



14th September 2018

Deputy Ahier
Legal Aid Review Panel
States Greffe
Morier House,
Halkett Place,
St. Helier, JE1 1DD

Dear Deputy Ahier

Thank you for joining us at a recent Council meeting following the request from the Legal Aid Review Panel to take evidence from the Consumer Council regarding the proposed changes to Jersey's Legal Aid system. The call for evidence only afforded stakeholders 14 days to give views on a complex proposed scheme. We welcome the opportunity to be consulted on matters relating to consumers and especially a topic which is an essential part of our Jersey society. However, we voiced our concerns regarding the brevity of time for the Council to give a considered response.

We are concerned that the limited details and guidance shared with us provides a micro insight into a macro topic. Subsequently we have further investigated the proposed changes to Jersey's Legal Aid system and it is evident that we would need significantly more information to do the topic and a response justice.

A major concern is the planned flyer you shared with us. We fear it lacks transparency and clarity and could be very misleading at worst. For example, the flyer says that the new scheme would be funded by the States – this is only true for criminal work.

As I am sure you are aware, the Council is part of the Access to Justice Expert Group and has given a significant amount of time to the process and to previous consultations. The Council alongside Citizens Advice Jersey dedicated a significant communications energy to raising awareness of a simple survey style consultation paper which helped to generate in excess of 15 responses from a broad range of backgrounds not just from the legal profession.



We must highlight that the Council members are extremely concerned that the wider public will not understand why and how the £35,000 maximum threshold has been calculated or reached, especially in comparison to the £100,000-university grant threshold. Also, it should be highlighted that successful criminal defence payments should be properly clarified and justified. We are very concerned that this will, if introduced, significantly deter and limit citizen's ability and appetite to defend themselves. We note that there was no mention of this on the flyer.

Our discussions at the Council meeting left doubt as to the civil and criminal provisions now and in the future.

Kind regards

Mr Carl Walker
Chair – Jersey Consumer Council