



The decision of Law For All's trustees – led by one of its founders Anna Barlow – to close the firm, came as a shock even to those closely associated with the organisation, including its legal director and the Legal Services Commission (LSC). Freelance legal journalist Fiona Bawdon reflects on why the not for profit (NFP) firm is no more.

No more Law For All

Law For All was best known for its work in the west London borough of Ealing, where it was by far the biggest legal aid provider. Its closure on 28 July left a gaping hole in legal advice provision in Ealing, with social welfare law clients now having to travel long distances to find help. At its height, Law For All dealt with around 15,000 clients a year, not just in Ealing but in the London boroughs of Hounslow and Kingston upon Thames, and in Suffolk, Norfolk, Cambridgeshire, Northamptonshire and Staffordshire. In 2010, the firm received £1.8m from the LSC.

The decision to close

Anna Barlow, who says that the trustees were unanimous in their decision, declines to elaborate on the reasons behind the closure. However, in a statement posted on the charity's website in July, the trustees cited a combination of cuts in fees, and increasingly burdensome bureaucracy. These factors, together with the then looming ten per cent fee reduction (which has now been implemented) and the scope changes expected in 2012 (which Anna Barlow says would hit 90 per cent of the firm's caseload) led trustees to conclude that Law For All had 'no hope of a viable long-term future'.

Law For All was also beset by a range of specific problems. Its regional offices had become unviable after they did badly in the 2010 bid round and because of new, more onerous supervision requirements. There was a period between November 2010 and February 2011 where Law For All haggled with the LSC over whether or not the offices could be kept open, and

subsequently it received no payment for work done during this period.

Once it was clear that the regional offices would have to close, Law For All started redundancy consultation for affected staff in February 2011, a process that should have taken 30 days. Instead, according to Anjali Kemwal, Law For All's legal director: 'it went on and on and on', with the offices only starting to close in June, having sapped staff morale and Law For All's funds for months longer than anticipated (despite staff taking a pay cut to try to ease the situation). A hoped for bailout from the Big Lottery transition fund, which would have met the otherwise crippling redundancy costs, failed to materialise.

Anjali Kemwal, who was not party to the trustees' decision to close, says that although the timing came as a shock, Law For All's demise had become inevitable. Staff had been left too shell-shocked and demotivated by the 'horrible, horrible' redundancy process to be able to turn the firm around. It was an inauspicious end for an organisation that had started in 1994 with such high hopes and which was once held up as a model for other providers to follow.

High-quality, low-cost advice

Law For All was founded by Anna Barlow and her mother, Ulla, both newcomers to the legal aid sector. Ulla Barlow was a former director of education in Ealing (who used to manage a £6m budget), and Anna Barlow was a newly qualified solicitor.

The Barlows' aim was simple: to create a firm which could provide high-quality

social welfare advice in volume and at low cost. In an interview in 2003, Anna Barlow explained their ethos: 'We want to use public money efficiently to provide a legal service to the public which is just as good as the legal service that the rich pay for.' Law For All's starting point was that if traditional practices could not survive on legal aid rates, it was the structure of the firms which was at fault, not the pay rates.

In 2003, Anna Barlow said: 'I could not understand why firms were saying that they could not survive on legal aid rates when the hourly rates of pay were much more than a lawyer's salary ... We worked out the figures so many times on the backs of envelopes and neither of us could understand why it was not possible.'

A flagship firm?

Between them, the Barlows set out to create a practice model which could thrive in the legal aid landscape as it was, and not how some of the sector's old guard might wish it to be. The resulting NFP firm was set up as a company limited by guarantee, a registered charity operating under Law Society rules and aiming to combine the best elements of private practice with those of Law Centres®. Law For All employed a 'matrix system', which departed from the more traditional management structure of most law firms. Strong emphasis was placed on centralised management, overseen by Ulla Barlow as Law For All's chief executive, while Anna Barlow, as managing director, was head of its legal team.

Costs were minimised and access to advice maximised by Law For All's use of

outreach. Its first foray out of London came about organically, rather than as a result of any grand expansion plan, when a valued member of staff announced that he was moving to an area of Norfolk which just happened to be an advice desert. So, with the support of the LSC, the obvious solution was to create Law For All's first regional outpost around him: further, rapid, regional expansion would follow.

A change for the better

Unlike some Law Centres, Law For All was studiously apolitical. The Barlows were unapologetic about their close links with Clifford Chance, a large City law firm, and, in particular, with Michael Smyth, the firm's high-profile, pro bono partner. Although the closeness of the relationship raised eyebrows among the sector's diehards, it was to prove enduring. Clifford Chance was as stunned as everyone else at Law For All's closure, but the firm was gracious enough to allow its four seconded trainees to stay on to provide much-needed help in winding up the charity.

Although previously Anna Barlow had resisted suggestions that the Law For All model might provide an answer to legal aid's woes more generally, in 2006 the Barlows set up the Social Welfare Law Coalition, a registered charity of which Michael Smyth was the chairperson. The coalition's aim was nothing if not ambitious: to eliminate advice deserts by 2010.

The coalition (whose address was that of Law For All's Acton office) listed a couple of leading lights from the Legal Aid Practitioners Group among its trustees, but appears to have come perilously close to a vanity project (Michael Smyth was to be made a Commander of the British Empire in 2009 for services to pro bono work). After producing some initial research (and responding to a couple of LSC papers), by 2007 the coalition seems largely to have petered out.

Such grandstanding was at odds with the breath of fresh air that initially the Barlows had brought to a sector which could be inclined to take itself too seriously. The endlessly energetic Ulla Barlow would say that the key to running a successful practice was to have 'an old bag' like her around the place to nag everyone into compliance, and Anna Barlow, during a debate about legal aid fees in the early 2000s, was the only panel member to give a straight answer to a question from the floor about how much

legal aid lawyers should be paid (circa £30,000) (the other panelists, who all hailed from more traditional providers, ducked the question).

Law For All's collapse

However, the optimism and openness which characterised the early days of Law For All could not be in greater contrast to the circumstances of its demise. Speaking from Finland, where in 2009 she moved with her family, Anna Barlow says that relations with the LSC, which had once been 'notably good' (certainly far better than most) had degenerated into hostility. 'Our experience was that the relationship between the LSC and providers had broken down completely. People feel intimidated and frightened.' Anna Barlow is not alone in tracing the change in the LSC's attitude to the National Audit Office's (NAO's) damning 2009 report, *The procurement of criminal legal aid in England and Wales by the Legal Services Commission*, which concluded that the commission had overpaid providers for legal aid by nearly £25m.

Whatever the reasons, a firm that was founded on an ethos of quality and value for money ended up with a questionable record on both. While Law For All's trustees have taken a vow of omerta, the LSC has had no such inhibitions.

John Sirodcar, head of contract management at the LSC, claims that the commission was misled over the trustees' intentions. 'We became aware at 3.30 pm on 28 July that they were going into administration. They had told us a week before that the future looked bright: the future was "Orange". When I met the insolvency practitioner, he knew two weeks before I did that they were likely to go into administration.' John Sirodcar says that he 'genuinely does not know' why Law For All closed its doors, but then goes on to describe a raft of the LSC's concerns about its performance. These included apparently intractable problems with 'claiming appropriately': 'In the last 12 months, I would guess we have been to see them 20 times – the most of any of the firms that I deal with'; and failure to make full use of its matter start quota, particularly in employment (where it had used just 20 of its allocated 600 by the time it closed). Law For All also did badly on peer review, supposedly the gold standard for assessing quality of work, achieving a rating so 'truly awful' that John Sirodcar says that 'his cat' would struggle to have done so poorly.

Anjali Kemwal disputes the LSC's

version of events. She says that many of these issues were historical and had been resolved. Yes, the firm did badly on audit, but the result was overturned on appeal (a reaudit was pending when Law For All closed). What the LSC characterises as inappropriate claiming was down to the firm having interpreted the contract differently. As for the high number of LSC visits: 'We always encouraged them to come to see us because we thought the more they got to know us, the better it would be, but in the end that did not matter because the relationship manager changed about every month.' Anjali Kemwal accepts that productivity suffered when Law For All was going through the ordeal of the redundancies, but adds that some low take up of matter starts was down to the firm not being allowed to claim for work done during the period when it was in negotiations with the LSC over its regional offices.

Anjali Kemwal, who trained with Law For All and describes Anna Barlow as her mentor, says that she was left with precious little support or guidance to oversee the winding up of the firm. The LSC failed to co-ordinate the transfer of files and made a bad situation worse by stopping Law For All's legal aid account almost immediately. 'We had some cases where all we needed to do was to send an advice letter out with a decree absolute and bill it.' However, once the account was closed, these files had to be transferred to other firms along with everything else, she says.

An unseemly ending

TV Edwards' office in Clapham, south-west London, took a large number of Law For All's cases. Jane Pritchard, a partner at the firm, describes a transfer process which was shambolic and fraught with delay: Law For All ran a 'virtual-file' system, but its remaining staff did not know how to put the information on disk; they started to print everything out to send it that way, but ran out of paper and had no money to buy any more; the files that were printed could not be dispatched because Law For All's document exchange account had been closed. In the end, Jane Pritchard's assistant drove to Law For All's offices to pick up the files. Jane Pritchard agrees that the LSC did little to facilitate the process, saying: 'They seemed to take a laissez-faire approach.'