



Summary note: roundtables with legal professionals

1. On 9 and 15 July 2025, the Constitution Committee held a series of virtual roundtables with legal professionals, to discuss the Committee's inquiry into the rule of law.
2. The following members of the Committee took part in the roundtables:
 - Lord Strathclyde (the Chair)
 - Lord Anderson of Ipswich
 - Baroness Andrews
 - Lord Beith
 - Lord Bellamy
 - Lord Burnett of Maldon
 - Lord Foulkes of Cumnock
 - Lord Griffiths of Burry Port
 - Baroness Hamwee
 - Baroness Laing of Elderslie
 - Lord Waldegrave of North Hill
3. Twenty legal professionals from across the UK took part, including barristers, solicitors and CILEX lawyers covering a range of disciplines. This note summarises the contributions from the participants across the different discussion groups, organised by theme. While the quotes have been confirmed with individuals for accuracy, all of the participants remain anonymous and their quotes are attributed anonymously, to ensure they could contribute freely to discussions.

The role and public perception of the legal profession

4. One area of discussion was the role of the legal profession in upholding the rule of law, and the public's perception of the profession. Participants generally described the role of the legal profession as the interface between the law and the individual: helping individuals identify when they have legal issues, explaining what the law is and their rights, and helping them navigate the legal system. One participant described legal professionals as "the interlocuter" between the individual and the law.¹ In this way, the legal profession is integral to the rule of law, bringing the law into practice for individuals, helping them to assert their rights and therefore understand the benefits that the law brings them.

¹ Participant I

Public perception of the legal profession

5. However, participants generally agreed that there is an increasing distrust of the legal profession. One participant said their view, and that of their colleagues, was that in recent years there had been “a serious shift in perception from a small subset of society towards lawyers and legal practitioners, and increasing distrust”.² As an example, the Post Office Horizon Scandal was highlighted by participants as undermining public trust in the profession. Similarly, one participant described how they thought that the public’s experience during the COVID-19 pandemic, including confusing regulations and the perception that the law was applied unequally, accelerated an existing trend that individuals believed that “laws are not necessarily implemented fairly, and that not everybody is subject to the same rules”.³ As a result, people became increasingly distrustful of the law, and therefore the legal profession, as a result. Another participant described how they thought that “there's a lack of respect for lawyers and judges ... and I think a lot of that is borne from frustrations due to massive inequalities and lack of access to legal advice”.⁴
6. Participants discussed the real and serious impact of a decline in public trust in the legal profession, with legal professionals (including both judges and practicing lawyers) increasingly experiencing threats, physical intimidation, and in the most serious circumstances, physical attacks. In discussions, participants said that the ability of the profession to effectively uphold the rule of law was compromised by declining trust in the profession, and so a number viewed the decline in public trust (and the corresponding increase in unacceptable violence towards professionals) as a serious and significant threat to the rule of law.

Legal ethics and professional regulation

7. When discussing the responsibility of legal professionals to the rule of law, a number of participants emphasised the importance of legal ethics. However, several participants criticised the lack of ongoing training on legal ethics once lawyers became qualified, describing how many professionals “have almost no ethical training in our profession and there is no mandated requirement for ongoing ethics training.”⁵ As well as advocating for greater ongoing training, some participants discussed how the regulators also needed to be more proactive in providing greater training with an emphasis on legal ethics. One participant noted that “we're still working on the basis of an ethical system which was set up in the 70s and hasn't been properly revised and reviewed”.⁶

² Participant 2

³ Participant 3

⁴ Participant 4

⁵ Participant 5

⁶ Participant 6

8. Participants were in strong agreement about the importance of a culture of ethical practice. This included a discussion about the different obligations each legal profession had, and the challenges that creates for practitioners in understanding each person's obligations. For example, one participant described how there was a declining "distinction between the role of the independent Bar and the role of a solicitor".⁷ They used the example of perjury (providing false information to a court): if a barrister is aware of a client perjuring themselves in court, they must recuse themselves from the case; if a solicitor is aware of that, they must inform the court. This is because barristers are independent of the court, allowing them to stand up to the court for the client, whereas solicitors are officers of the court. Similarly, another participant described how "one of the biggest challenges we have ... is trying to get people to understand the notion of public interest when you don't work for or with the public and you work for multi-billion-dollar corporations", as all legal professionals nonetheless have broader public duties.⁸
9. Matters of ethics in the family courts were raised as a particular concern, with a participant expressing the view that the behaviour of some solicitors can amount to bullying and, in some situations, continuing coercive control on behalf of their clients. They said that the Solicitors Regulation Authority regulations and guidance clearly state that public interest (including the rule of law and public confidence in a trustworthy solicitors' profession) takes precedent over the interests of an individual clients. The participant expressed concern that judges and solicitors were not sufficiently mindful of this fact, or of their obligations to report solicitors seriously breaching regulatory arrangements.
10. A concern was also raised about the financial costs of keeping up-to-date with compliance requirements, and providing training for ethical practice. One participant described how large law firms might have "sufficient resources" to maintain teams that can provide training on this, but that this is a privileged position and poses a challenge to others without those resources.⁹
11. Another challenge to legal ethics that participants discussed was the 'cab-rank rule', where barristers have to accept cases and clients regardless of their personal views. One participant highlighted the rise of "practitioners of conviction" who advocated for exceptions to the cab-rank rule based on personal views.¹⁰ They argued that this had the potential to undermine the rule of law, creating a public perception that lawyers personally represent the views of their clients and so can be criticised as a result, thereby feeding into the increasing trend of personal threats and intimidation of legal professionals.

⁷ Participant 6

⁸ Participant 5

⁹ Participant 11

¹⁰ Participant 7

Access to justice and public understanding

12. Participants highlighted how access to justice needed to be considered alongside the public's understanding of the law. Access to justice was discussed as more than the ability to get to court and have a case heard in a timely manner, as one participant described how "confusion lies in the concept of access to justice ... it's not just about getting into the courtroom, which I think has been the focus for the last 15 years".¹¹
13. Participants discussed how access to justice also requires individuals to know that you need to seek legal advice or go to court to seek redress, and to know that the problems they have are legal problems. One participant described how the focus of access to justice should be "on people being able to access their rights, access knowledge, access advice."¹²
14. There were particular areas of the law that participants identified as crucial to individuals' rights and lives, but which the public often struggle to identify and understand. This included immigration and administrative law. For example, one participant noted how "none of my clients [at a law centre] know what administrative law is, yet it's the law that governs fundamental rights: the rights to housing, the rights to education, the rights to income."¹³
15. As a result, participants were generally very supportive of improving public legal education, both in schools and later in life to help individuals understand their rights. However, there was often caution expressed that, due to the complexity of the law breadth of areas, there is a limit to what public legal education can achieve before legal professionals are better placed to support people.

Legal aid

16. A number participants raised concerns about access to legal aid, and the ability of individuals to get legal advice. In particular, a lack of provision was highlighted for middle-income individuals who are not covered by legal aid, but who cannot afford to bear the significant costs of legal representation. One participant described how "a lot of people are falling through the gap and are not able to get legal aid. For instance, we have come across many pensioners who are not eligible [for legal aid] because their disposable income is supposedly too high."¹⁴

¹¹ Participant 8

¹² Participant 9

¹³ Participant 9

¹⁴ Participant 10

17. Participants agreed that there were significant rule of law consequences from cuts to legal aid which, they argued were inhibiting the ability of people to bear the cost of accessing justice, leading to potentially significant inequalities. This was summarised by one participant as a stark difference between “those that can afford justice and those that can't. And for those that can't, they're very lucky to be able to access any type of advice.”¹⁵ Another participant summarised that access to justice and the rule of law for businesses in the City of London was in stark contrast to the experience of most people elsewhere: “It works when you've got the money. It works when your clients are very well resourced and can afford firms like mine, it works very well for us.”¹⁶ Acknowledging that financial limits may restrict the ability to expand legal aid, one participant also noted that “prevention is better than a cure” and support could be directed at early legal advice to avoid people having to go to court.¹⁷

The complexity of the law

18. Following on from the need for individuals to understand the law and legal system in order to access it, a recurring concern from participants was the complexity of law and legislation.
19. Participants generally expressed a view that both the volume and complexity of legislation had been increasing in recent years, alongside an increasing reliance by the Government on statutory instruments. It was generally agreed that this was detrimental to the rule of law because it impeded legislative clarity and the ability of individuals to understand and assert their rights. For example, in discussion there was agreement with one participant's criticism of “the use of statutory instruments to make law which contains criminal offences ... which people have no idea about because they just appear on www.legislation.gov.uk, buried in an obscurely titled statutory instrument”.¹⁸
20. Participants also discussed how the difficulty in understanding the law extended not just to the content of the requirements imposed, but also to the process by which it is enforced. For example, one participant described how an offence might be found in one piece of legislation, the right of appeal in another, and the mechanism of the details of that appeal in secondary legislation.
21. Case law was also raised as a factor that affected the complexity, and inaccessibility, of the law. As one participant summarised: “our law is an incredibly complex system because it's both legislation and case law, and the case law is always changing and it's very difficult to access.”¹⁹ It was noted that it was particularly challenging for litigants-in-person (people representing themselves in court) to understand and cite relevant

¹⁵ Participant 9

¹⁶ Participant 5

¹⁷ Participant 13

¹⁸ Participant 6

¹⁹ Participant 7

case law. However, some participants also noted the benefits that this flexibility brings, describing how “we need case law to clarify sometimes and allow the legislation to live and breathe”.²⁰

The speed and cost of change

22. A number of participants noted how the speed at which legislation and policy currently changes creates a significant challenge for both lawyers and the public to understand the relevant rules. Immigration law was particularly highlighted as an area with complex and rapid-pace developments, with regular changes to the law in both primary and secondary legislation. One participant summarised how this meant that in immigration law “things get really, really complicated very quickly because the immigration legislation changes all the time... I'm an advisor and I'm struggling to keep up. I don't know how non lawyers keep up with it”.²¹
23. This was closely linked to a problem that participants felt existed with the difficulty and cost of keeping abreast of changes in law and legislation. Participants discussed the significant costs that could be incurred when trying to keep up-to-date with developments in the law, including textbooks, online resources and tools, and dedicated teams in firms to monitor changes and provide training. While larger private firms were more likely to have access to these resources, several participants expressed concern about the costs for smaller and non-profit organisations, as well as highlighting how this made the law inaccessible for those not in the profession and litigants in person.

AI and technology

24. Participants widely noted the increase in the use of Artificial Intelligence (AI) among legal professionals, and individuals who are seeking legal advice. Some participants discussed the significant benefits that AI could bring in, such as improving efficiencies in the courts, and lowering the costs of legal services. Participants noted the SRA had recently approved an AI law firm for small claims, which they suggested could make “routine matters very accessible ... financially and otherwise to the public”²² and may work well in narrow terms. However, conversations about the increasing use of AI were often linked to the existing state of access to justice. One participant suggested that the increase in the use of AI was linked to insufficient existing provision: “if people don't have access to justice, and by that I mean access to knowledge, access to advice, access to ongoing casework, access to the court, then they are going to turn to AI as a way they see to resolve their issues and protect their rights.”²³

²⁰ Participant 11

²¹ Participant 12

²² Participant 5

²³ Participant 9

25. Across all discussion groups there was a general concern about the limits and dangers of AI. This included the potential for AI to ‘hallucinate’ and provide false information to the public. This was particularly a concern for litigants in person who might rely on AI to provide case citations in court. As one participant explained, the danger is that the information AI provides can be “convincingly wrong”, which members of the public without legal training might struggle to identify.²⁴
26. Several participants across groups also voiced concerns that the increasing use of technology and AI could negatively impact junior lawyers who were more frequently using AI. This included concerns that there could be a skills deficits in the profession in the future. One participant described concern that a “skills gap will just widen over time ... as the students who are fed out of the educational system have become ever more reliant upon using AI.”²⁵ They feared that, as students rely increasingly on AI, they fail to build up the same level of expertise and knowledge that is crucial. Moreover, another participant described how law students “are being taught about AI in law school and bar school, but they are not being sufficiently taught about the dangers.”²⁶ Participants even described how the digitisation of the courts system could have a similar impact: while previously junior lawyers built their experience in handling small cases in courts, online hearings and the increasing resolution of small cases out of court remove that opportunity for training.
27. There was also generally agreed reservations about the limits of what AI could provide, compared to the work that the legal profession does. One participant noted how “a huge part of the job is getting a sense of the client as a person”, which allows lawyers to understand the emotional costs of lengthy court proceedings and how that might impact a person’s testimony or how they present under cross-examination.²⁷ Others described how they have conversations with clients, and discover otherwise unmentioned details with significant legal implications but which would not be captured when the individual describes their problem to AI.
28. However, despite the concerns raised by AI, as one participant described: “the horse has bolted and AI is here to stay and so we should remind ourselves of some of the potential opportunities that lie within AI in terms of access to justice ... this is going to be a question of trying to find appropriate safeguards around how AI is impacting in the rule of law”.²⁸

²⁴ Participant 8

²⁵ Participant 2

²⁶ Participant 7

²⁷ Participant 2

²⁸ Participant 11

Digital exclusion

29. Regarding the impacts of digitisation in the legal system more broadly, some participants were positive about the potential efficiencies which could be achieved whilst others expressed concerns about the risk of digital exclusion. This was particularly concerning for vulnerable groups who lacked digital skills, access to the internet, and mobile devices. For example, one participant expressed concern that “we are going to have this digitally excluded group: as the justice process is more online, we will have a greater proportion of people who simply cannot access justice because they cannot access online services.”²⁹ This was described as a particular problem in courts and tribunals which are having online hearings that often involve litigants in person, including the First-tier Tribunal (Special Educational Needs and Disability) and the Court of Protection where litigants may be dependent upon the organisation they are taking to court, such as the local authority, to provide them with space and facilities to join the hearing.

²⁹ Participant 9