



Bob Neill MP
Justice Committee
House of Commons
London
SW1A 0AA

Dear Bob

28 June 2019

REVIEW OF LEGAL AID, SENTENCING AND PUNISHMENT OF OFFENDERS ACT (LASPO) 2012

Thank you for your letter of 7 May, following my evidence to the committee on 3 April. I am happy to take this opportunity to add to the four further points you raise.

1. *Spending Review*

I appreciate your support on the department's approach to the Spending Review. As Sir Richard Heaton's letter of 8 April noted, we are taking a number of steps, particularly in respect of criminal justice law, to ensure the system is better placed to respond to fluctuations in demand. This will enable us to evidence the best way to manage the demand for legal aid and what a sustainable funding arrangement might look like.

2. *Problem clusters*

It is true that those facing legal problems are often facing other challenges, and the department announced a series of pilots in the Legal Support Action Plan with the aim of resolving legal problems before they escalate. We gathered a great deal of evidence throughout the Post-Implementation Review of LASPO, including the research you have cited, and we are seeking to build on this and other evidence gathered. We are developing a common evaluation framework so that we can test these pilots against each other, and better understand what support works best. We are already discussing our approach to evaluation with experts from the field, and I am keen that we continue to work closely with the academic and research sectors to consider issues around legal support generally. In time, I hope that this work will significantly broaden our evidence of what works in this area, which will shape future policy development.

3. *Sustainability of the legal aid market*

The Legal Aid Agency (LAA) regularly monitors the provision of advice across England and Wales to identify any shortages of provision and act quickly where gaps are identified. After the latest LAA civil tender, the number of offices providing legal aid services has increased by 7% in housing and debt. In addition, wherever you are in England and Wales, legal aid for housing advice remains available through a telephone service. As well as the Civil Legal Advice Telephone Service, offering legal aid services on a range of issues to those who need them, we are investing £5m in innovative new technologies to help people access legal support wherever they are in England and Wales.

4. Inquests

The legal aid scheme is designed to make sure that those who are most vulnerable, and who have no other means of funding support, are provided with assistance.

Our review of legal aid for inquests that was published in February concluded that for the vast majority of inquests there is no need for the bereaved family to be legally represented. However, we accepted that we do need to do more to ensure that bereaved families are properly supported.

The report announced a range of changes to the current system and the department continues to work with stakeholders to create a more supportive, accessible and effective inquest system. These included:

- improving the MoJ Guide to Coroner Services so that it is focused on the needs of families, with information about legal aid that is easier to understand;
- developing better signposting of support services at coroners' courts;
- simplifying the application process for Exceptional Case Funding;
- improving both the facilities at coroners' courts and the conduct of lawyers appearing at them; and,
- mandatory training, overseen by the Chief Coroner, for coroners and their staff to improve their engagement with bereaved families.

We also committed to looking into further options for the funding of legal support at inquests where the state has state-funded representation. To do this we will be working closely with other government departments.

The government is determined to ensure that bereaved families are properly supported and able to participate in the inquest process, and that people have confidence in every part of the justice system.

Yours ever
David

RT HON DAVID GAUKE MP