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# Resolution warns that cost savings threaten family justice

## David Allison urges government to resist 'quick fix solutions'

Resolution has called for a return to evidence based policymaking on family law and warned against simplistic solutions to the complexities of family breakdown. These calls were made in response to an interview in The Times with David Norgrove, chair of the government's Family Justice Review, which reports him as saying that keeping family disputes out of court would create huge cost savings and suggests that compulsory family mediation could be a way forward.

David Allison, Chair of Resolution, commented:

"90 percent of family cases are already settled out of court, often with the help of a family lawyer, so the suggestion that the role of the lawyer needs to be reduced flies in the face of the evidence. 80 percent of people faced with family breakdown turn first to a family lawyer.

"Our members recognise that each family needs a process that is right for them – that can be mediation, but might also be collaborative law, parent information and in some cases court.

"We are deeply concerned that in its hurry to bring about cost-saving reforms, the Government is going to narrow the gateway to court to such an extent that those families who need it cannot access it."

David Allison also warned that the Government appeared to be rushing ahead with its support for mediation as the only solution to the problems of the family justice system without doing the groundwork.

"How many suitably qualified and regulated family mediators are there in the country? Currently anybody can set up as a mediator. We understand that there may be fewer than 800 mediators who belong to a self regulating body and are concerned that there may not be enough mediators out there to meet demand if it is made compulsory in family cases, or if a compulsory assessment is required before going to court."

David Allison concluded: "We urge the government to properly investigate all alternatives, including collaborative law, arbitration and early parent information, before opting for a quick fix solution to the problems facing the family justice system."

Law Society President Linda Lee responded to the Government announcement of cuts of up to £350m in the legal aid budget.

"While the figure of £350m is less than some had feared, losing this amount of money from

the system will inevitably prove to be a significant blow to legal service provision and access to justice. A creaking system is going to be less able to deliver the needs of the vulnerable in society.

"It is a basic feature of a democratic society which supports the rule of law that vulnerable people, whether they are children, or have mental health or housing problems, are accused of crimes or have suffered loss, are able to have access to legal advice and representation to secure justice.

"The legal aid budget does not have to be cut by restricting its availability. The best approach is to tackle the need for legal aid such as simplifying the law, addressing poor decision making by public bodies, and by reforming inefficient Court processes - the real causes of the rising expenditure."

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