

Free legal advice expanded to help thousands more people at risk

Press release

Thousands of domestic abuse victims will be able to access free legal advice and representation under new changes to the legal aid system introduced today (17 October 2022).



- domestic abuse victims to get expert legal advice through new protection orders and notices
- additional £10 million for housing legal aid to help people at risk of losing their home
- new legal support for parents and guardians to resolve family cases away from court

An extra £10 million a year will also be invested in housing legal aid, so that thousands more people can access legal advice when they fall into difficult times and face the risk of eviction.

The extra support for domestic abuse victims will kick in to support the use of new Domestic Abuse Protection Notices and Domestic Abuse Protection Orders, which the Government committed to introducing in the Domestic Abuse Act 2021.

Once in use, police will be able to issue Protection Notices to provide immediate protection for victims following an incident, for example by requiring a perpetrator to leave the victim's home. Protection Orders will be handed out by the court to impose longer-term protection, including ordering the perpetrator to attend behaviour change programmes or wear an electronic tag.

Victims protected by these will now have access to free expert legal advice and representation in court.

Justice Minister Lord Bellamy KC said:

Legal advice should always be available to those who need it, especially victims of domestic abuse who often rely on lawyers to ensure they are protected from abusers.

By making it easier for victims to access legal aid, more people will be better supported through court proceedings and can start the process of moving on safely with their lives.

Reforms to the former Housing Possession Court Duty Scheme also mean that anyone facing eviction or repossession will receive free early legal advice on housing before appearing in court, as well as continuing to get advice and representation on the day of their hearing. By helping people facing the loss of their home at the earliest point, it will potentially avoid the need for court proceedings altogether. Individuals with a repossession notice can also receive early legal advice on debt and welfare benefit matters, to help with the wider issues they may face.

A further change will help domestic abuse victims by allowing doctors to submit letters of evidence for legal aid applications following video or telephone consultations.

Other legal aid changes that are being introduced today will:

- ensure special guardians – family members or friends who take on parental responsibilities for a child – are eligible for legal aid in private court proceedings determining parental control over a child
- standardise the means and merit testing requirements for birth parents involved in placement and adoption order proceedings where a local authority is authorised to place a child for adoption
- ensure victims of domestic abuse applying for indefinite leave to remain in the UK, under the immigration rules, are eligible for legal aid

This is part of over £2.2 billion investment in civil and criminal legal aid over three years.

Notes to editors

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