

# ADVOCATE - Signposting Guide

**Advocate is the national pro bono charity of the Bar. We look to find barristers for people in England and Wales who are not eligible for legal aid and cannot afford to pay for legal assistance. We match cases to qualified barristers from Advocate's dedicated panel of volunteers.**

## We help with:

- Specialist legal advice, drafting and representation and help at mediation.
- Cases across all areas of law, and in all courts and tribunals (subject to the below)

Advocate works exclusively with barristers and, as such, can **only consider cases that are appropriate for barrister assistance**. In essence this means that it would need to be representation **in a court or Tribunal in England or Wales** or advice or drafting suitable for a barrister to provide. In practice this means different things for different areas of law, and is subject to limitations, as follows:

## Limitations

- ➔ **Legal Aid:** Advocate cannot assist where legal aid is available, please check if legal aid is available first. More information can be found on [our website](#), [www.weareadvocate.org.uk](http://www.weareadvocate.org.uk).
- ➔ **3 Weeks:** We can only consider cases where we receive all required information and documentation at least 3 weeks prior to the deadline (with rare exceptions, such as risk of imprisonment, homelessness, deportation, or loss of contact with children), although there is still no guarantee that we will be able to assist.
- ➔ **Unable to Afford:** We will only consider applications where the applicant cannot afford to pay for legal help - please consider this before signposting.
- ➔ **Unable to Obtain Alternative Assistance:** We can only consider applications from individuals who are unable to source legal assistance elsewhere. Please consider whether assistance is obtainable through avenues such as - home/legal expenses insurance, public liability/employers' liability insurance, conditional fee agreements, unions, medical defence organisations, and so on. Please see the [Signposting Page](#) on our website for more details.
- ➔ **3 Day Work Limit:** Typically, requests for assistance for more than 3-days' work will not be authorised, unless there are exceptional circumstances.
- ➔ **Help Not Guaranteed:** In terms of managing expectations, whilst we will try find a barrister for cases which meet our criteria, we cannot guarantee help from a barrister.
- ➔ **Please see page 2 of this guide for further information specific to different areas of law.**

## How to Apply

If the case meets the criteria above and below, individuals or referral agencies can apply using the online form found on our website or write to us requesting an application form if you do not have access to the internet.

Since individuals can apply directly to Advocate, it is not necessary for a referral from an agency to be included. However, should referrers wish to include any supporting statement, that can be included within the application form, or as an additional covering letter.

## How to Apply

- 1** Fill out the application form, attaching all the relevant documents.
- 2** We will review your application but, even if accepted, we cannot guarantee what we can find a barrister to assist you.
- 3** If accepted and a barrister is found, they will provide you with legal advice, drafting or representation in court/tribunal.

For more information, please visit

[www.weareadvocate.org.uk/applyforhelp](http://www.weareadvocate.org.uk/applyforhelp)

Write to us by post: Advocate, 2nd Floor Lincoln House, 296-302 High Holborn, London, WC1V 7JH

## Referrals in different areas of law:

- Family (Children and Financial):** We ask that these matters are only generally signposted, unless there are exceptional reasons, if proceedings are ongoing. If pre-action, signpost to local law centre/legal clinic. Given the 3-day work limit above, we may not be able to assist with lengthy hearings, but such requests may be deemed eligible for assistance with advice or drafting if proceedings are ongoing. 3-week rule above may be bypassed where risk of losing contact with children.
- Employment:** We ask that these matters are only signposted if proceedings are initiated, unless in exceptional circumstances. This means not during internal employment disputes - if pre-action signpost to local law centre/legal clinic. If applying individual has already approached ACAS but not filed their claim, we may be able to assist but it is a tight turnaround and unlikely. Typically, we assist once a hearing has been listed, but may also be able to provide assistance with drafting and advice (including settlement) if proceedings are ongoing.
- Housing:** If private landlord disputes, we typically ask that these are only signposted if proceedings are initiated – can signpost to Citizens Advice, local law centre, Shelter. However, if pre-action assistance could be appropriate, we ask that these are only signposted once the applicant has exhausted internal complaints and Ombudsman avenues. 3-week rule may be bypassed where risk of homelessness. We do not generally help landlords.
- Immigration:** We can consider applications in all immigration matters at all stages (from initial advice to appeals). We may be able to assist even where legal aid could be available – e.g. Advice could include advice on accessing legal aid/ECF. 3-week rule above may be bypassed, particularly where there is a risk of deportation.
- Crime:** We can help in all criminal cases where Legal Aid has been denied such as representation at Magistrates and Crown Court, this includes, but it not limited to, Sentences, Appeals, Driving Offences, TFL Licence Appeals and defending private prosecutions. 3-week rule above may be bypassed where risk of imprisonment



- ➔ **Public:** We ask that these matters are only signposted once the applicant has exhausted Ombudsman and appeal avenues. This is because the court is likely to ask the same so this is something that our own team would be doing down the line and, as such, can be frustrating.
- ➔ **General (including Commercial/Chancery/Property):** If none of the above limitations apply, and all complaints/ombudsman/appeal avenues have been exhausted, we are likely to be able to consider assisting pre-action so long as proceedings are at least in contemplation. As below, there does need to be a clear identifiable other party to proceedings.

*Please note that there does need to be a clear identifiable other party to proceedings. We appreciate that anecdotally we have observed an increase in poor mental health that can lead to individuals wishing to bring claims for matters that may not be able to be litigated. If the relevant authority for dealing with these would be the police or mental health services, please do consider these instead. There are various sources of help, and general suggestions for effective signposting, in the Guide to Pro Bono & Other Free Advice at [www.probonoweek.org.uk/guide](http://www.probonoweek.org.uk/guide)*

## Court Duty Schemes

Advocate also partner with and administrate a number of on-the-day and Court Duty Schemes. You can also consider signposting applicants and barristers to the following schemes.

- Commercial and Chancery:
  - **Chancery Bar Mediation Scheme** by which barristers volunteer as mediators.
  - **Chancery Litigants in Person Support Scheme (“CLIPs”)** and similar duty schemes to represent litigants “on the day” in chancery application lists in Birmingham, Bristol, Newcastle, Leeds, London.
  - **Commercial Court Pro Bono Scheme** to provide representation to LIPs before the Commercial Court and the London Circuit Commercial Court.
  - **Company Insolvency Pro Bono Scheme (“COIN”)**, for Litigants appearing in the winding-up court.
  - **The Bankruptcy Duty Scheme**, “on-the-day” advice and advocacy for unrepresented parties in bankruptcy petitions
  - **The Personal Insolvency Litigation Advice and Representation Scheme (“PILARS”)**
- Appeal Schemes
  - **The Court of Appeal Scheme (“COAS”)**
  - **The South West County Court Appeal Scheme (“SW-CCAS”)**
- Family & Court of Protection:
  - **Court of Protection** scheme to provide assistance to LIPs with cases in the Court of Protection and adjacent areas.
  - **The Exeter Family Law Clinic**, provides 40 minute, pre-booked appointments with a family law specialist.

For more information and contact emails, please see:  
[www.weareadvocate.org.uk/volunteer/partnerschemes](http://www.weareadvocate.org.uk/volunteer/partnerschemes)

