



Joint Committee on Human Rights

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From Dr Hywel Francis MP, Chair

The Rt Hon Chris Grayling MP,
Lord Chancellor and Secretary of State for Justice,
Ministry of Justice,
102 Petty France,
London, SW1H 9AJ

Monday 15 July 2013

Dear Chris,

The Government's proposals to reform legal aid

The Joint Committee on Human Rights has decided to conduct an inquiry into the implications for access to justice of certain aspects of the Government's proposed reforms of legal aid. A copy of the Committee's Call for Evidence is attached for your information. The Committee intends to take evidence in October with a view to reporting in time for its recommendations to be taken into account by the Government before it introduces any changes.

I am writing, first, to ask for your assurance that the Government will not introduce any measures giving effect to its proposals before the Committee has had an opportunity to report to both Houses. The proposals raise some human rights issues of fundamental significance for the right of access to justice and the rule of law, and in the Committee's view it would be inappropriate to introduce such far-reaching changes without first affording Parliament the opportunity to subject them to thorough pre-legislative scrutiny.

Second, the Committee would be grateful if you could provide it with a detailed human rights memorandum setting out in detail the Government's assessment of the compatibility of its proposals with all relevant human rights standards, including Article 6(1) ECHR and Article 14 in conjunction with Article 6(1) ECHR, and the common law rights of access to court and effective access to justice.

Third, the Committee would also be grateful to be provided with a more detailed equality impact assessment, which addresses those deficiencies in the assessment at Annex K of the Consultation Paper which were identified by the Equality and Human Rights Commission in its response to the consultation.

Fourth and finally, the Committee would be greatly assisted if you could indicate precisely how the Government intends to introduce each of the proposals which is the subject of its inquiry. Where the intention is to introduce the change by way of secondary legislation, please identify the specific power in primary legislation which it is intended to use.

It would be helpful if we could receive your reply to these questions by **27 September 2013**. I would also be grateful if your officials could provide the Committee secretariat with a copy of your response in Word format, to aid publication. I look forward to hearing from you.



Dr Hywel Francis
Chair