

THE JUSTICE PAPERS

The Bar Council

A View from the Personal Support Unit



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As I collate the figures for my half-year report, another huge rise in demand for Personal Support Unit (PSU) services is confirmed (130 per cent across London family courts). The irony is that many of our clients' cases would never get to court if they'd had access to legal services from the start.

You may think that our clients are the most vulnerable in society, but many of them are ordinary people holding down jobs, looking after families and contributing to society. They are made vulnerable by having to act as solicitors and barristers in their own cases, often concerning life-changing and overwhelming situations.

We all believe that we have the right to justice. Most of us will never know the devastating effects of needing the legal system, but not being able to access it. In truth, many of us would fall into the gap between being eligible for legal aid and being able to afford a lawyer. We just don't think about it until it happens to us. Being a litigant-in-person makes all of us vulnerable in that situation.

Every day, PSU volunteers support people as they try to navigate a system designed for highly trained professionals. Seeing first-hand the delays and confusion caused by self-representing parties, their cases taking an average of three times

as long to resolve, the financial cost is clear. It is eclipsed, though, by the stress and emotional cost to all those involved, including court staff and the judiciary, but more keenly to litigants-in-person.

It is not uncommon, for example, to see people having panic attacks in the waiting areas, or people who have literally been struck dumb because they are so overwhelmed and anxious. On one occasion, I arrived for work and there was a woman collapsed on the floor outside the court building. She was paralysed with fear and felt unable to go into the court building, much less into court. Fortunately, she happened to be at a court where there is a PSU and we were able to bring her into the office, calm her down and be by her side when she went into court. Thanks to our support, this woman did manage to get through the hearing, but it is an extremely difficult process for people to go through and thousands of people have no support at all.

A key benefit of our being with clients in the court room is that we can explain to them afterwards what actually happened. It might sound strange, but high levels of anxiety can affect peoples' hearing. Adrenalin pumps blood around the body so quickly that it pounds in their ears, muffling sound. The impenetrability of the legal terminology further intensifies the anxiety, making it virtually impossible

for people to present their case coherently and cogently.

The stakes are often very high for our clients, they may fear losing access to their children or being evicted. Putting their case well is critically important but many are unable to.

We see clients who have developed health problems (particularly mental health), financial difficulties and relationship breakdowns. Some have even lost their jobs or homes. No one is winning. The system is collapsing and so are those within it, and at the mercy of it, and we are all, as taxpayers, paying more for it.

The PSU helps its clients to represent themselves to the very best of their ability, although they do not have years of legal

training behind them. We help them to understand the process and know what to expect, we listen to their stories, enabling them to unburden some of the emotional load so they can focus on the key aspects of their cases. We help them to prioritise and set out what they want to say, in applications, statements and in court, and we accompany them to their hearings so that they are not alone.

Our wonderful volunteers support people with kindness, respect and humanity, as well as common sense and practicality. Some of our clients simply would not make it through the process without them. None of them should have to.

The PSU is an exceptional service and a vital source of support to litigants-in-person, but it does not try to, and cannot be, a substitute for legal representation.