

Interest on Lawyers' Client Accounts Scheme

Resolution's response to the Ministry of Justice

Resolution's 6,500 members are family lawyers, mediators and other family justice professionals, committed to a non-adversarial approach to family law and the resolution of family disputes.

Resolution members abide by a [Code of Practice](#) which emphasises a constructive and collaborative approach to family problems and encourages solutions that take into account the needs of the whole family, particularly the best interests of any children.

Resolution is committed to developing and promoting best standards in the practice of family law amongst both its members and amongst family lawyers in general.

We also campaign for better laws and better support and facilities for families and children undergoing family change.

We have responded to the consultation only where we feel able to offer a response.

Q.1 Do you have any views on the proposed scope of the scheme?

Resolution is unable to provide a full response to this consultation. We have not been in a position to meaningfully consult our members on the consultation questions within the consultation period. We have encouraged Resolution members to respond to the consultation on a firm by firm basis.

We know that some of our members work in firms which make money on client account interest and use and rely on that to subsidise the family legal aid and other legal aid parts of their practice. Our Legal Aid Committee is strongly opposed to the proposed scheme given that reliance; and the need to more urgently address the sustainability of the legal aid system. The proposals do not seem to align with the statement from the Minister for Courts and Legal Services last year that "We are determined to nurse this critical sector back to health, rebuilding a legal aid system that is sustainable, effective and efficient, and that helps people to address their legal problems as quickly and as early as possible. A system that enables our excellent legal aid profession to do what it does best – providing high quality support and advice for the people who need it most."¹

Whilst we are unclear how much income a scheme could generate, we see nothing in the consultation to suggest that any proportion at all of any money raised would be invested into legal aid or put towards paying for a much needed increase in family legal aid rates (to begin to offset any negative impacts for legal aid providers and their clients). We are concerned and disappointed that

¹ Ministry of Justice Civil Legal Aid: Towards a sustainable future consultation 2025

at this stage, the Government do not propose designating any such scheme's income for specific access to justice projects, as is the case in some other jurisdictions.

Government should be funding the justice system and realistically investing in family and other legal aid to increase access to justice.

For further information please contact:

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Resolution
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