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STATUTORY INSTRUMENTS

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**2017 No. 1237**

**The Civil Legal Aid (Procedure)  
(Amendment) (No. 2) Regulations 2017**

**Amendment of the Procedure Regulations**

- 2.—(1) The Procedure Regulations are amended as follows.
- (2) In regulation 33 (supporting documents: domestic violence)(1)—
- (a) in paragraph (2), for the words from “following forms” to the end of that paragraph, substitute “forms that is described in Schedule 1 to these Regulations”;
  - (b) omit paragraphs (3) and (4).
- (3) In regulation 34 (supporting documents: protection of children)(2)—
- (a) in paragraph (2), for the words from “following forms” to the end of that paragraph, substitute “forms that is described in Schedule 2”;
  - (b) omit paragraph (3).
- (4) For regulation 42(1)(k) (withdrawal of determinations)(3), substitute—
- “(k) in relation to services described in paragraphs 12 and 13 of Part 1 of Schedule 1 to the Act, the evidence included with the application was—
- (i) a conviction for an offence and that conviction has subsequently been quashed;
  - (ii) evidence of ongoing criminal proceedings and those proceedings have subsequently been concluded without a conviction;
  - (iii) evidence described in paragraph 7 of Schedule 1 or paragraph 5 of Schedule 2 where—
    - (a) the order was obtained without notice to the respondent; and
    - (b) that order has subsequently been set aside by the court;
  - (iv) evidence described in paragraph 7 of Schedule 1 where the application for a domestic violence protection order has been made under section 27 of the Crime and Security Act 2010(4) but has been unsuccessful on account of the conditions set out in section 28 of that Act not having been satisfied;
  - (v) evidence described in paragraph 1 of Schedule 1 where no charge is brought for the domestic violence offence (within the meaning of Schedule 1) and the Director is satisfied that it is unlikely that such a charge will be brought;
  - (vi) evidence described in paragraphs 16 to 18 of Schedule 1 and a public authority has confirmed in writing that it is satisfied—
    - (a) there has not been domestic violence between A and B; or
    - (b) A was not at any time at risk of being the victim of domestic violence

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(1) The relevant amending instruments are [S.I. 2014/814](#), [2015/1416](#) and [2016/516](#).

(2) Amended by [S.I. 2014/814](#) and [2015/1416](#).

(3) Amended by [S.I. 2014/814](#) and [2015/1416](#).

(4) 2010 c. 17

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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and in this sub-paragraph “public authority” has the meaning given by Schedule 1 to these Regulations;

- (vii) evidence described in paragraph 1 of Schedule 2 where no charge is brought for the child abuse offence (within the meaning of Schedule 2) and the Director is satisfied that it is unlikely that such a charge will be brought;
- (viii) evidence of an application described in paragraph 9 of Schedule 2 and that application has subsequently been withdrawn or refused,

unless the individual provides another form of evidence (excluding evidence described in paragraphs (i) to (viii)) which would have been permitted in accordance with these Regulations at the date of the application.”.

- (5) After regulation 69 insert Schedules 1 and 2 as set out in the Schedule.