



Rivers of Hope in a Dry Land

Access to Justice Review





The Call to Justice

Every Christian lawyer is called to live the radical life of the Kingdom of God in the context of their daily life in the law. We serve a God whose very nature is justice. Reflecting his call and his character is a challenge extended to all LCF members exercising their profession in a modern secular society.

The LCF exists as a fellowship because of a collective imagination about the work of a Christian lawyer and a shared sense of

responsibility for the communication of the Good News about Jesus in and through the legal profession.

This paper asks LCF members to consider how they can make an offering to God of their legal skills and talents by promoting access to justice for those who might otherwise be excluded or marginalised.

Scripture tells us over and over again that God expects his people

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to protect the vulnerable and to uphold justice¹. God is just and loves justice². The prophets regularly inveigh against any system of justice that is biased by bribe, wealth or social position³. Strong words are found in their writings to this effect. Justice is not only about having the right laws; it is also about the laws that do exist being enforced impartially and for the benefit of everyone.

The maxim of the LCF is taken from Micah 6:8 –

“He has shown you, O man, what is good; and what does the Lord require of

you but to do justly, to love mercy and to walk humbly with your God?” (NKJV).

“Doing justice” has a particular resonance for the Christian lawyer. In this familiar verse, Micah powerfully connects the call to do justice with the call to love mercy and to walk humbly with God. This beautifully balanced three-fold imperative, together with prayer fellowship, provides a strategic framework for the LCF.

Individually and collectively, what does the Lord require of us, to do justice, in our society today?

1 See for example Deuteronomy 27:17-19, Isaiah 1:17 and James 1:27.

2 Psalms 33:5, 45:7 and 72:1-2.

3 See for example Isaiah 1:21-23 and Amos 5:10-15.



Seek Justice

What we do:
*Resourcing
Biblically-faithful
work that commends
Christ as our King.*

Prayer
Fellowship

Love Mercy

Walk
Humbly

Whom we trust:
*Articulating faith
in God together
for our Gospel
mission in law.*

What we say:
*Facilitating Gospel
proclamation in
and through the
legal profession.*

What we are:
*Supporting whole-life
discipleship that reveals
Jesus to be our Saviour.*

An essential component of any just system is that everyone who is subject to the system should have proper access to it.

Why this initiative?

There is no escaping from the deficits in the justice system in modern Britain. Society has become increasingly complex. Legislation, both primary and secondary, has burgeoned. Inequalities in wealth and in access to justice are only too apparent.

An essential component of any just system is that everyone who is subject to the system should have proper access to it. The more complex a society becomes, the more it is important that such access is maintained, and the more pressing is the need to do so. That is particularly so in a society like ours where no lawyer can any longer know all the law. Such access must not only be affordable in terms of court fees

but also come with the benefit of skilled advice.

Of course, not every case requires the advice of a lawyer. Many “small claim” cases can be dealt with adequately by the litigants themselves. Moreover, some changes in procedure to make the system more inquisitorial, with judges taking a greater role, may assist here. However once deep human feelings or liberty, reputation or livelihood are involved, then the need for dispassionate advice becomes more important. Also, we need to be alive to the complexity of the issue under consideration, the need for that expertise and the achieving of equality of arms.

Advice is needed in increasing demand... but is in diminishing supply as legal aid is reduced...

We live, in truth, in a society in which such advice is needed in increasing demand to meet legal needs but is in diminishing supply as legal aid is reduced in scope and eligibility.

In short, the problem is at its most acute for those who cannot pay for the services that are required. Representation of all who genuinely need it is a prerequisite of an acceptable quality of justice and, where that does not exist, it constitutes an offence to God, as Isaiah observes⁴.

It was in this context that LCF decided that we should make the case for access to justice, recognising that this is a matter of both individual and corporate responsibility for Christian lawyers. Accordingly we have sought to

explore the contributions lawyers may be able to make. We were also anxious to make positive suggestions as to how such responsibilities could, especially in the context of busy professional lives, be translated into reality.

As an LCF, we have been involved in supporting access to justice ministries through our CLEAR partnerships across East Africa over 20 years. Throughout this time, we have seen the positive impact on many lives, both practically and spiritually, that Christian lawyers have brought.

In autumn 2020, the LCF set up the Access to Justice Working Group (whose members are named in Appendix 3) made up of members drawn from across geographical and legal practice areas to consider further how we could engage in the UK and to make recommendations to the trustees.

⁴ Isaiah 59:15-16

Three areas were identified for review: Biblical understanding and response to access to justice, practical engagement, and barriers or challenges to engagement.

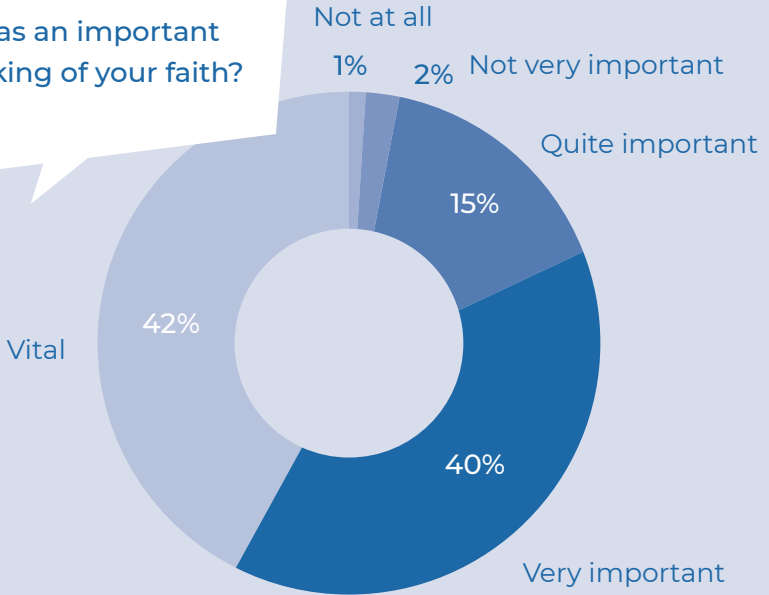
Information was gathered from the membership using an online survey, some regional focus groups and group discussion with students and young lawyers. There was general agreement that our faith should inform our response to this topic, and near unanimous agreement that faith is central to the members' practice; however, the level of their

confidence in understanding access to justice from the Bible varied, and there was desire for further support and teaching about this.

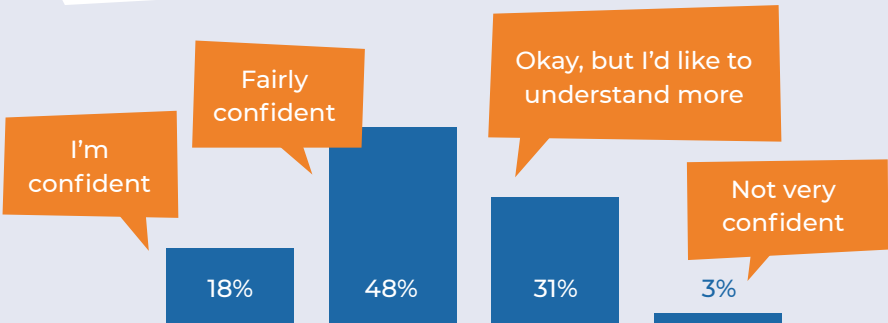
Key challenges for engagement included lack of time and lack of confidence and knowledge. Many of the respondents were keen to see opportunities for connecting with others similarly exercised about access to justice, training and skills development including mentoring and signposting to resources, organisations and opportunities for this work.



Do you see Access to Justice as an important outworking of your faith?



If someone asked you to explain what the Bible says about Access to Justice, how confident would you feel in responding?



What are the barriers to doing Access to Justice Work?



Vocation

How can these issues be addressed in the culture of 2021 and beyond in the United Kingdom? We must recognise that God will call lawyers into every part of the system since God requires justice in every part of the system⁵. We must exalt neither the commercial over the welfare/legal aid lawyer nor the latter over the former. Both have critical roles to play. We need further to recognise the time constraints under which most lawyers have to work today. Moreover, we must recognise the financial pressures on students and the debts that young lawyers carry into the early years of practice which tend to push them towards better-paid posts.


All that said, there is still a legitimate challenge that should be placed before all of us, but particularly before students and

young lawyers on the cusp of their career: has God called you specifically to serve the most vulnerable communities and/or the poor?

This challenge must of course come with a recognition of the financial and personal cost involved both in terms of where they might be able to live and what they might be able to provide for their children. Nevertheless such a challenge should be offered.

Students and young lawyers can properly be encouraged to test their vocations by exploring this sort of work before finally settling on their chosen areas of practice. Most law schools now have links with a Law Centre or similar organisation that can afford crucial experience either to confirm or deny such a vocation. It should further be recognised that such exploration is more easily undertaken before family commitments arise.

5 Micah 6:9-12



“I didn’t know firms that did legal aid work, like the one I’m at now, even existed until after I was at University.. I would have really valued a network that showed me opportunities to focus on access to justice at an early stage, as I have found it a hugely rewarding career.”

Hayley C,
Access to Justice Working
Group member

We reflected on the impact that would be caused if even 100 of our members responded positively to this report.

Even if this work is not for everyone, or even for a majority, the call to Christian service still applies equally to those who embark on a career in other aspects of the law or indeed use their legal training as access to other areas of work. Furthermore, the question of vocation is one that every lawyer, wherever they may be in their career, should from time to time revisit as each of us is under

an obligation to God to be doing what He wants us to do at the time He wants us to be doing it.

We reflected on the impact that would be caused if even 100 of our members responded positively to this report. We are hopeful, indeed confident, that many more will be willing to do so.

“We all carry an innate sense of right and wrong. A “Christian” can be both an effective “lawyer” and a faithful disciple by serving God and clients in a radical and godly way.”
(Survey respondent)

Established lawyers

Many established Christian lawyers will have opportunities to do *pro bono* work. Quite a part from its inherent value, many have found it deeply satisfying and have not found that it retards their careers; indeed, some have discovered that the reverse is true.

There may be opportunities for service in our free time, whether directly through a Law Centre or CAB or the like or indirectly as, for example, a trustee of a charity involved in this kind of work. Christian lawyers may also be personally involved in non-executive positions in charities supporting the vulnerable.

Lawyers with sufficient seniority in their firm may well be able to influence others to encourage or enable younger lawyers to do *pro bono* work or otherwise to facilitate access to justice for those who would otherwise be shut

out. This may be through a formal scheme or more informally: getting their firm to take on without charge, or on a CFA Lite⁶, a meritorious case which has come to their attention, where otherwise some wrong will remain unremedied. Nor does this work necessarily need to be direct; a “blue-chip” firm supports Oxfam, without charge, by arranging all flights and helicopter contracts in a disaster area.

There is also a potential role for Christian lawyers in supporting law reform in areas that impact on the vulnerable and on issues touching on matters of Christian principle. The methods and merits of this sort of work are outside the scope of this report, which merely recognises the range of work in which Christian lawyers might properly become involved.

6 A type of conditional fee agreement

Christian lawyers may be involved in church-based projects, not least because churches often have accommodation that could be used. There are great possibilities for legal advice, debt management and similar services. We of course recognise that many of our members may be “time poor” or have expertise that is outside this area.

Even here we think that we retain personal responsibility, which may have to be exercised indirectly, to encourage and promote access to justice. We can, of course, always contribute financially to support these initiatives if not with our time. So do consider Appendix 2 and how you can serve and engage through the LCF.



What should be the role of LCF in all this?

We believe that the LCF should have a teaching role in holding before its members a Christian responsibility for access to justice generally. Whilst that responsibility may in the end be a corporate responsibility of the whole people of God, lawyers have particular skills and insights to contribute both directly and indirectly to affording access to justice.

In order to do this, it is necessary to emphasise the need to work with secular organisations and not to remain within a Christian bubble. Given the commitments that many Christian lawyers have

to their churches, this may be easier said than done. Nevertheless, it remains important⁷. Being prepared to work with anyone and especially anyone of goodwill, is an important part of being an ambassador.

Jesus called us to be the “salt of the earth”. Two characteristics of salt are worth bearing in mind. First, in that culture, salt was an essential preservative and it was used where otherwise there would be incremental rotting:

⁷ See perhaps Paul’s comment in I Cor. 5:9-10.

You are the salt of the earth. But if the salt loses its saltiness, how can it be made salty again? It is no longer good for anything, except to be thrown out and trampled underfoot. You are the light of the world. A town built on a hill cannot be hidden. *Matthew 7:13-14*

Christians should never be surprised to find themselves being called to work with organisations that are not overtly Christian in unpromising situations. Secondly, salt is also a minority substance in food. Christian should therefore

For those looking to grow in skills and understanding, you could use the LCF resources page for biblical teaching on a Christian response; connect with other lawyers practising in this area or sign up to be a mentee.


Would you be willing to share your experience, to pray with one another, to give to supporting a young lawyer?

never be surprised to find themselves working as a tiny Christian minority within a secular majority.

As members of the LCF we can also support and encourage one another in this area. For practical opportunities to serve, consider signing up for the Find a Lawyer service, available to the public from our website; mentoring another lawyer looking to engage within this practice area; or using the Appointments Register to advertise opportunities or to offer your service.

Would you be willing to share your experience, to pray with one another, to give towards supporting a young lawyer embarking on a career in legal aid? Serving together we can enrich and engage more effectively.

A fuller list of such opportunities can be found in Appendix 2. We see this as a living document that should grow incrementally as our experience, dreaming, and thinking feed into it.

A man with a beard, wearing a blue hooded sweatshirt, is sitting against a textured, light-colored wall. He is looking down and to the right. The lighting is soft, and the overall mood is contemplative.

*“Access to justice”
to me means: “giving
help, honour, and
hope to those who are
without...”*

(Survey respondent)

Conclusion

We are convinced that questions of access to justice are of critical importance in the understanding of a system of justice that would be pleasing to God. We are further convinced that responsibility for dealing with this lies on every Christian lawyer individually and on the Fellowship corporately. The way in which such responsibilities are discharged will differ from member to member, as we

have tried to show. We are called to serve as ambassadors for Christ and, like any ambassador, we need to be both deeply involved in the area to which we are sent and yet also distinctive in life and priorities to the One by whom we are sent. Ensuring that those who need it have proper access to justice is one way of demonstrating both our involvement and our distinctiveness.

– *The LCF Access to Justice Working Group*

APPENDIX 1: THE PATHWAYS CHART

1 Create LCF register with input from members



2 Log new member enquiries by reference to:

Regional

Area of law within geographical area

Area of law



3 Search LCF Register, record result, and notify enquirer

Suitable provision within region

No suitable provision

Area of law provision outside region



4 If no suitable registered provision, refer to [LCF A2J volunteers] [Enquirer] to research provision by reference to region and/or work area as appropriate, e.g. CAB, Law centre, professional group, Christian Church/charity group, etc.

Suitable provision within region

No suitable provision

Area of law provision outside region



5

Staff to send LCF mailing to check provision by reference to region and/or area of law, as appropriate

Record adequate provision in LCF Register

If no provision, record need in LCF Register

If area of law but not local, record need in LCF Register



6

Termly review of Register

By a group, whose role is to advise upon and assist setting up a suitable regional/work area of provision

APPENDIX 2: OPPORTUNITIES TO ENGAGE THROUGH THE LCF

To Serve

- Sign up to the LCF Find a Lawyer scheme:
www.lawcf.org/lawyer-search
- Become a mentor or offer one-off interview advice
- Share your experience: as a one-off testimony, story, or workshop or careers advice session
- Advertise opportunities to volunteer or work within access to justice areas (LCF Appointments Register)
- Support a young lawyer as they explore a career in legal aid
- Financially support training opportunities, fellowships, or other initiatives that encourage working in the legal aid sector

To Grow

- Use the LCF resources page – in particular “A Biblical Understanding of Access to Justice” from our 2013 Access to Justice and Legal Aid Short Briefing: www.lawcf.org/resources/library/app/resource/83/title/Access-to-Justice-a-LCF-Briefing
- Join an LCF seminar, regional group, or book club discussion
- Become a mentee
- Advertise willingness to volunteer (LCF Appointments Register)

To Connect

- Sign up to regional or specific practice area networking events to connect and learn from legal aid and *pro bono* lawyers
- Provide LCF with organisations or charities you have worked with that offer signposting or help and advice for legal aid work (either for students, practitioners, etc.), that we can advertise on our website

- Help review the Pathways Chart (Appendix 1) to consider where there are gaps in service and provision, and where to develop connections with local and regional contacts
- Access to Justice prayer group
- Share this report with colleagues, friends, and church family

APPENDIX 3: THE WORKING GROUP

Chair: Sir Mark Hedley

Working Group: Peter Brown, Andrew Buchanan Smith, Hayley Chapman, Hannah Khan, Naomi Edwards, Thomas Hodson, Dr David McIlroy, Andrew Myers, Richard O'Dair, Therese Prince, Janys Scott QC, Enyinnaya Uwadi, Ed Veale, Esther Wade.



The Lawyers'
Christian
Fellowship

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