

Advising in Austerity: Reflections on challenging times for advice agencies

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– review for JSWFL, April 2018, by Fran Bennett, Senior Research and Teaching Fellow, Department of Social Policy and Intervention, University of Oxford (fran.bennett@spi.ox.ac.uk) (and trustee of a local independent advice agency for over 20 years, until 2017)

If you are involved in, or concerned about, advice giving in the UK today – or both - you should read this book. Like other Policy Press Shorts, it is quick and easy to read, and therefore aimed at a wider audience of policy makers and practitioners as well as academics. It brings together several individual case studies, in addition to well-informed reflections and commentary on the issues raised in these and in a series of empirical research findings about the landscape of advice giving today. And in my view it succeeds in explicating the nature and nuances of advice work and the ways in which it links private troubles with public issues.

All this is set very explicitly in the context of ‘austerity’, including cuts in both people’s rights and benefits and their access to legal aid and advice provision to secure those rights that remain. This in turn provides the overarching (though less visible) theme of the book, which in focusing specifically on the work of Citizens Advice (CA) in two out of three of the research projects raises broader questions about the content and parameters of citizenship in the UK today. The book’s focus on CA is apposite in part because of its role in symbolising the favoured Cameron government theme of the ‘Big Society’. This does result in an emphasis on advice giving by volunteers, whereas a wider remit could have included, for example, local independent advice agencies that rely more on paid staff; single issue organisations with a specialism in their clients’ condition or situation; and bodies such as the Child Poverty Action Group, which advise the advisors and lead in judicial review cases. But the ubiquity and influence of CA – including the recent extension of its remit by the government to include other areas, such as pensions advice - mean that drawing on the experience of CA clients is likely to be more typical.

The book comes out of a research programme which lasted from 2012 to 2015 called New Sites of Legal Consciousness, based at the Universities of Bristol and Strathclyde, and aiming to understand the world of advice and its relationship to the law. Two out of the three research projects involved CA. The projects involved CA’s work on employment disputes, homeless people and technology in claiming and advice provision, and the law and citizenship in relation to CA workers.

There are three distinct parts to the book, with rather different styles and contents, with more general reflections from John Clarke concluding the third and final section. The case studies involve homelessness, employment and debt. Each case study appears at the beginning of a section, and the subsequent chapters in each section cover the issues raised by the case study, from the forces shaping the organisation and delivery of advice in the first, to the barriers to pursuing rights in the employment tribunal system in the second, and the dynamics of advice giving in the third – including the relationship between the law (rather unhelpfully labelled ‘legality’ here) and advice.

The book as a whole gives a helpful and comprehensive analysis of the multiple skills involved in advice giving, which is described in part as conveying accurate and appropriate information in a language that the client can understand. But the word ‘translation’ is used – translating private troubles into law, and making the law relevant to someone’s life – thus

making it crystal clear that the limited view of the Ministry of Justice that advisors merely convey information (i.e. facts) is misleading in the extreme. Elsewhere, advice agencies are described as mediating and making possible interventions in the spaces of everyday life that are infused with the law. Advice must also be given in such a way that the client can reach an informed decision, and that their anxiety is lessened – and, we learn, increasingly the role of advisors is also to manage expectations, given the limited remedies on offer. Advice giving is therefore also emotional and relational labour, as described most clearly in the section on debt advice by the editor himself.

The book's insistence on the current context of advice giving is also salutary: first, the deteriorating financial situation of clients because of the so-called 'welfare reforms' – many of which have involved straightforward cuts in entitlements, or more stringent qualifying conditions, or both; second, the reductions in the availability of civil legal aid, and in particular the imposition of fees for cases going to employment tribunals (subsequently reversed after this book was published); and third, the cuts in funding to advice agencies and more particularly the changes in the nature of funding. This last development is described in forensic detail by Morag McDermont, and includes the increased insistence by funders on organisations fulfilling their specific aims or participating in a project, rather than meeting clients' general advice needs; the growing tendency of public funders in particular to use competitive tendering, rather than grant agreements; and, paradoxically, the simultaneous emphasis on collaboration between organisations that may also be competing directly for funding. The description of funding elsewhere in this section as an 'animal to feed' is particularly apt. These funding pressures, together with the cuts in entitlements and access to legal remedies for individuals, create a pincer movement in which clients as well as advice agencies are caught.

The push towards advice giving online and by telephone, in part in order to cut costs, is also put in its place – which is inherently limited, given the demand from clients for face to face advice. The transfer of costs to both claimants and the advice sector from government, as a by-product of the move to 'digital by default' services, is exacerbated in relation to universal credit by the (understandable) retention by local authorities of central funds for support.

Clients of advice services are given voice in this book, in addition to advisors and their managers; we hear their stories and their views, understand their fears and see their growing confidence as they are given advice. And as citizens they are at the centre of the book's concerns. In particular, the section on employment tribunals highlights the contrast between individuals' sense of natural justice and the limited scope of employment law – and the discrepancy between on the one hand their determination to clear their name, expose their employer's bad practice and ensure it is not continued, and on the other the government's apparent view that their claims are frivolous and motivated by monetary compensation. It is of course worth noting that there is no perspective from employers in this section. But the function of employment tribunals as upholding good labour standards (which was severely comprised by the imposition of fees in addition to existing barriers), and the fact that CA is increasingly taking on the role of trades unions, could not be more topical.

These and the other trends emphasised in this book are, it is argued convincingly, calling citizenship into question in the UK today. (In a narrower sense, it would have been relevant to learn more about the growing need for advice on nationality, immigration and benefits.) The chapter by John Clarke draws out some of the broader implications, noting that amongst the new pressures on advice giving organisations is the injunction to keep out of politics. Given that the developments outlined in this book mean, as he says, that our collective infrastructure is at risk, I for one am very pleased that this book does nothing of the kind.