

Further submission from Riverside Advice to the
Commission on Justice in Wales

- 1) What are the current challenges within the advice sector in Wales? Are these challenges specific to Wales or more pronounced within Wales?

The main challenge for the Advice Sector is funding, particularly in Wales where we cannot access some of the 'English' Funding streams. This challenge is particularly relevant for the smaller independent Advice Providers, many who have already closed due to funding crisis; such as the Cardiff Law Centre and Cardiff Age Concern Welfare Rights Unit.

The smaller organisations who often provide specialist and bespoke services for vulnerable people. These are the people who experience, due to vulnerabilities; such as mental health illnesses, older people, experience barriers in accessing main stream Advice services, which are mainly delivered by drop-in and on a triage basis.

The majority of Advice Funding in Wales, Welsh Government Advice Funding, and Local Authority Funding is funding larger Advice Providers, particularly as the Welsh Government Advice Funding Criteria was for organisations with National remit. This has seen the closure of many, if not most of the smaller Advice Organisations in Wales.

- 2) What have been the principal impacts of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 in Wales?

The main impact has been on loss of funding, and therefore services, particularly at the 'Legal' Specialist Advice level, and for vulnerable clients. The UK Governments on Impact Assessment on LASPO stated that vulnerable people would be most impacted upon from the removal of Social Welfare Legal Aid in

2013. In 2013 Riverside Advice had the largest Social Welfare Legal Aid Contract in Wales, (before it was taken out of scope), with 1500 cases in Welfare Benefits and Debt. This has not been replaced. 90% of our clients had some vulnerability, with 80% having a Mental Health Illness and also 80% of them being referred through Support organisations. This has not been replaced by the current Welsh Government Advice funding.

Before Social Welfare Legal Aid was taken out of scope on 31st March 2013 the Cardiff Area had a quarter of the Legal Aid Budget for Wales. This was £1 million for Cardiff out of £4 million for Wales. None of the current main WG Advice funding £2,000,000 Commissioned in 2014 came to Cardiff. As a result of this Cardiff Law Centre shut, and the future of other organisations like Riverside Advice became precarious.

As far as Riverside Advice is aware there has been no re-commissioning of the annual £2,000,000 WG Advice Funding. This was Commissioned in 2014 for three years, i.e. until March 2017, and has presumably been 'rolled over for the successful recipients?'

Riverside Advice has had no WG funding since 2013/14, and no Council funding since 2015, even though we had the largest Legal Aid Contract in Wales. We still have a Legal Aid Contract and the Specialist Quality Mark, are referred to by the organisations who do have the WG and Council Advice funding due to our expertise, and our services for the most vulnerable people. This has not been recognised within the current WG or Council funding.

The result from the Legal Aid, Welsh Government and Council funding cuts is that Riverside Advice's staff numbers have reduced from 28 to 6 and our Income from £750,000 to £180,000. This has heavily impacted on the most vulnerable people we deliver services to.

3) Are there examples of innovation and good practice within the advice sector, both in and beyond Wales, which should be adopted and shared?

There are many examples of good practice, particularly partnership working and innovative ideas. It is very difficult to promote this, and collaborative working with

insufficient funding and much has been, is being lost. Work in partnership and collaboratively is key, but organisations are set against each other with the 'cut throat' competitive nature of reduced funding.

- 4) What are your views on the current organising and funding of advice services in Wales? What do you see as being the most effective governance and funding models?

The main problem in Wales is that large Contracts fund a few National organisations to deliver across Wales. The £12 million+ of Welsh Assembly Advice funding from various funding sources within WG departments goes to a few National Organisations. Larger National organisations are important to deliver a more generic services. Smaller organisations are key to providing more specialist, bespoke advice services to more vulnerable people. This is what has been, continues to be lost.

- 5) Do advice services in Wales currently reach the people that need them, and provide specialist provision where required, rather than signposting?

Again as above. There are few, and reducing Specialist Advice providers, the huge amount of Specialist Cases lost as a result of LASPO have never being replaced in any way by WG or any other funding. These cases were mainly delivered to the most vulnerable – eligible for Legal Aid with added health disabilities, mental or physical.

The early intervention and prevention principle has been lost, particularly needed for vulnerable people. This resolves issues early and produces the best results, preventing the financial downward spiral which effects health and is then much more costly on many other services, such as GP's, hospitals, and homelessness.

- 6) What steps are you taking to encourage collaboration within the advice sector?

As above the Advice sectors strength has always been our willingness to work in partnership and collaboratively. In Cardiff we had a Advice Providers Group who met regularly and worked together on projects. This has all been destroyed by the competitive nature of funding and bids, reduction in funding, and criteria of Single

Provider, as in Cardiff Advice Contract of £500,000. This was a grant that funded 8 Advice Providers. The majority of these Advice organisations are now shut as Cardiff Council only wanted a Single Provider, and requests from smaller Advice organisations to work collaboratively for the Contract was refused.

There has been refusal to work collaboratively both locally and nationally from organisations.

- 7) What improvements can be made within courts and tribunals to assist litigants in person?

Difficult due to lack of funding. Vulnerable litigant need to be supported.

- 8) How are you using technology, particularly video links and programmes designed to assist those who have disputes, to provide your services?

We do not have the funding / resources to do this.

- 9) Can alternative dispute resolution or ombudsmen or other forms of dispute resolution make it easier to provide justice in (1) disputes that currently may come before the courts and tribunals or (2) disputes which never come to the courts or tribunals – what is said to be a huge unmet need for justice? How should these forms of dispute resolution be organised and linked to the courts and tribunals?

Will need more resources to do this.