

# Looming legal aid cuts inspire family lawyer's book to help those in family courts who cannot afford a lawyer

Submitted by: Bath Publishing Limited

Thursday, 26 May 2011

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Continued cuts in legal aid, accelerated by the Coalition's deficit reduction plans, will see more and more people representing themselves at court in disputes over their money and children after divorce or relationship breakdown. These changes have prompted Lucy Reed, an experienced family law barrister, to write a book (and accompanying website) that will help the litigant in person understand the family court system and present their case in court and perhaps reduce the delays that judges fear will clog up the system.

The problem is recognised by the Justice Secretary, Kenneth Clarke. In December 2010 his Department published a Green Paper on Legal Aid reform which admitted that their proposals will

“lead to an increase in the number of litigants representing themselves in court in civil and family proceedings. This may potentially lead to delays in proceedings, poorer outcomes for litigants (particularly when the opponent has legal representation), implications for the judiciary, and costs for Her Majesty's Courts Service.”

The MoJ hopes fewer families will resort to litigation and that many will be able to resolve disputes through mediation or ADR, and that the cost to the public purse will be reduced, but for parents seeking to house and sustain a family after a divorce, or trying to secure ongoing contact with their children, resolving such fundamental, emotionally charged disputes outside court is not always possible.

Lucy's book, **Family Courts without a Lawyer: A Handbook for Litigants in Person** sets out the relevant law but more importantly provides insights and tips on how to best prepare and present a case with advice on what facilities to expect when at court, how to manage witnesses and evidence and what tactics the opposing lawyers might use to help their case. This insight and wisdom on the practical issues of attending court sets the book apart from other self-help divorce books. Lucy distils her experience, borne of daily attendance in the family courts, to identify and explain the common pressures, errors and misconceptions so the litigant in person can avoid mistakes and feel more confident before the judge and when dealing with any lawyers involved in the case.

The book has also been partly inspired by her comments received on her well-known blog about family life and the law, Pink Tape (<http://www.pinktape.co.uk>) where she often helps to reassure and redirect her readers on the realities of family law.

“In my work at court I often encounter litigants in person with a perfectly good case which they struggle to prepare or present, or who become distracted by points which are legally irrelevant. Judges generally try to help litigants in person, but ultimately, litigants in person who do not have even a basic grasp on the law may not be able to articulate the strengths in their case and may do damage to it by adopting the wrong approach. Lawyers like myself have already seen a rise in the numbers of unrepresented litigants, and it seems likely that there will be many more in coming years. There will probably be an increasing number of cases where there is no lawyer involved at all. This could have disastrous consequences for families and for access to justice.

My book is not a substitute for legal advice or representation, and it can't completely redress the balance, but it may help litigants in person gain an understanding of how the system and the law works, and I hope it will enable litigants in person to inform and prepare themselves in advance of going to court, so that on the day they can focus on the job in hand and be able to engage in the process."

The author / publishers are also donating £1 to the Bar Pro Bono Unit for every copy sold.

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Notes For Editors:

Family Courts without a Lawyer: A Handbook for Litigants in Person is to be published by Bath Publishing on 3 June 2011. Review copies are available on request.

An associated website – [nofamilylawyer.co.uk](http://www.nofamilylawyer.co.uk) (<http://www.nofamilylawyer.co.uk>) – has been published. The site contains working documents and resources referred to in the book

The Ministry of Justice published a Green Paper on the legal aid reform in December 2010 and a consultation on their proposals closed on 14 February 2011. The Government's response to the consultation is expected in June 2011. For more see:

<http://www.justice.gov.uk/docs/legal-aid-reform-consultation.pdf>

<http://www.justice.gov.uk/consultations/633.htm>

The quote is from para 4.266 of the consultation paper

A litigant in person is the term used for those representing their case in court without the assistance of a qualified legal representative.

The author, Lucy Reed, is a barrister at St John's Chambers in Bristol. She is also the author of the well known family law blog, Pink Tape (<http://www.pinktape.co.uk>), and is described by The Guardian (<http://www.guardian.co.uk/law/butterworth-and-bowcott-on-law/2011/may/23/legal-blogging-lawblogs>) as "one of the best legal bloggers for style and content"

The author is available for media interviews and to write about the issues surrounding the funding and practice of family justice. In the first instance please contact David Chaplin at the publisher – [david.chaplin@bathpublishing.co.uk](mailto:david.chaplin@bathpublishing.co.uk)

Bath Publishing are legal publishers, both in print and online, who have been providing information to family lawyers and others working in family justice since 2005. They founded, developed, managed and subsequently sold (in 2010) a leading online resource for the industry – [www.familylawweek.co.uk](http://www.familylawweek.co.uk)

Bath Publishing are also helping to develop a new service for divorcing couples that will help them get experienced legal advice on the likely outcome if it went to court but without the costs of using a

solicitor. The service is the brainchild of a practising family lawyer who believes that the costs of divorce should – and can – be reduced. Intelligent Divorce is due to launch in June 2011 and further information is available from David Chaplin (see below for contact details)

The publisher and author are donating £1 for every copy sold to the Bar Pro Bono Unit. The Unit is a national charity which enables pro bono advice and representation from volunteer barristers for those who cannot afford to pay for such help and are unable to obtain legal aid. The Unit team is passionate about increasing access to justice and aim to ensure that in each case the barrister is of the same expertise and experience as would be expected in a privately funded case. The panel of pre-volunteered barristers has expanded to 2,500 with over 400 QCs.

#### ABOUT THE BOOK

Title: Family Courts without a Lawyer: A Handbook for Litigants in Person

Price: £29.00

Publication due: 3 June 2011

Extent: 336 pages

Website: Readers will also have access to updates, useful documents and other resources on the accompanying website – <http://www.nofamilylawyer.co.uk>

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