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## The All-Party Parliamentary Group on Legal Aid

**[APPG on Legal Aid Bulletin](#)**

**[10th Edition - July 2018](#)**

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Dear Colleague,

Welcome to the tenth bulletin from the APPG on Legal Aid. This edition has two sections:

1. Future APPG Meeting
2. Legal Aid News and Events

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## **1. Future APPG Meeting – 11 September 10.30-12.00 – AGM and Report from Joint Committee on Human Rights**

The APPG Meeting planned for 10<sup>th</sup> July 2018 sadly could not go ahead as we were notified that the room allocated was no longer available. That meeting has been rescheduled for 11 September 10.30-12.00. Harriet Harman QC MP, Chair of the Joint Committee on Human Rights will speak about their recently published report "Enforcing Human Rights". Jeremy Lefroy MP had agreed to speak at the postponed meeting and we very much hope that he will be able to speak at the re-scheduled meeting. Karen Buck MP will chair the meeting, and the AGM will be held.

## **2. Legal Aid News and Events**

### **Legal Aid for Immigration matters for unaccompanied and separated children brought back into scope**

On 13<sup>th</sup> July 2018 Lucy Frazer QC MP, Parliamentary Under-Secretary of State for Justice laid an amendment to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 bringing back into scope immigration matters affecting unaccompanied and separated children. This was following a Judicial Review brought by the Children's Society. See the 12<sup>th</sup> July statement [here](#).

### **Housing Possession Court Duty Scheme – cancellation of procurement process**

The Legal Aid Agency has cancelled the 2018 Housing Possession Court Duty Scheme process as a result of the Administrative Court decision on 22 June 2018 in the case brought by the Law Centres Network against the Lord Chancellor. That decision quashed the Ministry of Justice's decision to move to fewer, larger contracts. Instead, existing providers will be awarded an extension of their current contract for an initial period of 12 months from 1<sup>st</sup> October 2018 – 30<sup>th</sup> September 2019. See [here](#) for more information on the arrangements from the Legal Aid Agency.

### **LASPO Post-Implementation Review**

There have been a number of consultative meetings this month. On Monday 16<sup>th</sup> July the LASPO PIR team held a Crime Consultative meeting. This was followed by further Civil Consultative meetings during that week. The review continues and everyone has until the end of September to submit evidence.

### **Joint Committee on Human Rights Report: "Enforcing Human Rights"**

The Committee has now published its 10th report. As anticipated the report (19 July) has a strong focus on access to justice and legal aid. The report calls for an urgent review of how people can enforce their rights, for changes to the Legal Aid Agency's Exceptional Case Funding Scheme and for more legal support for families at inquests.

The report also refers to "legal aid deserts" stating:

*"There are large areas of the country which are legal aid deserts as practitioners withdraw from providing legal aid services since they can no longer afford to do this work following reductions in legal aid funding by successive governments over the past three decades."*

The report also calls for a review of the financial eligibility test for legal aid.

Harriet Harman QC MP, Chair of the Joint Committee stated:

*"For rights to be effective they have to be capable of being enforced. At the moment we are seeing the erosion of all of those enforcement mechanisms because of a lack of access to justice and lack of understanding of the fundamental importance of human rights and the rule of law. The government must act urgently to address this."*

You can read the report [here](#).

### **Government announces court closures**

Today, Lord Chancellor, Secretary of State for Justice, David Gauke MP announced the closure of seven court buildings in England, that are either underused, dilapidated or too close to another court building. Money raised from the sale of these buildings will be reinvested into modernising the justice system.

The courts to be closed are:

- Banbury Magistrates' and County Court
- Blackfriars Crown Court
- Chorley Magistrates' Court
- Fleetwood Magistrates' Court (currently sitting as a Family Hearing Centre)
- Maidenhead Magistrates' Court
- Northallerton Magistrates' Court
- Wandsworth County Court

[Read the full announcement here](#).

### **Written Statement – Legal Aid for Inquests**

On 19<sup>th</sup> July 2018 Lucy Frazer QC MP, Parliamentary Under-Secretary of State for Justice, made a written statement calling for evidence regarding the provision of legal aid for inquests. In particular there is a call for evidence regarding the experiences of bereaved families in death in custody cases and where there is state involvement in the process.

The Government welcomes responses from bereaved people, charities, arms-length bodies, the legal profession, experts, and professionals across the system who have experience or involvement in the inquest process.

The call for evidence exercise will run for 8 weeks to 31 August 2018. Further information [here](#).

### **Written questions**

#### **Crime**

Dan Jarvis MP asked about the numbers of criminal legal aid solicitors per population in a) Barnsley, b) Yorkshire c) London. You can read the question and response [here](#).

He also subsequently asked whether there were any plans to have a minimum number of criminal legal aid solicitors per local authority area. Question and response [here](#). He further asked about whether pay and conditions for criminal legal aid lawyers were considered adequate. Question and response [here](#).

Ellie Reeves MP asked whether the Secretary of State had done an assessment of the long term viability of criminal legal aid. Question and response [here](#).

## **Civil**

### **Gloria De Piero (Ashfield) asked on: 09 July 2018**

To ask the Secretary of State for Justice, who his Department has taken evidence from as part of its review of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

*Answered by: Lucy Frazer 19 July 2018*

The Lord Chancellor has confirmed that we shall conduct an evidence-based review of Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO), assessing the changes against their objectives. The Government remains committed to publishing the findings of the review by the end of this year.

The engagement phase of the post-implementation review into our legal aid reforms is currently underway and we are keen to hear from a range of stakeholders and interested parties to establish the impact of the changes.

As part of our evidence gathering, we are hosting a series of engagement groups with stakeholders. We have already conducted the first round of engagement meetings and will be holding a further round of meetings later this month.

Alongside this the review team are engaging with a number of interested parties in a small group or 1-2-1 meeting. Other interested parties, including members of the public, are able to submit data or evidence directly so that their experiences can be taken into account.

### **Gloria De Piero (Ashfield) asked on: 09 July 2018**

To ask the Secretary of State for Justice, what the timetable is for the publication of the review of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

*Answered by: Lucy Frazer 17 July 2018*

The Government is currently undertaking a post-implementation review of the impact of the legal aid changes made under the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) and remains committed to publishing the findings by the end of this year. On 7 March 2018, the Lord Chancellor announced the beginning of the engagement phase of the review. The first round of consultative group meetings took place in April 2018, to provide evidence which will inform the review process. The second round of consultative group meetings will take place this month. Officials within my Department will continue to meet with interested parties throughout the summer.

It is important we take the time to deliver the review with the necessary analytical rigour that such an important piece of legislation deserves

### **Julie Elliott (Sunderland Central) asked on: 25 June 2018**

To ask the Secretary of State for Justice, if he will reintroduce legal aid for early advice as part of the Government's review of legal aid.

*Answered by: Lucy Frazer 03 July 2018*

Early legal advice is available for all cases within the scope of the Legal Aid Sentencing and Punishment of Offenders Act 2012 (LASPO), subject to an assessment of means and merits.

The post-implementation review of the impact of the legal aid changes made by and under LASPO, includes changes to the scope of early legal advice and legal representation.

We are currently in the engagement phase of this review and are using this opportunity to gather information from stakeholders and other interested parties to inform our wider consideration on the future of early advice and other forms of legal support in the justice system.

### **Julie Elliott (Sunderland Central) asked on: 25 June 2018**

To ask the Secretary of State for Justice, what steps he is taking to ensure that legal aid is available to people who need it.

*Answered by: Lucy Frazer 03 July 2018*

The Government is currently undertaking a post-implementation review of the impact of the legal aid changes made under Legal Aid Sentencing and Punishment of Offenders Act 2012 (LASPO) and remains committed to publishing the findings by the end of this year.

The post-implementation review will assess the extent to which LASPO targeted legal aid to those who need it most – which was one of the objectives set out at the time of the reforms.

We are currently in the engagement phase of the post-implementation review. The first meetings of the consultative groups took place in April to provide evidence which will inform the review process. Officials within my Department will continue to meet with interested parties throughout the summer. We are using this opportunity to inform our wider consideration on the future of legal support in the justice system.

**Chris Peace**  
**Rohini Teather**  
**APPG Project Workers**  
**24.07.18**

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### About the APPG on Legal Aid

The All-Party Parliamentary Group on Legal Aid aims to promote parliamentary and public understanding of the importance of the role of publicly funded legal services. It is chaired by Karen Buck MP. Secretariat support is provided jointly by the Legal Aid Practitioners Group (LAPG) together with Young Legal Aid Lawyers (YLAL) with funding from The Legal Education Foundation.

For more information contact:

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### About the APPG Plus Project

LAPG and the APPG on Legal Aid have been funded by The Legal Education Foundation to engage with MPs and councillors and their caseworkers to ensure that there is a good understanding of what is left in legal aid in the wake of LASPO, and to offer constructive advice, resources and training on how busy MPs and their caseworkers can engage better with lawyers and advice charities in the legal aid sector. In doing so, we aim to assess current access to justice issues facing the public and to help inform future decision making at a policy level.

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