

# [News story: Civil news: limits on emergency representation for JR work](#)

Make sure you understand the rules when self-granting emergency representation in the housing category.

Providers must ensure they do not carry out judicial review housing work we cannot pay them for when attempting to self-grant emergency representation via delegated functions. We know of several examples of this happening and firms should be reminded that delegated functions cannot be exercised for judicial review save for specified exceptions.

## **Exceptions for self-granting**

Specific exceptions where self-granting emergency representation is possible includes:

- proceedings under Part VII Housing Act 1996 (as amended)
- section 21 National Assistance Act 1948 (as amended)
- section 20 Children Act 1989 (as amended)
- section 47(5) National Health Service and Community Care Act 1990 (as amended)
- section 19(3) Care Act 2014 or
- section 36 of the Social Services and Well-being (Wales) Act 2014 These exceptions are dealt with in paragraph 5.3 (a) of the specification to the Standard Civil Contract – see link below.

## **Public interest cases**

These are dealt with under paragraph 5.3 (b) of the Standard Civil Contract which states: “Public interest cases: you do not have the power to make a determination that a client qualifies for civil legal services on the grounds that the case has a significant wider public interest.”

## **Further information**

[Standard Civil Contract 2015](#) – to download Standard Civil Contract 2015 specification (sections 1 to 6)