Users - individuals

As noted above, the principal objective of the partnership process (and the development of community legal services more generally) is to improve the services provided to those who need them. It is important, therefore, that the views of users are taken into account during the partnership process. However, there are real limits to the extent to which this can be done by involving user representatives in the partnership itself. Users of legal and advice services are not a homogenous group and most will use services only occasionally if more than once at all. As such, it is very difficult to find organised groups whose remit is to represent the views of advice users. For these reasons, the approach taken has been that users’ views be accessed in other ways:

- Through providers, many of which will involve users in their own organisation or speak for users at a policy level

³ The Community Fund distributes money raised by the National Lottery to support charities and voluntary groups. More information is available at www.community-fund.org.uk/.

- Through the needs assessment process. As detailed below, users of advice services will be surveyed as part of the process of assessing need in each partnership area. This will provide a significant way for the views and experiences of users to be taken into account in the partnership process
- Through representative fora, where these do exist.

Tasks for the pilot partnerships

The conclusions of the ROLIAPS Group suggested a series of possible tasks for pilot partnerships. These have been further refined through discussion between the Executive and the Board and following initial exploratory meetings.

The tasks of the pilot partnerships set out below are broadly those that it is envisaged each partnership will need to undertake both to contribute towards the Scottish Executive's objectives and to achieve the overarching aim of improving legal information and advice services in the local area. However, just as the membership and chairing arrangements may differ from one partnership to another, so may its precise task list. The final list of tasks will be established by the partnerships and may be influenced by local circumstances and priorities.

- **To carry out a needs assessment** for the local area. This is the subject of a separate session at the ILAG conference and so will not be explored in detail in this paper. In short, three methods will be used in each of the pilot partnership areas:
 - A survey of the general population
 - The application of existing proxy-based models (using indicators from census data and various other statistical sources)
 - 'On the ground' assessment, based on discussion groups with partners to review the quantitative findings.

This work is being co-ordinated by the Scottish Executive on behalf of the partnerships. In the first instance, the results will be made available for use by the pilot partnerships as soon as they become available, so that the information can inform the work of the pilots. However, the results of the application of the different methods and models in each area will subsequently be compared and evaluated, with a view to identifying (or developing) appropriate tools for needs assessment that can be used in the further development of community legal services in Scotland.
- **To map the supply** of legal information and advice services in the partnership area. The partnership will determine how best to collate this information. This will include considerations of coverage and of consistency of data between different providers/types of service.
- **To identify gaps** in service provision. This will flow from an analysis of the supply and need information gathered as part of the first two tasks.
- **To draw up referral arrangements** and protocols between providers from the voluntary, statutory and private sectors. This may be informed by the analysis of the supply and need assessments, in that they will allow for the identification of barriers to access, which may include referral. However, some agencies in each partnership area already operate referral arrangements, both formal and informal. The aim of the partnership activity will be to extend these where they exist to all providers, to standardise referral arrangements as much as possible and to encourage referral where it does not take place at present.

- **To develop a plan** for legal advice provision in the partnership area. This is the primary objective for the partnership and will cover provision in general across the partnership area and focus on ensuring a strategically co-ordinated approach to service provision and, where possible, funding.
- **To develop specific proposals for improvement** in access to legal information and advice in the partnership area, and where possible implement these. Building on the gap analysis, these proposals are likely to vary, for example, from the creation of new services to the development of agreements as to the scope of complimentary services (including referral, as discussed above), or the organisation of local awareness raising campaigns. The ability of the partnership to implement any such proposals may be limited by resource constraints – but this should not in itself be a barrier to the development of specific proposals.

This is a challenging and very full programme of work for the partnerships. It is anticipated that the Board and Executive will have to provide substantial support to the partnerships to enable them to complete the programme within the timescale envisaged. Initial partnership meetings suggest that the partners are keen to be involved in the process and are willing to contribute towards the achievements of the partnerships' objectives.

PART V PROJECTS

As noted above, the development of community legal services policy began in earnest when in October 2000, when the Minister for Justice in the Scottish Executive announced the establishment of the Working Group. However, at the same time, Part V of the Legal Aid (Scotland) Act 1986 was also to be commenced to allow for the creation of several pilot projects. These have become known as the 'Part V projects'.

Part V contains provisions for the employment of solicitors by the Board to give advice and assistance, to act for persons receiving legal aid or to perform various functions in relation to local organisations. As such, Part V projects differ from others in Scotland because the lawyers working within them are employed by the Board, rather than by a firm of lawyers, a law centre or another advice agency.

The terms of Part V of the Legal Aid (Scotland) Act are not perhaps what we might have written were we starting from scratch in 2001. However, they have enabled us to establish the projects quickly, rather than waiting for new primary legislation. Part V only allows for the employment of solicitors by the Board and not other specialist advisers. We are not able to provide grants, although we do cover running costs. The functions of the solicitors are also set out in the legislation. In terms of services provided direct to clients, the Part V solicitors must operate within the legal aid scheme in the same way as solicitors in private practice. They have to apply for legal aid and, apart from limited oral advice, all clients must be financially eligible. Across the four current projects, we have solicitors providing both client and organisationally focused services and all are based on partnership with other organisations. This reflects the overall purpose of the projects from the Board's point of view: to assess the impact of employing lawyers in a range of contexts and, in a wider sense, to learn from the experience of developing and running pilot projects in partnership with other providers and funders.

In early 2001, following discussions with the Executive on the terms of reference and Executive agreement to provide the necessary finance, we invited organisations to submit

project proposals, to be assessed against a range of criteria agreed with the CLS working group.

The projects had to seek to meet an identified need and to make a real difference to the service provided by the organisation involved. They had to focus on the particular skills and knowledge of a lawyer, rather than a non-legally qualified advice worker. We had to be able to measure the impact of the pilots and, if the pilots were successful, we had to be able to replicate them in other settings. The organisations involved had to offer a supportive and stable environment for the project.

We also set out the priority client groups and subject matters we would wish to see featured and stressed our preference for projects based on partnership working, either with other organisations, or additional funders.

The four projects selected from the 40 or so proposals we received cover the length and breadth of Scotland and vary widely in terms of client groups targeted and type of service provided. Both on their own and as a group, the projects were the ones that most closely reflected the Board's aims and the criteria for selection.

The first project started in January last year. It is based in Streetwork, which works with some of the most socially excluded people in Edinburgh. The project provides legal advice to young people and rough sleepers at risk on the streets. The lawyer helps to inform and advise clients by working with them at their own pace and in surroundings where they are comfortable, including on the streets, drop in centres and hostels. The lawyer also provides training, support and back up to other advisers within Streetwork.

Streetwork clients have many problems, mainly to do with housing and homelessness, leaving care, drugs, alcohol, mental health, street crime and prostitution. Streetwork applied for the project because they knew that many of these problems might have legal solutions, but Streetwork staff were unable to identify these solutions or help the clients directly in this respect. They also knew that many clients were unwilling to make use of traditional office-based, suit-wearing lawyers. Many of Streetwork's clients lead fairly chaotic lives and have difficulty keeping appointments. They are often suspicious of anybody they perceive to be in a position of authority, including lawyers. The solicitor at Streetwork addresses these problems by taking his skills and expertise to clients, rather than expecting clients to come to him. He dresses casually and goes out with other Streetwork staff to meet with clients. He doesn't announce himself as a lawyer, but identifies potential legal issues in clients' wider problems. He has made good progress and has become a firmly established member of the Streetwork team.

The second project is based in Inverness, in the north of Scotland. It covers a rural area larger than Maryland, but with a population of less than quarter of a million. The lawyer serves six advice agencies operating in 13 locations including a number of islands. In contrast to the Streetwork project, the solicitor in Inverness does not generally provide services direct to clients. Instead, he delivers a second tier advisory service, providing advice and support for Bureaux staff via telephone, fax and email. They can contact him either with general queries, or issues arising in particular cases. By supporting them in this way, the project aims to improve the skills of the advisers throughout the area and enable greater access to legal services for local people. The solicitor also provides training in legal skills, such as case diagnosis, court procedures and representation, helping clients receive services even in areas where there are few lawyers, or few dealing with the types of issues brought to Bureaux by

their clients. He is also available to act for clients in cases of particular significance to their local communities, although so far no such cases have arisen.

The project started in February 2002 and feedback so far has been very positive. The advisers are making lots of queries and have responded enthusiastically to the offer of training. Because the solicitor is based in their area, rather than in Edinburgh or Glasgow as with many other specialist resources, the advisers feel a sense of ownership and the service can be tailored to fit local needs and circumstances.

The third project is based in West Lothian, an area between Edinburgh and Glasgow. The area has seen the collapse of traditional industries as well as many job losses in technology businesses in recent years and, although there are two or three towns, there are also lots of isolated and run-down villages. Four advice agencies, including one run by the local council, formed a partnership to submit the project proposal. As with Streetwork, the agencies were all aware that there might be legal solutions to their clients' problems, but they lacked the knowledge to diagnose the problems effectively. Rather than provide a casework service for clients, they wanted a lawyer to have an initial meeting with clients at which the problem would be outlined and the appropriate next steps identified. If the lawyer could resolve the problem there and then, she would do so. If the problem was one that did have a legal solution, she would refer the client to another local solicitor. In this way, the project could serve a large number of people in various locations.

There has traditionally been relatively little contact between advice agencies and solicitors. For this project to work, strong links had to be built with the local bar. By working with one enthusiastic and sympathetic local solicitor, a register of local solicitors has been compiled, with each setting out the areas of law they would be able to take referrals on.

In its first year, the project has confirmed previous research findings that fear of the cost of lawyers' services can be a barrier to access to justice. The project seeks to address this problem, by offering clients a free diagnostic interview. The solicitor can, therefore, advise the client whether it is worth going to a private lawyer and if so, how much it is likely to cost, if anything. Even with this reassurance, however, many clients remain resistant to being referred to private practice unless they qualify for advice and assistance. The number of clients to date has not been as high as expected and many of those who have visited the lawyer are not actually eligible for legal aid and so have not wanted to be referred on. We are trying to address this by focusing publicity more specifically on target groups.

The final project involves a partnership between two non-profit making law centres in Glasgow. Glasgow has seen a huge increase over the last two years in the number of asylum seekers being dispersed to the area. This follows a new government policy to 'disperse' asylum seekers around the UK, rather than housing them near their ports of entry, most of which are in southern England. Because few asylum seekers were previously based in Glasgow, or Scotland as a whole, few lawyers were experienced in the asylum process. This shortage of lawyers meant that there was some difficulty in supporting asylum seekers through the legal process. The project was designed to go some way towards meeting this need. Accordingly, it employs two lawyers to provide advice and representation. They do this through outreach surgeries, aiming to contact clients who might not otherwise come forward, or who might delay coming forward so that full preparation of their case becomes difficult. The project has to respond quickly to changes in dispersal policy and housing policy within the city, which means that outreach locations may have to change at short notice to ensure effective targeting.

Of course, there is a limit to the number of cases these two solicitors can take on. A further aim of the project is, therefore, to build links with other practitioners in the area to ease referral, as well as liaising with other agencies providing support services to asylum seekers. Longer term, we hope that the project will be able to provide training in the legal process to other solicitors, other non-lawyer support agencies and to asylum seeker community groups. In this way, it will seek to enhance future capacity while also providing a vital service today. The solicitors are currently exploring the possibility of contributing to university courses for law students, which do not generally cover asylum issues at present.

Feedback from the projects has so far been extremely positive. We intend to conduct an interim evaluation of the projects later this year so that emerging issues can feed into the ongoing work to develop proposals for community legal services. We are also exploring with the Executive the possibility of further pilots, which are very much subject to the availability of resources. In the first instance, all four current projects are providing much needed services.

However, the Board also has wider objectives: to learn about different forms of provision and about the practicalities of working in partnership with voluntary sector agencies, local government and private sector providers; and to use that knowledge in its role of advising the Executive. Both the Part V projects and the pilot partnerships will contribute to the development of our understanding and the profiles of the Board and Executive with relevant partners. We hope that this will stand us in good stead as policy develops more broadly.