The Impact of Alternative Business Structures on Access to Justice in the UK

While legal services providers licensed as Alternative Business Structures (ABSs) are more productive and innovative, it is still too early to empirically determine if ABSs are improving Access to Justice in the UK.

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INTRODUCTION
Access to Justice is a problem in Canada. Some proposals call for deregulating law firm business structures. Proponents for deregulation argue that outside investment could foster innovation and competition within the legal services industry. In turn, there could be lower prices, new legal ‘products’ and services, and the targeting of currently unmet legal needs.

OBJECTIVES
To study whether the UK, which recently allowed Alternative Business Structures (ABSs), was seeing an improvement in Access to Justice.

METHODS
Research was accomplished by completing a media scan and a journal review. Information was analyzed and synthesized into an annotated bibliography.

RESULTS (continued)
Legal service providers registered as Alternative Business Structures are often more productive and innovative. They also tend to be more consumer focused, often offering fixed-price services, free consultations, 24-hour call centre helplines, and do-it-yourself legal products.

It has also been discovered that some entities are launching ABS initiatives with the specific aim of improving Access to Justice.

However, the introduction of ABSs has coincided with severe cuts to Legal Aid in the UK. This has resulted in little media coverage of the introduction of ABSs. For this reason, while ABSs show promise for improving certain aspects of access to justice, there needs to be more research to know for certain whether or not ABSs are improving access to justice in the UK, and whether or not ABSs can improve access to justice in Canada.

CONCLUSION
Access to Justice remains a serious problem in Canada. ABSs may be able to contribute to a solution by improving various elements of the broader Access to Justice issue. Canada has a unique opportunity to explore what regulations and Alternative Business Structures are working in the UK.

The Canadian Bar Association can then tailor its regulations to allow both the business and legal communities to work together for a solution to Access to Justice in Canada.