

# Legal Aid Census

## Frequently Asked Questions



### **Why are you running the Legal Aid Census (the census)?**

- At present, there is no clear picture of the number and nature of the organisations that make up the legal aid sector and the services that they provide (and will provide) as the country emerges from the COVID-19 pandemic. We have an idea of the number of organisations that hold legal aid contracts, but not the amount of work that is done under these contracts or the intention in relation to them. We also have no idea how many practitioners there are in legal aid. The census will collate workforce data from providers and practitioners of legal aid, as well as aspiring practitioners, across England and Wales.

### **Why should I participate?**

- Since the Legal Services Board ceased collecting data as a result of the LASPO cuts, information has been absent or piecemeal. The LASPO PIR deemed the legal aid sector to be sustainable but failed to provide any evidence to support this assertion. The MoJ is not collecting this data. Nor, to our knowledge are any other organisations, within government or outside it.
- We believe this to be the most ambitious survey ever undertaken into legal aid. We hope that that will give us the information we need to assess the current state of the whole of the legal aid sector and to make practical recommendations for its short- to medium-term recovery. The census will inform the ongoing government review into the sustainability of civil legal aid and the independent review on criminal legal aid review chaired by Sir Christopher Bellamy QC. It will provide an evidence base that can be used for forthcoming policy work relating to legal aid provision and the legal aid sector more broadly and we hope that it will be used as baseline data by the MoJ moving forward.

### **Who is invited to take the survey?**

- We are inviting anyone who works in legal aid, would like to work in legal aid or who formerly worked in legal aid to take part in the census. It is open to all branches of the profession: barristers, solicitors, paralegals, legal executives, caseworkers and students. We want the survey to cover the entire breadth of the sector.

### **What is our survey completion goal?**

- We want the survey to cover the entire breadth of the sector and that means reaching as many people as possible at every type of organisation and at every level of qualification.

### **How long is the survey running for?**

- The survey will run for two months from 13.01 on 12 April 2021 to 23:59 on 11 June 2021.

### **Who is running the survey?**

- This survey is being undertaken by academics at Cardiff and Newcastle Universities in collaboration with Legal Aid Practitioners Group (LAPG)

### **Who are the academics?**

- The following academics (the researchers) will be undertaking the research and preparing the report [with oversight from Dr Nigel Balmer, Research Director, Victoria Law Foundation]:
  - Dr Jacqueline Kinghan (Newcastle University Law School)
  - Dr Daniel Newman (Cardiff University Law School)
  - Dr Jessica Mant (Cardiff University Law School)
- Professor Nigel Balmer (Research Director, Victoria Law Foundation) acts as expert academic advisor to the project.

### **What ethical standards does the survey meet?**

- This research project has been reviewed and given a favourable opinion by Cardiff University's School Research Ethics Committee.

### **Is this survey confidential?**

- Yes, the survey is completely confidential and all responses provided will only be used for research purposes. No identifying information will be shared with the organisation you work for and you will not be identified in any reports or publications. Only the researchers running the survey will have access to your personal data, please see 'What will happen to my Personal Data?' (below) for further information.
- All of your answers will be combined with others in the survey and anonymised before being included in the report or released.

### **What will happen to my personal data?**

- Identifying information, including the name and contact details of your organisation, will be collected at the beginning of the survey, as well as your responses to the questions. Once you have finished the survey and saved your answers, this data will be stored securely within the survey repository. These details are only being collected with a view to prevent duplication. The contact details will only be used if necessary to address a duplicate response to the survey as described above.
- Once the survey has closed (23:59 on 11 June 2021), the researchers will download the results via a secure network, using the Cardiff University server. This data will be stored in accordance with GDPR requirements. As soon as the results are downloaded, the researchers will anonymise each survey response, which will mean choosing pseudonyms (different names) where relevant to ensure confidentiality. The researchers will remove any other obviously identifying information from the stored data. However, there is always a chance that someone who knows you well might be able to work out who you are even if the names and places have been changed.

- Cardiff University is the Data Controller and is committed to respecting and protecting your personal data in accordance with your expectations and Data Protection legislation. Further information about Data Protection may be found at: <https://www.cardiff.ac.uk/public-information/policies-and-procedures/data-protection>

#### **Where will my answers be stored?**

- The answers containing your personal data will be stored securely on the Cardiff University Server in accordance with GDPR requirements.
- The collated and anonymised survey responses will be released along with the research report in late 2021.

#### **What happens to my data at the end of the project?**

- This project is being undertaken in collaboration with Legal Aid Practitioners Group. Representatives from this organisation will take ownership of the data after the research is complete. However, the researchers will anonymise the data before the data is transferred. At no time will LAPG hold any personal data from you. They will not know who has taken part in the survey.

#### **Who will have access to my answers?**

- Only the researchers running the project will have access to your answers that provide personal data. After completion of the research project all answers will be collated and anonymised. **At no time will LAPG or any of its staff team hold any personal data from you or know who has taken part in the survey.**

#### **Will my answers be anonymised?**

- Yes. After the research is complete it will be collated and anonymised. **At no time will LAPG hold any personal data from you or know who has taken part in the survey.**

#### **What will happen to the results of the research project?**

- The final research report will be published in the autumn 2021 and will be widely circulated by LAPG.

#### **Can I change my answers?**

- You can go back and change your answers at any point before submitting the survey. After submitting the survey, it will not be possible for you to personally make changes to your answers.

#### **Can I delete my answers after submitting the survey?**

- You can withdraw from the research at any time, even if you have already filled out the survey. To withdraw your answers after submitting you may contact the researchers to request that your responses be destroyed by emailing [Insert researcher email here]. This will only be possible until 25 June (2 weeks after the survey finishes)

### **Who picked the survey questions?**

- The questions were drafted by the researchers running the survey, Dr Jacqueline Kinghan, Dr Daniel Newman and Dr Jessica Mant, in collaboration with LAPG.

### **How does the survey work?**

- The survey will involve asking a series of questions about your organisation as well as your views about the issues described above. You can choose whether to answer the survey on behalf of your organisation or as an individual. If you are answering on behalf of your organisation, you should check that no one else is doing this, as the researchers will need to check for duplicate responses from organisations.

### **Does everyone receive the same questions?**

- No. The questions you are asked will differ depending on whether you answer as an individual or an organisation.
  - Those answering the survey on behalf of their organisations (including sets of Chambers) will be asked about delivery of legal aid post-LASPO and post-pandemic, plus about offices, fee-earners, the sustainability of their legal aid work and other administrative details.
  - Those answering the survey as individuals will be asked about their experiences in legal aid: their salaries, working conditions, professional satisfaction, and how the landscape has changed in the wake of LASPO and the pandemic, and their career intentions for the future.
  - Those who have left the sector will be asked about their previous role, how long they worked in legal aid, when they left the sector and their reasons for doing so.

### **Do I have to answer every question?**

- No, it is up to you to choose whether to participate or not. The questions are not compulsory, and you can skip those you are unable or unwilling to answer.

### **Is there a limit for how much I can write in the open questions?**

- No, there is no word limit for open questions that ask you write your answer.

### **How long will the survey take to complete?**

- It will take approximately 30 minutes to complete the questions. It may take longer to complete the survey should you be answering on behalf of an organisation.

### **Do I need to complete the survey in one sitting?**

- No, your answers will be saved as you go through the survey and you can click “finish later” which will provide you with a web address that allows you to return to the survey later.

### **What if I do not complete the survey in the specified timeframe?**

- After the survey ends on 11 June 2021 you will no longer be able to submit a response.

**I am answering the survey on behalf of my organisation, can I also answer as an individual (or vice versa)?**

- Yes, you would simply need to complete the survey a second time to provide answers as an individual (or vice versa). We encourage you to do so.

**I run an organisation with multiple different office locations, how should I answer the survey?**

- The survey can only receive a single answer on behalf of each organisation. If your firm has multiple offices please direct the survey to the most senior managing partner of the firm with responsibility for legal aid to fill out on behalf of the organisation. You should then complete the survey as an individual.

**Who do I contact if I have any questions about the survey?**

- Should you have any questions relating to this research project, you may contact the researchers during normal working hours: [research@lapg.co.uk](mailto:research@lapg.co.uk). Please note that only the researchers will have access to this email account and queries will not be fielded by LAPG.

**Who do I contact if there is a problem?**

- If you wish to complain or have grounds for concerns about any aspect of the manner in which you have been approached or treated during the course of this research, please contact [research@lapg.co.uk](mailto:research@lapg.co.uk). If your complaint is not managed to your satisfaction, please contact [LawPL-Ethics@Cardiff.ac.uk](mailto:LawPL-Ethics@Cardiff.ac.uk).