

REGULATORY LEADERSHIP ON ACCESS TO JUSTICE: CARDIFF WORKSHOP

The Legal Services Consumer Panel's work on access to justice

The Legal Services Consumer Panel is an independent statutory body which advocates for consumer focused regulation within legal services. One of the Panel's current strategic aims is to reduce unmet legal need by encouraging legal regulators to creatively use their regulatory levers to improve access to justice,¹ one of their statutory regulatory objectives². At a workshop in Cardiff on 5 November 2025, the Panel highlighted two recommendations from its [Regulatory Leadership on Access to Justice research report](#), namely a sandbox for legal service delivery models that expand access to justice and encouraging education and training in underserved areas of law. The Panel convened local stakeholders to discuss how legal regulators could implement these recommendations to help improve access to justice.

Stakeholders in attendance included academics, regulators, legal professional bodies, providers, free advice agencies, law clinics, government and law students. This paper summarises the themes of the Cardiff workshop discussions and compiles the contributions of attendees. While this summary does not necessarily represent the views of the Panel, it includes some ideas that the Panel will explore further.

Sandbox for legal service delivery models that expand access to justice

A sandbox allows new products and services to be tested with real people in a controlled environment where precautions may be taken to prevent consumer harm. Various types of consumer protection mechanisms should be considered to understand which options would be most effective to protect client interests. Often regulatory rules are relaxed in a sandbox to try to promote innovation, but a sandbox can also foster a collaborative and integrated approach among stakeholders to develop user centred services.

New forms of legal services delivery are needed given that the current market (whether privately or publicly funded) is not meeting the needs of all the people of England and Wales; 32% of people facing legal issues experience unmet legal need³. The proposed sandbox should therefore be a flexible concept that can be used in a variety of ways by regulators to encourage innovative, cooperative and transdisciplinary approaches. Both legal and additional wrap-around services could be included. Regulators, as conveners, should consider how to attract unregulated entities to participate. The sandbox could test new modes of service delivery including novel pro bono programs, different ways for legal professionals to work together on reserved legal activities, warm referral methods, unbundled legal services programs and lawtech aimed at consumers. It would serve as a forum for dialogue between all the players needed to organically promote access to justice, and could include mechanisms to evaluate new ideas and scale success stories.

¹ See LSCP, [2025-2028 Strategy and Work Programme 2024/25](#) at p. 8.

² See subsection 1(c) of the [Legal Services Act](#) 2007, c.29.

³ See LSB, [Individual Legal Needs Survey](#) (2024).

A forum for multi-stakeholder engagement is important in the access to justice space because there are so many relevant regulators but also viable pathways for new products and services to sidestep regulation altogether under the current regulatory framework. Unregulated entities may not be able to afford aspects of regulation (such as mandatory insurance) but need the information and data that regulators have and want to participate in the regulation discussion to ensure they understand the market. Legal services providers may also want to join a sandbox to improve their relationship with regulators. Possible outcomes of the sandbox could include understanding whether the current regulatory framework is fit for purpose, including whether it serves access to justice, or adapting regulation to a changing legal services market.

The reality is that increasing numbers of people are turning to Artificial Intelligence tools for answers to legal questions. Whether regulatory frameworks provide adequate protection to these people is an open question. A large range of stakeholders is needed to address these concerns and understand the risks and opportunities new technology or new service delivery models pose. Legal technology aimed at helping consumers (as opposed to businesses) is underfunded and underdeveloped. Collaborative efforts are needed to ensure this technology is meeting consumer needs and is capable of being scaled up. Simultaneously the existence of alternative options to these types of products must be safeguarded for consumers who are unable to benefit from them. Regulation has necessary costs and benefits which must be considered carefully to ensure a targeted, proportionate and effective approach, which may involve formal regulation and/or other soft powers.

An integrated sandbox approach could encourage legal services providers to consider the consumer point of view, including the important role that trust plays in delivering legal services and how to promote more consumer focused solutions. The sandbox could also investigate whether technology based solutions are adequately meeting consumer needs such as helping to solve complex and intertwined legal issues. The acceptable levels of risk for consumers to face could also be examined. Legal regulators have a convening power which can be used to facilitate these lines of inquiry and exploration.

An integrated legal services sandbox to expand access to justice is a more expansive concept than the usual regulatory sandbox. Nevertheless, regulators could still play a key convening role to help instigate important discussions among stakeholders about how to stimulate and test ideas that could grow access to justice. It could also be an opportunity for cross-sector collaboration, such as between the financial services and legal services sectors, where regulation sometimes overlaps, regulators face similar issues and there is experience with the sandbox model.

Encouraging education and training in underserved areas of law

Among the issues negatively affecting access to justice in England and Wales is the decreasing supply of lawyers with the knowledge and skills to serve people in social justice areas of law, in which unmet legal needs are the highest.⁴ This shortage of lawyers results in legal aid deserts, thin duty criminal duty counsel coverage and lawyers working in Wales without an adequate understanding of Welsh law, which is particularly acute in social justice law where much of the law is devolved. This shortage of social justice lawyers extends to vacuums in academic expertise, textbooks and professional regeneration including the ability to pass on lessons learned from deep experience in specific areas of law.

⁴ For example, housing, employment and social welfare benefits law.

Another way regulators and their stakeholders can help improve access to justice is to ensure the market produces and sustains the next generation of social justice lawyers, including both career professionals and those with a long term commitment to providing effective pro bono legal services. Encouraging law students and young lawyers to study and gain experience in social justice law is necessary to build and maintain relevant legal experience in the market. This experience is needed even more in the current landscape where demand is not just growing due to stagnant legal aid budgets but also because underserved populations are experiencing multiple legal problems which are more complex.

Various stakeholders confirmed that law students are eager to work in clinical legal education settings because they want the direct legal experience serving clients and value the impact of their work. They are also interested in learning about the types of law which are in demand such as housing, employment and social welfare benefits law. Many want to be able to offer pro bono services competently because it makes them feel fulfilled. Students, and the profession more generally, get a lot out of clinical legal education and the free advice and legal representation sector should be able to capitalise on this fact.

While students are willing to learn, there is still a shortage of qualified legal professionals to supervise them and ensure a high standard of service. Yet, even if very few law students go on to pursue a career in social justice law (an outcome made less likely due to the large amount of debt students have by the time they obtain their legal qualification), the service they provide to people as students or pro bono lawyers is still worthwhile. Best practice models provide them with the support they need to meet client needs. Nevertheless, a strong and renewed social justice legal profession is still needed to train, supervise and further develop the areas of law with the greatest amount of unmet legal need. Shortages of social justice lawyers reveal failures in the market which regulators oversee. A continuing pipeline of social justice lawyers is an issue that regulators should be concerned about.

As the entities that regulate the education and authorisation of qualified lawyers and how they affect the legal services market, regulators need a strategic approach to populate legal aid deserts with social justice lawyers that can deliver the services people need. The first step is to ensure universities offer courses in various areas of social justice law to not only educate students but also promote scholarship in these areas of law. Attempts should also be made to bring back retired solicitors with social justice expertise to help train and supervise law students and pro bono lawyers (delivering services outside their knowledge base and skillset). Regulators can facilitate this as they have done in other jurisdictions.⁵ Some retired lawyers may even choose to retrain later in their career and regulators must investigate how they can facilitate such career moves. These older lawyers can also be an important source of support and mentoring for young social justice lawyers.

Continuing professional development (CPD) is another regulatory lever regulators can use to ensure that pro bono lawyers and law students are competent in areas of law where there is great unmet legal need.⁶ For example, benefits such as the Personal Independent Payment (PIP) or Special Education Needs and Disabilities (SEND) plans are highly technical areas of law and regulators need to ensure ongoing competence of lawyers practising in these areas, pro bono or otherwise.

Regulators have not done much to support expanding clinical legal education and they have the regulatory levers to do so. Universities, like all public bodies, are facing extreme funding shortfalls and offering clinical legal education is expensive, especially where a fully fledged

⁵ See LSCP, [Regulatory Leadership on Access to Justice](#) at paras. 5.17 to 5.21.

⁶ See LSCP, [Regulatory Leadership on Access to Justice](#) at paras. 8.16 to 8.23.

law centre is being offered. For this reason, pro bono clinics are much more prevalent than fully staffed law centres in university settings. Parts of the profession, such as the Bar Council, have supported organisations such as the Free Representation Unit with in kind contributions and by referring pupils. There is no reason why regulators cannot do the same or even contribute financially as lack of funding is the biggest issue facing law centres and similar organisations. The Welsh government could offer incentives for non-profit law firms in legal aid deserts, especially as many Welsh university law clinics only offer assistance in discrete areas of law because they are too small for a full law clinic program. Governments could also require law firms who provide them with services to offer pro bono services as part of these contracts.

Social justice lawyers need a wide range of expertise to help people with multifaceted and complex legal needs and avoid working in siloes. Regulators could require client handling skills to be developed in a lawyer's pre-qualification stage by completing a certain number of pro bono or law clinic hours. Offering a form of unbundled legal services is also another opportunity to educate law students while offering a legal services that could expand access to justice. People with lived experiences similar to people who are suffering from unmet legal are needed and legal education should also value these experiences. It could be useful to attract people with this experience or those who are interested in joining the profession because of the important work they do to help the public (which has been stimulated through past campaigns by the professional bodies).

The legal aid sector is haemorrhaging expertise. Committed people often are forced to leave the industry because of low wages or lack of career development opportunities and the pipeline of legal aid lawyers is a serious issue. The Legal Aid Agency also puts up additional barriers to people due to limits on part time work and issues around progression. There is also a chicken and egg problem where there are no jobs in legal aid deserts. In addition, pro bono cannot be pursued in isolation. Paid social justice law positions are also important to ensure that social justice legal expertise is maintained in the profession.

Concerted efforts from a number of relevant players are needed to improve service in legal aid deserts. Local training hubs can help especially in Wales where there are many devolved areas of social justice law. Solicitor apprenticeships are not currently offered in Wales. Their introduction could be used to target social justice areas of law. CILEx lawyers who specialise in social justice areas of law and committed local lay volunteers present opportunities to expand the social justice legal workforce. Legal education should include mandatory exposure to social justice law and clinical legal education and methods of incentivising this type of education, as used in other jurisdictions, should be explored.

Next Steps

The Panel will continue its stakeholder engagement on recommendations from its [Regulatory Leadership on Access to Justice research report](#) with a second workshop planned for London in early 2026. In this way, the Panel intends to continue the conversation around how regulators can contribute to improving access to justice. Should you or a member of your organisation want to attend the London workshop, please do not hesitate to contact Heidi Evelyn, Consumer Panel Manager at Heidi.Evelyn@legalservicesconsumerpanel.org.uk.