

Access to Justice: shape the reform

Public legal education - an integral part of legal services

By Martin Jones, Advice Services Alliance and Plenet

Over half of the UK population is unaware of their legal rights or the processes by which they are enforced according to a recent report by the Legal Services Research Centre ; a situation that has been described as 'legal exclusion on a massive scale' .

These findings are from an analysis of the ongoing English and Welsh Civil and Social Justice Survey and show that at the time of a law-related problem 64% of people didn't know their rights and 70% had no knowledge of legal processes.

This situation is hard to reconcile with a notion of accessible justice and has significant repercussions for large sections of the population. Those without knowledge of rights are less likely to obtain advice and are significantly less likely to seek help from a solicitor. Where people handle their problem alone, those without knowledge are far less likely to meet their objectives: knowledge of rights doubles their chance of achieving a successful outcome.

Disadvantaged young people unaware of basic rights

Separate research into the legal capability of disadvantaged young people reveals a more profound lack of knowledge. Those questioned had little or no knowledge of most basic rights and entitlements; but they also seemed unaware of any system of civil law to which they had recourse.

This lack of legal consciousness severely limits people's ability to deal with law related

problems and it doesn't bode well for those whose business is the law. If people aren't aware of the civil law as something they can use to deal with disputes and to secure formal redress they aren't likely to value the law, or the work of lawyers.

Public legal education seen as new and radical

This situation is the result of a long-term failure to develop the preventive and education aspects of legal services. While preventative medicine and public health campaigns are accepted as an integral part of the health service, public legal education is still seen as a new and radical idea. The price we pay is widespread ignorance and lack of legal capability amongst the public which seriously undermines the rule of law.

The Public Legal Education Network - Plenet - which commissioned both these reports, was established with Ministry of Justice funding following the publication of the influential Pleas Task Force report in 2007. Plenet has undertaken research and generates pilot projects to develop the theory and practice of public legal education.

A new dimension to the work of lawyers

Public legal education requires expertise around learning and the development of skills that goes beyond the legal world. Plenet's initiatives have involved educational organisations like the Citizenship Foundation and NIACE, the National Institute for Adult and Continuing Education, plus organisations



working with young people.

Public legal education adds a new dimension to the work of lawyers and represents an inescapable challenge for the legal profession. Changes will be required to legal policy and professional development to incorporate the knowledge and expertise that public legal education demands. Crucially the profession must put its full weight behind a movement that expects, as a pre-requisite of access to justice, that those to whom the law applies have the basics of legal capability. Public legal education isn't an optional extra but an essential and integral part of the work of legal services.

Public legal education provides people with knowledge and understanding of rights and legal issues, together with the confidence and skills they need to deal with disputes. It helps people recognise when they may need support, to know what sort of advice is available and how to go about getting it. It also equips citizens to anticipate and avoid problems and make better decisions on everyday life issues.