

*Previous research*

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Conveyancing continues to be the main reason why people consult most solicitors. Other important areas include family and matrimonial matters, wills and probate, personal injury and general litigation (Baldwin and Hill, 1989; Blacksell, 1986; Economides, 1986; Paterson, 1986 and 1987; Peat Marwick, 1987; Padmore, 1977 and 1978; Royal Commission on Legal Services, 1979; Slatter, 1986; Thomas, 1986; Watkins, 1986b; *Which?*, 1983).

**Table 1 Analysis of green form use by type of problem**

	Green forms paid in 1987-88*		Green forms submitted over a 3 month period in 1985**			
			By top 150 firms in six areas		By 27 law centres	
Divorce and other family matters	428,934	39.8	9,812	36.1	30	1.8
Crime	240,031	22.2	9,213	33.9	107	6.4
Landlord/tenant/ housing	68,456	6.4	1,425	5.3	219	13.1
HP and debt	63,872	5.9	1,246	4.6	110	6.6
Employment	20,999	1.9	423	1.6	63	3.8
Accident/injuries	53,104	4.9	898	3.3	14	0.9
Welfare benefits	45,138	4.1	655	2.4	892	53.5
Immigration/ nationality	9,923	0.9	121	0.4	122	7.3
Consumer problems	22,689	2.1	478	1.8	22	1.3
Other matters	124,308	11.5	2,888	10.6	88	5.3
Total	1,077,454	100.0	27,159	100.0	1667	100.0

\* Source: Legal aid 38th Annual report of the Law Society and the Lord Chancellor's Advisory Committee, 1987-88.

\*\* Source: J. Baldwin and S. Hill, *The operation of the green form scheme in England and Wales*, Lord Chancellor's Department, 1988.

The 1987-88 Legal Aid Report shows that the largest use of the green form advice and assistance scheme is for divorce, judicial separation and other family matters (40 per cent) (see Table 1). The second largest category of work is criminal matters (22 per cent of all bills). However, taken together, welfare law cases – landlord/tenant housing, debt, employment, welfare benefits, immigration/nationality and consumer problems – now account for 231,077 bills a year, which is 21.5 per cent of the total work under the green form scheme.

**Table 2 Use of the green form scheme 1980/81 to 1987/88**

Type of problem	1980/81		1987/88		% increase 1980/81-87/88
	Bills paid	% of total bills paid	Bills paid	% of total bills paid	
Divorce and Judicial Separation					
- Petitioners	145,102	27.3	220,831	20.5	52
Divorce and Judicial Separation					
- Respondents	14,244	2.7	16,225	1.5	14
Other family matters	129,476	24.5	191,878	17.8	48
Crime	99,658	18.8	240,031	22.2	141
Landlord/Tenant:					
Housing	25,672	4.8	68,456	6.4	167
Hire Purchase: Debt	14,935	2.8	63,872	5.9	328
Employment	11,905	2.2	20,999	1.9	76
Accidents/Injuries	19,559	3.7	53,104	4.9	172
Welfare benefits	8,397	1.6	45,138	4.1	438
Immigration/Nationality	2,657	0.5	9,923	0.9	273
Consumer problems	7,600	1.4	22,689	2.1	199
Other matters	52,300	9.8	124,308	11.5	138
<b>Total</b>	<b>531,512</b>		<b>1,077,454</b>		<b>103</b>

Source: Legal aid 36th and 38th Annual reports of the Law Society and the Lord Chancellor's Advisory Committee, 1985-86 and 1987-88.

The overall balance of work under the green form scheme has been shifting. The figures given in Legal Aid Reports show that matrimonial and family matters declined in relative importance over the period since 1980-81. At the same time the areas of most rapid growth were in areas of social welfare law. Welfare benefits and debt showed a particularly dramatic increase – 438 per cent and 328 per cent respectively. Taken together, the number of bills submitted for all six areas of social welfare law had tripled in the seven years

from 1980-81 (see Table 2). This level of increase is all the more remarkable, given the decline in numbers of people eligible for legal aid in recent years (Glasser, 1989).

The Legal Aid Reports also show a concentration of legal aid work on a relatively small number of firms. In 1987-88, 1250 firms (11 per cent) submitted 47 per cent of all bills.

The extent to which some firms use the green form is also clear from the 1986 report on legal aid from the Public Accounts Committee. In this it is revealed that the largest payment under the green form scheme to any one firm during the year 1985-86 was £231,987.71. This was for 4677 bills submitted by the firm, which consists of a sole principal, a consultant solicitor, three assistant solicitors and supporting staff (House of Commons, 1986).

There has, however, been remarkably little research into the use of the green form scheme. The one major study was commissioned by the Lord Chancellor's Department and carried out by the Institute of Judicial Administration at Birmingham University. Among other things, this research provided:

- a profile of the sort of work done under the green form scheme by the 25 firms that were making most use of the scheme in each of six legal aid areas
- a profile of the involvement of advice agencies (particularly law centres) in green form work.

The pattern of use of green forms by these solicitors' firms was 'more striking for its similarity than for its variation'. It was also broadly consistent with national figures for the scheme as a whole. These contrasted considerably with the level and range of use by law centres over the same period. Firstly solicitors' firms made much more use of the scheme overall. The only areas where law centres made more applications were immigration and nationality and welfare benefits. In all other areas more green forms were submitted on average by solicitors' firms (see Table 1).

There were, however, a small number of firms that did not fit this pattern. In most legal aid areas one or two of the 25 firms surveyed undertook high levels of work in the areas of welfare benefits, housing and debt (Baldwin and Hill, 1988).

The Access to Justice in Rural Britain Project identified a similar pattern in Devon and Cornwall. In their survey of 83 firms in the two counties (a 39 per cent sample), 11 were found to concentrate on some aspect of social welfare law. Most common was housing law (five firms) followed by consumer law

(four firms) with one firm specialising in welfare benefits and one in employment law (Blacksell, 1986).

A survey in the West Midlands concentrated on the 80 solicitors who indicated, in the Solicitors' Regional Directory, a willingness to undertake welfare benefits/tribunal work. A total of 45 firms replied, with a far higher response rate from those which were selective in their entries. Although most firms undertook a small amount of tribunal work, 13 of the firms had represented at ten or more tribunals during the past year. These firms worked almost entirely at Industrial Tribunals and accounted for some 80 per cent of the total representation at Industrial Tribunals in the area. Four of the 45 firms estimated that welfare benefit and tribunal cases were over ten per cent of all their work. Nine said they had someone on their staff with specialist training or experience in the welfare benefit field. In a number of instances it seemed that solicitors were dealing with cases, particularly divorce cases, which involved an element of welfare benefits work (Lawrence, 1980).

Research in South Wales indicates that firms specialising in aspects of social welfare law may be more common in urban than in rural areas. CABx were asked, in a survey of access to legal services, whether local firms of solicitors were able to provide specialist welfare law advice. CABx in city centres were far more likely to have access to specialist solicitors. Six of the 12 urban CABx said they had such access, compared with only three of the 36 rural ones (Beale, 1986).

In a report of the 1986 Rural Legal Services Conference it was noted that:

Only a practitioner in a much larger firm thought it was possible for rural solicitors to handle much supplementary benefit or 'welfare work' under the green form scheme and this was partly dependent on employing non-lawyers to work on those subjects. The critical factor here was the large size of the firm, which enabled it to maintain a specialist resource (36th Legal Aid Report, 1986).

To summarise, there has been very little research into either the use of the green form scheme by solicitors, or the social welfare work undertaken by them. Such information as exists would seem to indicate that most firms make some use of the green form scheme and provide some advice and assistance in the areas of social welfare law. A minority of firms, possibly located within urban areas, concentrate on social welfare work and make heavy use of green form.

### **The relationship with advice agencies**

A view expressed by the Law Centres Federation probably summarises accurately that of most advice centres. In their *The Case for Law Centres* they say that:

Law Centres are an essential part of a three-pronged legal aid advice service, consisting of generalist advice agencies such as the Citizens Advice Bureaux, private solicitors who work through the Legal Aid scheme and Law Centres. Law Centres are complementary to private practice solicitors and the advice agencies and work well with them, filling a large gap in the existing provision of legal services (Law Centres Federation, 1983a).

The complex nature of this inter-relationship is summed up by the conclusions drawn at the end of the Law Society study of innovative solicitors' practices:

Another common feature was the close relationship between private practice and advice and law centres. These links ranged from informal referral networks, participating in advice centres legal rotas, giving back-up advice on the 'phone and formal contacts such as representation on management committees, providing training and being involved in joint projects.

There was little evidence of duplication or competition between advice agencies and legal aid practices. Most agencies and firms seem to have a good perception of each other's strengths and weaknesses and know what kind of cases to refer and when (Law Society, 1987).

This is also reinforced by the study of green form work carried out by the Institute of Judicial Administration which reports that:

As we carried out the present study, and as we interviewed solicitors and the representatives of Law Centres and CABx, we were repeatedly struck by the complementary nature of the relationship that exists between them. Even in the case of a Law Centre it seems that, as the Benson Commission put it in 1979, it is 'more likely to stimulate than reduce the business of firms working in its locality'... adaptation and accommodation to whatever services are provided locally are the hallmarks of agencies such as Law Centres. There is no enthusiasm whatever for competition with rival sources of legal assistance (Baldwin and Hill, 1988).

### ***Referrals***

There is a good deal of evidence that there is a fairly high level of referral from advice and law centres to private practice solicitors. Some of this

evidence comes from research (Burke, 1985; Childs, 1985; McNair, 1984) a good deal more from annual reports (see Table 3).

From this it can be seen that around 10 per cent of law centre enquirers and 20 per cent of the users of CABx are referred to private practice solicitors. This would mean that during the course of a year around 700,000 people would be referred (Kempson, 1986b).

**Table 3 Referrals to solicitors' firms from advice agencies**

Agency	One-off advice given	Referred to solicitors	Taken on as cases by agency itself
<b>Law centres</b>			
Brent CLC 1983 (also Grace 1983)	58%	25%	17%
Brixton CLC 1985	67%	10%	14%
Holloway NLC (Burke 1985)	50%	10%	--
Camden CLC 1984	64%	18%	12%
N. Manchester LC 1983	74%	17%	9%
Small Heath CLC 1983	78%	11%	5%
Stockwell & Clapham LC 1982	--	11%	42%
Wandsworth LSP 1984	--	31%	--
<b>CABx</b>			
London CABx (Childs 1985)		24% personal callers 19% phone callers	
W. London CAB (McNair 1984)		19% housing callers	

The Institute of Judicial Administration survey of green form use found that about one in seven of the 124 clients they interviewed had contacted the solicitors as a result of advice received from a CAB worker (Baldwin and Hill, 1988).

A detailed profile of the work of law centres provides a good deal of information on the types of cases referred to solicitors' firms. Clearly this would include work outside their waivers, but in practice the majority of referrals are for cases that are covered by legal aid. Thirty-five of the 56 law centres gave more specific details of the cases they would refer to private solicitors, while 37 provided details of cases that are referred to them by local

firms (Law Centres Federation, 1988). Table 4 summarises the main areas of referral.

**Table 4 Referrals between law centres and private practice solicitors**

Types of cases referred	No of law centres referring to solicitors firms N = 35	No of law centres receiving referrals from solicitors firms N = 37
Housing	13	16
Domestic violence	6	–
Consumer	4	2
Care	4	1
Employment	2	20
Immigration	1	20
Mental health	1	1
Welfare rights	–	19
Debt and money advice	–	2

Source: Law Centres Federation, *The law centres evaluation profile*, 1988.

In interpreting this table it should be borne in mind that there are frequent referrals from law centres to private practice but very few in the opposite direction.

A number of annual reports of law centres also mention the areas of work referred to private practice – and again housing, particularly disrepair cases, seems to be the main one. The most comprehensive information on referrals, however, is contained in the report of Small Heath Law Centre which was prepared for the Department of the Environment (Small Heath CLC, 1983).

Table 5 shows that by far the majority of referrals are to private practice solicitors and that they receive more referrals in all subject areas, except fuel, than any other agency. In fact, the only areas where they receive fewer than half of the referrals are welfare benefits (35 per cent), consumer (37 per cent), tax (43 per cent) and fuel (12.5 per cent).

Law centres are, however, predominantly based in cities, and it has already been noted that specialist firms of solicitors are more likely to be located in urban areas. Two studies have investigated the relationship between CABx and solicitors' firms in more rural areas where CABx make up the vast majority of advice centres.

In Devon and Cornwall, 18 of the 24 CAB organisers interviewed felt that there were some problems that they would not feel confident about referring



**Table 5 Referrals from Small Heath Community Law Centre**

	Solicitors	Other advice centres	Cllrs or MPs	Govt dept or I.a.	CAB	Other law centres	Others	All referrals
Welfare ben.	39	35	11	21	2	4	3	115
Housing	100	5	25	16	0	1	4	151
Housing ben.	6	2	2	2	0	0	0	12
Immigration and nationality	27	13	6	2	1	6	3	58
Employment	40	1	0	0	0	0	3	44
Consumer	19	16	3	3	9	0	1	51
Civil claims	32	2	0	0	0	0	2	36
Crime	42	2	1	0	0	1	0	46
Debt	29	3	1	2	0	0	1	36
Domestic violence	6	1	0	1	0	1	0	9
Fuel	1	1	2	2	0	0	2	8
Insurance	8	1	0	1	0	0	0	10
Juvenile crime/ care	8	1	0	1	0	0	0	10
Matrimonial	41	0	0	1	0	1	0	43
Miscellaneous	24	4	0	1	1	0	2	32
Motoring offences	20	0	0	0	0	0	0	20
Neighbourhood disputes	9	0	3	1	0	0	0	13
Planning/ environment	8	0	0	1	0	0	0	9
Probate	5	0	3	0	0	0	0	8
Tax	6	5	0	1	0	0	2	14
All referrals	470	92	57	56	13	14	23	725

Source: Small Heath Community Law Centre, *Report on the Work of Small Heath Community Law Centre June 1980 - September 1983*.

to private practice solicitors. Of these nine identified welfare law; six employment and tribunals; five housing and three consumer (Watkins, 1986a).

The survey in South Wales produced broadly similar results. Of the 46 organisers interviewed 35 said there were some areas they were not confident about referring. Nine said they had a general lack of confidence and, of the remaining 26, 12 identified employment law; 10 housing; 8 matrimonial; 8 welfare benefits; 7 preparation for tribunals and 3 immigration (Beale, 1986).

In contrast two extensive studies – the user study conducted for the Royal Commission on Legal Services and a survey monitoring over 9,500 people

using CABx in London – have shown that by far the majority of referrals from CABx to solicitors are matrimonial cases or cases requiring legal representation (Royal Commission on Legal Services, 1979; Childs, 1985).

The Federation of Independent Advice Centres undertook a survey of 50 of its members in order to collect data for its response to the Legal Aid Efficiency Scrutiny Report. Again it reports that ‘matrimonial, family and domestic violence constituted the vast majority of legal cases referred to solicitors’. To a lesser degree criminal law, criminal damage and injury cases are also referred (Federation of Independent Advice Centres, 1986).

Again, the Institute of Judicial Administration study of green form use provides detailed information. The main area of work that both law centres and CABx would be least likely to refer to solicitors, or indeed any other agency, is welfare benefits. There were also a number of other types of legal problem that CAB managers said would normally be dealt with by CAB staff without the need for referral. These included housing, debt and tribunal representation, and, to a lesser extent, consumer and employment. Cases they would almost invariably refer included crime, wills, defended divorces and child care and wardship. There was, however, some variation in this between CABx. This depended upon a number of factors, including the number, skills and experience of their staff. As important, in some cases, were the areas of specialisation of local solicitors’ firms. Where firms had appropriate experience of social welfare law work, CABx would be more likely to refer cases to them (Baldwin and Hill, 1988).

The green form research identified differing referral policies in law centres as compared with CABx. In law centres, little work was done on a case if it was to be referred elsewhere. In contrast, CAB staff were more likely to exhaust all the information in their files before referring to a solicitor. They would also calculate a client’s eligibility for legal aid before referring. The report concludes that there was clear evidence that both law centres and CABx increase the scale of green form use by solicitors (Baldwin and Hill, 1988).

### ***Voluntary work at advice agencies***

Private practice solicitors undertake a wide range of different voluntary work within advice agencies. This includes rota schemes in CABx and independent advice centres, running legal advice centres, staffing the general enquiry services at law centres, working as volunteer staff members and serving on management committees.

The Royal Commission on Legal Services estimated that about 40 per cent of citizens advice bureaux in England, Wales and Northern Ireland had

volunteer rota schemes involving about 3,300 solicitors in total (Royal Commission on Legal Services, 1979). More recently, the Access to Justice in Rural Britain Project identified rota schemes in 17 out of 24 CABx in Devon and Cornwall (Watkins, 1986a) and, in a similar study, rota schemes were identified in 24 of the 46 CABx in South Wales (Beale, 1986). Both studies, however, noted that there were big variations in the commitment and areas of expertise of the solicitors involved.

The Institute of Judicial Administration green form study showed that over three-quarters of the 36 CABx they interviewed ran weekly advice sessions, staffed by a rota of local solicitors. It was clear, however, that there was considerable variation between CABx in the way the schemes operated. Different criteria were used to determine the cases to be referred to solicitors on the rota scheme, dependent on the skills and specialisms of local solicitors (Baldwin and Hill, 1988).

In contrast to this, the 100 or so voluntary legal advice centres that are run by groups of solicitors tend to concentrate on the fields of family law, housing, employment, consumer and debt problems, accidents and some criminal cases (Royal Commission on Legal Services, 1979; White, 1983; Burke, 1985; Law Society, 1987).

Solicitors from local firms also work as volunteers helping with the day to day workload of advice centres. This occurs most often within law centres, where volunteer solicitors frequently help staff the general enquiry or reception desks. There are also instances, chiefly in the smaller law centres, where local solicitors cover periods when the law centre's solicitor is on leave (Law Centres Federation, 1988). Whilst such involvement is more common in law centres, there are also instances where a local solicitor works as a volunteer adviser in other advice agencies like CABx (Kempson, 1987a).

Finally, most law centres and many other advice agencies have solicitors as active members of their management committees. In some cases this is as a representative of the local law society, in others in a more personal capacity (Law Centres Federation, 1988; Beale, 1986; Baldwin and Hill, 1988; Watkins, 1986a).

### ***Advice centre impetus to setting up solicitors' firms***

There is clear research evidence that firms of solicitors are established near the organisations they serve (Bridges, 1975; Podmore, 1980). It is not surprising, therefore, to discover that the presence of a law centre or other advice centre frequently leads to the establishment of new firms or new branches of existing firms, which concentrate on legal aid work in general and

aspects of welfare law in particular (Rochdale Voluntary Action, 1984; Law Society, 1976; Rose, 1987; Law Society, 1987; Baldwin and Hill, 1988).

Frequently these firms are established by solicitors who formerly worked in law centres. While most remain within the vicinity of a law centre (Rochdale Voluntary Action, 1984; Rose, 1987; Law Society, 1987) this is not invariably so. The Norfolk report of the Access to Justice in Rural Britain Project provides details of a sole practitioner working in a deep rural area who is an ex-law centre solicitor (Slatter, 1986). In a survey of former law centre staff, it was found that about half of the 112 lawyers who had left in the period up to 1983, had gone into private practice (Law Centres Federation, 1983a; Levin, 1983). In Tyneside, for example, there are six former law centre workers in two local private practices (Rose, 1987).

### **The differing 'images' of advice and legal services**

Survey after survey has shown that by far the majority of people locate sources of advice through informal, word of mouth recommendation. This seems to be as true for private solicitors (Abel Smith, 1973; Awareness..., 1986; Baldwin and Hill, 1988; Blacksell, 1986; Paterson, 1986; Royal Commission on Legal Services, 1979; Thomas, 1986; Watkins, 1986b) as it is for advice centres (Kempson, 1983). The situation is summarised by the Adamsdown Community Trust in the following way:

In about 70 per cent of the cases the client had been referred personally by someone else in the area. Typically when asked how it was that s/he had approached the centre the client would refer to a conversation with a friend, relative or neighbour about the problem. That person, having used the centre or knowing a fair bit about it, had suggested that the client make contact with the centre solicitor.

In short, people go and have a word with 'what's his name?' It is easy to disparage a reliance on such a non-professional referral mechanism, but it is these mechanisms which are close to the people and in which they have confidence (Adamsdown Community Trust, 1978).

Many studies have shown that the majority of people who face problems do not seek advice from any formal source (Kempson, 1983). There are many possible reasons for this, and evidence from two research studies suggests that a major one is the failure to identify an appropriate advisory agency (Adamsdown Community Trust, 1978; Harris, 1984). From a survey of 1,000 accident victims it was concluded that:

The most significant difference between people who take advice and those that do not seems to be the fact that one group has contact with a knowledgeable lay person, whilst the other does not (Harris, 1984).

In other words, people discuss their problems with friends and relatives and, unless one of them knows of an appropriate agency, they will not make contact with any advice or legal service.

There is further evidence that different agencies have quite distinct 'images' in the communities within which they work. An evaluation of a legal advice centre in London, for example, concluded that the staff had a 'word of mouth reputation as housing advice specialists' (Burke, 1985).

Other studies have analysed the work undertaken by advice agencies that appear to offer similar services. In Southwark it was found that 66 per cent of the people with employment problems and 49 per cent of those with consumer problems had taken them to the CAB. Very few had contacted any of the small neighbourhood information and advice centres. Yet when it came to problems with homelessness and financial matters these small neighbourhood centres attracted as many users as the far larger CAB (London Borough of Southwark, 1980).

An interview survey, with over 2,000 users of a wide range of advice agencies in London, similarly found that users seem to distinguish between them and go to the one that is most 'appropriate' to their needs. The report concluded that:

The more an agency does in one particular area of problems the more it will be likely to acquire a reputation for a particular kind of advocacy. For example, an agency which is good at dealing with the electricity board when supply is threatened will acquire a reputation for that kind of work, and may end up as a specialist adviser on fuel debt (Borrie, 1982).

A more recent study, conducted in the Metropolitan Borough of Oldham, analysed details of the users of all the advice agencies in the Borough over a four week period. In total, details were collected of over 4,500 people, including their personal characteristics, the problem they had faced and the agency they had used. This was complemented by a questionnaire survey of the agencies themselves to identify the level of expertise offered by the staff in various subject areas. The results showed a very clear and significant correlation between the level of expertise and the level of enquiries received by each agency. For example, of the 14 agencies in the Borough only the three CABx said they provided an advice and casework service in the area of employment law. Other generalist agencies offered just an information and

referral service. The monitoring showed that nine out of ten people with an employment problem had used a CAB. This concentration of enquiries was not due to extensive referral. The Oldham Commission for Racial Equality received the bulk of enquiries relating to immigration and nationality, but only one in twenty of the enquiries had been referred from another agency. The report of the study concludes that:

... the people of Oldham use the advice centres in a selective way. Even amongst the generalist advice services there is a degree of specialisation. In part, this is a reflection of the different needs of their client groups. It also seems that, as advice centres begin to develop expertise in a subject, this expertise becomes recognised by people who need advice. Consequently the number of enquiries increases, so reinforcing the level of expertise (Oldham Metropolitan Borough, 1987).

Interestingly, both the London and the Oldham surveys also showed that people do not travel long distances to use an advice agency. Both reports argue that if there is not an agency nearby that has 'appropriate' expertise for particular problems then people will simply not seek advice at all (Borrie, 1982; Oldham Metropolitan Borough, 1987).

There is some evidence that this same pattern of use also extends to private firms of solicitors. The user survey conducted for the Royal Commission on Legal Services demonstrated a link between level of expertise and volume of use of solicitors similar to that outlined above for advice services. It showed that solicitors were more likely to give advice only, rather than take action, on matters that account for only a small proportion of their enquiries. That is, for problems over goods, employment, as a tenant, with neighbours or over taxation (Royal Commission on Legal Services, 1979).

The only study to have assessed in depth the public image of solicitors compared with advice agencies was conducted in South Wales by the Adamsdown Community Trust. This showed that people did have 'images' of agencies that were an accurate reflection of their expertise. The image of solicitors was particularly strong and was associated with house buying, crime and divorce. What was more interesting was the image of the solicitor based at the law centre. Two thirds of the law centre's clients had specifically gone there to make an appointment 'with the solicitor'. The report of the project continues:

It does appear that the solicitor at the centre was not seen as a 'normal' solicitor, even by clients who used the title in referring to him. The processes by which

people come to hold images about the service are complex and here we can only really point to the result rather than explain fully how it happens.

It does, however, go on to note that ‘the demands which are made on an advice agency depend in part upon the type of service which is being offered’ (Adamsdown Community Trust, 1978).

The Institute of Judicial Administration green form survey also concluded that the public has a clear idea of the relevant expertise of different agencies. Where clients have a serious legal problem, they will go direct to a solicitor. The report also concludes that;

Despite the overlap in work that [solicitors and advice agencies] do, and the obvious possibility for competition, there seemed to be a common and cooperative link between them. It was almost as if the representatives of each group had a clear idea of where each organisation fitted into an overall pattern of legal services, and that these ideas were shared by all groups (Baldwin and Hill, 1988).

## **Summary**

We have, then, evidence that a minority of firms specialise in welfare problems or have partners who do so. The numbers are not great – possibly no more than 1,000 in England and Wales. However, when seen in relation to the level of advice provision this number of solicitors’ firms is significant. A survey commissioned by the Advice Services Alliance for its response to the Legal Aid Efficiency Scrutiny looked at the numbers and distribution of advice agencies. It identified:

896 CAB service points

354 generalist independent advice centres

143 generalist advice agencies serving specific groups such as disabled people or young people

78 law centres service points

55 independent housing advice service points

115 money advice service points

14 immigration advice service points (Kempson, 1986c).

There is also clear evidence, from a range of sources, that firms specialising in welfare law have a close working relationship with advice agencies, and that they tend to be concentrated in the inner city areas where most advice centres are located. The presence of advice and law centres seems to uncover areas of unmet need for legal services and to encourage both the setting up and the consolidation of the expertise of firms that are able and willing to

undertake welfare work. As in law centres, housing is the main area of work of such firms, although there are others that specialise in areas such as immigration and nationality and employment.

Further, there is evidence that advice agencies provide a sophisticated network of services with very little overlap. This level of specialisation is understood by the public, who form a mental image of the work of each of the agencies. Thus, although there is some referral of clients, the majority of people locate an agency that is appropriate to their problem through informal, personal means. In other words people form mental images of which is the most appropriate agency to contact with a particular problem.

What emerges then is a sophisticated pattern of agencies providing advice and assistance on social welfare matters, that will vary from one area to another. What is lacking is a detailed understanding of the relationship between firms specialising in social welfare law and advice agencies, and of the nature of the work each undertakes. This was the main focus of the research that was commissioned by the Law Society, the results of which are presented in the following chapters.