

GRANT APPLICATION 2017/18 – ASSESSMENT AND RECOMMENDATION

Priority Corporate Outcomes	To promote a healthy, active, independent and informed population To build more resilient communities where people do more to help themselves and reduce their reliance on statutory services To support families and individuals that need help, such as to change behaviour, live more healthily and lead active lives	
Organisation	THE PERSONAL SUPPORT UNIT	ref 373/C/CTY
Address	Royal Courts of Justice, Strand, WC2	

Relevant policy, aims and objectives

The Corporate Plan, 2015-20, signifies the council's commitment to helping build a sense of community; to improving the quality of life; and to helping all residents to maintain their independence and live active lives. In promoting independence, it is seeking the best ways to help those people whose opportunities are limited by economic, social or cultural disadvantage through the provision of advice, information and advocacy. Supporting the resilience of families in the greatest need and on the cusp of becoming vulnerable acknowledges that some people, such as those handicapped by low income, unemployment or other forms of social exclusion, need additional help in a crisis. Equal access to justice is an important principle behind a fair and democratic society: people who do not understand the law, or are unable to represent themselves or find someone to advocate for them, are disadvantaged as a result.

The Children and Young People's Plan, 2016-20, sets out a vision of making Barnet the most family-friendly borough by 2020. The theme of resilience underpins the Children's Service's ambition for strong communities in which people bounce back from stress and adversity and take on new challenges and children and young people can thrive and achieve.

Activities / proposal

The Personal Support Unit (PSU) is an award-winning charity and company limited by guarantee formed in 2001 which recruits and trains volunteers to provide free, independent, emotional and practical assistance to people ('litigants in person') facing proceedings without legal representation in family courts and tribunals. 733 trained volunteers operate from 20 courts in sixteen cities in England and Wales, seeking to ensure that those facing court alone are better prepared; know what they want to say; and can participate fully and effectively in the process. Help includes the provision of legal information; the completion of paperwork; and signposting to free legal advice or specialized support on issues such as debt, mediation, homelessness and domestic violence through partnerships within the local community.

Cuts to legal aid, most recently arising from the Legal Aid, Sentencing and Punishment of Offenders Act, 2013, have curtailed an important element of support in gaining access to justice. Many social welfare law cases, embracing issues relating to education, employment, debt, housing, immigration and welfare benefit, and private family law matters no longer qualify for legal aid, leaving litigants, including people with mental or physical disability or a language barrier, to navigate a complex and/or unfamiliar legal system designed for use by lawyers that may result in significant outcomes such as eviction or loss of contact with children.

PSU works with anyone engaged in civil and family litigation. The majority of its clients are disproportionately from disadvantaged or marginalized communities. Of 56,119 clients in 2016, 57% were unemployed; 23% had serious health issues; and 22% did not have English as a first language. 70% were divorce or family cases involving the welfare of children.

99% of respondents to a survey in 2016/17 said that the charity's support had enabled them to understand legal procedures more clearly and be better prepared to deal with their court case. 97% said that PSU helped them to get a fairer hearing.

PSU is seeking help to extend its service on a part-time basis in the Barnet Civil and Family Court, the subject of this application, whose caseload is predominantly family work including domestic violence, divorce, child custody, adoption, housing possession and money claims. Approximately 75% of cases involve at least one litigant in person. The court experiences a high volume of cases that are unnecessarily long or adjourned because of the number of litigants who, without support, complete applications incorrectly or fail to file vital statements, increasing costs and stress. PSU will primarily support unrepresented litigants involved in private family law matters, generally in connection with child arrangements and family breakdown, initially on one day a week, to be stepped up subject to review and demand.

The projection is that there will be up to 600 direct users of the service in the first year of operation. The aim is to recruit and train up to 30 volunteers from the local area, expanding upon an initial volunteer cohort of eight who will transfer from the charity's Central Family Court service, to be managed by the charity's regional manager. The charity's existing volunteer workforce is mainly made up of professional and retired people and law students, who gain valuable experience and insight into the legal profession. The focus will be on empowerment, helping people to do things for themselves rather than doing it for them, a key value of PSU.

Although the Children's Service's involvement in private family legal proceedings is largely restricted to the need to remove children or the imposition of child protection orders, it acknowledges the value of PSU's work in strengthening individuals' and families' resilience in challenging times. Families experiencing poverty are those most likely to find themselves unrepresented in court, compounding the risks that exist to children suffering deprivation of educational under-achievement, ill health, involvement in crime and social exclusion. Whilst the achievement of better outcomes is of obvious benefit to families and children, simply reducing the stress of the situation minimizes some of the related risks, such as relationship problems, and helps clients to move on after their time in court. In pursuit of the removal of inequalities, the proposal is recommended for support.

Cost and financial need

In 2016/17, PSU incurred expenditure of £1,138,582 on service delivery across the 20 courts in England and Wales in which it had a presence, of which £984,321 (86%) was the cost of employing 34 paid staff, largely made up of regional service managers and a central infrastructure and fundraising team. The balance mainly comprised the recruitment, training and support of volunteers; IT equipment and software; and office-related costs, both centrally and in individual courts. The latest available accounts, for 2015/16, pending the completion of an audit of the accounts for 2016/17, show that the charity had net current assets of £632,528 at 31/3/2016, of which £4,925 were restricted funds, leaving an uncommitted balance of £627,603, equivalent to 49% of current turnover, a working contingency that accords with Charity Commission guidelines for an organisation of its size.

PSU operates exclusively on the basis of funding received, principally from the Ministry of Justice (MOJ), currently £539,130, an annual sum, largely earmarked for central core costs, paid through the Litigants in Person Support Strategy Group, a collaboration of charities aimed at enhancing the provision of support to people facing court alone, in which PSU is a central partner. The balance of income comprises grants by charitable trusts, corporate foundations donations and the proceeds of fundraising, mainly in support of local service delivery. The MOJ meets all premises costs, both centrally and at individual courts.

A grant of £4,973 is sought to roll out the service in Barnet, initially on one day a week. To operate from a room, free of charge, at Barnet Civil and Family Court, the budget presented, which assumes that the service will extend to a second day after four months, mainly comprises IT equipment and materials (£1,800); the reimbursement of volunteer expenses (£1,900); and management supervision (£1,088). All volunteer training costs will be met centrally.

The cost per client is anticipated to reduce from £8 in year one to £4.50 in year two, reflecting the significant voluntary input into service delivery.

A sustainability strategy reflects a commitment by PSU to support the new service in the long-term through a combination of core and local fundraising, including bids to law firms and universities, in line with a successful strategy adopted with all of its satellite operations.

Grant recommendation, type and conditions

£4,973 (from Edward Harvist Charity)

Start-up grant

One-off grant

Special conditions:

Payment of the award should be made subject to (a) agreement of targets and milestones for monitoring purposes; (b) the submission of quarterly progress reports; and (c) the receipt of an undertaking to provide an evaluation of the service in twelve months' time.

Target grant outcomes

To support the resilience of members of the community involved in private family law proceedings as litigants in person by helping them to represent themselves effectively in the interests of equal access to justice.

Date: December 2017