

Vulnerable groups set to benefit from improved legal aid support

Domestic violence injunctions during the coronavirus pandemic.

- immediate access to individual support for debt, discrimination and special educational needs cases to be restored
- greater access to legal aid for domestic abuse survivors
- government delivers on Legal Aid Support Action plan commitments

Changes made by the Ministry of Justice (MOJ) include expanding evidence requirements needed to qualify for legal aid for domestic abuse victims, to make this process easier, and reinstating immediate access to individual help for debt, discrimination and special educational needs (SEN) cases – initially via video link, then face to face when social distancing measures are no longer in place.

The Legal Aid Agency (LAA) will also be given the power to backdate payments for applications of legal help for inquests to the time at which the application was made, rather than when the application was granted.

Justice Minister, Alex Chalk MP said:

We are improving support for some of the most vulnerable people in the justice system – something that is particularly important during these challenging times.

This is the latest step in delivering our vision of a system that focuses on individuals and enables them to resolve legal problems quickly and easily.

MOJ is delivering on key government commitments made last year to broaden access to civil legal aid by reviewing legal aid means testing.

Alongside these measures, additional support is available to protect victims of domestic abuse during the coronavirus outbreak. The government recently published guidance on applying for domestic abuse injunctions remotely and we are boosting domestic abuse helplines and online support with an additional £2 million.

This statutory instrument has been laid in Parliament today (21 April 2020) and the changes will come into effect from 15 May 2020.

Notes to editors

- This statutory instrument will make several important changes:
 - The removal of the mandatory requirement to contact the Civil Legal Aid Telephone Gateway for those seeking legal aid in discrimination, debt, and special educational needs cases, delivering on our Legal Support Action Plan commitment.
 - The removal of the mandatory requirement that an application for legal aid for Family Mediation must always attend the mediator's premises to make an application.
 - Changes to the evidence requirements that need to be satisfied in order to qualify for legal aid as a victim of domestic abuse. This is achieved by allowing the Independent domestic violence advisor (IDVA) and the independent sexual violence advisor (ISVA) to accept past support, and broaden the areas that evidence are accepted from England and Wales to the entire United Kingdom.
 - Legal aid firms are now able to carry out work at risk whilst waiting for an LAA decision. If approved they will receive payment from the date that they make the application on behalf of families, rather than the date the decision was made to award funding.
- MOJ announced these legislative changes in February 2019 in the Legal Support Action Plan, with a commitment to deliver them by spring 2020.
- [Guidance on how to apply for a domestic abuse injunction](#) is available on GOV.UK.

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