



Young People's Social Welfare Needs and the Impact of Good Advice

Issues Paper

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Young People's Needs For Advice

THE EVIDENCE

- The level of need for legal advice among young people is relatively high compared to that among other age groups.
- Young people's needs are unique in their range and pattern – legal problems are often inextricably linked to emotional, personal, health & practical problems.
- Young people's problems tend to be relatively complex and severe and they are particularly prone to multiple problems.
- The advice needs of older young people (i.e. 16-25) are focused primarily on social welfare issues such as housing, homelessness, benefits, debt and employment.
- Children and young people under 16 are more likely to experience problems related to education, being in care, leaving care, social services and the family.
- Housing and homelessness problems are the most common reason that disadvantaged young adults first contact services and the most common presenting issue at youth advice services.

WHAT NEEDS TO CHANGE?

- The specific needs of young people need to be more widely recognised by policy-makers, planners, funders and providers within the legal advice sector.
- Children & Young People's Plans should take greater account of national data on young people's social welfare advice needs.
- Children's Trusts' local needs assessments should gather adequate evidence re housing, benefits, debt, discrimination etc. in order to assess young people's social welfare advice needs.
- Further research is needed into the advice needs of:
 - ◊ under 18s
 - ◊ 'hard-to-reach' groups, e.g. young offenders, young parents, young people with mental health difficulties, young people in care, care leavers, unaccompanied asylum-seekers and young carers.

The Impact of Social Welfare Problems

THE EVIDENCE

- The cost of civil justice problems to individuals (of all ages), health and public services is very significant – estimated to amount to at least £13 billion over a 3½ year period.
- A large proportion of individual young people suffer from physical and/or stress-related ill health as a result of social welfare problems, often leading to visits to health services.
- Young people spend more time worrying about their problems than other age groups and many suffer loss of confidence.
- Social welfare problems frequently
 - ◊ lead to young people losing income, housing or employment;
 - ◊ create significant barriers to studying, working, enjoying and achieving;
 - ◊ make it difficult for many young people to feel involved and respected in their communities.
- There is growing evidence of a link between social welfare problems such as homelessness and crime.

WHAT NEEDS TO CHANGE?

- The implications of the existing evidence of the cost of young people's unresolved social welfare problems on individuals, wider society and public services need to be examined further, particularly within HM Treasury and local authorities.
- Youth advice services need to play a role in raising awareness locally, particularly within Children's Trusts, of the national evidence on the impact of problems.
- Youth advice services need to gather evidence from their users of the impact of the problems they are experiencing, e.g. by using Youth Access' Advice Outcomes Toolkit.
- Further research is needed, both locally and nationally, into the economic and social cost of young people's unresolved social welfare problems, examining in particular the knock-on effect in the areas of
 - ◊ health
 - ◊ crime
 - ◊ education.

The Difference Made by Advice

THE EVIDENCE

- Getting good quality legal advice helps young people resolve their problems, leading to often dramatic improvements in young people's:
 - ◇ physical and mental health
 - ◇ levels of stress, confidence and self-esteem
 - ◇ housing situation and standard of accommodation
 - ◇ feelings of safety
 - ◇ involvement in their community
 - ◇ access to education and employment
 - ◇ ability to enjoy life and achieve goals
 - ◇ financial situation, standard of living & financial capability
 - ◇ relationships
 - ◇ offending and drug-taking behaviour
 - ◇ understanding of their rights and responsibilities and ability to resolve problems in the future.
- Overall, young people tend to obtain rather worse outcomes to their social welfare problems than other age groups.
- Legal aid providers that do not target young people overall spend significantly less time on cases involving users aged 17-25 than on cases involving older users and achieve relatively poor case outcomes for young clients.
- The few civil legal aid providers that target young people tend to spend longer on cases, but achieve very substantially better case outcomes for young clients than other providers.

WHAT NEEDS TO CHANGE?

- The DfES and Children's Trusts need to recognise the massive potential contribution of legal advice to achieving the five Every Child Matters outcomes.
- Local youth advice services need to measure the difference they make to young people's lives and long-term outcomes, e.g. by using Youth Access' Advice Outcomes Toolkit.
- Youth advice agencies need to feed national and local data on the impact of advice into local Children & Young People's Plans.
- OFSTED should review the inspection framework for Joint Area Reviews of children's services to ensure inspections adequately assess provision for young people's social welfare needs.
- The Community Legal Service (CLS) should be driven in future by an outcomes- rather than output-led approach.
- The Legal Services Commission (LSC) and Department for Constitutional Affairs need to recognise that investing legal aid funding in targeted services for young people may cost more per case, but may be cost-effective due to the better outcomes that would be achieved.
- Further research is needed into
 - ◇ The relative cost-effectiveness of targeted legal advice services and universal mainstream legal advice services in obtaining good outcomes for young people and other vulnerable client groups.
 - ◇ The success of government youth policy in addressing young people's complex social welfare needs.

Access to Advice

THE EVIDENCE

- Young people are less likely to obtain good professional legal advice than other age groups, particularly in the main areas of social welfare law.
- Young people tend to have relatively low awareness of their rights and responsibilities, or of how to resolve their problems.
- Young people, especially the most vulnerable, are reluctant to go to mainstream advice services, such as CABx and solicitors.
- Young people prefer to access legal advice in multi-disciplinary, holistic youth provision, e.g. a youth advice service, youth centre or Connexions centre, where they can receive advice alongside a range of other services, e.g. counselling or sexual health services.
- Young people state a marked preference for face to face advice. They are less likely than other age groups to access advice and information by telephone or via the internet.
- Young people state a preference for getting legal advice from either youth workers with good legal knowledge or advisers specialising in working with young people.
- High quality accessible advice services for young people are best achieved through partnership working involving youth advice services and mainstream advice services.
- Outreach sessions provided by mainstream advice agencies work best when they are fully integrated within the host service.

WHAT NEEDS TO CHANGE?

- The forthcoming recommendations of the Public Legal Education Task Force will need to be implemented to improve young people's awareness of rights, responsibilities and services.
- Policy-makers and providers need to plan services that take account of the evidence on the kind of services young people want and how they want to access them.
- Current LSC policy to extend CLS Direct needs to be counter-balanced by extra funding for face to face advice targeted at client groups who are less likely to use the telephone.
- Existing telephone advice services, particularly CLS Direct and Connexions Direct, need to work more closely together.
- The recommendations contained in the SEU's *Transitions* report need to be implemented by Children's Trusts.
- The LSC needs to conduct an impact assessment into the effect of plans to introduce fixed fees for civil legal aid on children and young people's access to justice.
- The development of Community Legal Advice Centres and Community Legal Advice Networks should be co-ordinated with the development by Children's Trusts of youth advice services.
- Further research is needed into:
 - ◊ Young people's use of telephone helplines and the internet to get advice and information.
 - ◊ Best practice in the delivery of outreach advice to young people by mainstream advice services.
 - ◊ Young people's use of legal aid services.

Funding

THE EVIDENCE

- Generalist youth advice services have tended to be primarily funded out of local authority Youth Service and/or Connexions budgets. As a result, youth advice services rarely have a strong rights-based element to their approach.
- Children's Trusts will have the lead for planning and commissioning most services for 0-19 year olds (and for some young people up to 25 years) from April 2008 at the latest.
- The Legal Services Commission is responsible for legal aid policy, planning and contracting.
- The Legal Services Commission currently invests a tiny fraction of its civil legal aid budget (estimated at no more than 0.2%) in specialist services for young people.
- The LSC's plans to introduce fixed fees for civil legal aid work are likely to make it harder for specialist services for young people to survive in the market, as it takes longer to advise vulnerable young people.
- Local authority advice services budgets tend to be focused on mainstream services such as Citizens Advice Bureaux and rarely include a youth advice element.
- There is rarely any effective joining-up of advice service and youth service planning or spending within local authorities.
- Local Area Agreements include a Children & Young People sub-block, which has been used in a small number of areas (e.g. Cornwall) to pool budgets for the joint commissioning of youth advice services.

WHAT NEEDS TO CHANGE?

- Children's Trusts need to accept responsibility for funding generalist-level youth advice services that tackle young people's complex social welfare needs.
- The DfES needs to clarify the respective roles of Information Advice & Guidance and Targeted Youth Support in addressing social welfare advice needs.
- The Treasury, DfES and local authorities need to consider how to provide funding to meet the considerable needs of young people aged over 19.
- The Legal Services Commission needs to accept responsibility for funding specialist legal advice services for young people.
- A greater share of legal aid spending should be directed towards services that are targeted at young people and personalised to meet their specific needs.
- The LSC needs to take a flexible approach to funding legal aid services for young people, taking account of the specific range of their needs and the extra time it takes to advise young people.
- Local authority advice planners should consider to what extent existing generalist services are meeting young people's needs and link up with colleagues planning youth advice services.
- The potential for utilising Local Area Agreements to pool budgets (potentially including elements of Children's Trust funding, legal aid and local authority advice budgets) for the purposes of jointly commissioning comprehensive youth advice services needs to be fully explored.

Workforce

THE EVIDENCE

- Only 0.4% of legal advisers & lawyers in the private sector, 4.3% in the nfp sector and 2.4% in the statutory sector say that young people are one of the client groups they target.
- Many youth workers, Connexions personal advisers and other youth professionals become involved in advising young people on their rights. However, they often do not possess the skills and knowledge needed to identify legal issues, provide appropriate advice and make timely referrals to more specialist providers.
- Many advice workers working in mainstream advice services, e.g. CABx, law centres and private practice solicitors, possess neither the skills needed to work effectively with young people nor the specialist legal knowledge relevant to their problems.
- There is very little training available to address these skills gaps.
- The advice sector is growing old. (Under 1% of CAB volunteers and less than ½% of CAB paid staff are aged under 25.)
- There will be an increasing problem recruiting advisers in the future unless a new generation of advisers can be trained.

WHAT NEEDS TO CHANGE?

- Youth Access needs to continue to develop its national youth advice training programme to address the skills and knowledge gaps of both youth professionals and legal advice workers.
- The development of separate National Occupational Standards for the legal advice sector and for the youth work sector need to be joined up.
- Youth Access Law Centre-type services could develop a role in training young people to become advice workers or lawyers.
- Transferability between youth advice and legal advice sectors needs to be improved.
- Further research is needed to analyse the extensive data on the youth advice sector captured by the NOS4Advice Project's Workforce Survey

Sources of evidence

Research and evaluation reports:

- *Rights to Access: Meeting young people's needs for advice*, James Kenrick, Youth Access, 2002.
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Government policy documents:

- *Transitions: Young adults with complex lives*, Social Exclusion Unit, 2005.
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- *Policy review of children and young people: A discussion paper*, HM Treasury and DfES, January 2007.
- *Making Legal Rights A Reality: The Legal Services Commission's Strategy for the Community Legal Service – 2006-2011*, Legal Services Commission, 2006.
- *Legal Aid Reform: The Way Ahead*, Department for Constitutional Affairs and the Legal Services Commission, 2006.
- *Getting Earlier, Better Advice to Vulnerable People*, Department for Constitutional Affairs, 2006.

Miscellaneous:

- *Youth Access Law Centres: A briefing paper*, Youth Access and Law Centres Federation, 2004.
- *Legal aid is getting scarcer for the young*, The Times, September 2006.
- *Special report: Young and vulnerable: Uncertain Futures*, The Independent Lawyer, September 2006.
- *Citizens Advice Access Strategy: The advice and volunteering needs of young people*, Citizens Advice, 2006.
- Youth Access' analysis of legal aid contract data broken down by age, unpublished.
- Youth Access membership surveys and statistical returns from agencies participating in Youth Access' Rights to Access Project.
- NOS4Advice Project Workforce Survey data.