



# TEN YEARS INJUSTICE

An exhibition of stories and art from the front lines  
of the failing civil justice system

Greater Manchester Law Centre, 2024

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An exhibition of stories and art from the front lines of the failing civil justice system co-ordinated by Greater Manchester Law Centre, 2024

## Acknowledgments

This exhibition took a lot of work to bring together, so we want to say thank you to those involved in all the many tasks that needed carrying out to make it happen.

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### Sponsors and funders

Leigh Day  
Clyde & Co  
Glaisyers Solicitors  
University of Manchester Justice Hub  
Legal Action Group  
Manchester Museum

### Other acknowledgements

Chloe Cousins  
Kate Evans & Tom Daly  
Max Goddard  
No Borders MCR  
Paul Lee Hatton

Thank you most of all to the participants who contributed their stories to the exhibition.

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# INTRODUCTION

In late 2022, one of Greater Manchester Law Centre's campaign volunteers came up with the idea for this exhibition. It was approaching the 10-year anniversary of the Legal Aid Sentencing and Punishment of Offenders Act 2012 (LASPO), a piece of legislation that fundamentally changed the social welfare legal sector by cutting whole areas of law out of 'scope' for free advice and representation and by changing eligibility rules to reduce the number of people eligible to receive legal help for free or at a low cost. This devastated the sector and led to a huge number of Legal Aid providers shrinking or closing down, massively tilting the balance of power in the courts in favour of the already wealthy and powerful. You can read more about the consequences of these cuts throughout this booklet.

Greater Manchester Law Centre was founded after LASPO as a campaign for free access to justice. We now provide free services in employment, welfare benefits, housing and public law. However, we never stopped campaigning, as it is impossible to meet the scale of the demand for services in our new legal landscape, so it's crucial to fight for reform to the system and for better rights and protections for our communities. We decided to hold this exhibition to raise awareness of the importance and value of free legal advice and access to justice.

Over the course of 2023, we spoke to people who had interacted with the legal system since the Legal Aid cuts – people who had legal problems that the government's free Legal Aid system no longer covered; people whose issues were included within the Legal Aid regime, but who were not personally eligible; or people who had received some Legal Aid but had been failed or frustrated for other reasons by the legal system. We did in-depth one-on-one interviews to draw out their experiences and the ways they felt the justice system could be improved. The stories are wide-ranging, and cover many different areas of law. Despite the challenges these people faced with the legal system, not all of these stories have an unhappy ending. Some of our participants found their way to justice, with or without the advice and representation they should have received. You can find our interviewees' stories and quotes in this booklet. We hope that reading their words will inspire you to join us in the fight for free access to justice.



One of the problems we face when campaigning for access to justice is that it can be seen as a 'niche' issue, and news about access to justice tends only to reach those who are already paying attention. We decided to show these stories in an exhibition to reach a different audience to usual, and to encourage people to get involved in the fight.

We wanted to bring our interviewees' stories to life by including art, including interactive pieces that visitors could engage with, so we commissioned 10 artists to produce original works of art that capture ideas, emotions and thoughts about the legal system. We asked the artists to respond to the themes in our participants' stories – including barriers, walls, mazes, miscommunication, obscure legal language, (other people's) playgrounds, mind games, darkness, loneliness, winding journeys, and relief at finding support.

This booklet captures the stories, content and art that we exhibited at the Manchester Museum in January and February 2024.

*In situ image: Rachael Field, 'Three Judges (after Georges Rouault), 2023.*



# WHAT IS JUSTICE?

Justice is a contested concept – it has different meanings to different people and cultures, and there is always a fight over what it looks like in practice. Underlying most conceptions of justice is an ethical or moral framework, as well as a belief in the importance of due process when competing claims are evaluated. What moral framework and processes are followed changes over time and from system to system.

A society's approach to justice tends to be codified through a legal system. In the UK, Parliament and courts make law (statute and common law respectively), and it is interpreted by judges in individual cases to try and achieve consistent outcomes, giving both sides the chance (in theory) to convey their arguments.

In England and Wales, the legal system is split into the criminal and civil systems. In the criminal system, most actions are brought by the Crown against individuals. This is the system most often depicted in the media – and yet there are more civil than criminal cases taken through the courts each year. According to government statistics, in 2021, civil courts received 1.6 million claims, as compared to 1.14 million in the criminal courts. The civil system covers cases that are not criminal proceedings: from personal injury claims to child custody cases; from employment tribunals to proceedings to recover a debt; from evictions to social security appeals, etc.

Some civil cases are taken through the traditional courts – such as the County Court – while others use the Tribunals (notably employment, benefits and immigration cases). Many court cases can be averted by access to early advice or alternative methods of dispute resolution. But when cases do need to be taken to a court or Tribunal, it is important for participants to be able to access advice, representation and guidance to make best use of the system to achieve a fair outcome.

Lord Neuberger, former President of the UK Supreme Court, said that access to justice has a number of components:

- 1) a competent and impartial judiciary;
- 2) accessible courts;
- 3) properly administered courts;
- 4) a competent and honest legal profession;
- 5) an effective procedure for getting a case before the court;
- 6) an effective legal process;
- 7) effective execution;
- 8) affordable justice.

Many of these elements are not adequately achieved by our justice system. Most people who wish to bring claims or defend against them struggle to obtain good, affordable advice and representation, so they are left to navigate its rules, procedures and jargon alone.

Even when things go right, the system is far from perfect: many laws mirror the imbalances of power in society and actively perpetuate unfairness and harm. However, one thing is certain: those with the money, knowledge and power to use the justice system effectively get a lot more out of it than those who don't.

*In situ piece: Daniel Bond, 'Buzz and wire game', 2023. A gamified representation of the struggles of accessing legal justice. Made using found materials and copper.*



## TOM TAKES HIS LANDLORD TO COURT TO GET HIS DEPOSIT BACK – AND IT TAKES TWO FULL YEARS

*Tom had been living for several years in a house in South Manchester with his partner and dog when he decided to move out in 2020. Even though they left it in a reasonable state and the only damage was ‘fair wear and tear’, Tom’s landlord told him they wouldn’t give him back any of his deposit, which was hundreds of pounds. The deposit was in a deposit protection scheme, but his landlord refused to engage with the scheme’s processes. Tom decided he would pursue his deposit through the County Court. The landlord opposed him and so the process ended up taking two years. Not only was Tom not eligible for Legal Aid because he works full time, but deposits don’t fall within the scope of Legal Aid, so even low-income tenants cannot get representation on this issue for free. Tom struggled to understand the legal process and had to make applications to change his claim because he hadn’t understood all the court’s rules. Eventually, the landlord withdrew and he got his deposit back, but not all of the fees he had paid. At the end, he didn’t feel the process had been worth it, and was put off ever engaging with the justice system again (by choice).*

“I didn’t feel equipped at all – the only information that seemed to be available was some stuff on the Shelter and Citizens Advice websites, and I think the government website, and a couple of articles that basically reprinted the same information. It’s very very limited. What you need is very exact step by step instructions.”

“During the process, the court said I would have to add the co-tenant and that there would have to be a hearing for that. That delayed everything, but it also meant we were responsible for the costs of applying to add her to the claim, which was about half the value of the deposit. So we lost half our deposit because I didn’t know the simple fact that if you’ve got a joint interest in a claim, both parties need to be on the claim. It seems obvious, and when I got to the final hearing it was made clear to me that it was obvious, but I’d not read that anywhere.”

“The court fees are high for such low-level claims. I don’t know the exact figures but it was about £100 just to put the claim in, then to take it to the next stage, the hearing fee was nearly £200. So very quickly it started to become almost the value of the deposit. So even when you feel like you’ve got a good case, you’re gambling basically, and you’re gambling on the basis you’re hoping you’ve done the forms correctly and you’ve submitted it right. All kinds of stuff came up, like what track it should be on. If someone’s never had a dealing with a court before, that’s a ludicrous question.”

“Legally speaking, you’re equal before the court, but financially you’re not, so I can see how a landlord – especially one like the one I had who has multiple properties and businesses – might decide to take the view that by default they just [brazen it out].”

*Image: Allan Struthers, ‘Interpretation in Numbers’, 2023 (Cyanotype on Inkjet Print)  
A sequence of outlines imprinted onto legal documents sent to tenants from landlords or local councils.*



## WHAT IS LEGAL AID?

In order to make the legal system accessible to those on low and middle incomes to help people enforce their rights, it is crucial that there are free-to-access legal advisers and representatives. In the UK this is mostly delivered through the Legal Aid system.

The guideline hourly rate for a private solicitor with over 4 years' experience not working under Legal Aid is £218 per hour. One hour of advice at this rate would cost a full-time minimum wage worker around 23 hours' worth of their take-home pay.

Other fee arrangements, like conditional fee arrangements ('no win no fee'), are not suitable for some kinds of case. For example, when defending yourself from eviction, applying for asylum or fighting for custody of your children, there is no money to be won, so solicitors would generally not offer a 'no win no fee' rate.

Legal Aid facilitates access to justice in England and Wales by funding front-line legal advice, mediation and legal representation for individuals who are otherwise unable to pay for a lawyer, as long as their issues fall within 'scope' of those issues the government considers important enough.

### When and why was Legal Aid created?

Legal Aid was introduced in 1949 by the Legal Aid and Legal Advice Act 1949 as a key pillar of the welfare state. This went hand-in-hand with a Post-World War II vision of social welfare being important, which included the founding of the NHS and expansion of social housing.

Legal Aid was introduced with the aim of ensuring that everyone could access legal advice and representation. This was on a means-tested basis so representation was either free or required a contribution.

### For what?

Initially, Legal Aid mostly covered criminal and divorce proceedings. Over the decades, it evolved to include a wide range of areas, including a focus on housing and employment cases. This coincided with the founding and growth of Law Centres in 1970s and 1980s as providers of Legal Aid advice and representation, in addition to private solicitors' firms. However, since the 1970s, Legal Aid has been cut repeatedly, both by limiting the scope of what it covers, and who is eligible to receive it. These cuts were ramped up during austerity and continue today.

### The Justice Gap

The term 'Justice Gap' is used to describe the significant part of the population who would not be able to afford to pay for legal assistance privately, but who would also not be able to be assisted by Legal Aid, because they are not quite poor enough to qualify for it. In 2020, the Law Centres Network released a report into the Justice Gap, which can be found online.

Source: 'Law For All', Law Centres Network 50th anniversary report, 2020





## NADIA IS TAKEN TO SMALL CLAIMS COURT AND IS HORRIFIED BY THE PROCESS AND THE RESULT

*Nadia left a full-time teaching job in 2019 to begin a massage therapy clinic. In 2020, she had a call with a marketing company who sold her their business-to-business services for £1200, spread over 12 months. However, when she received a bill, it contained VAT she hadn't expected. Feeling that it was suspicious and likely in breach of consumer laws, Nadia asked for a refund, which the marketing company refused to give her. She told MasterCard what happened, and they blocked the company from charging her account.*

*However, after the MasterCard disputes process was exhausted, the marketing company started a claim against Nadia in the Small Claims Court. Nadia was quoted £200 an hour for legal advice, which she couldn't afford, so she had to navigate the courts herself. She downloaded resources to defend the claim, but hit difficulties quite quickly. The court listed a remote video hearing. Nadia was struggling with depression and anxiety and had an unstable internet connection, so she asked for an adjournment. The court went ahead anyway and made a judgment against her, dismissing her mental health problems in the hearing and ordering her to pay the marketing company for their services and their legal costs – a significant sum of money. Information about Nadia's mental health was shared in open court without her consent, and she didn't know how to challenge it. Now, she has obtained advice to make a claim against the company for breaching her privacy, but she is having to pay for the advice.*

"I think too many people underestimate the Small Claims Court. There is nothing small about it, it is a court of law, and its decisions are legally binding. I learned this the hard way; I really should have sought legal advice."

"Anyone who is being brought to the Small Claims Court needs a lot more guidance. I think there should be a facility where you can get help with preparing your defence or counterclaim. I didn't have that help available, I didn't have anybody to turn to at the time. I was unemployed, I wasn't earning anything. I did contact one solicitor who was going to charge me £200 an hour for advice and that just wasn't feasible, I just could not do that. I think people are intimidated by the amount that these legal representatives can charge."

"I was declared a thief and a liar in a UK court of law, and the impact of that was that I attempted suicide and my mental health completely disintegrated. Mentally, it took me the best part of nearly 10 months to recover because I had a mental health breakdown after that judgment was given to me. I didn't know that I could ask for the judgment to be set aside, I didn't know that, because I am not legally trained. That judgment letter just came in the post, and I had 5 days to pay it or risk a county court judgment against me."

"To discuss my mental health in that way, in a court of law, without my permission, I thought was an absolute outrage, and I have written to my local MP and I have filed complaint with my local MP [Alex Chalk, Conservative justice minister]. I outlined the case and got a reply back: 'I am so sorry this has happened, but there is nothing we can do about it, thank you for your email, we will keep it on file', something to that effect. I believe that in this country, justice is only available to those who can afford it and that is my experience."

*Elizabeth Price, 2023. Shows people navigating a game of 3D snakes and ladders. In the top left corner, a character sits at the base of a scales of justice.*



# WHAT IS LASPO?

In 2013, Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) was introduced by the coalition government, cutting £350 million annually from the Legal Aid budget.

## Changes to scope and eligibility

*There are now 3 stages to securing Legal Aid funding:*

### *1st Stage - Scope*

Prior to LASPO, you could get (limited) free legal advice on any legal issue. Post-LASPO, the vast majority of civil and family law matters were removed from the scope of Legal Aid funding.

Amongst the areas that were almost completely removed from Legal Aid scope were employment issues, family law, consumer issues and debt. There are some small exceptions to that rule e.g. family law cases involving allegations of domestic abuse, or employment law cases where there has been discrimination.

As a 'catch-all' there is also 'exceptional case funding' to cover cases not included in scope of Legal Aid funding. However, in practice it is rare that this is applied for, and even rarer that it is granted. Between 2022 and 2023, only 2494 grants of exceptional case funding were made across England and Wales.

### *2nd Stage - Eligibility - Merits Test*

There is a very strict merits test where the claimant's solicitor has to show, amongst other things, that the case is of 'sufficient benefit' to them and that they have at least a 51% prospect of success of 'winning' the case. In practice, this means Legal Aid providers are barred from carrying out important cases, such as preventing a disabled person from getting evicted, if they cannot demonstrate that the case is likely to succeed.

### *3rd Stage - Eligibility - Means Test*

The 3rd stage to securing Legal Aid is a financial eligibility test which includes an assessment of a claimant's capital and income. Solicitors and legal professionals spend considerable amounts of time trying to obtain evidence of this and apply the means test.

Generally, a claimant can have no more than £8000 in capital (including equity in property) to be eligible for Legal Aid, and their disposable income after certain deductions (e.g. rent) must be very low.

### *What are the effects?*

LASPO led to a massive reduction in funding: around 35% has been cut from the budget for civil Legal Aid, from £1.2 billion in 2010-11 to £786 million in 2019-20. The number of civil Legal Aid matters initiated reduced by 84% between 2009-10 and 2016-17. There was a major drop in the years following LASPO, and it has remained relatively stable at the lower rate from 2017 to 2020.

In 1950, 80% of British public were eligible for Legal Aid. By 1973, 40% were eligible. Now, it is estimated that less than 20% of people are eligible.

"A denial of legal protection to the poor litigant who cannot afford to pay is [an] enemy of the rule of law."  
- Lord Bingham, *The Rule of Law*, 2010

## JOANNE'S DISABILITIES CAUSE VARIOUS PROBLEMS – BUT SHE'S NOT ELIGIBLE FOR LEGAL AID

*JoAnne is disabled, and as a result, she has had several legal issues over the last 10 years. The first was in her experience of discrimination from DWP in her attempts to claim PIP. JoAnne has catatonic schizophrenia, but when she asked for an in-person home assessment, the DWP refused her one, believing that she might become violent, which was a misunderstanding of her condition. She wanted to take a discrimination claim against the DWP, but when she tried to get help for this, she could not get legal aid as she was a homeowner, and nor could she find anyone willing to take the case pro bono. Before the changes to legal aid eligibility brought in by LASPO, she would have been eligible for legal aid. In the end, she could not take a claim to get justice for what she had experienced.*

*JoAnne's ineligibility for legal aid also led to issues with her community care package. JoAnne needs care both during the day and at night, and this should have been provided as a support service. However, when she tried to resolve the issue, she could not get free legal advice, so she had to pay a lawyer to fight her corner to get her the care she needed.*

"With me being a mental health patient, trying to tackle legal issues is very compromising. It puts me in a very difficult mental state. [Dealing with the DWP] is very complicated, you know, having to deal with very long, very officious forms. And then having to go through a mandatory reconsideration, and then having to go to tribunal, as well, on top of that. It's a very complicated process. That ought to be simplified."

"The stress of [the DWP's processes] caused me to have a new physical ailment, called cervical dystonia, which causes my head to move involuntarily. And that happens every time I'm stressed. That's a permanent condition I've got now as a result of stress. And, literally, you know, on Twitter, you've seen the emoji with this exploding head. That's literally how my head felt. It literally exploded within – it was like steam within. And then the next thing I knew my head was moving involuntarily."

"I phoned the Human Rights Commission and they could only give me Legal Aid solicitors. They couldn't give me anyone who would work pro bono. I couldn't get legal aid because I'm a homeowner. I tried some of them from the numbers I was given but none of them would take on the work for pro bono. And so then I looked through Google and looked at people who deal with discrimination and disability. And I got a list of about six solicitors and so I wrote out a letter and then copied it six times and sent it outdoor to them saying, "look, this is discrimination. Can you help? Sorry, I've got to ask for it to be pro bono but this is the situation." And they all basically replied, "Sorry. We're overworked at the moment. We can't take on the case." So I was left in nightmare land with no one there to take it on."

"There was no way I could cope with it. The last option was to write to my MP, and see what she could do for me. She didn't actually pick up the case, but she did pass on my letter to the relevant minister at the time, and they wrote back a letter so that basically poopooed my suggestion there was discrimination. Through that whole process, I was suffering with suicidal thoughts. I basically couldn't take it any further."





## LISA HAS TO TAKE AN EMPLOYMENT TRIBUNAL CLAIM ON HER OWN AS A LITIGANT IN PERSON

*When the Covid pandemic started in 2020, Lisa was laid off at work by her employer, a large company that she had been with for many years as an administrator. She looked for advice and struggled to find any free legal advice. Employment issues have largely been taken out of scope for legal aid, so Lisa was forced to look for private solicitors, even though she had just been dismissed at work. She found some no-win no-fee solicitors who were willing to take a claim for her, but she wasn't satisfied that their fee structures were transparent and so didn't know what she would end up paying, especially if enforcement action were needed to force her employer to pay any final judgment. As a result, she took her case unrepresented. It was a long, difficult journey, and Lisa felt there was no equality of arms: her employer had a team of legal professionals, and she only had a scanner that scanned one page at a time. Despite these odds, she won her claim for unfair dismissal and won thousands in damages, but the process of engaging with the Employment Tribunal took its toll on her mental health.*

"I think when you represent yourself you eat, sleep and breathe it. There wasn't a day that went by that it wasn't in my thoughts. It seeps into every aspect [of life]. I remember taking the kids out for some lunch to a little farm shop with my parents and I thought everything was done and then I got a call midday from their solicitors saying 'this hasn't come over, what are you doing about this?', and it through me into absolute panic again. And I remember saying 'I'm really sorry kids, I've got to get home, I need to get back to the computer at home'. So, I think if you have somebody who can take that pressure off and deal with things for you it would definitely make a difference."

"It just got to the point where I felt I was banging my head against a brick wall. I'd get my hopes up e.g with solicitors and no-win no-fee agreements, and then it would come crashing down again."

[In court], I got the impression that I was intruding in their playground. They were willing to let me into the game but nobody was going to help me play."

"If someone my parents' age, if anything happened to them, they just wouldn't have a chance if they couldn't use a computer. I know a lot of people that suffer with autism and neurodiversity, and it must be...I can't even imagine. I know how hard it was for me. And as you know, I have no legal experience. I don't class myself as an educated person at all. All I can do is get by and I found it really challenging."

"I know they argue that if we make [the justice system] really accessible to loads of people then we're going to be having claims coming out of our ears. But actually I think if employers knew that employees had that access, it might make them think twice. And in that respect, if we can stop the problem at source, it stops the knock on effect afterwards. I just didn't have a choice: I couldn't afford a solicitor. I couldn't risk a No Win No Fee claim and I didn't have any insurance. It would be nice for people to actually have the choice there for them to decide rather than be pushed in the direction of having to represent yourself, because it is just unbelievably difficult."

*Image: Jolanta Dolewska, 'Without Apparatus', 2022.  
Photo from a project around themes of courts, law,  
and power relationships in these structures.*



## WHAT HAPPENS IF YOU CAN'T GET LEGAL ADVICE?

One of the most notable effects of LASPO is the rise in the number of people representing themselves at court i.e. Litigants in Person (LiPs). A recent House of Commons library research service found this was simply because of the 'inability to afford a lawyer'.

*Litigants in person are likely to experience feelings of fear, ignorance, anger, frustration and bewilderment. They will feel at a profound disadvantage, despite the fact that the outcome may have a profound effect with long-term consequences for their lives.'*

- Judiciary, Equal Treatment Bench Book, November 2013

Statistics from the Law Society in December 2022 on the family courts showed that the number of cases where neither party had legal representation was up to 39%, a number which had increased by 26% since January to March 2013, up 2% from July to September 2021.

### Complex court procedures and preparation of legal documents

LiPs are not legally qualified and so can find it difficult to know how to structure witness statements, select their most persuasive and relevant points to support their case, or how to use evidence from documents and witnesses to prove facts. The procedure is often second nature to lawyers and judges, which can compound the LiPs' feeling that there is no equality of arms.

The court has a duty to explain the court proceedings in a way that LiPs can understand with the aim to ensure they can play a full part in proceedings. However, many of the stories in this exhibition suggest LiPs are nevertheless left at a disadvantaged.

### Technical language

Technical terms and legal jargon ('legalese') is another way in which LiPs can feel alienated and lack understanding within proceedings. Judges and advocates are advised to be mindful of this when engaging in cases with LiPs, but for some LiPs, it can feel like the people around them are speaking in another language. As the court system in the UK is adversarial, it is common for parties with lawyers to use their opponent's lack of legal vocabulary to their advantage.

Some LiPs will be articulate and able to navigate the court procedure, but they are at a disadvantage in a system not designed for the unrepresented.

### Technology

There have been attempts to move many court proceedings online, or to digitise processes (such as the submission of eviction claims). These changes are uneven and differ between different parts of the court system, though the pace of digitisation increased during the Covid lockdowns. Technology is slow to be effectively developed, with technical issues in online platforms/portals which add to existing delays in cases.

For some people, online hearings offer more accessible way to engage with the court system, but in many cases digitisation has compounded stresses facing LiPs, with unrepresented claimants reporting increased stress, anxiety and ill health as a result of using the online portal for civil cases, according to the Law Society.

Digitisation also creates barriers for those who are digitally excluded (a number which remains as high as 1 in 10 according to the Office for National Statistics) or speak English as a second language and do not have access to translation or interpreting services without legal advice.

## PIOTR IS ILLEGALLY EVICTED, BUT HE CAN'T GET LEGAL AID TO CHALLENGE HIS LANDLORD

*Piotr was a private tenant who lived alone next door to his landlord in a borough of Greater Manchester. One day, his landlord came to his house with a group of men and threatened to kill him and destroy his car if he did not leave. Piotr was distraught and had to spend the night in hospital after the incident. He tried to find help from a range of sources, including the police. The police described it as a 'civil matter' even though illegal eviction is a criminal offence. Piotr approached Legal Aid solicitors, but because he was working full-time as a delivery driver, Piotr wasn't eligible for Legal Aid, which limited his legal options. Piotr approached the Council, who initially refused to provide any support. Until GMLC stepped in to secure his emergency accommodation pro bono, he was paying for his own hotel, which cost him hundreds of pounds.*

*Soon afterwards, while he was still trying to find support to apply for an injunction to prevent the landlord from disposing of his belongings, the landlord forced entry to the property and stole or threw away many of his possessions, including a crucifix that was very important to him. Even though he had evidence and had done all the right things in the circumstances, without Legal Aid, Piotr was unable to find an affordable solicitor who could take his case on to seek damages from his landlord. Private solicitors offered to help at a rate of £300 an hour, three quarters of what he earns in a week. Piotr eventually found somewhere else to live, but at last contact, he had not been able to bring his landlord to any justice for the illegal eviction he experienced.*

"First of all, I called Citizens Advice, but they did the checks and they said I am not eligible for Legal Aid. So then I called Shelter, and then after a couple of weeks, they said they were unable to take my case, because although I have a strong case, it's a private landlord, and if there is a court order, they said it would be just a piece of paper, because they couldn't enforce it for compensation. [...] Most of the private solicitors work for landlords, and most of them do not deal with tenants. They don't want to provide no-win no-fee help."

"There were days that I couldn't even sleep, so I was sleeping for 2 hours a day and I was constantly looking for help, but I was turned down by the police, the council, by all of the authorities, and I was feeling helpless really. I felt like organisations like the council and the police were assisting the landlords in his criminal activities. I was even told by the police that I would be arrested if I waste their time. So I just felt terrible. [...]"

"If illegal eviction is a criminal offence, then if the police don't want to help, why is it even classed as a criminal offence? Because the police say it's a civil matter but every lawyer says it's a criminal offence, but it's not enforced."

"I think tenants should have more protection. Everybody seems to blame the tenant. But sometimes it goes the other way. Sometimes the landlord is not fair. I paid all of my rent on time and it just wasn't fair. The landlord did not have any grounds to evict me. Also, I just feel very helpless, because I've been left without all my belongings that I left. I wear contact lenses, and I find it very difficult. To order contact lenses, it takes me about 2 weeks, and I was left without the contact lenses that correct my vision. It affected my mental health and my physical health as well."





# SONIA STRUGGLES THROUGH THE FAMILY COURTS WITH INADEQUATE ADVICE

*Sonia is a survivor of domestic violence and abuse. She encountered the justice system when she tried to get Non-Molestation Order and a Prohibited Steps Order against her ex-husband through the family courts, which took a long time and many court hearings. Though she was represented by Legal Aid solicitors periodically, the complex nature of her case meant that she had to do a lot herself, and moved between solicitors, direct access barristers and representing herself as a Litigant in Person. Where she was represented by Legal Aid solicitors, she felt that they were overworked, and work was often completed last-minute - even up to a day before each hearing. Delays in obtaining Legal Aid meant that she was left without the support she needed on some occasions. When trying to access representation directly through direct-access barristers, in one hearing she was quoted £3,500 for one day's work if she hired a barrister privately.*

*Sonia experienced the court process as an extension of her ex-partner's abuse, enabling him to stay in contact when she did not want to. She found the legal process so traumatic that she would now struggle to advise domestic violence survivors to leave their partners, and wishes the legal system had looked different to give her the support she needed.*

"Domestic abuse is still just treated like a high conflict divorce...and it's not. Nobody seemed to get the severity of what was actually happening and I just wasn't getting advice."

"Your ability to get Legal Aid had an effect on the advice you are given, which later you felt wasn't great advice. The police were asking me, please go back and get a non-molestation order yourself. I had to go and do it myself in the end."

"[Once when I] self represented, I got told off by the judge as I didn't know what I was doing. The paperwork was filed incorrectly. And then I was told that I was by my ex and his family that I am deliberately stalling, which just wasn't the case - I just couldn't get the Legal Aid through. So I got frowned upon by the judge and criticised quite heavily. On one occasion, it felt like I was abused again, because I was kind of gaslit and forced to apologise - 3 times. [I also had to] give away information that wasn't safe as I couldn't explain to the judge, and he was getting more and more irate and I was aware that may affect my case, so I said we had moved out of refuge and rehoused, which was a safety issue that my ex shouldn't have known about."

"I felt really so small. I was just really scared. I came away just feeling really despondent and in despair, feeling 'what was the point in leaving?'"

If I could change one thing about the justice system it would be that women [domestic violence survivors] get better advice. Legal Aid should be available before the woman leaves - to give her the advice she needs before she leaves. It's too late once you're out."

"One more thing - in family court, they don't understand honour-based violence and forced marriage. Judges need to have specific experience and speak to people about these issues so they understand what is going on. The majority of judges are white, upper-class males, often dealing with poor working-class women."

*Image: Folie Art and Design, 'Tied', 2023, A3 on Brown Paper Hand drawn and painted. A figure with hands bound by rope, symbolising the constraints faced by those without access to justice and also the limitations within the system itself.*



# GABRIELLE FINDS THE DWP'S PROCESSES FRUSTRATING UNTIL SHE RECEIVES THE RIGHT ADVICE

Gabrielle is a disabled woman who struggled to get Personal Independence Payments (PIP). Gabrielle experienced the DWP's systems as frustrating and alienating, and initially she didn't know where to get support, until she came to the Greater Manchester Law Centre (GMLC) and was helped by one of GMLC's volunteers. PIP is available as an extra benefit for disabled people, but the process of applying can be daunting and complex - the PIP form can be filled in by claimants themselves, but there are expectations about how you express yourself and what information is relevant. For the five years from August 2017 to July 2022, just 39% of claims for PIP resulted in an award.

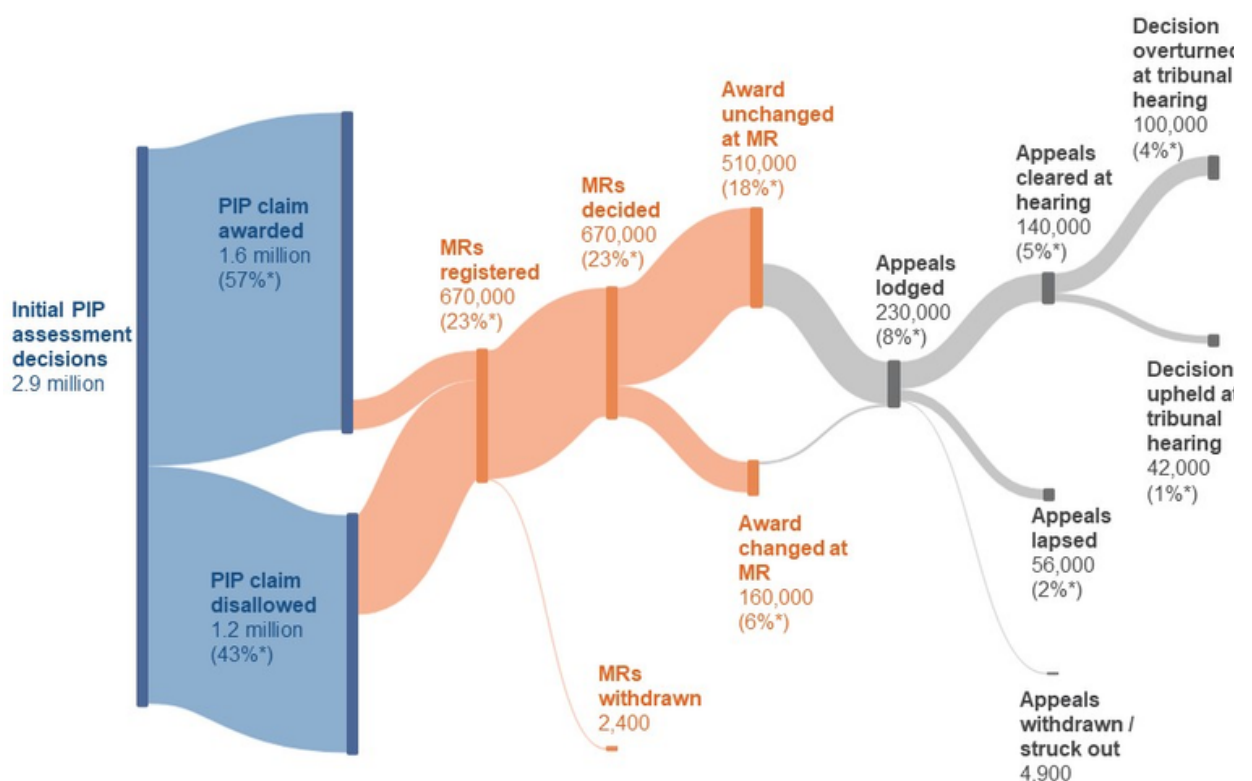
"I had umpteen numbers of disabilities and illnesses. I was just so depressed and so upset. [...] I am dyslexic, so having to take everything in at once was a little bit daunting for me. I needed to jump through this hoop and that hoop and whatever, and then when I jumped through all the hoops, they brought some more."



"Sometimes it's the easy road and you can get down it, but sometimes you have to get over the humps and bumps. There's people who are frustrated and don't know where to turn or who to talk to, and that's the sorry thing about what's going on in the world today. Because all of the help and support is being shut down. And what are we gonna do, where are we gonna turn?"

"The Law Centre helped me so much to get through and feel a bit more confident about being able to fight for myself. We need this, and if we didn't have help and support, I couldn't afford to get any advice, because I'd have to pay for it and I haven't got the money to pay for legal advice. I felt scared, I felt upset, like I was never gonna get through this. And you helped me and I wasn't alone."

Image: Mariam Hussain, 2023. Picture represents hope and relief in finding support, and reads 'GMLC: Fighting Together For Access to Justice'



\* As a % of Initial PIP Decisions following an Assessment

Source: Personal Independence Payment: Official Statistics to July 2023, www.gov.uk

## BEATRIZ AND RAMÓN COME TO THE UK AS ASYLUM SEEKERS, BUT THEIR PROBLEMS CONTINUE

*Beatriz Flores and Ramón Gochez came to the UK in 2018 with their children as asylum seekers after their family were persecuted and extorted in their home country in central America. Immediately upon arriving, they sought help from authorities. They were moved to Liverpool and then Bury to asylum accommodation, where the family were split by gender. They found some legal aid legal advice, but their first asylum application was refused - as many are - and they needed further legal advice to appeal. One day, the firm they were with dropped their legal aid contract, meaning they could not continue with legal aid matters, and so Beatriz and Ramón were offered paying legal services by an individual solicitor who had worked previously on their case. Because they couldn't afford this, they returned to the original solicitor, who agreed to take the case pro bono. However, this offer was rescinded soon afterwards, and the family were left looking for other solicitors.*

*Beatriz and Ramón are Christian, and found friends and community in churches, which helped them get through the experience, but it was traumatic for all of them during this time when they had little to no support.*

*Beatriz and Ramón finally found another solicitor, who said she was a legal aid solicitor. However, soon it appeared that they were being scammed: the solicitor started charging for elements of her work, which shouldn't happen on legal aid. The solicitor asked for \$2000 to pay an 'expert' in the USA. Beatriz and Ramón couldn't afford to pay, but desperate for the work to continue, they got help from their church and their pastor paid \$2000, which he has never had back. The solicitor then began asking for more money for each member of the family.*

*During this time, life got incredibly difficult: because the new solicitor had not been working on their cases, both of Beatriz and Ramón's children (who were 22 and 19 at the time) were detained in immigration detention, which felt like prison. They were told they had been bought tickets back to their home country, where they knew they were in danger. This had a permanent effect on their personalities. Eventually, Beatriz and Ramón realised they had been scammed, and reported the solicitor to the police and the Solicitors Regulation Authority, and sought alternative help.*

*Beatriz and Ramón finally got the support they needed from Greater Manchester Immigration Aid Unit (GMIAU). Their solicitor at GMIAU helped them understand the process and re-applied for asylum for the whole family. Beatriz, Ramón and both their children now have refugee status and are settled in the UK.*

*In total, the process took over 5 years, during which time the family were not allowed to work and living in poverty. Their suffering was exacerbated by poor legal advice and the state of the immigration advice sector, which makes it hard to find legal advice and allows exploitative practices to flourish. After a decade of cuts to legal aid, GMIAU is the only not-for-profit immigration advice service that covers the North West.*

*Image: Elizabeth Price, 2023. Charcoal and chalk. Picture shows a small boat coming to shore, and reads 'We can make this place beautiful'.*





Image: Thea Luckcock, 2023, one from a selection of tiles responding to the themes of the exhibition. This tile uses the words of Béatriz and Ramón, printed onto ceramic.



Ramón: “Es como vivir en la oscuridad, o caminar en la oscuridad, porque no sabe que va a pasar” - (“It is like living in darkness, or walking in darkness, because you don’t know what is going to happen.”)

Ramón: “It has been a very long journey and at the beginning we didn’t speak English. The people that could help us couldn’t advise us, and so it feels like we were walking in the darkness. We came from a country with less access to education, and if you add that to us not speaking English when we arrived, I feel that had an effect on our case. Sometimes we were given interpreters that spoke our language but weren’t from the same country as us, which can affect communication. [In court hearings], when the judge asked questions, I worry they thought we were lying because we weren’t able to answer them properly. We often just didn’t understand what we were being asked.”

Beatriz: “When we first lost our legal support, the Home Office got in touch with us and let us know that we were about to lose our economic support. And so I called them and told them that we didn't have a solicitor to represent us. I was afraid because I knew that when someone doesn't have a solicitor to represent them with these submissions, they lose that help.”

Beatriz: “The [immigration detention centre] was like a jail. Even if it’s called a detention centre, it is a jail. Detention changed our children. Even now, it is difficult for them to communicate with us. Personally, I don’t feel that they talk to me or say what they need anymore. Our son used to be outgoing and spend a lot of time out with friends. Now, I feel he is scared of being detained again and doesn’t want to go out. He is always making excuses not to meet people.”

Beatriz: “Sometimes we felt like we didn’t have anyone to rely on. We needed help to understand the court procedure and we didn’t feel like we were always given this.”

Beatriz: “También ha sido una bendición, porque en ese camino hemos conocido a gente con tan bellos corazones” - (“It has also been a blessing, because on this journey we have met people with such beautiful hearts”)



# LEGAL AID DESERTS AND CRUMBLING COURTS



The number of Legal Aid cases dropped from almost 1 million in 2009/10 to 130,000 in 2021/22. Over the same period, the number of people having to go to court without representation trebled.

According to the Law Society in March 2023, the number of advice agencies and Law Centres doing Legal Aid work has fallen by 59%. Greater Manchester has gone from having 9 Law Centres in the recent past to just one since 2014.

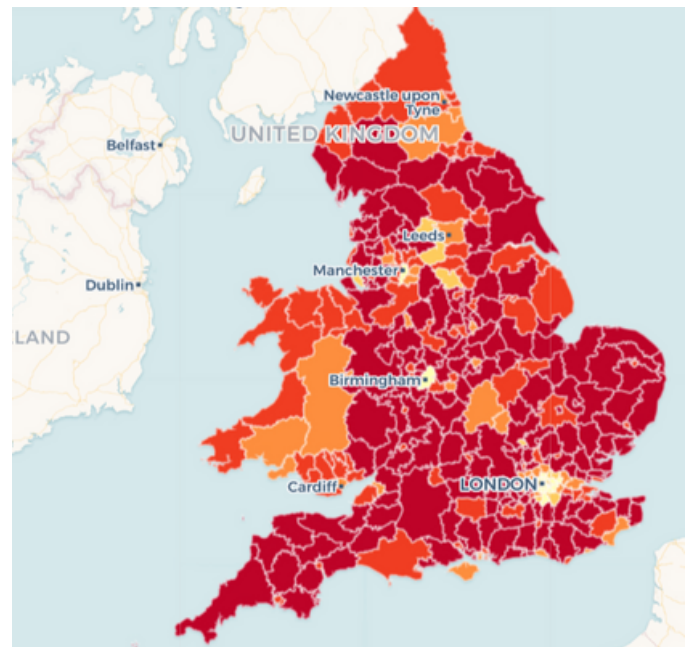
There has been a huge increase in the number of 'Legal Aid deserts' i.e. areas of the country without a Legal Aid provider for advice or representation for particular specialist areas of law.

*Image: Roger Howard, 'Justice Defiled', 2023*

Across England and Wales:

- 53 million people (90%) do not have access to a local education Legal Aid provider;
- 49.8 million people (84%) do not have access to a local welfare benefits Legal Aid provider;
- 42 million people (71%) do not have access to a local community care Legal Aid provider;
- 39 million people (66%) do not have access to a local immigration and asylum Legal Aid provider;
- 25.3 million people (42%) do not have access to a local Legal Aid provider for housing advice, a figure that has grown 5% since 2019;
- A LexisNexis survey in 2023 found that Legal Aid deserts leave over 1 million people without access to representation in family law.
- 25.3 million people (42%) do not have access to a local Legal Aid provider for housing advice, a figure that has grown 5% since 2019;
- A LexisNexis survey in 2023 found that Legal Aid deserts leave over 1 million people without access to representation in family law.

*Source: Law Society, Legal Aid Desert (Housing law) 'Heat Map' [March 2023] The darkest red counties (which represents a majority of counties) have access to no housing Legal Aid providers at all. The second darkest counties only have access to one provider - which is unlikely to be able to service demand across the whole region.*



## Closure and condition of court buildings

Since 2010, 43% of court buildings in England and Wales have been closed permanently. This means that litigants have to travel further to take part in proceedings. The remaining courts are often crumbling and inaccessible. The Bar Council, the representative body for barristers in England and Wales, produced a report in November 2022, 'Access Denied'. This pointed to examples of the state of court buildings, including a Welsh court that suffered from an infestation of fleas and a court in England that had sewage pouring down the walls for months.

*"The poor state of court buildings across England and Wales is both a contributor to the huge backlog of court cases and a stark illustration of the lack of investment in our justice system."* -Law Society President, Lubna Shuja.

# CAMPAIGNING FOR ACCESS TO JUSTICE

Despite all the problems caused by Legal Aid cuts, free legal advice still delivers significant outcomes for people with legal problems, stopping evictions, increasing access to vital welfare benefits, helping domestic violence survivors use their legal protections, and much more.

## Strikes and protests in the legal sector

Over the last 10 years, there have been many waves of protest and struggle to defend access to justice, as well as fighting against real-terms pay cuts in the social welfare sector.

After LASPO, there were protests across the country to defend Legal Aid. There have also been many eras of protest to protect particular groups' rights, such as the rights of Windrush generation migrants which were under attack in the mid 2010s.

In 2022, barristers went on strike to fight for higher criminal Legal Aid rates to enable the sector to survive and protect the rights of vulnerable Defendants. Other organisations offering advice have also seen strikes to protect pay and conditions.

## Research and campaigning

Organisations such as the Law Centres Network, the Legal Aid Group and the Law Society have conducted important research and reports on the state of access to justice to enable them to lobby and argue for better access to justice.

## What can you do?

- **Volunteer for a social welfare advice organisation** helping run their services or taking part in their campaigns – such as GMLC, GM Immigration Aid Unit, Citizens Advice, Shelter or Support Through Court.
- **Join a tenants union or a trade union** to learn about your rights, enforce them and help others enforce theirs, as well as campaigning for better protections and conditions in the workplace, the home and the community.
- **Get involved with the Greater Manchester Pro Bono Committee** to use your legal skills to help achieve access to justice (ask GMLC for more information!).
- **Attend protests and events about social justice issues**, such as defending the right to protest.
- **Contact your MP about reforming the law to widen access to justice.** There are lots of resources on the [www.gmlaw.org.uk](http://www.gmlaw.org.uk) website to use when writing an email or letter.
- **Follow organisations on social media** to share their resources about access to justice, such as Law For Life, Law Centres Network, the Law Society and Legal Action Group.
- **Become a member of Greater Manchester Law Centre**, paying a monthly donation to help us deliver advice and campaign for the residents of Greater Manchester. You can also become a corporate sponsor if you run a business, or run a fundraising event.
- **Support strikes and workers' action in social welfare law and advice** to help the sector sustain itself and give staff a fair wage so they can deliver the best service.





