



Legal Aid Reforms

Changing Times

Legal Aid Reforms – Changing Times

On Monday 1 April 2013, the Legal Services Commission will be replaced by the Legal Aid Agency, and the cuts imposed by the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012 will take effect.

The current annual Legal Aid bill in England and Wales stands at an estimated £2bn. As of 1st April there will be significant changes in the way that Legal Aid is utilised.

In light of the changes, we address a selection of the common questions our legal team is faced with regarding the reforms and the relevance of these changes.

Frequently Asked Questions

Q. “Will I be able to apply for Legal Aid after March 2013?”

Up until March 2013, Legal Aid was available to UK residents who were unable to fund legal services themselves. Legal Aid was available to individuals with assets worth less than £8,000.

As of 1st April 2013, the Government will withdraw Legal Aid funding for Family Law cases including those involving Financial Relief, Residence and Contact and Divorce.

Q. “Are there any areas in which Legal Aid will remain?”

There are certain areas within the law that will continue to receive support via Legal Aid funding, some of which require necessary evidence in order to satisfy a set of requirements to qualify.

Our Family Team can advise you on whether the evidence relating to your case is adequate for consideration. Cases which will continue to receive Legal Aid funding include:

- Care Proceedings involving social services;
- When urgent proceedings are required to provide protection from domestic abuse;
- Domestic abuse for which evidence is required including criminal proceedings, applications for non-molestation orders or a report from your GP;
- Cases deemed ‘exceptional’, which involve high levels of complexity or difficulty in line with the Legal Services Commission guidelines; and
- Advice under the legal help scheme available to those attending mediation meetings.

Q. “My case began prior to 1st April – does the Legal Aid still apply?”

For on-going cases instructed before April 2013, you will continue to be represented if you have a Legal Aid certificate until the matter is closed.

Q. “Are any other areas of law changing?”

People who receive certain benefits such as, income support or income-based job seekers allowance, would normally qualify and be eligible for Legal Aid. This will change from 1st April 2013 as the Legal Services Commission will also take into account any capital or assets.

If your means have to be reassessed while your case is continuing then this will adhere to the new rules and may have an effect as to whether you continue to qualify for Legal Aid.

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Kirwans is one of the North West's most forward thinking law firms. Our success has been built upon delivering expert knowledge and expertise to our clients, maintaining a relationship of trust.

As an all servicing law firm, our Family Law team works with clients from across the UK, covering a broad spectrum of different cases, addressing the client's needs whilst building relationships based on trust, professionalism and commitment.

We understand the challenges and frustrations that clients can endure when faced with Family issues, particularly when one of the parties is inaccessible and we work with you to ensure your needs are met.

Our experienced team consists of trusted Solicitors, all of whom have extensive legal knowledge of Family legal matters including Divorce, Child Contact, Co-Habitation issues and Prenuptial agreements.

Our team of expert family lawyers guide clients through the complexities of Family Law, whether it is the breakdown of a relationship which has resulted in financial or child-related problems, Kirwans provide their clients with legal advice and support when they need it most.

Our aim is simple; to achieve the best outcome as sensitively and cost-effectively as possible.

Our Client Commitment

- 24/7 access to legal specialists
- Day to day support and advice
- Concise and honest advice tailored to each individual client
- Regular updates ensuring you are fully informed
- Transparent pricing with no hidden costs
- Provision of an efficient and thorough legal service