

AdviceUK Submission: consultation on swifter and simpler competition redress, regulatory appeals and competition enforcement

Q. 37) In light of the purpose of the regime and the likely interests of class members in claims brought under the regime, which organisation(s) do you consider would best benefit from undistributed damages

Introduction

[AdviceUK](#) is the UK's largest network of free and independent advice services. We represent around 700 organisations across England, Scotland and Wales, supporting people with a wide range of social welfare issues including welfare benefits, debt, housing, immigration and employment. Our members include local advice centres, specialist services and by-and-for organisations rooted in the communities they serve.

AdviceUK considers that there is a strong case for retaining the Access to Justice Foundation (AtJF) as the designated recipient of undistributed damages from opt-out collective actions. In particular, we support the continued use of these funds to invest in free social welfare advice across the UK.

Why the Access to Justice Foundation should remain the designated recipient of undistributed damages

AdviceUK's first national polling on public attitudes to advice services, conducted in July 2026, demonstrates strong public support for free and independent advice. Research commissioned by AdviceUK from Focaldata, surveying 3,014 UK adults, found that 88% agree everyone should be able to access free, independent advice when they have a problem, while 89% agree that getting advice early helps stop problems getting worse.¹ Crucially, 85% agree that free and independent advice should be treated as an essential local service, alongside services such as the NHS, councils and courts.²

The UK public also recognise the case for government investment in these services. Three-quarters of adults in the public agree that government spending on early advice is a worthwhile long-term investment.³ This is reflected in UK public experience when they are able to access advice: 74% of those who had received free and independent advice said it had solved their problem, improved their situation or prevented it from getting worse, while 68% said it had reduced stress, improved wellbeing or increased their confidence.⁴ These findings demonstrate clear public support for free and independent advice being available locally, provided early and supported as an essential part of the country's social infrastructure.

However, advice services are facing significant pressure. AdviceUK's 2026 member survey found that 76% of members identified rising demand as a key pressure, 48% had reduced services in the previous 12 months and 51% had turned people away because they lacked capacity.⁵ These pressures sit within a much longer-term decline in funding for access to justice. The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) removed large areas of social welfare

¹ AdviceUK, [The public mandate for free advice services](#), 24 September 2026.

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ AdviceUK, [The State of the Advice Sector 2026](#), 16 July 2026.

law from the scope of legal aid and significantly reduced the funding available for early legal advice. The Justice Committee has since concluded that “the removal of many areas from scope following LASPO has contributed to people receiving help only when problems have escalated. This is both harmful to individuals and inefficient for public services.”⁶

These pressures were central to AdviceUK’s recent submission to HM Treasury ahead of the Autumn Budget. We called for free and independent advice to be recognised as essential social infrastructure and an essential local service, alongside sustained, multi-year investment in the sector and the development of a funded National Advice Workforce Strategy.

AtJF has an established role in directing funding to advice services that provide vulnerable people with life-changing support. As an independent grant-maker focused on improving access to justice, it is able to distribute funding across the free legal advice sector and target areas where need and gaps in provision are greatest. This is particularly important at a time when advice deserts are growing and services are increasingly having to restrict access because they do not have the resources to meet demand.

AdviceUK’s national polling illustrates the gap between the need for advice and people’s confidence that they can access it. 63% of UK adults had experienced at least one common social welfare problem in the previous year, rising to more than eight in ten among 18–24-year-olds.⁷ Yet young adults were the least confident age group that they would be able to find free, independent advice if they needed it.⁸ This reflects a wider problem with access to advice: LexisNexis found that, as of August 2026, almost one in four people in England and Wales live in a legal aid desert.⁹

AtJF’s existing knowledge of the sector and relationships with advice services also give it a strong understanding of where gaps in provision exist and where additional support may be most needed. There is also clear evidence that investment in free advice delivers substantial benefits. Research commissioned by AtJF found that every £1 invested in free consumer advice generated £10.40 in direct financial benefit for clients, with an average recovery of around £2,000 per client.

Access to justice also reaches across a wide range of social welfare issues and is relevant to many of the Government’s wider priorities. The Government’s reform agenda increasingly recognises the need for the kind of joined-up and holistic support that advice services provide. The 10 Year Health Plan, for example, will establish Neighbourhood Health Centres bringing together NHS, local authority and voluntary-sector services, including debt advice and employment support.¹⁰ The new Jobs and Careers Service is similarly intended to provide more personalised and locally connected employment support.¹¹ Free and independent advice services are well placed to support these reforms because they can look beyond a single presenting problem and identify the wider issues affecting someone’s ability to live securely and independently.

⁶ Justice Select Committee, [Access to Justice: Legal Aid](#), 17 July 2026.

⁷ AdviceUK, [The public mandate for free advice services](#), 24 September 2026.

⁸ Ibid.

⁹ LexisNexis, [LexisNexis Report: nearly 1 in 4 people in England & Wales live in a legal aid desert](#), 18 August 2026.

¹⁰ Department of Health and Social Care, [Fit for the future: 10 Year Health Plan for England](#), 3 July 2025.

¹¹ Department for Work and Pensions, [Get Britain Working: an update on the Jobs and Careers Service](#), 2 July 2026.

The same applies to the Government’s devolution agenda. The Prime Minister has committed to moving power out of Westminster and into “every postcode”, including through greater fiscal powers for mayors and allowing them to retain a greater share of locally generated revenues.¹² This creates an opportunity to strengthen the local services and community infrastructure that people rely on. However, greater local autonomy must not mean that access to advice depends on the wealth or priorities of individual areas. AtJF’s national reach, alongside its knowledge of the advice sector and where gaps in provision are greatest, means it can help ensure that funding reaches communities where the need for advice is highest.

Conclusion

For these reasons, AdviceUK would support retaining the Access to Justice Foundation as the designated recipient of undistributed damages. At a time of rising demand, reduced capacity and significant gaps in access to legal advice, we believe there is a strong case for ensuring that these funds continue to be directed towards improving access to justice and supporting frontline advice services.

¹² Prime Minister’s Office, 10 Downing Street, [PM hands mayors share of income tax to make lives better in every postcode](#), 30 July 2026.