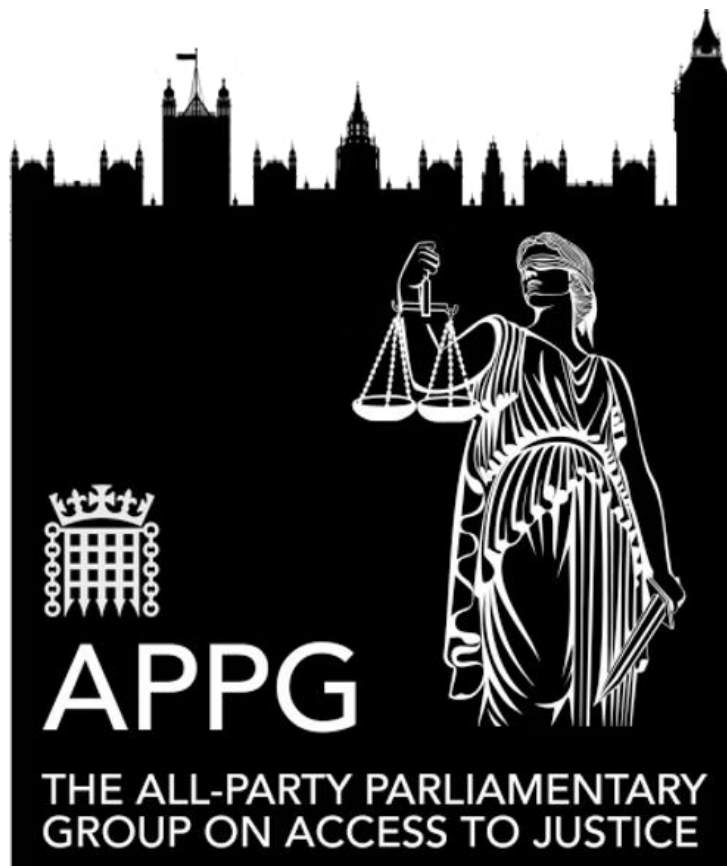




APPG on Access to Justice

Panel Event Briefing

The Hillsborough Bill: A Landmark for Legal Aid

16 December 2025
The Wilson Room
Portcullis House
17:00-19:00

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Agenda

17:00	Welcome and Introductory remarks by APPG Co-Chairs
17:02	Keynote from Lord Chancellor and Deputy PM, Rt Hon David Lammy
17:15	Start of panel, Deborah Coles, Executive Director of Inquest
17:25	Elkan Abrahamson, Legal Director of Broudie Jackson Canter
17:35	Moirra Durdy, person with lived experience
17:45	Adele Zeynep Walton, person with lived experience
17:55	Questions from the floor
18:00	Drop-in session begins
19:00	Close

Note

This briefing paper has been prepared to provide parliamentarians and other attendees with a broad overview of some of the key issues to consider in relation to the theme of this meeting. This paper does not represent the views or opinions of any of the Members of the APPG on Access to Justice or of LAPG, which provides secretariat services to the APPG.

Speakers

Rt Hon David Lammy MP, Deputy Prime Minister, Secretary of State for Justice, Lord Chancellor, and Member of Parliament for Tottenham

First elected in 2000, David Lammy has spent more than two decades as the Member of Parliament for Tottenham and was recently appointed Deputy Prime Minister, Secretary of State for Justice, and Lord Chancellor.

Throughout his career, the Lord Chancellor has navigated senior roles on Labour's frontbench, including serving as Shadow Justice Secretary and later as Shadow Foreign Secretary. His parliamentary experience has spanned ministerial roles in culture, higher education and constitutional affairs, as well as leading his historic independent examination of racial disproportionality in the criminal justice system – the Lammy Review.

Before his political career, the Lord Chancellor was one of the first Black Britons to attend Harvard Law School and went onto practice as a criminal law, human rights and public law barrister in the UK and as an attorney in the US.

The Lord Chancellor will be joining us briefly to discuss the Public Office (Accountability) Bill and its intention to expand legal aid and access to justice.

Deborah Coles, Executive Director at Inquest

Deborah is the executive director of INQUEST, and has worked for the charity since 1989. She has a long track record of championing social justice and equality issues. She leads INQUEST's strategic policy, legal and parliamentary work and has considerable expertise in working to prevent death and ill treatment in all forms of detention and for more effective accountable learning after state related deaths.

Deborah is a regular media commentator, delivers conference papers nationally and internationally and is author of numerous articles and publications. She was a former member of the Independent Advisory Panel on Deaths in Custody, represents INQUEST as a member of the Ministerial Board on Deaths in Custody and is a Director of Hillsborough Law Now.

Elkan Abrahamson, Legal Director at Broudie Jackson Canter

Elkan has been a practicing solicitor for about 50 years, spending several decades splitting his time between representing lifers in the prison system and representing children in care proceedings. More recently, he has been representing bereaved families in inquests and inquiries including the Hillsborough inquests, the Birmingham pub bombing inquests, the Manchester Arena Inquiry and the Covid Inquiry.

Elkan is a director of Hillsborough Law Now and has been campaigning and drafting a 'Hillsborough Law' since the Hillsborough Inquests concluded in April 2016.

Moira Durdy, person with lived experience

Moira is the mother of Jess Durdy who died in 2020 following failures of the mental health services caring for her. She is a pharmacist from London, who has worked in NHS acute hospitals for many years. Moira has been involved INQUEST for the last 3-4 years, initially as a bereaved family member receiving help, and later as a participant in the heritage projects, a member of the INQUEST family reference group and as a volunteer in the policy team.

Adele Zeynep Walton, person with lived experience

Adele is an online safety campaigner, journalist and member of Bereaved Families for Online Safety and Families and Survivors to Prevent Online Suicide Harms.

Background

The [Public Office \(Accountability\) Bill 2025](#) (the Bill), widely referred to as the “Hillsborough Law” or “The Hillsborough Bill”, was introduced to Parliament on 16 September 2025 and introduces a series of measures intended to strengthen accountability, transparency and public confidence following major incidents, inquests and public inquiries.

The Bill follows many years of campaigning by the families of the 97 people who were unlawfully killed in the Hillsborough Stadium disaster of April 1989. In the Explanatory Notes to the Bill, the government describes the Hillsborough disaster as “a great stain on British Society” and states that the intention behind the legislation is to “ensure that what happened following the disaster can never take place again.”

The Bill

Part 1: Implementing Duty of Candour etc

Part 1 of the Bill states the purpose of the proposed legislation: to ensure that public authorities and officials at all times perform their functions “with candour, transparency and frankness, and in the public interest.”

The introduction of the Bill also follows the creation of the Independent Public Advocate, a role that is intended to ensure that victims are heard, informed and supported throughout the aftermath of an incident of this kind.

The Bill as currently drafted will:

- Create a new statutory duty of candour and assistance on public authorities and individuals exercising public functions, with criminal sanctions for non-compliance.
- Require public authorities to promote ethical conduct across their workforce, including embedding duties of candour within internal codes of conduct.
- Abolish the common law offence of misconduct in public office, replacing it with two targeted statutory offences.
- Expand non-means tested legal aid provision for bereaved families at inquests where a public authority is an interested person (Part 4).

These measures are intended to ensure full, honest cooperation with investigative processes and to reduce the perceived power imbalance between families and the state. It has the potential to vastly improve how we as a society learn from state-related deaths and aim to avoid repeating them.

Part 2: Performance of Public Functions

Part 2 of the Bill, provides that public authorities and officials must “act with candour, transparency and frankness in their dealings with inquiries and investigations”. This will apply when providing evidence to inquests and public inquiries, and ministers will have the power to extend the duty to other types of investigation.

The duty is underpinned by a new criminal offence of misleading the public (Public Office (Accountability) Bill, page 9), which will apply where a public authority or official acts with the intention of misleading the public or is reckless about doing so, and they know their act is seriously improper. The new offence will be punishable with imprisonment for up to two years and is intended to address the defensive and evasive culture of dishonesty and denial which many bereaved families have reported following state-related deaths.

Part 3: Misconduct in Public Office

Part 3 of the Bill sets out the specifics of what will constitute an offence in regards to ‘seriously improper acts’ and ‘breach of duty to prevent death or serious injury’, as well as asserting the territorial applications, defining holders of a public office, and the abolition of the common law offence of misconduct in a public office.

The Expansion of Legal Aid and Access to Justice

Part 4: Parity of Representation at Inquiries and Inquests

At present, bereaved families are only eligible for legal aid for representation at inquests in very limited circumstances under the Exceptional Case Funding scheme. These cases primarily involve:

- Deaths in policy custody,
- Deaths in prison; or
- Deaths of patients detained under the Mental Health Act.

Part 4 of the Bill proposes ‘parity of arms’ to address the imbalance of power when public bodies have legal representation but families are unrepresented. This places a new requirement on public authorities to consider whether legal representation at an inquest or inquiry is necessary and proportionate, having regard to:

- The relative position and means of bereaved families or other affected persons.
- The extent of the authority’s own disclosure and cooperation obligations.
- The need for the proceedings to be fair, proportionate, timely and cost effective.

Public authorities will also be subject to a mechanism allowing concerns to be raised about their conduct or the conduct of their appointed legal representatives, with a duty to respond.

Expansion of legal aid for bereaved families

To achieve parity, the Bill introduces non-means tested legal aid for bereaved families to receive legal advice and representation in all inquests in England and Wales where a public authority is named as an interested person. This will include inquests involving government departments, local authorities, the armed forces, schools and NHS bodies.

How this will work in practice

- Legal aid would cover one claim for non-means tested legal aid (though there is the potential for legal aid to other via Exceptional Case Funding (ECF)).
- Costings assume 100% take up of legal aid.
- The economic impact assessment ([Impact Assessment MOJ033/2025 – Parity of Arms](#)) estimates an annual cost of £65m to £108m, with a wider upper range of £65m to £180m depending on take up and case volumes (please see below).
- The policy intention is that the costs will be met by the sponsoring department of the authority involved.
- Additional operational expenditure for the Legal Aid Agency is estimated at up to £3m per year.

The Bill is clear that the purpose of this reform is not only to support families but to assist coroners through improved representation and engagement.

Costings and assumptions in the Bill ([Impact Assessment MOJ033/2025](#))

3.1 Legal aid unit costs

- Average cost per inquest: around £16,300 (based on six year average).
- Derived from £8,000 legal help and £8,300 advocacy.

3.2 Estimated case volumes

- Approximately 36,700 inquests opened in 2024.
- Around 500 deaths in state detention annually (assumed to involve public authority representation).
- Survey data suggest 10 to 30 percent of remaining inquests involve a public authority as an interested person.
- Estimated volume therefore 4,200 to 11,400 relevant inquests per year.

- Existing baseline take-up (around 250 legal help and 250 ECF advocacy claims per year) has been deducted from forecasts.

3.3 Key assumptions and risks

- Assumes 100 percent take up of legal aid by eligible families.
- Assumes no material increase in hearing length or delay arising from the new overriding objective or the power to raise conduct concerns.
- Statutory guidance and proportionality duty expected to produce net savings for public authorities once established.
- Coroner services may experience increased engagement from families but impacts expected to be absorbed within existing provision.

Monitoring take up

The impact assessment confirms that MoJ and the Legal Aid Agency will monitor operation, volumes and expenditure, though it does not explicitly state whether they will record:

- the number of cases turned away, or
- actual take up versus eligibility.

Commentary

The government describes this as the “largest expansion in legal aid for a decade”. However, an area of concern remains whether there is enough capacity within the legal aid sector to meet the projected increase in demand. Legal aid rates in this area have not been increased since the mid-1990s, despite significant inflation since that time, and it is unclear at present how many lawyers are available to undertake this work.

The Bill will also create a new duty on public bodies to only engage lawyers at inquests and inquiries in a “necessary and proportionate” way. Guidance by the Lord Chancellor is expected to set out clear principles to guide the conduct and behaviour of public authorities and their legal representatives. If implemented effectively, this could significantly change the culture and tone of inquests, where for bereaved families the approach taken by authorities can exacerbate the grief and trauma that they experience.

About the APPG on Access to Justice

The All-Party Parliamentary Group on Access to Justice is the result of a merger between the APPG on Legal Aid and the APPG on Pro Bono and Public Legal Education. You can find out more information about both the APPG on Legal Aid and APPG on Pro Bono and Public Legal Education by scontacting Rohini.Jana@lapg.co.uk.



The APPG on Access to Justice provides bespoke training to MPs and their caseworkers on a range of subjects through Member Services. Studies and research have shown that as a consequence of the LASPO cuts there has been a huge increase in the number and complexity of legal problems that MPs are encountering in their surgeries. Our training is designed specifically with caseworkers in mind and provided by industry experts.

To date, we have provided training in the following areas:

- Legal Aid,
- Immigration,
- Housing Law,
- Disability and Discrimination Law,
- Employment Law,
- Anti-Social Behaviour Orders and
- Special Education Needs.

Sessions are run both online and in-person. Do get in touch with APPGA2J@lapg.co.uk or Member Services for more details.

Each month, we publish a bulletin with up the most recent Access to Justice news, insights from Westminster, and updates from key stakeholders within the Legal Aid and Pro Bono world. You can view previous bulletins via appg-access-to-justice.co.uk/bulletins.

If you would like to be added to our mailing list, from which you will receive our monthly bulletins, exclusive updates and invitations to future events, please contact APPGA2J@lapg.co.uk. For more information, visit our website at appg-access-to-justice.co.uk.

To keep up to date with the work being done by the APPG on a weekly basis, follow our LinkedIn account: [linkedin.com/company/appg-access-to-justice](https://www.linkedin.com/company/appg-access-to-justice).

About LAPG

Legal Aid Practitioners Group (LAPG) is a membership body for firms and organisations with a contract to conduct legal aid work in England and Wales.



Our members are private practice firms, not for profit organisations, barristers, and costs lawyers. Our members conduct all areas of civil and criminal legal aid work and cover the entire range of business models from smaller, niche and/or sole principal firms to many of the largest providers of legal aid services.

We have over 40 years' experience of supporting practitioners and advocating for a sustainable, effective and accessible legal aid scheme. We are one of three bodies that consults with the Legal Aid Agency and Ministry of Justice on all legal aid contracting issues.

We engage formally with a wide range of organisations and public bodies on broader access to justice issues, such as through our representation on the Civil Justice Council, advice sector panel of the Administrative Justice Council, MOJ Legal Support Policy Delivery Group, HMCTS JPEGs, Law Society Access to Justice Committee, and the boards of AdviceNow and Advice Services Alliance. We also provide secretariat services to the All-Party Parliamentary Group on Access to Justice, which provides a platform in parliament to discuss legal aid, pro bono, public legal education and access to justice.

For more information, access the LAPG website via lapg.co.uk.

About The Law Society

The Law Society is the independent professional body for solicitors in England and Wales, established in 1825. It represents, supports, and promotes solicitors, and champions the rule of law and access to justice.



It serves as the voice of solicitors, advocating for their interests and the value of the profession in Parliament and to the executive. They also provide a range of services to its members throughout their careers, including guidance, practice notes, professional development opportunities, and networking events, and award voluntary accreditations (quality marks) to solicitors and firms who meet high standards in specific areas of law and client care.

In addition, The Society works to defend human rights, safeguard the rule of law, and ensure access to justice for everyone. For the public, the Law Society offers a "Find a Solicitor" service to help individuals and businesses find expert legal help, and information on how to complain about a solicitor if necessary.

For more information, go The Law Society website here: <https://www.lawsociety.org.uk/>