

Turbervilles Solicitors are supporting Hillingdon Carers



## ELIGIBILITY FOR LEGAL AID - FAMILY CASES

Legal aid is usually only available where the client is able to satisfy financial requirements and evidential requirements about the merits of their case.

The client **must** provide proof at the first meeting as the solicitor cannot assist them with obtaining this.

### 1. Divorce and financial matters

Legal aid is only available if the client has been the victim of domestic violence (DV) and meets the financial requirements.

Client's **MUST** provide the following:

1. 3 months bank statements
2. 3 wage slips for the 3 months prior to the meeting (if working)
3. Benefit letter specifying the exact type of benefit (i.e. income based or contribution based) which is less than three months old
4. Evidence of the domestic violence –
  - a. The opponent has a unspent conviction for a DV offence



- b. The opponent has a caution for a DV offence given within the 24 months preceding the date of the application
- c. Evidence of relevant criminal proceedings which have not concluded
- d. An undertaking given in place of an injunction given within 24 months preceding the application
- e. Letter from the chair of the Multi Risk Assessment conference confirming victim of DV and the conference has been within the preceding 24 months of the application.
- f. A copy of a fact finding made within 24 months preceding the application
- g. A letter or report from a health professional stating they have examined the client within the 24 months preceding the application and that they are satisfied that the injuries are consistent with being a victim of DV and they have no reason to believe the injuries were not caused by DV
- h. A letter from children's services confirming within the 24 months preceding that the client has been assessed as being at risk of being a victim of DV (or the assessment).
- i. A letter from a DV support organisation confirming that within the 24 months preceding the application for legal aid that the client has moved to refuge for more than 24 hours, the dates when they were in the refuge and that it was because of DV.

*We pride ourselves on the speed and efficiency of our service, and our ability to understand and meet the individual needs of our clients.*



**Super Lawyers**



## 2. Children matters

---

1-3 above and either one of the pieces of evidence from 4 or one of the following:

- a) A relevant unspent conviction for child abuse
- b) A police caution for child abuse with 24 months immediately preceding the date of the application for legal aid
- c) Evidence of relevant criminal proceedings which have not concluded in respect of child abuse
- d) An injunction given within 24 months preceding the application
- e) A copy of a fact finding made within 24 months preceding the application relating to child abuse
- f) A letter from children's services confirming within the 24 months preceding confirming that there is a child protection plan to protect the child from abuse
- g) An injunction and an application prohibited steps order which has yet to be decided.

## 3. Injunctions

---

1-3 above and evidence of any recent domestic violence including but not limited to evidence from the police, the GP or other health professional, children's services and domestic violence support organisations.

## 4. Care proceedings and child protection matters

---

Client's **MUST** provide a copy of any papers provided by Children's Services in particular any letter indicating they plan to issue proceedings.

*We pride ourselves on the speed and efficiency of our service, and our ability to understand and meet the individual needs of our clients.*