



Review of Civil Legal Aid - Call for evidence

Response to questions 7 and 8 only.

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1. Introduction and Background

This response has been prepared by staff at the [UCL Centre for Access to Justice](#) (UCL CAJ) in collaboration with students at the UCL Faculty of Laws, all of whom volunteer their time at the UCL Integrated Legal Advice Clinic ([UCL iLAC](#)).

UCL CAJ combines legal education with the provision of pro bono and legally aided legal advice to the local community. We believe that we are in a unique position to respond to the questions relating to career development as the only university that runs a law clinic with a legal aid contract, UCL iLAC. As professionals, we are aware of the challenges of legal aid practice and our students have had the opportunity to receive more exposure to this career path. UCL Laws is also a leader in access to justice research and in the incorporation of casework and social justice awareness into the law degree programmes we offer. Because of our expertise in this area, this response will focus on responding to questions 7 and 8 of the call for evidence only. As part of preparing for this consultation response, we worked with our students to

prepare a survey of the student body to seek their views on legal aid careers. The survey was open to ALL students at UCL Laws and sought the views of both those who have and have not considered careers in legal aid. We received a total of 86 responses to the survey in the limited time available to respond to this call for evidence. Responses were primarily from undergraduate students though we received some responses from postgraduate law students as well. The questionnaire has been included as an appendix to this response.

Through research, discussions with our students and through our survey, we identified that there are many obstacles to accessing a career in legal aid that affect all students, not just those with protected characteristics. These obstacles may affect those with protected characteristics more, due to the nature of the obstacles – this is explored further below.

Our survey also suggests that more people with protected characteristics are interested in pursuing a career in legal aid. When looking at the characteristics of those who still wish to pursue a career in legal aid, we found that 75% of responses were from women, 78% were from those who identified as BAME, and 32% identified as LGBT+¹.

Our response also relies heavily on existing research on these issues, that we seek to draw to your attention. In particular, we have heavily relied on ‘Legal Aid and the Future of Access to Justice’ by Catrina Denvir, Jacqueline Kinghan, Jessica Mant and Daniel Newman², which explores all of these issue in depth. This response includes a number of tables from their book, identifying key issues in the profession that they found through their research.

The first table we would draw your attention to is the one summarising factors that deter students from pursuing a career in legal aid. These factors are similar to those identified in the survey of our student body.

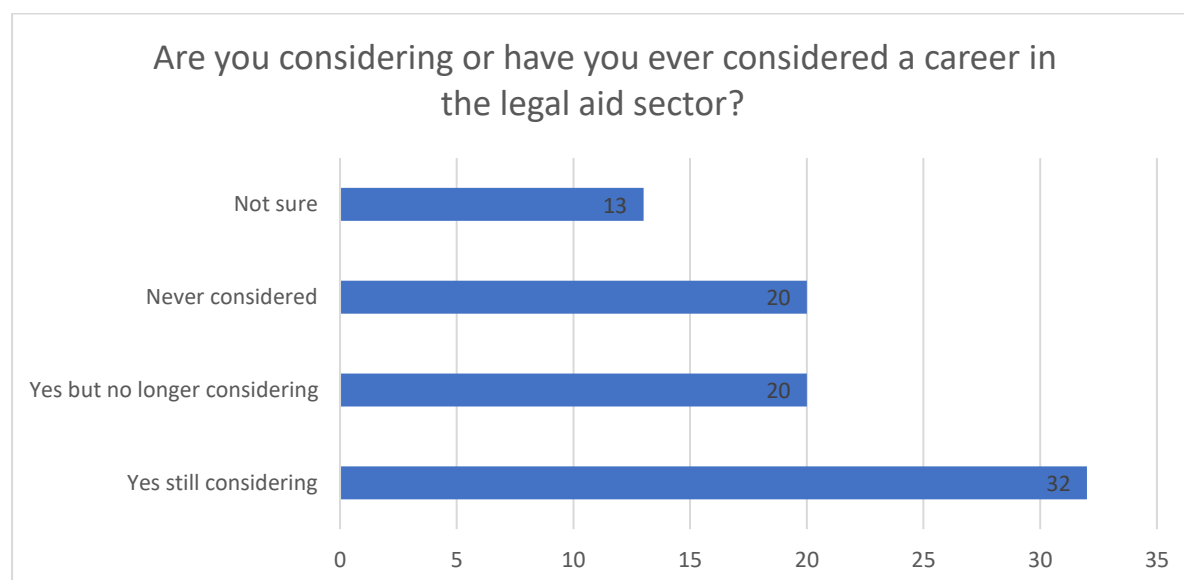
¹ A copy of our survey and answers can be found as an appendix to this response.

² Denvir, C, Kinghan, J, Mant, J and Newman D ‘Legal Aid and the Future of Access to Justice, Hart, 2023 <https://www.bloomsburycollections.com/monograph?docid=b-9781509957835>

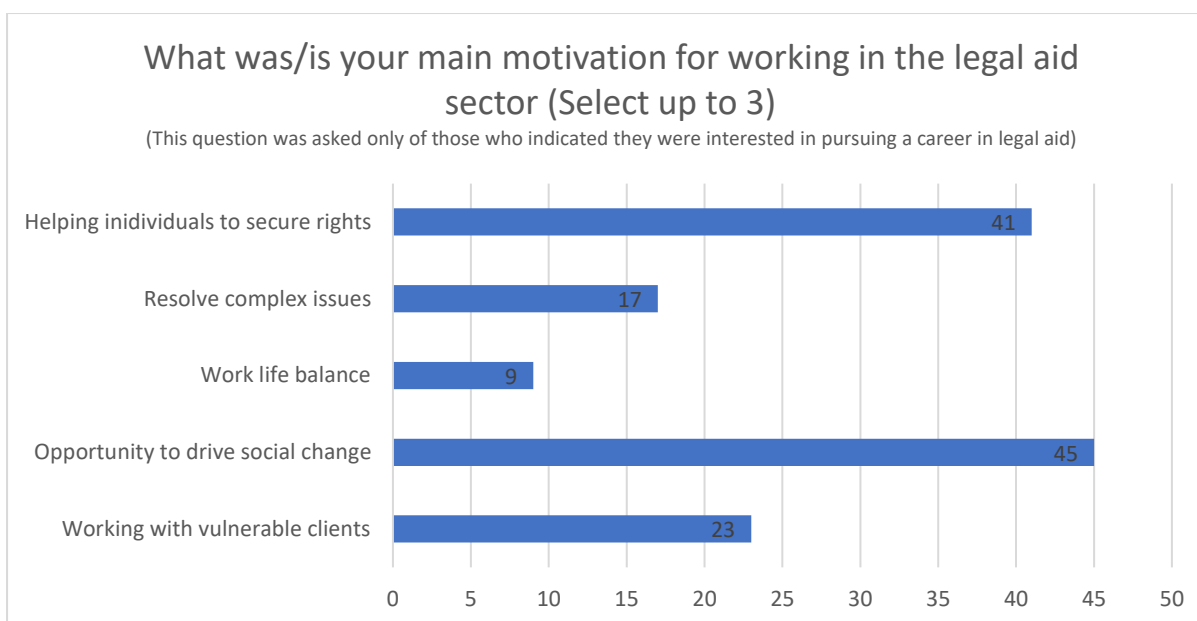
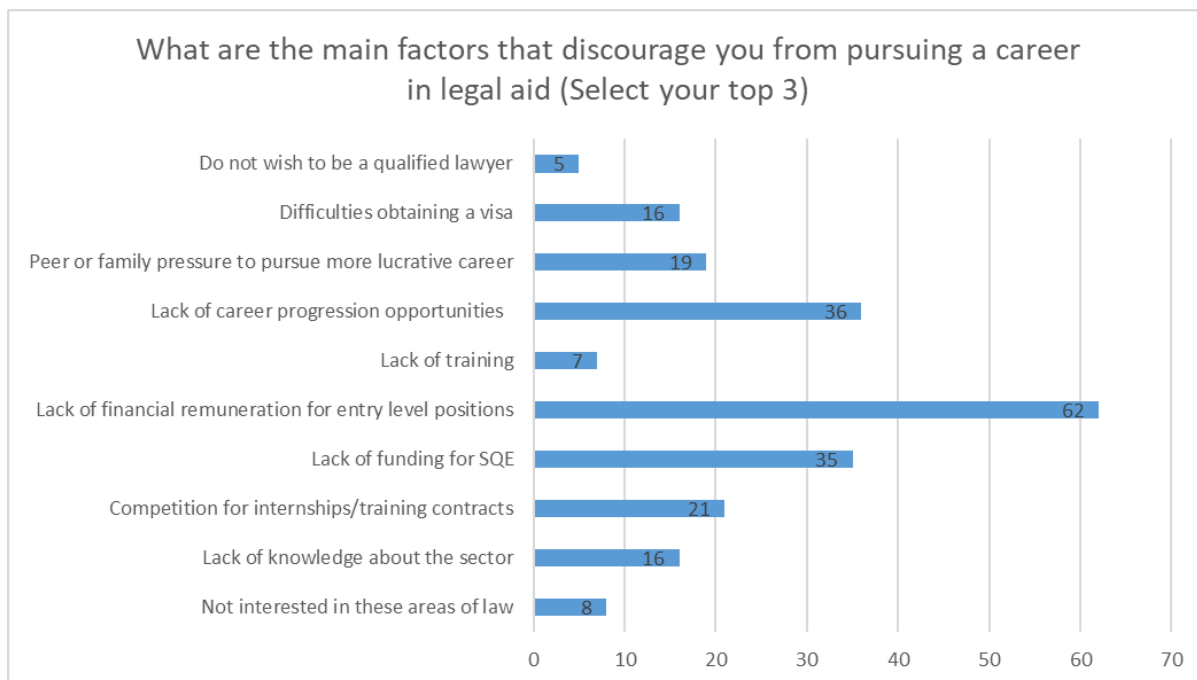
Table 7.12 Factors deterring students from pursuing a career in legal aid

	Considering a career in legal aid?			
	Yes (n=179)		No (n=177)	
	N	%	N	%
The nature of the work does not appeal to me	2	1.1	51	28.8
The pay is insufficient	113	63.1	126	71.2
The hours are unpredictable	54	30.2	37	20.9
I would prefer to work with different client groups	4	2.2	38	21.5
Lack of legal aid training contracts	96	53.6	54	30.5
Lack of opportunities for career development in legal aid	60	33.5	77	43.5
Legal aid lawyers I have spoken to have put me off	21	11.7	33	18.6
Pressure from family to pursue different options to legal aid	14	7.8	9	5.1
I do not have the financial resources to work in legal aid	71	39.7	75	42.4
Pressure from law school to pursue different options to legal aid	27	15.1	15	8.5
Lack of information on legal aid as a career choice	72	40.2	87	49.2
I generally don't know much about legal aid	37	20.7	59	33.3
Other	5	2.8	6	3.4

Source of table above: Legal Aid and the Future of Access to Justice³



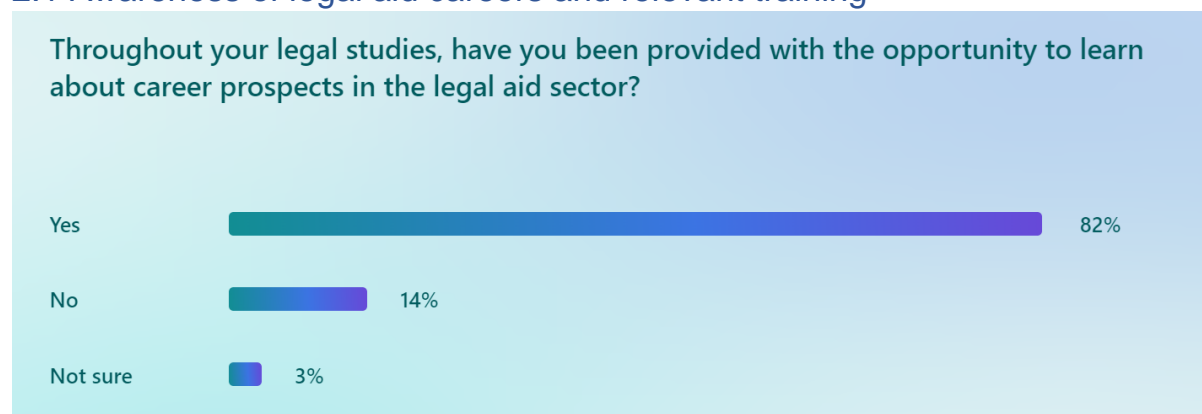
³ P224 - Denvir, C, Kinghan, J, Mant, J and Newman D 'Legal Aid and the Future of Access to Justice, Hart, 2023 <https://www.bloomsburycollections.com/monograph?docid=b-9781509957835>



Source of above 3 tables: UCL Laws Student Survey

2. Overview of Barriers and Challenges Faced

2.1 Awareness of legal aid careers and relevant training



Source: UCL Laws Student Survey.

When asked if students had the opportunity to learn about career prospects in the legal aid sector, 82% of our students said yes with 59% having previously attended law fairs, insight days, or events related to the legal aid sector, although there may be some bias in the survey results from there being a naturally higher rate of response coming from those already interested in legal aid. The unusually high number of students who have had this opportunity may also be as a direct result of our university being the only university with a legal aid contract and our faculty committing significant time and resource to raising awareness of this career path with students.

While these are positive results, they sit in stark contrast to data collected through the Legal Aid Census 2021 which indicated limited opportunities to learn about social welfare law and legal aid at undergraduate level, which is more reflective of the general student population. Out of 836 current legal aid practitioners interviewed only 49.6% were given the opportunity to study modules relevant to civil or criminal legal aid on the LLB⁴. The figures were a little higher for those who completed the conversion course or vocational training with 61.1% of 1092 practitioners having been given the opportunity to study topics/modules relevant to civil or criminal legal aid⁵. However, it was found that modules on immigration, welfare benefits and education law were not often offered, particularly as part of undergraduate programmes, and only two respondents indicated there was a specific 'legal aid add-on' module throughout their studies⁶.

⁴ Denvir, Catrina & Kinghan, Jacqueline & Mant, Jessica & Newman, Daniel., *Legal Aid and the Future of Access to Justice*, (2023), p. 61.

⁵ *Ibid*, p. 62.

⁶ *Ibid* p.62.

Further, data collected on 171 law students who studied the LLB or conversion course showed that while 62.6% were offered modules/topics relevant to legal aid,⁷ of these only 5.7% were offered modules on social welfare law, 13.3% on housing law and 6.7% on other modules relevant to legal aid⁸. On vocational courses out of the 44 students, 79.5% were offered modules relevant to legal aid but only 5.7% were offered modules relating to social justice, 2.9% on social welfare, 11.4% on housing and 2.9% on the legal profession⁹.

Table 3.2. Proportion of law students offered modules relevant to legal aid during their LLB/GDL studies or LPC/Bar Course/SQE training

	Modules relevant to legal aid that were offered during LLB/GDL (n=105)		Modules relevant to legal aid that were offered during the LPC/Bar Course/SQE Training (n=35)	
	N	%	N	%
Family law	82	78.1	30	85.7
Immigration	26	24.8	14	40.0
Housing	14	13.3	4	11.4
Social welfare	6	5.7	1	2.9
Employment	56	53.3	22	62.9
Modules related to the legal profession	45	42.9	1	2.9
Social justice (or similar)	40	38.1	2	5.7
Other	7	6.7	4	11.4

Source of table above: Legal Aid and the Future of Access to Justice¹⁰

These figures evidence limited opportunities to learn about social welfare subjects at both undergraduate level and on vocational courses which impacts awareness of these as career possibilities and thus diversity of the profession. While one of the objectives of the introduction of the SQE was “the development of new and diverse pathways to qualification, which are responsive to the changing legal services market and promote a diverse profession by removing artificial and unjustifiable

⁷ *Ibid*, p.62.

⁸ *Ibid* p.63.

⁹ *Ibid* p.63.

¹⁰ P63 - Denvir, C, Kinghan, J, Mant, J and Newman D ‘Legal Aid and the Future of Access to Justice, Hart, 2023 <https://www.bloomsburycollections.com/monograph?docid=b-9781509957835>

barriers,¹¹ concerns have been expressed by Young Legal Aid Lawyers that “[i]nvariably, interest in legal aid practice will decrease if students are not provided with opportunities to study and be exposed to these areas of law”¹². This is not just by way of modules but also the fact that attending law fairs can be costly for legal aid funded organisations therefore further limiting exposure to legal aid as a possible career option.¹³

2.2 Viability of careers (financial and otherwise)

‘I feel like legal aid in the UK is seriously suffering and there is a brain drain from the sector. Nobody wants to join something undervalued and underpaid, especially when you are at the start of your career and commercial firms offer great incentives to go corporate. In the absence of a big salary, legal aid recruiters do not offer much other perks... the internships or jobs are as competitive as commercial ones, if not more, and the work life balance seems to be not much better. Legal aid firms and recruiters of all sorts need to work to make this area of law more accessible to law students. In this economy, making an impact on people's lives is no longer enough, or at least it should not be. Legal aid lawyers deserve to make a living, too. This would be fixed if the government stopped cutting any money towards legal aid.’

- UCL Student Survey Respondent

The lack of financial remuneration is one of the primary disincentives of joining the legal aid sector. According to the 2021 Legal Aid Census¹⁴, 85.8% of the 768 survey respondents agree that the fixed fee regime was unsustainable (Findings From The 2021 Legal Aid Census). The Census also found that of 518 participants to a different survey, 38.4% cited the cost of study, training and qualification as a significant barrier to the legal aid profession.

2.2.1 Cost of training

A key obstacle to students entering the legal aid profession is that the costs of training are not covered by employers, as they would be for careers in commercial law firms. When asked, 41% of UCL respondents cited lack of funding for the SQE as one of the main factors discouraging them from pursuing a career in legal aid. Non-financial factors such as not wishing to pursue a career in law (6%) or lack of interest in these areas (9%) were far less common.

¹¹ <https://www.sra.org.uk/sra/policy/solicitors-qualifying-examination/sqe-final-design/> accessed 19 February 2024.

¹² Young Legal Aid Lawyers Social Mobility Report, 2022, p.26 <https://younglegalaidlawyers.org/wp-content/uploads/2022/10/YLAL-Soc-Mob-Report-Oct-22.pdf> accessed 19 February 2024.

¹³ Ashton K., Gough L., Ling V. and Sherratt E., ASC Community Care Legal Career Pathways, Legal Education Foundation, April 2022, p. 29.

¹⁴ - Denvir, C, Kinghan, J, Mant, J, Newman D and Aristotle, S - We Are Legal Aid Findings From The 2021 Legal Aid Census, March 2022 https://lapg.co.uk/wp-content/uploads/We-Are-Legal-Aid-Findings-from-the-2021-Legal-Aid-Census_Final.pdf

We set out below the costs of SQE training courses and exams for prospective solicitors. The costs of the exams alone are £4564. The training courses to pass the exams are prohibitively expensive – the lowest one costing in the region of £8000 and the highest almost £18,000.

SQE training course costs

<p>University of Law¹⁵ Inside London £17,800 (for 24/25) Outside London £14,150</p>	<p>Barbri¹⁶ SQE 1: £2999 SQE Boost: £399 SQE2: £3499 SQE mocks: £1199</p>	<p>BPP¹⁷ 2023/2024 academic year London Holborn: £14,600 Birmingham, Bristol, Cambridge, Leeds and Manchester: £12,400 Online: £12,400</p>
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SQE exam costs:¹⁸

- SQE1 - £1,798
- SQE2 - £2,766

Since the increase in tuition fees, students are leaving university with significantly more debt¹⁹, with the average student debt upon leaving university jumping to £45,000. The SQE exams and training courses only serve to further increase this debt. It is therefore unsurprising that when asked if ‘financial remuneration is one your primary considerations when choosing a career’, 81% of UCL Law student respondents answered ‘yes’.

¹⁵ <https://www.law.ac.uk/study/postgraduate/law/llm-sqe-1-and-2/>

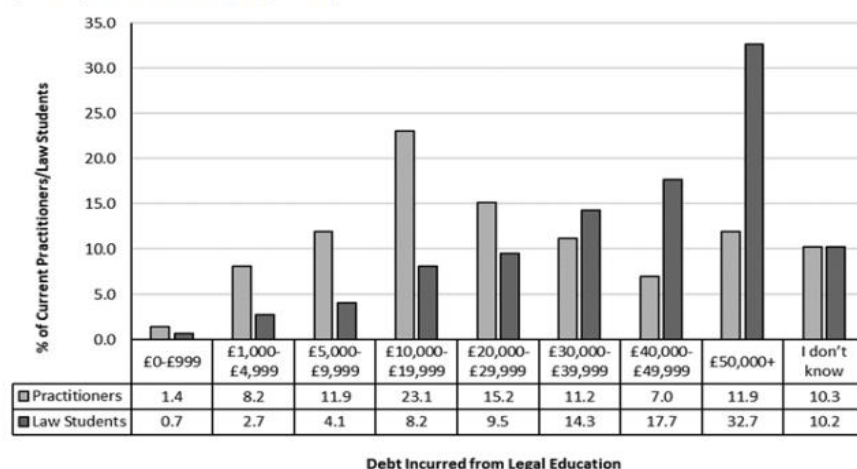
¹⁶ <https://www.barbri.com/sqe/#courses>

¹⁷ <https://www.bpp.com/courses/law/postgraduate/sqe/llm-sqe-1-2>

¹⁸ <https://sqa.sra.org.uk/about-sqa/costs-and-fees>

¹⁹ <https://researchbriefings.files.parliament.uk/documents/SN01079/SN01079.pdf>

Figure 3.3 Size of debt incurred from legal education by current legal aid practitioners (n=429) and law students (n=147)



Source: Legal Aid and the Future of Access to Justice²⁰

When considering access to the profession for people from diverse socioeconomic backgrounds, many are simply not able to self-fund the SQE and SQE training courses and are not able to sustain further debt. Whereas commercial firms will not only pay for the costs of training but will also fund salary to trainees whilst they are studying, civil legal aid providers are simply not able to afford to cover these costs.

The government should consider how it could match the SQE sponsorship of commercial firms to ensure that those candidates who do not have established family wealth can also pursue this career path. This again will assist with diversity in the profession.

Whilst we are aware of schemes that fund qualification or training (such as the Social Welfare Solicitors Qualification Fund (SWSQF)²¹ and the Justice First Fellowship²²), these are for a very small and limited number of candidates and are not enough support for training the next generation of legal aid lawyers to ensure the future of the profession. For example, the Social Welfare Solicitors Qualification Fund (SWSQF) which is an incredibly positive initiative requires that applicants be able to meet all living expenses incurred when undertaking the SQE (SWSQF funds only training course and exam fees), including for any dependents²³ which just may not be possible for some, particularly in light of the likely salaries (see below). Further, applicants need to be working in or will work in an organisation that will enable them to meet the minimum 70% focus on social welfare law, which may become increasingly difficult with many legal aid firms and advice organisations closing

²⁰ P79 Denvir, C, Kinghan, J, Mant, J and Newman D 'Legal Aid and the Future of Access to Justice, Hart, 2023 <https://www.bloomsburycollections.com/monograph?docid=b-9781509957835>

²¹ <https://cls.org/initiatives.html> accessed 19 February 2024

²² <https://jff.thelegaleducationfoundation.org/about/about-the-fellowship/> accessed 19 February 2024.

²³ Social Welfare Solicitors Qualification Fund, Guide for Applicants, 2024, para 3.3, available at <https://cls.org/initiatives/swsqf/applicants.html> accessed 19 February 2024.

down²⁴ or reducing the amount of legal aid work they do. In fact, Law Society analysis indicates that “the number of providers doing legal aid work could drop by a third by 2025”.²⁵ For students who are aware of the legal aid sector, knowledge that it is collapsing makes it far from an attractive prospect to risk incurring debt followed by limited salaries.

More recently, the Access to Justice Foundation²⁶, who are working with SWSQF, announced²⁷ a ‘Supporting Social Justice Solicitors Programme’, which will fund qualifying work experience for some SWSQF recipients. While such generous support for those entering the profession is welcomed, the scheme is dependent on the legal community to contribute funds and can only support 20 students. The long-term viability of working in social justice areas of law cannot be based on the good will of the legal profession in this way and instead more fundamental change is needed to make legal aid a realistic career choice to ensure diversity of the profession.

2.2.2 Vacation schemes & internships

In a similar vein to training costs, many legal aid contract holders are not in a position to offer paid internships or vacation schemes. This is again due to providers having insufficient funds.

This in turn limits access to the profession to those unable to work for free for financial reasons, or unable to secure one of the very limited paid placements. Whilst we have not had sufficient time to gather data on those who are unable to work for free, based on our experience working with students, would expect that it is likely that they are from a less wealthy socioeconomic background and likely to also have other protected characteristics.

A participant of a study conducted as part of the 2021 Legal Aid Census attested to this sentiment, setting out that whilst “people in higher classes [could] sacrifice a dip in a paycheck²⁸” or undertake an unpaid summer internship because their families could help sustain them financially, a career in legal aid was “simply [not] as lucrative as non-legal aid routes”. Those without financial backing from their family have to earn over summer (and in the future) to pay off significant existing debts.

²⁴ A Decade of Cuts: Legal Aid in Tatters, <https://www.lawsociety.org.uk/contact-or-visit-us/press-office/press-releases/a-decade-of-cuts-legal-aid-in-tatters> accessed 24 February 2024.

²⁵ <https://www.lawsociety.org.uk/topics/legal-aid/civil-legal-aid-review> accessed 19 February 2024.

²⁶ <https://atjf.org.uk/supporting-social-justice-solicitors#:~:text=The%20Supporting%20Social%20Justice%20Solicitors,in%20free%20legal%20advice%20services>. Accessed 19 February 2024

²⁷ <https://www.lawgazette.co.uk/news/social-justice-initiative-to-fund-qualifying-work-experience/5118515.article> accessed 19 February 2024.

²⁸ Denvir, C, Kinghan, J, Mant, J, Newman D and Aristotle, S - We Are Legal Aid Findings From The 2021 Legal Aid Census, March 2022 https://lapg.co.uk/wp-content/uploads/We-Are-Legal-Aid-Findings-from-the-2021-Legal-Aid-Census_Final.pdf

When compared to commercial firms, who pay anywhere between £350 and £1500 for 2 weeks of employment ([Chambers Student Vacation Schemes Compared](#)), it is unsurprising that legal aid placements are not prioritised by those from lower-income households.

Without experience or internships, fewer students will gain awareness or experience of civil legal aid, which again poses obstacles to more people entering and accessing the profession, in particular from diverse socioeconomic backgrounds.

2.2.3 Salaries & Career progression.

The single biggest deterrent to our student body in entering a career in legal aid is the salaries offered.

72% of respondents to our survey sighted the lack of financial remuneration for entry level positions as a one of the top factors discouraging them from pursuing a career in legal aid.

As a whole, the civil legal aid profession salaries are too low and providers are unable to increase them due to low rates of pay from legal aid fees. It is our understanding from LAPG that there has not been an increase in civil legal aid fees for almost 30 years and in this time, fixed fees have also been introduced. We refer you to the below table from Legal Aid and the Future of Access to Justice, highlighting that remuneration is a significant problem in the profession. It is therefore unsurprising that it is also a deterrent to students entering the profession. Unless rates of pay for legal aid are significantly increased to reflect inflation, this will be a permanent obstacle and will likely contribute to the demise of civil legal aid.

As a legal aid provider ourselves that employs solicitors who have left private legal aid practice, we are also noticing a 'brain drain' from the profession. It is very hard to recruit experienced practitioners. We have attempted to recruit a community care supervisor on more than one occasion and had no applications or unqualified applications only. Our strongest successes have been in growing our own workforce through training, however this is only possible due to the support of our university. Many private practices do not have the capacity or resource to do train junior team members.

This view is further supported by the research set out in 'Legal Aid and the Future of Access to Justice', where a large number of the respondents confirm that the remuneration is inadequate, or even insulting.

Table 4.3 Top 10 reasons current legal aid practitioners agreed/disagreed that their salary/working conditions are fair (n=523)

	N	%
The level of remuneration is unacceptable/insulting	164	31.4
Remuneration does not factor in the difficulties/stress of the job, including difficult clients, unsociable hours, being on stand-by	92	17.6
Remuneration is inadequate or some work is unpaid	82	15.7
Remuneration does not reflect how hard we work	82	15.7
Compared to other similar roles in the private sector my remuneration is less	72	13.8
The level of remuneration makes my life very difficult	70	13.4
Remuneration does not reflect my qualifications/experience	52	9.9
My remuneration is acceptable	40	7.6
Remuneration has not kept in line with inflation	37	7.1
The work I undertake is paid well	26	5.0

Respondents were often frank about what they thought of the pay. For some, ‘the salary is shit’⁸² while for others, ‘the pay is crap’⁸³ Regardless of how they described

Source: Legal Aid and the Future of Access to Justice ²⁹

We also refer you to the following quotes from the January 2024 survey of civil legal aid providers by PA Consulting³⁰:

“The problem of the civil legal aid system being an unattractive prospect to young lawyers came through strongly in the qualitative responses. Participants reported difficulty with attempting to persuade young people to join, and stay in, the civil legal aid sector. Multiple providers reported frustration with many young lawyers leaving the sector as soon as they are qualified to join a private firm and perceived this to be highly linked with the reported issues surrounding fees”.

‘Non-profit organisation, London “Procuring young lawyers with a great deal of enthusiasm and dedication is not a problem. Retaining them is a whole other story. When they leave, their expertise and knowledge is not replaced because we can’t afford it.”’ ³¹

Specifically citing the lack of financial viability of legal aid as a career, one UCL student responding to our survey has said:

‘Unfortunately, I feel as though the legal aid sector is not well-funded enough to be a viable career option for me. I find this a shame as legal aid work does seem the most appealing and rewarding on a personal level, yet it is difficult to oversee the practical realities of choosing such a career path when commercial law firms offer high salaries and pay for the relevant training (e.g. LPC/SQE). I find this reality a real shame; while most of us are attracted to the study of law for the virtues of social justice that we want to vindicate, the harsh reality is that following such a career path

²⁹ P110 Denvir, C, Kinghan, J, Mant, J and Newman D ‘Legal Aid and the Future of Access to Justice, Hart, 2023 <https://www.bloomsburycollections.com/monograph?docid=b-9781509957835>

³⁰ Survey of civil legal aid providers in England and Wales- Informing the Review of Civil Legal Aid, January 2024 <https://assets.publishing.service.gov.uk/media/65aa4068ed27ca000d27b28a/civil-legal-aid-providers-survey.pdf>

³¹ibid

is rarely financially viable and/or not viewed with as much prestige as being a trainee at a commercial law firm. I think a lot of people 'settle' for the commercial law path where one can get involved with pro bono work as an 'extra', instead of fully committing oneself to public interest work.'

Ultimately, providers cannot offer any level of competitive salary unless legal aid rates of pay are significantly increased to reflect inflation and the increase in cost of living.

2.2.4 Burnout and vicarious trauma

The 2021 legal aid census identified that almost half of legal aid practitioners report that working in legal aid has a negative effect on their mental health³²

Working in legal aid is a stressful role where the wellbeing of others becomes your responsibility on a daily basis. Clients are homeless, suicidal, children reporting abuse or families living in homes covered in mould, making them ill. We listen to our clients' stories and try to resolve their issues. We feel responsible for trying to solve their problem and not being able to help everyone resolve their issues is a significant source of stress for many people. Hearing of our clients' trauma can also cause us vicarious trauma, however we cannot bill for empathy or taking a trauma-informed approach. Clinical supervision or support of solicitors' mental well being is also not financially possible.

Whilst juggling very high-need clients, we are also expected to deal with unwieldy and unreasonable levels of administration. We are expected to draft documents in entirely unrealistic amounts of time, so we cannot even bill for the amount of time work actually takes. In private practice, chargeable hours and billing targets can feel wholly unachievable whilst remaining empathetic to clients. At our clinic, we are fortunate enough not to have these targets – however it also means we take on fewer cases and have less capacity for large volumes of cases, as we have the privilege of still being able to focus on the client needs rather than profitability. Most civil legal aid providers do not have this luxury.

We refer you to the following quote from the January 2024 survey of civil legal aid providers by PA Consulting

'Non-profit organisation, London "To see the number of lawyers [in the civil legal aid market] shrink over the last decade has been devastating. In 20 years of practice, I have rarely come across a legal aid lawyer who would encourage their children to

³² Denvir, C, Kinghan, J, Mant, J, Newman D and Aristotle, S - We Are Legal Aid Findings From The 2021 Legal Aid Census, March 2022 https://lapg.co.uk/wp-content/uploads/We-Are-Legal-Aid-Findings-from-the-2021-Legal-Aid-Census_Final.pdf

*follow in their career footsteps because the work is poorly paid, and the emotional toll is not for the faint-hearted”*³³

It is unsurprising given the level of vicarious trauma and stress reported, that students and young lawyers are deterred from entering into civil legal aid practice.

3. Protected characteristics/Vulnerability factors

As part of the survey, students were given the opportunity to complete a secondary, more in-depth survey looking at protected characteristics and pursuing a career in legal aid. While responses to this survey were limited, 11 respondents identified as themselves as having a protected characteristic which may impact on their career choice or progression. Some students highlighted themselves as having more than one protected characteristic. Race, religious belief, sex, disability, and gender identity were cited with race being the most common. Students were also asked how the protected characteristic may impact on their career choice or progression and why. Further details of their responses are outlined in the relevant sections below.

3.1 Race

The limited accessibility of the SQE assessments relevant to the diversity of the sector is evidenced by statistics reported from the SRA. Across all elements of SQE1, it has been found that the percentage of non-white candidates, their mean score and pass rate are all lower than for their white counterparts.³⁴ The figures on SQE1 pass rates include 49% for Asian/Asian British candidates and 34% for Black/Black British. This stands in stark contrast to white candidates with a significantly higher pass rate of 66%. On SQE2, there are again less non-white than white candidates, and the mean score and pass rate for Asian/Asian British is 73% and Black/Black British 67% which are again lower than the pass rate for white students at 87%³⁵.

This is of concern, particularly within the context of similar previous findings³⁶ and in conjunction with the University of Exeter’s literature review which identified

³³ Survey of civil legal aid providers in England and Wales- Informing the Review of Civil Legal Aid, January 2024 <https://assets.publishing.service.gov.uk/media/65aa4068ed27ca000d27b28a/civil-legal-aid-providers-survey.pdf>

³⁴ SQE1 July 2023 Assessment Report, SRA, 21 September 2023 <https://sqa.sra.org.uk/exam-arrangements/sqe-reports/sqe1-july-2023> accessed 19 February 2024

³⁵ SQE July 2023 Assessment Report, SRA, 28 November 2023 <https://sqa.sra.org.uk/exam-arrangements/sqe-reports/sqe2-july-2023> accessed 19 February 2024

³⁶ See <https://www.legalfutures.co.uk/latest-news/race-disparity-remains-as-first-sqe-results-are-unveiled#:~:text=The%20results%20for%20the%20first,58%25%20for%20the%20LPC%20historically> and <https://www.lawgazette.co.uk/news/sqe-pass-rates-reveal-continuing-racial-divide/5113869.article>

perceptions of the legal profession as being “elite and stratified”³⁷ and that “[m]arginalised candidates may feel they cannot enter the profession or advance in their careers post-qualification. As a result, they might not give their best in legal professional assessments³⁸.” Further, the SRA have found that while there has been some improvement, the ethnicity pay gap still exists.³⁹

This provides context for responses from our survey that indicated concerns about how race might impact their career progression as set out below:

‘It is difficult to find people who look like me in the field.’

‘Race plays a big role in the legal sector, and I feel that it can be a factor in obtaining employment as well.’

‘Race, and religious belief. I think that sometimes religious beliefs preclude you from being involved with normative events at work. And, there are perceived barriers as to race, for instance, people may make a judgement about me based on my accent.’

‘I’m a Sri Lankan male and many legal careers are dominated by Caucasian men. This may make it harder for me to fit into the environment and I worry about the risk of racism.’

3.2 Disability

According to a study by Cardiff University⁴⁰, disabled people in the legal profession face several barriers to a successful career: the study found that 66% of barristers and 59% of solicitors and paralegals surveyed disclosed that they were disabled at the start of their training. Overall, the study strongly suggests that career paths in the legal profession can be more difficult to pursue for those with disabilities because of a lack of reasonable adjustments, discrimination/stigma surrounding accessibility and stereotypes/expectations/behaviours within business culture that indirectly challenge those with special needs further⁴¹. This is also an issue for the legal aid profession as part of the broader legal profession.

³⁷ Bosch G., Sealy R., Alexandris-Polomarkakis K., Makanju D., and Helm R., The ethnicity attainment gap in legal professional assessments: A systematic literature review and next steps, University of Exeter, April 2023, p.11.

<https://www.sra.org.uk/globalassets/documents/sra/research/ethnicity-attainment-gap-legal-professional-assessments-literature-review.pdf?version=49c157> accessed 19 February 2024

³⁸ *ibid* p. 78

³⁹ SRA, Ethnicity Pay Gap Report, 2023: <https://www.sra.org.uk/sra/research-publications/ethnicity-pay-gap-report-2023/> accessed 19 February 2024.

⁴⁰ Foster, D and Hirst, N *Legally disabled? The career experiences of disabled people working in the legal profession - Executive summary of key findings and recommendations* (Cardiff University, 2019)

⁴¹ *ibid*

To dissolve barriers to entry, the study recommends the profession engage in significant outreach work, such as engaging more closely with Disabled People's Organisations⁴². Considering the legal aid profession to be a difficult one to pursue for the other reasons identified in this response, the government should take steps to ensure the profession can be inclusive and consider working with Disabled People's Organisations to identify specific steps that it could take to make legal aid a more inclusive and accessible profession.

We also refer you to Legal Aid and the Future of Access to Justice, which identifies that *"a small number of law students noted that their disability was a barrier for them, particularly where their disability impeded their performance on standardised recruitment tests or where it meant they required part-time work⁴³".* It further concludes that *"a career in law is challenging for those with disabilities irrespective of their intended role, access to careers at the bar for those with a disability may prove especially challenging⁴⁴".*

3.3 People with lived experience

By people with lived experience, we mean employees who may have experienced issues similar to those that our client group face. They may be from less privileged socioeconomic backgrounds or have other protected characteristics that place them at greater likelihood of being discriminated against or experiencing other social welfare legal issues. For example, two thirds of the clients seen by UCL iLAC are from minoritised ethnic groups. The implications of holding multiple marginalised identities and of holding minority status, including experiences of rejection and discrimination were identified as key overarching themes by the University of Exeter in their literature review⁴⁵ on the ethnicity attainment gap.

The 2022 report on social mobility by Young Legal Aid Lawyers indicated that those with such lived experience are likely to be interested in a career in legal aid, with 88.4% of those studying toward a qualifying law degree who answered the question on personal motivation saying that "their background or life experiences had an influence on their choice of career⁴⁶". However, students with lived experience keen

⁴² Ibid.

⁴³ P 87 Denvir, C, Kinghan, J, Mant, J and Newman D 'Legal Aid and the Future of Access to Justice, Hart, 2023 <https://www.bloomsburycollections.com/monograph?docid=b-9781509957835>

⁴⁴ Ibid

⁴⁵ n. 37, p. 12.

⁴⁶ n. 12 Young Legal Aid Lawyers Social Mobility Report, 2022, p.15 <https://younglegalaidlawyers.org/wp-content/uploads/2022/10/YLAL-Soc-Mob-Report-Oct-22.pdf> accessed 19 February 2024.

to practise in legal aid areas because of it also report being more affected by vicarious trauma because of their experience:

'My long-term health condition makes me quite sensitive about health issues that some clients have, which makes me more vulnerable for vicarious trauma.' UCL Student Survey respondent

Another student who is care experienced sets out how being care-experienced further impacts their decision making when choosing a career:

'My protected characteristics will make any career development challenging at this stage. However, coming from a care experienced background does come with financial burdens, and therefore a lesser-paid legal aid career may not be possible for me to engage with due to having no biological family to fall back on/no savings available.'

UCL Student Survey respondent

4. International students & visa sponsorship

When considering increasing diversity and the ability to access the profession, one of the key elements to consider is the ability of foreign nationals to enter the legal aid profession. UK universities attract a large number of international students⁴⁷, many of whom are interested in careers in the UK. Unfortunately, for many international students, a career in legal aid in the UK is not perceived as viable option.

Just over half of international students responding to our survey are interested in pursuing careers in legal aid, however only 15% feel that it is a career that is accessible to them while the majority said it was not accessible (54%) or that they were not sure (30%). When considering the specific challenges they faced, 70% of international students cited sponsorship for work visas as a specific challenge while 82% felt supporting yourself financially in London was an additional challenge. Given that the sector is clearly struggling to recruit and retain skilled workers (see above), the government should consider how it could open up the profession to skilled workers of all nationalities.

Sponsored Skilled Worker visas allow migrant workers to come to or stay in the UK to do an eligible job with an approved employer. We sought to determine how many legal aid providers in the UK are registered sponsors of Skilled Worker visas. We compared the [Register of licensed sponsors: workers](#) and the [Directory of legal aid providers](#) on 31 January 2024 and found that of the 3304 legal aid provider offices, only 49 are registered sponsors of skilled worker visas. This amounts to about 1.48% of providers. It is presumed that a contributing factor may be the additional

⁴⁷ <https://www.universitiesuk.ac.uk/universities-uk-international/explore-uuki/international-student-recruitment/international-student-recruitment-data#:~:text=In%202021%2D22%2C%20there%20were,559%2C825%20were%20non%2DEU%20students.>

cost and administrative burden of being a visa sponsor for legal aid firms that are already struggling financially.

Due to the lack of visa sponsors in the legal aid sector, this career path is almost wholly unavailable to international students and as such, the civil legal aid profession is missing an opportunity to source additional workforce and expand diversity in the profession. Our survey results indicate that the interest in pursuing a career is there amongst international students, but the practical barriers make it difficult to pursue.

At present, providers are not incentivised to attract or retain talent from overseas. Visa sponsorship is onerous and costly and international students interested in this sector are unable to access the profession.

We would therefore strongly encourage the government to consider ways to incentivise legal aid providers to become visa sponsors or otherwise attract international talent.

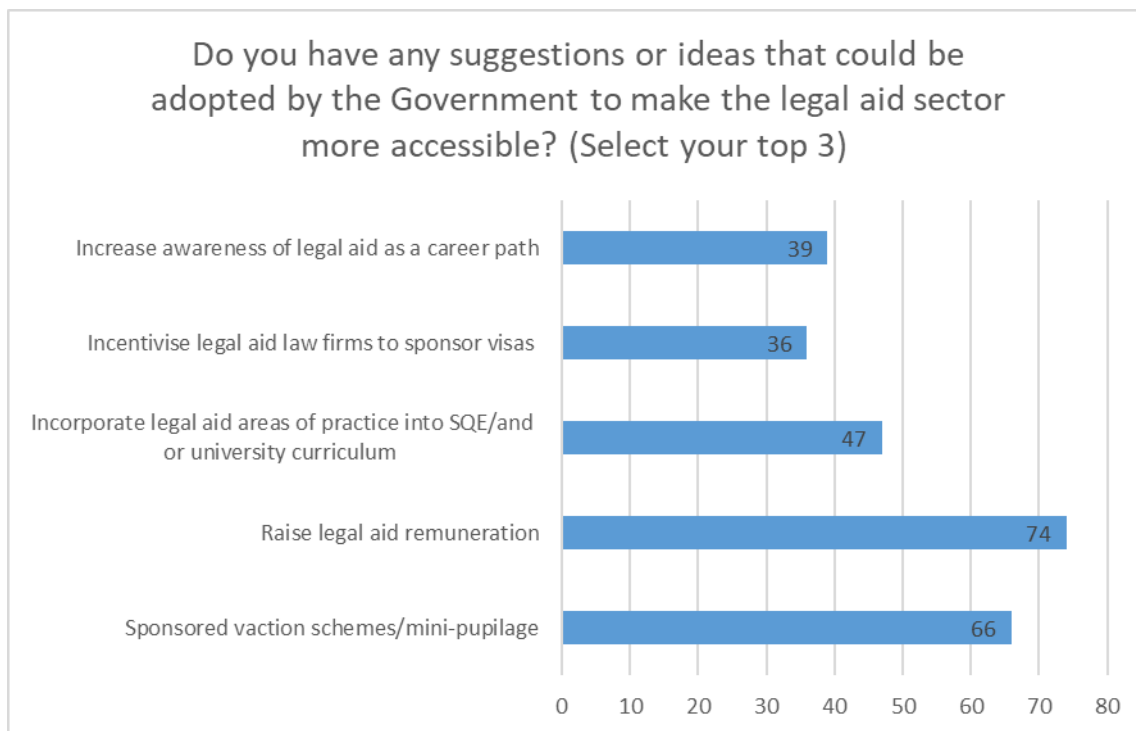
5. Conclusion and Recommendations

Based on existing evidence which has been reiterated and confirmed in our own research and experience, the lack of available funding for training and poor rates of pay in legal aid law firms make legal aid an unattractive career for students to pursue and deters many students who would otherwise have considered it. Funding that is available to support a small number of students through the SQE (i.e. SWSQF) is primarily funded by philanthropy, raising questions as to whether it is the role of philanthropy to fund the training and employment of a profession that is fundamental in protecting and securing individual rights and entitlements, often against the State itself.

Furthermore, low legal aid rates of pay, which has led to the poor financial position of many legal aid law firms compound the problem, as they are often not able to provide the additional resources needed to attract those with protected characteristics, improving diversity in the profession. Many with protected characteristics require additional resource to support with reasonable adjustments or vicarious trauma. Additionally, the lack of visa sponsorship opportunities means that these firms are missing out on an additional pool of diverse applicants.

While awareness of the profession and the addition of social welfare into the SQE curriculum or at university may help students learn more about a career in this sector, for many students, this is simply not a viable option, particularly when compared with opportunities that offer fully funded training and generous salaries upon qualification.

Our survey asked students to select the top three things which could be done to make the legal aid sector more accessible to students. Unsurprisingly raising legal aid remuneration was given as a suggestion by 87% of respondents, followed by sponsored vacation schemes/mini-pupillages (78%), and finally incorporating areas of legal aid practice into the SQE and/or university curriculums (55%).



Source: UCL Laws Student Survey

5.1 Our Recommendations

1. Significantly raise the rate of legal aid remuneration in order to enable legal aid providers to offer more competitive salaries and training funding.
2. Provide financial incentives or support to legal aid providers wishing to offer visa sponsorship to international students wishing to pursue careers in legal aid.
3. Offer government funded/sponsored vacation schemes and/or qualifying work experience for those wishing to pursue careers in social welfare and legal aid.
4. Include social welfare and legal aid areas of practice in the SQE and sponsor the SQE exams and training for students wishing to pursue this career path.

Review of Civil Legal Aid - Call for Evidence Student Survey

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Responses

10:13

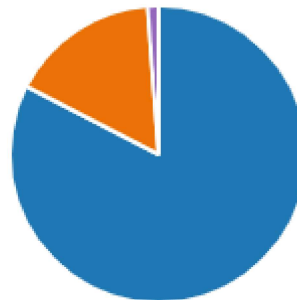
Average time to complete

Closed

Status

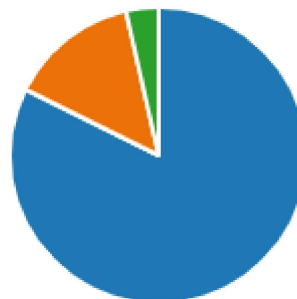
1. I am a....

UCL LLB Student	71
UCL LLM Student	14
UCL Laws PhD Student	0
UCL Laws Affiliate Student	0
I am not a UCL Laws Student	1



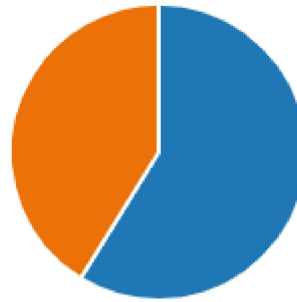
2. Throughout your legal studies, have you been provided with the opportunity to learn about career prospects in the legal aid sector?

Yes	70
No	12
Not sure	3



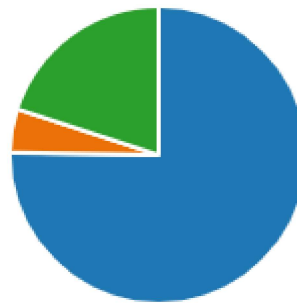
3. Have you previously attended any law fairs, insight days, or events related to the legal aid sector

● Yes	50
● No	35



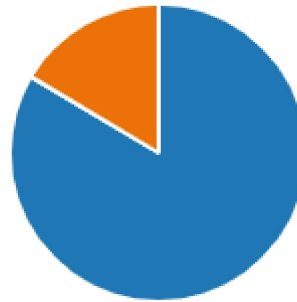
4. Would you attend any such events if they were made available to you?

● Yes	64
● No	4
● Not sure	17



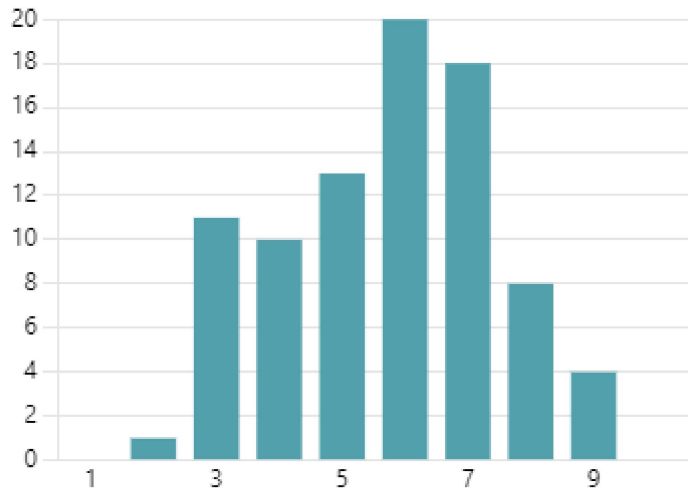
5. Have you previously attended any commercial law fairs, insight days, or events?

● Yes	71
● No	14



6. On a scale of 1-10 (with 10 being the highest) how much knowledge of the legal aid sector or publicly funded legal services do you have?

5.72
Average Rating



7. In a few words, why do you feel like this knowledge is at this level.

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Responses

Latest Responses

"i learnt about a bit in class and was exposed to the resources..."

"The legal aid sector does not get the coverage it deserves. I d..."

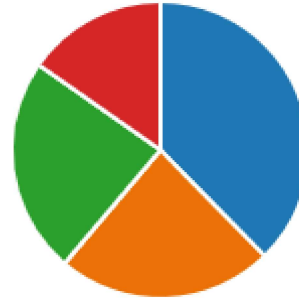
"I volunteer at the UCL iLAC"

43 respondents (51%) answered **legal aid** for this question.



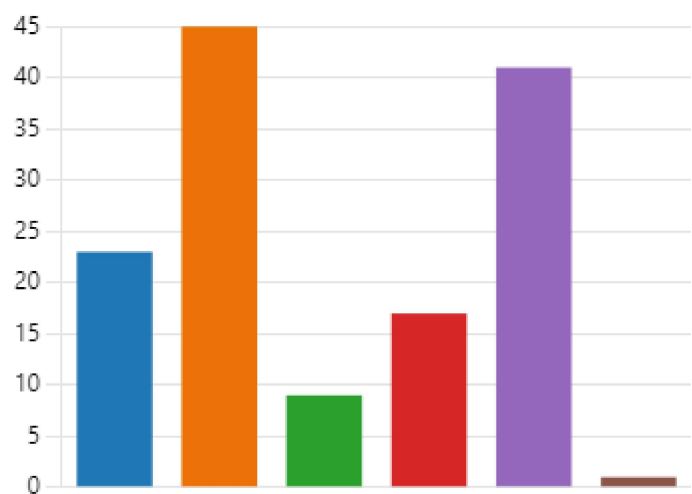
8. Are you considering or have you ever considered a career in the legal aid sector?

● Yes I am still considering it	32
● Yes but I am no longer consideri...	20
● No I have never considered it	20
● Not sure	13



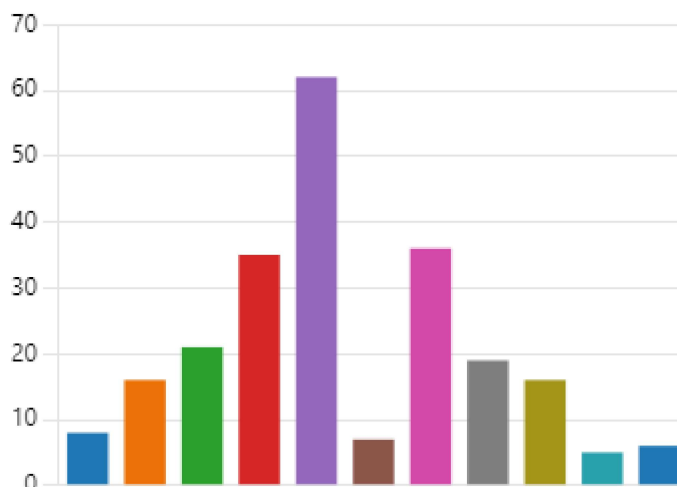
9. What was/is your main motivation (if any) for working in the legal aid sector

● Working with vulnerable clients	23
● The opportunity to drive social c...	45
● Work-life balance	9
● resolving complex issues	17
● helping individuals to secure th...	41
● Other	1



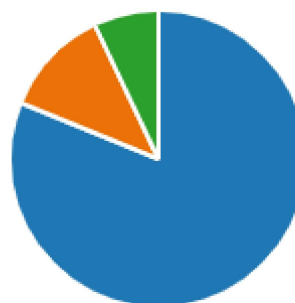
10. What are the main factors (if any) that discourage you from pursuing a career in the legal aid sector

● I am not interested in these area...	8
● Lack of knowledge about the se...	16
● competition for internships/trai...	21
● lack of funding for the SQE	35
● lack of financial remuneration fo...	62
● lack of training	7
● lack of career progression oppo...	36
● peer or family pressure to pursu...	19
● Difficulties obtaining a visa or s...	16
● I do not wish to be a qualified la...	5
● Other	6



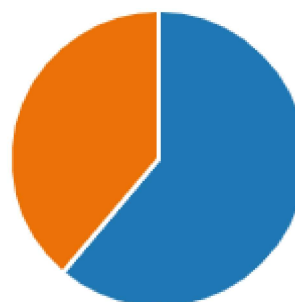
11. Is financial remuneration one of your primary considerations when choosing your career?

● Yes	69
● No	10
● Not sure	6



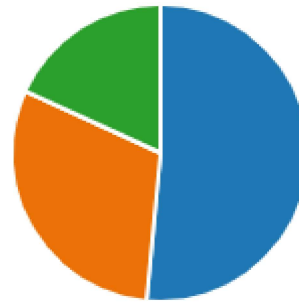
12. I am a

● Home/UK Student	52
● International Student	33



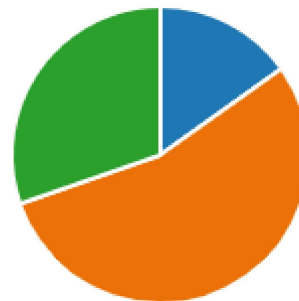
13. Is a career in legal aid something you are interested in pursuing as an international student?

● Yes	17
● No	10
● Not sure	6



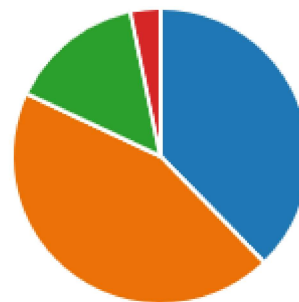
14. Do you feel that a career in the legal aid sector is accessible to you as an international student?

● Yes	5
● No	18
● Not sure	10

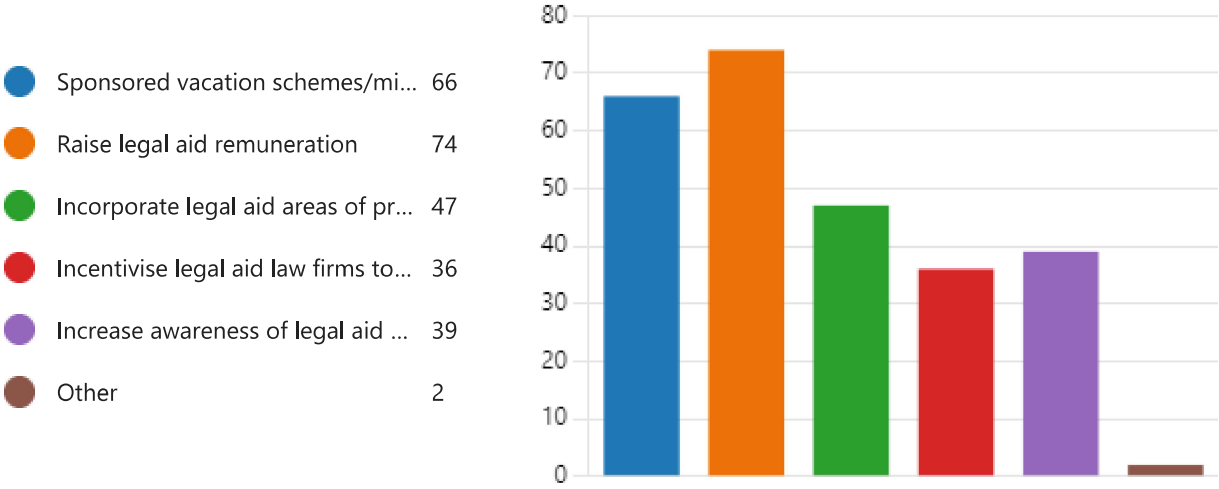


15. What are the specific challenges in pursuing this career do you feel you face as an international student?

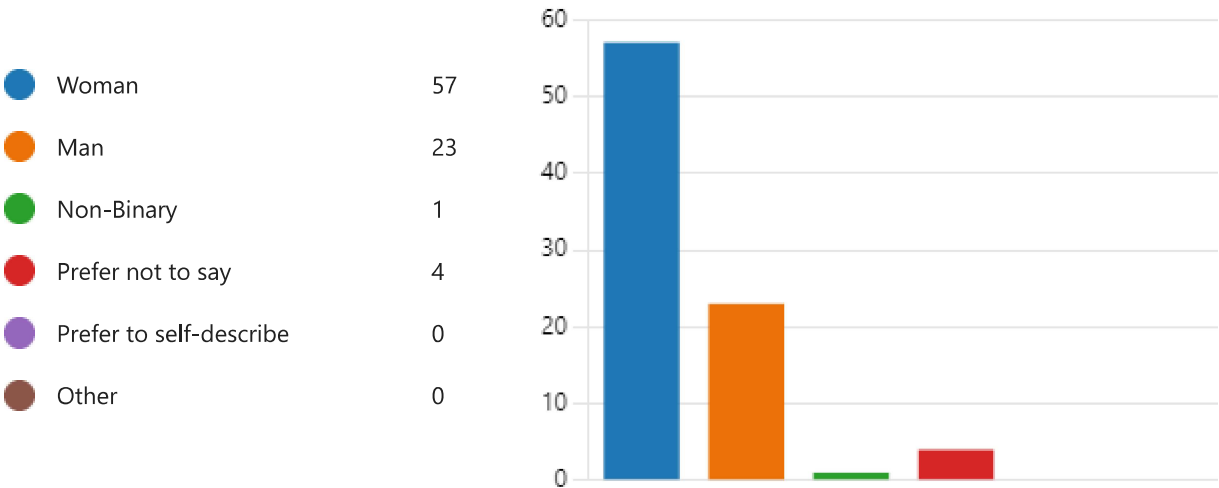
● Sponsorship for work visa	23
● Supporting yourself financially i...	27
● Pressure from family members	9
● Other	2



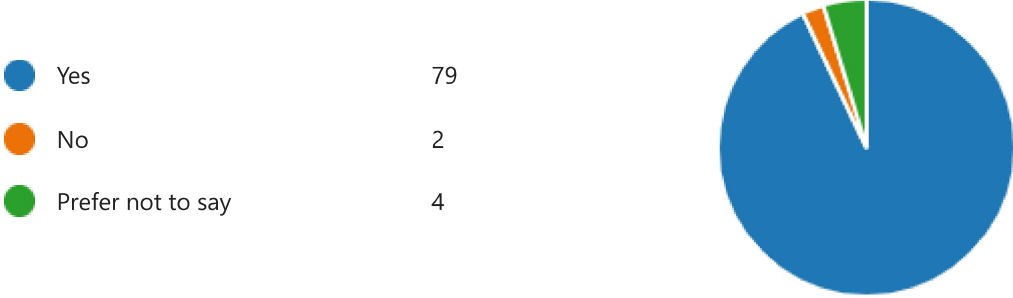
16. Do you have any suggestions of ideas that could be adopted by Government to make the legal aid sector more accessible?



17. Which most accurately describes you?

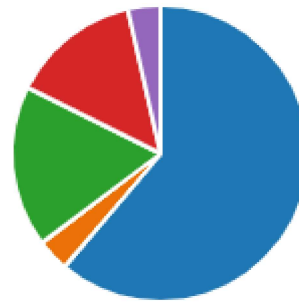


18. Is your gender identity the same as the sex you were assigned at birth?



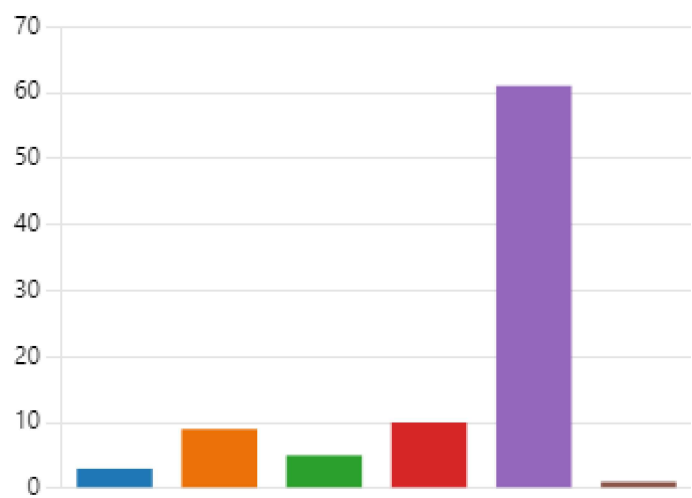
19. Sexual orientation

● Heterosexual/straight	52
● Gay or Lesbian	3
● Bisexual	15
● Prefer not to say	12
● Other	3



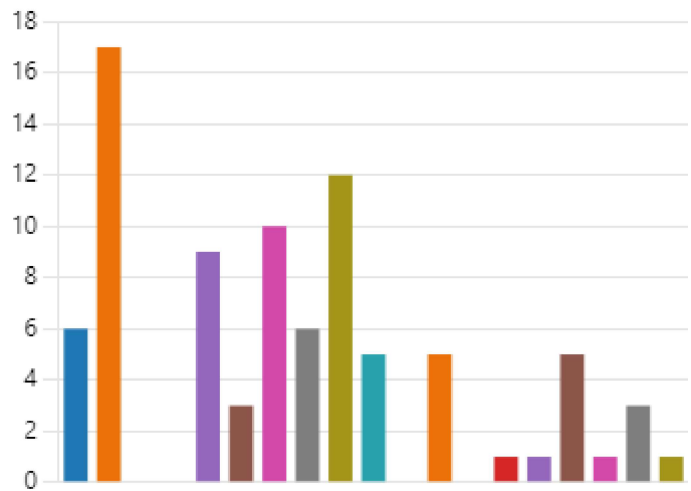
20. Do you consider yourself to have a disability?

● Physical Disability	3
● Mental Health Condition	9
● Neurodivergence	5
● Prefer not to say	10
● No	61
● Other	1



21. Ethnicity

● Prefer not to say	6
● White - English, Welsh, Scottish,...	17
● White - Irish	0
● White - Irish Traveller	0
● Any other white background	9
● Asian or Asian British: Banglade...	3
● Asian or Asian British: Indian	10
● Asian or Asian British: Pakistani	6
● Asian or Asian British: Chinese	12
● Any other Asian Background	5
● Black or Black British: Caribbean	0
● Black or Black British: African	5
● Any other Black Background	0
● Mixed - White and Black Caribb...	1
● Mixed - White and Black African	1
● Mixed - White and Asian	5
● Any other Mixed Race Backgrou...	1
● Middle Eastern	3
● Other	1



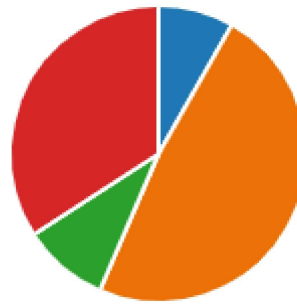
22. What type of secondary school did you attend?

● State (Comprehensive)	27
● State (Selective)	14
● Fee Paying (i.e. Private)	34
● Prefer not to say	10



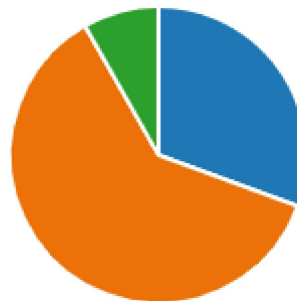
23. If you are a UK student, were you eligible for free school meals at any point during your school years?

● Yes	7
● No	41
● Prefer not to say	8
● N/A	29



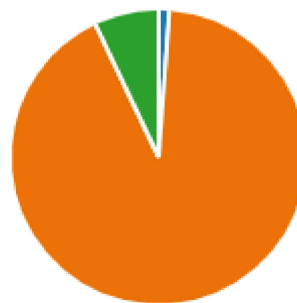
24. Did you grow up in a household where no parent or guardian had attended university?

● Yes	26
● No	52
● Prefer not to say	7



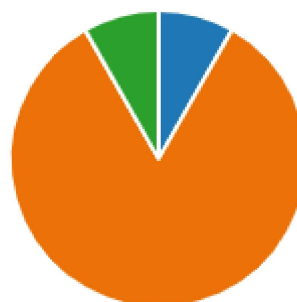
25. Have you ever spent any time in local authority care or are considered a care leaver?

● Yes	1
● No	78
● Prefer not to say	6



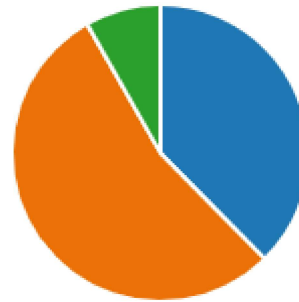
26. Do you have any caring responsibilities?

● Yes	7
● No	71
● Prefer not to say	7



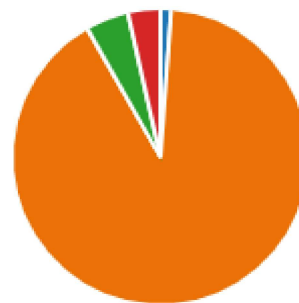
27. Do you regularly undertake paid work during university term time?

● Yes	32
● No	46
● Prefer not to say	7



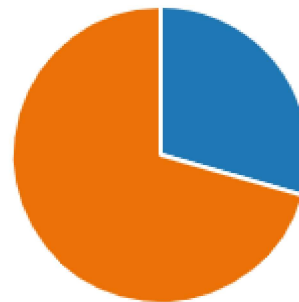
28. Have you ever sought asylum in the UK or any other country?

● Yes	1
● No	77
● Prefer not to say	4
● N/A	3



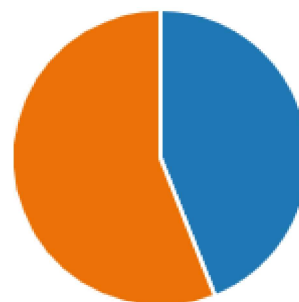
29. Are you interested in completing an additional short survey in relation to protected characteristics and pursuing a career in legal aid?

● Yes	25
● No	60



30. Do you consider yourself to have a protected characteristic that may impact upon your career choice or progression?

● Yes	11
● No	14



31. Which protected characteristic(s) do you have that may impact upon your career choice or progression? Why?

10
Responses

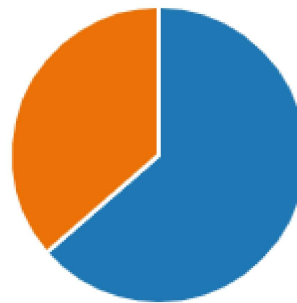
Latest Responses

9 respondents (90%) answered **Race** for this question.

Disability **Race** sexual o

32. Have you had any experience of working in an environment that provides legal aid services?

● Yes 7
● No 4



33. Has holding a protected characteristic impacted your experience of working or seeking work in the legal aid sector or in the legal sector more broadly? If so, please describe.

8
Responses

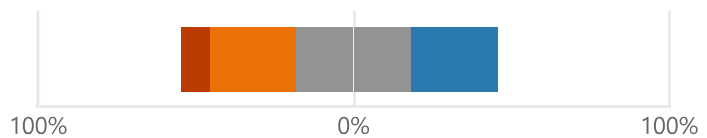
Latest Responses

2 respondents (25%) answered **clients** for this question.

characteristic
not in the position long-term
health issues
hard
vicarious trauma
legal advice
health condition
currently hold
clients
No
sensitive
time:
jobs
vulnera

34. I feel like it is more difficult to pursue a career in legal aid because of my protected characteristic(s).

Strongly agree Agree Neither agree nor disagree Disagree Strongly disagree



35. Can you please elaborate on why you gave the above answer?

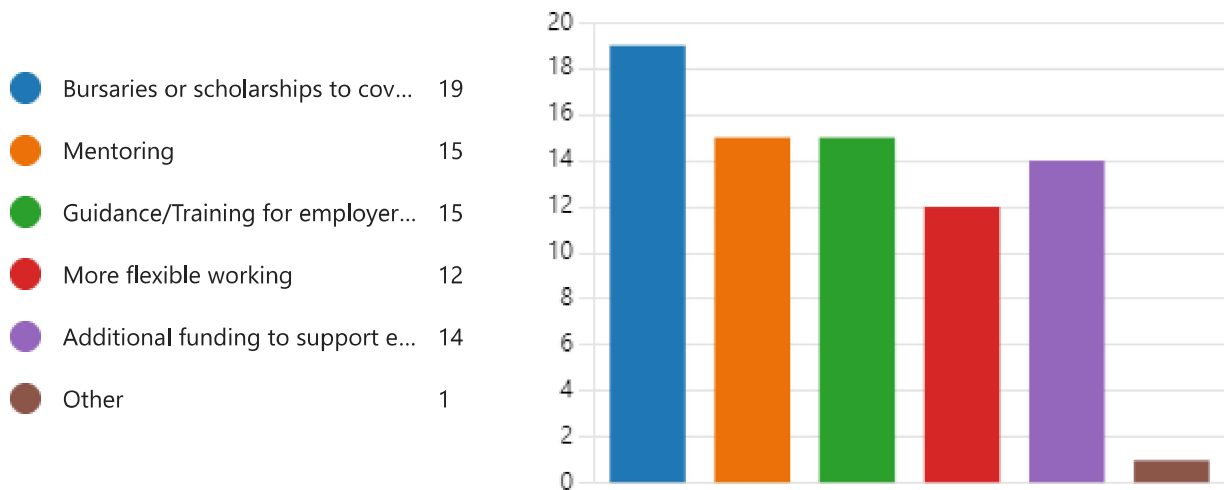
6
Responses

Latest Responses

3 respondents (50%) answered **legal aid** for this question.



36. How can the legal aid sector be made more accessible to those with particular protected characteristics?



37. Do you have any ideas or suggestions as to how careers in legal aid can be made more accessible to those with particular protected characteristics?

6

Responses

Latest Responses

1 respondents (17%) answered **schools and universities** for this question.

characteristics are very prevalent

Transparency at every step focus scholarship funding talks and inv
funding for people path in schools application support fairs
impartial atmosphere schools and universities basis of merit region
erase discrimination financial support career path UK citizens
competition from internationals people with PCs process more c