

Rt Hon Chris Grayling MP
Ministry of Justice
102 Petty France
London
SW1H 9AJ

Wednesday, 31 July 2013

Dear Lord Chancellor,

Transforming Legal Aid Consultation: Civil Justice Proposals

We write to ask that you delay your final decision on whether to implement the proposed changes to civil legal aid (including prison law) contained within the *Transforming Legal Aid* consultation paper until after the Joint Committee on Human Rights have completed their inquiry and reported back to Parliament. Given the nature of the concerns that have been expressed, the fact that they have been raised so widely by professionals in the field and others, and the relatively short time available for evidence to be gathered in the course of the consultation exercise, we believe it is important that the Government's future decision-making in this important area is fully informed by the views of Parliament's expert human rights committee.

In relation to criminal legal aid, you have confirmed that the proposals are to be revised in light of the consultation responses, and that the revised proposals will be the subject of a further consultation exercise in the autumn. We commend your willingness to heed the views of respondents, and to revise its proposals accordingly in relation to criminal legal aid. However, we are disappointed that there has, so far, been no indication that such a listening exercise is taking place with respect to the civil legal aid proposals.

As well as important constitutional issues about access to the court, the published consultation responses raise very serious questions about the human rights implications, were these civil legal aid proposals to be implemented in their current form. On 18 July 2013, the Joint Committee on Human Rights announced that it had launched an inquiry into the implications for access to justice of the civil legal aid proposals. The Committee will take written evidence until Friday 27 September 2013 with public hearings in October.

In line with the Committee's call for a period of reflection, we therefore ask you to ensure that the crucial decisions on whether, and if so how, to implement the civil legal aid proposals are properly informed by the Committee's report. Any assurance that you are able to give in this regard would demonstrate a willingness to listen that we believe is crucial in the context of the civil legal aid proposals, and which we would warmly welcome.

Yours sincerely,

- (1) Mike Henshaw (Head of Legal Services), Alternatives Futures Group
- (2) Philip Fletcher (Chair of the Mission and Public Affairs Council), Archbishops' Council (Church of England)
- (3) Andrew Sperling (Chair), Association of Prison Lawyers
- (4) Wayne Myslik (Chief Executive), Asylum Aid
- (5) Pavan Dhaliwal (Head of Public Affairs), British Humanist Association
- (6) Stephen Bowen (Director), British Institute of Human Rights
- (7) Paola Uccellari (Director), Children's Rights Alliance for England

- (8) The Revd Dr Rosemary Kidd (Chair of the Steering Group), Churches Refugee Network
- (9) Gillian Guy (Chief Executive), Citizens Advice
- (10) Barbara Cohen (Chair), Discrimination Law Association
- (11) Douglas Joy (Senior Solicitor, Social Welfare Team), Disability Law Service
- (12) Liz Sayce OBE (Chief Executive), Disability Rights UK
- (13) Karen Chouhan (Chair), Equanomics-UK
- (14) Anna Bird (Deputy Chief Executive Officer), Fawcett Society
- (15) Chris Whitwell (Director), Friends, Families and Travellers
- (16) Christl Hughes (Legal Consultant and Trustee), Gender Identity Research & Education Society (GIREs)
- (17) Frances Crook (Chief Executive), Howard League for Penal Reform
- (18) David Mepham (UK Director), Human Rights Watch
- (19) Tracey Lazard (Chief Executive Officer), Inclusion London
- (20) Helen Shaw (Co-Director), INQUEST
- (21) Louise Zanre (Director), Jesuit Refugee Service
- (22) Shauneen Lambe (Executive Director), Just for Kids Law
- (23) Nicola Mackintosh (Co-Chair), Legal Aid Practitioners Group
- (24) Isabella Sankey (Policy Director), Liberty
- (25) Geoff Duncan (Administrator), London Churches Refugee Network
- (26) Theresa Schleicher (Casework Manager), Medical Justice
- (27) Zrinka Bralo (Executive Director), Migrant and Refugee Communities Forum
- (28) Don Flynn (Director), Migrants' Rights Network
- (29) Vicki Nash (Head of Policy and Campaigns), Mind
- (30) Deborah Jack (Chief Executive), National AIDS Trust
- (31) Pam Hibbert (Chair), National Association For Youth Justice
- (32) Faiza Khan (Deputy Chief Executive and Director of Policy and Communications), National Council for Voluntary Youth Services
- (33) Vaughan Jones (Chief Executive), Praxis
- (34) Professor Stephen Whittle OBE (Chair and Head of Legal Services), Press For Change
- (35) Matt Evans (Managing Solicitor), Prisoners Advice Service
- (36) Ravi Low-Beer (Head of Casework), Public Law Project
- (37) Jabeer Butt (Deputy Chief Executive), Race Equality Foundation
- (38) Andy Gregg (Chief Executive), Race On The Agenda
- (39) Maurice Wren (Chief Executive), Refugee Council
- (40) Shauna Leven (Director), René Cassin
- (41) Kat Craig (Legal Director), Reprieve
- (42) Emma Scott (Director), Rights of Women
- (43) Susan Bryant (Director), Rights Watch (UK)
- (44) Campbell Robb (Chief Executive) Shelter
- (45) Penelope Gibbs (Chair), Standing Committee for Youth Justice
- (46) Revd Roberta Rominger (General Secretary), United Reformed Church
- (47) Alexandra Runswick (Director), Unlock Democracy
- (48) Wendy Lewington (Director of Policy), Voice
- (49) Polly Neate (Chief Executive), Women's Aid Federation of England
- (50) Vivienne Hayes (Chief Executive), Women's Resource Centre
- (51) Connor Johnston (Co-chair), Young Legal Aid Lawyers
- (52) Nick Fluck (President), The Law Society of England and Wales