



Responding to COVID-19 in the Liverpool City Region

**Access to Legal Advice for All: Essential to Reduce
Social and Economic Impacts of COVID-19**

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Map of Liverpool City Region Combined Authority (LCRCA) boundary (in red) and constituent local authorities



Data sources: Westminster parliamentary constituencies (December 2018 - ONS), local authority districts (December 2018 - ONS), and combined authorities (December 2018 - ONS)

Access to Legal Advice for All: Essential to Reduce Social and Economic Impacts of COVID-19

Key takeaways

1. The need for legal advice will increase sharply as the social and economic impacts of the COVID-19 pandemic continue to grow, but the ability to access the necessary advice will be restricted in many cases just to those that can afford it.
2. Increased collaboration and innovative service delivery have helped to mitigate some of the worst immediate impacts felt by people unable to resolve issues, but demand for free legal advice continues to far outstrip supply.
3. Much-needed funding for new advice services needs to consider the exclusionary impact of the shift to digital services forced by COVID-19. “Digital by default” will lead to the exclusion of a large group of people without digital connectivity and also other vulnerable groups, such as those with English as a second language and those with mental health problems.
4. Liverpool needs resources to develop collaboration between advice agencies, law firms, the city council, and other organisations delivering complementary services to coordinate the delivery and the development of legal advice services free at the point of delivery, and to lead on seeking and distributing funding for these services.
5. In the long term, without increased funding for legal services free at the point of delivery, changes in the commissioning of that funding, and a renewed commitment to access to justice, the impacts on people of unresolved issues caused by the COVID-19 pandemic will be magnified.

1. Introduction

Austerity-driven policies and cuts to legal aid have decimated access to free legal advice, leading to severe, avoidable consequences: mental health problems, unemployment, family breakdown, homelessness, etc. The COVID-19 crisis will drive up the demand for civil legal advice but large numbers of people will not be able to afford it, and need to rely instead on a piecemeal, limited supply of free legal advice from not-for-profit organisations. This will exacerbate the social, economic and health impacts of the COVID-19 pandemic. Large numbers of people will have complex, interrelated civil law issues to resolve, and be left trying to navigate the welfare benefits system with little support. The lack of advice and failure to resolve these civil law issues will lead many to spiral into multiple, interconnected legal issues, and greatly

increase the already heavy impact of the COVID-19 crisis on residents. The Liverpool City Region will be hit particularly hard because of its high levels of economic deprivation and health issues, and the disproportionate cuts to its local authority budget in recent years.

In 2019, Liverpool City Council funded an Access to Justice Project, led by the School of Law and Social Justice at the University of Liverpool, as part of the Council’s anti-poverty strategy. The project will develop the understanding of the legal advice ecosystem in Liverpool, and help build a more robust network. With the project ongoing as the COVID-19 pandemic struck, the project took the opportunity to gather evidence of the impact of COVID-19 on legal advice as well. The quotes used in this policy briefing to illustrate key points are all from interviews with managers and practitioners working at not-for-profit

organisations that give information or legal advice free at the point of delivery. The organisations' work covers a wide range of areas of civil law, including housing, welfare benefits, immigration and asylum, debt, employment and more; they vary in size and the breadth of work; and some are part of national networks, some are not. We interviewed 40 people from 30 organisations in total. The research indicates that, despite innovation and organisational agility, the ability of Liverpool residents to access much-needed advice has been severely hampered in recent years, and also by the COVID-19 crisis. Policy decisions to improve and increase the availability of free legal advice will therefore be a critical part of mitigating the social and economic impacts of COVID-19 in Liverpool and the wider City Region. Increased collaboration and changes to the funding environment for organisations that enable access to or provide free legal advice are identified as key policy objectives.

2. Demand for legal advice rises

Liverpool advice agencies and complementary services reported a temporary drop in demand at the start of the pandemic. This was due to the enforced closure of offices and a pause in the official mechanisms that brought clients to their services, such as welfare benefit decisions, housing repossession, and debt collection, and the introduction of the furlough scheme. Since then, participants in our research report a rapid return to the high levels of demand for legal advice pre-COVID-19, and significant increases in some areas of law, often due to the precarity of people's jobs. Citizens Advice, for example, has seen a [50% rise in demand for employment advice](#) in England and Wales compared to last year. The ending of the furlough scheme on 31st October and associated unemployment and financial precarity, and the restart of other activities, such as

evictions and debt collection, are expected to lead to a "tsunami of issues that are going to slap [organisations] in the face in the next 6-9 months" (Advice Centre Manager). The critical policy challenge will be to maximise access to free legal advice for Liverpool residents as the impact of COVID-19 gathers pace, despite demand for legal advice free at the point delivery already outstripping supply pre-COVID-19.

Before COVID-19, [an estimated 64% of UK households received some kind of welfare benefit](#), and this is likely to increase as unemployment rises and people seek a social security safety net that welfare reforms have eroded significantly in recent years. The complex and poorly administered UK benefits system already requires high levels of advice for people to navigate. Many local areas have developed strategies to try to mitigate the adverse effects of welfare changes (Wood 2015), through providing advice and discretionary payments. Liverpool's [Citizen Support Scheme](#) and the City Council's Inclusive Growth Strategy are excellent examples. The Access to Justice Project that the evidence for this brief is drawn from is a further, important part of the anti-poverty strategy of Liverpool City Council. Given the importance of welfare benefits for people to weather the COVID-19 crisis, and the residual nature of the benefits system, policy-makers will need to pay particular attention to benefit maximisation and the prompt resolution of welfare rights related issues.

3. Health and advice closely linked

Health and mental health in the UK has deteriorated in the past two decades. Life expectancy at birth in the North West is lower than the national average, and we observe higher rates of cardiovascular disease and cancer deaths, diabetes and people identified as obese or overweight in comparison to England's national

average (Bambra et al. 2018). The high rates of poverty observed in the North West and Liverpool have been associated with poor health outcomes. There is strong evidence that welfare reforms have contributed to the decline in health, particularly mental health (Barr et al. 2015; Wickham et al. 2020), and access to welfare and legal advice is an important component in understanding the pathway from poverty, welfare support and health outcomes. It is important that we understand how policy decisions impact on the health and mental health of those needing advice and additional support.

Understanding the network of legal advice services across Liverpool and the wider City Region is imperative to investigating the health and health inequalities impact of these services, which are essential for people to access and understand their welfare rights, and to resolve legal issues promptly. Delay leads to issues multiplying, poverty, and further health problems. Organisations have adjusted services to support people by providing advice in a different format because of COVID-19 related restrictions. We need to understand how these changes impact the health and mental health of people in Liverpool accessing these services. The link between health outcomes and legal advice is therefore a key component of policy decisions aimed at limiting the social and economic impacts of COVID-19.

4. COVID-19 forces service delivery innovation

For all advice organisations, the last six months have seen fundamental changes in how clients access their services, and how they deliver them. Considerable and successful efforts have gone in to developing new ways of working, and of communicating with and contacting clients. This comes at a cost in terms of organisational resources, and at a time

when organisations have had to close offices and furlough staff, and volunteer numbers have dropped considerably, which have further hit service capacity.

Organisations have largely relied on technology to adapt services, and there are fears this will exacerbate the [digital divide](#), particularly amongst the large numbers of people trying to navigate an increasingly digital welfare system.

“A lot of our clients fit into the vulnerable category... I think the concerns that the advice workers have is that these people are not getting a service from us or anyone else because of the nature of their emergency and the way the benefit system is gradually being transferred to a digital system. So, it's not taken into account the fact that a lot of vulnerable people in our society are excluded from digital.”

Advice centre manager

The closure of almost all offices where people could access advice has badly eroded the support systems that were in place to remedy this digital divide. Policy responses to local demands for advice need to consider the impact of closing physical locations for this client group, and others it has particularly impacted, such as those with English as a second language and those with mental health problems.

5. Further advice sector collaboration needed

Whilst advice giving organisations in Liverpool regularly signpost and refer clients to each other, there are constraints on wider opportunities for collaboration. Overcoming these to increase collaboration is a priority outcome for our Access to Justice Project. Specific investment in collaboration in places such

as Birmingham and Norfolk, has led to some more “joined up” working, and COVID-19 has highlighted the importance of collaboration in the advice sector. This is something organisations recognise. As one advice manager said, there is too much demand and too few resources, “*What we've got to do is come together.*”

An important factor driving the need for linked-up services is the prevalence of multiple, concurrent issues, which is common amongst clients.

“So ... in the process of dealing with that debt, they'll say, I have got this much money coming in, and we'll say wait a minute, that's not right. You should be entitled to benefits. And then you know, we could identify a benefit issue. There are 6 of you living in one room, we identify a housing issue.”

Advice centre manager

The lack of funding and competition between organisations is seen as an important factor in determining how effective collaboration is across the advice sector. As one advice service manager said: “there isn't enough money for everybody so you all have to fight for the very limited resources that are out there” and this has a negative impact on cooperation.

Liverpool is particularly exposed to demand for free legal advice because of the high levels of deprivation and the unequal impact of austerity policies (Organ and Sigafos 2017). This increases the pressure on over-stretched services and limited funds, and makes the resources needed for collaboration hard to find. Liverpool City Council's funding of our Access to Justice project is an important investment in developing collaboration between advice providers. To increase collaboration, we have set up an “Access to Advice Network” and a

single referral process for all law firms, public services and not-for-profit advice services in Liverpool.

“To have a database that you could get all your referrals from ... that's a brilliant idea ... it would make life a lot easier.” **General Advisor**

A key policy decision is how to provide long-term funding and support for partnership working beyond the life of the current project, and how to extend it across the whole of the Liverpool City Region.

6. Funding needs to change

Collaboration between organisations providing legal advice free at the point of delivery is valuable, but on its own will not resolve the chronic shortage of funding for advice services that limits the availability of advice. 94% of the organisations that responded to a previous study reported unmet need for advice services (Organ and Sigafos 2016). Participants in the current study, such as MPs' offices, who refer clients to advice agencies, confirmed the continuing limited availability of advice provision, and the difficulties of clients in accessing it.

“The average person would find it very difficult to access these [advice] services sometimes, because of the amount of people going through the services. ... I just wish there was more, more staff in the advice centres. Because I feel sometimes we are overwhelming them.”

Service Manager

Increased funding would help to provide more advice services, but policy-makers should also consider changes to the way they fund and commission services. For example, they could draw more strongly on the lived experience of the

organisations that deliver advice services when developing plans to address the advice needs of local communities. Several organisations expressed a desire to move away from what they perceived as piecemeal and short-term funding, and service delivery decisions driven by funders, rather than client need or organisational experience.

“More money... more long term funding, more funding of services that they know work already instead of always looking for new services... I get the idea there are new needs that arise and we need to sort of respond to that, but that doesn't mean that the other things went away.”

Solicitor

Austerity policies, particularly the cuts to legal aid and local authority budgets, have reduced the funding for free legal advice. At the same time they have increased the demand for these services, particularly through welfare reform policies. The competition between organisations this has driven is negatively perceived as a waste of already scarce resources, and something that leads to worse outcomes for service users.

“We found ourselves in competition with our own colleagues and with organisations that we've previously worked with, and that is really heart breaking. ... But I think on the top of it, what we then lose sight of is the humanity and we lose sight of the person, and the individual.”

Immigration advisor

Using the Access to Advice Network to coordinate collaborative funding strategies will help to reduce competition and its negative impact, and enhance the quality and quantity of free legal advice. This can build on the experience of the organisations in Liverpool's advice sector,

strengthen the diversity of organisations delivering advice, and support the ongoing development of Liverpool's access to justice strategy.

7. Conclusion

Advice services have adapted rapidly in response to COVID-19, but further understanding of the social and economic impacts of these changes, and of the limited supply of advice free at the point of delivery, is needed. Liverpool needs investment in collaboration between advice agencies, law firms, the city council, and other organisations delivering complementary services, to coordinate the delivery and the development of free legal advice services and the response to COVID-19, and to lead on seeking and distributing funding for these services. This will enable swifter resolution of legal issues caused by the COVID-19 pandemic, ensure justice is not just for those that can afford it, and help Liverpool residents to cope with the widespread impact of the COVID-19 crisis on their lives. In the long term, policy-makers need a renewed commitment to access to justice. This needs to include better use of organisational experience in decision-making and increase the availability of legal advice free at the point of delivery, to avoid magnifying the impacts of COVID-19 on people's lives.

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