

Public Legal Education Network
6th Floor St. Mary Axe London EC3 8AA

Access to Justice Review interim report - response from the Public Legal Education Network

About Plenet

The Public Legal Education Network (Plenet) was launched in 2008 with a grant-in-aid from the Ministry of Justice. It currently includes over 350 organisations and individuals in the field of public legal education. Members include statutory bodies, not-for-profit organisations, legal professionals, researchers, educators and campaigners. The Plenet Steering Group includes representatives drawn from Citizens Advice, Age UK, Citizenship Foundation, Law Centres Federation, Legal Services Commission, Civil Mediation Council, Bar Pro Bono Unit, Legal Services Research Centre and Advice Services Alliance.

Plenet campaigns for effective PLE as an integral part of the justice system. It undertakes research and fosters pilot projects to develop the theory and practice of PLE. Plenet develops tools and resources that support the provision of PLE, including evaluation tools, and identifies and promotes good practice. We aim to embed PLE in the work of organisations across the legal, advice, education and community sectors.

Plenet is hosted by Advice Services Alliance, the umbrella body for UK advice services.

Plenet's response

We welcome the opportunity to respond to the Law Society's consultation on access to justice. Our contribution is focussed on the role of Public Legal Education in providing access to justice.

We were pleased to see the reference to Public Legal Education early in the review - paragraph 1.6, stating that 'it is important that people should be aware of their rights and the remedies available to them' but disappointed that this point isn't further developed - a major omission in a review entitled Access to Justice.

Recent research¹ from the Legal Services Research Centre reveals low levels of knowledge of the law and legal process. 65% of respondents said that at the time of their problem they did not know their rights. Nearly 70% said that they had no knowledge of legal processes.

Low levels of capability are linked to a failure to get advice, reduced likelihood of meeting objectives and more likelihood of experiencing adverse consequences such as ill health.

¹ Knowledge, capability and experience of rights problems - Legal Services Research Centre March 2010. <http://www.plenet.org.uk/research-and-theory/key-reading/knowledge-capability-and-experience-of-rights-problems,10185,FP.html>.

Other research commissioned by Plenet², showed a more profound lack of knowledge. The research report stated that the young people interviewed seemed 'unaware of any system of civil law to which they had recourse'. The young people also lacked the basic skills needed to deal with law-related issues, particularly communication skills.

If we are to achieve access to justice we need to ensure that people have the basic capability and confidence to deal with law-related issues, particularly at an early stage.

People need to be able to make informed decisions in order to avoid problems. They need to be able to recognise a law-related problem, know how to find out more and when and where to get expert help.

Lack of awareness of civil law doesn't just compromise people's ability to deal with law-related problems; it implies a widespread failure to understand the role of law in civil society leading to cynicism and lack of civic engagement. Legal capability is an important component of active citizenship.

Legal services have yet to develop a preventive strategy in sharp contrast with the health sector where preventive medicine and public health campaigns are an accepted part of the work of the NHS.

There will always be a need for lawyers and legal experts to deal with complexities of the law and to respond to legal problems once they have occurred. But clearly, there is also a need for the proactive and preventive approach of public legal education.

Increased public awareness and knowledge of the law would also be good for lawyers. It would put discussion about funding of legal aid into context. While people have so little awareness of the role of law in democratic society they aren't likely to appreciate the importance of law or the work of lawyers. Effective PLE would strengthen perceptions of the law as a social good - as something that can be used to resolve conflict and disputes.

Many Law Society members support public legal education and PLE is beginning to be seen as a valid part of pro bono activity. We suggest that the Law Society consider bringing those of its members with an interest in PLE together in a policy forum to strengthen this work. Plenet would be pleased to offer all the help it can.

Active support for PLE from the Law Society would add significant weight to the campaign for legal capability and be an important step towards increasing access to justice.

Martin Jones
Plenet Project Director
Advice Services Alliance

020 7398 1484
martin.jones@advicenow.org.uk
www.plenet.org.uk

² Measuring young people's legal capability - Independent Academic Research Studies (IARS) July 2009. <http://www.plenet.org.uk/research-and-theory/key-reading/measuring-young-peoples-legal-capability>

Notes:

The Pleas Task Force report³ provided a definition of Public Legal Education.

'PLE provides people with awareness, knowledge and understanding of rights and legal issues, together with the confidence and skills they need to deal with disputes and gain access to justice. Equally important, it helps people recognise when they may need support, what sorts of advice are available, and how to go about getting it.'

PLE has a further key role in helping citizens to better understand everyday life issues, making better decisions and anticipating and avoiding problems'.

³ Developing capable citizens: the role of public legal education - Pleas Task Force July 2007