



## BRIEFING PAPER

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# Legal help: where to go and how to pay

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Inside:

1. Finding legal help
2. Legal aid
3. Paying for legal advice
4. Advice on specific legal issues



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## Summary

This Commons Library briefing paper provides information about sources of legal help and advice, and how to pay for it, including:

- Finding legal help;
- Self-representation;
- Legal aid;
- Pro bono legal help;
- Other ways of finding legal advice, including organisations which provide help and advice in connection with specific legal issues.

Legal help or advice should be given by a suitably qualified person with professional liability insurance.

### Related Commons Library briefing papers

- [Legal advice and help in employment matters](#), SN/BT/2830, 24 May 2013
- [Mediation and other alternatives to court](#), SN/HA/4176, 6 June 2013
- [No win, no free funding arrangements](#), CBP/HA/7607, 31 May 2016

**Hypertext links and URLs in this note are accurate at the date of publication, 9 June 2017.**

**The Library is unable to endorse or take responsibility for the content of any external website, directory or publication mentioned in this note, or to recommend any specific legal advisers.**

# 1. Finding legal help

## 1.1 Solicitors

[GOV.UK](#) has links to searchable databases of legal advisers<sup>1</sup> provided respectively by the Law Societies of [England and Wales](#),<sup>2</sup> [Scotland](#)<sup>3</sup> and [Northern Ireland](#).<sup>4</sup>

Local libraries will often have hard copy directories of solicitors.

## 1.2 Self-representation

Individuals generally have the right to act on their own behalf in legal matters, including representing themselves in court (as “litigants in person”).<sup>5</sup> Further information is provided by GOV.UK, [Represent yourself in court](#).

The Ministry of Justice funds the Litigant in Person Support Strategy in partnership with voluntary partners and the pro bono sector. As part of this strategy, there is a central website providing advice for litigants in person: [Going to court or tribunal without the help of a lawyer](#).<sup>6</sup>

Other online information for litigants in person includes:

- The Bar Council, [A Guide to Representing Yourself in Court](#), April 2013;<sup>7</sup>
- His Honour Judge Bailey (Editor-in-Chief) and others, [A Handbook for Litigants in Person](#), October 2013;<sup>8</sup>
- Family Justice Council, [Sorting out Finances on Divorce](#), April 2016.<sup>9</sup>

## 1.3 Citizens Advice

[Citizens Advice](#) provides free, independent and confidential advice about a range of legal issues. Advice can be sought online, by phone and at 3,000 locations across England, Wales, Scotland and Northern Ireland.

There are online search facilities for finding a local bureau:

- [England and Wales](#);<sup>10</sup>
- [Scotland](#);<sup>11</sup>

<sup>1</sup> <https://www.gov.uk/find-a-legal-adviser>

<sup>2</sup> <http://solicitors.lawsociety.org.uk/>

<sup>3</sup> <http://www.lawscot.org.uk/find-a-solicitor>

<sup>4</sup> <http://www.lawsoc-ni.org/solicitors-directory/>

<sup>5</sup> <https://www.gov.uk/represent-yourself-in-court>

<sup>6</sup> <http://www.lipsupportstrategy.org.uk/current-work.html>

<sup>7</sup> [http://live.barcouncil.netxttra.net/media/203109/srl\\_guide\\_final\\_for\\_online\\_use.pdf](http://live.barcouncil.netxttra.net/media/203109/srl_guide_final_for_online_use.pdf)

<sup>8</sup> <https://www.judiciary.gov.uk/publications/handbook-litigants-person-civil-221013/>

<sup>9</sup> <https://www.judiciary.gov.uk/wp-content/uploads/2016/04/fjc-financial-needs-april-16-final.pdf>

<sup>10</sup> [www.citizensadvice.org.uk/](http://www.citizensadvice.org.uk/)

<sup>11</sup> [www.cas.org.uk/bureaux](http://www.cas.org.uk/bureaux)

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- [Northern Ireland](#).<sup>12</sup>

### 1.4 Advice Now

[Advice Now](#)<sup>13</sup> provides free online guides on a wide range of legal issues, as well as links to other useful information. There is a section on everyday legal problems: [Know-How: Boost your legal knowledge, confidence and skills](#).<sup>14</sup>

### 1.5 Law Centres

Law Centres offer free and independent legal advice within their local communities. Law Centres tend to specialise in social welfare law but may also cover other areas of work. [The Law Centres Network website](#)<sup>15</sup> provides an online search facility:

- [Find your local Law Centre](#)

### 1.6 Pro bono legal help

Pro bono assistance is legal advice and representation provided voluntarily, generally for those unable to pay and who are ineligible for legal aid. Organisations which provide pro bono legal help include:

- [The Bar Pro Bono Unit](#), which matches people needing help with barristers willing to donate their time and expertise in deserving cases;<sup>16</sup>
- [LawWorks](#) (the solicitors' pro bono organisation), which connects people in need of legal advice and assistance with volunteer lawyers;<sup>17</sup>
- [The Free Representation Unit](#), which works with about 200 referral agencies to deliver pro bono legal services in employment, social security and some criminal injury compensation cases.<sup>18</sup>

### 1.7 Trade unions

Some trade unions may provide free legal help and assistance to their members as part of their membership. Information about the help individual unions provide may be available from their websites.

### 1.8 University law clinics

Some universities provide free legal advice through law clinics. See, for example:

- [The University of Law's pro bono programme](#)<sup>19</sup>

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<sup>12</sup> [www.citizensadvice.org.uk/nireland/](http://www.citizensadvice.org.uk/nireland/)

<sup>13</sup> <http://www.advicenow.org.uk/>

<sup>14</sup> <http://www.advicenow.org.uk/know-how>

<sup>15</sup> <http://www.lawcentres.org.uk/>

<sup>16</sup> <http://www.barprobono.org.uk/>

<sup>17</sup> <http://lawworks.org.uk/>

<sup>18</sup> <http://www.thefru.org.uk/>

<sup>19</sup> <http://www.law.ac.uk/about/legal-advice-for-the-public/>

- [The University of Birmingham's Free Legal Advice Group](#)<sup>20</sup>
- [University of Bristol Law Clinic](#)<sup>21</sup>
- [University of Edinburgh Free Legal Advice Centre](#)<sup>22</sup>

## 1.9 Legal help at a police station

Individuals have the right for free independent legal advice, regardless of financial circumstances, when questioned at a police station. The GOV.UK website has an overview of how an individual can access this free advice: [Legal advice at the police station](#).<sup>23</sup>

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<sup>20</sup> <http://www.birmingham.ac.uk/schools/law/flag/index.aspx>

<sup>21</sup> <http://www.bristol.ac.uk/law/law-clinic/>

<sup>22</sup> <http://www.freelegaladvice.ed.ac.uk/>

<sup>23</sup> <https://www.gov.uk/arrested-your-rights/legal-advice-at-the-police-station> (Last updated 26 April 2017)

## 2. Legal aid

### 2.1 Legal aid in England and Wales

An individual who needs help to pay for legal advice or representation in England and Wales may sometimes be eligible for assistance through the legal aid scheme. Legal aid is available for some civil and criminal matters. [The Law Society's website lists matters which may be eligible for legal aid.](#)<sup>24</sup>

In summary, the matter will need to be within scope of the legal aid scheme and the individual must fulfil the financial eligibility criteria. In some cases those in receipt of legal aid may be required to make a contribution to meeting their legal costs. A legal adviser will usually apply for legal aid on their client's behalf. Eligible individuals with certain types of case (e.g. debt or discrimination) may be able to access legal aid using the [Civil Legal Aid](#) telephone service (0345 3454 345).<sup>25</sup>

Further information is available online including:

- GOV.UK provides further information on legal aid, [Overview of legal aid](#),<sup>26</sup> and an online eligibility checker (guidance but not a decision on eligibility for civil legal aid), [Check if you can get legal aid](#).<sup>27</sup>
- Citizens Advice provides information about the scope and financial requirements of the legal aid scheme: [Help with legal costs - legal aid](#).<sup>28</sup>
- The Legal Aid Agency has published information explaining when someone may be asked to contribute to their legal aid costs: [Paying for your civil legal aid](#).<sup>29</sup>

GOV.UK provides a tool to search for legal advisers and family mediators with legal aid contracts in England and Wales: [Find a legal adviser or family mediator](#).<sup>30</sup>

### 2.2 Legal aid in Scotland

The Scottish Legal Aid Board (SLAB) manages the legal aid system in Scotland. To be eligible for funding, matters must relate to Scots law. [SLAB's website](#) has information and guidance for the public on obtaining legal aid in Scotland.<sup>31</sup>

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<sup>24</sup> <http://www.lawsociety.org.uk/for-the-public/paying-for-legal-services/legal-aid/#two>

<sup>25</sup> <https://www.gov.uk/civil-legal-advice>

<sup>26</sup> <https://www.gov.uk/legal-aid/overview>

<sup>27</sup> <https://www.gov.uk/check-legal-aid>

<sup>28</sup> <https://www.citizensadvice.org.uk/law-and-rights/legal-system/taking-legal-action/help-with-legal-costs-legal-aid/>

<sup>29</sup> <http://www.justice.gov.uk/downloads/legal-aid/funding-code/paying-for-your-civil-legal-aid-leaflet.pdf>

<sup>30</sup> <http://find-legal-advice.justice.gov.uk/>

<sup>31</sup> <http://www.slaborg.uk/public/>

## 2.3 Legal aid in Northern Ireland

The Legal Services Agency Northern Ireland (LSANI) administers the statutory legal aid scheme for Northern Ireland. [The website of the Department of Justice for Northern Ireland](#) has information about LSANI<sup>32</sup> and about obtaining legal aid in Northern Ireland.<sup>33</sup>

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<sup>32</sup> <http://www.dojni.gov.uk/index/legalservices.htm>

<sup>33</sup> <http://www.dojni.gov.uk/index/legalservices/legal-services-members-of-the-public.htm>



## 3. Paying for legal advice

### 3.1 Fixed fee initial interview

Some solicitors offer initial legal advice free or at a fixed rate. Citizens Advice offices may have details of local solicitors who offer this service and some may have arrangements with solicitors who give free initial advice at the bureau.

### 3.2 “No win, no fee” agreements

In some civil cases a solicitor may be prepared to act on a “no win no fee” basis. There are two types of no win no fee agreements: conditional fee agreements (CFAs) and damages based agreements (DBAs, sometimes called contingency fees). In both types of no win no fee cases, the lawyer shares with the client the risk of losing the case.

No win no fee agreements may not be used in family cases or in criminal cases.

A solicitor is not obliged to accept a case on a no win no fee basis and will weigh-up the merits of the case and its prospects of success when deciding whether to act.

It is important to note that there may be something to pay whatever the outcome of the case.

If the case is successful the solicitor is paid: generally their fee plus an uplift or success fee (on CFAs); or a percentage of the damages recovered (on DBAs). Although the losing party may pay the successful party’s lawyer’s basic fees, the client will generally have to pay their own lawyer’s success fee (often from any compensation awarded).

If the case is unsuccessful the client does not have to pay their own solicitor’s fees but may sometimes have to pay the opponent’s costs, and both sides’ disbursements (other expenses or charges, such as fees for expert witnesses if they are needed).

A lawyer should be able to explain all available funding options and possible costs.

To cover the risk of having to pay the other side’s costs if the case is unsuccessful, the client may be advised to take out an “after-the event” (ATE) insurance policy. In most circumstances, it is no longer possible to recover from the losing party any premium payable in taking out ATE insurance.

Further information about no win no fee agreements is provided by the [Solicitors Regulation Authority’s Costs and Legal Aid webpage](http://www.sra.org.uk/consumers/using-solicitor/costs-legal-aid.page).<sup>34</sup>

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<sup>34</sup> <http://www.sra.org.uk/consumers/using-solicitor/costs-legal-aid.page>

### 3.3 Legal expenses insurance

Legal expenses insurance (sometimes called before the event insurance) can cover the cost of some legal advice and proceedings. Motor insurance policies and household contents insurance policies sometimes have legal expenses insurance attached to them. Individuals should check the terms of their own policies to see the extent of their insurance cover.

## 4. Advice on specific legal issues

A number of organisations provide help and advice in connection with specific legal issues. Some examples are provided below.

### 4.1 Action against Medical Accidents

[Action against Medical Accidents](#) provides free and impartial advice for people affected by medical accidents (0845 123 2352).<sup>35</sup>

### 4.2 Age UK

The charity [Age UK](#) provides advice and information on its website and through its advice line (0800 169 2081) about a range of issues relevant to older people.<sup>36</sup>

### 4.3 Asylum Support Appeals Project

[Asylum Support Appeals Project](#) (ASAP) offers free legal representation and advice to asylum seekers and refused asylum seekers appealing against Home Office decisions to refuse or withdraw their housing, financial subsistence, or both (0203 716 0283).<sup>37</sup>

### 4.4 Bail for Immigration Detainees

[Bail for Immigration Detainees](#) (BID) is an independent charity that represents some detainees at bail hearings for free and provides free legal advice and representation to people who are challenging their deportation (020 7247 3590).<sup>38</sup>

### 4.5 Coram Children's Legal Centre

[Coram Children's Legal Centre](#) (CLC) is a charity which states that it provides free legal information, advice and representation to children, young people, their families, carers and professionals, as well as training and consultancy on child law and children's rights.<sup>39</sup>

### 4.6 Disability Law Service

The [Disability Law Service](#) is a charity which provides free information and advice in areas such as community care and employment law (020 7791 9800).<sup>40</sup>

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<sup>35</sup> <https://www.avma.org.uk/>

<sup>36</sup> <http://www.ageuk.org.uk/publications/age-uk-advice-line/>

<sup>37</sup> <http://www.asaproject.org/>

<sup>38</sup> <http://www.biduk.org/information-detainees/getting-help-bid>

<sup>39</sup> [http://www.childrenslegalcentre.com/index.php?page=legal\\_advice\\_lines](http://www.childrenslegalcentre.com/index.php?page=legal_advice_lines)

<sup>40</sup> <http://www.dls.org.uk/>

## 4.7 Equality Advisory Support Service

[The Equality Advisory Support Service](#) (EASS) provides an advice service for individuals who need information about discrimination and human rights issues (0808 800 0082).<sup>41</sup>

## 4.8 Inquest

[INQUEST](#) provides specialist advice to bereaved families on cases involving a death in custody or detention or involving state failures (020 7263 1111).<sup>42</sup>

## 4.9 Mind

[Mind](#), a mental health charity, provides a helpline for legal information and general advice on mental health law (0300 466 6463).<sup>43</sup>

## 4.10 Money Advice Service

The [Money Advice Service](#) provides free and impartial advice about personal finances through its website and helpline (0800 138 7777).<sup>44</sup>

## 4.11 National Debtline

[The National Debtline](#) is a free and confidential helpline offering independent advice on how to deal with debt problems in England and Wales (0808 808 4000).<sup>45</sup>

The National Debtline has a separate website for people living in Scotland, as the law on debt varies across the UK.<sup>46</sup>

## 4.12 Prisoners' Advice Service

[The Prisoners' Advice Service](#) is a charity offering information and free legal advice to adult prisoners in England and Wales (0845 430 8923 or 020 7253 3323).<sup>47</sup>

## 4.13 Refugee Action

The charity [Refugee Action](#) provides help and advice about claiming asylum, the asylum process, asylum support and assisted voluntary return (0808 8000 630).<sup>48</sup>

## 4.14 Rights of Women

The charity, [Rights of Women](#), provides free and confidential legal advice to women on issues such as family law (020 7251 6577), criminal law (020 7251 8887) and immigration (020 7490 7689).<sup>49</sup>

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<sup>41</sup> <https://www.equalityadvisoryservice.com/>

<sup>42</sup> <http://www.inquest.org.uk/help/home>

<sup>43</sup> <https://www.mind.org.uk/>

<sup>44</sup> <https://www.moneyadviceservice.org.uk/>

<sup>45</sup> <https://www.nationaldebtline.org/>

<sup>46</sup> <https://www.nationaldebtline.org/S/Pages/default.aspx>

<sup>47</sup> <http://www.prisonersadvice.org.uk/>

<sup>48</sup> [http://www.refugee-action.org.uk/get\\_help\\_advice](http://www.refugee-action.org.uk/get_help_advice)

<sup>49</sup> <http://rightsofwomen.org.uk/get-advice/>

## 4.15 Shelter

The charity [Shelter](#) provides information and advice on their website and through their helpline (0808 800 4444) about issues such as housing, repossessions and evictions.<sup>50</sup>

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<sup>50</sup> [http://england.shelter.org.uk/get\\_advice](http://england.shelter.org.uk/get_advice)

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