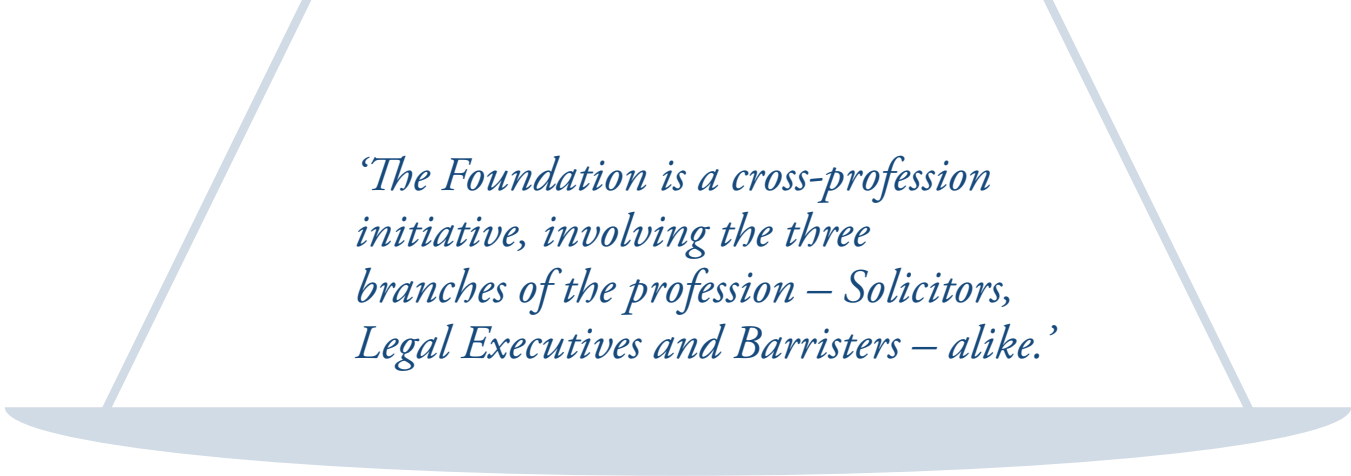




THE
ACCESS
TO JUSTICE
FOUNDATION



Working at a strategic level to improve access to justice



‘The Foundation is a cross-profession initiative, involving the three branches of the profession – Solicitors, Legal Executives and Barristers – alike.’

The Access to Justice Foundation has been established to receive and distribute additional financial resources that will help to get free of charge (pro bono) legal assistance to those who need it most.

The Foundation will receive monies raised by schemes, of which the scheme under section 194 of the Legal Services Act 2007 is the first. Taking a strategic view, it will distribute those monies to Regional Legal Support Trusts, to the major pro bono organisations, and to projects. The Regional Legal Support Trusts will in turn distribute to local advice

agencies and law centres. This new initiative will help in the overall effort to provide practical “access to justice” to those unable to afford help.

Pro bono legal assistance complements, but is not a substitute for, legal aid (ie publicly funded help). In the same way with the Foundation – it is directed to supporting the delivery of pro bono advice or assistance, but never in place of the legal aid system.

From October 2008 the Courts in England & Wales will have power to order a losing party to make a

payment to The Access to Justice Foundation, under section 194 of the Legal Services Act 2007 (a “pro bono costs order”). This will be where a case has been won with pro bono help, and the losing party would otherwise have escaped liability for costs simply because it had lost to a party that had been helped pro bono.

With the money it receives, the Foundation, working with Regional Legal Support Trusts and national organisations, will look to provide financial resources where they are needed most, so that more of those needing free of charge (pro bono) legal advice or assistance will be able to get it. The Foundation’s Board of Trustees will have the widest discretion to make decisions, but will publish its distribution principles. The Foundation does not fund legal costs – rather it helps meet some of the costs of the voluntary, not-for-profit and charitable organisations and projects that provide help for free, including by their deployment of members of the legal profession willing to advise and assist pro bono.

The Access to Justice Foundation

- ◆ The recipient of funds from section 194 “pro bono costs orders”.
- ◆ The preferred destination of choice for funds from other schemes.
- ◆ Distributing funds strategically, working with Regional Legal Support Trusts and national organisations, to help those providing free legal assistance where there is unmet need.
- ◆ A cross-profession initiative, in collaboration with the voluntary and not-for-profit sector.
- ◆ An independent charity, acting in the public interest to improve access to justice.



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It is hoped that the Foundation will be the natural preferred destination of choice for monies raised through other schemes, of which section 194 is the first. The Foundation offers the great advantage of a strategic approach to distribution. At the same time, by working with Regional Legal Support Trusts, it can address regional and local need.

For their part, the Regional Legal Support Trusts, as well as drawing funds down from the Foundation, will themselves be running events (for example sponsored walks) to increase the

additional financial resources they can distribute. The RLSTs will be an important part of the regional infrastructure for pro bono work.

The Foundation is a cross-profession initiative, involving the three branches of the profession – Solicitors, Legal Executives and Barristers – alike. It is independent, and acts in service of the public interest. Its work combines with the readiness of the legal profession to act in the public interest by providing legal advice and assistance pro bono in cases of need, and in collaboration with the voluntary and not-for-profit sector.

www.accesstojusticefoundation.org.uk *email: enquiries@accesstojusticefoundation.org.uk*