What happens when people with learning disabilities need advice about the law?

Easy Read Report

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Thank you

There are lots of people we need to say thank you to. This includes people with learning disabilities, their families and legal professionals.

We would like to thank everyone who helped us with this work.

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How to read this report

This report has been written using plain language and pictures.

But there are still some words that are difficult to understand.

These words are in bold. Find out what they mean in the “Difficult words used” section on page 18.
Chapter 1: What this report is about

Everyone should be able to get advice about the law from people who are trained.

Solicitors, lawyers and barristers are professionals that give this legal advice.

People with learning disabilities seem to face barriers when they need to get legal advice.

So the Legal Services Board wanted to find out what happens when people with learning disabilities use legal services to get advice about the law.
This report is about the experiences of people with learning disabilities, their families or carers who have used legal services.

It is also about, people with learning disabilities, their families or carers who needed legal advice but did not use legal services.

And professionals providing legal services to people with learning disabilities.
Chapter 2: How we did the research

Ninety people with learning disabilities took part in 18 focus groups in different parts of England and Wales.

We spoke to 26 family carers of people with learning disabilities on the telephone.

We spoke to 9 legal professionals who have worked with people with learning disabilities.
Chapter 3: What people with learning disabilities told us

Most people with learning disabilities did not contact legal services themselves.

When they had a problem, they went to the people they know and trust, like support workers, advocacy workers and family members.

Some people with learning disabilities needed legal advice about things that affect everyone in society, like:

Getting a Divorce – when a couple agree to end a marriage;

Making a Will – where someone says what should happen to their money and items they own when they die;
Doing ‘Probate’ – when you sort out someone’s money and the things they own after they die;

Or when they have been accused of a crime.

But some people with learning disabilities needed legal advice on difficulties that were connected to them having learning disability.

Some people had problems with social services allowing them to keep their children;

Some people were victims of bullying and hate crime;

And some people were treated unfairly because of their disability.
Lots of people with learning disabilities did not know what legal advice services do, or how to get advice about the law.

The people they often turned to for help, did not always know that legal advice was available or where to get it.

People who did get legal advice worried about how much it would cost, especially with the cuts to legal aid.
Chapter 4: What family carers told us

Family carers told us that they use legal services to write Wills to make sure their learning disabled relatives’ future is safe.

They also use legal services to challenge decisions about care or support for their relative with a learning disability.

Some family carers want to make sure that the Mental Capacity Act is used properly. This is a law that protects people who have trouble making decisions for themselves.

Family carers used websites, helplines and internet forums to get information about these legal issues.
Chapter 5: What legal professionals told us

The legal professionals we spoke to, told us about how they work with people with learning disabilities.

They did not know about the needs of people with learning disabilities.

They said it would be a good idea for legal professionals to work with learning disability organisations (including People First Groups) to make it easier for people with learning disabilities and family carers to get advice about the law.
Chapter 6: Other findings

Both people with learning disabilities and family carers found it hard to get specialist advice about their rights to support for their care needs;

Their right to benefits;

And disagreements with councils and health services.
Law centres, Citizens Advice Bureaux and legal aid firms did help with these issues

BUT there was concern about using these in the future, due to funding cuts.

The best legal services explained the law in plain language;

Allowed extra time for meetings;

And had information that was easy to understand.

The people we spoke to said that getting the right legal advice made them feel more confident, helped solve the problem they had and made their lives better.
Chapter 7: **The main points**

There are lots of barriers to people with learning disabilities who need advice about the law, like not knowing how to get legal advice;

Worry that using the law may affect services they rely on;

The cost of taking legal action;

The changes to **legal aid**;

And the lack of information that is easy to understand.
Chapter 8: What needs to be done now?

We learned four things from doing this research:

1. People with learning disabilities need information that is easy to understand.

2. The people they talk to about problems also need information about how to get legal advice for someone with a learning disability.

3. People who give legal advice need training to make them aware of the best way to work with people with learning disabilities.

4. Legal services and learning disability organisations need to work together to improve access to legal advice for people with learning disabilities.
**Difficult words used**

**Barrister** – a type of lawyer who is trained to be an advocate for people in the courts

**Divorce** – when a couple agree to end a marriage

**Focus group** – group of people who know about or use something and discuss their ideas about it

**Hate Crime** – a crime against someone because of their race, sexuality or disability. This crime normally includes violence

**Internet forums** – a place on the internet where people can send messages to other people about things that matter to them

**Law centre** - a place where free, independent legal advice and representation is provided to those who cannot pay for this advice

**Lawyer** – someone who gives legal advice and represents people in court (another name for solicitors and barristers)

**Legal advice** – advice about the law

**Legal aid** – money provided by the government to help people pay for a lawyer

**Legal professionals** – people trained to uphold the law (like the police and the courts) and people who give advice about the law (like solicitors and barristers)
Legal services – any organisation that employs people to give advice about the law, like law centres, firms of solicitors and Citizen’s Advice Bureaus

Legal Services Board – the organisation which looks out for the interests of people who use legal services

Mental Capacity Act – this is a law that protects people who have trouble making decisions for themselves

Probate – reading someone’s Will after they have died

Research – when people spend a bit of time finding out about something, the information and ideas they collect on the way is called research.

Solicitor - a lawyer who normally deals with legal issues within an office

Wills - A document which tells us how someone would like the things they own to be dealt with when they die