

Dear Sirs

I am a pro bono advocate working primarily in education law and children Act matters. Many of my cases are extremely complex and have significant impact on the lives of the parents I work with and their children. Notwithstanding, those parents cannot gain access to legal aid.

Quotes from practising solicitors to apply for complex legal aid average in the region of £3000, a sum that makes even applying an insurmountable barrier to a low income litigant, particularly knowing that those funds will not be refunded even if successful. Consequently, my colleague and I are overwhelmed with cases that are ones we would much rather refer to a currently practising lawyer, who could represent the client in Court.

We provide an excellent service, but being unable to go on the record as acting for the client we cannot appear in Court. Our clients remain litigants in person. Recently a client was refused permission to have a McKenzie friend present on what to my mind were appealable grounds. However an appeal would not be held in time to ensure that the client was able to be supported in the following hearing. That client was so terrified of the other party, against whom she holds a non-molestation order, that she could not speak properly. Consequently, the client is unable to present her case and receive proper access to justice. That mother is in front of the Court protecting her children from maltreatment by her abusive former partner and yet is expected to do so without support or legal representation.

I give one example only, but every day our clients go into Court with either no support or with a pro bono advocate as a McKenzie friend who may not talk on their behalf or do other than offer discrete support. Every single day that situation leads to miscarriages of justice in our Courts, as a represented litigant can brow beat and manipulate a litigant in person who has little or no understanding of the procedures.

Our system is broken, we are leaving the public without access to justice. We need to either increase access to legal aid funding or provide consent to paralegals who are registered by the institute of paralegals, to appear in court on behalf of clients.

Yours faithfully