



Being a junior legal aid lawyer in the time of COVID-19

Ollie Persey, Co-Chair of Young Legal Aid Lawyers



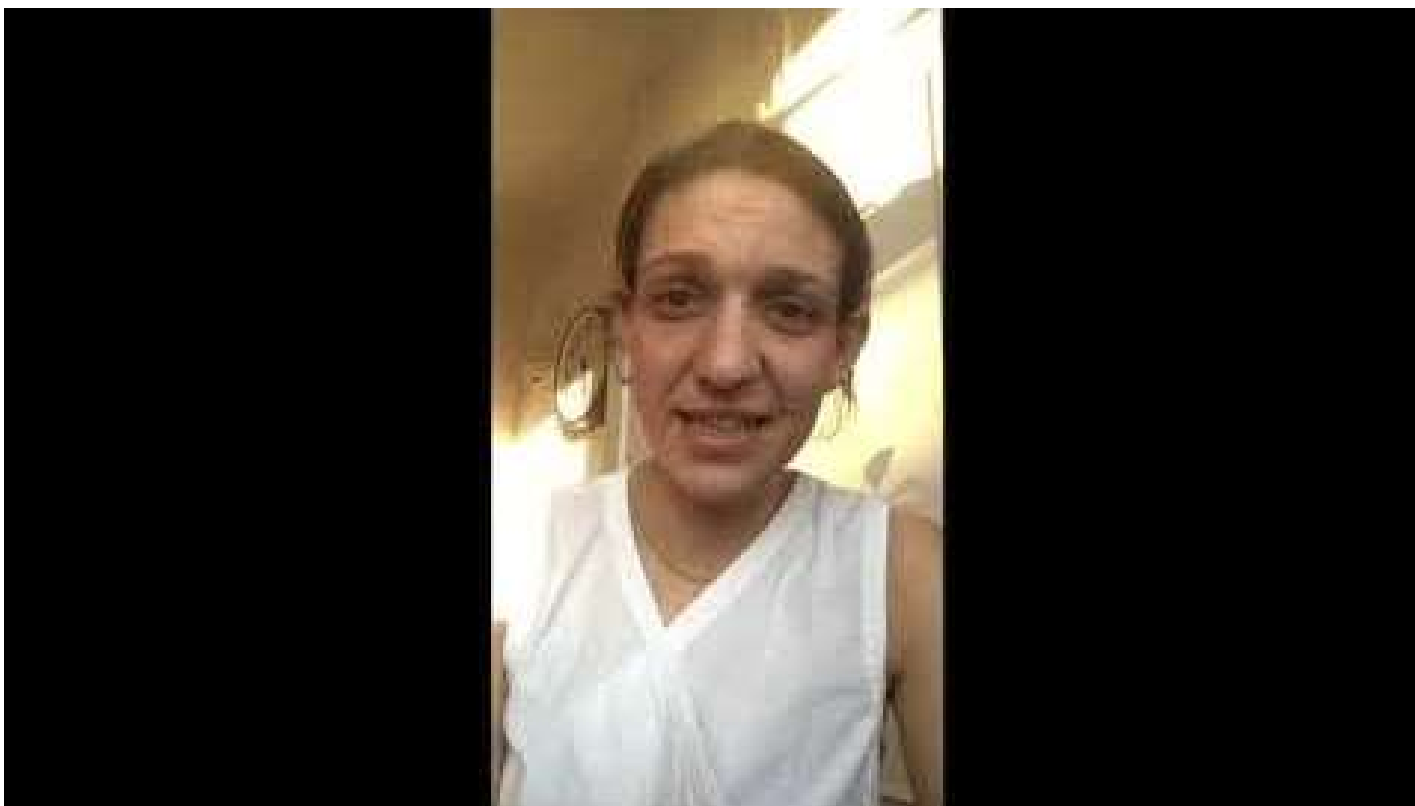
What is YLAL?



What has been the impact of COVID-19?

- YLAL produced two reports on COVID-19
- 7 April – First COVID-19 report
- 25 May- Second COVID-19 report

Gathering stories



First COVID-19 report

- **Key findings include:**

- More than 45% of members are either 'extremely' or 'quite' worried about their job security.
- 25% of members are required to attend court in person.
- 25% of members are required to put themselves at risk of infection because of their job. This includes attending police station interviews and face-to-face meetings with clients.
- 67.5% stated that their volume of work had 'decreased', 'significantly decreased' or been 'decimated'.
- 80% of junior legal barristers reported that their workloads had 'significantly decreased' or been 'decimated' by the crisis. One barrister noted that COVID-19 was having a 'devastating' financial impact as their 'income had completely stopped overnight'.
- The report also highlights examples of best practice that YLAL encourages employers and chambers to consider adopting.

- **Key recommendations include:**

- The Legal Aid Agency should take urgent action to ensure the financial viability of providers. This should include continuing to make regular payments to providers based on their usual legal aid income.
- There should be a consistent approach to social distancing and hygiene in courts and police stations, including proper implementation of the LCCSA Interview Protocol.
- The Council of the Inns of Court should take steps to ensure a coordinated approach between Inns of Court to ensure that the most junior legal aid barristers do not experience financial hardship.
- The Bar Standards Board should remove its agreement for chambers to vary pupillage awards that have already been advertised.
- The Solicitors Regulation Authority should confirm that training contract periods will not be extended if a trainee has sufficient experience to qualify.

Second COVID-19 report

Key Findings

- Key findings in the second COVID-19 report include:
- 78.8% reported being worried about their job security at present with 51.9% saying they were 'extremely' or 'quite' worried.
- 13.5% said they were undertaking work beyond their level of experience, up from 6.7% in the first report.
- 13.5% said that they had now been furloughed, up from 8.9% in the first report.
- Just over 50% of respondents stated that furloughed staff did not have their wages topped up by the employer and were surviving on 80% of their salary. Only 11.5% of respondents said that furloughed staff had been paid 100% of their salary.
- 15.4% reported still being required to attend court. 33% told us that the situation had improved, 28% felt that things did not improve at first but have done more recently. 38% said that there has been no improvement in conditions.

Key Recommendations

- The report makes recommendations to the Government, chambers, employers and other stakeholders.
- Key recommendations include:
- Employers should take into account the needs and workload of those employees not furloughed before making any decision to furlough staff.
- All furloughed employees' wages should be topped up by employers to 100% of their salary.
- The Legal Aid Agency should make payments to legal aid providers in areas which are severely impacted by the current rules in place. We call for payments to be made to providers based on their usual legal aid income over a 3 month period.
- All court staff and court users should be provided with complete and up to date information on safety and hygiene in the court setting.
- Employers should consider the way they communicate with their staff and specifically:
 - - be clear as to what is happening and who will be affected;
 - - communicate within working hours wherever possible;
 - - name a point of contact for staff to discuss concerns; and
 - - consider whether information can be better disseminated over telephone or video conference, rather than by email.



Campaigning for legal aid during a pandemic

- #APrayerForLegalAid
- Would have changed the fixed fees for asylum and immigration legal aid.
- Individuals with complex asylum and immigration cases would have been denied access to justice.

#APrayerForLegalAid



#APrayerForLegalAid

#TheLawIn60Seconds



How to find out more:

- Attend #YLALVirtuals
- Get a YLAL mentor
- Join YLAL!