

# LASIM - A Microsimulation Model of Scottish Legal Aid

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# Legal Aid In Scotland

- ▶ £150m pa
- ▶ Originated in WW2 to help divorcing soldiers;
- ▶ Scottish System relatively generous;
- ▶ 3 types:
  - ▶ Advice And Assistance “Quickie” legal aid for 1 hour of a solicitor’s time, with very basic means test;
  - ▶ Civil - divorce, housing etc. complex means test;
  - ▶ Criminal - No means-test for Criminal Legal Aid: “A socicator will be provided”.

# The Means Test

- ▶ 'Passported' on Universal Credit and some 'legacy benefits';
  - ▶ UC a particular problem as entitlement (sometimes to small amounts) goes well up the income scale;
- ▶ otherwise, compare income minus a bunch of allowances to thresholds - outcome: either qualifies, qualifies with contribution, does not qualify.

# The Problem

- ▶ Complexity
  - ▶ lots of small individual allowances - travel to work, etc;
- ▶ Scottish Parliament Enquiry:
  - ▶ concerns: complexity, not targetted at correct groups (esp non-criminal domestic abuse cases, child cases);
  - ▶ committee sessions are worth watching;
  - ▶ model used heavily in responses.

## Previous work

- ▶ Our model builds on earlier work for the England And Wales Legal Aid Board;<sup>1</sup>
- ▶ the Scottish and Northern Irish Legal Aid Boards.<sup>2</sup>
- ▶ England And Wales work built on IFS's Taxben model<sup>3</sup>;
- ▶ Scottish work used legal-aid only simulation written in ADA.

The E&W work is especially interesting as an attempt at formally modelling the simplification of a complex benefit.

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<sup>1</sup>Buck and Stark, "Means Assessment"; Buck and Stark, "Simplicity Versus Fairness in Means Testing."

<sup>2</sup>Digan and Stark, "Financial Arrangements for Access to Civil Legal Aid"; Stark, "Scottish Legal Aid Board."

<sup>3</sup>Giles and McCrae, "TAXBEN."

# LASim

- ▶ objectives:
  - ▶ accurate costings of often quite finniky changes;
  - ▶ usable by SLAB in-house staff;
  - ▶ emphasis on output detail:
    - ▶ what kind of people are gaining and losing entitlement?
    - ▶
- ▶ previous work was solely entitlement based.

# Scotben

- ▶ as seen last year
- ▶ fully open source;
- ▶ mainly uses Family Resources Survey (FRS)<sup>4</sup> for data.

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<sup>4</sup>DWP, *The Family Resources Survey*.

# Entitlements to Costings

- ▶ Re-work in progress!
- ▶ use Civil Module Scottish Crime and Justice Survey to find propensities of different households to have particular problem types;
- ▶ use the propensities to impute live records from SLAB case files - gives costs;
  - ▶ compare the costs to the contributions.
- ▶ Technical Documentation



# Problems

- ▶ poor data on some small expense items - v important for reform effort;
- ▶ moving from entitlements to payments much trickier than for normal benefits;
- ▶ SLAB technical people caused pain ... has to run on the slowest machine they have ..

# Live Demo

▶ [<https://lasim.virtual-worlds.scot>]

# THANK YOU

Buck, Alexy, and Graham Stark. "Means Assessment: Options for Change." Legal Services Commission, 2001. <http://webarchive.nationalarchives.gov.uk/20100210214359/http://lsrc.org.uk/publications/meansassessmentoptionsforchange.pdf>.

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Digan, Tony, and Graham Stark. "Financial Arrangements for Access to Civil Legal Aid." Northern Ireland Legal Services Commission, 2007.

DWP. *The Family Resources Survey*, 2012. <http://research.dwp.gov.uk/asd/frs/>.

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