

## Bibliography

B. Abel Smith, M. Zander and R. Brooke, *Legal problems and the citizen*, Heinemann, 1973.

The first major study of unmet need for legal services which was carried out in three poor London boroughs. A total of 1651 people were asked whether they or their family had faced any of 16 different types of legal problems. About a quarter had. In 270 of the 450 cases the main adviser had been a solicitor. This varied greatly according to the problem. 96 per cent of those buying a house had consulted a solicitor, compared with 3 per cent of people with social security problems, 1 per cent with repairs undone and 1 per cent with defective goods. Surprisingly those eligible for legal aid used lawyers about as often as those outside the limits. A quarter of people using solicitors had identified them by 'informal means of knowledge'.

Adamsdown Community Trust, *Community need and law centre practice: an empirical assessment*, 1978.

A qualitative community survey of people living in the vicinity of Adamsdown Community Law Centre in Cardiff. Shows very clearly that people have a 'mental image' of each local agency. The demands they make of these agencies depend upon the type of service that is being offered.

Avon & Bristol Law Centre, *Annual Report*, 1984/85.

Records that one of the major areas of work of the law centre is housing repairs, but where major disrepair is involved they refer the case to local solicitors who specialise in housing. The law centre also uses volunteer solicitors to staff the duty rota.

Awareness of legal services in Aberdeen, *SCOLAG Bulletin*, 31 (1979), 62-63.

An interview survey of 120 adults, carried out by Aberdeen University Law Student, Alistair Mennie. Respondents were asked to whom they would go for help with four specific questions. The sources they identified were:

• consumer complaint	CAB	78
	Solicitor	11
• rent arrears	Councillor	38
	CAB	30
	Rent tribunal	20
	Solicitor	8
• unfair dismissal	Union	47
	Industrial tribunal	23
	CAB	16
	Solicitor	7
• social security problem	CAB	53
	Councillor	20
	MP	13
	Solicitor	4

46 per cent knew they could get advice from a solicitor on these matters free or for a small charge. Lack of appropriate image of solicitors seemed to account for why so few would consult a solicitor.

Awareness of solicitors' services, *The Law Society's Gazette*, 16 April 1986, 1113-1114.

Presents the results of a survey carried out in 1986 on behalf of the Law Society by Research Surveys of Great Britain Ltd. A representative sample of 1688 adults were interviewed, showing that 65 per cent had used a solicitor at some time as compared with 32 per cent using a CAB. Of these 60 per cent had chosen the solicitor as a result of personal recommendation, with a further 26 per cent using one they or their family had used before.

While the services most associated with solicitors were conveyancing (67%) divorce and separation (42%) preparation of wills and trusts (37%) and law and order matters (28%), 12 per cent had used a solicitor for

settling disputes between individuals or companies and 9 per cent for negotiating claims or compensation.

Of those using solicitors, again conveyancing (70%) wills and trust (27%) and divorce and separation (14%) were mentioned most often. But 3 per cent said they had used one to settle debts.

John Baldwin and Sheila Hill, Research on the Green Form scheme of legal advice and assistance, *Civil Justice Quarterly*, 5 (1986), 247-259.

Provides an outline of the work commissioned by the Lord Chancellor's Department, to look at the use of the green form scheme. Covers the objectives and proposed methodology only.

John Baldwin and Sheila Hill, *The operation of the green form scheme in England and Wales*, Lord Chancellor's Department, 1988.

A major review of the operation of the green form scheme in six Legal Aid areas. This covered:

- a profile of the work done under the green form scheme by advice agencies and by the 25 firms in each area making most use of it
- an examination of 100 forms for advice by way of representation
- an examination of the administrative procedures for 200 applications for extensions
- an assessment of the number of green form applications that were subsequently transferred to legal aid
- an examination of the way green forms had been completed by solicitors.

The results showed the work of solicitors and advice centres to be complementary with each having a clear appreciation of the expertise of the other. It also concludes that the green form scheme is central to the provision of legal services and needs to be consolidated and improved.

Diana Beale and Barbara Stow, *CABx and access to legal services in South Wales*, National Association of Citizens Advice Bureaux, 1986 (CAB Occasional Paper No.17).

A survey of 46 CAB organisers in South Wales to look at arrangements for legal advice for CAB enquirers. Covers:

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- subject areas where CABx would like solicitors to do more work
- categories of work where CABx lack confidence in the service of solicitors
- CABx that have access to specialist advice from solicitors.

Mark Blacksell et al, *Solicitors and access to legal services in rural areas: evidence from Devon and Cornwall*, University of Exeter, 1986 (Access to Justice in Rural Britain Project, Working Paper 6).

A survey of the work undertaken by 83 (39%) of the firms of solicitors in Devon and Cornwall. Looks at the type of work undertaken, amount of work paid for by the legal aid scheme and how firms attract their clients. Shows that clients are attracted by word of mouth recommendation and that only a minority of firms specialise in welfare law.

Gillian Borrie, *Advice agencies: what they do and who uses them*, National Consumer Council, 1982.

This report is a summary of a PhD thesis and contains the results of two surveys of users of advice agencies. The first involved interviews with 950 users of 19 generalist and specialist housing or consumer advice agencies in 8 London boroughs. The second involved the collection of data by staff working in 26 advice agencies. Information was collected on over 1,300 users. The report contains some of the most detailed information available on who uses advice agencies and how they do so. It shows that the public uses advice agencies in a selective way.

Brent Community Law Centre, *Legal services in the inner city*, 1983.

Describes the extent of referral to private practice (3 out of 12 enquirers daily) and the criteria used to assess whether referral is appropriate.

L. Bridges et al, *Legal services in Birmingham*, Institute of Judicial Administration, Birmingham University, 1975.

Results of a detailed survey of the work undertaken by firms of solicitors in the West Midlands. Looks particularly at legal aid work, but does not include an analysis of work in the welfare field.

Brixton Community Law Centre, *Annual Report, 1984-5*.

Gives details of cases referred out from the law centre. During 1984-85, 1,058 people were referred on, 579 of them to solicitors. This compares with 786 cases handled by the law centre itself. The referrals include a large number of private sector housing cases involving litigation.

G. P. Broadbent, *The provision of legal services to immigrants with particular reference to immigrant communities in Wolverhampton*, Wolverhampton Polytechnic, M Phil (CNNA) Thesis, 1982.

Gill Burke and Godfrey Cole, Meeting the needs of the times? An evaluation of Holloway Neighbourhood Law Centre, *Journal of Social Welfare Law*, 1985, 274-289.

Reviews the work undertaken by a legal advice centre in Islington from 1971-1980, including a survey of 50 clients. Shows that the centre 'had a word of mouth reputation as housing advice specialists'.

R. Burrow, *Effectiveness of developments in the provision of legal services within the welfare state*, Manchester Polytechnic, M Phil (CNAA) Thesis, 1981.

A. Byles and P. Morris, *Unmet need: the case of the neighbourhood law centre*, Routledge and Kegan Paul, 1977.

Describes the setting up and evaluation of North Kensington Law Centre, including the referral patterns to solicitors.

Camden Community Law Centre, *10 year review*, 1984.

Gives details, by subject, of which cases are handled by the law centre and the ones that are referred to others. Also shows the growth in firms able to undertake welfare work.

Chapelton CAB, *Tribunal assistance unit: progress report -- first two years (August 1976--August 1978)*, National Association of Citizens Advice Bureaux, 1979 (CAB Occasional Paper, No. 6).

A review of the first two years' work of the Chapelton Tribunal Assistance Unit, which shows that advocacy was less important than negotiation. For every success through a hearing (64) there were almost twice as many (122) successes achieved through settlement or revision.

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Also gives details of number of cases where a solicitor was used for representation.

Di Childs, Angela Hickey and Jane Winter, *Citizens' advice*, Greater London Citizens Advice Bureau Service, 1985.

A survey of who uses CABx in London and the service they received, based on detailed questionnaires completed by 60 of the 97 CABx in London and covering 5,275 personal callers and 3,242 telephone callers. The report provides a wealth of data on the types of people using the CABx and the enquiries they brought to them.

The highest proportion of referrals were to solicitors (24 per cent for personal callers, 19 per cent for telephone callers). These were usually about 'domestic and/or legal problems'. In addition 3 per cent of personal callers and 2 per cent of telephone callers were referred to voluntary legal advisers. Only legal, domestic and housing enquiries were referred at all and only domestic problems particularly stood out.

Community Information Project, *Review of advice services in Newham*, CIP, 1988.

A review of the work undertaken by advice agencies in the London Borough of Newham, including geographical accessibility and staffing as well as an assessment of the provision for black and ethnic minorities. A plan for future development of services is proposed.

Jeremy Cooper, *Public legal services*, Sweet and Maxwell, 1983.

Includes an account of the experimental legal aid firm that was set up to determine whether a firm could survive solely doing legal aid work.

Dudley Law Centre, *Annual Report*, 1984-1985.

Gives details of who refers cases to the law centre plus the relationship between the law centre and private practice in specific subject areas.

Kim Economides and Charles Watkins, *Doing what comes naturally*, *Legal Action*, August 1986, 7-8.

A survey of rural solicitors which shows that their work is dominated by conveyancing, followed by wills and trust, family and general litigation. Firms were asked to indicate their five most important categories of work. Aspects of social welfare work were listed by only a minority of

firms, child care work was listed by one rural Devon firm, employment work was listed by one firm in the city of Exeter and welfare work was listed by one rural Devon firm.

Kim Economides et al, *Studying rural lawyers: research strategy and context*, University of Exeter, 1985. (Access to Justice in Rural Britain Project, Working Paper 4).

Describes the methodology used in an empirical study of solicitors in Devon and Cornwall.

Federation of Independent Advice Centres, *Response to the Legal Aid Efficiency Scrutiny 1986*.

Includes the results of a questionnaire survey of 50 FIAC members looking at their use of green form, incidence of tribunal work and relationship with solicitors.

Julian Fulbrook, *The appellant and his case: the appellant's view of Supplementary Benefit Appeals Tribunals*, Child Poverty Action Group, 1975.

A survey of 50 appellants at Supplementary Benefit Appeals Tribunals. Of these:

- 3 attended in person, accompanied by a representative
- 2 sent representatives
- 3 sent close relatives
- 34 neither appeared *nor* sent a representative.

Only one representative came 'anywhere near a proper standard of advocacy' – a law student with expertise in social welfare law, attached to a voluntary legal advice agency.

A.H. Ganley, *The provision of legal services in new towns with particular reference to Telford*, Wolverhampton Polytechnic, M Phil (CNA) Thesis, 1982.

Cyril Glasser, Legal services and the green papers, *The Law Society's Gazette* 13 (5 April 1989), 9-12.

An assessment and critique of the fall in eligibility for legal aid that has occurred in recent years.

Clive Grace, A strategic approach, *LAG Bulletin* (June 1983), 13-16.

Gives details of the work of Brent Law Centre. This shows that of the 3000 cases received a year, one in ten (300) lead to full diagnostic interview plus limited additional work, while a further one in ten become active cases.

On average, about 12 requests are received by the law centre each day. Of these:

- 3 are referred to private practice
- 7 are given advice over the telephone
- 2 are taken on as cases by law centre.

Neville Harris, Welfare benefits and legal aid, *The Law Society's Gazette* 84(21), (1987), 1642, 1645

Shows that few solicitors do welfare benefit work. Goes on to review the arguments against the removal of welfare benefit work from green form scheme.

N. Harris and others, *Compensation and support for illness and injury*, Oxford Centre for Socio-Legal Studies, 1984.

An interview survey of 1000 accident victims which found that almost three-quarters of them did not even think of making a claim. 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.

N. Harris, Solicitors and supplementary benefit cases, *Northern Ireland Law Quarterly* 34, (1983), 144.

Shows that, despite the increased number of solicitors recruited to chair Social Security Appeals Tribunals in recent years, many members of the profession have had little involvement with benefit cases.

Ben Hoare, Legal aid scrutiny 1, *Legal Action*, (August 1986), 12.

A letter from a private practitioner in Sunderland who set up a welfare law practice, with 85 per cent of its income coming from legal aid. If the green form were abolished or curtailed they would be unable to continue as they are. Also shows that cases involving accident claims,

matrimonial proceedings etc often have related benefit problems which draw on general expertise in welfare work.

Henry Hodge, Starting a legal aid practice: the first year, *Legal Action Group Bulletin*, (February 1979), 32.

House of Commons, *Thirty second report from the Committee of Public Accounts, Session 1985-86, Provision of legal aid in England and Wales*, Lord Chancellors Department, HMSO, 1986, Appendix p.18.

The Law Society was asked by the Public Accounts Committee for details of the largest annual payment to anyone firm for advice and assistance. During the year 1985-86 it was £231,987.71. This was for 4677 bills submitted by the firm, which consists of a sole principal, a consultant solicitor and 3 assistant solicitors and supporting staff.

Elaine Kempson, *Advice and law centre services in Redditch*, Acumen 1987.

A review of advice and legal services in the Borough of Redditch. Of the 10 firms of solicitors, 8 offer a £5 fixed fee interview and all participate in the duty rota at the CAB. All are generalist firms but some have specialists in areas relating to advice services. Three have matrimonial law specialists, with one of them working with the Women's Refuge, 2 have personal injuries specialists and 1 a medical negligence specialist. There are none specialising in the main areas of welfare law, although one solicitor also works as a volunteer at the CAB.

Elaine Kempson, *Advice services in Manchester: an appraisal of current provision*, Acumen 1986a.

Reviews the provision of advice services, including patterns of referral. Shows a highly coordinated pattern of provision with individual agencies providing complementary services. The bulk of agencies refer cases to either one of the three law centres or to solicitors. Without doubt immigration and nationality is the main area of work referred to the law centres, while personal injury and matrimonial work accounts for the bulk of referrals to solicitors.

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Elaine Kempson, *Welfare benefits work by non-statutory advice and law centres*, Acumen 1986b (published, in part, in Richard Berthoud, *Standing up for claimants*, Policy Studies Institute, 1986).

Provides details of the amount and nature of welfare benefits advice work undertaken by voluntary advice agencies during 1984-85.

Elaine Kempson, *A survey of current advice and law centre provision*, commissioned by the Advice Services Alliance, 1986c.

A detailed survey of the number, distribution and staff levels of advice agencies, prepared in response to the Legal Aid Efficiency Scrutiny report. Levels of provision are assessed against the standards set down by the National Consumer Council in its report *Good Advice for All*. The report shows considerable levels of shortfall in all but a few inner city areas.

Elaine Kempson and Nick Moore, *The use of information and advice services: a review of research*, Community Information Project, 1983.

Reviews and summarises 59 research projects relating to the use of information and advice agencies. It includes the characteristics of users, geographical patterns of use and the nature of use. It also looks at the extent of unmet need for advice services and some possible reasons for the non-use of advice agencies.

Earle Kessler and others, *Combatting poverty: CABx claimants and tribunals, A report of the NACAB/EEC Tribunal Project 1976-1980*, National Association of Citizens Advice Bureaux, 1980, (CAB Occasional Paper, No.11).

A report of the West Midlands Tribunal Project, which shows the relatively low level of welfare benefits work undertaken by CABx in the mid 1970s. Bureau workers had a low level of expertise in this area and during the year 1975-76, Social Security represented just 6.2 per cent of the total enquiries received nationally.

LAG questionnaire: your replies analysed, *Legal Action*, (October 1986), 8-9.

Presents the results of a survey of subscribers to LAG which was undertaken to provide response to Lord Chancellors Efficiency Scrutiny Report. Replies were received from 206 solicitors – most of whom worked in firms doing substantial amounts of legal aid work. Of these

25 per cent said they had faced difficulties obtaining green form payments for certain categories of work (welfare benefits and immigration were cited as examples on the questionnaire).

Law Centres Federation, *The case for law centres*, LCF, 1983a.

A document produced by the Law Centres Federation, which argues that:

‘Law Centres are an essential part of a three-pronged legal and 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 services.’

Shows that a large proportion of people using law centres are referred to private practice. One typical centre estimates over 40 such referrals each week.

Law Centres Federation, *A dossier for HM Government from the Law Centres Federation*, LCF, 1983b.

Spells out, in more detail, the complementary nature of services including the setting up of private practices following the establishment of a law centre.

Law Centres Federation, *Law centre staff research project*, LCF, 1983c.

A survey of 36 of the 44 law centres to establish the numbers of staff leaving and reasons for doing so. A total of 112 lawyers had left employment with a law centre. Of these about half (45) went into private practice; 20 to other law centres. The report concludes that:

‘The findings reveal that the entry of so many ex-law centre lawyers into private practice has made the legal aid scheme more effective. It has increased the number of legal aid practitioners who are willing to take the less remunerative legal aid cases.’

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

Detailed profiles of all law centres, which included cases referred to law centres by solicitors and to solicitors from law centres.

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Law Society, *Evidence to the Royal Commission on Legal Services*, Memorandum No.3, Pt.1, 1976.

Gives details of the level of referrals from law centres to solicitors in 1975-76. During the year, Paddington Law Centre made 492 such referrals, Camden Community Law Centre 684 referrals. Also provides evidence that law centres encourage the establishment of local law firms.

Law Society, *New directions in legal aid practices*, Law Society, 1987.

A qualitative study undertaken to identify the range of innovative legal aid work undertaken by private practice solicitors. Eight firms were surveyed ranging in size from sole practitioners to a firm with 18 fee earners and 1 partner; and in all types of localities including inner city, small towns and rural areas. The range of work undertaken included:

- free initial interviews
- free legal advice sessions
- free legal centre
- use of lay advisers
- outreach work
- Bangladeshi and Pakistani village visits.

The common feature of these schemes was the close relationship between private practice and advice and law centres. The report also describes the work of the Southampton 'Lawline' and the South Wales Housing Law Group.

Roger Lawrence, Solicitors and tribunals, *Journal of Social Welfare Law* 21, (1980), 13-25.

A survey of 80 West Midlands solicitors who, in the 1978 Legal Aid Solicitors List, indicated a willingness to undertake welfare benefits/tribunals work. 45 solicitors replied with the highest response rate from those who were selective in their entries. The results showed that those who were least selective were also the least likely to specialise. In all:

- 13 of the firms represented at more than 10 tribunals a year (mostly industrial tribunals)

- 4 of the firms said that over 10 per cent of their work was welfare benefits/tribunal work
- 9 of the firms had staff with specialist training or experience in welfare benefit work.

Welfare benefits work often formed an element of other work, particularly divorce cases.

Roger Lawrence, *Welfare advice and advocacy: a study of current provision in the North West Midlands*, National Association of Citizens Advice Bureaux, 1977, (NACAB Occasional Paper 1).

A review of agencies offering welfare rights advice in the West Midlands. Most of the work done by solicitors related to National Insurance benefits, frequently as part of assistance to people consulting about marital disputes.

*Legal Aid: 38th Annual reports of the Law Society and the Lord Chancellor's Advisory Committee*, (1987-88).

Legal Aid Board, *Second stage consultation on the future of the green form scheme*, The Board, 1989.

J. Levin, Green form clampdown, *Legal Action Group Bulletin*, (July 1983), 3.

Recounts the problems faced by solicitors completing green forms for welfare benefit and immigration work.

J. Levin, Report on law centre staffing problems, *Legal Action Group Bulletin*, (October 1983), 3.

Summary article of the Law Centres Federation law centre staff research project (see Law Centres Federation 1983c).

London Borough of Southwark, Forward Planning Group for Information and Advice Services, *Information and advice services review*, 1980, (unpublished).

A very detailed analysis of the need for advice services in the Borough of Southwark. It includes a survey of 10 agencies, both statutory and voluntary, conducted during 1979. This analysed 1,269 enquiries, made to the advice agencies, looking at the characteristics of users and the types of problem they were seeking advice on.

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Vickie Macnair, Ignorant of the Rent Act, *Legal Action*, (December 1984), 14.

Housing problems account for over 4,000 of the enquiries received annually by one London CAB. Even though they employ a community lawyer, they still make 7-800 referrals to private solicitors each year. They find, however, that only two or three local firms have expertise and experience in Rent Act work.

Manchester Law Centre, *7th Annual Report*, 1982-83.

Describes the referrals to private solicitors. 14 per cent of phone callers and 9 per cent of personal callers are referred. The cases most frequently referred are local authority tenants with repairs problems.

P. Morris, J. Cooper and A. Byles, Public attitudes to problem definition and problem solving: a pilot study, *British Journal of Social Work* 3(3), 1973, 301-320.

A survey involving 112 in-depth interviews with the public in two London Boroughs. These showed:

- a lack of knowledge regarding existing social and legal provision
- the resignation with which people accept situations they find unsatisfactory
- the overlapping nature of social and legal problems.

P. Morris, R. White and P. Lewis, *Social Needs and Legal Action*, Martin Robinson, 1972.

Shows that most of the difficulties people experience contain a social as well as a legal component.

Newham Rights Centre, *Annual Report 1982-83*.

Gives brief details of free legal advice sessions which are staffed by volunteer solicitors from local practices. It also records that the cases referred to private practice solicitors include those relating to rent arrears and matrimonial problems.

*North Devon Law Centre Steering Group Survey*, (1981?)

The results of a doorstep survey of 452 households in North Devon. This identified that 74 per cent had had problems that would be within the

competence of a law centre. A third of these problems related to housing, a quarter to welfare benefits. Of the people interviewed 60 per cent had been in touch with a solicitors, with more owner occupiers doing so than tenants. 25 per cent of people with welfare problems (housing, child care, welfare benefit or employment) had consulted a solicitor.

North Manchester Law Centre, *Statistical Report January – June 1983*.

Of the 281 people who attended advice sessions in Clayton, 25 were referred to the law centre for further action, 49 were referred out to private practice solicitors and the remainder were given on-the-spot advice.

Oldham Metropolitan Borough, *Advice services in Oldham. A review of current provision and patterns of use*, 1987.

Presents the results of two surveys of advice services in Oldham – a questionnaire survey of all agencies and detailed monitoring of 4,590 people using the agencies during a four week period. Demonstrates that there is a very sophisticated pattern of use of advice agencies. Few people need to be referred from one agency to another and the enquiries they make at agencies reflect each agency's areas of expertise. Cases referred to solicitors include matrimonial, employment and housing matters.

Alan Paterson, Evaluating legal needs, *SCOLAG 127*, (1987), 58-61.

A questionnaire and interview survey of private practice solicitors and advice agencies in the Strathclyde Region of Scotland. Most undertake legal aid work, but there is a shortage of solicitors with specialist knowledge in the fields of child law, consumer, welfare and housing law. The shortage is greatest outside Glasgow. Compares legal advice and assistance bills submitted by solicitors with enquiry levels at CABx and also assesses amount of representation at tribunals that is undertaken by solicitors.

Alan Paterson and Sheila Bain, *Access to legal services in rural Scotland*, University of Exeter, 1986 (Access to Justice in Rural Britain Project, Working Paper 13).

Includes the results of discussions with solicitors, advice workers and community workers which reveal a lack of solicitors in fields of child law, consumer, welfare and housing law. Also covers an interview

survey of solicitors from each of the eight private practices in East Ross. The main areas of work were conveyancing and wills and trusts. Matrimonial and personal injury work were third in importance. All offered some legal aid. Most clients were attracted by word of mouth recommendation.

Peat Marwick, *Survey of the structure and finances of the solicitors branch of the legal profession in private practice*, 1986.

A questionnaire survey of a sample 480 firms in England and Wales. The work was commissioned by the Law Society and provides figures that are comparable to those in the report of the Royal Commission on Legal Services for England and Wales. Shows the heavy reliance on conveyancing of firms of all sizes and in all parts of the country. Very few firms (3%) derive more than 25 per cent of their income from non-contentious work other than conveyancing or probate, wills and trusts. Those that do are almost all sole practitioners. Slightly more (13%) derive more than 25 per cent of their income from contentious work other than criminal or matrimonial matters. These are firms of all sizes and from all parts of the country. There is, however, an over-representation of the largest firms (15 or more partners) and those located in Central London.

D. Podmore, *Solicitors in the wider community*, University of Aston, Unpublished PhD Thesis, 1978.

A detailed review of the work of solicitors in the West Midlands based on interviews with 128 individual solicitors in a variety of work situations.

D. Podmore, *Solicitors and the wider community*, Heinemann, 1980.

Shows that the legal profession is far from homogeneous. Firms tend to specialise and individual lawyers even more so – though mostly in non welfare law.

D. Podmore, A survey of West Midlands solicitors, *The Law Society Gazette*, (July 20), 1977, 636

A survey of 103 practices which showed that although most firms did most branches of legal work, individual solicitors tended to specialise to a considerable extent.

Ann Rigg, *Advice centres: a report of a quantitative study carried out by the Consumers Association for the National Consumer Council*, 1976, (unpublished).

The results of a random sample survey of 1,021 adults which looked at the awareness and use of advice services and solicitors. Respondents were asked whether they had had a problem in the last 18 months and where they had sought help. In addition, awareness of advice agencies was probed in two ways – firstly by asking respondents if they had heard of certain types of advice services and secondly by posing hypothetical problems and asking respondents who they would contact for help and advice. The CAB was most likely to be mentioned for a consumer complaint or eviction threat; solicitors for making a will or custody of children; the DHSS for welfare benefit problems and the police for noisy neighbours.

Rochdale Voluntary Action, *Why Rochdale needs a law centre*, 1984.

A paper setting out the arguments for establishing a law centre in Rochdale. Points to the experience in Saltley in East Birmingham, where the establishment of a law centre led to the setting up of branch offices of two legal aid firms – one employing a former law centre worker.

Ben Rose & Roger Smith, Legal advice services on Tyneside, *Legal Action*, April 1987, 6-7.

Reviews advice and legal services in Tyneside and concludes that there is a particular lack of solicitors with expertise in landlord and tenant work. Gives details of the work of four firms particularly involved in welfare law.

*Royal Commission on Legal Services*, Chairman Sir Henry Benson, HMSO, 1979, Cmnd 7648-1.

Report of the major review of legal services in England and Wales. This included a detailed survey of users and non-users of legal services in England and Wales, which showed that 14 per cent of the adult population had consulted a solicitor in 1977. The bulk of this use was in connection with conveyancing, very few had used legal services for a welfare law problem. In 94 per cent of cases the service used had been a private solicitor.

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Most people had selected the solicitor on the basis of personal recommendation. The survey also investigated areas where people had faced problems but had not consulted a solicitor. The types of problems occurring most frequently were to do with neighbour disputes, goods and services, landlord and tenant, social security and employment. These are all areas where solicitors were more likely to give advice than take action. Many of these people had consulted an advice agency.

H. Sabey, *Neighbourhood law centres*, Brunel University, MA Thesis, 1977.

Saltley Action Centre, *Annual Report 1983-84*.

Gives details of the use of a firm of London solicitors that has undertaken village visits in Bangladesh to help the law centre in preparing its case to the Home Office.

School of Advanced Urban Studies, *Civil Justice Review: study of housing cases*, Final report to Lord Chancellors Department, 1987.

Reports the results of three surveys:

- plaintiffs and defenders in possession cases at ten county courts
- plaintiffs and defendants at rent assessment hearings
- potential litigants with housing problems.

For each, sources of help and advice, representation and use of legal aid are analysed.

Avrom Sherr, Lawyers and clients: the first meeting, *The Modern Law Review*, 49(3), 1986, 323-357.

A detailed research study to investigate the interviewing skills of newly trained solicitors. The 'clients' were previous clients of legal aid and law centres who were paid to present their cases again. The interview was recorded on video and the solicitors handling of the interview assessed from the recordings.

They found that lawyers were not good at giving their clients the opportunity to tell their own story or allowing them to agree or disagree with the lawyer's view of the facts and the law. They were poor at keeping the client informed about what was going to happen or might happen. They also tended to narrow down the factual area of inquiry as

soon as possible with a series of question and to force the issue into a legal category with which they were acquainted.

Avrom Sherr & S. Domberger, Measuring legal work, *New Law Journal*, 132 (6037), 1982, 80-82.

Research to measure the relative advantages and disadvantages of two methods of delivery of legal services: the private practitioner solicitor and a solicitor in a law centre.

Concludes that the law centre solicitor spent less time per case (30 cases of unfair dismissal) but there was no statistically significant difference in either the outcome or the satisfaction of clients.

Michele Slatter & Malcolm Moseley, *Access to legal services in rural Norfolk*, University of Exeter, 1986, (Access to Justice in Rural Britain Project Working Paper 7).

A review of advice centres and solicitor firms in Norfolk. Includes a survey of solicitors from the five firms in North Walsham. For all five firms traditional work areas accounted for most of the work, but there was some specialisation, including family law in one firm. All did legal aid work, with 20-25 per cent of clients claiming legal aid.

Also contains details of a 'progressive' solicitor doing large amounts of welfare work, and estimated that three out of the 150 firms in Norfolk undertake tribunal or benefits work.

Small Heath Community Law Centre, *Report on the work of Small Heath Community Law Centre June 1980--September 1983*, For the Department of the Environment review of Urban Programme support for voluntary projects, 1983.

Gives full details of the numbers and types of cases referred to private practice solicitors as compared with those handled themselves.

Roger Smith, Warring over welfare, *Legal Action*, May 1987.

Reviews the extent of welfare benefits work undertaken on the green form scheme as illustrated in the 1985-86 Legal Aid Reports.

Advances a number of arguments why solicitors should continue to work in this area. Firstly, solicitors specialising in cases dealing with

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matrimonial, employment and personal injury matters need to have welfare benefit expertise. Secondly, lawyers are needed to keep the social security provisions under close scrutiny and to raise legal challenges to the DHSS.

M.R. Stephens, *Proactive and reactive legal services within neighbourhood law centres: their respective roles in relation to the realization of citizenship rights*, Oxford University, D Phil Thesis, 1985.

Compares the reactive work methods of Camden Community Law Centre with the proactive ones of Holloway Neighbourhood Law Centre.

Stockwell and Clapham Law Centre, *Annual Report 1982*.

Analyses the referrals between the law centre and solicitors; and shows that 7 per cent of cases referred to the law centre came from solicitors. Of the total cases received by the law centre 11 per cent were referred to solicitors, while 42 per cent were taken on by the law centre itself.

Stockwell and Clapham Law Centre, *Annual Report 1984*.

Records that the law centre refers tenants with urgent repair problems to local solicitors, chiefly because they are unable to help due to their workload.

V. Stuart, *The citizen's advice bureau and legal services – incorporating a case study of the Twickenham CAB*, Brunel University, MA thesis, 1977.

Maurice Sunkin, What is happening to applications for Judicial Review, *The Modern Law Review*, 50(4), 1987, 432-67.

An empirical study of the judicial review caseload during 1981-86. This shows that by far the majority (81%) of cases were brought by individuals. 40 per cent were against central government, 30 per cent courts and tribunals and 22 per cent against local government.

The largest category of cases in 1985 dealt with immigration matters which accounted for 38 per cent of the total. The next largest category was prisoners (14%). No other subject was over 8 per cent.

Taylor Nelson, *An analysis of solicitors advertising*, National Consumer Council, 1987.

A survey of the display and semi-display advertisements placed by solicitors in:

- 20 of the 57 volumes of Yellow Pages
- 7 of the 83 regional daily newspapers in England and Wales
- 35 of the 270 paid weekly newspapers
- 112 of the 920 free weeklies.

A total of 1,256 advertisements were analysed and the average number of areas of specialisation was found to be 4.4. Main areas of work were conveyancing (59%), divorce, family and matrimonial (46%) and wills, probate and trusts (44%).

Thamesdown Law Centre, *Annual Report and Accounts*, 1986-7.

The law centre refers to local solicitors and private practice 'those enquiries which related to matters with which we do not deal, eg. matrimonial, personal injury and some housing matters'.

Phil Thomas, *Access to legal services in rural Dyfed, Wales*, University of Exeter, 1986 (Access to Justice in Rural Britain Project Working Paper 11).

Draws most of its information from a survey carried out by the NACAB (see D. Beale & B. Stow). Also includes an interview survey of solicitors from the seven firms in Haverfordwest. The main areas of work were conveyancing, wills, probate and trusts, with sole practitioners having the most restricted range of work. The three sole practitioners also made least use of legal aid (under 5 per cent of clients) with the other firms using it for 30 per cent, 50 per cent, 75 per cent and 90 per cent of clients. Word of mouth was the chief means of attracting clients.

Tooting and Balham Law Centre, *Annual Report 1985*.

Shows that one of the main areas of referral is people facing housing harassments and evictions, to private solicitors who require to obtain injunctions against the landlord.

Tower Hamlets Law Centre, *Annual Report 1984-85*.

Reports that some firms of solicitors were doing considerable amounts of work relating to housing repairs. Even so, the law centre was planning to increase the resources available to tenants with repairs problems by encouraging more local solicitors to undertake this work. Some firms already do a considerable amount of repairs work.

Wandsworth Legal Resource Project Ltd, *Annual Report 1984*.

Gives details of people referred to solicitors during 1984. 31 per cent of the 573 people seen at advice sessions were referred to a private practice solicitor, as compared with 8 per cent referred to an MP, councillor or other agency.

Charles Watkins, et al, *The distribution of solicitors in England and Wales*, University of Exeter, 1986 (Access to Justice in Rural Britain Project, Working Paper 8).

A review of the distribution of solicitors using the Solicitors and Barristers Directory 1985. Shows a massive concentration of firms in main towns and cities, but otherwise solicitors are distributed more evenly than the population.

Charles Watkins & others, *The role of Citizens Advice Bureaus in rural areas*, University of Exeter, 1986(a), (Access to Justice in Rural Britain Project, Working Paper 12).

An interview survey with 24 CAB organisers in Devon and Cornwall, which investigated the relationship between CABx and private practice solicitors. This includes areas of work that organisers are not confident about referring to solicitors. In the main these were social welfare law.

Charles Watkins, Kim Economides and Mark Blacksell, *The use of legal services in three remote rural parishes*, University of Exeter, 1986(b) (Access to Justice in Rural Britain Project, Working Paper 14).

A survey of 112, 118 and 125 people living in three remote villages in Devon and Cornwall. 59 per cent had used a solicitor since living in the parish – with a far higher percentage for owner occupiers (69%) than tenants (38%). 21 per cent had used a solicitor in the past year. The main issues were property (46%), wills (35%) and business (10%). Consumer,

welfare and employment were each less than 1 per cent of total issues dealt with.

However, only 15 per cent of the same group had used a CAB since living in the parish. Users were more likely to have consulted the CAB about tax or money (17%), consumer (13%) or welfare (13%) matters, than they were to have used a solicitor.

Which? legal advice survey, *LAG Bulletin*, February 1983, 10.

The October 1982 issue of Which? gave brief details of a survey *Where to go for legal advice*. This article provides a fuller account of this survey, which looked at the use of legal advice on subjects other than conveyancing.

Of 11,000 people replying to a postcard survey 2,000 (18%) had sought advice with 1,800 (16%) receiving advice on wills, probate and divorce.

A second more detailed survey was carried out of 1,000 of these respondents, asking for the nature of the legal problem on which advice had most recently been sought. Again wills were the most common cause. The three other most prominent reasons were probate and divorce, consumer problems and damage to property, and land law and landlord/tenant disputes.

The agency consulted varied with the problem. On average 80 per cent used solicitors, 10 per cent a CAB. But less than two-thirds of those with a consumer problem went to a solicitor, while higher than average numbers used a CAB or consumer advice centre. Those looking for employment law advice were more likely to go to other institutions than to solicitors.

Robin White, *Legal Services in Leicester: a report for Leicester City Council*, University of Leicester, Faculty of Law, 1982.

A survey of 35 firms of solicitors in Leicester, listed in the 1982 Legal Aid list as willing to do work in welfare benefits and immigration and nationality. 17 replied. 'Few' claimed more than 20 cases a year and 'few' claimed to be experts in these areas.

Also analyses the welfare benefits and immigration work undertaken by Leicester Resource and Information Centre and by three legal advice

centres (one in a CAB). Concludes that the legal advice centres 'are best regarded as legal surgeries providing by and large routine legal advice on routine legal problems'.

Finally records that Shelter refers considerable number of cases requiring injunctions to restrain eviction or harassment to private solicitors.

M. Zander, The most authoritative survey yet of legal services, *Law Society's Gazette*, 26 July 1978, 760.

M. Zander, Who goes to solicitors?, *Law Society's Gazette*, March 1969, 174.

A survey of 2,004 people by Mass Observation Ltd (first English study with a national random sample). 19 per cent had seen a solicitor in the previous 12 months. The level of use was highest for people in social classes A and B (30%) and lowest for those in classes D and E (12%).

M. Zander & P. Russell, Law centres survey, *Law Society's Gazette*, 10 March 1976, 663.

A survey of the first 15 law centres, which showed that housing problems accounted for over 40 per cent of work of 10 of the centres, and that employment, social security and consumer problems played a larger part in the work of the centres than for most firms of solicitors.

As compared with firms of solicitors, law centres placed more emphasis on work with groups, concentrated on particular local problems, and were more likely to use test cases to establish a point of law in courts.

The work referred from law centres to private solicitors fell into two main categories:

- work centres don't handle at all (eg. conveyancing, divorce, commercial or substantial probate were all more or less automatically referred on; personal injury cases were normally referred on)
- work they might handle but which they refer out to reduce their own caseload.

The main areas of overlap are crime, personal injury cases and matrimonial other than divorce.