

RCJ Advice Bureau

Annual Review 2005/06



Contents	Page
Mission, aims, objectives	2
Chair's Report	2
Director's Report	3
Services Report	7
Legal Advice	7
Generalist Advice	7
Bankruptcy Advice	8
Debt Advice	9
Miscarriage of Justice Support Service	10
Treasurer's Report	11
Statement of Financial Activities	12
Participating Firms in Pro Bono	13
Quotes from clients	14

Mission, aims, objectives

Our Mission: To provide access to justice to un-represented litigants in the Royal Courts of Justice and the Principal Registry of the Family Division, through the provision of legal and other advice services.

Our Aims:

- To ensure that individuals do not suffer through a lack of knowledge, of their rights and responsibilities, or of the services available to them, through an inability to express their needs effectively.
- To develop an effective and efficient service through partnership working with the voluntary sector, other pro bono agencies, Court Services, Government bodies and funders.
- To exercise a responsible influence on the development of social policy, both locally and nationally.

Our Service: The Advice Bureau is independent and provides free, confidential and impartial advice to everyone regardless of race, gender, sexuality or disability.

Chair's report

Access to justice lies at the heart of all that the RCJ Advice Bureau does, and as Chair I am proud to introduce this year's review of the activities of the Bureau team in achieving this for the thousands of clients we have supported in 2005-06.

Demand for the services of the Bureau continues to rise, and the need to ensure we have adequate resources to meet this demand is crucial. I am delighted that the Bureau has finalised another two year funding agreement with the Legal Services Commission, who are continuing to provide vital core support for the Bureau's work with litigants in person (and potential litigants) at our two office bases. We look forward to continuing our positive dialogue with colleagues at the Legal Services Commission to secure appropriate funding for beyond this period. I am also pleased that the excellent work of the Bureau's Miscarriages of Justice Support Service has been recognised with a new three year contract with the Home Office, more information on which can be found on page 12 of this report. We are constantly reviewing the Bureau's funding base to ensure that we can rise to the challenges of the increased demand on our services, and colleagues on the Resource Development Sub-Committee, a new committee that we established in 2005, will be monitoring the effectiveness of our Funding Strategy closely in the coming year.

This has been an important year for the Bureau, during which the Trustees have overseen the restructuring of its management to ensure that the organisation has a robust senior team to respond effectively to the strategic and operational challenges all voluntary sector agencies will be facing in the coming years. This has been accomplished with the appointment of Cathy Kane to the new post of Operations Manager in October 2005 and of James Banks as Director in March 2006. James has a strong background in voluntary sector management and development, while Cathy brings with her sound experience in the management of voluntary advice agencies. Led by James, and with the support of Cathy and Toks Okeniyi, our Deputy Director and Service Delivery Manager, the Trustees look forward to working together to take the Bureau forward in the coming years.

The Trustees and colleagues on the Board's Sub-Committees and the Miscarriages of Justice Advisory Group continue to devote considerable energy and commitment to the

Bureau, and I would like to record my appreciation for their support and dedication over the past year. I would particularly like to thank our retiring treasurer, Alan Carpenter, for all his work for the Bureau in recent years – his wise counsel will be missed by all his colleagues on the Board and Employment and Finance Sub-Committee. I would also like to record the Trustees' appreciation of the very significant contribution to securing the Bureau's future that Toks made as Acting Director in what was a challenging period last year. While for ourselves, we are continuing to ensure that we follow best practice in governance, including the development of robust terms of reference for all sub-committees and the implementation of our annual skills audit, to ensure we remain effective in our leadership of the Bureau.

The commitment and enthusiasm of the Bureau's staff and volunteers never ceases to impress, and ensures the high quality advice services for which the Bureau is known continue to thrive. I look forward to continuing to work with the team in the coming year, as we strive to build on the achievements of 2005/06 and further enhance our services to meet the demands of the thousands of people who need our support to gain access to justice.

Director's report

I am delighted to present my first Annual Report as Director. This has been a year of significant change and development, and I would like to pay tribute to the considerable achievements of the Bureau's staff, volunteers, pro bono advisers, Trustees and supporters in meeting the diverse needs of our clients and stakeholders during the year. This report gives a flavour of these activities, and also outlines key objectives for the Bureau in the coming year.

Summary of achievements over the year

Personnel

Successful recruitment has led to the Bureau having a full staff team, meeting the challenges of developing the organisation and continuing to deliver high quality services to our clients. Virginia Fu joined the Bureau as a Duty Solicitor in October 2005, taking our solicitor team at the Royal Courts of Justice to three. Cathy Kane was appointed to the new Senior Management Team role of Operations Manager in October 2005, strengthening the vital infrastructure that underpins our work.

We are grateful for the support of our partner Law Firms, who continue to provide key legal advice services through our Honorary Legal Adviser pro bono positions. To recognise the valuable role played by solicitors giving their time to the Bureau on a pro bono basis, we have developed an induction training programme, which we have delivered to several groups of Honorary Legal Advisers over the year – ensuring a consistently high quality service to our clients, and also that our volunteer solicitors receive the support from the Bureau they deserve.

Funding

The continued support of our core funder, the Legal Services Commission, has been key to ensuring the Bureau has the foundation to grow and develop its work to meet the advice needs of as many potential clients as possible. To this end we are also grateful for the funding provided to the Bureau by the Big Lottery Fund, Citizens Advice, the Law Society Charity, EDF Energy Trust and the Tudor Trust during the year, and the in-kind support offered to us by the Courts Service and our partner Law Firms.

The Bureau received excellent news in August 2005 with the success of our Miscarriages of Justice Support Service in gaining a new 3-year contract with the Home Office, to build on the strong track record of advice and support for victims of miscarriages of justice from across England and Wales. New developments during the year included a Reception for all clients to share their experiences with each other and professionals from the health, legal, advice, media, voluntary and statutory sectors.

We were also grateful to everyone who raised valuable sponsorship money for the Bureau at the London Legal Support Trust's annual walk in May 2005, bringing in over £14,000 to support our work.

Services

Demand for the Bureau's services continues to grow, and we were able to meet the advice needs of an increased number of clients compared to the previous year. Over 7,600 individuals received advice from the Bureau this year, bringing in over 9,000 different cases needing our help.

Further expansion of our core legal advice activities enabled the Bureau to operate over 5,000 advice sessions for litigants in person (and potential litigants) at the Royal Courts of Justice. Our legal advice work at the Principal Registry of the Family Division has also been enhanced during the year, with a new partnership with national pro bono charity Law Works expanding the number of volunteer solicitors giving advice from our offices, meeting the advice needs of 750 family clients during the year.

The Bureau continues to meet the challenges of a changing society – one example of this is our work around personal finances. The demand for our Debt Advice specialist has continued to grow – cases handled during the year involved advising and supporting clients with individual average debt levels of over £55,000, often involving multiple and complex financial arrangements. Against a background of rapidly increasing personal insolvency, the Bureau's new Bankruptcy Advice Service provided focussed advice and support to people from across Greater London going through the Bankruptcy Court at the Royal Courts of Justice, with clients' debts ranging from £930 to £504,063 at the time they came to us for help.

The completion of the rigorous training programme by our growing team of General Advice Volunteers has enabled the Bureau to increase the number of clients advised on issues as diverse as welfare benefits, housing and employment. Our team of advice volunteers are key to our aim of ensuring that people with business in the courts have access to an holistic service meeting the full range of their advice needs. Also vital to the service are the volunteers who generously give their time to support the running of the Bureau, with activities including administration, research and social policy campaigning. I would like to pay tribute to the dedication and commitment of all our volunteers, who continue to impress me with the passion they display in their roles.

The statistics page 5, gives a breakdown of the range of issues the Bureau has advised on.

Social policy

The Bureau has a key role at the leading edge of developments in society, with the clients coming through our doors providing a unique insight into the issues faced by members of the public across England and Wales. Our Miscarriages of Justice Support Service, for example, has highlighted significant challenges within the benefits system in relation to personal capability assessments, and also in relation to delays in the assessment of compensation claims by victims of miscarriages of justice – both issues taken up at a national level by the Bureau. Our work on the Bankruptcy Court Desk also provides an unrivalled vantage point to assess issues relating to personal insolvency, with our support of individuals facing bankruptcy for relatively low Council Tax arrears a particular concern, and again an issue being taken notice of on a national level through the work of the Bureau team.

Promoting the service

Ensuring potential clients are aware of the Bureau's range of services continues to be a key element of our work. The Bureau now has an online presence, with key information about our services on our own dedicated website at www.rcjadvise.org.uk, officially launched in early 2006 and already receiving a high level of visits. The work of our Miscarriages of Justice team maintains its national presence, with media work this year including an interview on BBC North West News.

Statistics

Client contact

Total	7626
Personal	3511
Correspondence	2324
Telephone	1791

Breakdown of enquiries

Total	9278
Benefits	752
Consumer	846
Employment	217
Housing	665
Legal	3859
Family	1071
Tax	251
Utilities	751
Immigration	78
Debt	339
Other	449

Plans for 2006/07

The Bureau has an ambitious Business Plan for 2006/2007, set following consultation with staff, volunteers and Trustees, and discussions with external stakeholders. This plan is based on an impact-measurement approach, with clear outcomes identified from the Bureau's activities and measurements of success defined.

The key outcomes the Bureau will be working towards in 2006/2007 are:

- Increased knowledge and skills of all our people
- Increased access to referral services
- Increased access to Bureau services
- Increased knowledge and confidence of clients
- Increased awareness of, and support for, the Bureau's work
- Increased access to effective IT systems
- Increased diversity of involvement in governance.

To achieve these outcomes, the following activities are planned for the year:

- Development and implementation of forward-looking volunteering strategy, to increase the number and diversity of volunteers involved in all areas of the Bureau's work
- Strengthening partnership working with key agencies, including the Personal Support Unit, Bar Pro Bono Unit and Law Works
- Introduction of an appointments system for legal advice to increase the numbers of clients supported by the Bureau
- Expansion of the Bureau's Bankruptcy Advice Service through increasing staff capacity on this area of work and working with other advice agencies as part of the "Capitalise" partnership
- Delivery of training on areas of Bureau expertise to external agencies
- Enhancement of services to ensure they meet the needs of clients with disabilities, or for whom English is not a first language
- Proactive recruitment strategy for new Trustees to increase diversity of the Board and address any needs identified from the skills audit
- Development of the Bureau website to increase access to information about Bureau services for potential clients.

The implementation of the Business Plan will be closely monitored, and we look forward to reporting on our achievements against these targets in the next Annual Report.

Services report

Legal Advice

Demand for legal advice from litigants in person, and potential litigants, continues to grow at both our offices, and our dedicated team of paid and pro bono solicitors continue to deliver excellent advice to our diverse client groups on a range of cases.

The invaluable pro bono support from lawyers and Firms continues to ensure clients have access to a range of services to meet their needs. Lawyers acting in a pro bono capacity as Honorary Legal Advisers (HLAs) at both Bureau offices have advised a record 2,276 clients over the year, and have access to the services of pro bono Costs Draftsman and Bundling services through the support of our partner Law Firms.

Thanks to funding from the Legal Services Commission, our three Duty Solicitors at the Royal Courts of Justice office provide a firm foundation for the delivery of our legal advice services, often dealing with complex and urgent cases including threats of deportation, eviction or loss of liberty. The support provided by the Reception Supervisor and Senior Administrator is key to the effective delivery of this service, with all involved ensuring clients receive a professional experience at what is often a difficult and distressing time in their lives.

Case Study

The client contacted the Bureau after Legal Aid Certificate had been refused by the LSC. The client was claiming damages for breach of contract against her former employers in failing to pay her agreed salary from 1999 to 2000. The Employer's case was that he did not agree to pay her and that she was a voluntary worker.

The Bureau assisted the client in making an application to the Bar Pro Bono Unit to obtain Counsel's advice on the merits and quantum with a view to getting legal aid reinstated. The Bureau also advised the client on the conduct of the proceedings. By the time she had instructed the Bureau, witness evidence had already been exchanged and the matter was listed for a further Case Management Conference. At the conference the matter was listed for a final hearing for the first open day after 28 days. Given the close proximity to the trial, the Bureau made enquiries of Freshfields to see if they were willing to act for the client on a pro bono basis. They agreed to do so.

The client was successful at trial and was awarded £30,000 in damages.

Generalist Advice

The Bureau's Generalist Advice volunteers provide the gateway to the service at our First Avenue House office, delivering advice and guidance on a diverse range of subjects including benefits, housing, employment and consumer matters. In addition to providing advice to clients, the volunteers also make referrals to Specialist Advisers within the Bureau team, or to partner agencies where appropriate.

All volunteers undertake an intense training programme at the Bureau with our dedicated Volunteer Co-ordinator before delivering advice to clients. This enables the Bureau to maintain its standards in the delivery of high quality advice, as well as ensuring all our volunteers are supported in their roles. The training includes a range of learning methods, including lectures and seminars, research and private study, and outreach and

shadowing activities, and continuous development is encouraged through the support of our Volunteer Co-ordinator.

The involvement of an increasing number of volunteers at our First Avenue House office has enabled the Bureau to advise on more cases, and the life experiences of our volunteers has greatly enhanced our understanding of the diverse needs of different communities. We hope to build on this track record of success in volunteer involvement, and expand further the range of activities volunteers are involved with at the Bureau.

Case Study

The client was very distressed as he had been suspended by his employer and thought he had lost his job. The Bureau advised the client on issues relating to salary payments during a period of suspension, and details on the possibility of claiming an unauthorised deduction of wages at an Employment Tribunal under the Employment Rights Act. The Adviser helped the client to understand his contract of employment, focussing on whether there was a clause in it which allowed the employer to suspend him on less than full pay.

Following discussions with the client's Manager, the client's employment was reinstated as per his contract and he was offered a new assignment with an increased salary.

The client was extremely happy with the outcome and was grateful for the advice and support he received from the Bureau to achieve this.

Bankruptcy Advice

Following consistent increases in the numbers of people facing personal insolvency, the Bureau initiated a specialist Bankruptcy Advice service, with a dedicated Adviser providing support to clients from across Greater London at our Bankruptcy Court Desk sessions twice a week at the Royal Courts of Justice, and also with casework on more complex matters.

Advice is available for clients wishing to petition for bankruptcy, those being petitioned for bankruptcy by creditors, and for people who have already been made bankrupt. Against a national backdrop of personal insolvency rising by 42% compared to 2004/05, the service provided by our Bankruptcy Adviser is a vital support for clients facing significant distress and often a devastating impact on their lives.

Of particular concern to the Bureau is the number of clients being petitioned for bankruptcy by local authorities for Council Tax arrears. In most cases clients own their own homes, often ex-local authority properties, bought under the 'right to buy' scheme. The nature of the scheme, whereby clients are given discounts based on the number of years they have lived in the property, means that there is always equity in the property and therefore the local authority will recover their monies. A check is made on whether applicants who want to buy their properties under this scheme have rent arrears which would disqualify them from buying the property but no checks are made on council tax arrears. Several clients have mentioned that they cleared their rent arrears in order to buy their homes. Unless they pay off all of the council tax arrears and the costs of the Bankruptcy proceedings, clients risk losing their homes if a Bankruptcy Order is made.

Case Study

The client was served with a Statutory Demand for council tax arrears of over £4,000. The local authority initially advised the client that they would need to pay a lump sum of £2,415 and then over £300 per month until the arrears were cleared. The client had bought his ex-local authority home two months prior to this, having cleared rent arrears of £4,000 to buy the property, and could not raise the lump sum payment that the local authority required.

The Bureau contacted the local authority who initially said they wanted the arrears paid by the end of the financial year or they would proceed with issuing bankruptcy proceedings. The local authority eventually agreed to monthly instalments until the arrears are cleared. As the Client is working full time he has agreed to this arrangement.

Debt Advice

The Bureau's Debt Adviser provides specialist advice to clients, with support from our service Administrator, and faces an ever-increasing demand for the service with the much-publicised increase in personal debt levels in society. Clients are referred from Duty Generalist Advisers at our First Avenue House office, the Duty Solicitors team at the Royal Courts of Justice and directly from the High Court. Clients are also referred to us by other advice agencies who do not have access to Specialist Debt Advisers.

The Bureau has been able to provide a range of services over the year, including:

- advice and assistance to clients who have some form of income and want to negotiate reduced payments with their creditors – we provide targeted advice on income maximisation and general debt management as well as advice on hire purchase, Consumer Credit Act, Mortgage Arrears and Time Orders.
- Advice to Clients with more easily accessible funds or assets are given advice on options such as the Bureau negotiating 'full and final settlement' on their behalf, or being signposted to Insolvency Practitioners for advice and assistance on IVAs where appropriate.
- Extra help in finding ways to maximise income for clients facing extreme financial hardship, including applying for financial assistance from other charitable organisations to meet essential needs such as paying off gas and electricity arrears or for deposits for personal bankruptcy.
- Working with the Bureau's Bankruptcy Adviser to assist clients who want to petition for personal bankruptcy, including advice on the alternatives to bankruptcy, the implications of bankruptcy and help with completing court forms.

Case Study

The client was in his 70s with various health problems and in receipt of pension credit with a total debt in excess of £30,000 owed to various creditors. Initially the client did not want the Bureau to negotiate with his creditors to write off his debts as he was happy to pay his debts albeit a token payment of £1 per month.

However, one of the creditors began to telephone him on a daily basis, and the client felt he could no longer cope with the stress – the Bureau suggested that he allow us to ask this particular creditor to write off his debt. Client gave us permission to do so and we wrote a number of letters on his behalf which included medical notes from his GP. The

creditor finally accepted our representations and agreed to write off client's debt. Based on this achievement, the Client agreed to the Bureau negotiating on his behalf with his other creditors to write off his remaining debts.

Miscarriages of Justice Support Service

The Bureau's Miscarriages of Justice Support Service (MJS) has gone from strength to strength over the year, and now has a strong foundation from which to develop its work thanks to a successful agreement with the Home Office to continue funding the service for a further three years, enabling the Bureau to employ two Specialist Advisers and a dedicated Administrator on this important work.

Clients of MJS are given support prior to and during their appeal, immediately following release and ongoing for as long as they need it. Drawing on the extensive experience of the CAB service, the team provide specialist advice tailored to the client's individual needs – from benefits, to housing, to employment to psychiatric referral – no two cases are the same. To guide the work of MJS the Bureau has a specialist Advisory Group, chaired by Dame Ruth Runciman and involving professionals from the health, legal and advice sectors, who all generously give their time to support and inform the development of the service.

To mark the progress of the service and the confirmation of Home Office funding, a Reception was held in March 2006 to bring together victims of miscarriages of justice and their supporters with professionals from the statutory, voluntary and legal sectors. Guests heard from interim Chair of the Criminal Cases Review Commission, Alastair MacGregor QC, and from Raphael Rowe and Michael O'Brien, both themselves victims of miscarriages of justice. This event was a moving reminder of how valuable the service offered by MJS is and provided a wonderful platform from which to continue to build the service around the diverse needs of our clients.

Case Study

The Court of Appeal quashed the client's conviction after he had been wrongfully detained in prison for 24 years. We attended his appeal hearing and arranged an appointment to visit the client at home.

We liaised with the pension service regarding his application for his state retirement pension, putting forward a case for him to have his pension backdated for seven years. The pension department's policy unit, after much deliberation, agreed to award him seven years arrears of pension in addition to his present pension. We arranged for the client to collect the arrears at his local benefit office. The amount of arrears he received was just over £19,000. The client will now be drawing his pension weekly.

Treasurer's report

The Bureau's accounts have been audited and approved for the year 1st April 2005 to 31st March 2006, and copies of the full report and accounts can be obtained from the Bureau's offices. The following report highlights the key information in relation to the Bureau's finances over the year.

Principal Funding Sources

The principal activities and funders of the Bureau are:

- Legal advice to litigants in person funded by the Legal Services Commission.
- Advice and support to victims of miscarriages of justice funded by the Home Office.
- Specialist bankruptcy advice part funded by the Law Society Charity, EDF Energy Trust and The Tudor Trust.
- Debt advice funded by the Legal Services Commission.
- Volunteer recruitment, training and support funded by the Big Lottery Fund.
- Generalist advice on all areas of social welfare law, supported by funding from Citizens Advice.

We would like to thank all the above funders and individual donors for their financial support during 2005-2006, and hope that this support will continue for the foreseeable future.

Investment Policy

Aside from retaining a prudent amount in reserves each year most of the charity's funds are to be spent in the short term so there are few funds for long term investment. Having considered the options available, the Management Committee has decided to invest any funds which will not be required immediately in a fixed deposit account for terms no longer than one month. The Management Committee has now decided to move their investment funds into a fund set up for Charities through CCLA Investment Management Limited COIF Charities Deposit Fund which provides an improved return of 4.5% in a secure environment.

Reserves Policy

The Management Committee has reviewed the reserves of the charity. The review encompassed a comparison of the nature and certainty of the levels of income and expenditure streams and the consideration of the level of free reserves that were required to provide a buffer for unforeseen falls in income. The Committee have agreed that free reserves should equate to a level of approximately three months normal expenditure to ensure that the charity can efficiently maintain its services.

Statement of Financial Activities for the year ended 31st March 2006

	Total 2005/06 (£)	Total 2004/05 (£)
Incoming Resources		
Grants	478,438	546,065
Voluntary income	26,614	96,259
Investment income	6,154	3,809
Other income	610	771
Total Incoming Resources	511,816	646,904
Resources Expended		
Costs of generating voluntary income	32,182	27,558
Charitable activities	504,189	431,737
Governance costs	3,584	3,633
Total Resources Expended	539,955	462,928
Net (outgoing)/incoming resources for the year	(28,139)	183,976
Fund balances brought forward	247,334	63,358
Fund balances carried forward	219,195	247,334

Firms involved in the Honorary Legal Advice scheme

Civil Litigation

Allen & Overy LLP
Anderson & Co
Ashurst
Baker & McKenzie
Barlow Lyde & Gilbert
Cadwalader Wickersham & Taft LLP
Clifford Chance LLP
Clyde & Co
Cadwaladers
Davies Arnold Cooper
Dechert LLP
Denton Wilde Sapte
DLA
Freshfields Bruckhaus Deringer
Herbert Smith
Irvin Mitchell
Kendall Freeman
Kennedys Solicitors
Kinglsey Napley
Linklaters & Alliance LLP
Lovells
Maclay Murray & Spens
Mayer Brown Rowe & Maw
Norton Rose
S J Berwin
Slaughter and May
SH Legal
Weil Gotshal & Manges
WGS Solicitors
White & Case

Family Law

Brachers
Campbell Hooper
Charles Russell
Child & Child
Clintons
Collyer-Bristow
Creighton & Partners
Davenport Lyons
Dawsons Solicitors
Evans Butler & Wade
Family Law in Partnership
Farrer & Co
Gordon Dadds
Harters
Healys Solicitors
Hughes Fowler & Carruthers
Hunters Solicitors
Judge & Priestly
Kingsley Napley
Lass Salt Garvin
Manches & Co
Michael Fisher Solicitors
Venters
William Sturges
Withers
WPF Glasner Gerber Shapiro
Wright Son & Pepper
YVA

Quotes from clients

Thank you, thank you for dealing with the debts – my bank made a good decision and I feel much better about it.

Please accept a humble thank you for all you've done for me – you've altered the course of my life.

Thank you for listening and not being judgmental – it was invaluable.

Thank you very much for all your hard work. Everybody was so kind to me the day I went to the RCJ.

Thank you for all the hard work you did to make it possible to live my life in a positive way.

The adviser was very professional and very helpful.

I am very grateful for all the advisors and receptionist at the RCJ in helping me all the time as much as they can.

The solicitor I saw was very knowledgeable and very helpful at this very difficult time for me.

The case was resolved last week – we would have given up without your help and encouragement.

I had difficulty complying with directions given by a Judge and came to the Bureau to see one of your solicitors. I was helped greatly by their professional manner and understanding of my legal problem. I have since acted on this advice to advance my claim.

I was treated just like anyone else, and you were very supportive to me at all times.

My caseworker was very supportive to me and helped me get through this terrible ordeal – I have a lot to thank her for.

RCJ Advice Bureau Information

Company number: 3110908

Charity number: 1050358

Registered office: 10 Upper Bank Street, London, E14 5JJ

Operational offices: Royal Courts of Justice, Strand, London, WC2A 2LL

Principal Registry of the Family Division, First Avenue House, 42-49 High Holborn, London, WC1V 6NP