

Getting legal advice

About this factsheet and who it is for

There are many reasons why you may want to seek legal advice. When choosing your adviser it is important to check they have experience in the problem or issue you want help with and that they are suitably qualified to offer you the assistance you need. This factsheet aims to help you find a suitable legal adviser.

The artwork on the front of this factsheet was done by an older artist for EAC's over 60s Art Awards.



Solicitors often specialise in an area of the law such as, buying and selling property, wills, criminal cases or family problems including divorce and separations. It is important to ensure that the solicitors you choose has experience in the area you need advice. The Law Society can provide details of solicitors in your area that specialise in the area of law you need.

- The **Solicitors Regulatory Authority** (SRA), the independent regulatory body of The Law Society of England and Wales, can give you details of solicitors in your area including the areas of law they practice.

Solicitors Regulation Authority

www.sra.org.uk

Tel: 0370 606 2555

- **Solicitors for the Elderly (SFE)** are an independent, national organisation of lawyers, such as solicitors, barristers and legal executives who provide specialist legal advice for older and vulnerable people, their families and carers.

Solicitors for the Elderly

www.sfe.legal

Tel: 0844 567 6173.

Barristers are able to accept instructions from the public since 2004 under the Bar Public Access Scheme. Some limitations have been placed on them when doing this, such as; you must be referred to a solicitor if it would be in your best interests based on the nature of your case. A Barrister is not permitted to write or receive letters on you behalf or sign documents or handle money for you but can advise you in respect of your case and can appear in court on your behalf.

- **The Bar Council** can help if you are looking to instruct a barrister.

The Bar Council

www.barcouncil.org.uk

Tel: 0207 242 0082

Other commercial organisations can offer legal services such as will writing by people who may not be legally qualified; these organisations may not be governed by an independent regulatory body. If you choose to use such an organisation you may want to check that they have public indemnity insurance to provide compensation if things go wrong.

Other commercial non-solicitor organisations offer services like claiming compensation for personal injury claims, industrial injury, employment and

redundancy, criminal injury, housing disrepair or mis-sold financial products and often advertise as 'no win, no fee', these organisations must be authorised to provide these services by the Ministry of Justice:

The Ministry of Justice

Tel: 0333 200 0110

www.gov.uk/government/groups/claims-management-regulator

Your local Citizens Advice Bureau and telephone directory may also have details for providers of legal advice.

Paying for legal advice can be done in several ways, legal advice can often be charged for **by the hour** this may be when the amount of work needed may be variable or not easy to predict. More standard work such as simple wills or conveyancing may be able to be done on a **fixed fee basis**. Other types of advice may be available on a **conditional fee arrangement** or '**no win, no fee**'. This type of agreement is usually for compensation claims or personal injury cases. Anyone you approach for legal advice should also be able to advise you if you may be eligible for Legal Aid.

Legal Aid can help meet the costs of legal advice, family mediation and representation in a court or tribunal. You'll usually need to show that:

- your case is eligible for legal aid
- the problem is serious
- you can't afford to pay for legal costs

You could, for example, get legal aid if:

- you or your family are at risk of abuse or serious harm, eg domestic violence or forced marriage
- you're at risk of homelessness or losing your home
- you've been accused of a crime, face prison or detention
- you're being discriminated against
- you need family mediation
- you're adding legal arguments or bringing a case under the Human Rights Act

You'll usually need to show that you can't afford to pay for this help. You may have to pay some money towards the legal costs of your case or pay costs back later. Your legal adviser will usually apply for legal aid on your behalf.

To find out whether you are eligible for Legal Aid, contact the following organisation:

England and Wales

Civil Legal Advice (CLA)

www.gov.uk/civil-legal-advice

Tel: 0345 345 4 345

Minicom: 0345 609 6677

Scotland

Scottish Legal Aid Board (SLAB)

<http://www.slab.org.uk/>

Tel: 0131 226 7061

Email: general@slab.org.uk

Northern Ireland

Northern Ireland Legal Services Agency

www.justice-ni.gov.uk/topics/legal-aid

Tel: 028 9076 3000

Law Centres are local independent and not-for-profit organisations that offer legal advice, casework and representation to individuals and groups.

The Law Centres Network cannot give legal advice themselves but can help find a local Law Centre.

Law Centres Network

<http://www.lawcentres.org.uk/>

Tel: 020 3637 1330 (Admin line)

Citizens Advice Bureaux are locally run charities that have volunteers and some paid staff who can provide free legal advice, about a wide range of issues. The level of help they provide and who they can help will vary between different bureaux. You can find their number in your local telephone directory, library, Council, or from the website:

England and Wales

<http://www.citizensadvice.org.uk/>

Tel: 03444 111 444 (England)

Tel: 03444 77 20 20 (Wales)

Scotland

<http://www.cas.org.uk/>

Tel: 0808 800 9060

Northern Ireland

<http://www.citizensadvice.co.uk/>

Citizens Advice consumer helpline is a helpline about your consumer rights which protect you from being treated unfairly by a trader. They can help you understand your rights and how to take action.

England, Wales and Scotland

www.citizensadvice.org.uk/consumer/

Tel: 03454 04 05 06

Welsh-speaking advisor: 03454 04 05 05

Northern Ireland

<http://www.adviceguide.org.uk/nireland/>

Tel: 0300 123 6262

Ombudsman services look into complaints about an organisation. Using an ombudsman is a way of trying to resolve a complaint without going to court. There are a number of ombudsmen covering the areas below:

- Parliamentary and Health Service
- Local Government
- European
- Legal
- Property
- Housing
- Prison and Probation
- Energy
- Telecommunications

An ombudsman should be a member of the **British and Irish Ombudsman Association (BIOA)**, they are independent and impartial and free of charge. Usually you need to have used the organisations complaints procedure before they will consider a case. If the ombudsman finds your case is justified they will recommend what the organisation should do to put it right. An ombudsman cannot force an organisation to accept their recommendations, but they almost always do.

- **The Ombudsman Association** provides a search facility to find the right ombudsman or complaint handler.
www.ombudsmanassociation.org

Useful contacts

ACAS provide information, advice and conciliation to help prevent or resolve workplace problems.

<http://www.acas.org.uk>

Tel: 0300 123 1100

Action Against Medical Accidents

provides advice and support to people affected by medical accidents.

<http://www.avma.org.uk/>

Tel: 0845 123 2352

Advicenow is a not-for-profit website run by the charity Law for Life: the foundation for Public Legal Education.

<http://www.advicenow.org.uk/>

Bar Pro Bono Unit is a charity which helps find free legal assistance from volunteer barristers, it is available to those who cannot afford to pay and who cannot obtain public funding (Legal Aid)

<http://barprobono.org.uk/>

Tel: 020 7092 3960

Civil Mediation Council can help to access high quality mediation services.

<http://www.civilmediation.justice.gov.uk/>

Disability Law Service offers free advice on disability related issues.

<http://www.dls.org.uk/>

Tel: 020 7791 9800

Email: advice@dls.org.uk

Equality Advisory Support Service (EASS)

a helpline which can advise on issues relating to equality and human rights across England, Scotland and Wales.

<https://www.equalityadvisoryservice.com>

Tel: 0808 800 0082

Financial Conduct Authority regulates the financial industry in the UK.

<http://www.fca.org.uk>

Tel: 0800 111 6768 or 0300 500 8082

LawWorks supports lawyers to volunteer their professional skills to assist those who cannot afford to pay for legal help and are unable to access legal aid and can help find a local clinic for free legal advice. <http://lawworks.org.uk>

Mind's Legal Advice Service provides legal information and advice on mental health related law: mental health, community care, capacity, discrimination/equality and human rights.

<http://www.mind.org.uk/>

Tel: 0300 466 6463

National Debtline provides free independent and confidential debt advice.

<https://www.nationaldebtline.org/>

Tel: 0808 808 4000

Office of the Immigration Services

Commissioner gives details of all regulated immigration advisers and tells you whether the organisation charges a fee. <http://home.oisc.gov.uk/>

Tel: 0345 000 0046

Rights of Women can provide women with free, confidential legal advice by specialist women solicitors and barristers.

<http://rightsofwomen.org.uk/>

Tel: 020 7251 6577 (Family Law) or
020 7251 8887 (Criminal Law)

Shelter offers free, expert housing advice.

England and Scotland

<http://england.shelter.org.uk>

Tel: 0808 800 4444

Wales

<http://www.sheltercymru.org.uk/>

Tel: 0345 075 5005

Northern Ireland

<http://www.shelterni.org/>

Tel: 028 7188 2147

StepChange Debt Charity offers free advice and practical solutions to problem debt. <http://www.stepchange.org/>

Tel: 0800 138 1111

About FirstStop Advice

FirstStop is a free information and advice service designed to help older people decide how best to meet their needs for support, care and suitable housing. It is provided jointly by a growing number of national and local organisations and it is led by the charity, Elderly Accommodation Counsel (EAC).

About FirstStop Financial Advice

Working together, EAC and its partners in FirstStop Advice provide comprehensive information and guidance to help you afford the care, accommodation or services you need.

FirstStop's national Advisors are trained to advise on:

- What you may be entitled to in state benefits and financial help from your local authority;
- Whether you may be entitled to help with your care costs;
- Ways of making your income and capital go further;
- Services that are provided free by local and national voluntary organisations;
- Homesharing, co-housing and other mutual support networks.

A key FirstStop partner organisation is the *Society of Later Life Advisers (SOLLA)*.

SOLLA's members are regulated Financial

Advisers who specialise in providing financial advice to older people, they also adhere to the Society's Code of Best Practice.

If you decide, after speaking to us, that you would like advice from a SOLLA member, we can provide local details to you.

(Neither EAC or FirstStop has any financial interest in SOLLA or its member IFAs)

Contact us

- Visit us online: www.housingcare.org

The information contained in this factsheet is intended to be, and should be regarded as, a brief summary and is based on our understanding of present legislation, regulations and guidance. No responsibility can be accepted for action based on this information.

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