

Written evidence submitted by Advicenow (ATJ0101)

Advicenow (formerly known as Law for Life) is a legal information and education charity that works to ensure that everyone has the knowledge, confidence and practical skills they need to secure access to justice. We welcome the inquiry into access to justice across civil, criminal and family law and how advice and legal services are adapting at this crucial juncture.

Advicenow meets regularly with senior MOJ policy makers and HMCTS staff providing rigorous evidence of emerging legal needs, the effectiveness of legal support service and the related implications for justice sector reforms. In particular, we have engaged with each stage of the HMCTS Online Court Reforms since 2015, as a national partner in the Litigant in Person Support Strategy between 2014 – 2022 and as the current holder of the Ministry of Justice Online Support and Advice Grant for England and Wales. We share the following evidence and observations with the Committee from this longstanding involvement in justice policy and service innovation at a critical time for access to justice and the rule of law. Given our extensive experience, and our role within the sector, we would like to be considered as one of the organisations invited to present oral evidence to the Committee.

1. How does the current state of the legal services and representation market in England and Wales, and associated operating pressures, affect access to justice for clients?

1.1. We are able to provide evidence into the extent and nature of legal need across civil, family and tribunal related legal problems through careful evaluation of our services and through dedicated research projects into legal need and legal capability across England and Wales. The central role of legal need and legal capability in access to justice is well documented and described in the OECD guidance on legal needs surveys as follows: “Legal need arises whenever a deficit of legal capability necessitates legal support to enable a justiciable issue to be appropriately dealt with. A legal need is unmet if a justiciable issue is inappropriately dealt with as a consequence of effective legal support not having been available when necessary to make good a deficit of legal capability. If a legal need is unmet, there is no access to justice.”¹ We explore the implications that deficits in legal capability have on access to justice below.

1.2. While legal needs survey in the last 25 years across England and Wales have varied in methodology rendering comparisons difficult, patterns of unmet legal need

¹ *Legal Needs Survey and Access to Justice*, OECD 2019:24 https://www.oecd.org/en/publications/legal-needs-surveys-and-access-to-justice_g2g9a36c-en.html

indicate around half of people who are experiencing ‘difficult to solve’ legal problems fail to get access to professional help.²

- 1.3. Our recent research into the emergence of legal need after the pandemic and into the cost-of-living crisis undertaken with the University of Warwick, Central England Law Centre and seven community organisations provides further important insights into the current state of the legal services and representation market. This qualitative study sought to capture the experiences of marginalised groups including vulnerable women, refugees, people with enduring mental health issues, food bank users and young people experiencing homelessness in the face of common legal problems.³ The research aims to augment larger scale quantitative studies to capture a place based exploration with groups who might otherwise be missing from larger population based studies.
- 1.4. Our focus was on the City of Coventry but reflects the picture we see emerging across our services, particularly across urban centres. The landscape of legal and advice services has changed dramatically as a consequence of austerity and the cuts to legal aid. Local analysis in Coventry showed that Legal aid provision in the city has declined by 70% since the implementation of Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO). Local authority funding for legal and advice services had also decreased considerably in real terms and faced significant cuts.⁴ While funding from trusts and foundations as well as corporate and contract-based funding in the sector has grown, it is usually project-based and time-limited, creating specific difficulties in funding core costs and caseworkers.
- 1.5. Demand for legal and advice services far exceeds supply in all areas. Legal aid casework in Coventry had already been decreasing year on year before LASPO (since at least 2009), but between 2012-2013 and 2013-2014, it nearly halved. Worst affected were the areas predominantly or completely withdrawn from the scope of legal aid, including family, employment, housing, debt and welfare benefits. There has been some loss of key legal aid providers – Coventry Citizens Advice lost their contracts for welfare benefits and debt.⁵ Several private providers, predominantly

² Pleasence P. and Balmer N. “How people resolve ‘legal’ problems” (2014) p10. <https://www.legalservicesboard.org.uk/wp-content/media/How-People-Resolve-Legal-Problems.pdf>. See also The state of legal Services, Legal Services Board (2020) <https://legalservicesboard.org.uk/wp-content/uploads/2020/11/The-State-of-Legal-Services-Evidence-Compendium-FINAL.pdf>, and Legal Needs Survey Summary Report, Legal Services Board (2024) <https://legalservicesboard.org.uk/wp-content/uploads/2024/04/LN2023-Summary-report-18.04.24-updated.pdf>.

³ Mulqueen T and Wintersteiger L, *Understanding Local Legal Need: Early Intervention and the Ecosystem of Legal Support*, (2025) <https://www.advicenow.org.uk/sites/default/files/2025-03/Understanding%20Local%20Legal%20Needs%20%5BFull%20Report%5D.pdf>.

⁴ Ibid, p33.

⁵ Ibid, p41.

in family law, have withdrawn from legal aid work. However, the more common impact has been that providers do far less and more limited forms of legal aid work. In other areas such as immigration, new providers have taken on contracts, but these have tended to be short-term, or their overall case numbers were negligible. There are particularly acute shortages in the areas of immigration, employment and private family law. The impact on access to justice for clients is significant.

- 1.6. Unmet legal need has been exacerbated by the growth of structural forms of poverty and inequality during the pandemic and ensuing cost of living crisis. Legal need amongst marginalised groups reflects the prevalence of low-paid and precarious jobs, alongside high levels of unemployment, high numbers of out-of-work benefits claimants, escalating mental health needs, and significant numbers of migrants and asylum seekers. These factors drive heightened legal need in key areas of social welfare and family law.
- 1.7. Our research findings indicate that the majority of people within the study had attempted to engage with legal and advice services in some way, including private lawyers (legal aid and pro bono), non-profit legal services, and advice agencies in the course of dealing with their legal problems. However, trying to access legal and advice services was rarely a straightforward process, and many of them were not successful in finding the help they needed. They experienced inconsistencies in referral pathways, limitations on the capacity of local service providers and the scope of legal aid, as well as very limited awareness of sources of advice preventing them from accessing legal services.
- 1.8. Issues of affordability were highlighted in the study. A significant number of participants had been involved in court and tribunal proceedings. These were in family court—including divorce, child arrangements and child protection proceedings—and housing court, as well as tribunals for benefits and asylum. Some wanted to take legal action, but they were prohibited by the cost of obtaining a lawyer.⁶
- 1.9. Trying and failing to find advice led to inaction or self-help in those cases.⁷ Trying and failing to access advice meant people became demoralised and resigned. Since people were often unable to deal with their legal problems effectively on their own the majority of problems were either unresolved or had poor outcomes. Living on very low incomes and struggling to make ends meet meant that problems quickly led to people being unable to pay for food or heating, deteriorating health and even losing their homes when unresolved.

⁶ Ibid, p69.

⁷ Ibid, p101.

1.10 Overall, our findings indicated that legal need is immense, and it far exceeds the capacity of existing services to meet it. While the problem of unmet legal need predates the impacts of LASPO, deep cuts to advice and legal services alongside the wider effects of austerity and the cost-of-living crisis have further undermined access to justice. Our research points to the importance of a fundamental restructure in how funding is allocated in order to increase access to justice. A focus on early intervention in the context of legal needs is necessary to reduce the escalation and the multiplication of law-related problems. Strategies that help people recognise and deal with problems earlier, that foster legal capability and engage a wider ecosystem of legal support, are vital to finding solutions to unmet legal need and to mitigating poor outcomes for individuals as well as the knock-on effects on health and other public services.

2 What is the role of supplementary advice services in supporting access to justice?

2.1 The role and effectiveness of supplementary advice services in supporting access to justice is linked to the underlying nature of legal capability in the population. The functional dimensions of legal capability have been broadly set out to include the range of knowledge skills and competence required to identify, navigate and act in the face of legal problems.⁸

2.2 Legal capability is unequivocally tied to problem resolution behaviour, with those with higher capabilities more likely to take action. Studies into public understanding of the law evidence substantial knowledge deficits. Almost half of individuals that experience a legal problem describe their problem as 'bad luck' and 40% describe their problem as bureaucratic or social. 43% of people attempt to resolve their legal matters alone, and a further 15% turn to family and friends. Only 6% of survey respondents in the most recent large-scale legal needs survey sought the help of a lawyer, a further 4% turned to an advice agency.⁹

2.3 The continuing problem of low levels of legal capability undermines effective routes to access to justice for litigants in person and for disadvantaged users of the justice system in particular: "Legal capability matters. Poor legal skills, low legal confidence, and

⁸ Collard, S., Deeming, C., Wintersteiger, L., Jones, M. & Seargent, J. (2011). *Public legal education framework*. Bristol: Personal Finance Research Centre, University of Bristol.

⁹ Pleasence *et al*, *How people understand and interact with the law*, (2015) using data from the 2010 and 2012 Civil and Social Justice Survey Panel Survey. See also *The state of legal Services*, Legal Services Board (2020) p22. <https://legalservicesboard.org.uk/wp-content/uploads/2020/11/The-State-of-Legal-Services-Evidence-Compendium-FINAL.pdf>, and *Legal Needs Survey Summary Report*, Legal Services Board (2024) p12 <https://legalservicesboard.org.uk/wp-content/uploads/2024/04/LN2023-Summary-report-18.04.24-updated.pdf>

negative attitudes to law all limit people's ability to deal with justiciable problems and consequently their prospects of a just resolution." ¹⁰

2.4 A focus on the dimensions of legal capability is therefore critical to understanding and addressing how people attempt to resolve their justice problems. This is particularly pertinent in an environment of substantially reduced routes to specialist legal advice and accelerating use of digital legal services. Supplementary services including digital legal information, practical support and intermediary assistance are crucial factors in tackling legal capability deficits in the population and mitigating the lack of specialist legal assistance.

The role of supplementary help in early legal advice: Digital legal information

2.5 [Advicenow](https://www.advicenow.org.uk)¹¹ provides a range of supplementary advice services to support access to justice across England and Wales. Our Online Support and Advice service is funded by the Ministry of Justice covering family, civil and tribunal legal help. As a leading provider of information to the public on rights and the law in England and Wales we deliver user-friendly multimedia tools and guides that translate the law into plain English and explain what to do, and crucially, how to do it.

2.6 Our digital service attracts 1.8 million page views each year. Our surveys show that 15% of our users are helping someone else, either as a relative, friend, volunteer or professional. A substantial number of vulnerable users and users with protected characteristics access our help. 60% of users are women, 34% identify as disabled, 29% are from a black or minority ethnic backgrounds, 49% of surveyed users are from a low-income household while 46% of users were not in employment.

2.7 Supplementary assistance also includes digital tools that tackle legal capability deficits and a lack of access to specialist advice. Digital support tools augment legal capability among litigants in person including low knowledge of rights, obligations, and processes involved, letter writing skills and building user confidence and trust. Evaluations into the effectiveness of this form of assistance indicate that the tools enable people to overcome some of these barriers and take action, as well as securing improved outcomes.¹²

¹⁰ Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L. (2024). The Public Understanding of Law Survey (PULS) Volume 2: Understanding and Capability. Melbourne: Victoria Law Foundation p15

¹¹ www.advicenow.org.uk

¹² Using personalised legal support tools to help benefits claimants challenge decisions, Law for Life (2024) <https://www.advicenow.org.uk/sites/default/files/2025-02/Using%20personalised%20legal%20support%20tools%20to%20help%20benefit%20claimants%20challenge%20decisions%20FINAL.pdf>

2.8 Our document assembly tools that help users write a letter requesting a mandatory reconsideration (MR) and set out their case received 58,468 pageviews and produced 4,423 personalised letters 47% of users reported they would not have pursued their appeal or MR without the help of the service and 53% said they would not have written a letter without the MR digital support tool. The majority of users of the Mandatory Reconsideration digital support tools said they had secured positive outcomes. A significant number of users reported increase in care or mobility awards (67% and 44% respectively). Users also reported avoiding negative health outcomes.

The role of supplementary help in early legal advice and unbundled help

2.9 Advicenow's [Affordable Advice Service](#) in family law provides a unique unbundling service to customers requiring low cost, fixed fee expert help from a panel of Resolution lawyers.¹³ The service is aimed at people who are managing their finances on divorce or child arrangements difficulties, with little or no advice. Combining seamless pathways between digital information and fixed fee appointments offers benefits for users on lower incomes. The service offers a blend of step-by-step guidance from the Advicenow website with fixed fee, unbundled legal advice from Resolution family lawyers at the most crucial points in the process. The service was developed to meet the needs of Litigants in Person (LiPs) and potential LiPs who do not seek the advice they need from family law solicitors due to fear and confusion about prices, the high cost of advice, and lack of confidence about how to find a good solicitor, and how to be sure it will be worth it.

2.10 The need for and value of unbundled fixed fee specialist help in private family matters continues to grow. Nascent work to test models of unbundled help show signs of potential to meet legal needs in an innovative way. Family and children content is Advicenow's second highest traffic category. Analytics user data trends show Advicenow family resources attracted 324,734 pageviews and 191,113 individual users last year. Between July 2024 and June 2025, just under 50 people per month requested appointments through our Affordable Advice Service. Demand shows steady increases over the years 2023 – 24 growing 43% and then a further 24% 2024-25.

2.11 The value of seamless pathways of legal information to fixed fee advice is a critical innovation that meets a need in a legal service market in which legal aid has all but vanished for private family cases. Affordable Advice users reported significantly higher

¹³ Legal Support for Litigants in Person Law for Life Research Report on Affordable Advice, Law for Life (2024), p6 <https://www.advicenow.org.uk/sites/default/files/2025-02/Using%20personalised%20legal%20support%20tools%20to%20help%20benefit%20claimants%20challenge%20decisions%20FINAL.pdf>

levels of legal capability improvement. 84% and of users of the Affordable Advice Service said it helped them take action and showed them how to do it. 78% said it had helped them to make their case better. This suggests the augmentation of materials with one off advice makes a considerable difference to the users' ability to understand, navigate and then act upon their problems. Further work is needed to enhance outcomes for users who are unable to access the Affordable Advice pathways due to cost. We recommend wider investigation into supporting this model of early advice with public funds to widen access to lower cost services.

Supplementary advice and the role of trusted intermediaries

2.12 Evidence into the role of trusted intermediaries in providing supplementary advice is growing.¹⁴ Many groups face significant barriers in accessing legal services and the court and tribunal system, these groups will otherwise be excluded from accessing legal help due to lack of awareness of rights and remedies. Trusted intermediaries are often front-line workers from community or public services who perform an increasingly vital role in helping others to navigate legal problems, connect them to sources of legal help and support the early interventions that are needed to avoid problems escalating. Trusted intermediaries provide people with legal information, make referrals to legal services, help clients fill out forms, and accompany people to meetings with legal service providers, including providing interpreting help. Community workers cannot give legal advice, but they can and do help people better understand the law and navigate the legal system.

2.13 Advicenow delivers community-based education and training aimed at building knowledge, skills and confidence in dealing with legal matters. We often work through trusted intermediaries in order to build vital bridges into communities that experience multiple disadvantages; these include health workers, front line council staff, MPs caseworkers, community leaders and front-line service volunteers. Last year we reached 300 organisations. Our education initiatives indirectly reached just under 4000 people each month.

2.14 Our evidence points to the importance and effectiveness of this model of supplementary legal support. For example, an intermediary programme for housing rights for women commissioned by the Ministry of Justice in 2021 provides evidence of

¹⁴ Regional trusted intermediary courses on housing rights for women, Law for Life (2021) <https://www.advicenow.org.uk/sites/default/files/2025-03/Regional%20trusted%20intermediary%20housing%20rights%20for%20women%20evaluation%20report%20Final%20report%20September%202021.pdf>. See also, 'Trusted intermediaries: A proven path to accessible and cost-effective justice' <https://www.ntu.ac.uk/about-us/news/news-articles/2025/07/expert-blog-trusted-intermediaries-a-proven-path-to-accessible-and-cost-effective-justice>.

positive changes across all legal capability measures.¹⁵ Intermediaries were able to implement their newly acquired knowledge to assist vulnerable women with housing problems. These include signposting and referrals, working with other parties to advocate for vulnerable women and identifying housing rights that enable them to take swift action to prevent further escalation of housing issues.

2.15 Our most recent research identified the support of trusted intermediaries as a key factor in participants taking any form of action across a range of legal problems.¹⁶ They played a significant role in both identifying problems and supporting people to deal with them, particularly benefits and debt problems. Those who most readily accessed advice had done so with the help of intermediaries. Findings suggest legal services for vulnerable, or otherwise disadvantaged groups are unlikely to meet needs in isolation and require multiple fields of expertise that are not part of the mainstream of the legal profession. This expertise is likely to require joined up health, social and legal support to be effective. This requires a coordinated effort on and offline, to help users find what they need, when they need it.

3.What is the impact of those acting without legal advice and / or representation having on access to justice?

3.1 Legal problems tend to multiply and escalate.¹⁷ This presents particular challenges for people without legal advice and representation. Our study indicated particularly high incidences of problem clusters among marginalised groups. We identified 130 law-related problems taking place among 35 participants (in a period of 30-36 months). Most had experienced between four and six interrelated problems. The most common problems were related to welfare benefits and housing. Many of these problems were unidentified (by either the participant or the intermediary organisation supporting them with their problems), including entitlement to disability related benefits and social care, and employment problems.¹⁸

3.2 These clusters were linked to underlying financial precarity and poverty, disability and changes in health, and family breakdown. Unresolved legal problems led to a range of negative impacts including being unable to pay for food and heating, deteriorating physical and mental health, emotional well-being, and challenges in practical aspects of day-to-day life. They resulted in lost social care assistance, poor or overcrowded housing conditions, and some lost their home altogether.

¹⁵ Op.cit fn. 14 p2-3.

¹⁶ Op.cit. fn3.

¹⁷ Pascoe Pleasence et al., "Multiple Justiciable Problems: Common Clusters and Their Social and Demographic Indicators," *Journal of Empirical Legal Studies* 1, no. 2 (2004), p302.

¹⁸ Mulqueen and Wintersteiger (2025), p62.

3.3 Very often, people were left to attempt to handle problems alone. Handling things alone was a common resolution strategy, and participants frequently combined self-help with other strategies on a single issue. This involved trying to find information, repeated attempts to negotiate with other actors, making multiple applications (for benefits or housing assistance for example) and making complaints. Seriousness did not always preclude people from trying to handle things alone, including tribunal proceedings, child protection proceedings and homelessness processes. Handling problems alone tended to result in unnecessarily protracted struggles and forms of resolution that fell short of potential entitlements.

3.4 Problem clusters were exacerbated and sometimes triggered by systemic issues, particularly in disability benefits, asylum and housing processes. This included poor first-stage decision-making, misinformation, delays, and dismissive and hostile attitudes. Digital-by-default services that failed to tackle digital exclusion, and processes that largely do not accommodate people's needs, including those related to disabilities and long-term physical and mental health conditions, contributed to problems.

3.5 These experiences also produced a widespread sense of legal alienation, which in turn compounded legal needs, driving a greater sense of societal dislocation and social isolation. This sense of alienation is itself a reflection of contemporary dynamics around law and rights, when assistance is scarce, and often comes too late. More negative attitudes towards law and lawyers corresponded with higher levels of legal need and unmet need.¹⁹

5. If limited funds were available, what would be the priority areas for spending?

5.1 Our research points to the importance of rethinking *how* funding is allocated in order to increase access to justice. Meeting the legal needs of people who are marginalised means recognising the integral role played by each of part of the ecosystem of legal support – trusted intermediaries, generalist and specialist advice, and high-quality digital information resources and guidance - and reversing investment flows to focus on bottom-up, collaborative and community-based solutions. This includes developing a local ecosystem of legal support that can adapt to scale and regionalise efforts. Supporting and recognising the integral role of trusted intermediaries in providing legal support, including identifying legal problems, signposting and referral, and providing a variety of forms of practical help, including high quality digital legal information. Our evidence points to investing in promoting public legal education to increase legal capability, particularly amongst trusted intermediaries. This requires a tailored and targeted approach that focuses on common clusters of legal problems. This includes

¹⁹ Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L. (2024). The Public Understanding of Law Survey (PULS) Volume 2: Understanding and Capability. Melbourne: Victoria Law Foundation p15 p26

investment in and supporting for collaborations and partnerships to provide a continuum of legal support. A responsive legal support system should include tailored combinations of legal information, education, assistance from trusted intermediaries and pathways to specialist advice and representation at the earliest opportunity. We recommend the Ministry of Justice Legal Support Strategy includes the opportunity to pilot and model legal support partnerships encompassing this multi-channel approach.

5.2 Improving access to high quality digital assistance for litigants in person needs to be an investment priority. With Government's cross-cutting intentions to expand its Digital Justice System²⁰ promoting legal capability through high quality trusted information is key to ensuring that people, particularly the increasing numbers who represent themselves, can access and navigate it. Recommendations on public legal information to expand at scale were reflected in Lord Justice Briggs Civil Courts Structure Review.²¹ However, at present there remains a patchy and inconsistent approach to public legal information needs across the justice system.

5.3 The creation of the Online Support and Advice grant by the Ministry of Justice has been a significant move in the right direction. It has enabled us to provide a central trusted resource across civil, family and tribunal assistance. However, short term, year on year funding creates enormous precarity and instability for sustaining our services. It has often been unclear until the 11th hour whether services will be able to continue.²² At present, the Online support and Advice Grant has been extended until March 2026. Operating pressures and lack of certainty of funding create enormous delivery challenges. Faced paced reform across legal categories means the burden of review and updating information for the public needs to be built into the considerations for sustainability and future proofing of legal support provision. There are significant cost benefits to deploying digital legal information at scale, however those investments are in danger of being lost if sufficient and sustainable funding levels are not put in place now.

5.4 Digital innovation continues to be held back because funding fails to meet the often-substantial capital costs associated with sustaining and developing digital services and infrastructure. Last year Advicenow had to raise capital funds from community giving sources in order to migrate and update its website. The failure to ringfence and provide public sector funding assistance to invest adequately in digital innovation and sustainability is a structural problem that must be tackled with adequate funds being

²⁰ OPRC Public Engagement: Inclusion framework and pre-action model for the digital justice system https://assets.publishing.service.gov.uk/media/686f98c1fe1a249e937cbf5c/OPRC_Public_Engagement_Document_PDF.pdf

²¹ July 2016 <https://www.judiciary.uk/wp-content/uploads/2016/07/civil-courts-structure-review-final-report-jul-16-final-1.pdf>

²² <https://www.legalfutures.co.uk/latest-news/charitys-urgent-cash-appeal-after-advicenow-funding-is-refused>

made available for digital development to third sector providers. This is particularly urgent at a time when AI threatens to disrupt traffic and user journeys to the high quality and trusted providers.

- 5.5 We recommend Government does more to work with sector partners to reflect standards which promote high quality information and support for litigants in person, who are likely to be some of the most disadvantaged users of the system. Our research into improving litigants in person information needs highlighted continuing challenges for LiPs in dealing with court forms, understanding legal ideas, filling in the forms, and recognising the role of confidence and digital skills. LiPs need effective information to help them navigate court process.²³ This includes information on the role of the court, processes in the court, legal language, and the law itself. Improving information standards ensuring consistent, high quality content production across justice sector stakeholders with a central focus of enhance legal capability for users.
- 5.6 The continuing failure to develop and deploy a coherent signposting protocol across the justice system is continuing to reduce access to pathways for legal help. This entails minimal resources, makes the best of the existing high-quality provision and ensures trusted and accessible sources of information and support for litigants on person. As yet, signposting between channels such as GOV.UK and HMCTS to our Government funded Online Support and Advice remains patchy at best.
- 5.7 We recommend Government collaborates with sector stakeholders to produce and implement a signposting protocol which draws from a range of agreed inclusion criteria to ensure users are able to identify and choose quality information and routes to advice. Inclusion requires careful consideration of trust and confidence and must encourage the role of independent sources. The protocol should include a commitment that public legal information provided through or signposted under the jurisdiction of the OPRC for legal areas with a high proportion of litigants in person, should be produced independently and developed or tested with litigants in person. This is because:
- Independent information avoids conflicts of interest between the State and the rights of individuals.
 - Individuals tend to have heightened levels of trust in information produced by independent organisations. Independence adds credibility and increases perceptions of fairness.
 - Independent organisations tend to have a closer connection with and better understanding of the needs of user groups and their capabilities.

²³ <https://www.advicenow.org.uk/research-and-policy/reports/meeting-information-needs-litigants-person>

8. How can advice, legal support or non-court dispute resolution, such as mediation and restorative justice, help the early resolution of disputes?

- 8.1 Research into problem clusters points to the importance of effective triage at early stages when someone is seeking help, taking advantage of this opportunity to ensure that the full scope of problems and potential entitlements are identified and appropriate support put in place to deal with them. Depending on the circumstances, the right mix of support may entail access to generalist or specialist advice for some issues, alongside more practical forms of help and high-quality resources for others.
- 8.2 Our family law services point to the importance of a combining information and early legal advice to enable people to make effective choices about out of court resolution, reduce conflict and access mediation. Early resolution requires parties to understanding their rights, the relevant process involved and weighing their options. Family law interventions in other jurisdictions have shown promising outcomes for combining legal information pathways and education initiatives showing resulting behavioural changes that can reduce court time and costs, in addition to impacts on relationship and conflict factors.²⁴ For example, participants in a Canadian divorce education programme used fewer court resources, they had fewer case conferences and mentions, and finalised their cases sooner than non-participants. A meta-analysis of 19 American and Canadian studies concluded that, taking into account all five factors examined (re-litigation and four relationship/conflict factors), there was a moderate effect size from the divorce education programs studied.²⁵ We recommend more investment and research to pilot and test early intervention models that combine information, education and advice to support early resolution.
- 8.3 Overall, our findings point to a reconceptualization of the ‘early’ in ‘early intervention’ as the identification of law-related problems and provision of legal support at the earliest opportunity, when someone is engaging with help or support in their community. Many people are already in crisis and experiencing unresolved legal problems as they navigate sources of help and support. A bottom-up, person-centred approach to early intervention can broaden the reach of specialist legal and advice services by engaging a wider ecosystem of legal support to intervene effectively to tackle law-related problems before they escalate and multiply.

²⁴ Wintersteiger L., Morse, S., Olatokun, M., and Morris, C.J. The effectiveness of public legal education: Literature review (2021) Legal Service Board <https://legalservicesboard.org.uk/wp-content/uploads/2021/02/PLE-systematic-review-report-Feb-2021.pdf>. See also

²⁵ Wilczynski, Ania & Karras, Maria & Forell, Suzie. (2014). The outcomes of community legal education: a systematic review. https://www.researchgate.net/publication/277558601_The_outcomes_of_community_legal_education_a_systematic_review

9. What role is there for digital innovation and data collection in supporting access to justice?

- 9.1 Advicenow has been a sector leader in digital innovation for access to justice, our work has developed automated tools and unbundled pathways to legal advice which we have explored in question 2 above. However, we continue to struggle with innovation funding that suits the needs of third sector providers. We have relied largely on Trust and Foundation as well as philanthropic support to provide the capital costs for developing technological solutions to unmet legal need.
- 9.2 Digital innovations, such as online legal services, AI tools, and data-driven systems, can enhance efficiency, democratise access, and support problem resolution, while data collection enables targeted improvements. While digital innovations offer benefits, they risk exacerbating inequalities through exclusion, biases, and opaque processes; data collection must address these to avoid undermining access.
- 9.3 Digital capabilities are crucial for accessing online legal services, however, in order to avoid further embedding disadvantage, evidence points to positioning them as a component of overall legal capability that supports problem resolution and access to expert help.²⁶ Higher digital legal capability correlates with better access to expert help and shorter problem durations, therefore digital tools and public legal education focused on digital capabilities can facilitate meeting legal needs when combined with other skills.²⁷
- 9.4 Demographic disparities in digital capability (e.g., lower among older people, non-English speakers, low-income households) can hinder access to online legal services.²⁸ Research into the experience of legal problems and digital exclusion among marginalised groups confirms that digital poverty and deficits in digital skills contributed to delays and mistakes in legal and administrative processes.²⁹ Problems related to submitting evidence and managing online appointments triggered and escalated legal problems including benefit sanctions and child protection proceedings. While not all views of online services were negative among these groups, more complex processes created substantial barriers. Difficulties in speaking to someone to resolve issues caused additional stress and frustration. Mitigating the impact of 'digital-by-default' means ensuring digital service interfaces are developed alongside alternative channels for those who need them most. This means maintaining diverse delivery channels (digital, phone,

²⁶ Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L. (2023). *The Public Understanding of Law Survey (PULS) Volume 1: Everyday Problems and Legal Need*. Melbourne: Victoria Law Foundation p40-43.

²⁷ Balmer et al., 2024 PULS Volume 3. Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L. (2024). *The Public Understanding of Law Survey (PULS), Volume 3: A New Perspective on Legal Need and Legal Capability*. Melbourne: Victoria Law Foundation.

²⁸ Balmer et al., (2024).

²⁹ Mulqueen and Wintersteiger (2025) p84.

face-to-face) alongside improved online content to align with user needs as well as recognising the vital role that trusted intermediaries play in supporting digital inclusion for legal problems.

9.5 We acknowledge the developing role of technology and particularly artificial intelligence in the wider public use of digital methods of identifying legal problems, accessing legal advice, and resolving problems earlier. We also welcomed announcements to boost investment in the UK LawTech sector.³⁰ However, these opportunities have failed to tackle legal needs for those most in need and in concert with third sector providers that remain starved of investment.

9.6 Potential opportunities require sustained and suitable investment into the third sector alongside coordinated work with commercial AI providers to supplement quality assistance and mitigate risks to users.³¹ For example, the increasing effect of 'disintermediation' on charities³² and businesses³³ as Google AI overview summaries result in 'zero clicks' is reducing onward signposting, increasing the risk of signposting to low quality or inaccurate provision, and inaccurate AI summaries.³⁴

9.7 A recent initiative in the health sector has sought to take a collaborative approach to address the impact of Google AI search results panel to avoid a negative impact on traffic to trusted health information providers. In particular, they point to agreeing a framework for the verification of trusted health information in the UK and ensuring results prioritise verified UK-based sources as well as introducing explicit warnings that AI summaries on health topics may not be accurate and should not be taken as authoritative or regulated advice.³⁵

9.8 Likewise, for digital justice services we are seeing interruptions in quality information journeys which lead to poor quality provision. For example, Advicenow Google search insights show a drop in clicks while impressions remain unchanged (indicating visibility is the same but 'click through' behaviour has changed due to AI summaries). We recommend a review of Lawtech funding support to enable third sector providers to invest in and manage the necessary guardrails for capitalising on the benefits of AI and wider technological change. Proposal for "rule of legal AI" framework to enforce transparency, bias checks, and value-aligned governance, ensuring digital tools protect constitutional rights and the rule-of-law all fall within the scope.³⁶

³⁰ <https://www.gov.uk/government/news/economic-growth-propelled-by-law-tech-funding-boost>

³¹ <https://www.theguardian.com/technology/2025/jun/06/high-court-tells-uk-lawyers-to-urgently-stop-misuse-of-ai-in-legal-work>

³² <https://www.thirdsector.co.uk/zoe-amar-disintermediation-wake-up-call-sector/digital/article/1929647>

³³ https://pressgazette.co.uk/media-audience-and-business-data/media_metrics/how-google-ai-overviews-is-fuelling-zero-click-searches-for-top-publishers/

³⁴ <https://www.bbc.co.uk/news/articles/c0m17d8827ko>

³⁵ Patient Information Forum <https://pifonline.org.uk/resources/google-ai-summaries/>

³⁶ Denvir, C., Fletcher, T., Hay, J. & Pleasence, P. (2019) 'The devil in the detail: Mitigating the constitutional and rule of law risks associated with the use of artificial intelligence in the legal domain', *Florida State*

September 2025

University Law Review, 47(1), Art. 6. <https://ir.law.fsu.edu/lr/vol47/iss1/6> p95-98. See also Denvir and Selvarajah - Safeguarding Access to Justice, 2021; Source 9: Civil Justice Council Futures Group, 2025