

Aberystwyth University

Veterans Legal Link Equal recovery report

Knapp, Victoria Jane; Olusanya, Olaoluwa

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tel: +44 1970 62 2400
email: is@aber.ac.uk

Written evidence submitted by Veterans Legal Link

Background

Veterans Legal Link is owned and operated by Aberystwyth University and has provided free legal advice to Veterans and their families in Wales since 2015. The service provides assistance in many areas including family law, criminal law, military and personal injuries, housing, complaints and ombudsman, and employment law amongst others.

Our service predominantly serves veterans who are either on a low income or are in receipt of state benefits by way of disability or long-term unemployment. 65% of beneficiaries are classed as below the Joseph Rowntree Poverty Level and therefore before reaching out to our service have little means of seeking privately funded legal advice, casework and support. Further, more than half of beneficiaries are also utilising support from fellow armed forces organisations across Wales to address issues ultimately arising from the primary source.

66% of our beneficiaries have a recognised diagnosis of Post-Traumatic Stress Disorder or other mental or physical disability linked to or exacerbated by their military service and reintegration to civilian life. One primary aim of our project is to encourage successful reintegration by reducing stress caused by civilian legal issues which have a knock-on effect on other areas of their personal lives, such as interpersonal relationships, criminal offending, employment, finances and housing.

In summary, inequality for veterans regardless of gender, age or race have existed long before the onset of the Pandemic, however our unique group of beneficiaries have been equally impacted by the Pandemic and the resulting changes to society and how we have responded as a whole to people in need.

We have chosen to focus upon the heading of Regional Imbalances as the issues our service users face (including those with disabilities, those of particular genders and those of BAME backgrounds) are felt equally due to the geographical challenges that arise uniquely in the Welsh landscape and we feel that the difficulties we have faced during the pandemic and during our post-COVID recovery primarily are affected by regional imbalances.

Regional Imbalances

Advice deserts have been and continue to be a particular problem within the Welsh landscape and have worsened due to the continual closure of courts and custody suits, resulting in the inevitable closure of solicitor's offices. As of 2020, the number of firms providing legal aid in Wales has fallen by 29% since 2012 and this number continues to rise as firms continue to close or in some cases cease offering legal aid due to issues with cost effectiveness. Our service, covering every Welsh region, strongly relies on pro bono solicitors accepting to provide advice well outside of their geographical region and also relies on potential beneficiaries being able to reach our online service. Following LASPO, the number of solicitors providing advice within areas such as housing, debt and welfare benefits has decreased dramatically to only a handful covering the entire Welsh region.

24% of beneficiaries between March 2020 and date of writing do not have internet at home or have access to an internet capable device, who have therefore had to rely on family members or other support organisations in order to get in touch with our service. The pandemic has therefore resulted in some beneficiaries having been unable to reach our services due to the stay home requirement and being able to lean on support from others in reaching available services. Traditionally our platform has offered face to face consultations and national drop-in legal clinics which have enabled individuals who do not have the means to electronically communicate to reach us, however the pandemic has resulted in all of our services being provided online. Whilst we are amongst only a small number of Welsh legal clinics having been operating full time throughout the pandemic, it is the reality that many will not have been able to access our services due to these issues.

Many firms throughout Wales chose to opt for furlough for many of their staff. This raised additional issues and concerns that whilst beneficiaries continued to use our service in line in line with pre-COVID numbers, the availability of free legal advice was dramatically reduced during the initial stages of the pandemic. An imbalance therefore existed between need and demand for legal advice, as legal issues did not disappear or rescind during the crisis but in areas such as family and employment increased in demand.

In addition to strains on the provision of legal advice, GP and hospital appointments as well as support services were greatly reduced and delayed due to the inevitable difficulties with reducing the spread of the virus. The majority of our beneficiaries rely on such services to keep themselves going in more ways than one, whether it be to assist with weekly shopping or to receive mental health services for their health difficulties. Those that found the series of lockdowns difficult therefore were met with a medley of barriers to rectifying the issues that they faced, with no additional funding made available by the government to ensure that

those most in need were able to access legal advice and services. Whilst schemes like furlough were offered, the government did not consider what those in need were going to do to receive support whilst charities and organisations placed their staff onto these schemes. The same is true in respect of solicitors, paralegals and trainees – there was no consultation as to whether making furlough available for firms would have a disproportionate effect on access to justice for paying and legal aid support clients alike, or whether the remaining staff inundated with requests for work were realistically able to meet demand to a high standard.

Impact on Trends in Income and Wealth and Combating Inequality

Our service has seen an increase in demand for housing, employment and family law related matters. Often these cases come together and require more than one advisor in order to tackle the various issues faced. Those that have been made redundant or seen a reduction in hours whilst awaiting benefits decisions face particular hardships in sourcing paid legal advice, as this is often well above their reach due to financial limitations. Restrictions on free advice, such as availability and geographical restrictions, make these issues particularly difficult to deal with within the Welsh landscape.

Legal aid for family law, being restricted for many of our beneficiaries, continues to be difficult despite many of the cases we see being complex and involving often more than one party with complex mental health difficulties such as Post Traumatic Stress Disorder. Whilst charities such as Both Parents Matter Cymru exist to assist those in similar circumstances, services are often overwhelmed with demand and underfunded in many respects making meeting the needs of beneficiaries very difficult.

Income is therefore closely tied to seeking justice in the face of lack of legal aid and adequate service provision. The long-term effects of the pandemic are only just beginning to be seen; however job and wealth recovery is likely to necessitate long term and progressive work to be undertaken in order to restore pre-Covid employment levels and to reduce the number of individuals currently relying on state funded benefits.

In order to combat inequalities highlighted by the pandemic, it is crucial to increase support where it is most needed. Legal aid continues to be a crucial lifeline for those that need it, however those that need it outweigh those that are eligible to receive it. Armed Forces Veterans in particular additionally need a wide remit of support services, and whilst many are free to access, disparity in service provision across Welsh geographical areas continue to be an issue. Those who live in Cardiff continue to benefit from a much wider remit of services than those that live in Pembrokeshire, yet their needs remain very similar.

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