Jo Stevens MP
House of Commons
London
SW1A 0AA

MoJ ref: ADR73475

October 2019

Dear Jo,

THE LEGAL AID, SENTENCING AND PUNISHMENT OF OFFENDERS ACT 2012 (LEGAL AID FOR SEPARATED CHILDREN) (MISCELLANEOUS AMENDMENT) ORDER 2019

Thank you for your interest in legal aid for separated children and the important points you raised in the debate on 8 October. I agreed to write to you with further information on the collection of data on the Exceptional Case Funding (ECF) Scheme.

Subject to certain criteria being met, ECF can be available for civil legal services not described in Part 1 of Schedule 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012. The Legal Aid Agency (LAA) collects and publishes a range of data relating to ECF applications, including category of law and outcome. The LAA routinely collects and publishes data on the gender, age, disability and ethnicity of the applicants for ECF. The LAA also collect information on the geographical location of ECF application, which is not published. It is not possible to identify from the data currently collected whether an application for ECF has been made by a separated migrant child. The LAA and Ministry of Justice will continue to monitor the data that it collects under the ECF scheme.

Once the amendment comes into force and separated migrant children no longer need to apply for legal aid for non-asylum immigration and citizenship matters through the ECF scheme, more detailed data will be collected.

I am copying this letter to all MPs who spoke in the debate and will place a copy in the House library.

I hope this is helpful.

Yours sincerely,

WENDY MORTON MP