



Dr Jane Krishnadas
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MoJ ref: 66218

26 February 2019

Dear Dr Krishnadas,

**POST-IMPLEMENTATION REVIEW (PIR) OF PART 1 OF LEGAL AID, SENTENCING AND
PUNISHMENT OF OFFENDERS ACT 2012 (LASPO)**

Thank you for your email and your continued engagement on legal aid and legal support issues. As I mentioned in my letter announcing the publication, your evidence submission to the LASPO review was hugely helpful, all the more so given that pro bono organisations provide a unique insight that is largely different to many other third sector organisations. Over the course of the review we engaged with more than 100 organisations, either through submissions of evidence or the series of face-to-face meetings and events that we undertook throughout last year. All the evidence submitted to us was carefully considered, however not all the useful evidence we received could be included in the review document itself.

The evidence you submitted highlighted several key trends that are reflected in the PIR, but are also addressed in the new Legal Support Action Plan, which sets out both our response to what we heard during the review process, and our vision for the future. The Action Plan addresses a number of issues within the provision of legal aid, but also illustrates how legal aid is one part of the bigger picture of legal support services, which we believe can be better tailored to the needs of the people using them and resolve issues earlier, avoiding problems escalating into court disputes.

Firstly, your evidence submission highlighted the difficulties within the legal aid financial eligibility test. This was a common theme throughout our engagement, and was highlighted regularly in the review document. As such, we have announced a comprehensive review of the legal aid means testing thresholds, and their interaction with the wider eligibility criteria, to be completed by Summer 2020. The CLOCK evidence submission also raised particular issues with the eligibility test in family law cases. In this specific area, the Action Plan also announces our intentions to bring forward proposals for extending eligibility for non-means tested legal aid for parents, or those with parental responsibility, who wish to oppose applications for placement orders or adoption orders in public family law proceedings.

Secondly, your evidence submission also highlights that in certain private law family matters, the withdrawal of legal aid has caused detrimental impacts for the individuals involved. Based on this and

what we have heard from many other stakeholders over the last year, the Action Plan sets out our intention to expand the scope of legal aid to cover special guardianship orders, as orders are often made as an alternative to care orders or adoption orders – where legal aid is available.

Beyond legal aid, we have announced a number of policies that build on the evidence received from CLOCK, and other organisations. For instance, the excellent work that CLOCK do in supporting people to resolve their legal problems underlines the value of effective signposting, coordination and advertising of the support already available. As such, we are undertaking a pilot to explore how we can better coordinate and signpost legal support, as well as launching an awareness campaign for legal support and legal aid. Moreover, we appreciate that additional support is required for those passing through the court system without legal representation, and have committed to increasing the funding we provide for the Litigants in Person Support Strategy to £3 million for the next two years.

The evidence submitted by organisations such as CLOCK has been invaluable in providing us with a firm picture of the current landscape. We have published the PIR and the Legal Support Action Plan not with the intentions of finishing conversations here – this is the start of the process for delivering more accessible and efficient forms of legal aid and legal support that are sustainable in the long-term. Should you wish to meet with the team to discuss the Legal Support Action Plan and our next steps further, please email legalsupportpolicy@justice.gov.uk.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Lucy Frazer', written in a cursive style.

LUCY FRAZER QC MP