

Innovation and Patchwork Partnerships: Advice Services in Austere Times

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Abstract

In the UK's austerity regime, government spending has been slashed, while audit regimes tie up officers of charitable organisations in bureaucracy rather than leaving them free to attend to the substance of their jobs. These funding-cuts-masquerading-as-market-based-restructuring have drastically affected the provision of advice to welfare dependents. But advisers, and the organisations they work for, piece together new patchworks of funds, devise new forms of face-to-face advice, and rework the boundaries of the law. Local authority funds are invested to yield returns from centrally-funded sources. People are helped to honour their tax commitments while challenging debts incurred from the incorrect award and reclaim of benefits, and to pay their council tax and rent. For advisers, austerity is more a matter of seeking new resource flows, inventing novel interventions, and creating new spaces where justice may be sought and found, than of passively accepting funding cuts.

Key words

Advice services; austerity; innovation; United Kingdom

Resumen

En el Reino Unido, las políticas de recortes de fondos maquilladas como reestructuraciones basadas en el mercado han afectado drásticamente la provisión a los dependientes de la asistencia social. Pero los asesores y las organizaciones para las que trabajan forman nuevos tejidos de fondos financieros, ingenian nuevas formas de ayudar en persona y reconfiguran los límites de la ley. Los fondos financieros de los gobiernos locales se invierten para obtener réditos de fuentes de

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financiación centralizada. Se ayuda a la gente a cumplir con sus obligaciones fiscales y, al mismo tiempo, a recortar las deudas generadas por una incorrecta concesión y reclamación de prestaciones, y a pagar sus tasas municipales y sus alquileres. Para los asesores, la austeridad es una cuestión de buscar nuevos flujos de recursos, idear nuevas formas de intervención y crear nuevos espacios en los que la justicia pueda ser buscada y hallada.

Palabras clave

Servicios de asistencia; austeridad; innovación; Reino Unido

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1. Introduction

[I]f the state (...) decides it no longer wishes to support professionally based advice work and won't pay for that – what is going to happen? How are people and communities going to gain access to knowledge of their rights and access to redress when things go wrong?

(Andy Benson, National Coalition for Independent Action)

In new settings of global austerity, concerted attempts are being made to cut government spending. The introduction of market-oriented policies and regimes has been central to this initiative. Such policies have been much criticized by those from the *liberal left* who decry their effects, not only because of the obvious material effects when funding cuts affect welfare benefits, but also because of the way the associated audit regimes tie up officers of both public and civil society/charitable organisations in tangled bureaucracy rather than leaving them free to attend to the substance of their jobs. This paper shows how these funding-cuts-masquerading-as-market-based-restructuring have affected the provision of advice to those who rely, in whole or in part, on such benefits.

Cuts to state funding have left “everyday life for many ever more precarious”, making the role of advisers ever “more essential” (McDermont 2013). Given that the advisers who staff England’s many advice centres work *at the boundaries* of fields of law that are extremely complex, people need their help to negotiate or challenge decisions made by state bureaucrats. This is especially so for welfare beneficiaries for whom the UK’s “welfare reforms” have intensified existing problems of indebtedness, housing, employment, social security, and immigration/asylum (Genn 1999, Pleasence *et al.* 2004, Moorhead and Robinson 2006). “Generalist advisers” and/or volunteers often attend to a client’s problems at the first port of call, then either consulting an in-house lawyer or referring the client to second-tier advice-providing organizations that employ specialist solicitors (Forbess and James 2014). Advisers, in many cases, are thus not lawyers, but neither are they simply *information givers*. Given that funding cuts make fairness appear to be increasingly out of reach, and law and justice available only to those who can afford to pay for it, advisers engage on clients’ behalf in a process of *translating* and actively redefining the law, in a manner that is often informed by local conceptions of justice and experiences of law in everyday life (McDermont 2013).

Britain’s *new austerity* must be seen as the newest stage in a long line of initiatives aimed at hollowing out the welfare state. In the process, as critics have observed, the boundaries between the public and private domains have been irretrievably blurred (Clarke and Newman 1997). Market-based interventions such as New Public Management (NPM) were originally brought in under the Thatcher Government. They have continued or intensified under subsequent regimes, culminating in the Conservative/Liberal Democrat Coalition Government’s “welfare reform” (Patrick 2017). Such interventions were aimed at replacing the “presumed inefficiency of hierarchical bureaucracy with the presumed efficiency of markets” (Power 1999, p. 43), and accompanied by stringent new systems of audit.¹ As is often the case with reform initiatives, these new schemas often turned out to generate unforeseen problems which required reform in turn (Power 1999, p.27). However, the unexpected and emergent ideas and practices that resulted also posited novel forms of “public good” (Clarke and Newman 1997, p. 25). The “divergent utopias and pragmatic decision-making” of individual actors (Bear and Mathur 2015) may clash. State bureaucrats instructed to implement market-oriented reforms are often in contestation with non-state advisers determined to counter their effects – but both

¹ NPM was introduced in the name of (1) fiscal restraint; (2) the alleged necessity of reducing state service provision; (3) the idea of accountability to tax payers and in opposition to “cosy cultures of professional self-regulation” The idea was that money must be seen to be spent “economically, efficiently and effectively” (Power 1999, p.44). After its introduction in the UK, it spread worldwide (Pollitt *et al.* 1999).

may cherish ideals about how to do things better. In the process, the *boundaries of the law* may be redefined and new arenas created in which to negotiate the “new public good”. “New orienting values” arise, combining

fiscal discipline, marketization, consensus, transparency and decentralisation (...) [which] are associated with the market ethics of the economist’s public good and are linked to new technical mechanisms of accountability. But their resonances as an ethos, a lived persona, a contested referent or frustrating impossible goal cannot be captured in their social reality by economists’ models or the analysis of audit techniques alone. (*Ibid.*)

Situated at the point where “new (...) values of fiscal discipline” intersect with both “pragmatic decision-making” and utopian ideals about the “new public good”, this paper shows that austerity-based restructuring has had a number of contradictory effects. Advice providers, and the local authorities /councils that have traditionally funded them (as well as providing advice in their own right), have had to play these roles more inventively. These local authorities are often in conflict with, and have differing agendas to, central government. Indeed, the structural tension between the two is a key driving force in advice innovation by the former. Charged with the provision of certain key services that are partly funded by local rates and taxes, local authorities have found themselves often paying for or even offering advice as part of that mission, while central government has a history of trying to rationalise advice, make it more efficient and market-driven, and even – under the austerity regime – cut it back altogether. In a gradual, but increasingly accelerated, shift from the earlier approach of providing advice organisations with block grants and letting them fund advice as they saw fit, market-based reforms have been imposing contract and commissioning arrangements. This has led to a shift in the approach of the local authorities, themselves squeezed by funding cuts. In recent years, they have become more proactive in shaping the nature of advice services. They do this in part out of empathy but also as a way of maximising their income. Some have partly carried over mechanisms from earlier moments of reform but, as our data demonstrates, have reconfigured these in innovative ways as means both to enable advice services and stem the depletion of their own income. In effect “forcing disparate state agencies to work together” (Forbess and James 2014, 73), multi-focused initiatives undertaken by local authorities have attended to the need to offer help and support to particularly vulnerable recipients of welfare benefits, while simultaneously ensuring that they are not left out of pocket.

Recent reform initiatives affecting welfare and the provision of advice to help access it, and undertaken in the name of austerity, have been merely the latest in a long line of similar schemes. Starting under Thatcher’s Conservative Government in the 1980s, these were continued – under various guises - by New Labour in 1997, the Conservative/Liberal Democrat Coalition in 2010, and the Conservatives in 2015 (Patrick 2017). All, to differing degrees, were underpinned by claims that the centralized command-and-control approach, and lack of fiscal discipline, of the UK’s welfare state needed to be rectified. All imposed forms of audit (Moorhead 1998, 2004), added new conditionalities to the provision of welfare, pursued the use of commissioning, and sought to establish quality marks. Particularly stringent efforts were made to standardize not for profit organisations and charities in a setting where nearly two thirds of the advice sector consisted of these (Carter 2006, p. 44) and where their largest funders were local authorities. When, in 2012, the Coalition Government added to other austerity cuts by passing the much-derided LASPO (Legal Aid, Sentencing and Punishment of Offenders) Act 2012 (see Hynes 2012), legal aid for “first tier advice” on welfare benefits and for “social security matters in the higher courts” were taken “out of scope” (Clarke 2011). These changes were far-reaching and were predicted to have “a profound impact on access to justice for the general public” (Hynes 2012, p. 2).

Austerity reforms - the latest in this long line of initiatives - have attempted not only to regulate but also to stem the flow of funds. They were aimed at the interrelated

yet contradictory-sounding goals of free-market-oriented innovation and centrally planned rationality. Those working in the advice sector, many of whom cut their advice teeth during the highly politicized debates of the 1960s (Thane and Davidson 2016, 12-15), have been extremely critical of them. As the paper shows, they see such reforms much as David Harvey describes them: as creating “a culture of entrepreneurialism” by imposing “strict rules of surveillance, financial accountability and productivity on to institutions (...) ill-suited to them” (Harvey 2005, p. 61). They see the creeping and ever-intensifying emphasis on driving down costs as putting the needs of users ever further from view. The reforms have also forced many organisations to practice innovation more in their search for funds than in their devising of new advice arrangements. But these cuts have not gone unchallenged. Countering central government efforts to streamline and cost-cut advice, councils and other local providers have found ways to continue and intensify their extending of the boundaries of the law by providing more, rather than less, face-to-face advice. Such initiatives, tempering fiscal prudence and “pragmatic decision-making” with utopian thinking (Bear and Mathur 2015), run counter to central government’s austerity policies, and create new spaces where justice may be sought and found.

Our research, funded by the Leverhulme Trust, was conducted in the UK, in London, Kingston-upon-Thames and Portsmouth between early 2014 and mid-2015. Interviews cited below were undertaken with key players – past and present - in the advice sector, who reflected on their earlier involvement and on the impact of recent changes. We also observed advice encounters in a number of different advice offices, analysed case notes and other documents, traced the progress of selected cases, and undertook surveys of cases covering specific time periods. Transcripts were shared with informants, who were also invited to a dissemination event where they were able to comment and give feedback on our findings. Most were willing to be cited, but pseudonyms have been used in those cases where informants preferred to remain anonymous.

2. Patchwork Funding

The cost-cutting initiatives outlined above have reduced the flow of funds to a trickle, forcing many organisations to seek alternative sources - new rivulets - that will enable them to survive. Officers in advice organisations find themselves forced to bridge different funding regimes and regulations and to liaise between diverse funders. Finding funding is thus a key force driving innovation. The associated restrictions and conditionalities (Patrick 2017), however, mean that inventiveness is often deployed more in respect of dreaming up funding strategies than in devising advice delivery models. Cuts to centrally funded legal aid, itself already hedged with restrictions from an earlier regime, have driven organisations to seek alternative funds – often from local authorities. There have, however, been cuts of 10% in overall local authority funding that coincided with the legal aid cuts (and further ones from 2016). These, coupled with a switch from grants to commissioning, have pitted local advice organisations against each other in a scramble to make tenders for the few monies that remain. All-in-all, funding mechanisms shape advice organisations and affect the way that advisers are able to work the boundaries of the law on behalf of their clients (see McDermont *et al.*, forthcoming).

2.1. Transitional patchworks

Interim arrangements put in place by the Coalition Government offered some respite but came with further restrictions. As mentioned above, LASPO (2012) heralded the cutting of legal aid for all but a small subsection of cases. For these cases, new conditionalities generated new resource problems. Where legal aid contracts did still exist, local offices such as those of the Citizens’ Advice Bureau (CAB) had already started finding these impractical to run:

in London we [CAB] have 28 legal entities but one third have [legal aid] contracts. Now [the Legal Aid Agency] pay only after you do the work. It's making bureaus go insolvent. It's public money, so they can't keep banking it. They have to employ solicitors to do the work, and solicitors are expensive and they have cash flow problems, and they have to give up the contracts. (Dawn Draper, National Network Manager, CitA)²

Several agencies, then, had taken the initiative to stop accessing legal aid. Doing so had the drawback that it would no longer be possible to claim for the costs of administration (Michael Ashe, Bond for International Development), but this proved a lesser inconvenience as ever-tighter restrictions were placed on legal aid contracts whilst very few cases still qualified for this source of funding. Welfare benefits-related cases were no longer paid for; in cases of rented housing legal aid now covered only eviction, homelessness, and severe disrepair that might affect someone's health; in immigration-related cases it covered only asylum or cases involving children. As a concession to those parties in the Coalition Government of 2010 who were less fundamentalist in their free-market orientation and more concerned about the effects of austerity, *transition* funds from the Big Lottery were made available through each local authority. Their purpose – viewed cynically – was to bridge the gap between a funded and non-funded regime, but their stated aim was to promote new technological solutions and to encourage partnerships. Roughly £67m was awarded to a variety of such partnerships. In its ambitious Community Legal Service programme, the New Labour administration had used the device of partnership as a “technology of regulation” that could “structure extended accountability” (Moorhead 2001, p. 546). Contrastingly, the partnerships sparked by the Big Lottery Transition Fund lacked such central planning. As one of our informants put it, “it did not start with a plan, and ‘let's find the money’. It was ‘let's give them the money’ and then think what they could do with it”.

One of the successful bids for funds was based in Brent. It was used to organise both a network of organisations (called Brent Advice Matters), and to develop IT interfaces. These included a joint website and a diagnostic system designed to perform triage, signposting clients on the basis of their answers to a series of questions, thus eliminating the need for a two-hour wait. Yet when they tested this system, they found that most people refused to use the IT interface available in the waiting room, preferring to wait for hours to see a person face-to-face (Liz Moxon, Brent Advice Matters). Such a large proportion of this transition fund was “for developing networks” that “only 25% (...) was for advice”, said Dawn Draper of Citizens' Advice (CitA). “Everyone who gives money”, she observed, “always wants something new and innovative” – in this case the development of technological interfaces for advice delivery. “Bureaus all prefer”, however, “to do face-to-face advice – for advisers it's frustrating not to see the client”. She queried how innovative one can be when answering the complex questions that advisers regularly face (Dawn Draper, National Network Manager, CitA).

An alternative position, however, celebrated the possibilities opened up by these newly challenging arrangements. The incentive for small specialised local advice providers to unite in partnership in order to win funding bids, said Liz Moxon of the Brent partnership mentioned above, was being resisted by several organisations. They wanted to use the funds for everyday running costs, rather than recognizing that the transition fund had been specifically designed as an incentive for them to collaborate with others (Liz Moxon, Brent Advice Matters). However, she also conceded that partnerships were being put together at the beck and call of funders, without much attention to their appropriateness. The dearth of central funds had driven people to rely increasingly, alongside this *transition fund*, on local authorities. Partnerships, she and Dawn Draper claimed, were thus being constructed less

² *CitA* is the common abbreviation for the national umbrella organisation for England and Wales. At the time of research the local offices were still called Citizens Advice bureau or *CAB*, they have since been renamed *Local Citizens Advice*.

because they were the most appropriate organisational structure than because the local authorities – and the Big Lottery – were enamoured of the idea.

Grouping together voluntary organisations to deliver a service can be “like herding cats”, said lifelong advice campaigner Andy Benson. This is because the voluntary sector is characterised by a diversity rather than a synergy of interests, and because disparities in size and levels of professionalisation and entrepreneurialism among partners mean that a democratically and transparently run partnership of equals is seldom possible. Even when such partnerships do arise, if they fail to make a winning bid they can easily be killed off by the commissioning process, he pointed out. In practice, bigger, more professionalised charities tend to have a closer relationship with local authorities and other funders, and this enables them to call the shots in partnerships. Nevertheless, Benson said, “voluntary organisations in a local area working together strategically can be a good thing” if they can develop a common identity and interests rather than just going through the motions to please funders (Andy Benson, National Coalition for Independent Action). Small close partnerships can spring up from the nature of advice work, developing organically between local agencies whose services complement one another, as Cathy Evans of Southwark Law Centre pointed out. For instance, the Law Centre's reliance on other organisations (in this case the local CAB) has enhanced trust grown through frequent contact. “Going there once a week helps build up the personal relations on which smooth working relies”, she said. Being able to work well with other organisations thus may depend perhaps less on shared ideals than on practicalities such as “understanding how each other works” (Cathy Evans, Southwark Law Centre).

For those reaching beyond the *transition* funds and endeavouring to become less reliant on local authority funding, the enforcing of the partnership model was having dual effects. It was serving both to incentivise novel patchworks and simultaneously to put strain on the seams that stitched these together. One prizewinning partnership was created under the leadership of Simi Ryatt, of CAB Hammersmith and Fulham. The borough was looking to close down the library; the council - rationalizing its assets – planned to use the building to house a range of NGOs, all working out of one site. However the lease of the building, held by a different borough, included a covenant that it must be used as a library. The CAB was offered the lease on condition that it continue to provide library services; a development that led to the emergence of a new model for CABs more widely. But it was not simply buildings, but also new sources of funds that were needed. Seeking to find these, the CAB noted that financial literacy was *where the money is*, and started projects aimed at specific groups, each funded with a different piece in the patchwork: Martin Lewis for ex-offenders, Comic Relief (in partnership with the local credit union) for older persons, and so on. This decentralised fund-seeking involved organisations forming into small partnerships, required to bid separately at the local level rather than doing so at national level. Such expenditure of effort, thought Simi, might have been better spent on the actual job of giving advice. She too questioned the logic of forcing the creation of partnerships for their own sake. Her objection, like Liz Moxon's, was levelled at one of the big national-level organisations, which was “required” as a partner in the bid to make the partnership plausible. This bigger organisation, however, had access to other sources of funds, was less firmly committed to the partnership than its smaller counterparts, and its representative often failed to show up for partnership meetings.

Each piece in the new patchworks came with a distinct and closely-surveilled destination. The use of funds from post-legal aid funders – the Big Lottery, Trust for London, city law firms, corporations and a series of others, announced periodically – tended increasingly to be governed by new regimes of *payment by results*.³ A specific set of centrally-imposed audits and payment schedules had been applied under the earlier regime of the New Labour Government's LSC. Replacing these came a new

³ *Payment by results* refers to contracts, usually with public sector commissioners. Other funders, including city law firms, foundations and trusts, private funders, do still offer grants.

audit culture: funders required either quality marks or paper trails and spreadsheets to provide evidence of the effective use of the monies provided. The advice sector, as a result, came to mimic the government that formerly regulated it more directly. The scheme is marketised but nonetheless bureaucratized, with every item ring-fenced for specific purposes, and even demarcated geographically by *postcode*. Officers, however, were devising ingenious schemes to make up for the restrictions placed on one *pot of money*, by using another in its place. In one case, the money from a particular partnership, HIAC, in which the Hackney Law Centre was a partner, enabled officers in that centre to provide services to a non-resident advisee, which was disallowed under the terms of its core grant from the council (Bella Donnelly, Hackney Law Centre). This creative use of funding sources was one way in which the *boundaries of law* were being worked.

2.2. 'Public procurement' of patchworks: from grants to contracts

One ends up [asking] 'is any advice better than none?'

(Maurice Wren)

A second development making for complexity and reducing the autonomy of the charity sector was the shift from grants to contracts. Many agencies had previously been given block funding by those local authorities which chose to fund advice (a model which they preferred since it allowed them to design the services they recognized as necessary). Local and central government funders were switching to contracts,⁴ whereby the commissioners specify how the service should be run and demand evidence of value for money. Andy Benson evoked something of the spirit of campaigning and advocacy that prevailed during the 1960s when he spoke dismissively of the shift to the marketisation of advising and the marginalisation of activism:

with a grant (...) a voluntary sector agency goes to the statutory body and says 'look, this is what we want to do, these are our ideas. Are you interested in funding that?' [but] commissioning and procurement exactly reverses that arrangement. So instead, the local authority says 'this is the service we want, this is how we specify it, and we're now going to procure it'. And the voluntary service agencies are then forced to compete with each other to deliver that specification. So at a stroke it absolutely degrades the independence and autonomy of voluntary organisations as self-determining entities.

Against these perhaps rather strident claims, some local authorities have in fact involved advice organisations in establishing the criteria against which commissioned agencies are judged. Overall, however, there is a switch to having agencies bid against rivals according to a competitive funding or *commissioning* model, with tenders repeated every few years in line with market-oriented procurement models. The *strategic partnerships* beloved of funders are, in part, the result of this new commissioning model imposed by local authorities. At the same time, this model encourages potential partners to bid against one another.

Maurice Wren of The Refugee Council, like Andy Benson, has been involved in the advice sector for years. He too views the new commissioning system as a threat. "[The] co-option of independent advice through funding", he said, "is a matter of concern (...). [The Refugee Council] has, for the last 14 years, been getting government funding to provide independent advice to people in the asylum system itself. Last year we had to re-bid for the service". After a £6m grant agreement was split into two, resulting in a £4m grant plus £2m which was offered as a contract to assist asylum applicants to apply for support, "other firms could start pitching" for it. After examining it carefully and recognising that "as far as the government was concerned [the contract] was about helping people fill in a form (...) not about getting

⁴ According to third sector fundraising expert Claudia Dermuth (pers. comm.) in 2005-6 state contracts accounted for 62% of funding, and grants for 38%.

advice", the Refugee Council declined to bid. They felt aggrieved, however, when the contract was won by Migrant Help. This was "an explicitly non-political body" with no advocacy function on behalf of their clients, which won not only the £2m contract but also the £4m grant, so, explained Wren, "we lost funds overall".

This was an indication that the world is fundamentally changing. We don't see our future as a provider of government-funded services, nor will we get into a situation of having primary funds from the government (...). Charities are not able to replace the state. (Maurice Wren, Refugee Council)

The most worrying aspect of the austerity cuts, for both Maurice Wren and Dawn Draper of the CAB, was the loss of funding not for advice services overall but for quality expert advice and representation at a "higher level". "We'd argue that the current regime incentivises mediocre provision; you can do a minimum amount of work [but] this won't be the basis for a good model, doing *early advice* – frontloading the system", said Wren. "We are less able to deliver a client-centred system (...). So one ends up [asking] 'is *any* advice better than *none*?'". Competitive tendering, complained some informants, might be won by lower-bidding protagonists patently unable to deliver the goods. In the case above, the government put in "an onerous penalty for non-fulfilment of the agreement", but there is evidence that such penalties are not always enforced or checked up on, despite audit rhetoric. In another case, the Ealing CAB lost out to a private company called *Nucleus Financial*, which offered to do the job for an unrealistically low amount of money (Dawn Draper, National Network Manager, CitA).

The emphasis on commissioning, according to Andy Benson, was "a function of statutory funders no longer (...) willing to maintain their own internal infrastructure (...). [I]n preference they move into a procurement approach in which they effectively pass the risk of managing a community to the voluntary sector provider". He noted the contradictory way in which such decentralised outsourcing was combined with its opposite: consolidation.

That, coupled with the wish to simplify their own life by rolling lots of individual arrangements into one contract (...), has led to the situation we're in (...). [T]hey now say 'well, instead of having 15 grants of £20,000 each, we're now going to have one contract for £225,000 (...) and then we're going to procure that. And if the organisations want to continue getting money, they're going to just have to work together and be a consortium. (Andy Benson, National Coalition for Independent Action).

Bearing out his observation, the work of creating partnerships in response to recurrent yet unpredictable funding possibilities and announcements has had some unforeseen consequences. At one meeting we attended, an organisation called Social Action for Health (SAfH) was preparing to retender and was discussing this with the commissioner from the local council (one of the funders of one of its several *partnerships*). SAfH had already responded with due creativity to the original change from grants to contracts. The specific partnership presently seeking renewal of its funding was one of three set up by SAfH, each serving a different area in North/East London, to offer advice in GP surgeries, drawing advisers from local community fora and informal ethnic associations as well as from Law Centres and CABs. During the course of the meeting it became clear to SAfH's co-ordinating officer that some of the agencies involved in the existing partnership were actually in the process of making *their own* bid for the funds – independent of the partnership and in competition with it. While the logic of free-market efficiency might suggest that the best bidder would win irrespective of the specific parties involved, it also seems clear in this case that pitting different partners against each other in un-transparent ways entails inevitable losses. Once again, the time and effort expended (and frustrations undergone) by the funding-partnership-devisers seemed more than they were worth in view of the desired end result: keeping the advice enterprise afloat. Yet no alternative presented itself.

3. Exploiting fragmentations of the state: local authorities and central government

The Ministry of Justice had never had anything to do with local authorities before.

(Jen Stewart)

Besides the tensions hinted at above - between big charities such as the CAB and smaller ones operating at local level like SAfH - another element of contradiction is in evidence. The state may appear monolithic but this, noted historical sociologist Philip Abrams, is an illusion: the result of an ideological "state effect" (Abrams 1988). In settings where state operations are being outsourced to market-based initiatives, charitable organisations and NGOs, such an effect may be even more illusory, but no less convincingly performed. Arising from our interviews and the advice sessions we observed, a key point has become evident: local authorities in the UK have a history of committing to and engaging in the pragmatic arranging of advice under varying conditions of adversity, while central government has often tended to try to control or *improve* their efforts. But these attempts have not been taken lying down. Paradoxically (though not unexpectedly given clients' aversion to the new high-tech systems such as those put in place by Brent council), several locally-funded initiatives have stuck with, or even augmented, their offer of face-to-face advice, and encouraged user-centred innovations. Such generosity is partly accounted for by the fact that, in austerity settings, making social welfare advice widely available enables local authorities to redirect more central government resources into the community, boosting their revenues and saving on contingency funds. By helping people claim all the benefits to which they are entitled, effective advice enables people to pay their council tax (a *priority debt*)⁵ and reduces the money local authorities are obliged by law to spend assisting homeless and vulnerable people.

The particularities of the examples we outline below owe themselves to a number of factors. Besides the all-important underpinning of funds, mostly secured in patchwork form as outlined above, the party-political allegiances of local authorities are of key importance, but sometimes in unexpected ways. The passionate commitment, care and empathy (Zelizer 2005, James and Killick 2012) of advice officers, councillors, housing officers and other actors also plays a key role. These combined elements produce the uneven mixture of utopian agendas and pragmatic solutions (Bear and Mathur 2015) with which advisers rework the law's boundaries.

3.1. Face-to-face advice in Portsmouth: from 'partnership' to the 'Japanese model'

We earlier described the to-and-fro pendulum swing in which each reform poses new problems that then require further reform (see Power 1999, p. 26). To show the perspective of one who was working in the advice sector at that time, let us take a step back to the moment in 2006 when New Labour proposed an ambitious top-down reform of the system. Two key areas of innovation were put forward. One was to introduce a circumscribed service design accompanied by an emphasis on quality audit. Poor quality advice, it was argued (with some justification, as this case illustrates), could do more harm than good. "During the 90s there was a lot of emphasis at the LSC on quality", said Jen Stewart, a solicitor with long involvement in the field. "A lot of generalists had no idea what they were getting into [when they entered the advice field]⁶ (...). [They] were saying 'we don't give legal advice'. And

⁵ These and others are classified as *priority* because the consequences of non-repayment – such as eviction - are more serious than those of other failures to pay.

⁶ The LSC (Legal Services Commission), established by the New Labour Government, was an independent body under the Department of Constitutional Affairs, which was given charge of legal aid budgets, commissioning, quality marks and the assessment of bills. It made legal aid available for advice under strict audit and funding restrictions. Our previous fieldwork (in 2007 and 2011-2012) revealed discontent with that scheme's intensive bureaucratic demands, counter-intuitive splitting of cluster problems into different "matter starts" requiring separate case files and appointments with different specialists, and fee structure that most advice professionals thought unfair (James and Killick 2012).

you'd say, 'well, what is it if not legal?'" In this respect, she noted an important distinction between generalist agencies who were applying for the General Help Quality Mark and not-for-profit specialist advice providers. She "came across some appalling work done by private solicitors". Prior to the LSC's creation "if you were a solicitor (...) you could just set up (...) and start signing the back of green forms". To address such concerns, the LSC developed a system whereby

you had to pass many organization quality assurances to get a franchise and get legal aid (...). You had to show you had processes and procedures, an office manual with processes for reviewing and supervising, and show they were being implemented. The LSC employed people who came and inspected (...). But it was very bureaucratic and I don't know if it was always audited intelligently. (Jen Stewart; for a critical overview see Power 1999, Strathern 2000)

The second was an attempt to create economies of scale and a competitive advice market by bringing local authority-funded advice under central government control. This was done by opening legal aid funding to generalist advice agencies, and seeking to integrate specialist and generalist advice into tightly-knit partnerships known as CLACS (Community Legal Advice Centres) and CLANS (Community Legal Advice Networks). These were intended to deliver a unified community legal service, commissioned by central government and audited according to its specifications under the New Labour regime (Moorhead 2001, Moorhead and Robinson 2006). This was an attempt to systematise the diverse cottage industry of advice organisations by inviting local authorities to collaborate with the LSC. "[The] CLAN was very much a central government thing", according to Jen Stewart: a case of "'this is what we want it to look like', legal aid authority and local authority join together and we commission (...). The plan was to have whole world carpeted in CLACS and CLANS". But the project, overall, was seriously under-costed. It was also

very centralized, very top down. Local authorities weren't interested. The LSC completely underestimated how parochial local authorities are. When contracts went to [businesses like] A4E, I don't think local authorities were that pleased. The Ministry of Justice had never had anything to do with local authorities before. They didn't understand.

If we fast-forward to the mid-2010s when our interviews were conducted, it became clear that some local actors – both state and non-state, often in collaboration – took this unsatisfactory innovation as fertile ground upon which to develop further novel initiatives. These initiatives proved particularly feasible in Portsmouth since, prior to the centrally-driven CLACS and CLANS, legal advice of any kind had previously been lacking: "There wasn't that much there in the 1990s. There were very few solicitors in civil stuff (...) when they created the CLAC" (Jen Stewart). A second peculiarity of Portsmouth, whose significance will become clear, was (and is) the relatively high levels of unemployment it has increasingly sustained as work in ship building for the Royal Navy has dried up, alongside the presence of vast council estates built there after the war.⁷ There were, then, disproportionately large numbers of welfare beneficiaries in need of basic advice to "carry out the work of translation, helping people to actualize their rights and (...) forcing disparate state agencies to work together" (Forbess and James 2014, p.73).

Insisting on the importance of the "whole person", the new initiative used the technique of providing *early advice* and frontloading all their resources into the first encounter rather than forcing advice-seeking individuals into a chain which starts with triage and proceeds via fragmentary upward referral. The case exemplifies some tensions emerging out of the enforced creation of *partnerships*. Going beyond problems arising from the random patching together of funding sources, these also encompassed more substantive contradictions arising from different organisations'

⁷ The estates were built after heavy bombing during WWII; the unemployment owed itself to the deskilling of jobs in the Navy and BAE Systems, and to the relocation of the city's shipbuilding operations to Scotland in the wake of the Scottish referendum.

cultures and ideas about appropriate roles; often going to the heart of the very nature of *advice*. Perhaps most importantly, the case illustrates how party-political differences intersect with the strongly-held convictions – and empathy – of individual advisers, to produce problem-solving-oriented pragmatism.

Setting up the Portsmouth CLAC – inevitably – entailed the establishing of a partnership. Under one roof, the local CAB was contracted to operate a triage *gateway* and provide generalist advice, a charity called The You Trust was to provide specialist advice,⁸ and four other organisations were involved as well. Perhaps predictably, they all had divergent priorities. This bore out an observation made to us by Andy Benson: “[V]ery often it ends in tears because you’re dealing with groups of voluntary organisations who effectively have been forced to work together in a situation in which they might have radically different historical origins, interests, priorities, political perspectives (...)”. In the case in question, the CAB provided “generalists” as “gateway assessors” – tasked with diagnosing clients’ problems and signposting them for a specialist appointment – but, being volunteers, they sometimes failed to show up and this made for unreliability. But the other partner, The You Trust, was not allowed to take over gateway operations, as this would have been in breach of the original partnership contract. Clients, the CLAC’s manager complained,

(...) would come back the next day. There would be a massive queue (...). [People] would often come without the information needed to assess eligibility and you were not allowed to give them any information or advice because they didn’t have documentation. But their problem was (...) often urgent, and needing to be addressed in a short time frame. [Often] you were waiting for the client who had the appointment whilst you could have seen someone else. All that time wasted could have been used helping people. (Jane Henderson, Manager of Advice Portsmouth)

Even once people had arrived and had been referred to specialists, problems did not disappear. These emerged less from the divergent roles played by the different *partners* than from the *advice model* itself:

Once people got past the generalist adviser they’d be slotted in to an appointment with us. But they had to wait again. They didn’t need advice in a week’s time if their problem was now. Hence lots of people didn’t turn up to their appointments with our specialists, either they went somewhere else, found some other way to resolve the problem, gave up or forgot, and it wasted specialist advisers’ time. (Jane Henderson, Manager of Advice Portsmouth)

The local authority’s commissioner told us that the CLAC was commissioned for £700,000 per year and given set numbers of “matter starts”⁹ in family law, employment, welfare, debt, housing and so on. These numbers did not take local demographics into account: for instance they had very few employment cases but were not permitted to switch the money to other areas where it was most needed. In the end, the contract came down to only £300,000. Thus, neither the partnership nor the associated funding model for the CLAC worked out, and the changing political climate meant, more widely, that this ambitiously centrally-imposed scheme was mothballed. The setting was now ripe for further reform, but this time it was undertaken with a single source of funds.

Once the CLAC’s commission ran out in 2012, the Liberal Democrat-dominated local authority invited The You Trust to bid in its tender for the whole of its legal advice funding for the unusually long period of 5 years. The condition was that it re-design the service using “systems thinking”. This was an adaptation, for use in public services, of the so-called Japanese Model,¹⁰ which applies a different version of

⁸ For more on this trust, see The You Trust 2017.

⁹ *Matter starts* were the number of cases a legal aid provider was allowed to take on under its legal aid contract.

¹⁰ This was an industrial management approach developed after World War II by American statistician W. Edwards Deming, and credited for the success of the Japanese car industry. In the 1980s it was adopted by American car manufacturers and was credited for the turn-around in the fortunes of the Ford

neoliberal managerialism to that used by the government in its attempts to marketise national level advice services. While the latter focuses on cost-cutting, the advocates of the former argue that “front loading” – concentrating the best resources (e.g. specialist advisers) on the front line of advice - leads to higher quality services which automatically reduce overall costs by eliminating wasteful practices.

This new scheme had impassioned protagonists in Portsmouth, both in the council and in the agency – Advice Portsmouth (AP) - that supplanted the CLAC. It was set up when the You Trust contacted AdviceUK, an umbrella organisation of advice charities which had already adapted the systems thinking approach to the field of advice services and conducted a successful pilot for the local authority in Nottingham. It represented the polar opposite of the previous LSC-funded regime:

after the CLAC was dissolved, we spent a year talking to clients, finding out what they wanted. We tried out different solutions, even having a queue of advisers waiting when we opened, each ready to take a client'. The result was an arrangement in which 'there is no queue (...). Everybody gets advice, as much as they need. There is seldom much of a wait, and you see a specialist directly and they can attend to all problems. (Jane Henderson, Manager of Advice Portsmouth)

Whilst the legal aid-funded scheme catered only to the poorest, requiring stringent triage to assess eligibility, they argued, now all locals, regardless of income, could have an unlimited number of free advice sessions with little or no wait. There was a new emphasis on *the whole picture* when assessing clients' needs, said Jane Henderson, the former manager of the CLAC who then became manager of Advice Portsmouth. “We can look at each client and determine what they actually need. Some may only need you to write a letter for them. Cutting out waste is a key part of innovation”. She explained how, when a person comes in, the adviser – a trained professional rather than a volunteer - takes the most urgent steps to resolve their various issues, then instructs them as to what they need to do next. The aim is both to help and to teach bureaucratic competencies intended to enable clients to take more responsibility for their own circumstances. “Advisers must assess how much a person can do on their own, and do the rest themselves”. The client is instructed to return for help with the next *chunk* of the problem whenever appropriate. Someone applying for a benefit or lodging an appeal, for instance, might return for more help once the next communication arrives, or if the problem is extensive, or if further documents are needed. Because the service is run on a drop-in basis, the adviser who sees them on a subsequent visit will likely not be the same person, but case notes are entered online, GP-style, so that all advisers can be abreast of a case. This approach has less continuity than the older, casework-based one, she acknowledged, and there are risks entailed in placing the onus on the client to do as instructed, and to return for additional sessions. But the previous *modus operandi*, she pointed out, had not been holistic either. “The advice process used to be very fragmented. LSC funding was divided into categories which caused unnecessary delays because they did not necessarily reflect demand: 200 *matter-starts* for debt, 200 for benefits, and so on”, or the “clustered” nature of most people's problems.

A similar *front-loading* approach, drawing on the Japanese model, was implemented by the council's Housing Office. It likewise aimed to address clients' difficulties straight away rather than having them referred and put on a waiting list. As manager Charlie Wright told us, with similar levels of enthusiasm:

The amount of effort going into referral forms, into getting all the required information, then waiting for referral, then making people give all the information again, was all waste. By the time you turn up to help people they don't need it anymore. In the old system we took the path of least resistance. By fragmenting work, you created a lot of problems. Now we put all the work at the front end and

Corporation. It was chosen at the recommendation of the head of the council's housing department, Owen Buckwell, who had been testing the approach in his department.

[that gives us] the leverage for an honest conversation about what needs to happen.
(Charlie Wright, Housing Manager of Portsmouth City Council)

This approach was particularly necessary since the clients, in this case, were council tenants, and the council needed to ensure that its tenants did not go into, or remain in, arrears. As mentioned earlier, Portsmouth has an unusually large number of estates. Of these, a number are still owned and operated by the council: its Housing Office acts as a social landlord collecting rents, carrying out repairs and evicting tenants who default on their payments. Tenants in arrears would mean debt transferred to the council, making it financially unsustainable. "We can't allow people not to pay their rent", said Charlie Wright. The approach newly adopted was to train housing officers to give advice up front, thus making them seem more like helpers and less like debt collectors who "keep turning up and demanding" and who need to be turned away by giving empty promises of future compliance (Charlie Wright, Housing Manager of Portsmouth City Council). The advice they gave consisted, just as often, of active interventions aimed at helping *maximise* the tenant's resources from other arms of the council or from central government, thus making it possible for them to pay *priority debts*: rent and council tax. They did this by contacting the Housing Benefits office - a different arm of the local authority - if it was the suspension of this benefit that had caused the tenant to fall behind, or by phoning the Department of Works and Pensions to chase up any benefits applications or payments that might be outstanding.¹¹

In some ways, this system resembled similar planned reforms, likewise labelled with monikers, that were being designed elsewhere. In the field of advice to asylum seekers, for example, Maurice Wren of the Refugee Council wrote the original pilot for a *front-loaded*, user-centred project tested in Solihull, Kent, where asylum seekers were offered early advice and paid to engage with a solicitor, expediting cases and improving the quality of witness statements. Although this resulted in fairer decision making and a reduction of spend at the appeal stage, he maintained, the Home Office decided not to commission the scheme. A cynic might conclude that poor decision-making was here being relied upon as an informal means of asylum applicants at bay.

Innovative models, once devised and tried out, have been widely shared by those in the advice community, in part through their regular attendance at national and regional conferences. The Portsmouth approach is in some ways similar to a system developed by Kingston local authority, which owns or at least manages a similarly extensive amount of housing stock, to deal with the rent arrears of its own council tenants. Both authorities have retained control of their own housing rather than outsourcing it (as is now common), and both offer financial advice to defaulting tenants. Both are concerned about the coming of the Universal Credit, which will reduce the councils' control over Housing Benefit and Discretionary Housing Payments, two devices currently used to mitigate the loss of welfare benefits. At Kingston, the advice role had not been expanded to housing officers as it had in Portsmouth; their efforts were directed, instead, to bridging the disjuncture between local and central government through the deployment of a Welfare Reform team. By involving officers from the DWP's (Department of Work and Pensions) Job Centre Plus, the CAB, relevant social welfare officers, and the council, the idea was to create even closer synergies between central government and its local counterpart: in effect "forcing disparate state agencies to work together" (Forbess and James 2014, 73). Again, these initiatives were multi-focused: they attended to the need to offer help and support to particularly vulnerable recipients of welfare benefits, while simultaneously ensuring that rent arrears did not accumulate and leave the council

¹¹ Housing Benefit is correlated with employment, so payments are affected by any changes in a person's employment, such as a pay raise or pay cut, or the taking on of occasional work. It is also affected by and recalculated if a person is being penalised by Jobcentre Plus for non-fulfilment of the obligation to seek work.

out of pocket. However, while at Kingston this was accomplished through closer cooperation with central government by including a DWP representative who could provide pertinent information on the cases and claims of defaulting tenants, at Portsmouth the stance was more adversarial, with council advisers maximising tenants' claims on central government administered benefits rather than cooperating directly with the DWP or other local advice agencies.

Here, then, were new models that offered face-to-face advice, counter to an austerity-oriented emphasis on cost-cutting and using slimmed-down technology-based approaches. The protagonists of these models were almost evangelical in their commitment to what they saw as a utopian alternative. But what gave them clout was that they also had a pragmatic side, being concerned with fiscal sustainability. We gained insight into this when interviewing Paul Yates, of city law firm Freshfields Bruckhaus Deringer. Regarding advice funded by local authorities, he pointed out that this practically pays for itself because, particularly in a city with high unemployment and under-employment like Portsmouth, enabling local citizens to maximise their income from central government benefits schemes administered by DWP and HMRC (Her Majesty's Revenue and Customs) brings money into the local community and boosts council tax revenues generally. In addition to this, councils are obliged by law to house certain categories of vulnerable people, including families with children threatened with destitution and homelessness. Since little housing is available, councils can spend vast amounts of money on *temporary* bed and breakfast accommodation over extended periods of time. By preventing such destitution, the council achieves significant savings.

The structural tension between central and local government, then, is a key driving force in legal advice innovation by the latter. In the cases described above, it was local authorities that were innovating. They were opting to fund advice services, including those that had formerly been legally aided, as a way of indirectly claiming more resources from central government. They did this by enabling vulnerable people to glean all the welfare benefits funding to which they were entitled. This meant the local authority was able to avoid evicting council tenants who fell behind on their rents, collect priority debts owed to itself (council tax and rents), and avoid having to provide emergency funding to rescue families from homelessness and destitution (which, as a statutory provider, it was obliged by law to do).

4. Patching together advice in North/East London

Amidst the confusing mix of gradually-increasing austerity, intensifying audits, and centralisation-yet-outsourcing described earlier, some advice activists based in and around Hackney found another novel way to tap into locally-available funding, while building upon sectors of community involvement that lay beyond formal recognition. One of the founders of the Hackney Advice Forum (HAF), Andy Benson, gave us an account of how it developed. Pointing to the fact that larger organisations like the CAB and the Law Centre had a "privileged position vis-à-vis the local authority", he and his co-founders, partly in view of the extraordinary linguistic and ethnic diversity of the borough, adopted the strategic approach of recognising "that advice and information is something that everyone does" and is "very widespread (...) in community organisations, including very small and informal ones". They were opposed to "the conventional, professional approach" which is "they're not qualified, tell them to stop it". Instead they recognised that such organisations were "going to do it anyway", and tried to find ways "to help them do it better" (Andy Benson, National Coalition for Independent Action).

The strategy served as a means to resist, or at least mediate, the new commissioning model. HAF conceptualised itself as an equal partner rather than a supplicant. In effect, it was boldly telling the local authority

'this is the HAF strategy for advice services in Hackney for which we now wish to commission funding.' A lot of this was about saying, 'you don't tell us what to do.'

We're independent operators (...), if you want to negotiate with us (...), that's what we'll do. But we're not going to be told to specify what services (...), what our outcomes are going to be (...). Because it's our business and we don't have to exist, we're voluntary organisations. (Andy Benson, National Coalition for Independent Action)

On the strength of these initiatives, Social Action for Health (SAfH), the umbrella organisation mentioned earlier, was established, with HAF as one of its sub-projects. Drawing advisers from local community fora and informal ethnic associations as well as from Law Centres and CABs, SAfH established two further partnerships alongside HAF. Each served a different area in North/East London, and each offered advice in GP surgeries. *Piggy-backing* on the health services offered in GP surgeries – described by Benson as “the last remaining example of a universal service to which people are entitled” and one which “commands a high degree of trust within the local population” – each of these partnerships was awarded money by the local authority and/or the local health care provider (then known as the Primary Care Group, now as the Clinical Commissioning Group). In the case of HAF, the idea was to lay on generalist advice sessions in Hackney. It did so – inevitably – by setting up a consortium or partnership, which included these small, informal community organisations alongside the big national ones like CAB and others. Funds were also available from the local authority, Hackney Council. Having long given money to advice agencies, it was at the time granting them about £1million annually. With the rise of the new procurements/commissioning approach, the initiative ran into problems as a series of contestations ensued, including counterbids for the same money by members of its own consortium, like those outlined earlier. It was also hit by ongoing cuts in council funds. But by the time of fieldwork in 2014-5 it was still offering advice via these three partnerships.

The work of these advisers, meanwhile, was becoming increasingly difficult, given the Conservative Government's austerity-oriented “welfare reforms”. Advisers were needing to engage in continual second-guessing to help clients head off the effects of these changes. This entailed engaging in a kind of arms race, evolving sophisticated, but often counterintuitive, responses. For example, many disabled people had formerly been recipients of ESA (Employment Support Allowance)¹² but now, after undergoing a reassessment, were being refused it. While waiting to jump through the bureaucratic hoops of the *mandatory reconsideration*, and then to lodge an appeal, they were told by advisers (who had received the tip-off by staff in the local office of the DWP) to apply for JSA (Job Seekers' Allowance) as an interim measure. Such a step went against the better judgment of these disabled people, since they were not in fact *seeking jobs*, but it was a pragmatic solution allowing them to continue receiving benefits while they waited for the outcome of the appeal.

We observed how advisers meeting advisees (especially the unemployed but also members of the so-called *working poor* on zero-hours contracts) were required to sift through materials in search of the one single and crucial detail that might be key to rectifying (or, if left unspotted, toppling) every other finely-balanced factor in the client's life. Checking letters, relooking through files, and noting income, benefits, and budgets, advisers found themselves searching – in effect – for the needle in the proverbial haystack. Their diagnoses and interventions required background knowledge built up over years and often, in the end, came down to one single and all-important piece of advice that must be followed.

That SAfH had managed to continue offering face-to-face advice despite all pushes in the opposite direction, and using alternate sources of funds available in the community, was obvious when we sat in on an advice session offered by one of its

¹² This benefit for disabled people was introduced in 2008 by the New Labour government. It introduced a new regime of conditionality, requiring claimants to be tested for work-readiness or “capability” and making their benefits contingent on the results. The conditionalities were further tightened, and re-evaluations mandated, by the Coalition Government (Patrick 2017, 43-44).

partners, the North London Muslim Community Centre, based in Stoke Newington. The adviser, Yusuf, occupied a previously full-time post which had been cut under the new austerity regime. Following the cuts, he was funded under one of SAfH's partnerships for 14 hours a week, but the board of the Community Centre committed funds to top this up by six further hours. Although the centre offered advice to all and sundry, in practice it was often non-English speakers who approached him, realizing they could benefit from his linguistic abilities in Urdu and Gujarati as well as from his encyclopaedic knowledge of the rapidly-changing welfare benefits regime and the acquaintance he had cultivated with specific officers in the council.

As an adviser, his work involved more intensive and full-on engagement than that of the *gateway assessors* who are the first point of call in the CAB's advice scheme. On one occasion he was helping a Gujarati-speaking client, originally from India but now a UK citizen, to process a benefit-related claim by filling in one of the by-now ubiquitous online forms. "The forms are so long-winded", explained Yusuf, "that I normally give a person one hour. Sometimes the server can crash when you are filling it in. Everything must be electronic. Some you can't even save – this is why I print it out, so he can have a record". As with many clients, the man's request for advice was multi-layered: the issues with which he needed help represented a complex "problem cluster" (Genn 1999, Pleasence *et al.* 2004, Moorhead and Robinson 2006), but the importance of the adviser was in spotting the "one small mistake" on which centred all other parts of that "cluster". In what had become a common pattern, the man and his wife had been evicted from their private-landlord-owned accommodation "probably because the landlord wanted the property back", and moved by the council out of the borough of Hackney to another privately-owned flat in Walthamstow. As a recipient of the state pension, the client's outgoings exceeded his benefit payment. Bearing in mind that certain *priority debts*, including council tax and service charges, "must be kept up-to-date", the couple had no money left over for food. Going through a pile of documents and official letters, Yusuf calculated that two errors had been made: first, the situation was worsened by the fact that the client and his wife were wrongly listed as having two dependents living with them; and second, they had omitted to apply online for a reduction in council tax which, if granted, would make their slender means more adequate to their humble needs. Neither of these points had been fully grasped by the client, given his difficulties with English. His problems, said Yusuf, had escalated because of these two small mistakes:

[The council] should have noticed this. If you are in the housing department or the benefits department, there should be some kind of working together – across the departments. But this doesn't happen. It would save a lot of trouble. It is the same with documents – you can get the same set of documents sent three times to three different individuals. You should be able to cross-reference – why make people visit three times? It is particularly onerous if you are working, you have to take a day off, eventually you might lose three days' pay. These are little ways in which the system could be improved. (Yusuf, North London Muslim Community Centre)

Reflecting further on the question of the "one small mistake" and problems of "wrong information", Yusuf told us about the case of a previous client. This case showed that cross-referencing between different agencies did not necessarily, or in all cases, bring the joined-up results he was wishing for. It featured the infamous *overpayment*, well known to many advisors who work on benefits cases. The system of welfare distribution depends on authorities being up-to-date on the composition and income of households, but given that many poor people's circumstances are complex and fluctuating, this requires close and constant surveillance. Overpayment demands, often for tens of thousands of pounds, are issued when the tax office, DWP or local

authority discovers it has not been informed of a change in employment or personal circumstances.¹³ In the case in question, the client

(...) got a letter – he had been overpaid £16,000 for housing benefit and council tax. They sent a breakdown. I phoned Hackney Council. [They said] ‘we have checked with HMRC - he has two jobs, one for a security firm’. ‘How did you get this?’ ‘We cross-referenced with HMRC’. [They said] ‘we are using good systems’. I said, ‘no, there is a mistake’. They argued. [I said], ‘I guarantee I will get the information’. They said ‘we have to do what it says on the screen’. So we phoned HMRC and got his income details, and a letter. It looked like [he was working for] two companies, but (...) one (...) had changed its name. We gave in the information. Thankfully, the housing benefit one was updated. But they didn’t recalculate the council tax. They should have reassessed both. Later we wrote another letter, and this time it worked.

Said Yusuf, “a bit of wrong information can leave people in the lurch”.

A similar process of seeking for the “one small mistake” was in evidence on another occasion, again involving a non-English speaker. Adviser Bilal, who worked for the CAB but operated under a complex diversity of fiscal partnerships and regimes (including some with SAfH funding), had an appointment to see a Pakistani-born woman who lived in council accommodation in Tower Hamlets. She had brought him a pile of letters, each one seemingly concerning a different issue. Sorting through the letters, he eventually noted the one that was key: she was behind with her rent and was in danger of slipping further and further into arrears, to the point where she would certainly be evicted from her council-owned accommodation. As a result of a short absence, she had missed the letter when it arrived and later misplaced it, and had let matters slide which ought to have been attended to straight away. He gave her clear instructions about what to do – she must visit the council housing office the next day to arrange to pay, and back-pay, her *priority debt*: the rent. He schooled her well in what to do, and asked her to repeat the instructions back to him. She did this with difficulty: even as he was laying out the procedures she was trying to ask him about the next letter in the pile. As he put it later, she saw this appointment as an opportunity, and wanted to cram everything into it. But he saw to it that she left the appointment attending to the main point (Bilal, CAB Whitechapel).

Advisers like those who work under SAfH’s partnerships often regard the never-ending changes (and hence idiosyncrasies), and the fact that nothing can be done without advice (which is ever more difficult to access, and to fund) as a cynical ploy; a means taken by the Conservative Government’s austerity regime to reduce the amount of resources that do eventually get redistributed, by narrowing the funnel to allow only the tiniest trickle to get through. Seen from the point of view of society overall, the resulting system does seem counterintuitive. There is a set of people for whom resources, distributed by the state, have become indispensable. There is a set of officers charged with disbursing such resources. The recipients, unable to get satisfaction from the redistributors, have no option but to approach a set of translator/intermediaries, many of them better informed than those within the national state, but also often working in collaboration with them (via initiatives such as the one established in Kingston, or the regular meetings at which SAfH advisers were briefed by DWP officers). If they have sufficient experience and knowhow, they will anticipate every move made by those redistributive agencies, even second-guessing those moves in advance. They will then not only give advisees ways to deal with the practical elements of the process, step-by-step, but also school them in how to comport themselves when facing up to the state and its agencies. Their redoubling efforts seem to match in intensity, and mirror, the ever-more-Byzantine arrangements of the UK’s welfare state as the central government strives to starve it of funds.

¹³ Overpayment claims can be successfully fought, but usually require access to legal advice in order to do so. In one case where legal advice was offered, HMRC refused to disclose their evidence which the lawyer suspected was weak – but it took a solicitor to compel them to do so.

5. Conclusion

Novel schemas were being devised in different settings, often conceptualized using a series of *buzzwords* favoured by planners and policy-makers, but combining altruistic and even utopian visions which - alongside a detailed and necessary practical knowledge (Bear and Mathur 2015) - often enshrined better futures for clients.

For the Portsmouth and Kingston local authorities, new approaches, enthusiastically endorsed by those who had cut their teeth on earlier advice regimes, involved different visions of *frontloading* aimed at a combination of altruism and fiscal pragmatism. In the case of Advice Portsmouth this innovation was in reality only possible through an unusually generous local authority contract which the vagaries of electoral politics might later extinguish. The political life of innovative projects is notoriously short-termist: several pilot schemes testing *early advice* services, despite being deemed successful both in meeting user needs and producing overall savings, were abandoned through lack of political commitment after the people who championed them moved on to other positions and institutions.

In the area covered by North-East London's SAFH, Hackney and surrounds, the stock of council housing managed by the council rather than outsourced was smaller than in these other boroughs, and welfare beneficiaries were increasingly reliant on private accommodation and subject to the vagaries of the private landlords who were evicting them. The council's response - effectively endorsing free-market gentrification - has in some cases involved clearing its tenants out of the borough and rehousing them elsewhere (Wilde, forthcoming). Even once uprooted, however, they were finding ways to return and seek help. Advice was here arranged not in a unitary team-based fashion a la Portsmouth or Kingston, but the need for it nevertheless saw the burgeoning of *consortia* or *partnerships*, born of necessity, between those giving counsel to clients and the street-level bureaucrats (Lipsky 1980) upon whose decisions they depended to keep the trickle of resources from drying up.

Using patchwork approaches in order to both incorporate and also partially resist the austerity regime, with its central government-imposed top-down high-tech initiatives, new forms of face-to-face advice were being devised and the boundaries of the law reworked. Local authority funds were being imaginatively invested to yield a crop of returns from centrally-funded sources. Innovative conglomerates were being cobbled together. Ever-dwindling local authority resources, alongside other means, were being competed-for. Much of the counsel that advisers offered was aimed at ensuring people maximised their welfare benefits. It was designed to help people honour their tax commitments while challenging debts they had incurred from the incorrect award - and reclaim - of benefits, and to make sure they paid those all-important *priority debts* (mainly council tax and the rents they owed to private and social landlords). In this way they could avoid eviction from their homes, or at least life could be made liveable in the new abodes to which they had been shipped off. Advisers, and the organisations they worked for, were thus not giving up without a struggle: resistance was not always futile. Austerity was more a matter of seeking new resource flows, inventing novel interventions, and creating new spaces where justice may be sought and found, than of passively accepting funding cuts.

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