

**Advice Sector Panel Meeting – 5<sup>th</sup> March 2019**

**Simmons & Simmons**

**Minutes**

<b>Attendees</b>	<b>Organisation</b>
Lindsey Poole	Chair, Advice Services Alliance
Karen Ashton	Central England Law Centres
Claire Blades	Citizens Advice
Ken Butler	Disability Rights UK
Kari Gerstheimer	Mencap
Anne Killeen	Z2K
Andrew Medlock	Parliamentary and Health Ombudsman
Chris Minnoch	Legal Aid Practitioners Group
Eileen Pereira	Personal Support Unit
Chilli Reid	AdviceUK (by telephone)
Diane Sechi	Simmons & Simmons
Kirsty Thomson	JustRight Scotland (by telephone)
Rebecca Wilkie	Access to Justice Foundation
Lisa Wintersteiger	Law for Life (by telephone)
Heidi Bancroft	Secretary to the AJC, JUSTICE
Sally Hunt	JUSTICE
<b>Apologies</b>	<b>Organisation</b>
Matthew Cunningham	Shelter
Deborah Gellner	ASA Project
Jo Hickman	Public Law Project
Michael Reed	Free Representation Unit
Kevin Higgins	Advice Northern Ireland

**1. Welcome and Introductions**

LP welcomed attendees to the third meeting of the Advice Sector Panel, and thanked Diane Sechi for providing the venue.

**2. Minutes of Last Meeting**

LP went through the minutes and asked for comments.

HB asked for the remaining members of the Panel who had not yet provided biographies to do so as the website is now up and running.

**Action** – members who haven't already sent their biography to send to HB.

**3. Update from Meetings/Events**

**a) Council Meeting**

LP reported back on the full Council meeting held on 25<sup>th</sup> January 2019. This was attended by a large group of people from diverse organisations - thus an important opportunity for the Advice Sector Panel to have input on key decisions and to have their voices heard by other stakeholders. LP had the opportunity to speak to Warren Seddon from PHSO, which directly led to Andy Medlock joining the panel's meeting. DS echoed LP's thoughts that it was excellent to see the Council beginning to take form and make progress. KB raised the item on tribunals modernisation highlighting the risk that, with so much reform happening, the advice sector could risk losing sight of the individuals they are representing and that instead the reform becomes beneficial only to the targeted organisations. There was a general discussion around pushing for proper evaluation, which targets every level of reform.

**Actions:**

- 1) HB to send out details of the meeting with Daniel Flury at HMCTS regarding tribunal modernisation on 24<sup>th</sup> April 2019;
- 2) HB to circulate copies of Dr. Natalie Byrom's recent paper 'Evaluating the Impact of Court Reform in England and Wales on Access to Justice'.

**b) Academic/Practitioner Pop-Up Event**

This event was arranged by the Academic Panel, with the idea of presenting thoughts and ideas from across the Council which may be of interest to researchers and funders. It was attended by important players, including the Economic and Social Research Council, who are considering their funding options for 2020.

**4. Engagement with the Advice Sector – Andrew Medlock, Parliamentary and Health Ombudsman**

AM introduced his work in the support of frontline complaints handling within the NHS and government departments. From research they undertook last year, it is clear that those working in complaints handling feel undervalued and unsupported. The training is insufficient and fragmented. The ultimate aim is to professionalise the skill of complaints handling and to provide a unified view on what good service looks like. This is an ambitious project, which requires building connections with a number of key stakeholders throughout the public sector, and into administrative justice.

AM went on to explain that the complaints landscape had changed drastically over recent years, with 85% of complaints currently being about the NHS. There was a general discussion around why this might be, suggestions included a disconnect developing between the public and MPs, or a general lack of public awareness/accessibility around procedures for complaints and the role of the ombudsman; as well as a discussion on the MP filter which is universally accepted as being outdated. AM stressed his department's keenness to re-engage with the advice sector to gain insight into reasons for this recent trend.

It was stressed by a number of Panel members, that for a full picture, they need to acquire data from every level of the complaints process – not just from those who manage to get to the Ombudsman, but also from those who try to complain and give up earlier in the process.

**5. Priorities/Resources**

LP ran through the four options that were agreed upon at the previous Panel meeting. These now needed to be reduced down to two areas. Discussion ensued regarding the importance of identifying specific areas to work on, to avoid dampening down their impact. This could be coupled with an accompanying academic paper on the broader issue.

LP disclosed that they have been offered the opportunity to meet with the Behavioural Insights Team, who were formerly the Nudge Team. Panel members who had had previous dealings with them expressed the need to be very specific in the questions they would want them to answer, be clear on what they wanted them to work on and that costings could be an issue.

### Priority 1: Lesson Learning

CR offered, and others agreed, that the panel would be doing a disservice to millions if they didn't pursue the lesson learning priority.

AK was in agreement, using the area of ESA assessments as a prime example - clients are given zero points at assessments, at a tribunal they are routinely given up to 65 points with a recommendation that they don't require reassessment. Two years later they are assessed again and awarded zero points.

KA expressed an interest in organising a specific workshop on lesson learning.

LP said there was no reason why the panel couldn't schedule further, more specific meetings and communicate via email in-between meetings.

### Priority 2: Assisted Digital

It was suggested that the panel narrow this down to disability tribunals, possibly even further to PIP.

LW suggested the panel look at the capability work of Catrina Denvir, who provided a report on "[assisted digital for civil justice system users](#)".

There was discussion regarding concentrating on the uniqueness of the Panel – whilst they weren't researchers, they do bring the voices of their vulnerable clients to the forefront, and this should be at the heart of their focus and work. KA raised the issue of early, specialist advice which is not a scope issue (legal aid) but a remuneration issue which was having a serious impact on access to specialist advice. Whilst it was acknowledged that the Law Society had carried out a similar piece of work and it had been difficult to map, KA thought that they could develop a survey. They could work with the Academic Panel.

**Action:** KA to provide wording to forward on to Academic Panel.

## **6. Stakeholder Engagement Survey**

HB will circulate the most up-to-date version of the Stakeholder Engagement Survey. Comments and feedback should be sent to DS directly.

## **7. Dates for Future Meetings**

4<sup>th</sup> June 2019

17<sup>th</sup> September 2019

3<sup>rd</sup> December 2019

The next Steering Group meeting (for Steering Group members only) is on 29<sup>th</sup> March 2019.

## **8. AOB**

The question of resources was flagged up – these are extremely limited with this Panel, and there may be an opportunity of asking other Panels within the Council, for example, the Pro Bono Panel, if they have resources they would be willing to share with them. LP agreed that there is goodwill within the Council, and that they should be asking for help. CB offered the Panel the use of Citizens Advice Video hangout if members can't attend meetings in person. AM offered use of their premises for meetings.

CB stated that the Legal Aid (LASPO) review was disappointing. It may be useful to invite Matt Shelley (MoJ) to a panel meeting.

### **Actions: –**

- 1) Members consider specific points to concentrate on within the two priority areas;
- 2) Members consider questions for the other panels;
- 3) One page report to be drafted for consideration by the Council