



Case study

Ali: finding a solicitor

1 Background

Ali is in his late 30s and is detained on a mental health ward under the Mental Health Act. He wanted to apply for a tribunal to challenge the reasons why he was detained and needed a solicitor to represent him. He'd had problems with lawyers in the past and didn't feel confident looking for one on his own, so he asked to be referred to us.

2 The process

Deniz talked through the situation with him. Ali told her he wasn't used to doing things for himself and felt overwhelmed at having to find a solicitor on his own. After a previous bad experience with lawyers, he was also worried someone could take advantage of him.

Deniz went through the list of NHS approved solicitors, pointing out some local ones she'd heard of who had a good reputation. Ali asked Deniz to call one of the firms and to instruct a solicitor for him. Deniz had a chat with him about why he didn't feel confident calling them on his own. Ali told her he didn't think he was good at doing things as the ward staff usually did everything for him. Deniz thought it would be good for Ali to do it himself, so she encouraged him to try. She talked through what would happen when he made the phone call – that a receptionist would answer the phone, and that Ali would have to explain who he was and why he needed legal help. Ali agreed, but asked if Deniz could sit in on the call in case he needed help.

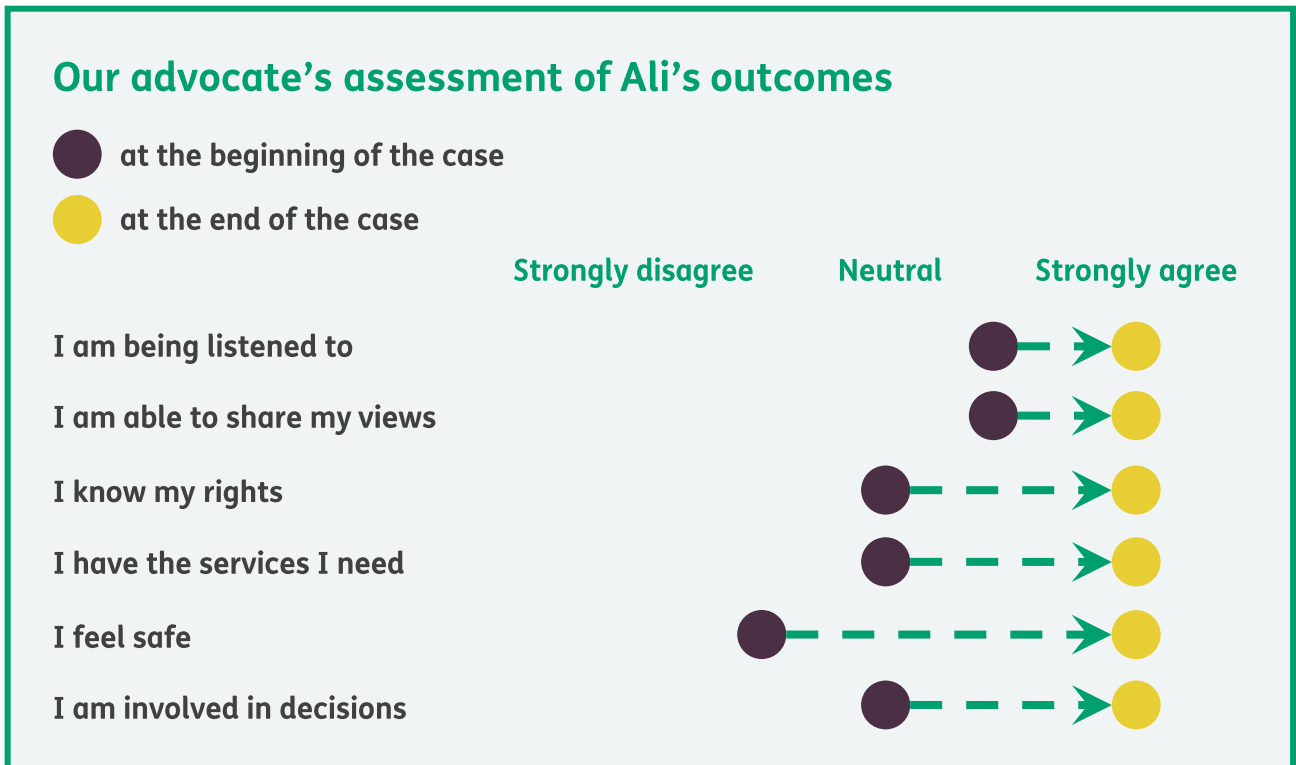
Ali dialled the number of the firm. When the receptionist answered, he took a deep breath and told her he needed to speak to a solicitor. Deniz introduced herself, and when the receptionist realised an advocate was on the line she transferred the call to a solicitor. The solicitor immediately began speaking to Deniz, but she re-directed his questions to Ali to give him the chance to answer and give the instructions himself.

Ali managed to explain everything without Deniz's help. He told the lawyer about the section of the Mental Health Act he was detained under, what he needed help with and what he hoped to achieve. At the end of the phone call, he asked Deniz how he'd done. Deniz told him he'd managed really well and that he should be proud of himself. Ali was thrilled.

3 Outcomes

Having Deniz on the phone with him gave Ali the confidence to explain his situation to the solicitor, to give instructions and to make a follow-up appointment. He felt good about being able to speak for himself, and more confident about doing things independently in the future. Ali is now booked in for the tribunal.

Deniz also helped the solicitor understand that he should give vulnerable clients like Ali the chance to speak for themselves.



4 Systemic issues

Professionals, such as lawyers and social workers, often speak directly to advocates and leave the client out of the conversation. This can make clients feel excluded and undermine their self-confidence to do things for themselves. Advocacy helps people take control over the decisions which affect their lives and builds their self-esteem.