

The  
Legal  
Education  
Foundation



# Annual Review

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# 2019 in numbers

## Grants

800

## Total awarded in 2019

£6,027,000

Justice First Fellows

13

Funding partners

15

Average grant

£75k

Total awarded since TLEF began in 2013

£26.5m

Grants since 2013

450

# People

## Board of Governors

**Guy Beringer QC (Hon)**  
Chair

**David Armstrong**

**Rupert Baron**

**Ailsa Beaton**

**Timothy Dutton QC**

**Roger Finbow**

**Jonathan Freeman**

**Sally James**  
Deputy chair

**Alison Pickup**

**Jane Reeves**

**Monica Risam**

## Committees

### Grants

**Guy Beringer QC (Hon)**  
Chair

**Ailsa Beaton**

**Timothy Dutton QC**

**Jane Reeves**

### Audit

**Roger Finbow**  
Chair

**David Armstrong**

**Jonathan Freeman**

**Kirsty Garrison**  
External

### Finance and General Purposes

**Guy Beringer QC (Hon)**  
Chair

**Timothy Dutton QC**

### Investment

**Rupert Baron**  
Chair

**Lord Hemphill**  
External

**Sally James**

### Nominations

**Ailsa Beaton**  
Chair

**Roger Finbow**

**Jonathan Freeman**

**Jane Reeves**

## Staff

**Matthew Smerdon**  
Chief executive

**Fiona Bawdon** (part-time)  
Head of communications

**Belinda Berry**  
Administration manager

**Jennifer Burgess**  
Administration officer

**Dr Natalie Byrom**  
Director of research  
and learning

**Carol Coe** (part-time)  
Accounts manager

**Jill Gale**  
Deputy secretary

**Alan Harlow**  
IT/digital manager

**Swee Leng Harris**  
Head of policy and  
public affairs

**Alan Humphreys**  
Deputy chief executive  
and secretary

**Clare Johns**  
Foundation accountant

**Jake Lee** (part-time)  
Director of strategy

**Nikki Letley** (part-time)  
Deputy administration  
manager

**Rachael Takens-Milne**  
(part-time)  
Director of grants

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# Helping people understand and use law

Chief executive **Matthew Smerdon** looks back on an important year for the Foundation, where we continued championing the essential role for legal education in helping people and organisations understand and use the law as a tool for change.



In 2019, we made 80 grants totalling £6m, including creating 13 new Justice First Fellows who are due to qualify as social justice lawyers in 2022. Behind these headline figures sit passionate and committed individuals and organisations who are using law to change people's lives and working to create legal systems and processes which are fairer and more effective. A common challenge is that often people don't recognise that their problems have a legal dimension or that the law could provide a solution. We believe the law should be readily available at the times and in the places where people need it. The sector remains significantly under-resourced and also faces a barrage of other challenges, ranging from increasing social

needs, reform of the justice system on an unprecedented scale, and the legal uncertainty brought about by Brexit.

As well as funding the work of organisations which are experts in their fields, we also utilise our own capacity and networks to help shape debates and seek to respond to gaps in legal analysis and understanding. Key areas where TLEF has taken a lead this year include collection and use of data as part of the government's court reform programme; the impact of automated decision-making; and the implications of Brexit. TLEF's director of research and learning, Dr Natalie Byrom, hosted a summit to bring together academics, lawyers, senior members of the judiciary, and government officials from the UK and abroad, to discuss how research can be used to underpin access to justice and the move to online courts. As a result of her work, Natalie was then invited on secondment to HM Courts & Tribunals Service as an expert adviser on open data and academic engagement, which gave TLEF an invaluable opportunity to feed into government thinking in this important area. Natalie's resulting report, 'Digital Justice: HMCTS data strategy and delivering access to justice', has been welcomed by HMCTS CEO Susan Acland-Hood, who said its recommendations 'will be crucial in informing

how we continue to create, manage and apply data to underpin the Reform Programme'. You can read more about Natalie's work on p23.

Swee Leng Harris, our head of policy and public affairs, has led work on supporting civil society organisations to take part in the Brexit debate to ensure fairness for those directly affected by the process of exiting the EU. Swee Leng's work highlighted the role of automated government decision-making, and how this brings both the potential for improved accuracy of decisions, and the challenge of ensuring processes are transparent and accountable. We have supported a group of organisations who are active in this area to develop work to help ensure accuracy and transparency in social security decision-making. This aspect of our work is described more fully on p21 of this review. →



**A common challenge is that often people don't recognise that their problems have a legal dimension or that the law could provide a solution.**

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→ Collaboration is a strong element of our work, and we continue to partner with the Baring Foundation on its Strengthening Civil Society programme to support the use of law by non-legal voluntary organisations. We worked with Barrow Cadbury Trust, Unbound Philanthropy, and the Paul Hamlyn Foundation, to establish the Transition Advice Fund, which aims to support European citizens having to negotiate the government's EU Settlement Scheme in order to stay in the UK beyond 31 December 2020. The importance of ensuring people understand government processes and have help to navigate through them was brought home to us by the 2018 Windrush scandal, which revealed how elderly Commonwealth migrants were being wrongly detained and denied legal rights because they couldn't prove their immigration status.



**As well as funding the work of organisations which are experts in their fields, we also utilise our own capacity and networks to help shape the debate and identify gaps in understanding.**

The 13 latest recruits to our Justice First Fellowship (pictured on the cover of this review) take the total number of posts funded to over 60. We have been able to reach that figure thanks to collaborations with BBC Children in Need, City Bridge Trust, AB Charitable Trust, Royal Bank of Scotland, City law firms, and law firms based in the cities where fellows are located, including Birmingham, Bristol and Liverpool. Getting to know the newest intake of fellows each year, and seeing how their predecessors from earlier cohorts continue to develop their legal skills and to bring such passion and commitment to their work is always a highlight of our year. We were also delighted to see our 2016 intake of fellows graduate and become qualified lawyers.

Rachael Takens-Milne was appointed as the Foundation's director of grants this year. Together with Jake Lee, director of strategy, Rachael is focusing on a new strategy to be launched in 2020. Rachael brings a wealth of experience, and has carried out a wide review of our activities, including a survey of grantees, analysis of our grant-making and engagement with sector organisations, and with wider funding, policy and research circles. Our new strategy will bring a sharper focus for the Foundation on promoting justice and fairness, on seeking to shape the systems and structures that uphold rule of law principles, and on supporting a commitment to learning and the use of evidence in the design and operation of the justice system. Organisations in the social justice and legal education field face a task of such scale and complexity that sustained strategic investment is needed to help them play their roles, and our new plan will set out how we will try to support this effort.

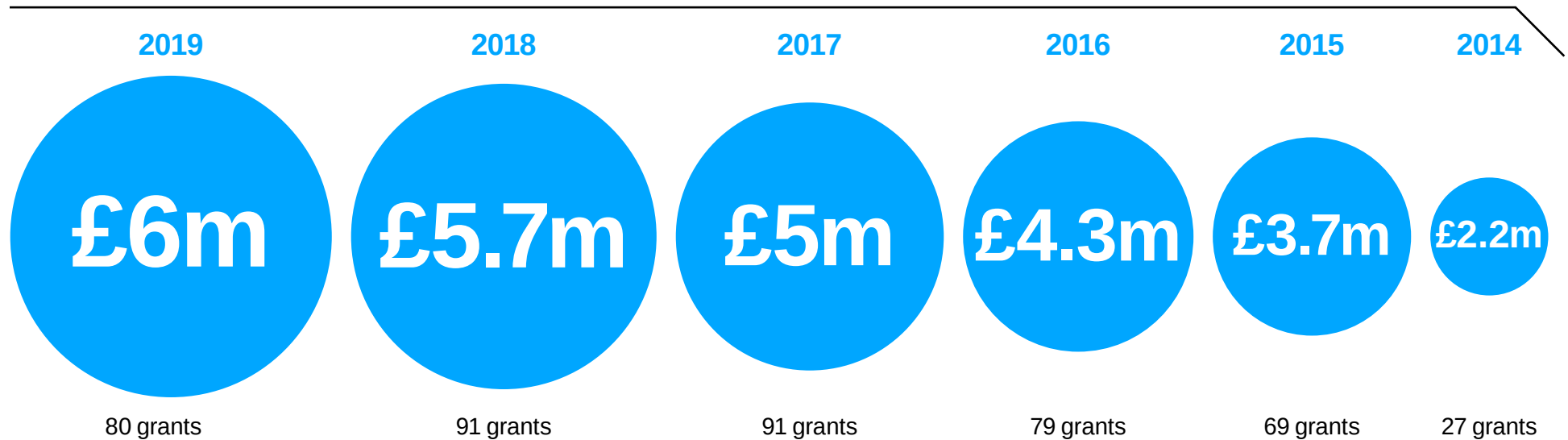


2016's intake of Justice First Fellows celebrated their graduation in 2019

Our work only happens as a result of the skill and dedication of the organisations we support, of the people in the institutions with whom we collaborate, and of our governors, our professional advisors and our expert staff.

Huge thanks to you all.

# Grants overview



Figures are rounded

## TLEF 2019 funding partners

AB Charitable Trust  
 Baring Foundation  
 BBC Children in Need  
 Brabners  
 City Bridge Trust  
 Council of the Inns of Court

Herbert Smith  
 Joseph Rowntree Foundation  
 London Legal Support Trust  
 Nuffield Foundation  
 Osborne Clark

Paul Hamlyn Foundation  
 TLT LLP  
 Unbound Philanthropy  
 Weightmans

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Objective 1

# Understanding and using law

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Total funding

£1,816,000

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Grants

25

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Average grant

£73k

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## Objective 1 Understanding and using law

# Overview

**The Foundation funds work that supports people of all ages to build broader legal knowledge and capability. If people can recognise when a problem has a law-related solution and they have the confidence to seek help, they will not miss chances to benefit from legal assistance.**

We have funded a range of work aimed at strengthening legal capability in a range of settings, including advocates working with children who are living in social care or custodial settings, in health fields, in the Children's Hearing system in Scotland, and people navigating asylum and immigration processes. A common thread with this work has been to ask individuals and groups what they are trying to achieve and then working with them to explore how legal tools and solutions can help.

We continue to fund experiments in how technology can contribute to increasing legal understanding and access to services. This has included supporting development of chatbots to widen access to legal information, for example, for young people in Northern Ireland, by the Children's Law Centre; and for adults with a learning disability and their families, by Mencap. It has also involved using digital tools to connect areas of the country which are advice deserts,

particularly the south west of England and Wales, with specialist advice provision; and guided pathways, for example, to create a service that supports disabled people to secure the reasonable adjustments they need in their workplaces.

This is the final year of funding (in partnership with Esmée Fairbairn Foundation) Youth Access's Make Our Rights Reality programme, which engages young people to learn about their rights and how to use this to inform related social action. The young participants gave powerful feedback about the impact of the programme. One said: 'I gained confidence to challenge

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**We continue to fund experiments in how technology can contribute to increasing legal understanding and access to services.**

things that didn't seem right.' Another said: 'After struggling for years with an unsuccessful support system, watching the people around me suffer, I am finally able to make a difference. I don't have to stand by as a system designed to support me, belittles me instead. Finally, I have a voice.'

An important element under this objective has been to integrate access to law in other settings. We have supported work in Scotland to embed

specialist lawyers in organisations tackling domestic violence, and continued our partnership with Prof Dame Hazel Genn at University College London, on the role of legal services in health settings. Another significant partnership here is with the Baring Foundation and its Strengthening Civil Society programme, which supports organisations to understand how their objectives can be achieved through use of the law or human rights-based approaches. The Foundation contributes funds and staff time to the programme that is aiming to develop, replicate and scale-up training and online resources, to support use of legal tools to change systems and cultures, and to provide additional capacity for collaboration. We are delighted that this programme looks set to continue, as will our support of it.



Northern Ireland's Children's Law Centre developed a chatbot giving young people easy access to legal information.



## Objective 1 Understanding and using law

# Grants 2019

## Appeal

### £23,915

Examining why women, who hold 49% of TV licences, make up 79% of those prosecuted for licence evasion. Using the work to inform wider exploration of the criminalisation of civil debt and the implications for rule of law.

## Article 39

### £56,000

Designing and delivering training for independent advocates on the legal and human rights of children who live in education, health, social care, or custodial settings. Seeking to ensure that legal training and support to advocates is embedded in revised national standards for advocacy in England.

## Baring Foundation

### £200,000

Contributing to the Baring Foundation's 'Strengthening Civil Society' programme. This programme supports non-legal voluntary organisations to use the law and human rights to further their charitable purpose, and amplifies the relevance of law by situating it in a wider framework of advocacy and social change.

## Bristol Law Centre (formerly Avon & Bristol Law Centre)

### £39,200

Exploring the role of Skype and pro bono support in creating a virtual law clinic giving free advice to vulnerable people in areas where they are unable to access face-to-face legal services.

## Central England Law Centre

### £74,000

Extending the RIPPLE project (previously funded by TLEF), which is an approach to public legal education rooted in community engagement and casework practice. Working with groups and advocacy organisations in health and community care to integrate the learning from phase one of the project. Training caseworkers to use the RIPPLE approach and informing the development of a programme of research, learning and evaluation.

## Children's Society

### £149,050

Improving access to legal advice for people in financial crisis. Exploring how to integrate legal needs assessment and services into wider interventions supporting people in financial crisis. Activities are part of the Coordinated Crisis Support programme which aims to address gaps in emergency provision and reduce repeat instances of financial crisis by addressing underlying causes.

## Children's Law Centre

### £74,320

Developing a prototype voice recognition chatbot to address unmet legal needs by providing accessible information to young people in Northern Ireland in response to basic legal queries. Capturing lessons on the use of this technology for potential application in other areas.

## Citizens Advice Plymouth

### £70,000

Developing specialist legal advice capacity in welfare benefits, debt, employment and family law within the CAB, initially through a tech-enabled partnership with Legal Advice Centre (University House) and with a view to building local capacity in Plymouth itself.

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## Objective 1 Understanding and using law

### Clan Childlaw

**£9,600**

Embedding legal understanding and capacity in the national practice model for advocacy services within the children's hearing system in Scotland.

**£44,112**

Developing a Legal Support Service to introduce structured legal training and services to advocates working with vulnerable children and young people in the children's hearings system in Scotland. This builds on Clan's earlier work funded by TLEF.

### Coram Children's Legal Centre

**£118,092**

Providing legal education to young migrants and those working with them as they navigate immigration, asylum and nationality law, to ensure their rights are upheld.

This builds on the development of a youth rights training programme, previously funded by TLEF. Using information gathered through work with young trainers to improve practice and policy affecting children and young people subject to UK immigration control, particularly in relation to citizenship rights, long-term residents, and the EU Settlement Scheme.

### Disability Law Service

**£114,930**

Developing an online guided pathway to support disabled people to understand and achieve their rights in relation to reasonable adjustments in the workplace.

### Friends, Families and Travellers

**£62,156**

Increasing understanding of the laws and policies relating to the government review of unauthorised sites. Sharing information, building knowledge and facilitating engagement so that Gypsy and Traveller groups, allies and wider equality and human rights organisations, can inform law reform.

### Intermediaries for Justice

**£30,000**

Redeveloping the organisation's website, including the addition of contact relationship and content management systems as part of increasing awareness and knowledge of intermediaries among the public, court users, professionals supporting court users and criminal justice professionals.

### Law Centres Network

**£200,000**

Supporting LCN's sustainable development in order to promote legal education, access to legal services and strategic use of law for vulnerable people.

### Govan Law Centre

**£49,870**

Exploring the role of video technology in creating a virtual partnership law centre, providing specialist advice to vulnerable people in Argyll and Bute.



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## Objective 1 Understanding and using law

### Law for Life

**£73,775**

Supporting a partnership pilot project between Law for Life's AdviceNow website and family lawyers group Resolution to deliver online, affordable, early legal advice to separating couples on low incomes.

### Legal Advice Centre (University House)

**£24,230**

Supporting the Dracaena Centre in Cornwall to explore using webcam technology to provide specialist legal advice to an area with no face-to-face provision.

### Organise

**£10,300**

Extending the TakeNote pilot project to develop an app to help low-paid workers understand their employment rights, and to compile evidence to challenge harassment, and discrimination at work.

### Right to Remain

**£45,213**

Upgrading the Right to Remain toolkit aimed at those navigating the asylum and immigration process. Using digital tools to increase access and keep content up to date, in order to increase knowledge and confidence in relation to legal rights.

### Scottish Women's Aid

**£58,000**

Working in collaboration with JustRight Scotland to make the case to politicians and regulators of the importance of embedding specialist lawyers within non-legal organisations tackling domestic violence. This is part of wider work to engage the Scottish government and the public about how legal aid can help women experiencing domestic violence.

### Speakeasy Law Centre

**£16,500**

Testing how digital technology can deliver specialist employment law advice to people in remote and rural areas of Wales, where there is currently no provision. The aim is to later expand the service to include other areas of social welfare law. Work will include learning from similar TLEF-funded projects elsewhere in the UK.

### UCL Centre for Access to Justice

**£33,290**

Holding an international workshop to bring together leading figures from the judiciary, academia, policy and civil society to explore how to measure whether online courts promote the correct application of substantive law and deliver improved access to justice.

### UK Citizens Online Democracy (mySociety)

**£46,315**

Supporting phase 1 of FixMyBlock, a partnership project between Citizens' digital project mySociety, design charity Shift, and Tower Blocks UK, an information hub for people living in high-rises. FixMyBlock will be an online advice and reporting system, explaining residents' legal rights over building safety, and how to take further action if issues are not resolved.

### Youth Access

**£193,413**

Supporting Make Our Rights Reality, a national public legal education programme aimed at disadvantaged young people.

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Objective 2

# Improving legal training and practice

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Total funding

£2,558,000

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Grants

33

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Average grant

£78k

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## Objective 2 Improving legal training and practice

# Overview

**We support work that explores ways of meeting legal needs, which are sustainable and at scale. This involves funding a range of activities, including legal education, training lawyers and legal service providers, as well as strengthening the organisations in which they work.**

A major focus has been supporting civil society organisations in England, Wales, Scotland and Northern Ireland to engage in the parliamentary and legislative process instigated by the UK's decision to leave the EU. The Foundation, while being Brexit-neutral, recognised early on the profound implications of the referendum result on law and legal processes. We feel that civil society has an essential role to play and are supporting a cohort of expert organisations to develop the capacity to engage and to collaborate. At page 21 of this review, the work is described in more detail.

Also this year, we have supported a range of development activities in key sector organisations so that they can advance legal education, access to legal services and strategic use of the law, and underpin their work with good systems and structures. We recognise the contribution that this funding can make to achieving the objectives of the Foundation,

particularly in parts of the country where there is no infrastructure for legal education and legal services, or where it is hugely stretched. This is an area we will explore further in our strategic plan for the next five years.

We have supported the direct delivery of training to lawyers and others working or volunteering in legal services, in relation to a wide range of issues, including: asylum, welfare benefits, youth justice, housing, maternity rights, community care, support for carers, for those with legal needs because of life-limiting illness, and public procurement. Our work has also covered different aspects of legal practice, including the use of judicial review and the Upper Tribunal to challenge unlawful public decisions, as well as legal practice management, billing, improving governance and encouraging take-up of ideas for putting organisations on more sustainable footings. We have continued to support the Youth Justice Legal Centre (YJLC) and its work to establish youth justice as a legal specialism

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**Civil society has an essential role to play in the Brexit process and we are supporting expert organisations to engage and collaborate.**



YJLC director Kate Aubrey-Johnson and her team at this year's successful Youth Justice Summit.

in its own right, with corresponding development of training resources and a supportive regulatory environment.

Under this objective, too, we have looked at the role of technology, with many grantees embracing online and e-learning to good effect, harnessing the opportunity this can offer to increase access and to reach wider audiences. We have also helped organisations to shift paper publications to digital channels, helping them to widen access to expert legal material.

As explored in more detail on page 23, a major area of focus under our research and learning programme has been on strategies and practice for collecting and using justice system data.

## Objective 2 Improving legal training and practice

# Grants 2019

### Advocate (formerly Bar Pro Bono Unit)

**£31,500**

Implementing the final stage of a project to improve infrastructure and operational efficiency linking clients with volunteer barristers.

### Asylum Support Appeals Project (ASAP)

**£71,880**

Developing and delivering face-to-face and online training in asylum support law for volunteers representing destitute asylum-seeking women. Producing factsheets on asylum support law, providing follow up second tier advice, and using learning to engage at a policy level, to reduce destitution levels.

### British & Irish Legal Information Institute (BAILII)

**£90,000**

Supporting BAILLI to become more sustainable in providing public access to case law, primary and secondary legislation and treaties, and to promote and encourage research into legal information systems.

### Cardiff University School of Law and Politics

**£21,000**

Staging Brexit, Devolution and Civil Society Conference over two days in Belfast. Event resulted from collaboration between three TLEF-funded projects: Wales Civil Society Forum on Brexit, Brexit Civil Society Project in Scotland, and the Northern Ireland Human Rights Consortium's Brexit Project. It was intended to strengthen civil society voices in the Brexit process, and was attended by 80 people from all devolved nations.

### Cardiff University Wales Governance Centre

**£184,040**

Supporting continuation of the Wales Civil Society Forum on Brexit (a collaboration between Cardiff University's Wales Governance Centre and the Wales Council for Voluntary Action), which was established with an initial TLEF grant in May 2018. Supporting third-sector organisations' understanding, engagement and planning for Brexit and its aftermath, and informing research on civil society and Brexit. Providing information in various forms, including: regular Brexit updates, regular podcasts, a bespoke website, briefings, and blogs. Holding regular events to provide face-to-face information and engagement on Brexit in collaboration with partners; supporting organisations to raise Brexit-specific issues with key decision-makers in Wales and the UK; collaborating with partners across the UK.

### Central England Law Centre

**£8,910**

Supporting a specialist consultant to help the organisation make more effective use of IT in the delivery of legal education and legal services. Lessons will be gathered and shared with other Law Centres.

### Child Poverty Action Group (CPAG)

**£103,086**

Increasing legal knowledge and capability among non-lawyers to use judicial review and the Upper Tribunal to challenge unlawful public decisions. The project will be delivered via the new online portal, previously funded by TLEF, as well as by legal experts. Capacity of advisers will be developed through training, webinars, podcasts and online tools.

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## Objective 2 Improving legal training and practice

### Commission on Justice in Wales

**£78,719**

Supporting a collaboration with the Secure Anonymised Information Linkage (SAIL) Databank at Swansea University to gain a better understanding of legal needs and the provision of legal services in Wales and to inform the commission's recommendations on the operation of the justice system in Wales.

### Constitution Unit

**£68,218**

Expanding the unit's capacity to provide evidenced-based information about the functioning of the UK's constitutional arrangements and legislative process, and to engage with stakeholders in parliament, the media and the public.

### Doteveryone

**£50,350**

Developing a green paper on the standards, practices and values needed for public sector procurement of technology. Reviewing current literature, convening workshops with the public, experts, and officials involved in procurement. Producing a paper, giving an overview of the landscape, principles to take this work forward, and areas for further consultation.

### Equally Ours

**£68,755**

Engaging civil society organisations to understand and engage with the implications of the UK vote to leave the EU, particularly in relation to equality and human rights legislation, and in arrangements for replacing sources of EU funding.

### Greater Manchester Law Centre

**£138,000**

Supporting the continued development of Greater Manchester Law Centre, addressing a recognised shortage of access to legal education and specialist social welfare legal services locally. Funding is aimed at increasing potential for organisational effectiveness and sustainability, particularly in developing services and external partnerships. Co-funded with AB Charitable Trust.

### Hansard Society

**£90,000**

Supporting communication, education and policy engagement to examine the way delegated legislation is scrutinised by parliament. Seeking to develop a cross-party consensus on improving the transparency and accountability of this important part of the constitutional framework.

### Institute for Public Policy Research

**£105,000**

Exploring the implications of Brexit for social and labour rights in the UK, in particular how protections will be legally articulated and enforced post-Brexit, and to communicate developments to civil society and people working in the law.

### Institute of Welsh Affairs

**£16,450**

Scoping a full project proposal to take forward work on strengthening inter-parliamentary relations post-Brexit, and map governance structures in Wales to contribute to informing local government reform.

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## Objective 2 Improving legal training and practice

### Just for Kids Law

**£30,000**

Supporting ongoing development of Just for Kids Law's Youth Justice Legal Centre, including: policy work to ensure youth justice becomes a legal specialism; running a website providing comprehensive information, legal resources and best practice guides; delivering training for lawyers and other professionals working with children; providing free specialist advice for children, youth offending teams, judiciary and lawyers, to improve standards of legal representation.

### JustRight Scotland

**£150,000**

Continuing to support the development of the organisation's approach to legal education, early legal advice and strategic legal interventions in Scotland. Focusing on supporting national outreach, as well as digitisation of legal services.

### Lasa Charity UK

**£45,000**

Strengthening Lasa's capacity to support the social welfare sector, particularly through digital development of Rightsnet, an important source of information, education, legal analysis and casework support for advice workers.

**£26,340**

Strategically reviewing Lasa's social welfare law services.

### Law Centres Network

**£257,210**

Supporting transformation of the digital infrastructure of Law Centres to improve readiness for online courts, improve client and office administration, assist clients in new ways, participate in digital initiatives and collect robust data that allows Law Centres to learn, to identify and respond to legal needs, and to provide evidence of the impact of their work.

**£54,890**

Working with consultants Social Finance to carry out a full strategic review of LCN and its operations to improve effectiveness and sustainability.

### Legal Action Group

**£30,000**

Supporting work to make LAG's publications and reports available through digital channels, increasing access to expert material on legal rights.

**£6,540**

Funding a specialist consultancy to support LAG to develop its approach to marketing and selling its legal education resources, particularly using digital tools to maximise reach.

### Legal Aid Practitioners Group

**£70,000**

Delivering training and consultancy support to not-for-profit advice providers around strengthening practice management and governance, and capturing, disseminating and supporting take-up of new ideas and good practice.

### Legal Services Agency

**£8,000**

Scoping how LSA could make better use of technology to promote access to justice and efficient working.

### Life Story Network

**£100,000**

Creating the Law for Dementia Carers project (working with Dementia United, part of the Greater Manchester Health and Social Care Partnership) to embed access to legal education and support for carers of people with dementia and exploring its contribution to improving individual and system-wide health outcomes. This is part of the wider series of grants awarded by TLEF to embed access to legal education and support in health settings.



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## Objective 2 Improving legal training and practice

### London Legal Support Trust

**£40,000**

Rolling out work to recruit and train three specialist billing coordinators to work across a number of Law Centres and advice agencies to improve systems for collecting income, improving cashflow and training other staff on building effective processes for billing and maintaining ongoing claims.

### Maternity Action

**£71,400**

Developing a research and influencing strategy aimed at bringing about long-term health funding for integrating legal services into the commissioning and funding of health services, working specifically in the area of maternity rights at work and maternity benefits. This is part of the wider series of grants awarded by TLEF to embed access to legal education and support in health settings.

### Newcastle Hospitals NHS Foundation Trust

**£76,743**

Exploring and developing approaches to integrate legal needs into health and social care assessments of people with life limiting illnesses. The programme will develop an inter-professional education approach focusing on identifying and resolving legal needs. This is part of the wider series of grants awarded by TLEF to embed access to legal education and support in health settings.

### Open Trust

**£117,104**

Strengthening rights to access public information through a combination of education, training and policy engagement. Activities will reach civil society organisations, lawyers, and other partners, as well as government departments and agencies, to share findings and seek input into how best to address barriers to effective use of information law.

### Public Law Project

**£164,499**

Consolidating work to conduct effective, evidence-based policy engagement throughout the Brexit process and beyond, including extending the Statutory Instrument: Filtering and Tracking project, in partnership with the Hansard Society, as a hub for detailed policy analysis of the Brexit legislative process. Developing PLP's work to analyse the wider legal implications of the decision to leave the EU.

### Southwark Law Centre

**£90,000**

Supporting the establishment of a new Law Centre in Lewisham, a borough with a high level of need for public legal education and free civil legal advice. The project is initiated by Southwark Law Centre in partnership with Citizens Advice Lewisham. Co-funded by AB Charitable Trust.

### UCL Centre for Access to Justice

**£94,807**

Supporting activities to address health-harming legal needs by integrating health and legal services, including conducting and promoting research, advocating to policymakers and funders, and promoting best practice. This is part of the wider series of grants awarded by TLEF to embed access to legal education and support in health settings.



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Objective 3

# Supporting next generation of lawyers

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Total funding

£1,652,000

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Grants

22

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Average grant

£75k

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## Objective 3 Supporting next generation of lawyers

# Overview

**Supporting the next generation of skilled and committed lawyers is essential to ensuring that law fulfils the role set out in our vision. We want to ensure routes into legal careers and the profile of the profession reflects the diversity of the general population. The principal focus for our work under this objective is the Justice First Fellowship, which goes from strength to strength.**

The fellowship scheme is now established as an important part of the infrastructure for social welfare law in the UK, creating training and employment opportunities that would not otherwise have been available. The fellowship is helping to give talented and passionate lawyers the opportunity to make a career in social justice law.

This year, another 13 fellows were appointed, taking the number of posts created by the scheme to over 60, with more to follow next year. Thirty-two fellows from the first three rounds have now completed their training: 30 are qualified as solicitors and two as barristers. We have been aware since the outset of the scheme that it will not be enough to create



2019's Justice First Fellows with lawyers from their host organisations, plus TLEF staff

training places, only for there to be no sustainable jobs available once fellows are qualified. We are, therefore, very encouraged that the large majority of graduating fellows are continuing to work as solicitors or barristers, specialising in social welfare law, mostly within their original host organisation. A small number have moved into related fields or sectors, for example to the Government Legal Service or the courts system, where they bring valuable insights into social welfare law and gain new experience.

Justice First Fellows continue to benefit from access to the professional skills course delivered pro bono by BPP. We also bring the fellows together for additional training and networking, and we are increasingly investing in activities to support fellows post-qualification. This year, we took a second group of graduating fellows on a field trip to New York City. The week-long trip is led by Shauneen Lambe, barrister and founder of the children's charity Just for Kids Law. Shauneen works with the fellows each morning

on developing leadership skills, before the group heads out to visit organisations that are making inspiring use of the law as a tool for social justice.

We have continued our partnership with Young Legal Aid Lawyers and are delighted that 2019 saw its second conference, in conjunction with Public Law Project and hosted by BPP, on how young lawyers can fight for social justice.

The experience of developing and running the fellowship has strongly influenced our new TLEF five-year strategy. A core element of this will be around supporting the people in the sector who will deliver the Foundation's vision. We have been making considerable investment in the training contract period of lawyers' career paths and we will be working to build a more systematic programme of training and other inputs around the fellowship scheme to ensure a pipeline of candidates. Our aim is to broaden our focus and provide ongoing structured training and support for later career development. A future challenge will be to adapt the scheme to reforms to solicitor training, and to explore the opportunity provided by legal apprenticeships.

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Objective 3 Supporting next generation of lawyers

# Grants 2018

## The Sutton Trust

**£256,667**

Supporting phase 4 of the Pathways to Law programme which works to inspire and support academically-able students from non-privileged backgrounds interested in a career in law.

## Justice First Fellowship

**£1,395,600**

**Host organisations in 2019**  
 Advocate; Brighton Housing Trust; Castlemilk Law & Money Advice Centre; Clan Childlaw; Community Law Partnership; Greater Manchester Law Centre; Hammersmith & Fulham Law Centre; Harrow Law Centre; Howard League for Penal Reform; Just for Kids Law; Law Centre Northern Ireland; Legal Advice Centre (University House); Matthew Gold; Norfolk Community Law Service; North East Law Centre; Shelter; Speakeasy Law Centre; Southwark Law Centre; Spire Barristers; Tower Hamlets Law Centre

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## Strategy: policy and public affairs

# Brexit and algorithms

**In 2019, TLEF's policy work focused on enshrining rule of law principles in two key areas of public policy: the UK's preparations for leaving the EU; and automated decision-making by government.**

TLEF's policy and public affairs work, led by Swee Leng Harris, focused this year on ensuring that rule of law principles are upheld in two key areas: preparations for the UK's departure from the EU; and use of AI and algorithms in government decision-making. The Foundation had initially thought of these two areas of work as largely distinct and separate. However, once the government announced that its post-Brexit EU Settlement Scheme would involve automated decision-making, it was clear how much the two areas can also overlap.

Swee Leng describes Brexit as 'a constitutional moment for the UK'. TLEF believes that the scale of change involved will have far-reaching implications for people's ability to understand and use the law. Swee Leng says: 'The Foundation is neutral on exactly what the post-Brexit settlement should look like, but we do want to support informed discussion and debate.

Whatever the post-Brexit settlement is, it should reflect rule of law principles.'

Part of TLEF's Brexit focus has been on the devolved nations of the UK, which began with a series of field trips soon after the 2016 referendum. 'We knew that Brexit would have different effects in different parts of the UK, so we wanted to hear from civil society organisations what they were concerned about and how we could best support them,' says Swee Leng. TLEF's role has been to identify and fund organisations which need more support in order to work on the complex questions raised by Brexit; plus to act as convenor, hosting conferences, round-table discussions, and other events, to bring experts in different fields together.

TLEF's work recognises that safeguarding post-Brexit rights in Northern Ireland brings particular challenges, as the 2010 Equality Act does not apply there. Instead, equalities are a devolved competence in accordance with the Belfast Good Friday Agreement. So protections against discrimination, on grounds of race, gender, religion, and other characteristics, stem directly from EU legislation. Swee Leng adds that, with Stormont suspended, it is particularly important for civil society organisations there to have their voices heard to ensure important protections are not lost.

A key rule of law principle is that executive power should be defined in law, and then be subject to proper scrutiny, and this has been another focus of TLEF's Brexit-related work. 'The definition of executive power in law has to have a degree of certainty, because if it is too vague and broad, it tends towards arbitrary power,' says Swee Leng. Earlier in the Brexit process, the government



TLEF head of policy and public affairs Swee Leng Harris



**TLEF believes that the scale of change Brexit brings will have far-reaching implications for people's ability to understand and use the law.**

estimated that it would need to pass at least 600 Statutory Instruments in order to leave the EU. Using SIs on this scale would mean unprecedented levels of change being introduced with minimal scrutiny, raising concerns about the potential impact on vulnerable groups. →

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## Strategy: policy and public affairs

→ TLEF funded Public Law Project's Statutory Instrument: Filtering and Tracking (SIFT) project, which conducts Brexit-related SI 'health checks' to ensure they do not undermine fundamental rights. SIFT came into its own during the successful September 2019 Supreme Court challenge to the prorogation of parliament. Swee Leng says: 'PLP intervened in the case in a way that was extremely influential in helping the court understand the impact of prorogation on parliamentary scrutiny. The reason they had the evidence for those technical legal arguments was a direct result of the SIFT project.'

She adds: 'Delegated legislation is now discussed and better understood among a broader range of civil society organisations, which is an extremely positive development from just a pure legal education perspective.'

TLEF also responded to concerns raised during the year that increasing use of AI and algorithms in government decision-making raised rule of law concerns. Done well, automated decision-making can make processes quicker and simpler for applicants, but this cannot be at the expense of fairness or transparency.

Swee Leng says: 'Digital processes are often not transparent. Sometimes it's not even clear that the process exists at all.' All of which makes it difficult for applicants, or the organisations that support them, to identify whether and how a mistake has been made – or to take steps for it to be rectified.

In summer 2019, TLEF instructed two leading discrimination barristers, from Cloisters chambers in London, to give a legal opinion on the use of automated decision-making, including the EU Settlement scheme. Robin Allen QC and Dee Masters concluded the scheme lacked transparency, and could disadvantage women applicants, putting it in breach of existing equality legislation.



**Delegated legislation is now better understood by a broader range of civil society organisations, which is an extremely positive development from a pure legal education perspective.**

This year, TLEF extended its convening role to AI, with Swee Leng bringing together legal and technology specialists. 'I have been trying to foster connections between organisations and people with digital expertise, and the legal organisations that the foundation has tended to work with, especially in the areas of welfare and immigration, to try to share knowledge and expertise.' The aim is to better equip lawyers to detect when a systemic problem may be emerging.

In support of this work, TLEF has made a three-year grant to Child Poverty Action Group to conduct a rule of law analysis of Universal Credit as a digital system. The ambitious project is being co-funded with the Open Society Foundations Information Programme, and builds on earlier work by CPAG. Swee Leng says: 'The number one benefit we hope to see is improved understanding of the Universal Credit system, both in terms of identifying the common problems at the front end that users might experience, and also a better understanding among advisers of the back end, of the technical reasons for these problems.'

One of the ongoing challenges, she says, is to counter 'automation bias', where people tend to disproportionately defer to decisions made by computers.

# Data collection and justice delivery

**2019 saw TLEF continue to advise HMCTS, and work with the judiciary, and others towards creating a court system based on robust evidence of what works best to deliver access to justice.**

One of the primary objectives of TLEF's research and learning programme is the importance of placing data collection and analysis at the heart of reforms to the justice system. Last year saw the Foundation take a number of significant steps towards this overarching aim.

TLEF director Dr Natalie Byrom leads the foundation's work in this area. She says: 'We want to fund empirical research to find out what works. If the justice system is truly to deliver justice, it is vital to collect data so we can see if vulnerable groups are being disadvantaged, and whether legal processes are delivering just outcomes.'

Through her writing and extensive research, Natalie has developed unique expertise in the field of justice data. She has identified a number of practical challenges and cultural barriers at play in the justice system which mean its systems and processes have not historically been

independently scrutinised to determine if they are working fairly and objectively delivering justice.

TLEF believes the government's ambitious £1bn court reform programme provides a unique opportunity to change this culture and build in data collection and scrutiny to legal processes. The move to digital is a chance to improve

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**We want to fund empirical research to find out what works. Data collection is vital so we can see if vulnerable groups are being disadvantaged.**

access to justice, but new systems must be carefully designed to ensure the reforms do not disadvantage vulnerable groups, or those unfamiliar with technology.



TLEF director of research and learning Dr Natalie Byrom

TLEF continued to build on our constructive relationship with HM Courts & Tribunals Service during 2019. Early in the year, we were given an invaluable opportunity to influence government thinking on court reform, when Natalie was invited by HMCTS CEO Susan Acland-Hood to act as an independent expert adviser to the programme during a three-month secondment.

During her time at HMCTS, Natalie interviewed 60 experts and stakeholders in the UK and internationally, including senior judges, government staff, academic researchers, and data and privacy specialists. Following her secondment, TLEF published a 29-point plan for tackling digital exclusion and ensuring access to justice for all court users ('Digital Justice: HMCTS data strategy and delivering access to justice'). One of the key arguments in the report is that whether access to justice is maintained or improved through reform is both an empirical →

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→ and legal question. For the first time, the report draws together a definition of access to justice under English law. This can then act as a standard for evaluating the impact of reform. The four components of this justice standard are: access to a formal legal system; access to a fair and effective hearing; access to a determination; access to an outcome.

In October 2019, this four-point definition of access to justice was endorsed by the influential cross-party Justice Select Committee. Natalie is calling for HMCTS to embed this justice standard into the design, roll out and implementation of its current reform projects, which include online appeals in the social security and child support tribunal. She says: 'These important projects which will have a direct impact on many people's lives must not be signed off until there is data which shows the reformed systems maintain or increase access to justice.'



## The move to online courts is an incredible opportunity to create a justice system that works well for everyone.

Other recommendations in Natalie's report include the collection and monitoring of data about court users, to ensure that certain groups, such as women, older people, or those with mental or physical illnesses, do not lose out in the move to online courts. TLEF chief executive Matthew Smerdon says: 'If adopted in full, the recommendations in Natalie's report, would make this jurisdiction a world leader in delivering digital justice'.

Natalie says: 'The move to online courts is an incredible opportunity to create a justice system that works well for everyone, whether they are an individual in crisis who has never been to court before, or a large organisation which regularly brings claims. We need justice systems which are designed and monitored in line with recognised access to justice principles. We need to be able to measure how different groups fare under the online processes, compared with paper-based, or face-to-face systems.'

The Foundation is also aiming to rectify the dearth of high quality research into the impact of digital processes on access to justice, to accelerate progress in this area. Accordingly, another significant focus of Natalie's work has been on building connections and alliances with legal researchers in other jurisdictions, to ensure research meets robust, internationally recognised standards, so findings can be shared and applied across borders. She says justice systems around the world are introducing similar reforms, but with no consensus on how to measure access to justice. We hope to raise the profile and prestige of research in the sector.



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# Financial summary

	£m 2019	£m 2018
<b>Investment Fund</b>	258.6	259.3
<b>Income</b>		
<b>Investments</b>	3.9	3.9
<b>Grants and donations</b>	0.6	0.7
	4.5	4.6
<b>Expenditure</b>		
<b>New grants</b>	6.0	5.7
<b>Adjustment to prior year grants</b>	(0.2)	
<b>Grant-making and research</b>	0.9	0.8
<b>Other direct costs</b>	0.6	0.5
<b>Governance</b>	0.1	0.1
<b>Investment management</b>	0.2	0.2
<b>Other</b>	(3.2)	2.4
	<b>4.4</b>	<b>9.7</b>

## The Legal Education Foundation

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Cover photo shows 2019's new intake of Justice First Fellows. Column 1, from top: April Hall; Alice Gambell; column 2, from top: Pippa Banham; Chloe Lee; Najwa Hassan; column 3, from top: Lynsey Dalton; Syeda Afaz; Tom Lanvin; column 4, from top: Jess Haley; Sohini Mehta; column 5, from top: Winnie Schmidt; Maria Macleod; Ruth Mercer.