



PRESS RELEASE

- **Public Law Project instructed to act on behalf of ten specialist law firms**
- **Challenge to Ministry of Justice decision to impose a single telephone gateway to access the civil legal aid scheme**

Yesterday evening the Public Law Project, acting on instructions from ten leading legal aid law firms, issued an application for permission to apply for judicial review of a Ministry of Justice policy decision to make publicly funded legal advice in community care law accessible only through a mandatory single telephone gateway.

Under Government proposals a telephone operator, who is not legally qualified, will determine a callers' financial eligibility, whether their problem falls within the 'scope' of publicly funded legal aid, and, if so, decide whether they should be entitled to face to face advice or whether they will be limited to advice by telephone only.

Community care law is a complex and specialist area of social welfare law concerning the provision of all health and social care services, and individual entitlement to those services. Those most likely to need community care advice are people with disabilities, the elderly, the ill, and those with caring responsibilities.

The specialist law firms are concerned that many individuals (such as those with language and learning difficulties) who have problems communicating by phone will be prevented from accessing justice the legal aid scheme if this proposal is implemented. Further, even where such individuals are able to access the gateway, they are likely to face various hurdles evidencing a need for urgent or face to face advice.

The firms' case is that the Government failed to properly consider the impact of its decision on the vulnerable groups who are most likely to require advice and assistance in community care law. The firms claim that the decision to include this category of law within a pilot scheme trialling a telephone gateway is irrational.

Jo Hickman of the Public Law Project, said:

"Our clients are specialist lawyers who are acting in the interests of those who will be at risk if this proposal is implemented. Their concern is that the consequence of this decision will be to limit meaningful access to justice for some of the most vulnerable individuals in society. PLP shares this concern."

The challenge is supported by a number of charities and by the Law Society.

Public Law Project (PLP)
21 September 2011

NOTES FOR EDITORS

1. PLP is an independent, national legal charity which aims to improve access to justice for those whose access is restricted by poverty, discrimination or other similar barriers.
2. The claimant firms are Ben Hoare Bell LLP, Bindmans LLP, Hansen Palomares Solicitors, Irwin Mitchell LLP, Jackson and Canter LLP, Julie Burton Law, Mackintosh Law, Pierce Glynn Solicitors, Public Law Solicitors, Steel and Shamash Solicitors.
3. The claimants' counsel are Helen Mountfield QC and Elizabeth Prochaska of Matrix Chambers.

**For further information, please contact Jo Hickman at the Public Law Project:
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