

Ministry of Justice

Justice Select Committee – Access to Justice Inquiry

Executive summary

1. The government inherited a justice system in crisis. Civil legal aid fees had been static for nearly two decades, with the number of civil legal aid providers declining 19% between 2018-19 and 2024-25. The number of criminal duty solicitors dropped by a quarter between 2017 and 2024. In 2024, the then-Government lost a judicial review over fees for criminal solicitors and was facing another on immigration legal aid at the time of the General Election. But since taking office, this Government has taken action to rebuild our justice system and increase access to justice.
2. Being ‘a beacon for justice and the rule of law’ is one of the Ministry of Justice (MoJ)’s three strategic outcomes, and we are backing up those words with action. Access to justice will mean different things for different people. For those eligible, it means a strong legal aid system, with enough practitioners and systems that work for its users. For others, it will mean easily accessible support and information. Accordingly, this Government has announced significant new investment in criminal and civil legal aid, while also continuing to fund grants that support those not eligible for legal aid.
3. We have also embarked on an ambitious programme to transform the delivery of legal aid. Through this, we will improve access and experience for users, while also reducing unnecessary administrative burdens for legal aid providers. The need to ensure legal aid is delivered on modern digital systems has only been emphasised by the recent cyber-attack on the Legal Aid Agency (LAA)’s systems.
4. More broadly, we recognise the increasingly important role of technology in supporting people. The use of online support services, the remote provision of legal advice, and the potential of artificial intelligence collectively represent an opportunity to broaden access to justice.
5. And we are considering recommendations made by the Civil Justice Council, with a particular focus on the role that third-party litigation funding plays in ensuring access to justice.

Q1 How does the current state of the legal services and representation market in England and Wales, and associated operating pressures, affect access to justice for clients?

6. The legal services sector and its regulators in England and Wales operate independently of government. Legal services play a vital role in enabling access to justice, which is reflected in the regulatory objectives set out in the Legal Services Act 2007.

7. In civil legal aid, we are addressing the acute pressures facing the housing and immigration sectors by uplifting legal aid fees in these categories by 24% and 30% respectively. This represents a significant investment – the first since 1996 – an increase of £20 million a year once fully implemented. We intend to implement the fee increases as soon as operationally possible.
8. Investment in these areas of legal aid will help to continue ensuring that people facing urgent legal problems – such as the threat of homelessness, or the complexities of immigration law, domestic abuse or trafficking – can access timely, high-quality advice.
9. In criminal legal aid, we recently consulted on additional funding of up to £92 million a year for criminal legal aid solicitors to help attract legal aid providers to the market and help ensure the system has sufficient capacity to support those who are currently eligible for legal aid.
10. This is on top of the £24m we implemented last year for legal aid work conducted by criminal legal aid solicitors in police stations and in the Youth Court. These are significant investments, to reflect the valuable and tough work undertaken by criminal legal aid solicitors.
11. We remain committed to working with the criminal legal aid profession, including the Criminal Bar, on further opportunities to support the overall sustainability, diversity, and efficiency of the system.
12. The recent cyber-attack on the LAA's digital systems has undoubtedly made the delivery of legal aid more challenging. This Government has allocated over £20million in extra funding this year to stabilise and transform the LAA's digital services. This transformation will replace restored systems with modern, resilient, and flexible technology. This is vital for putting the service on a secure footing for the future and making it easier for users both to access and provide legal aid services.
13. For those not eligible for legal aid, we are continuing to invest in the provision of legal support services, helping individuals to resolve their legal problems earlier and reduce demand on the courts.

Q2 What is the role of supplementary advice services in supporting access to justice?

14. The provision of supplementary advice services (which we refer to as wider legal support services and is mostly provided by not-for-profit advice agencies) is important in enabling those who are not eligible for legal aid to access justice. It also helps to address problems at an early stage and prevent them from escalating, which can help people to resolve their problems without needing to go to court or tribunal, reducing stress and saving money. Where court or tribunal proceedings are needed, it helps people navigate the process more confidently and efficiently.
15. We recognise the importance of advice services in helping people assert their rights, resolve their legal issues and access justice, which is why we are providing over £6m of grant funding, up to March 2026, to support the delivery of legal support provision. This includes the 'Improving Outcomes Through Legal Support' grant, which supports 59 organisations to improve access to legal support, and the 'Online Support and Advice' grant, which funds free online legal support and advice on a range of civil, family and tribunal issues on the

Advicenow website. In addition, we are working with the advice sector and have established the Legal Support Strategy Delivery Group, which is comprised of stakeholders from the legal support and advice sector to co-design and deliver a long-term plan for improving the legal support system to ensure its sustainability.

Q3 What is the impact of those acting without legal advice and / or representation having on access to justice?

16. Legal aid is intended to support those who need it most, while still delivering value for the taxpayer. Where issues are outside the scope of civil legal aid, the Exceptional Case Funding (ECF) scheme provides funding for individuals who qualify where the absence of legal aid would breach or risk a breach of an individual's human rights.
17. The government recognises that people who are not eligible for legal aid can face challenges navigating the justice system.
18. We are committed to providing support outside of the legal aid programme. As mentioned above, in 2025-26 we are providing over £6m of grant funding to 60 organisations to improve access to legal support. This includes support to help litigants in person navigate the process effectively where court or tribunal action is needed, as well as online support on a range of civil, family and tribunal problems. Early intervention is important and can help avoid legal problems from escalating. Our Legal Support for Litigants in Person Grant found almost 60% of clients resolved their problem(s) without going to court or tribunal, and 72% of this wider legal support was provided at an early stage.
19. Furthermore, litigants in person are entitled to a range of support to help them engage with court processes, including intermediaries, special measures, reasonable adjustments, and interpreters. HM Courts and Tribunals Service (HMCTS) contact centres can assist with procedural queries and signpost users to external support.
20. Tribunals are designed to be informal, accessible and low-cost, often with expert panels trained to support litigants in person and reduce the need for legal representation.
21. Through the HMCTS Reform programme, we've developed digital services offering guided online journeys for litigants in person with paper alternatives for digitally excluded users.

Q4 Without impacting the public purse, what potential funding options would increase access to justice? e.g. an access to justice fund levy, conditional fee arrangements, third party funding.

22. We are exploring a range of potential funding options that could be used to support improvements to the justice system. This includes exploring the viability of establishing a potential new funding stream, known as an 'Interest on Lawyer's Client Account' (ILCA) scheme, which would secure the interest generated on money that lawyers hold on behalf of clients in pooled accounts. Similar schemes are embedded in, and already operate effectively, in other countries including the USA, Canada, and Australia.
23. The Civil Justice Council (CJC), an independent advisory body chaired by the Master of the Rolls, published a report on litigation funding. The report made 58

recommendations related to effective access to justice, proportionate regulation and accessibility of litigation funding.

24. The CJC review recommended consolidating the Conditional Fee Agreement and Damages-Based Agreement legislation, which could promote access to justice through increased clarity for claimants, and that a small percentage of litigation funders' profits could be paid to a dedicated Access to Justice Fund. It also suggested steps to encourage greater take up of legal expenses insurance. The Government will consider the report's recommendations in due course, including assessing the cost effectiveness of any intervention. The Access to Justice fund suggestion in particular needs significant further modelling to assess potential risks and benefits.

Q5 If limited funds were available, what would be the priority areas for spending?

25. Since taking office, we have made it a priority to address the lasting impact of over a decade of under-investment. As highlighted by the recent LAA cyber-attack, it is critical that we transform the delivery of legal aid over this Parliament. Therefore, the Government has allocated more than £20 million in extra funding this year to stabilise and transform the LAA's digital services.
26. This is vital for materially improving the security and flexibility of our digital systems, boosting our resilience. This also represents an opportunity to rethink the wider design of the legal aid system and utilise new technologies to increase access for clients and reduce the administrative burdens for legal aid providers – both of which emerged as central themes in the department's Review of Civil Legal Aid. More broadly, we are exploring how digital innovation can be harnessed to improve access to justice across the system.
27. Alongside an ambitious programme of transformation, we will be investing up to £92 million more a year in the fees paid to criminal legal aid solicitors, and an extra £20 million a year in fees for housing and immigration work.
28. We are also continuing to invest in the provision of legal support services, helping individuals to resolve their legal problems earlier and reduce demand on the courts.

Q6 How are the legal services regulators responding to their obligation to improve access to justice under the Legal Services Act 2007?

29. Under the Legal Services Act 2007 (LSA), legal services regulators in England and Wales operate independently of government. They are overseen by the Legal Services Board (LSB), which monitors their performance to ensure they meet required standards.
30. Improving access to justice is one of nine regulatory objectives in section 1 of the LSA. The LSB, the regulators, and the Office for Legal Complaints have a duty to promote these objectives. While the Act does not prescribe specific actions, the LSB and regulators are expected to act in a way compatible with these objectives.
31. The LSB and regulators set out their approach through strategic and business plans. For example, the [Bar Standards Board's Business Plan 2025-26](#) highlights a range of actions taken to empower consumers to make informed choices when

engaging barristers. These include public legal education campaigns with partners such as Citizens Advice and Refugee Action, support for digital tools like the Legal Choices website, and research into referral practices, innovation, and digital exclusion. As part of its oversight function, the LSB seeks to ensure the regulators meet their responsibility to promote the regulatory objectives.

32. The LSB answers to Parliament through the Lord Chancellor and is sponsored by the MoJ. Its performance in delivering business plan objectives is monitored through holding to account arrangements, including regular meetings between MoJ officials and the LSB executive. The relationship is detailed in the [LSB Framework Document](#), currently being updated, which sets out the principles and strategic framework under which the MoJ and LSB operate.

Q7 How is pro bono work and free legal advice being used to support access to justice and what reliance is placed on it?

33. We recognise that pro bono and free legal advice are important sources of support for people who cannot pay for legal advice. The Attorney General's Pro Bono Committee of England and Wales is a cross-sector forum that champions and supports — rather than directing — pro bono legal work. Chaired by the Solicitor General, the Committee brings together key stakeholders from across the legal profession, including the Law Society, Bar Council, Advocate, LawWorks, and CiLEX, to facilitate collaborative and coordinated pro bono efforts. The Committee meets biannually to share information, discuss challenges and planned initiatives, and provide a forum to work together. Initiatives like the Joint Pro Bono Protocol, Pro Bono Week, and the Pro Bono Recognition List — endorsed by the Lady Chief Justice — demonstrate its role in promoting access to justice and celebrating voluntary legal contributions.
34. Free legal advice is also offered by organisations within the advice sector, such as Law Centres. Additionally, we recognise that wider legal support - which includes information, guidance and signposting - can also help individuals to resolve their legal problems and access justice. That is why MoJ is providing over £6m of funding in FY25-26 to fund 60 advice charities to provide free legal support services, both in-person and online.
35. Although pro bono work and free legal advice offers significant benefits both to society and to the legal professionals who engage in it, it is intended to complement rather than replace schemes such as legal aid to assist in providing access to justice.

Q8 How can advice, legal support or non-court dispute resolution, such as mediation and restorative justice, help the early resolution of disputes?

36. Legal support can help individuals understand their rights and options and resolve their problems at an earlier stage. MoJ has piloted initiatives to build our evidence on effective legal support provision. Our Health Justice Partnership projects found that co-located advice in healthcare and community settings can resolve problems early, ease court demand, and reduce social harms like homelessness and debt.

37. The Government aims for greater use of alternative dispute resolution methods in resolving disputes faster and more cost effectively across the civil, family and tribunals jurisdictions. Integrated mediation for civil small claims is now mandatory. In family law, the Children and Families Act 2014 requires parties to attend a Mediation Information and Assessment Meeting (MIAM). The government provides families seeking to make child arrangements with £500 towards mediation costs.
38. Online information, signposting and self-help tools are key enablers of early resolution. Improved online information for separating parents has increased clicks through to 'find a mediator' by 14%.
39. The Online Procedure Rule Committee (OPRC) is making rules for online proceedings that are accessible and fair, allow for quick and efficient resolution and support use of innovative, digital methods of dispute resolution.
40. Restorative justice can improve victim satisfaction and earlier resolutions, and all adult victims must be informed about this option. Police and Crime Commissioners are funded for commissioning restorative justice services tailored to local needs.

Q9 What role is there for digital innovation and data collection in supporting access to justice?

41. We recognise that robust and reliable online information and tools can enable some people to resolve legal problems independently, freeing up in-person advice provision for those who need it the most. That's why a key element of our FY 2025-26 legal support grants is online support. However, our grant funding also supports diverse channels, including face-to-face support, for those who need it, and the digitally excluded.
42. Modernising the civil, family, and tribunals jurisdictions is a priority for the senior judiciary. The Master of the Rolls chairs the Online Procedure Rule Committee (OPRC) which makes rules for online court and tribunal proceedings including the setting of data standards to allow for the digital transfer of cases into HMCTS Services. The OPRC have set a mission to improve access to justice for all by harnessing the power of modern digital technology in the pre-action space, in the civil and family courts and in the tribunals.
43. In legal aid we're transforming services through digital innovation to build modern, secure, and adaptable systems that improve user experience. These systems will help eligible users understand and access legal aid more easily, while simplifying processes for legal providers, reducing administrative burdens and supporting sustainability in the advice sector.
44. Data collection is central to improving both provider and client experiences. It enables the MoJ and LAA to identify service gaps, enhance accessibility, and drive operational efficiency. Structured reviews of data insights will enable LAA to monitor and assess the health of the provider market i.e. analysis of provider coverage and capacity across regions and areas of law; trends in new entrants and market exits; demand and throughput, using case volumes and claim data to assess sustainability. Enabling evidence-based decision-making and future planning. Engagement with provider groups and representative bodies, helps shape responsive and inclusive service design; facilitates targeted resource

allocation; reinforces transparency, and builds long-term trust with our supply base.

Q10 How could the current system of legal aid be improved to provide a cost efficient and cost-controlled service, with suitably remunerated legal practice across civil, criminal and family law?

45. The Government's ambition is for a sustainable legal aid system that delivers for its users and helps ensure access to justice for those who need it most in a way that is cost-efficient. That's why, since taking office, we have made it a priority to modernise legal aid delivery through a programme of transformation. As part of this programme, we will be working with the sector to ensure new systems help eligible users understand and access legal aid more easily, while simplifying processes for legal providers, reducing administrative burdens and supporting sustainability in the advice sector.
46. We also understand that it is important for legal aid work to be fairly remunerated, and that the profession is an attractive one for practitioners. That's why we have announced an uplift in immigration and housing fees worth £20m once fully implemented and have just consulted on funding of up to £92m for criminal solicitors (on top of the £24m injection last year).

Q11 What has been the impact of the Legal Aid Agency cyber-attack, revealed in April 2025, on recipients and providers of legal aid work, and how have the Legal Aid Agency and Ministry of Justice responded?

47. On Wednesday 23 April, the LAA became aware of a cyber-attack on its online digital services.
48. LAA and MoJ immediately took action to strengthen the security of the LAA systems, and informed legal aid providers that some of their details, including financial information, might have been compromised.
49. The National Crime Agency and National Cyber Security Centre were immediately alerted and an investigation commenced. Government Cyber Coordination Centre (GC3) were engaged and supported cross government stakeholder management.
50. The department continues to work closely with these and other law enforcement agencies and government departments, alongside external specialist support.
51. On Friday 16 May LAA discovered the attack was more extensive than originally understood with the group responsible having accessed a large amount of information relating to legal aid applicants.
52. We believe the group accessed and downloaded significant personal data submitted through our digital service between 2007 and 16 May 2025 when the systems were taken offline.
53. This data may have included applicants' contact details, their dates of birth, national insurance numbers, criminal history, employment status and financial data such as contribution amounts, debts and payments. In some instances, information about applicants' partners may be included in the compromised data.
54. Compromised LAA systems were taken offline on 16 May, and an injunction is in place to prohibit sharing of this data. On 19 May a notification was published on

Gov.uk advising anyone concerned of steps to take to protect from impacts of a data breach. The notice was subsequently updated to reflect the injunction. There were oral statements in both Houses of Parliament.

55. Emergency measures were introduced to mitigate the impact on recipients and providers, with immediate effect from 16 May, further supported by the introduction of the Criminal and Civil Legal Aid (Amendment) Regulations 2025, an SI enacted on 27 June. These measures included extending the ability for providers to self-grant funding (in defined circumstances), suspending the requirement to pay contributions for civil legal aid recipients, and deploying average payment schemes for civil legal aid providers.
56. The response has ensured that legal aid continues to be available, and providers have had access to contingency mechanisms which allow them to maintain cash flow during this challenging period. For Legal Help and Criminal Legal Aid, these measures have resulted in payments largely in line with pre-incident volumes and value since May. For Civil Legal Aid, average payments have been made and will be reconciled through restored billing services. The incident has required changes to delegations to providers and required different processes from them to access cashflow, which in turn has involved new administrative requirements that providers have had to adapt to. Our ongoing efforts to restore systems and services take account of the impact on providers and clients, and we recognise the efforts from our legal aid providers to ensure we have maintained access to justice throughout the incident response. As of 16 September, access to Crime systems (Crime Apply and Submit a Crime Form) was successfully restored for external use by legal aid providers.
57. MoJ is working to ensure that the response to the incident accelerates existing plans to ensure that the future service is secure and significantly improved for providers and legal aid applicants. Since the cyber-attack, the LAA has worked closely with the legal aid provider base and justice system partners including regular engagements with the Law Society, Bar Council and other representative bodies. We are grateful for their collaboration in helping us understand the ongoing impact on legal aid providers as LAA works to restore services and recover from the cyber-attack.

September 2025