
DRAFT STATUTORY INSTRUMENTS

2022 No.

The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Legal Aid: Family and Domestic Abuse) (Miscellaneous Amendments) Order 2022

Amendments to the Civil Legal Aid (Financial Resources and Payment for Services) Regulations 2013

6.—(1) The Civil Legal Aid (Financial Resources and Payment for Services) Regulations 2013⁽¹⁾ are amended as follows.

(2) In regulation 5(1) (exceptions from requirement to make a determination in respect of an individual's financial resources) after sub-paragraph (d) insert—

- “(da) legal representation in a parental placement and adoption case;
- (db) legal representation in a parental guardianship case;”.

(3) In regulation 5(2), in the appropriate place insert—

““parental guardianship case” means matters described in paragraph 1A of Part 1 of Schedule 1 to the Act (special guardianship) to the extent that the individual to whom civil legal services may be provided—

- (a) is the parent of, or has parental responsibility for, the child who is or would be the subject of the order; and
- (b) opposes the order,

but does not include appeals from final orders made under section 14A of the Children Act 1989;

“parental placement and adoption case” means matters described in paragraph (1)(i) of Part 1 of Schedule 1 to the Act (care, supervision and protection of children) to the extent that they relate to a placement order or an adoption order under section 21 or 46 of the Adoption and Children Act 2002 where the individual to whom civil legal services may be provided—

- (a) is the parent of, or has parental responsibility for, the child who is or would be the subject of the placement order or, as the case may be, the adoption order; and
- (b) opposes the placement order, or as the case may be, the adoption order,

but does not include appeals from final orders made under either of those provisions under the Adoption and Children Act 2002;

“parental responsibility” has the same meaning as in the Children Act 1989;”

⁽¹⁾ S.I. 2013/480, to which there are amendments not relevant to this Order.