

10 November 2010

## **The Master of the Rolls calls on lawyers to produce "new money" for justice**

The Master of the Rolls, joined by the Solicitor General, this morning launched *Unlock Funds for Justice*, a campaign to raise vital funds for pro bono organisations and advice agencies. The campaign is organised by the Access to Justice Foundation to increase the use of "pro bono costs orders", and is supported by the Law Society, Bar Council and Institute of Legal Executives.

The Chair of the Foundation, Lord Goldsmith QC, called on lawyers to obtain "pro bono costs" to produce new money for justice. Section 194 of the Legal Services Act 2007 enables courts to make costs orders in pro bono cases. The losing party in a dispute is ordered to pay costs to the Foundation, to reflect the financial value of the free legal help given to the winning party. The Foundation then distributes the money to agencies and projects that give free legal help to those in need.

Lord Goldsmith said the *Unlock Funds for Justice* campaign "aims to increase awareness of pro bono costs, and increase the number of orders sought, providing funds for much needed free legal assistance." He added, "We have not yet begun to see the full potential of the pro bono costs scheme."

The Master of the Rolls, Lord Neuberger of Abbotsbury, said, "Pro bono ensures access to justice, which is a central pillar of any democratic society. I welcome this publicity campaign as the drive to make lawyers acting for free aware that they can obtain pro bono costs on winning a civil case requires action rather than words."

The Solicitor General, Edward Garnier QC MP, said "It is very important as outlined by the Master of the Rolls that this emphasis on pro bono costs be better known. I urge all of us in the legal profession not only to make the most of the pro bono costs scheme but to encourage others to do likewise. Because without such funds the Access to Justice Foundation cannot do its valuable work."

Lord Goldsmith explained that pro bono costs produce "new money" for justice, on the back of a successful pro bono case and without much additional effort by the pro bono lawyer. In addition to raising funds, he commented that pro bono costs could also help achieve settlement by levelling the playing field, because both sides now have a costs risk to consider.

Today's event saw the Foundation launch new guidance for the legal profession, to explain how to use pro bono costs. In addition, a new poster that will be distributed to courts, law firms and chambers across the country. The Master of the Rolls described the new material as "eye catching and with jargon free language". The final element was the launch of an online survey to gauge the current awareness of the legal profession.

The campaign is targeting lawyers who might undertake or organise pro bono cases and so produce costs awards, whether barristers, solicitors, legal executives, pro bono coordinators, or pro bono and advice agencies.

## Notes to Editors:

1. The Foundation is a registered charity, chaired by Lord Goldsmith QC, with trustees drawn from across the legal profession and the advice sector, reflecting that the scheme as a whole is a cross-profession initiative. For more information visit [www.accesstojusticefoundation.org.uk](http://www.accesstojusticefoundation.org.uk)
2. Section 194 of the Legal Services Act 2007 introduced “pro bono costs” which are like ordinary legal costs, but where a party had free legal representation. If a civil case is won with pro bono help, pro bono costs can be ordered by the court, or included in settlements. The procedure is broadly the same as normal costs.
3. The new “quick guides” for the legal profession, as well as the poster, can be downloaded from [www.ATJf.org.uk/costs](http://www.ATJf.org.uk/costs). The survey of the legal profession can be completed at [www.ATJf.org.uk/survey](http://www.ATJf.org.uk/survey)
4. General enquiries about the Foundation should be addressed to [enquiries@atjf.org.uk](mailto:enquiries@atjf.org.uk). For media and press enquiries contact 020 7320 5902.
5. The Master of the Rolls is the head of civil justice in England and Wales, and the second most senior judicial office after the Lord Chief Justice.