



Constitution Committee

Corrected oral evidence: The rule of law

Wednesday 11 June 2025

10.25 am

Watch the meeting

Members present: Lord Strathclyde (The Chair); Lord Anderson of Ipswich; Lord Bellamy; Lord Burnett of Maldon; Lord Foulkes of Cumnock; Lord Griffiths of Burry Port; Baroness Hamwee; Baroness Laing of Elderslie; Lord Waldegrave of North Hill.

Evidence Session No. 7

Heard in Public

Questions 101 - 115

Witnesses

I: Ashley Hodges, Chief Executive, Young Citizens; Daniel Scrase, Trainee Solicitor, BPP University Social Impact Team.

Examination of witnesses

Ashley Hodges and Daniel Scrase.

Q101 The Chair: Welcome to this meeting of the House of Lords Constitution Committee. Today we hear from Ashley Hodges, the chief executive of Young Citizens, and Daniel Scrase, a trainee solicitor and member of BPP University's social impact team. I welcome you both to the committee. As you know, this is an inquiry into the rule of law. We have spoken to many distinguished figures from the world of law and the judiciary but we very much wanted a word from wider parts of the community, to let us know what the implications of the rule of law are for them. Could you start by introducing yourselves and the organisations that you represent?

Ashley Hodges: First, thank you, Chair and the committee, for having us here today. I am Ashley Hodges from Young Citizens. I think we might have to do some branding activities because people have kindly referred to our work as the Citizenship Foundation. As many of you might know, we were founded as the Citizenship Foundation by Lord Andrew Phillips, who was himself a solicitor.

For those not familiar with our work, we are a leading national education charity with a long-standing commitment to equipping young people with the knowledge, skills and confidence to participate in democratic society. As far as is known, we are the largest provider of public legal education for under-18s in the UK. We are active in each of the nations in providing our programmes and school resources. These lessons and resources are used by thousands of state teachers in primary and secondary schools, and are designed around ensuring not only that the principles underpinning the rule of law are understood in theory but, very importantly, that we focus on pedagogy of practice and experience in civic skills and how it applies to everyday life. You might also know us for our work in the magistrate and Bar mock trials—our organisation runs those nationally—as well as programmes such as our legal workshops, which we run with many of the large firms in the UK going in and delivering sessions directly with young people every year. I am sure we will speak more about that.

The Chair: Thank you very much. That is extremely helpful.

Daniel Scrase: I am a trainee solicitor. The social impact team is part of BPP University, which was founded as a training provider for accountants but has developed and is currently owned by TDR Capital. It now provides education in technology, business, healthcare and nursing leadership, and law. Our social impact team has within it the Streetlaw team, providing presentations on things as wide-ranging as Goldilocks trials for kids in primary school through to knife crime and issues with social media for teenagers in secondary school. We differ slightly from Young Citizens in that we provide public legal education to adults, too, in areas such as FGM, consumer rights, constitutional issues, probate and, again, knife crime—areas of law that could be considered “just in time” rather than “just in case”, less public legal education to shore up children

for their future and more because people might need legal advice now. As well as accessing whatever free legal advice they can, they might attend a public legal education presentation. Last year, we had around 100 volunteers providing about 100 hours of PLE, and approximately 1,700 audience members. We work with a wide range of schools and other third sector organisations.

Q102 The Chair: Excellent. Thank you both very much. That was an extremely good introduction, giving us background to this aspect of the inquiry. Thank you for bringing your expertise and knowledge to bear. The next question is for both of you and I do not mind who goes first. You do not both have to answer if you feel the other has done so. Please keep your answers relatively short. Why is public legal education important? Why does it contribute to a culture that upholds the rule of law?

Ashley Hodges: I am happy to go first. We welcome these hearings investigating the issue. As you said yourself, Chair, the rule of law is an increasingly debated and contested issue. It is probably not a surprise to this committee to hear that it is also a very jargonny term. I think most citizens, unless they are educated directly in the law, do not recognise the term, particularly young people. I understand that this is the first hearing to look wholly at public legal education (PLE) so it would be useful to say what we mean by PLE. It has four broad areas: knowledge of rights and responsibilities; understanding of laws and how they are made and enforced; confidence to engage with the legal system; and skills to resolve disputes and seek redress. As Daniel said, legal education can be provided proactively or reactively. From our point of view, we will talk about why it needs to be embedded proactively as a foundation for all young people. It goes beyond schools and community groups. Legal reform initiatives and workshops have to complement that system.

As to how PLE upholds the culture of the rule of law, what Sir Stephen Laws said resonated heavily with us: the rule of law must be a cultural norm. Even more helpfully, I discussed the matter with Lord Alderdice. You might know that he was part of the Northern Ireland peace accord process. He elegantly concluded that the rule of law is not about more rules; it is about a culture of lawfulness. Culture is, obviously, the water that we swim in every day. We have to ask what is in that water. With that in mind, we will give evidence to demonstrate how public legal education is a cornerstone in how you create that culture, in schools and for young people across the country every day, as a foundational set of learning, not least—very importantly for us—starting quite young. This is not something we can launch into at 16 and all of a sudden understand what is actually quite a complex and difficult British constitution and how our courts are made up.

On why it is so important, a few people have already spoken about the negative trends that will probably ring true with you. There is low trust in institutions. Young people particularly feel disengaged and disfranchised. They do not trust political leaders. Institutions receive a lot of cynicism. People are doubtful of how the justice system will treat them. Actually, I do not want to focus on negative reasons around PLE. I hope that the

committee can consider some of the powerful ways that it could help us strengthen the rule of law, especially starting young.

First, the powerful pay-off from strengthening this work would be to make existing support and advice services more effective, so people have the confidence to understand and navigate their rights. Secondly, there would be a culture of engaging with laws and wider institutions, extending some understanding to the complexities in the system instead of some of the reactive cynicism that we tend to see in the media and press. There is also an important ripple effect of PLE for the people around them, their families. Think about how many older relatives might ask a young person to navigate a site or system for them. There is an element of strong public legal education over time—linking back to wider citizenship education, which is where this sits in the UK and in schools—helping to reduce the burden on regulation and the policing of issues. That is because there is more content and nuance in understanding the complexities and core principles of the rule of law, which will, let us be honest, be increasingly complex as we go on in terms of issues that people must navigate. PLE helps prepare the profession. We want a diverse, representative profession, ready to help evolve the society of laws. For that, it is important that people are exposed to it when they are younger.

Finally, when public legal education is done well, it is effective. I can share some evidence. Nearly three in every four of our programme participants said they had a better understanding of the law and how it applies to their lives. Almost two-thirds said their trust in the legal system improved through taking part in our programmes. We have lots of evidence like that, which goes to show why this is so important and cannot be the preserve of people who might be lucky enough to go to a school that covers legal education, or lucky enough to know someone who has information and knowledge about it.

The Chair: We will come in a moment to who should be responsible for promoting public legal education, but who funds your organisation? How does that work?

Ashley Hodges: Around 15 years ago, we were about 80% government or Cabinet Office funded. It is worth saying that, although we were established in 1989, in the noughties our education team helped work on the Crick report and the resulting citizenship curriculum that was, for the first time, made statutory. I was surprised to learn, in contributing to the youth curriculum and assessment review, that a lot of people in the room did not know that citizenship is a statutory item at secondary schools. That is where this all firmly sits. Today, we are funded through a mix. We have subsidised fees for schools to take part in our large and intensive mock trial competitions. We have corporates that run volunteering programmes with us and invest in sponsoring and developing our resources, as well as grants from some very generous foundations such as the Pears Foundation, the Law Society and Bar Council¹.

The Chair: That is very helpful. Daniel, do you want to add anything?

Daniel Scrase: Yes, absolutely. Jumping off from the point that Ashley just made about the change in funding, the importance of public legal education is that it empowers individuals and allows the issues to be upstreamed so you can tackle them at an earlier point. The reason we see this fracturing of society is partly that people face economic pressures that previous generations did not. They respond to that by going, “Well, I don’t want to have anything to do with this”. More than that, the issues of division are mobilised politically and by media to gear people to see more difference. Therefore, when people try to navigate complex personal legal issues, they often do so at a point of crisis and without the necessary skills. A lot of the law is written in a way that requires you to have quite a high level of education and, often, a high level of privilege. Look at the attainment gap in law, for example. A lot of people who come through and are successful are privately educated. Many people from minority backgrounds struggle to enter the profession, for various reasons.

One key thing when we have this divide in society is that PLE provides an opportunity for people going through the journey towards commercial law or other areas to touch base with areas of law that they would not otherwise have contact with—for example, housing law, family law or welfare rights. Young professionals may not have had contact with those areas in their own life, but coming along and doing a Streetlaw presentation on an area can help build up an understanding of the various facets of society.

Q103 **Lord Foulkes of Cumnock:** I want to go back to something you said in your introduction, Ashley. You said you are active in all four nations of the United Kingdom. Because England is so large, a lot of the evidence we get relates to England. How active are you particularly in Scotland and Northern Ireland, where there are different legal systems? Can you draw our attention to good examples in other parts of the United Kingdom?

Ashley Hodges: To start with Scotland, we are active there. We work with the Faculty of Advocates particularly, which runs an effective mock trials programme in that area. There is a lot of support. One of our ambassadors is Judge Rita Rae, who is based there. We do a lot of work with, for example, CMS, a corporate law firm based there. For COP 26, we were sponsored by and worked with that law firm on how regulation affects the climate. Our job is to make that attractive to teenagers and, for every single nation, we roll out free resources for teachers to cover the subject. We obviously work to adjust it for Scottish schools and students, so those are universally applied. At the level of things like mock trials, it is more sophisticated, to apply to that legal system. As I said, our resources are meant to be adjustable for teachers. They are freely available on our website, for primary and secondary schools and colleges up to 18. That is happening in Scotland, although we want to do more as

¹ Young Citizens subsequently confirmed that 3% of their current funding is provided by HMCTS.

there are more firms and opportunities there. It came up in our consultation that there is a different legacy of this kind of civic teaching embedded in Scottish schools. There is an opportunity there.

Lord Foulkes of Cumnock: Do you have an office in Scotland or covering Scotland?

Ashley Hodges: We do not. Our offices are in London, but we have volunteer networks and work across the UK in that way, as well as through our great partners like the Faculty of Advocates. The same goes for Northern Ireland and the Bar Library there. One of our trustees, Niall Hunt KC, is based there. We work with offices based there like Allen & Overy, now A&O Shearman, running similar programmes. Importantly, we work with them to reach young people who do not have the opportunities. That is very big for us: the focus on state schools and communities where we know there is low civic trust and participation. That is a hallmark of what we do.

To clarify something from the previous question, today and for the last eight years or so, we receive no government funding. It is entirely funded elsewhere.

Q104 **Baroness Hamwee:** Specifically on Young Citizens and the very youngest of them, the House of Lords runs a big education programme and it is always good fun talking to primary-age children. They come up with the most extraordinary questions. I wonder how much they see things in context and how much they retain. What is your experience with primary-age children and how much reinforcement do you need to do with children of all ages as they get older?

Ashley Hodges: That is a good point. There is sometimes an assumption that, with very young children, these can be complex, difficult and not nice issues to discuss. We are specialists in citizenship education with primary schools, particularly in how you teach the law. Some of you will have seen the Big Legal Lesson, for example, which we circulated. We run that as a campaign. It is very much for key stage 1 and 2, younger children, the under-10s. As any teacher knows, you have to scaffold learning. It goes back to the point that the values, principles and aptitudes you develop as a young person start very early. Research shows that how you think about yourself and what you are entitled to and the culture around you starts at a very young age. That is the reason we start with young people on some of the basic concepts. What is a rule? Who makes the rules and laws? Why do they get to decide? How does that engage with your life? One good example where this resonates—we hear it resonating—is in our pack on mediation. Teachers get young people together to overcome difficult issues. They see, playing out in the classroom, how to navigate those things.

One of your previous witnesses said that some people never come into contact with the law. I saw that and thought, "I think you might mean courts". We all come into contact with the law, every day. One simple activity we have for primary and secondary schools is to map your day

from start to finish: getting to school, wearing your uniform, taking part in a sport, eating chips after school. We then ask, "At what point did the law or a regulation come into your day?" They find out that, obviously, the law is doing a lot in the background. That sets up the premise for when, eventually, you want to discuss whether we stay in human rights accords or set up new policies around whether young people should be able to vote at 16. They need to understand those principles and how they work.

Baroness Hamwee: How much do you have to reinforce it? Do you go back to the same groups?

Ashley Hodges: Yes. Right now, it is not required that primary schools teach any of this. We heavily advocate it. I am sure you will look at the curriculum and assessment review, where there is an opportunity. This should be taught and reinforced, with structure and scaffold. Existing resources, such as ours, can support teachers in doing it at different key periods and throughout young adult life as well. It has to start early and then continue.

Lord Griffiths of Burry Port: I am so impressed by this. The nod of a head will answer my question. George raised the question of Scotland and Northern Ireland. Two Welsh colleagues are absent today so I am the sole flag bearer for Wales, which has a rather different problem from Scotland and Northern Ireland because it is often thought to be an addendum to England. Interest fades the further west you go. I would just like a nod of the head that says, "We know about that and it's all right".

Daniel Scrase: I am from Bangor and a trustee of the charity North Wales Community Law, set up about two years ago to provide housing advice. We got a grant about two months ago from the Welsh Government and, I think, Comic Relief, to provide community engagement and public legal education in community centres and libraries in certain areas of North Wales.

Lord Griffiths of Burry Port: I will sleep sound in my bed tonight. I want to be part of one of those exercises. I see myself as Snippet the Hedgehog picking up all the bits and pieces.

Ashley Hodges: To reassure you, this goes to the point of why it is so important. We work, for example, with the Magistrates' Association and its Magistrates in the Community initiative, which runs the magistrate mock trials in Wales—in Cardiff, et cetera. That is important because those are professionals who bring their expertise of that system. We are a translator and convenor to allow for that, but they need to bring that expertise locally.

Q105 **Lord Bellamy:** Moving on from that very helpful introduction, in general terms where do you think are the biggest gaps or areas of misinformation in our understanding of the legal system? What causes them? As the Constitution Committee, we are very interested in how far the general,

essential principles of the constitution are understood: no arbitrary power, independent courts, and the Government subject to the law. We would be glad to hear your views.

Ashley Hodges: On gaps in knowledge, we monitor our young people and one of our surveys over the years said, broadly, that one in four young people never learn about the law in school.² Of those who do, they do not think it is relevant to their real life. This not only means that young people are not getting the basics of the justice system, the constitution and how it works—

Lord Bellamy: They are not getting the basics.

Ashley Hodges: No. I urge you to look at the inquiry into citizenship and civic engagement where we provide ample evidence as to whether schools do or do not, and broadly do not, have the ability to provide that. I can talk more about why that is. The point is about where it is delivered and the complex skills you need: oracy, advocacy and analysing the principles and information behind decisions. Individual teachers pursue that despite the education system. Broadly, young people do not understand the constitution or its wider principles. We see, through the lack of awareness of just how robust and purposeful our legal system is, that that undermines the rule of law. Obviously, as I said, our personal values are shaped at a very young age. That will set up young people to understand later on, "Why am I being stopped and asked a question?", or, "Why are my landlords able to do this?" It is very important. How can we expect them to be switched on and learning about the nature of the constitution if those basic principles have not been set out at a young age? How can they seek legal advice if they do not understand that they have a legal issue or understand their entitlement? I do not think that most young people have that complex understanding and language. It goes into adulthood: 63% of adults do not feel confident in their knowledge of rights and responsibilities.

I can give two examples where we know PLE has an impact. With our corporate law firms and the legal workshops we run, sometimes on issues such as human rights and the specific case studies they work through, much of it is about them engaging with those concepts with a real legal professional, as well as the legal content of the professionals themselves, to build up their understanding and ability to engage with the system. In the south-west in 2023, we ran a programme called Court in Action, where 11 young people aged 16 were able to engage with the entire legal process, and see behind the curtain, as it were. Interestingly, in our reflections one student said to us, "Before the court visit I had a slight doubt that there could be corruption, but after visiting I think it's quite clear that everyone follows a very strict protocol". One piece that came back generally was that they could not at first believe, but then were confident in, the fact that these were not arbitrary decisions or opinions of individuals; they were complex and layered at every stage of the

² The witness clarifies later in the transcript that one in four young people do learn about the law in school. 75% of students do not.

process. Obviously, that is really important if you want people to understand how we uphold a constitution that is not written down and how it applies to their life. I hope that helps. Daniel can maybe speak about the non-schooling side.

Daniel Scrase: Absolutely. Given what is happening in California at the moment, it is particularly relevant to discuss immigration. I spent most of yesterday shadowing immigration tribunal judges. Knowing that I was coming here today, I discussed with them the average person in the street's level of understanding of immigration rules and the recent trend by politicians and certain media organisations to publish the names of judges in immigration tribunals. If you lack contact with the law—or, more accurately, lack a perception of contact—there is a tendency or a risk when you come across these complex areas that if someone receives a criminal sentence that is far less or far longer than you think they deserve, you will not understand why that is. When people look at their relationship with the police and the findings around racism and sexism, there is a lack of belief in the police as a force for good. Obviously, they inevitably are, but for the disenfranchised youth who then become working members of our community, that is incredibly difficult to see. When you must live paycheck to paycheck and you see the law as something for the rich, and as something done to you rather than a tool for your betterment and for society, to bring better outcomes to your family and community, it is inevitable that we see a kind of switching off from buying into greater society and the rule of law.

Q106 **Lord Waldegrave of North Hill:** I am sure you keep an eye on what happens on social media. In some other important areas of national life, such as gender roles for young men, there have been some very powerful malign actors on social media. Are there good and bad? Have you felt yourselves struggling with some of the influencers? Are there influencers in your area that you pay attention to?

Daniel Scrase: It is a dangerous world out there. It is increasingly risky because of the advent of AI. The degree of trust which people put into the media and the information they consume is patchwork. There is not the sense of authority that you maybe grew up with 30 or 40 years ago. I am 36. In my early teens, the avenue of switching from dial-up to broadband happened. At that time, there was a low level of citizenship education—this is no reflection on Young Citizens; I am sure they were doing wonderful things elsewhere in the country. In Bangor, I remember having two PSE lessons that covered citizenship. The first that I found out about the law was watching sixth-formers with very big books, thinking, “Oh God, that looks scary”.

Going back to the rise of social media and particularly messages around gender and the role of young men, it is easy to deliver a simple message to young men who have seen a breakdown in traditional family roles and are questioning what it means to be a young man in 2025: “If I’m no longer expected to be the breadwinner, where do I sit in this?” Carrying across to them the more complex and positive messages becomes really difficult. Our media have this issue where they promote division, hate and

anger more than they naturally promote peace, love and understanding. That is unfortunately what seems to sell best.

Ashley Hodges: I think the reason this resonates with us goes back to broader citizenship, which is code for civic education and literacy. That is so important. This point does not come up often, but if you are thinking about the future of regulation and the tough questions we have to ask ourselves about some of the issues that have been brought up—about policing, messaging and information, who and what is right—that is why we need to work with young people and teachers actively. They must be confident to be able to work through issues where sometimes it is not about right and wrong. Sometimes it is, but it can also be highly nuanced and contextual. As you say, things are fractured. Going back to the political logic of the 20th century, we used to have here just one or two news channels. It was easy to control the message through them, or dictate it through one or two broadsheets. That does not exist any more, so how do you not shut down thinking? How do you make sure that you can have a free market? You do it by helping people have the skills to navigate that complexity, and the social contract—the rule of law—that allows them to work through the issues that we will not agree on, that we decide are not part of our principles. That is not happening. We often hear this in schools. I do not have the quotation in front of me but Lord Blunkett said at one of the citizenship events at the House of Lords last week something about the exposure, the sheer number of young people who had heard of and engaged directly with Andrew Tate content—I hate using that name in this forum but that is what it was—but had not engaged with any citizenship or political education elsewhere.

You asked who are the influencers in our space. I think there are people advocating political literacy and holding power to account. That usually comes from journalists, people who support alternative journalism, and ourselves. It is not necessarily from fashionable people who go viral online, but it may be a bit of a red herring to go down that route. You can get some of this stuff right in the everyday infrastructure of education.

Q107 **Baroness Laing of Elderslie:** There seems to be a general perception that not enough is being done to educate young people in these matters, but actually, you gave a very good statistic a moment ago. Let me put it the other way round: 75% of young people are being quite well educated in these matters. Is that about right? You said one in four is not, but that means that three in four are.

Ashley Hodges: Only one in four is learning about the law.

Baroness Laing of Elderslie: I am sorry; I thought you said one in four was not.

Ashley Hodges: Sorry, I might have misstated that. Unfortunately, most young people are not learning about politics or the law, unless they go on to a law A-level, which is not that common.

Baroness Laing of Elderslie: I am sorry to have misheard and so glad

that we clarified that. In my personal experience of being involved in many schools in what was my constituency, I was impressed by the amount of education done, but that is anecdotal, not statistical. Luckily, there are some very good schools there. My point is that the Constitution Society told me at a meeting a couple of weeks ago that it is really concerned that not enough is being done. It has said that the “overcrowded Personal, Social and Health Education ... curriculum leaves insufficient time for systematic teaching of Citizenship national curriculum content”. It would be interesting to know what you think, but I suggest that the really worrying thing is that the Law Society criticised the Government’s current curriculum and assessment review for not actually concentrating on citizenship education. Have you come across either of those things? Clearly, you are trying to fill that gap. What positive action can we take to help fill it?

Ashley Hodges: First, we liaised with the Constitution Society when submitting our own curriculum and assessment review submission, as well as the Law Society, which is, I think, the longest-serving supporter of our work. They are both absolutely right on the issue as it stands. We have made three recommendations about what can be done. I sat in on panels with Dr Becky Francis’s team on the point about evolution not revolution. Teacher training and confidence keep coming up, but are considered outside the scope of this review.

Baroness Laing of Elderslie: Who considers it out of scope?

Ashley Hodges: The DfE, in setting the scope for Dr Becky Francis. Bridget Phillipson’s team says that teacher training is out of scope for the curriculum and assessment review. But, as I think you will see as they continue to deliver their reports, it keeps coming up as an issue. One of our teacher trainers at the University of Reading, who works with PGCEs, says they spend no more than two hours on RE, PSHE and citizenship when they teach trainee teachers.

A problem we have with PSHE, which, as most of you know, is personal, social, health and economic education, is that it is very much about the person, which is not the same as learning about your systems. It is the point about the difference between what drugs do to your body versus how they work in society and what they might do to your community. I often have conversations with teachers who do not know the difference. While you might see some great things happening, if we are talking about how you learn these concepts and have them stick with you, evidence from the Association of Citizenship Teaching shows that you need a distinct, scaffolded and well-structured revisit of citizenship learning, which is political and citizenship literacy.

We have recommendations. There are opportunities with the curriculum review that this committee could support. One is the fact that in the review they talk about making sure that the national curriculum is enforceable. We know through academisation that that is not the case. There is a big focus on the EBacc, which covers maths, science, English and other languages. Citizenship and the law do not fall into that. A

school considered high performing that wants to be recognised in league tables will often incentivise those subjects and not the others. There is also the need to start it at primary school. That is an opportunity. As you said, we are not trying to deliver the curriculum. We are trying to help the existing curriculum that is already out there be delivered well, making sure that it engages professional institutions so that it is accurate, expert, dynamic and based on real life. We should be doing that more than basic citizenship education for teachers.

Baroness Laing of Elderslie: That is very helpful. To ensure that I am absolutely clear about this, we are talking about not only young people doing A-levels or GCSEs but primary schools. From my own experience, it is amazing how good nine year-olds can be in taking in these subjects, which they do in their simplest form. Then, we hope, it is there for ever. Do you make any distinction, in your observations, between what is going on in secondary and primary schools?

Ashley Hodges: Daniel, do you want to speak more about this? I have said so much about schools already.

Daniel Scrase: That is okay. I think they are vastly different. In primary, you are more focused towards creating the foundation. Inevitably, you hope that most primary school-age children have more secure lives. As Ashley illustrated, they touch on the law quite a lot but not necessarily in as sharp a way as, for example, employment rights or interactions with the police. In secondary education, it transitions.

I want to highlight one thing particularly. We have focused a lot on the curriculum. Yes, that is valuable and important, but the reality is that, going into schools, we know how under pressure teachers are. They must become experts in many different areas, which they may not have studied formally at all. There is a place, as long as it is appropriately funded, for public legal education to be delivered by organisations such as law centres or experts in the community who understand the downstream effects of a lack of public legal education. They understand what happens if you do not give people the skills and knowledge in primary and secondary schools. They have the expertise and motivation but not the funding. We are in a position where many of the free legal advice clinics are effectively firefighting. They surf an unsteady sea of short-term funding where people are employed for two to three years and then, during that course of time, are expected to secure further funding. There is some government funding but, as Young Citizens highlighted, it is not what it once was. Avenues could be explored to ensure that it becomes less a patchwork and more a blanket of high-quality public legal education across the four nations.

Q108 **Lord Burnett of Maldon:** Following the points you just raised, Daniel, when I was in office, we in the judiciary developed our own materials, which were provided to schools. Literally hundreds of judges visit schools all the time. I did so frequently. The prospect of a hundred 15 year-olds was the scariest I ever encountered.

Daniel Scrase: I can believe it.

Lord Burnett of Maldon: I am interested in exploring what you both feel is the broad content and understanding required at different stages. Obviously, Lord Griffiths wants to be Snippet the Hedgehog—as I think most of us do—but for primary schoolchildren, presumably it is a very high-level understanding of the way laws are made and enforced. I take from the answers you have given that, as one moves through to secondary schools and pupils doing GCSEs and then A-levels, you have in mind something much more content-driven. In other words, 15, 16 and 17 year-olds should be taught the substance of the law. I would have thought that that is quite a big ask. How realistic is it in the context of a busy timetable and pressures on the curriculum, as Lady Laing adverted to? Could you explain a bit more about what you see at each level through education?

Daniel Scrase: You are right. For primary schools, one of the key Streetlaw presentations we deliver is the Goldilocks trial. I will not go into too much detail but, as you can imagine, it is Goldilocks on trial for her crimes, with the three bears. That teaches the broad principles of how law is considered, the concept of a jury, guilt and the burden of proof. I understand the fear that, as you get into areas like current knife crime, it seems very complex, difficult and potentially quite emotive. The reality is that if you do not skill up teenagers, they will have to face that alone.

Our social media presentation, for example, focused on the impact of harassment or of creating deepfakes. Over the past two years, we have seen a huge rise in GenAI. Even previous to that, it was relatively easy to edit images, but I have now seen images on TikTok in the last few weeks that basically look real. You can tell that they are parodies because of the content, but I think we are looking at a position within the next year or so where teenagers will have access to generative artificial intelligence technology that allows them to create deepfakes of their classmates and various people in their lives. Unless you come along and say, “Hey, this is quite a complex area and the law itself is quite uncertain here, so tread carefully”, you under-serve children. You will likely end up with large numbers of children who are not necessarily intentionally malicious. They are not going out of their way to get criminal records. They are quite normal children in sometimes quite vulnerable positions. But the ease of access to technology and a lack of understanding of the long-term impact of the use or misuse of that technology can head people in a quite devastating direction for the next 15 or 20 years of their life. I think that we, as a society, look at this and go, “Ooh, I’m not sure about that”, because many of the people making the decisions about what to fund and how to deal with these complex issues are people who remember an era before computers or when the internet was not as all-pervasive as it has become.

Ashley Hodges: To pick up on the point about whether it is realistic, and phasing it and how we fit it in, it goes back to what a few Members mentioned. They have seen in their own schools some great public legal

education or engagement with citizenship. That goes back to what its role is and how you fit it in. First, if it is shown to be important across government, the public sector and public leaders, it helps and incentivises schools to do it. Even within the funding and structures that they have, they have tried to do it. There is a huge opportunity in primary schools. I think they often do it fitted under things like personal development or, spiritual, social, moral and cultural learning—SSMC—which they are graded on through Ofsted. If you are a C of E school, you do it through something called courageous advocacy. They want to do it, but they do not do it as part of the curriculum. Going back to why it is so important, I have worked in state education for 15 years across the UK, from Powys up to Dundee and to Wakefield. I can tell you that the schools that do this will often be the most able. They struggle the least with things like absences or transient parents and communities. They are often those that do it most, do it most consistently and best.

On what we can do, first there is an incentivisation role to play. Then, going back to whether it is realistic, I agree that there are some obviously very dense issues and topics and it is a rapidly changing area. That goes to organisations like ours saying that perhaps we could focus more on the work we do with big tech such as Google, talking about what is happening in AI. They have machine-learning experts and engineers, but they are not experts on how you take the ethics of that into the classroom with young people. We are. How do you set up a workshop where you can talk to young people about these issues? We could be doing more of that and less of the basics, and making sure that teachers have room to teach the curriculum that is already there. I would say that it is less about what is realistic, because there are resources. They are very well studied. We used to be a huge influence in the EU as well in the pedagogy around this teaching. That has obviously been broken up a bit now, but we were world-leading in that area for a while. We can be again. It is about not what is realistic but what is needed. Daniel's cases point to why we were very pleased that the Constitution Committee could help wave that flag. It is not just for the DfE, DCMS or anyone else to decide.

Q109 Lord Burnett of Maldon: Is your sense that schools are getting better at this, at the different levels of primary and secondary school, or are you struggling to make an impact and things are getting worse?

Ashley Hodges: That we used to be government-supported and funded, and used to be in more schools, points to the fact that schools struggle with this. If you speak to a classroom teacher today, they struggle with how to fit it in. The other thing that has happened is the politicisation of basic learning and the fear, "What if my student brings up Gaza? What do I do about that?" What if a teacher gets a complaint from a parent? It is not all schools. There was an interesting piece of research by Dr Ali Body on philanthropically and civically active schools. The schools that did it better, with confidence, were the ones with the most experienced teachers. The other issue we have in the education system is turnover of teachers. They are leaving the profession, so you probably do not have

the 20 years of, "I am going to talk about this because it's important, and it is about courageous advocacy or how we work as a society". That is very relevant to share. It is very much under threat. We see that every day in what is happening in the wider ether.

Daniel Scrase: BPP is a bit of an odd one because it is a private company. In the higher education sector, it stands out as having a very different financial model and outcomes. It has really good impacts. Its social impact team has grown massively over the last 10 years and is having a fantastic effect in primary schools. Young Citizens has fantastic expertise but, over the last 15 years, has faced the sea of third sector funding in a very different way. Although, when they are there, they are able to deliver incredible impact, they, and the third sector generally, need better and more consistent government funding.

Lord Waldegrave of North Hill: I want to reinforce the point Daniel made on deepfakes. Some of the issues that directly affect children are quite complicated but vital for them to understand. With sexting, you have to explain to a child that it is illegal; it is publication. Then you have the problem that different social services or police forces respond very differently to that. If children are not given some guidance through that maze, they will end up, potentially, with a criminal record which is very serious.

Daniel Scrase: You see it already in people of my generation and maybe a bit younger than me. They are not necessarily navigating technology in the same way, but it is about understanding of consent and relationships. I will not say his name, but there are proponents of a very patriarchal, misogynistic society.

Lord Waldegrave of North Hill: We know who we are talking about.

Daniel Scrase: Yes, we do—he who must not be named. One of the realities is that we have a society that values physical power and idolises consumerism. When you add to the mix very complex technologies and children who may or may not have access to legal education, they are left in quite a vulnerable position. They end up, effectively, demonised and their lives are significantly affected. You almost certainly watched the Netflix documentary "Adolescence"; if you have not, go home at some point today and watch it. It is very good.

Ashley Hodges: I am clearly not unaware that I am a charity leader and someone who works as an educationalist in democracy work. The point is: why would someone do that in the first place? A lack of any sense of accountability in how we treat others is something that starts so much earlier than knowing at the point you say, "Don't do that, it's illegal and you'll have a criminal record". It goes back to the scaffolding. Why would they do it in the first place if the rule of law was really part of our culture?

Q110 **Lord Anderson of Ipswich:** I declare an interest as the interim Prevent commissioner. I hope you will forgive a specialised question but I was

interested, Ashley, in what you said about Gaza. One often hears from people involved in education that the Prevent duty exercises a chilling effect on freedom of discussion and freedom of expression in schools. Other people deny that. The two of you have had so much exposure to different schools over the years that you are good people to ask about this. Does the Prevent duty inhibit teachers or children in schools from discussing citizenship-related, politics-related or law-related issues? Or does it not really feature?

Ashley Hodges: That is a good point. I remember when Prevent was rolled out, and the fundamental British values initiative which I think had an adverse effect, unfortunately. First, our schools do a lot. There are a lot of fantastic educators taking this on, having the conversations and trying to bring it forward. I cannot speak for every school in every location, but we know that teachers with less experience or in schools with other stresses do not get the time, which could be the time to teach, look up content, engage with resources like ours, or get CPD to do it; or they are not given permission, as it were, to have those conversations.

With Prevent, yes, you hear stories about whether someone needs to be suspicious of how they have conversations and what they need to report or not report. I go back to the point about general teacher confidence and being able to do what they do best: unpick difficult intellectual issues. They are not being given space to do that. It does not help if there is a system that also says, "We expect you to police these factors", and that is being put into the wider ether by their peers and, possibly, the administration around them. There is absolutely an effect from that. There is evidence that citizenship teachers find what are called complex and difficult issues tricky. They often need structured resources like ours on how to talk about those things in a useful way and not get into the weeds.

Lord Anderson of Ipswich: Thank you. Daniel, is there anything you would like to add?

Daniel Scrase: No.

Q111 **The Chair:** What role do you see the media or courts playing in public legal education, particularly in translating judgments of courts in the period of the initial communications?

Daniel Scrase: When I began my legal education and first needed to read judgments, the vast majority, even though they were written in the last five or 10 years, were written in very complex language. I have an undergrad degree and a reasonably well-educated, nice middle-class background. The more complex and difficult judgments, such as recently in the Scotland case with the Supreme Court trans ruling, or the "Enemy of the people" headline and the Prorogation of Parliament, can naturally get sensitive, emotive reactions across society. They are things people interact with knowingly in many ways, whenever they are in a public area. There is a duty on the media and the Government to deliver an understanding of judgments in a way that accurately reflects what was

said, and some of the complexity of the judgment. No one expects a newspaper, media organisation or politician to be able to navigate a 400-page judgment and explain exactly what it says, but a great deal of work has been done by the judiciary to simplify the language of its judgments and make them more accessible. When you see a misunderstanding or a different angle that could be taken on a judgment, or a judgment that is completely taken out of context and used for another reason, it is quite often because the organisation or individual behind that message is delivering it for a particular aim rather than necessarily because they have misunderstood the law or because the law is complex.

Lord Foulkes of Cumnock: That is an important point and it is getting worse. It is not just misunderstanding the judgment. Take one recent judgment, the Lucy Connolly example. A lot of people have been tweeting about that, or writing in newspapers, saying that Lucy Connolly was sent to prison just for posting a tweet, and on the other hand there is this person who did something dreadful and did not go to prison. Instead of saying, and understanding, that each judgment was made by the judge, they blame the Prime Minister. How can we stop them doing that?

Lord Waldegrave of North Hill: That is a good question.

Daniel Scrase: It goes to the fact that we do not have widespread public legal education. You are lucky if you access it. It goes back to Lady Hamwee's point that it may have an impact at the time but does it have one down the line? We can embed it in the curriculum and make sure that there are good links with local advice organisations and firms to allow someone to go on a citizenship journey and be actively prepared for adult life. Then when they see something about so-and-so sentence—normally through a police Twitter account or their local Facebook community group—they are able to understand the reasons why.

Lord Foulkes of Cumnock: But journalists, who ought to understand the position, misconstrue it. We have politicians, let us say principally from a party not represented in the House of Lords—I will not go into too much detail about which, but you can guess—who deliberately misrepresent it to make political points. That really is mischievous and dangerous, is it not?

Lord Griffiths of Burry Port: Is that not just one side of the point I was pursuing a moment ago? I am a preacher. If I preach the parable of the good Samaritan at Gray's Inn, as I have, there is a different construction and approach in getting one's points across from when I am preaching at a Boys' Brigade parade service. In other words, exactly the same basic principles underline both acts of communication but they are aimed at different audiences and need to be presented in different ways. It is that nuanced, interpretative way of approaching raw material that we lack, it seems to me.

Daniel Scrase: Yes.

Lord Bellamy: I want to come back to your comment on the Equality Act

and the misunderstanding of the judgment. As you probably saw, judges of the Supreme Court gave evidence to us the other day. It is perfectly apparent that the court had gone to great lengths to explain the judgment, even including a soundbite in its press release, with a summary and a carefully worded explanation. Even so, having done all that, you are saying that the result is still distorted out there. Lord Sumption in particular suggested that we cannot expect the press, who are private organisations, to do this job. Who is to do it? Who is to explain all these judgments? I think you are saying that if the public had a better understanding of the legal system in general, they would at least be better equipped to assess for themselves whether they are being told things that are misrepresented.

Ashley Hodges: Yes, I think we both agree heavily on that. Your witnesses from the media have already established that it is a different context. Their reason for bringing out a headline that might be a bit incendiary or anything else is to get clicks or to sell papers or get views.

Lord Bellamy: They want to sell papers. They are desperate to sell papers.

Ashley Hodges: You cannot expect them to do the full job. That does not mean that there is not good journalism behind it, even in the case you mentioned. Actually, it was widely praised just how carefully that judgment was written and tried to be portrayed. People were still upset by it sometimes, not necessarily because of misunderstanding but because of not knowing where it came from, or what it was going to do to their lives. If, on top of that, they are reading about it in a paper or hearing about it from a relative, it goes back to the context. It is about civic literacy upheld by public legal education—all the concepts that you cannot just dive into one day when you are 17, or 27 or 77, and expect people to understand.

Lord Bellamy: They have to know the broader context, effectively.

Ashley Hodges: There are two points worth making. One of the great things you probably learn and that we are seeing is that young people are going out and trying to get informed. They told us that. They do it through social media or through second-hand sources where they do not feel as much judgment and where they can be a bit more anonymous, but that leads to misinformation. They are obviously subject to major algorithms. The other point is that we are in an ecosystem where people feel pressure to have an opinion. Are you affected by this judgment, does it actually matter, or are you just trying to have a view and go out there, and you are being pressured by your peers or those around you to push it out there? Without nuance, we will continue to see that ecosystem feed off those issues.

The Chair: Lord Griffiths has a very good question on technology and AI.

Q112 **Lord Griffiths of Burry Port:** I asked him to set that up. Ample reference has been made to the place of technology through social

media, and indeed AI and its uses, in the conversations thus far. This is the first part of a two-part question. Before I sat on this committee, I sat on the Communications and Digital Committee, and we did a report on digital exclusion. We came rapidly to see how significant parts of our population are excluded, even as more and more expectation and demands on their use of technology are put their way, with banks closing and people not accepting cash and all that kind of stuff. Exclusion is one thing. We also discovered in that committee that we should not assume that a younger generation knows all about technology. They know about the technology in so far as the uses they require from it are concerned, but in terms of using it as a tool for general problem solving, they are just as ignorant as people like me. That is the first aspect.

The second aspect is this. Our final report was on large language models and the prospect of generative AI and all the rest of it. We were under great pressure in the committee to look not at the negative side of AI, but at its positive side in boosting trade, commerce, growth and all those kinds of things, which is fair enough, but not by ignoring, surely, the negatives that might emanate. By the way—a complete aside—everybody knew that BPP uses it all the time. I did not have a clue. Since I am Lord Griffiths of Burry Port, I had a feeling it was the Burry Port private university, and I had not heard of it. I now know it is—

Daniel Scrase: Brierley Price Prior.

Lord Griffiths of Burry Port: Yes. There is a “Price” in it, and that is a good Welsh name. The other side of AI that worries me, too, are its limitations. You can come with a problem and use the technology to help you navigate your way through the problem, but the problem may just be a presenting problem that hides a number of more complicated problems that are also part of your story, and the machine cannot deal with that, nor even understand that that might be the case. In other words, what trust can we really put in AI if all it can deal with is something that is factual in a particular kind of way, narrowly defined and clear for the machine? Nuance, sense of humour, emotion and all those things are beyond, surely, even generative AI. I would multiply you two by about 1,000 and put you all over the place, and then we would have no questions to ask at all. We must not only see AI as a tool. We must see it as a threat, must we not?

Daniel Scrase: If I can go to your previous point on digital exclusion, I used to work for a charity called Royal Voluntary Service, and we set up a digital exclusion service for older people. We quite often found that the relationship with technology that people in their 70s and 80s have is quite similar to the relationship that people in their 10s and teens have with it; they are purpose-led consumers. They are people who engage with technology in a relatively unskilled way, with a lack of understanding of the risks, a lack of understanding of the wider impact on community and society, and a lack of access to reliable formal training or education in being able to navigate those risks. We think about people in their 70s or 80s being susceptible to hacking or scams because they are defended by Google or Facebook or whoever else, but ultimately, they themselves

do not have enough understanding of the technology to be able to navigate it as an individual. Teenagers or university students are quite often told, "You have this huge pressure to do this essay. Well, don't worry about it. ChatGPT can do it for you", and then they come a cropper in academic misconduct and so on. It goes back to public legal education, because it is whether your community, your society or your school prepares you as an active citizen versus a passive consumer. Does society want you to pay and continue to pay throughout your lifetime for various products and services, or does it want to empower you to engage with these issues in a meaningful way?

If I can come briefly to your final point about whether it will have a positive impact on society in the long term, it is quite telling that in most of the conversations that we have about AI and technology the question of ethics is very rarely the first question that is asked. It is normally the second-to-last or last question on an agenda. We see how rapidly it is developing. In actual fact, if legal education and the use of AI in legal education and the use of AI in access to justice and legal advice was appropriately funded and there was enough expert human oversight, it would be a game-changer. If you have a problem with a parking ticket or a problem with a tenancy and you need complex advice, and you have lots of money, it ceases to become an issue. If you are poor, you struggle to get that advice because law centres and Citizens Advice are so overwhelmed. If you had an AI bot or something that could understand those issues, it would allow you to access law in a way that you could not otherwise. The issue is that all these technologies are being developed and designed by large multinationals that are geared towards profit, and therefore their motivation ultimately is not the societal human impact. That is an afterthought. The first thought is, "How do we make sure that people keep paying?"

Q113 Baroness Hamwee: I imagine, Daniel, that you must come into contact with people who work in law centres, and people who have been their clients for housing and criminal things and so on. Do you suspect that people who work in law centres are themselves going to technology uncritically?

Daniel Scrase: I would not say uncritically; I would say less critically. In most of the conversations that I have had with people in law centres and other such organisations, there is a degree of fear. It is the big door in the room with a big curtain over it, and there lies the devil. The reality is that most people look at these situations and they think about the client they have in front of them or the hundreds of clients behind them. They do not necessarily think about the way that AI could allow their work to become easier. I am sure people would not be quite so open. We saw the recent case of a barrister who was hauled before the Bar Standards Board for coming up with a case that did not exist. Cases like that are, hopefully, few and far between, because most people have the common sense to understand the limitations.

Where the issue really lies is in organisations that have limited public funding and limited third sector funding. They are not able to afford the

licences from Microsoft and other organisations that allow client data to remain within their servers. BPP has a licence with Microsoft and its Copilot, which means that anything you put in there remains in that system and, therefore, that your compliance with GDPR and all the data protection legislation is absolutely fine. If you are in a law centre and you say, "What AI tool do we have?" "Well, we don't have one", do you want to pay £20 a month for ChatGPT? If you stick client data in there, where is it going? Have you broken the law in doing that? AI creates disparity. In the arms race for access to justice, it is at risk of creating a two-tier society.

Q114 Lord Bellamy: You said a moment ago, Daniel, that AI had a great future, subject to enough expert human oversight. Is that not the great Achilles heel of the problem? You need expert human oversight for it to be reliable and effective.

Ashley Hodges: We were very interested to get this question and see the point about technology and how it weighs in. We are coming at it from the point of view that technology can be a great equaliser in some ways, but, as you say, it will not be always. Over the years, when people say, "Can you make it an app? Could you just make it a website? Could you do this?", one of the things I say is that technology is a tool, not a solution. It goes back to this House and others in this space. If we just let it happen to us versus choosing the policies and principles we are going to apply to it, I fear to say, Lord Griffiths, that AI can bring on intonations. It can mimic comedy and art, and it is getting closer and closer to that. The whole point is that we need to teach people, and we need to prize the fact that we teach people how to use a tool and what goes around it. I have the analogy of whether you use a digger or a whisk. You would not use a digger to whip cream, and you would not use a whisk to dig a moat. It goes back to the tool and the appropriate usage of that tool. We need to teach that in itself as a principle.

The other part is that even if it provided the most perfect legal information and, as you say, took the burden off all the accuracy elements, people are not logical. People are people. In the legal system and the rule of law and the social contract, you need to be able to engage with people and how quickly things might change. It is not that you could not theoretically come up with a great way to deal with a legal issue or find out how to deal with a court, but it will not fully prepare you for what you might need to do and navigate within our legal system. It is a powerful tool. We are asked frequently for the Young Citizen's passport; we still have hundreds of them in the office. They are little pocket passports for young people to pull out and look up their rights and look up how to be a citizen. People frequently say to us, "Oh, let's digitise that", but it is a very expensive endeavour, and we have not quite done it yet, because we want to do it in co-collaboration with young people to make sure it is well used, but I would not underestimate it. We need to create something to fill that space, and we need to be proactive and not just let it happen to us.

Baroness Laing of Elderslie: You have just answered the question that

I was about to ask, which was whether you produce any simple material. You made an important point earlier about teachers, especially inexperienced teachers, not having the confidence to address these subjects with school classes of all ages. Sometimes, it would help a teacher if they had the basic materials on which to rely to give them confidence to talk about it. You have just said that you no longer produce the passport thing.

Ashley Hodges: The passport was a youth-facing document that they could carry in their pocket, which I do not think we would get much traction on these days. One of our largest areas of work is in our online resources, which are assemblies and lessons for both secondary and primary schoolteachers. We have one on ethics and AI, for example. They are very much designed around and by our team of educationalists, who are former teachers, on how you make them accessible, relevant and interactive for students, so that it is not just the teacher up there lecturing. It is set up so that they can pick it up and do it even if they are not experts on the law or in these areas.

Baroness Laing of Elderslie: How do they know how and where to access that?

Ashley Hodges: Most of them usually find out about us through things like the mock trials or things that are a little bit more famous in terms of our brand behind them. If you tend to google or use a search engine to find us, we often come up as an option and an opportunity. It is free. Those things are there for them to use. They are meant to be flexible as well. It is not a scheme of work that fits a rigid curriculum. We know that it is often done in tutor time, maybe a drop-down day on citizenship. It could be a history or English teacher building it into a lesson, and they need to be able to use parts of it. It can be, if they want it to be, very spoon-fed if they are really unsure. One of our principles is brand accessibility, and that is what we need, because it is important. Daniel might have other resources like that as well.

Daniel Scrase: Yes. It is a weird one because in some ways we are lagging behind. I chatted last week with Rachael Kirkup, who is the social impact manager, and we have plans this August to develop a Streetlaw presentation on GenAI. As a player in higher education, BPP is ahead of the curve when it comes to use of AI and education in AI. We have an AI course for students and we have an AI course for staff. AI is being embedded across many areas of the curriculum of the four schools. In preparing the professionals of tomorrow, with education to empower them to access a world of work that has AI running through it, BPP is playing a large part in that. We do not have that Streetlaw presentation ready yet. It is, hopefully, going to be ready at some point after August. We will have to watch that one. I may be contacting Ashley and saying, "Right. Can we have a chat?"

Ashley Hodges: Absolutely.

Q115 **Lord Bellamy:** On a slightly different point, do you in your daily life

come across the Solicitor-General's committee on public legal education? Does it play a useful supporting role, in your view?

Ashley Hodges: Under Robert Buckland in 2017-18, the original committee for public legal education under the Solicitor-General was very active. It produced a 10-year vision that we still refer back to. We are currently working with the Attorney-General, who has reignited, along with the Law Society, law firms and ourselves, a public legal education group looking at how we continue that conversation, co-collaboratively with major bodies across the public legal education space. Yes, we refer back to it. We think it was a very useful and relevant piece of work, but it needs to have some teeth behind it, with the current Government and with current actors, to bring it back up. There was, as I am sure everyone knows, a lack of stability in the offices of the Solicitor-General and Attorney-General over the past few years, which has made it hard to progress the work.

Lord Bellamy: It has revived a little bit under the present Government.

Ashley Hodges: It has survived, but we are seeing a real reignition of it now and lots of conversations and lots of work happening in the various offices around the rule of law and public legal education. It is about reviving that. Organisations like ours carried it on while a lot of institutions were focused elsewhere.

The Chair: Thank you very much indeed. We have ranged far and wide. You have been generous in your answers and you have accepted our questions. Thank you very much. That brings our session to a close. Thank you very much for coming along and playing a part. We now finish the public part of the meeting.