



Alexandria Lowry



Quazim Khan



Ollie Persey



Barbara Likulunga

Legal life changers spread their wings

The first two cohorts of Justice First Fellows have now qualified. **Fiona Bawdon** looks at how are they faring

The Legal Education Foundation (TLEF) launched its Justice First Fellowship scheme in 2014, when the LASPO (Legal Aid, Sentencing & Punishment of Offenders Act 2012) cuts and reductions in local authority grants had started to bite, prompting a virtual collapse in the availability of training contracts in the social welfare law sector. Against this backdrop, the scheme was seen as offering a ray of hope for the sector.

TLEF developed the blueprint for the fellowship after drawing inspiration from similar programmes in America. As well as meeting the cost of each trainee's salary, TLEF grants (averaging around £80,000) also cover all the associated supervision and management costs.

An inevitable question from the outset was what would happen to the fellows after qualification? Would they still have jobs? Or would hard-pressed social welfare law providers be unable to afford to keep them on, once TLEF's funding for the posts had come to an end? Equally, would the fellows jump ship for better paid, less challenging work, once they had qualified?

These are issues that TLEF was alive to from the outset, and has tried to mitigate in various ways. Host organisations have to demonstrate their financial viability to be part of the scheme. All fellows develop a project aimed at increasing access to justice, and which may have the potential to become self-funding by creating new income streams. The

recruitment process focuses on identifying candidates with a strong commitment to social justice.

Four years on, and with over 50 training posts created, and two cohorts of fellows (a total of 18 solicitors) having qualified, it seems a good time to take stock. How is the scheme living up to the hopes of its creators and participants?

The answer seems to be more than anyone could have dared hope. A January 2016 *Guardian* article highlighted how the fellowship is providing a route into the legal profession for people who had all but given up on being able to find a training contract in social welfare law. It was a positive piece, but with a sobering headline: 'Going into legal aid is now career suicide.' It was a quote from one of the fellow's university tutors.

The idea that no one with any sense or ambition would choose social welfare law is precisely the kind of attitude that the fellowship aimed to counter. TLEF chief executive Matthew Smerdon says: 'We wanted to show that legal aid is a rewarding and sustainable career option, and a chance to do really interesting and important work.'

It's a message that many have been eager to hear. From the outset, the scheme has shown that, given the opportunity, some of the brightest, most dynamic and creative would-be lawyers will choose social welfare law. To date, fellows have included Denisa Gannon, who qualified this year at Central England Law Centre. Denisa overcame language

and discrimination barriers to be the first Roma woman solicitor in this country—and hopes one day to be the first Roma judge. In the interim, she plans to set up a social enterprise offering legal advice to Roma and other marginalised groups at affordable rates. The most recent cohort included Ollie Persey (pictured), a trainee barrister fellow at Public Law Project. During his law studies in 2017, Ollie set up the hugely successful 'Rebellious Lawyering' (RebLaw) conference which aims to inspire young lawyers to use the law for social change—an event which sold out within 24 hours and was repeated in 2018.

Of course, ideals and enthusiasm will only get you so far. With the best will in the world, the fellows and their employers haven't been inured to the financial realities blighting the sector. All but a handful of fellows who are now qualified are employed by their fellowship host organisations, but a few posts have, indeed, come to an end after TLEF's funding finished when the fellow qualified. After completing their training, a small number have left to take better paid jobs. One fellow has become a magistrates court legal adviser. A couple have gone into private practice employment firms.

The supervisor of one fellow who turned down their offer of a post-qualification job says: 'When they told us what they were being offered elsewhere, we knew there was no way we could match it. I can't blame them at all. Salary levels are an issue, particularly when people are saddled with so much student debt.'

Smerdon entirely takes the point, but says it goes wider than just the earnings of fellows: 'Salary levels are really important. How do we increase them across the social welfare law sector as a whole? That is one reason why we see our work supporting social welfare agencies to develop alternative sources of income as so important—not just in relation to the fellows but the other work the foundation funds.'

At least one host organisation has had tremendous success in this respect. Thanks in no small part to the project run by its fellow Alexandria Lowry (pictured), the Royal Courts of Justice Advice Bureau secured a £1.1m grant from the government's tampon tax fund to provide legal training to domestic violence outreach workers. On a smaller scale, Barbara Likulunga (pictured), fellow at Avon & Bristol Law Centre, who qualified in this year, won a grant from Matrix Chambers Causes Fund for her project to increase use and awareness of legal expenses insurance.

While the fellowship has given a significant boost to the number of training contracts available since 2014, it obviously hasn't been able to undo the impact of the fall in new entrants in the years preceding its launch.

Ronagh Craddock, fellow at Newcastle-based Ben Hoare Bell (BHB), left the firm after qualifying in January 2018, and is now a regional organiser at the trade union Unison. Her move was triggered when BHB lost its community care contract, which was the area of law that interested her most.

BHB partner Cris McCurley says the firm was sorry to see her go. She adds that the firm had lost its community care contract as it had been unable to recruit a suitably qualified supervisor. BHB is not alone in finding it impossible to recruit solicitors who meet the Legal Aid Agency (LAA) supervisor criteria, without which they cannot take up awarded contracts.

Audrey Ludwig, director of Suffolk Law Centre which launched earlier this year with funding from TLEF, recently wrote an article bemoaning its inability to find a housing supervisor, and how this was jeopardising its hopes of ending Suffolk's housing advice desert. Observers suggest the shortage is because a generation of social welfare lawyers was lost when organisations were unable to keep offering training contracts as unprecedented funding cuts began to bite.

Smerdon says TLEF is aware that

some grantees are struggling to recruit supervisors, and is investigating ways to resolve the issue. A corollary of the fellowship scheme is that it gives TLEF—which has significant resources and an ethos of problem solving—the strongest possible commitment to resolving strategic difficulties affecting the wider profession.

For her part, Ronagh Craddock is positive about her change of career. 'I really enjoyed casework, but also found it frustrating dealing with the same issues again and again and again. What interests me is work that goes beyond the individual,' she says. 'In this role, there is a lot more room to be creative. As a lawyer, you look at a case and have to ask, does it have merit? I still have to do that to some extent now, but it is much more solutions-focused.'

Craddock felt she could make more strategic impact at Unison, which mainly represents low-paid public sector workers, typically cleaners, teaching assistants, carers. Although Craddock is no longer working as a lawyer, she sees her union role as a continuation of her work as a fellow. 'I recently had a sickness case, where someone had been dismissed from his job because his employer argued his level of absence was not something they could work with. I was able to negotiate with them to look at alternatives, to recognise the issues that had led him to become sick, and agree reasonable adjustments that allowed that person to get back to the workplace.'

As a result, the worker avoided becoming unemployed, and having to start claiming benefits. He can still afford his mortgage and maintain a decent standard of living. Being back at work is also likely to help with his mental health issues, which were one of the reasons he was off sick in the first place, she adds. It is an outcome which has obvious parallels with the work of social welfare lawyers, whose timely intervention will also often stop people spiralling into poverty, whether by winning compensation, getting

them their job back or ensuring they claim all the welfare benefits they should be getting.

Craddock adds: 'A huge part of the fellowship scheme is how legal services can be provided differently. That is also really relevant to what I am doing now.' As part of their monthly Unison fee (of £1.30 to £22.50, depending on level of earnings), members receive free legal advice, covering employment, personal injury and work-related criminal defence, without having to worry about means testing or LAA bureaucracy.

Matthew Smerdon says the fact that some fellows will inevitably change course extends the scheme's reach beyond the social welfare law sector. 'We always knew they were going to go in all sorts of directions. We celebrate that, not least because they will be taking on these other roles with first-hand experience of how the law is a tool for solving problems.'

Cross-fertilisation will inevitably happen within the sector, too. Quazim Khan (pictured), who qualified this year, had moved from Sheffield to London to take up a fellowship post at Greenwich Housing Rights. He has now moved back closer to his family home, taking a job at Derbyshire Law Centre, where he will be able to bring the skills he learned during the fellowship to his new post.

One of TLEF's driving beliefs is in the power of the law to bring about social change, but it accepts there is more work to be done in persuading some non-legal organisations of this. 'We want new partnerships and collaborations,' Smerdon says. If some fellows spread their wings into other sectors and different types of organisations, it can only be a positive thing where spreading that message is concerned, he says.

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