
STATUTORY INSTRUMENTS

2014 No. 814

**The Civil Legal Aid (Procedure)
(Amendment) Regulations 2014**

PART 1

GENERAL AND AMENDMENTS

Amendment of Regulation 33 (Supporting documents: domestic violence) of the Procedure Regulations

2.—(1) Regulation 33 of the Procedure Regulations is amended as follows.

(2) In paragraph (2)—

(a) after sub-paragraph (e) insert—

“(ea) evidence that B is on relevant police bail for a domestic violence offence;”;

(b) in sub-paragraph (f)—

(i) for “the person appointed to chair” substitute “any person who is a member of”; and

(ii) in paragraph (i) omit “high risk”;

(c) in sub-paragraph (h)—

(i) after “a health professional” insert “who has access to the medical records of A”;

(ii) for “the professional” substitute “that professional, or another health professional”;

(iii) in paragraph (i) after “examined A” insert “in person”;

(iv) at the end of paragraph (i) insert “and”;

(v) at the end of paragraph (ii) omit “and”; and

(vi) omit paragraph (iii);

(d) in sub-paragraph (j), for paragraph (i) substitute—

“(i) that A was, within the twenty four month period immediately preceding the date of the application for civil legal services (and, where relevant, that period commences with the date on which A left the refuge), admitted to a refuge established for the purpose of providing accommodation for victims of, or those at risk of, domestic violence;”;

(e) after sub-paragraph (j) insert—

“(k) a letter or report from a domestic violence support organisation in the United Kingdom confirming—

(i) that A was, within the twenty four month period immediately preceding the date of the application for civil legal services, refused admission to a refuge established for the purpose of providing accommodation for victims of, or those at risk of, domestic violence, on account of there being insufficient accommodation available in the refuge; and

- (ii) the date on which A was refused admission to the refuge;
 - (l) a letter or report from—
 - (i) the person to whom the referral described below was made;
 - (ii) the health professional who made the referral described below; or
 - (iii) a health professional who has access to the medical records of A, confirming that there was, within the twenty four month period immediately preceding the date of the application for civil legal services, a referral by a health professional of A to a person who provides specialist support or assistance for victims of, or those at risk of, domestic violence;
 - (m) a relevant domestic violence protection notice issued under section 24 of the Crime and Security Act 2010(1), or a relevant domestic violence protection order made under section 28 of that Act, against B within the twenty four month period immediately preceding the date of the application for civil legal services;
 - (n) evidence of a relevant court order binding over B in connection with a domestic violence offence, which is in force or which was granted within the twenty four month period immediately preceding the date of application for civil legal services.”.
- (3) In paragraph (3), in the definition of “health professional”—
- (a) at the end of sub-paragraph (b) omit “or”;
 - (b) at the end of sub-paragraph (c) for “and” substitute “or”; and
 - (c) after sub-paragraph (c) insert—
 - “(d) practitioner psychologist who holds a licence to practice; and”.
- (4) In paragraph (4)—
- (a) in sub-paragraph (a) for paragraph (i) substitute—
 - “(i) is in a form described in paragraph (2)(a) to (c), (ea), (m) or (n); and”;
 - (b) for sub-paragraph (b) substitute—
 - “(b) B as being—
 - (i) for evidence described in paragraph (2)(a) to (c) and (ea) convicted of, cautioned with, on police bail for, or charged with the domestic violence offence;
 - (ii) for evidence described in paragraph (2)(d), the respondent to the protective injunction;
 - (iii) for evidence described in paragraph (2)(m), the person against whom the notice or order has been issued or made; and
 - (iv) for evidence described in paragraph (2)(n), the person against whom the order binding over has been made.”.