

NEWS RELEASE

CIVIL JUSTICE COUNCIL WORKING GROUP AGREES CODE OF CONDUCT ON LITIGATION FUNDING

The Civil Justice Council Working Group on Third Party Funding has completed its work with the publication today of the Code of Conduct for Litigation Funders (<http://www.judiciary.gov.uk/about-the-judiciary/advisory-bodies/cjc>).

The voluntary Code which sets out standards of practice and behaviour for litigation funders in England & Wales has been commended to Ministers by the Chair of the CJC, Lord Neuberger of Abbotsbury, the Master of the Rolls

The Council also welcomes the formation of the Association of Litigation Funders of England & Wales, whose members will agree to abide by the Code. The Articles and Rules of the Association can be also found at <http://www.judiciary.gov.uk/about-the-judiciary/advisory-bodies/cjc>.

Commenting on the Code, Lord Neuberger said:

‘I welcome the publication of the Code of Conduct for Litigation Funders. It is an important development and will help to foster standards of best practice and to promote greater transparency among the providers of litigation funding services to the benefit of the consumers of these services.

I am pleased that the Civil Justice Council has fulfilled its role in facilitating a voluntary Code of Conduct, as recommended in chapter 11 of the final report of Lord Justice Jackson’s Costs Review. It is now for the litigation funders themselves to make the Code, and their new Association, a success – I wish them well.’

Michael Napier QC, Chair of the Working Group, said:

‘The long anticipated joint arrival of the Litigation Funding Code and The Association provides a welcome wrapper of confidence to litigants and lawyers who choose this developing method of funding civil cases. I am extremely grateful to the members of the working group for their hard work in completing this tough challenge.’

Notes to editors

1. Third party funding is now more commonly known as litigation funding. It is where a funder, who has no other connection with a legal claim, agrees to fund the litigation costs of a party to the claim in return for a share in the proceeds should it succeed.
2. A Civil Justice Council Working Group on Third Party Funding was convened in July 2011. It was tasked with producing a final draft of a voluntary Code of Conduct for litigation funders setting out appropriate

industry standards. This followed an earlier public consultation carried out by the Civil Justice Council.

3. Members of the new Association of Litigation Funders of England and Wales will agree to abide by the Code and the Association will regulate compliance with the Code by its members.
4. Lord Justice Jackson recommended a regime of voluntary regulation for litigation funding in chapter 11 of the final report of the Costs Review in 2010.
5. The Working Group was chaired by Michael Napier CBE, QC (Hon). The members were: Duncan Campbell, Susan Dunn, Tim Mayer, Rachael Mulheron, Leslie Perrin and Rocco Pirozzolo.