

10 November 2009

Former attorney general speaks out on need for additional funds for pro bono legal help

In a speech yesterday at the National Pro Bono Conference, Lord Goldsmith QC expressed serious concern that the pro bono and voluntary advice sectors were being overwhelmed with an increasing demand for legal help during the recession, when their budgets were decreasing.

Announcing the first funding grants made by the Access to Justice Foundation, he called for ambitious and creative solutions to generate additional funds to support such pro bono work, which the Foundation could distribute strategically across England & Wales in conjunction with Regional Legal Support Trusts and national pro bono organisations.

Lord Goldsmith QC, Chair of the Access to Justice Foundation and former Attorney General, gave a keynote address to the second National Pro Bono Conference, held at Friend's House in London.

His speech reported on the first year of the Foundation's activities, during which it had received several pro bono costs orders, and distributed these funds together with donations to 14 pro bono organisations around the country.

He emphasised the need for lawyers to seek pro bono costs orders, pointing out that they produced a "double win" for pro bono clients by generating new funds to support other pro bono work in the future.

He suggested there was a need to identify other sources of new, additional funding that can be pulled into the pro bono sector, such as unclaimed client account balances. Lord Goldsmith said it was "surely my duty as Chairman and a charity trustee to speak out about this and ask why such funds aren't being made available to be shared with the pro bono and voluntary legal sector."

Lord Goldsmith concluded by calling on everybody involved in pro bono to come together and work for the common good of getting additional money to the organisations in need, saying "The time for action is now, not when the recession is a distant memory".

His address came as the Foundation announced the successful recipients of this first round of small grant funding.

Notes to Editors

1. The full text of Lord Goldsmith's speech is available at www.accesstojusticefoundation.org.uk/downloads/ATJF_Lord_Goldsmith_speech_09_11_2009.pdf

2. The Access to Justice Foundation yesterday announced the results of its inaugural grants round, full details of which are at www.accesstojusticefoundation.org.uk/downloads/ATJF_small_grants_announcement_09_11_2009.pdf
3. The Access to Justice 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 on the Foundation and Regional Legal Support Trusts, please visit www.accesstojusticefoundation.org.uk
4. The Foundation is the prescribed charity under Section 194 of the Legal Services Act 2007. Section 194 came into force on 2nd October 2008, as did "light touch" supporting amendments to the CPR, in particular a new rule 44.3C. For online resources see the Foundation's website at www.accesstojusticefoundation.org.uk/funds-in/section-194
5. Section 194 enables the Courts of England & Wales to require a party who loses a legal case against a party with pro bono help to make a payment to the Foundation in an amount equal to an order for costs (a "pro bono costs order"). Previously under English law the losing party would have had no liability to pay costs, whilst had it won it would have been able to seek costs.
6. General enquiries about the Foundation should be addressed to enquiries@atjf.org.uk

For media and press enquiries contact 020 7320 5902.