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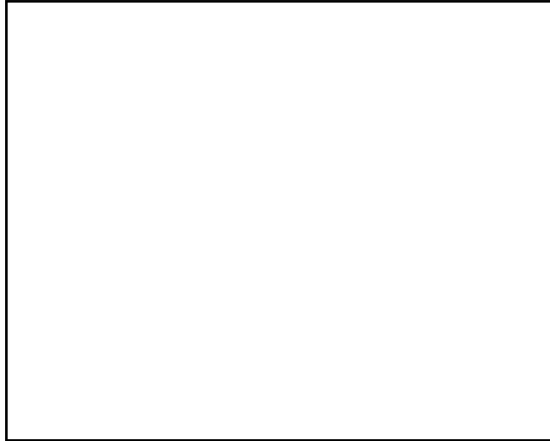
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THE CAB SERVICE AIMS

- To ensure that individuals do not suffer through lack of knowledge of their rights and responsibilities or of the service available to them or through an inability to express their needs effectively and equally
- To ensure a responsible influence on the development of social policies and services both locally and nationally

The CAB service is independent and provides free, confidential and impartial advice to everyone regardless of race, gender, sexuality or disability.

FORWARD FROM THE CHAIR



The achievements of the Bureau this year are set out in detail in this Report. In this foreword I mention only some highlights.

Our Legal Services Commission franchise for Welfare Benefits and Debts started in January 2001 and continues until March 2002. As a result the Bureau has been able to recruit additional help in the form of a debt advisor, a welfare benefits advisor and an administrative worker, all based at First Avenue House.

The law firms have continued to give not only volunteer legal support but also management help and contributions in kind. Some firms have extended their rota and have started to act pro bono in litigation referred by the Bureau. The number of firms has increased to 63 and some 500 solicitors are now involved. The time cost value of the work done by the law firms for the Bureau (including contributions in kind) was between two and three million pounds.

We are delighted to be working with the Personal Support Unit ("PSU") and congratulate them, in particular Lady Copisarow, Michael Nash, Mark Sheldon and Kathy Bell, on their successful launch. The PSU provides personal advice and support to witnesses, victims and litigants in person. The Bureau and the PSU have worked together to establish this vital service which began operating in January.

We look forward to a long and fruitful partnership with the PSU.

We have increased our efforts to maintain and demonstrate our standards of service. We passed the Legal Services Commission's preliminary franchise audits and have applied to the CLS for a Quality Mark. The Legal Services Subcommittee continues to audit the quality of the legal files and has increased its involvement in the welfare side of the Bureau. John Hine from the Management Committee has assumed particular responsibility for the welfare side.

We have developed our relationship with Bar Pro Bono Unit further and are now one of its main customers.

We have been involved in some particularly important cases and have become more involved in contributing to social policy through NACAB.

The Bureau is discussing a potential role in the Home Office's Miscarriages of Justice Support project. This will provide help to prisoners whose convictions have been quashed after often long periods in custody.

The Bureau has established an arrangement with Nottingham Law School, by which the School will provide free advocacy training for our staff and, later, for litigants in person.

We thank the Bureau staff led by our Director Joy Julien for their enormous dedication and hard work. We thank all our volunteers for their great contribution to the legal, welfare and administrative work of the Bureau. We are once again very grateful for the generous financial support of the Lord Chancellor's Department, the National Association of Citizen's Advice Bureau, the London Borough Grants Committee and the RCJ Trust.

PROVIDING LEGAL ASSISTANCE TO UNREPRESENTED LITIGANTS

**‘The Royal Courts of Justice could not survive without the Advice Bureau’
- Master of the Rolls.**



The Bureau offers a service to Litigants in Person (LIPs) which is unparalleled in any other high court registry. This year the Bureau’s team of Duty Solicitors has been able to provide advice in increasingly complex and groundbreaking cases. In many cases the Bureau has influenced the setting of precedents and helped alter court practice.

There has been considerable public concerns about the erosion of the right to trial by jury. In an extremely important case the Bureau has ensured that the right to trial by jury has been safeguarded in libel cases.

The Bureau was consulted by a client who was defending libel proceedings brought against him by a large retail company. Over the course of their proceedings, the company obtained a judgement against a client at a court hearing at which the client was not represented and at which the case was heard by a judge without a jury. The company was able to exploit a seeming inconsistency in the law to suggest that recent changes in the law permitted a judge to hear such a case without a jury, regardless of the wishes of the client.

The Bureau helped the client take his case to the Court of Appeal and arranged for him to be represented in the Court of Appeal without charge by a senior barrister and a top

firm of city solicitors. In a landmark judgement, the Court of Appeal decided that the judge had no right to decide a case such as this by himself and that a case of this sort had to be tried before a jury.

This case has been widely reported in the legal press and has excited considerable comment within the legal community.

For some time the RCJ Advice Bureau has been concerned that un-represented and often vulnerable people involved in High Court proceedings are being approached by various dubious persons, who offer themselves as “pro-bono representatives” or McKenzie Friends.

In our experience the quality of representation provided by these persons who are not qualified to act as representatives is uniformly bad. The great majority of the individuals whom these representatives purport to represent would have been better off acting for themselves.

Recently one such person represented a particular litigant (previously our client) in the Court of Appeal. After hearing the representative’s submission, the Court of Appeal dismissed the litigant’s appeal. The Court of Appeal was, however, so concerned with the quality of the representative’s submissions that it convened a special hearing of the Court of Appeal to decide what to do with him.

At this point the Bureau felt obliged to provide the Court of Appeal with all the information it had on this individual. In the event, after correspondence with the Attorney General and the Treasury Solicitor, the Bureau applied to the Court to be joined to the proceedings and applied for an injunction to restrain this representative from representing other litigants in future. The Bureau was represented by Senior & Junior Counsel,

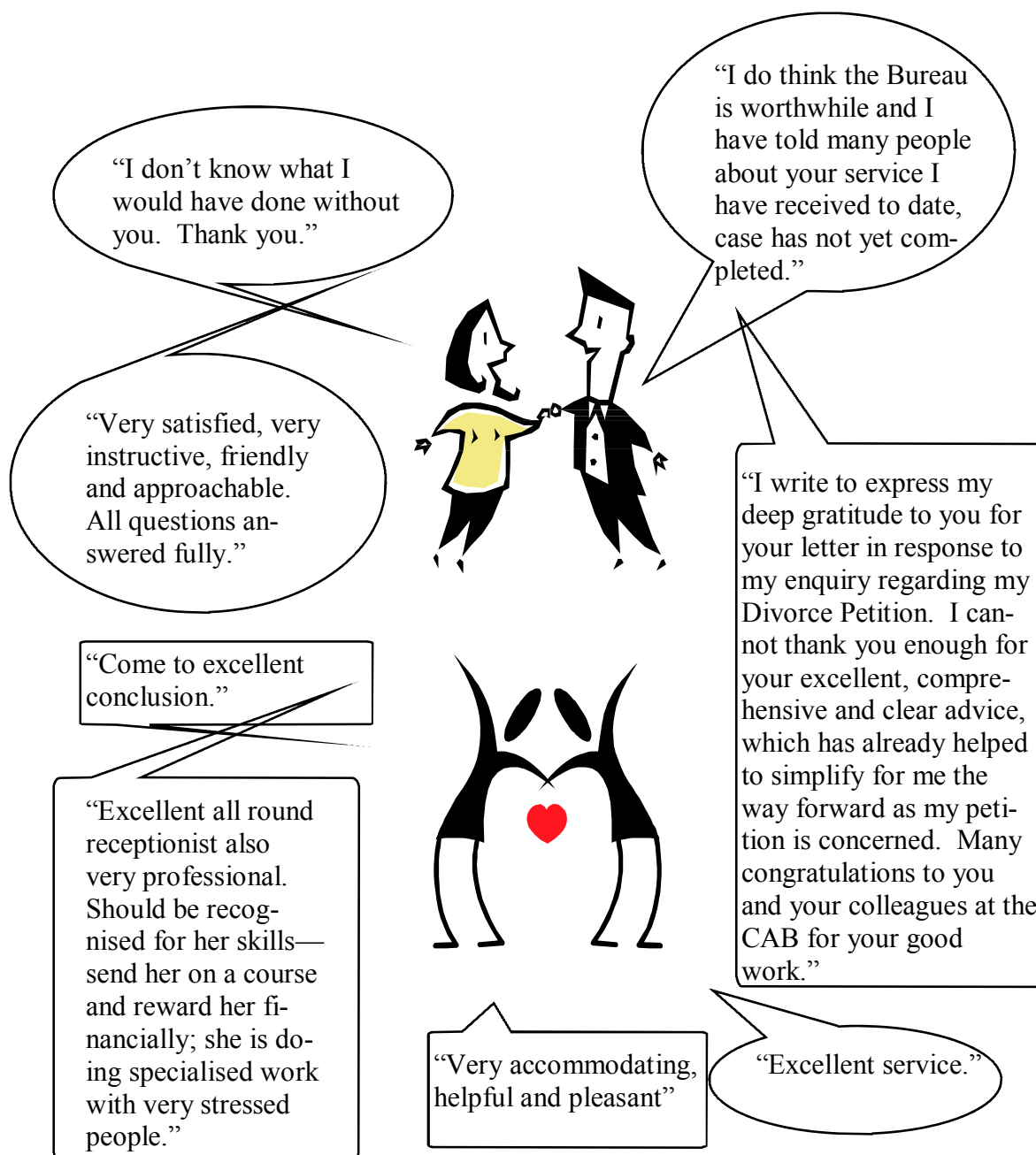
instructed by the Bar Pro Bono Unit. In view of the importance of the many difficult issues involved in this case, the Attorney General was also represented.

The hearing took place on 26 July 2001 and an injunction was granted. This injunction prohibited the representative from representing others in the High Court

And Court of Appeal without the prior written permission of a Judge of the High Court and of the Court of Appeal.

In its Judgment the Court made it clear that individuals should normally only be represented by qualified persons and that an unqualified person would need the express permission of the Court.

USER FEEDBACK



WORKING WITH LAW FIRMS

The Bureau operates a rota of Honorary Legal Advisers made up of solicitors from all of the mayor city law firms. We are able to provide over £2 million worth of advice free and directly accessible to clients.

The law firms recognise that doing pro bono work provides valuable opportunities for the personal and professional development of their staff.

Honorary Legal Adviser, Davenport Lyons:

“I find pro bono work immensely demanding but invaluable. Attending the CAB exposes HLAs to clients who are eligible for legal aid, clients who have previously sought advice privately as well as litigants in person. The scope of the clients provides access to a broader range of experience than that which is generally available at a Central London firm and thus HLAs develop a more rounded knowledge of the law as a result of attending the CAB”.

Honorary Legal Advisers are available throughout the Bureau’s opening hours and work alongside our Duty Solicitors. They assist on all matters including drafting documents and preparing skeleton arguments.

As well as providing advice in the Bureau the firms assist our clients by preparing bundles for appeal hearings and offer written advice to our duty solicitors on specialist matters.

No other High Court Registry operates a pro bono scheme on such a comprehensive scale.

EMOTIONAL AND PRACTICAL SUPPORT

For many years the Bureau has been aware of the non legal needs of un-represented litigants. Personal support for people attending court in criminal cases is now an established part of the legal system. Witness Support Services have existed for some years in all Crown Courts and are currently being established in all Magistrates Courts. No such support had previously existed for individuals in Civil cases.

The Personal Support Unit was established in January 2001 and provides practical and emotional support to litigants in person, which includes helping clients find their way around the complicated group of buildings which make up the RCJ, and accompanying those who need to move between the RCJ and First Avenue House. The Personal Support Unit also offers emotional support while waiting for a case and, when requested, with the agreement of all parties, volunteers accompany individuals into court.

One litigant was accompanied into Court by a PSU volunteer. He was refused leave to appeal against a re-possession order and became extremely upset at the realisation that he would lose his home and livelihood. The volunteer spent time listening to his concerns and gave him the opportunity to express his anger and frustration. As a result he left the RCJ in a calmer frame of mind and telephoned a few days later to express his thanks and to speak about his alternative strategies for coping with his situation.

In situations where it is not possible to arrange an appointment beforehand the service is available without prior notice. Litigants are also encouraged to keep in touch if they would like further help.

TACKLING THE UNDERLYING CAUSES OF LITIGANTS PROBLEMS



The RCJ Advice Bureau's second site in the Principle Registry of the Family Division provides a generalist advice service and a specialist Family Law project. This year the Bureau also secured funding from the Legal Services Commission for a franchise in Debt and Welfare Benefits. The aim of our team of advisers is to tackle the underlying causes of clients problems.

A problem clients constantly approach us with is difficulty in getting their Housing Benefit processed. This affects the most vulnerable of our clients.

One was a tenant of a Housing Association property. Prior to that he was homeless and had problems with drug and alcohol addiction, for which he is still receiving treatment. He has a suspended possession order against him for rent arrears, which he was in breach of, and was liable to lose his home.

We successfully negotiated with the landlord to suspend any further legal action whilst we applied for Housing Benefit, and applied for this to be backdated.

As a result of our intervention the client received backdated Housing Benefit for 6 months amounting to about £1,500, which cleared his rent arrears and allowed him to remain in his home.

The CAB is committed to fighting all forms of discrimination.

One of our clients applied to succeed to his same sex partner's tenancy after his partner's death. The Council refused and began possession proceedings. We argued that this was a Human Rights issue. The Judge agreed and adjourned proceedings for the client to seek full representation.

Debt forms one of our largest categories of advice.

Often our clients come to us after paying agencies to deal with their debts. Our experience has been that often these companies are inefficient, dealing with only non-priority creditors or not contacting creditors at all. Clients are usually very relieved when they find that we deal with all of their creditors, free of charge!

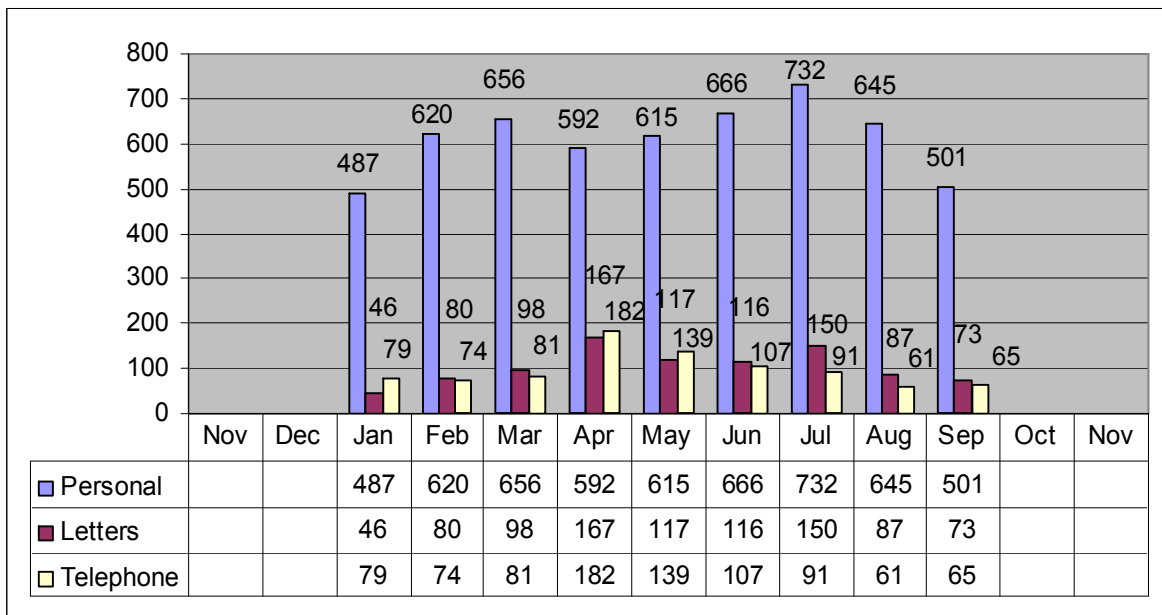
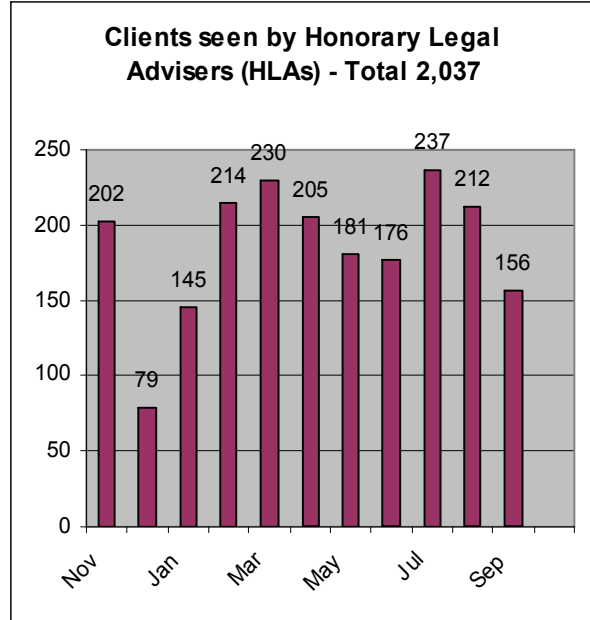
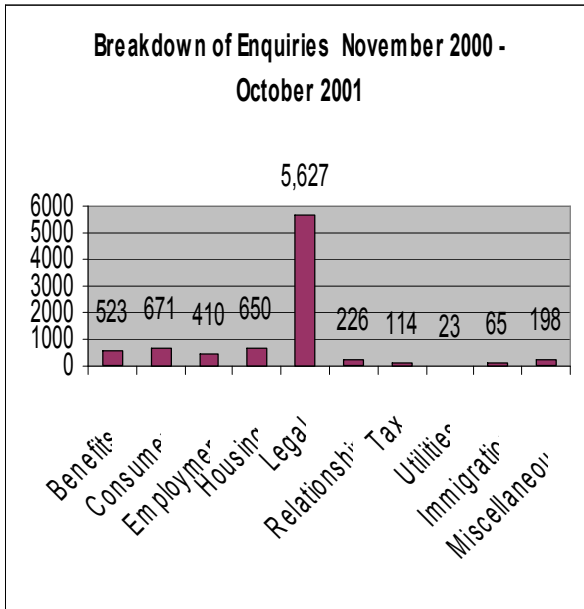
Often our clients may not be aware of their debts. A client approached us when, following the death of her husband, she was contacted by creditors regarding charges and cautions on her property. It appeared that in some cases her signature had been forged and in others she had signed agreements without fully understanding the implications. The Bureau has successfully negotiated the removal of many of these charges.

At First Avenue House we deal with many employment queries, often negotiating settlements for the clients and avoiding the stress of Employment Tribunal proceedings.

A client had a fixed term contract with her employer, which the employer ended early. We pointed out to them that they were still liable to pay the client's wages and other statutory entitlements until the end of the original fixed term. The employer paid the client in full, amounting to nearly £5,000.

STATISTICS OF SERVICE TAKE-UP

The Bureau maintains statistical records detailing service take-up. The statistics are analysed in terms of the numbers of clients seen, borough of origin and the nature of the enquiries.



TREASURERS REPORT— Alan Carpenter/Raj Parker

As with last year the work of the Bureau continues to expand and the number of clients continues to rise.

The fundraising efforts on behalf of the Bureau have unfortunately this year proved non-productive. This has put added pressure on the Bureau's limited resources.

Our core funders, London Borough Grants, NACAB, the Lord Chancellor's Department and the RCJ Charitable Trust continue to finance our capital requirements and in particular, employee expenses. In addition we commenced a General Civil Contract from February 2001 and will be receiving funding from the Legal Services Commission to fund that contract.

However, it must be noted that funding is now falling well short of the Bureau's actual requirements. There is ever-increasing pressure on salary rates and the expected shortfall in the current year between salary costs and funding will be in the order of £40,000. This being the case David Mackie QC has written to the Lord Chancellor's Department requesting a substantial increase in funding.

The Bureau is most grateful to the generosity of the RCJ Charitable Trust in granting a sum of £68,000 to cover the capital cost of the IT infrastructure necessary to link the Strand and High Holborn sites, and to improve the quality of service by making the most efficient use of advisers' time. The treatment of the IT grant and expenditure in the year-end accounts has given rise to a surplus in the year to 31 March 2001 of £54,339.

The Bureau's accounts have been audited and approved for the year 1 April 2000 to 31 March 2001.

KEY EVENTS

The Bureau is increasingly seen as a centre of excellence in the development of pro bono work. As the role of Legal Aid has diminished pro bono legal work is increasingly important in ensuring access to justice. The Bureau continues to develop and work with others for the benefit of unrepresented litigants.

JANUARY

Home Office invites Bureau to bid for a grant to establish Miscarriages of Justice project. This would involve providing advice and assistance on welfare benefits, housing and employment. Assistance would be needed at pre-release, release and post release states. The work would involve visiting clients in prison and referring clients to other organisations.

MARCH

Director speaks to the solicitors and Bar Pro Bono Unit conference and stresses the importance of pro bono work for the voluntary sectors from the Bureau and client's perspective. The Director also facilitated a workshop, which looked into whether pro bono initiatives are meeting the needs of the voluntary sector and how pro bono schemes can be assessed. We received a lot of positive feedback and took the opportunity to network with members of the legal profession, voluntary sector groups and representatives from various law schools. For instance a pro bono worker at Guildhall University requested that the Bureau make a presentation to law students.

Master of the Rolls visits the Bureau and states that he was very impressed with the Bureau's work and ended the visit by stressing that the Royal Courts of Justice relies heavily on the assistance of the Bureau and could "not survive" without the help of the Bureau.

Article on Bureau's work appears in the Times.

Nottingham Law School offers the Bureau free Advocacy training for advisers and Litigants in Person (LIPs) through two separate courses. The course will assist LIPs by providing information on Court etiquette and the purpose of cross-examination and examination-in-chief. The ultimate aim is to build their confidence and help LIPs to feel enabled represent themselves.

Director invited to Rights & Humanity reception on human rights in the presence of His Royal Highness Prince El Hass Bu Tala.

MAY

Bureau Director meets with Tax Aid to develop ways of working together.

JUNE

Bureau Director and Deputy Director meets with Maggie Rae (Clintons) and Florence Terry (Family Law Consortium) to discuss ways of enhancing pro bono family law services.

JULY

Bureau Director and Deputy Director delivers a presentation to Commonwealth Judges.

AUGUST

NACAB report entitled 'unlocking Advice' publicises the Bureau's achievements.

SEPTEMBER

RCJ meets with Bar Pro Bono Unit and the Court of Appeal with a view to enhancing representation in the Court of Appeal and Pro Bono Mediation.

FUTURE PLANS

We intend to continue to make a positive difference to the lives and futures of litigants in person in the Royal Courts of Justice. We intend to continue to work in partnership with the Court Services and the legal profession to develop a coordinated approach to pro bono work. More specifically our future plans are as follows:

Marketing and Public Relations

We will create a coherent Bureau identity that accurately reflects the Bureau's values and is communicated clearly and consistently.

Provision of an efficient service

We will establish an open appointment service, monitoring client waiting times, increase coverage of telephone advice, review client satisfaction and performance review for all staff. And, review our existing funding base, developing a fundraising and through the implementation of our IT strategy with a view to diversifying our funding base.

Increase the profile of social policy work in the Royal Courts of Justice amongst staff and the Trustee Board

- We intend to identify opportunities for media coverage of social policy issues relating to Access to Justice.
- Issue NACAB Press releases on social policy issues.
- To feature social policy more prominently in the Annual Report.

Quality of Advice

Ensure that all advisers meet NACAB, Legal Services Commission (LSC), Quality of Advice Standards and the Community Legal Services (CLS) standards for quality of advice. We intend to: Obtain a CLS Quality Mark and successfully completing all external audits.

Equal Opportunities

We intend to ensure service delivery matches the needs of clients and explore partnership with specialist agencies. In order to achieve this we intend to review service delivery (e.g. Opening hours, languages provided, conducting a client profile) developing formal referral procedures with specialist agencies, identifying gaps in advice services and exploring funding opportunities to provide specialist services to disadvantaged litigants in person.

We are committed to providing a quality service to our users and maintaining and where possible increasing our resources. Finally we consider that we are in a unique position through our access to the views of litigants in person, the voluntary advice sector and the legal profession to make a positive contribution to the development of pro bono legal services.

