



Public Law Project



Our strategy 2022 | 2025

| Introduction

Public Law Project (PLP) is a national legal charity founded in 1990 with the aim of improving access to justice. We are specialist lawyers, researchers, trainers, and policy experts. Our work in England and Wales improves public decision-making, empowers people to understand and apply the law, and increases access to justice.

We conduct research, provide advice, deliver training and legal education, respond to policy and legislative proposals, and act for clients. Our clients are individuals affected by unfair or unlawful policies or decision-making, other charities, law firms, and non-governmental organisations representing the interests of marginalised communities. Wherever appropriate, we seek to maximise impact by bringing cases which can effect systemic change. We produce a wide-ranging programme of public law conferences and training, attracting delegates from the judiciary to campaigners and students. We publish accessible guides to improve awareness, understanding and use of administrative and public law in our jurisdiction. We also undertake and publish empirical research, working with academics across a range of disciplines, and advocate on policy issues affecting access to justice.

PLP's strategy for 2022-2025 has been co-created by PLP staff and Board members and finalised after consultation with our key stakeholders, including funders, users, and partner organisations and academics. This strategy builds upon PLP's work and impact over the past five years, which has included promoting and safeguarding the rule of law during a period of significant constitutional change, working to ensure fair and proper systems that frame the exercise of public powers and duties, and improving practical access to public law remedies.

If there is one lesson to draw from the past five years, and indeed from the last 30, it is that none of what we do can be accomplished alone. All that has been achieved is thanks to collaboration with our funders, partners, and clients, and to the dedication of our volunteers and staff.

We have chosen the priorities in this strategy to enable PLP to act proactively and with unique insight to intervene strategically when the modern state interacts with individuals, particularly those at risk of, or experiencing discrimination or socio-economic disadvantage.

Our **vision**

A world in which the state acts fairly and lawfully

Our **vision** is achieved by our **mission**

We improve public decision-making

We empower people to understand and apply the law

We increase access to justice

Our **mission** is delivered by our **programmes**

Litigation

Research

Policy
Advocacy

Communications

Training and Events

Our **programmes** respond to **needs**

Individuals, groups and communities experiencing discrimination and socio-economic disadvantage

Lawyers, civil society organisations, frontline advisers, students and others wanting to better understand public law and its relevance and application

Ensuring quality in the increasing number of administrative decisions being made in new ways

Our identified **needs** are given focus by our **priorities**

1.

A constitution that promotes accountability

2.

Government use of new technologies is transparent and fair

3.

A fair and humane immigration system

4.

A just and non-discriminatory welfare system

5.

An effective and accessible legal aid scheme

Our **values** underpin all our work

Equality

Integrity

Expertise

Teamwork

Mission and strategic priorities



PLP remains agile and responsive in the delivery of our programmes. Undertaking a significant proportion of our work through the prism of our strategic priorities enables us to maximise the value we can bring to those who use our services and partner with us and continue to develop our expertise and insight into experiences of unlawful, unfair, or discriminatory public decision-making.

At the same time, we will ensure that we have capacity across our departments to engage with emerging issues and respond to user demand.

We will continue to provide advice and representation to individuals at risk of, or experiencing discrimination or socio-economic disadvantage, or to organisations and groups representing such individuals, including on issues that fall outside our identified priorities. We will maintain prioritisation criteria to help us identify appropriate cases.





A constitution that promotes accountability

Legislative and policy reforms pursued by recent governments risk seriously undermining the mechanisms by which marginalised groups can check the unfair or unlawful exercise of executive power or enforce rights that are guaranteed by law. Parliamentary and judicial accountability are essential preconditions for the realisation of rights and freedoms. Without access to justice and enforcement mechanisms, rights become meaningless.

PLP is widely recognised as having played a valuable role in resisting regressive and promoting progressive reforms to judicial review and wider constitutional reforms, including the increased use of secondary legislation, thus safeguarding individual rights. We will continue to lead thinking in this space, focusing on the development and dissemination of accessible data, research, and insight to enable compelling, evidence-led storytelling to counter inaccurate and harmful narratives.

GOALS		INDICATORS OF ACHIEVEMENT
1.1	Greater engagement in and clarity on the meaning and significance of constitutional reform among key audiences	<ul style="list-style-type: none"> Engagement with the UK Constitutional Reform Tracker promotes further understanding of the broader implications of current piecemeal constitutional reform Research, advocacy, and responses to Government proposals have positive influence on policy and legislation affecting the accountability of public bodies
1.2	Improvement in the debate around mechanisms of legal and political scrutiny	<ul style="list-style-type: none"> Increased knowledge of constitutional reform issues from delegates attending training
1.3	Government accountability mechanisms are improved (or at least maintained)	<ul style="list-style-type: none"> A coordinated and collaborative communications strategy builds more cross-sector alliances Our outputs are engaged with and endorsed by key audiences



2 Government use of new technologies is transparent and fair

We want to ensure that the systems that manage the exercise and control of executive power are transparent, fair, effective, and non-discriminatory. A key context is the digitalisation and automation of administrative systems. Government digital services are expanding and interactions between individuals and the state become increasingly mediated by a range of digital processes. In addition, public bodies are increasingly using algorithms to make decisions across a range of areas. These developments raise important questions about what legal frameworks should govern how the government develops algorithms and how people can seek review and redress when things go wrong.

Administrative law is at a crossroads; PLP aims to use our unique approach and expertise to complement others working in this space to ensure that public law standards of transparency, accountability and non-discrimination are central to the norms that emerge at this critical time.

GOALS		INDICATORS OF ACHIEVEMENT
2.1	Identification and improvement of automated decision-making (ADM) systems in government that have the the greatest potential to unfairly impact our service users and partners	<ul style="list-style-type: none"> Support and/or initiation of at least three cases challenging the opacity of government ADM systems across our priority areas Strategic litigation, research, and advocacy responses contribute to the development of legal and policy frameworks governing ADM Strategic policy, research dissemination, and/or litigation interventions have positive influence on access to digitalised public services across our priority areas
2.2	Improved legal and policy frameworks governing ADM	<ul style="list-style-type: none"> Legal sector is upskilled in this area, measured through attendance and feedback on training and other events
2.3	Identification and challenge of barriers to access to justice that arise because of digitalisation	<ul style="list-style-type: none"> Communications strategies that promote transparency in government automation and digitalisation are engaged with by key audiences



PRIORITY

3

A fair and humane immigration system

PLP has a strong track record of successful activities that influence immigration policy, including litigation.

In recent years high-profile PLP cases have prevented regressive changes and improved legal protections across a range of migrants’ rights issues including indefinite detention, the legal aid residence test, and the right of access to the court for migrants facing removal from the UK. All these cases are the result of effective partnership and collaboration with other organisations.

Recent reforms have significantly changed the climate that migrant groups find themselves in and present even more risks to access to justice for those subject to immigration control.

GOALS		INDICATORS OF ACHIEVEMENT
3.1	Identification and challenge of systemic unfairness and discrimination in immigration control	<ul style="list-style-type: none"> Successful litigation and/or advocacy that establishes a progressive precedent and has a wider impact in the practices of immigration control More people subject to immigration control have practical access to courts and tribunals (and/or that the quality of justice that they can access through such processes is improved)
3.2	Effective challenges to barriers to access to justice for migrants, particularly those that arise from recent reform	<ul style="list-style-type: none"> Increased provision of bespoke training in public law to frontline/user-led organisations further upskills the sector and has a positive impact on the availability of public law support for migrants Research develops an evidence base and/or academic framework that influences legislative and policy reform affecting migrant rights



4 A just and non-discriminatory welfare system

PLP has been working on sanctions and conditionality in welfare benefits since 2016. In that time, we have developed an extensive network of contacts with user-led organisations and have grown a strong reputation for expertise in respect of sanctions and remedies.

To date, we have been engaging in four main activities, including: taking on casework referrals and queries; developing a resource for claimants by way of our claimant commitment microsite; delivering training and events on sanctions, benefits and public law, including workshops for frontline advisers; and undertaking empirical research in order to conclusively identify and explore current barriers to remedies.

This strategy builds upon this work to secure a more just and non-discriminatory welfare system and to help guard against state punishment of poverty.

GOALS		INDICATORS OF ACHIEVEMENT
4.1	Removal of barriers to challenging benefit sanctions	<ul style="list-style-type: none"> Increased awareness of benefit sanctions and ways to challenge them among key audiences measured through dissemination of resources and attendance at training and other events
4.2	Effective challenges to unfair and discriminatory policies and practices that reduce people's benefit income to below subsistence level	<ul style="list-style-type: none"> Research and policy advocacy have positive influence on policies governing benefit sanctions and deductions At least three unfair and discriminatory policies or practices applied by the DWP are identified, challenged, and improved



PRIORITY

5 An effective and accessible legal aid scheme

PLP’s past achievements in this area have included: litigation in our own name which prevented an attempt to impose a “residence test” for civil legal aid; litigation on behalf of Rights of Women which brought about improvements to otherwise onerous requirements for evidencing domestic violence; improvements in the exceptional case funding (ECF) scheme through litigation, research and policy work that has seen applications and grant rates drastically increase; and litigation which secured significant improvements in the capital test for low income homeowners, removing limits on the amount of mortgage that could be taken into account and establishing there is a discretion to ignore value in a home that could not in practice be sold.

In this strategy we build on this work to mitigate adverse impacts on access to justice arising from the continued effects of the Legal Aid Sentencing & Punishment of Offenders Act (LASPO).

GOALS		INDICATORS OF ACHIEVEMENT
5.1	Increased numbers of people eligible for and/or practically able to access civil legal aid	<ul style="list-style-type: none"> Positive Ministry of Justice policy response to the means test review Income threshold is set at a realistic level and regularly reviewed as costs of living increase
5.2	Greater engagement in the need to ensure civil legal aid sustainability among key audiences	<ul style="list-style-type: none"> Numbers of organisations and individuals successfully assisted with eligibility problems Numbers of challenges that result in widened access to the legal aid scheme An expanded and strengthened access to justice network to address systemic problems including with civil legal aid contract tenders

Anti-discrimination objectives



PLP was established to improve access to public law remedies for those whose access to justice is restricted by discrimination or socio-economic disadvantage. Equality has long been one of our core values.

We acknowledge that there is more we can and should do. We also recognise that institutional discrimination permeates society, the legal system and charity sector within which we work, and that, despite our best intentions, it is reflected in our own structures.

Moreover, there is disproportionate impact of decision-making and unequal structures at the intersection of characteristics with many experiencing multiple marginalisation. Remedying this is not an easy task or a fast fix.

We acknowledge PLP's privilege, status and platform in the public law sphere and commit to making an active and conscious effort to understand and address the effects of discrimination in all our work, both external and internal. We formulate six objectives in this strategy to guide us in this work





1 Identify and challenge discriminatory impact in priority areas and amplify the voices of marginalised communities in the legal policy space

Our strategic priorities are selected to enable us to work in areas in which structural discrimination is most acute. We will emphasise this commitment by:

- A** ensuring it is reflected in our prioritisation criteria for casework and litigation, including in our decisions on when we act pro bono or on conditional fee agreements
- B** in partnership with our user-groups and partners, developing the evidence base for discrimination arguments in our priority areas and continuing to encourage public decision makers and the courts to engage with this evidence base
- C** developing our policy work with those who have lived experience of unfair systems but who are often denied information and consultation on their development and implementation



2 Promote better understanding, and use of, discrimination arguments in public law

PLP has ran training courses targeted at increasing the knowledge and awareness of lawyers and other frontline advisers of the relationship between equality and public law and promoting the increased use of discrimination arguments in judicial review.

We observe however that overlap of public and equality law expertise in the legal profession remains scarce. Consequently, there can be hesitancy in advancing equality arguments in judicial review, particularly arguments that tackle structural issues. Although, we acknowledge that the law is not always the best tool to address discrimination, particularly experiences of marginalisation because of discriminatory structures, we also believe that our legal system can go further in protecting from discrimination and advancing equality. We will use our position and status to foster a better environment for the advancement of such arguments before the courts by:

- A continuing to develop our training and conference work in this area**
- B identifying, and challenging through strategic policy or legal interventions, where appropriate, situations where the administration of the legal aid scheme operates as a de facto bar to running discrimination points**



OBJECTIVE

3

Consider and mitigate equality impacts of our work and decision-making

We want to ensure that the work we do and priorities we set are informed by the experience of our partners, user groups and clients and consider specifically the experience of individuals and groups that experience or are at risk of experiencing discrimination because of race, sex, gender, gender identity, sexual orientation, disability, or other protected status. We also want to ensure that our processes for internal decision-making consider and mitigate any equality impacts. We will do this through:

- A** better consultation with our partners, clients and other users on their needs and the impact of our work, particularly with partners that represent or advocate for racialised groups
- B** developing and adopting an equality impact assessment tool to inform external and internal decision making

OBJECTIVE

4

Increase diversity and inclusivity within PLP

PLP is a diverse organisation in many respects particularly at the junior end. However, there is insufficient representation of individuals from racialised backgrounds in our senior management team. We will seek to improve this by:

- A** investing in internal development and advancement
- B** providing mentorship, training and design roles and job advertisements to reach groups and communities that may feel alienated or excluded from becoming a public lawyer, researcher, charity leader or Board member
- C** ensuring that our recruitment processes more generally follow best practice to promote diversity



OBJECTIVE

5 Further open and share our events and training platform

PLP's conferences and events are prestigious in the public law world and the wider advice sector and there is scope for us to have a more active role in promoting more diverse voices and faces in this space by:

- A platforming and providing speaking opportunities to lawyers, academics, and other public law professionals from underrepresented and racialised backgrounds**
- B designing and delivering more events with user-led groups particularly those representing or advocating for individuals who have experienced discrimination**



6 Support longer-term improvement of public body equality duties and obligations

Two key provisions of the Equality Act have yet to fully come into force, namely section 1, which introduces a socio-economic duty on public bodies that requires them “when making decisions of a strategic nature about how to exercise [their] functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage”; and section 14, which provides protection against intersectional discrimination.

The section 1 duty has now been enacted in Scotland and Wales but is not yet implemented in England (or Northern Ireland). Improved implementation of these provisions may be key to unlocking public decision-making that can address structural discrimination.

During the next three years, we want to share our platform and visibility with organisations calling for the implementation of these Equality Act provisions, as well as to contribute to better understanding of the relevance of such implementation to improved public decision-making. We will do this by:

- A supporting the campaign for the implementation of these provisions, including by seeking opportunities to support research, policy and influencing work in this area within the framework of our strategy; in Wales we will also look to support litigation on the enforcement of the duty**
- B inviting organisations and lawyers with expertise in these issues to speak at PLP training and other events**

Internal priorities





PRIORITY

1 Positive culture

We have all faced challenges to maintaining a positive outlook in recent times and this is particularly acute for our staff who spend their work life fighting some of the worst examples of unfairness and hardship in our society. We believe that within PLP positivity is both a product of and catalyst for a healthy and productive work culture.

COMMUNITY	MANAGERS	WELLBEING	CAPACITY
We will consciously foster a sense of belonging at PLP for all staff by providing opportunities for connection between colleagues inside and out of formal team structures and by intentionally celebrating our wins.	We will develop a framework of support and training for current and aspiring managers to share good practice and recognise the importance of our managers to our productivity and wellbeing.	We will continually improve the holistic support we offer for staff wellbeing whilst maintaining our commitment to providing a psychologically safe working environment for every colleague.	We will ensure we have the planning and resources necessary to deliver our strategy and improve our understanding of the relationship between capacity and wellbeing.

PRIORITY

2 Connectivity and flexibility

We will continue to offer staff the flexibility to choose when and where they work within the needs of their role and the charity. We will ensure our IT systems are optimised for hybrid working and online collaboration. We will also invest in our office as a community hub which also provides all staff access to an excellent working environment.

PRIORITY

3 Equality, diversity and inclusion

As well as the active approach to anti-discrimination outlined within the delivery of our strategy, we will continue our work to support diversity and inclusion internally. We will build on the success we have had improving our diversity at junior levels by ensuring we strengthen the development, training and opportunities for progression on offer to aspiring leaders.



PRIORITY

4 Monitoring, evaluation and learning

PLP is well able demonstrate its impact. We will focus on developing our ability to evaluate and learn from the work we have done to ensure we have even greater impact in future.

PRIORITY

5 Financial sustainability

We will invest in our internal systems to keep ongoing overheads efficient as we grow. We will explore partnerships to access new types of grants and donations and continue to develop the sustainability of our self-generated income streams.

PRIORITY

6 Environmental sustainability

We will develop a plan for PLP to become carbon neutral by 2025 and take steps to reduce our environmental impact as we grow.



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