Introduction

1. The Police Action Lawyers Group (“PALG”) is a national organisation comprised of lawyers who represent complainants against the police throughout England and Wales. PALG members are concerned first and foremost with the principal objectives of the complainants we represent: to ensure that the police are held accountable for their conduct through all available avenues, including the police complaints system and civil claims.

2. Due to our large and varied membership, the collective experience of PALG is considerable. We include lawyers who act on behalf of victims of misconduct by police officers from virtually every force in England and Wales.

Background

3. Over the course of the last Parliament the Government pursued policies purportedly aimed at decreasing the cost of Her Majesty's Courts and Tribunals Service (HMCTS) to the public purse, through the introduction of and increases to various fees and charges.

4. These included the introduction of fees for employment tribunals, a regime of enhanced fees for civil proceedings, and a mandatory charge imposed on anyone convicted of a criminal offence.

5. The Justice Committee has sought views on any aspect of this subject, but is particularly interested in submissions addressing certain issues, including:

   - How have the increased Court fees and the introduction of employment tribunal fees affected access to justice?
How will the increases to Courts and tribunals fees announced in Cm. 9123, "Court and Tribunal Fees", published on 22 July 2015, and the further proposals for introducing or increasing fees included for consultation in Cm. 9123, affect access to justice?

6. We address below how these issues have, or are likely to, impact on access to justice for the clients of PALG members.

A. Legally-aided clients

Increased fees

7. The majority of our clients are legally-aided. The Legal Aid Agency (LAA) will only fund a claim against a public authority if it is “proportionate”. In deciding whether a claim is proportionate, the LAA must be:

“satisfied that the likely benefits of the proceedings to the individual and others justify the likely costs, having regard to the prospects of success and all the other circumstances of the case.”¹

8. In respect of the prospects of success and likely benefit and cost, the LAA will have regard to the following ‘cost benefit criteria’:

- If the prospects of success of the case are ‘very good’, the LAA must be satisfied that the likely damages exceed likely costs, i.e. a ratio of up to 1:1;
- If the prospects of success of the case are ‘good’, the LAA must be satisfied that the likely damages exceed likely costs by a ratio of 2:1;
- If the prospects of success of the case are ‘moderate’, the LAA must be satisfied that the likely damages exceed likely costs by a ratio of 4:1.²

¹ Regulation 8 of the Civil Legal Aid (Merits Criteria) Regulations 2013
² Ibid. at Regulation 42
9. Although a strict cost: benefit ratio is not applied to claims against public authorities and other factors, such as wider public interest and human rights elements of case, may also be taken into account, the criteria nonetheless have an important role in practice in determining whether the LAA will grant funding.

10. Many of the claims pursued by our clients attract fairly modest damages in comparison to other kinds of claims, such as those for clinical negligence. For claims for damages in the region of £10,000 to £20,000, the Court issuing fees are now between £500 and £1,000 and therefore exhaust a significant part of the costs the LAA will be willing to pay. For example:

- In cases where the prospects of success are ‘very good’, the issuing fee will constitute 5% of the costs allowed by the relevant ratio;
- In cases where the prospects of success are ‘good’, the issuing fee will constitute 10% of those costs; and
- In cases where the prospects of success are ‘moderate’, the issuing fee will constitute 20%.

11. If such claims do not settle at the early stages of litigation, it becomes increasingly difficult for our legally-aided clients to stay within the costs: benefit ratio. The LAA may withdraw funding once the costs of a claim are no longer considered proportionate, leaving such clients without funding to progress their case further.

12. Further, once a Defendant is informed that a Claimant is legally-aided, they may, as a tactic, delay or simply refuse to settle a claim so that the Claimant is forced to incur costs as the case progresses in the hope that the LAA withdraws funding and the case is brought to a premature end. The increased Court fees mean that higher costs are incurred by the Claimant at the outset, and there is a greater chance of legal aid being withdrawn at an earlier stage of proceedings.
13. Additionally, following the civil litigation and funding reforms introduced on 1 April 2013 ("the Jackson reforms"), CFAs are generally now not available for the kinds of claims brought by our clients (on which see further below). Therefore, if legal aid funding is withdrawn, our legally-aided clients will have little option but to represent themselves as litigants in person, or abandon their claims altogether.

14. The increased Court fees may therefore result in our legally-aided clients being denied access to justice and/or equality of arms.

15. The impact is likely to be even more keenly felt by Claimants bringing stand-alone Human Rights Act (HRA) claims - unless they are of significant wider public interest - where damages for 'just satisfaction' are in keeping with the amounts awarded by Strasbourg, and are therefore usually lower than tortious damages awarded by the domestic Courts. Claimants bringing 'stand-alone' HRA claims are often some of the most vulnerable people in society and their access to justice may be disproportionately affected by the increased Court fees.

**Recently announced/ proposed fees**

*General applications*

16. The Government has recently announced that the following fee increases will be made:

- The fee for uncontested general applications in civil proceedings made by consent will increase from £50 to £100; and

- The fee for contested general applications in civil proceedings made on notice will increase from £155 to £255.

17. A Claimant may need to make a number of applications to the Court during the litigation process, for example to exercise their right to be tried by a Judge
sitting with a jury (where a claim includes false imprisonment and / or malicious prosecution). Claimants must make an application to the Court to do this, even when the Defendant consents, and will therefore be required to pay between £100 and £255 at a fairly early stage of the case (within 28 days of receipt of the Defence) simply to exercise their right to a jury trial.

18. Similarly, following the Jackson reforms, extensions to Court directions can now usually only be agreed between parties for up to 28 days, so extensions beyond that will incur the same substantial fee.

19. The need for contested applications often arises because of unreasonable behaviour on the part of the Defendant, such as a refusal to disclose documents that are properly discloseable, and are therefore unavoidable if the case is to proceed on an equal footing.

20. For legally-aided Claimants, the increases in fees for general applications will use up a larger amount of their limited legal aid costs, making it more likely that the LAA will withdraw funding at an earlier stage of the litigation process.

21. To avoid the incurrence of additional costs and to retain legal aid funding for longer, some Claimants may decide not to pursue applications which are advisable, reasonable, and advantageous but not strictly essential.

22. In these ways, the increases to fees for general applications will deny such Claimants access to justice.

*Increase to fees for ‘any other remedy’ claims*

23. The Government proposes to increase fees for claims for ‘any other remedy’ (i.e. non-money claims). In respect of PALG members’ clients, this will primarily affect claims for declarations under the Human Rights Act 1998 and / or the Equality Act 2010.
24. Where a Claimant issues a claim for damages and a declaration they must usually pay both the issuing fee for the damages claim and the fee for a declaration. The fee for a declaration is currently £280 in the County Court and £480 in the high Court. Despite already ‘double charging’ to issue such claims and the recent increase to the fees for issuing money claims, the Government now proposes to increase the fee for a declaration by 10% which, if implemented, would take it up to £308 in the County Court and £528 in the High Court.

25. This would mean, for example, that the cost of issuing a claim for damages of £20,000 and a declaration in the County Court would cost the Claimant £1,308.

26. For legally-aided clients, this sizeable disbursement will make it even more difficult to satisfy the ‘proportionality’ requirement for the purposes of legal aid funding, and more likely that funding would be withdrawn at an earlier stage of the litigation process. Alternatively, some Claimants may decide not to pursue claims for a declaration in order to minimise their costs. Either way, the proposed fee increase risks denying such Claimants access to justice.

Increase to Court of Appeal fees

27. The Government proposes to increase fees for issuing in the Court of Appeal by 10%. Given the manifest public interest, particularly in a common law jurisdiction, of ensuring that erroneous decisions of the lower Courts are put right, it is submitted that increased fees should not be imposed on Appellants. If the proposed increase is implemented, the Government should at the very least ensure that the costs of issuing an appeal are not taken into account as part of any proportionality assessment for the purposes of legal aid funding.

Proposed 10% increase to the court fee for assessment of costs which is currently £200 (where the party filing is legally aided) and between £335 to £5600 (where not legally aided);
28. If a client is in receipt of legal aid and has not been successful in their case then it is unlikely that there will be an assessment of costs by the court. Assessment generally takes place where the Claimant is successful and is awarded damages and costs; but rather than agree the bill of costs, the Defendant disputes the bill of costs submitted by the Claimant and if costs cannot be agreed then the Claimant has the option of seeking assessment. This therefore penalises the successful Claimant.

29. Further, this puts the Defendant in a stronger position as they will be conscious that the Claimant will have to pay a large fee to seek an assessment of their costs.

30. Defendants in AAP work appear to dispute the Claimant’s bill of costs as a matter of course. They then make a very low offer on costs. Claimant law firms are reliant upon receipt of fair assessment and payment of their costs in order to survive and increasing the cost of seeking an assessment will be a further burden to firms struggling to survive.

_The proposed 10% increase to Judicial Review fees, which are currently:_

- £140 for an application for permission;
- £350 for renewed application at a hearing (if permission refused on papers); and
- £700 for a hearing (reduced to £350 if permission granted at oral renewal hearing).

31. As with the other increase to fees, for the legally aided client increasing fees for Judicial Review impacts on cost benefit analysis as explained above.

32. In addition, due to changes to the funding for Judicial Review challenges, at the outset of the case the Claimant lawyers are faced with a cost risk as they will not receive legal aid funding for work done unless permission is granted or other remedies are achieved, as stated in the regulations.
33. Further, as stated, making a legal aid funded Claimant pay fees does not meet the objective of the fee increases as legal aid funding is from the public purse.

**Reducing cost to the public purse**

34. The stated aim of the increased Court fees regime is to decrease the cost of HMCTS to the public purse. In respect of legally-aided Court users, it is submitted that the increased fees will not result in any saving to the public purse, as the fees will be paid for by the LAA which is funded by the taxpayer. Additionally, the vast majority of cases brought by PALG members’ clients are against State bodies, which are also funded by the taxpayer. Therefore, when a Claimant is successful, the Defendant repays (from the public purse the costs incurred by the LAA, and so no overall saving is made.

35. Where the proportionality issues highlighted above result in the legal aid certificate being discharged, this may result in the Claimant continuing as a litigant in person, thus placing further strain on the Courts.

36. Given this, and the impact increased fees will have on the proportionality of litigation, we are of the view that legally-aided Claimants who bring claims against state bodies should either not be required to pay the increased fees or, alternatively, the increased fees should not be taken into account by the LAA when determining proportionality. This is without prejudice to our view that the higher fees should not be charged to any Claimants.

**B. Conditional Fee Agreements**

*Increased fees*

37. Since LASPO, After the Event (ATE) Insurance premiums are no longer payable by the paying (i.e. losing) party. Since the premiums will usually dwarf the damages likely to be awarded in police actions, ATE insurance is effectively inaccessible to the types of client usually represented by PALG members. As a result these Claimants are less likely to be offered, or be in a position to enter
into, Conditional Fee Agreements (CFAs), even for personal injury claims where the Qualified One-Way Cost Shifting (QOCS) scheme is likely to apply.

38. Whilst it is now much more difficult to pursue claims in this area under CFAs, some firms may still be able to offer these agreements to clients who are not eligible for legal aid (although these tend to be available only for cases with minimal risk, a substantial personal injury element and/or higher than average estimated damages).

39. Although not eligible for legal aid, these clients are generally still of modest means as; for example, a disposable income of over £733.00 a month makes someone ineligible for civil legal aid.

40. In most cases, clients who are offered CFAs are personally responsible for paying disbursements up front, of which the most significant is Court fees. While QOCS may protect them from adverse costs, the cost of disbursements will not be reimbursed if a Claimant is unsuccessful. For many Claimants this is the final, insurmountable hurdle, which is dramatically worsened by the increase in Court fees.

41. It is our experience that in the majority of claims against the police and other detaining authorities, we are forced to issue proceedings protectively before serious consideration is given to settlement (see further on this below). This is particularly the case in higher value cases and/or those that involve allegations of bad faith (as opposed to technical errors) as the Defendant is less likely to be willing to settle the claim early. Therefore, even in stronger cases, it is often necessary to issue Court proceedings in order to progress towards settlement.

42. The fee remission financial eligibility criteria (see further below) is not dissimilar to that for legal aid, so the majority of clients who are eligible for a fee remission will not be assisted by it as they will already have legal aid funding in place. While the fee remission system may provide assistance to a small category of Claimants who are very slightly above the legal aid eligibility threshold but
below the fee remission threshold, the majority will not be eligible and will need to pay all or part of the Court fee to issue their claims. Such clients are likely to be denied access to justice if they are unable to afford the significantly increased fees, whether funded by CFA or not. Under the current fee regime, a claim estimated as being worth £50,000 (as might be estimated in a claim involving significant personal injury and loss of earnings and/or care element) would cost £2,500 to issue at Court.

43. Many clients of modest means will simply have no way of affording these fees. For others, to pay the initial Court fee would involve parting with a substantial portion of their savings, potentially foregoing the opportunity to own a home in order to fund their claim. This is particularly problematic given the uncertainty of the outcome of a civil claim.

44. While the outcome of a civil claim may be impossible to predict with certainty, this is particularly true of civil actions against the police. Trials in most cases take place before a Judge and jury, and depend to a large extent on the view taken by the jury on the respective credibility of the Claimant (and their witnesses) and the Defendant’s officers. Accordingly, apart from those relatively rare cases where an incident is clearly shown on CCTV or some other independent and/or objective evidence exists, there is always a substantial risk when issuing a claim that a Court fee will not be recovered.

45. In these circumstances, it is inevitable that many clients will not be willing to risk payment of the substantially higher fees. This will have an adverse impact, not only on access to justice for the individual client, but also on the accountability of public bodies as a whole.

46. PALG members have reported the following examples of Claimants who have been unable to pursue legitimate claims by reason of their inability to pay disbursements, with the risk that they may never be recovered:

   a) A man who had wished to bring a claim under Article 3 of the Human Rights Act against the police force that failed to investigate his report of
rape and sustained sexual abuse made as a 12 year old child. The refusal to believe him and act on his account appeared to have caused a psychiatric injury so he would probably be protected from adverse costs by QOCS. He worked as a postman so was ineligible for legal aid and had a young family so could not afford to pay disbursements, with the risk that they would not be reimbursed later so was effectively unable to access justice.

b) The mother of a two-year old child who was sprayed with CS Gas in the course of an unlawful arrest of a neighbour, requiring hospital treatment. She was in full-time employment and earned £12,000. She also receives child tax credits. As a result she was approximately £40 per month outside of eligibility for legal aid. She could not afford disbursements under a CFA. She was therefore left without a remedy.

Recently announced/proposed fees

47. We consider the further fee increases proposed will compound the problems for access to justice currently faced by those on CFA agreements who are required to pay upfront for disbursements:

*Increase to application fees*

48. This will lead to additional expenses being routinely incurred, often through no fault of the Claimant. For example, where a Claimant wishes to exercise their right to be tried by Judge and a jury, they must make a formal application to the Court, even where the Defendant agrees to it. Claimants will therefore be required to pay a further £100.00 at a fairly early stage of the case (within 28 days of receipt of the Defence) simply to protect their position. The same will apply to an agreed extension to Court directions of over 28 days (even if the parties agree), an application for disclosure (where the Defendant has not complied with their disclosure obligations), and so on.

49. This is likely to have a significant impact on access to justice.
Increase to fees for ‘any other remedy’ claims

50. This will apply in claims under the Human Rights Act 1998 and / or the Equality Act 2010 where a declaration is sought. In our cases, the Claimant is usually seeking a declaration in addition to damages, and may therefore be required to pay an additional fee (although the Courts take a somewhat inconsistent approach in this regard). Given the possibility, there is clearly a risk that some clients will decide not to pursue a claim for a declaration, thus negatively affecting access to justice.

Increase to Court of Appeal fees

51. Again, this increase is likely to put CFA-funded clients – particularly those of modest means – at a substantial disadvantage, deterring appeals from being lodged where such further expenditure is not possible. This would negatively impact on both access to justice and the development of the legal precedent, as the number of cases reaching the appellate Courts will be reduced.

Proposed 10% increase to the court fee for assessment of costs which is currently £200 (where the party filing is legally aided) and between £335 to £5600 (where not legally aided);

52. This is a further burden on the Claimant who will pay the disbursement.

53. If a client has been unsuccessful then they will not be seeking an assessment of their costs. If a client has been successful they may seek an assessment of their costs. This fee increase unfairly targets successful claimants as an assessment generally takes place where the Claimant is successful, is awarded damages and costs, but the Defendant disputes the bill of costs submitted by the Claimant.

54. As stated above this fee increase will benefit the Defendant and undermine the ability of the Claimant to be in a strong position to seek their costs.

The proposed 10% increase to Judicial Review fees, which are currently:
£140 for an application for permission;
£350 for renewed application at a hearing (if permission refused on papers); and
£700 for a hearing (reduced to £350 if permission granted at oral renewal hearing).

55. For those who proceed under CFA funding, this is a barrier to access to justice as generally court fees are paid by the client rather than being covered by the CFA.

C. The Fee Remission Scheme

56. The Fee Remission Scheme is available for people on low incomes who are not represented by a solicitor under a legal aid certificate. These may be litigants in person (who have increased by 30% since the implementation of the Legal Aid Sentencing and Punishment of Offenders Act 20123 (LASPO)) or represented people whose claims are out of scope of legal aim or who are ineligible by reason of their income but are nevertheless of modest means.

57. The scheme was reformed in August 2014, resulting in elements of the scheme being removed altogether and income eligibility thresholds for couples being significantly reduced. It is therefore less capable of protecting individuals from increased Court fees than previously.

58. It is not possible to carry out a direct comparison of the eligibility thresholds for the fee exemption scheme and for legal aid because of the different structures that are applied, but the thresholds for full exemption under the fee remissions scheme are broadly similar to legal aid thresholds, whereas the partial fee exemption income thresholds are up to approximately £2,000 per month higher (see Appendix 1).

3 Bar Council Response to Justice Committee Report on Legal Aid, 12 March 2015
59. However the contributions payable by those eligible for partial remission only can be significant. Litigants in person who would be financially eligible for legal aid but whose claims are out of scope may have to pay up to £1,058.50 towards each Court fee, or up to 39% of their gross monthly income.

60. The benefit to people who are not eligible for legal aid but are nevertheless of modest means is also limited. An individual whose income is towards the upper end of the partial fee exemption bracket must still pay up to £2,000 of any Court fee before the exemption is applied.

61. Thus any relief provided by the fee remission scheme is limited and insufficient to offset the restrictions on access to justice caused by increased Court fees.

**D. Issuing protectively**

62. The problems addressed above are compounded by the necessity, in many claims against the police, to issue proceedings protectively in order to avoid missing the limitation date, before a full response to a letter of claim has been provided.

63. Given that the objective of the increased fees was to cover the costs of Court time spent on a case, we consider it to be inherently unfair to charge the same, extremely high, fee at the outset where a claim is simply being issued protectively. These claims will often be settled or discontinued without the Court having to take any further steps beyond issuing the claim. It will inevitably prevent many meritorious claims being pursued simply because the limitation period is shorter and / or the police have delayed in their investigation of a complaint or letter of claim.

64. The need to issue protectively arises frequently in claims against the police through no fault of the Claimant, as a result of one or both of the following

---

4 A single person with no children and a gross income of £2,657 per month paying £545+ rent/mortgage (£3,202) would have to pay 50% of £3,202 less £1,085 = £1,058.50
factors: (i) certain causes of action have short limitation periods; and (ii) delays in the investigation of police complaints and responses to letters of claim.

Claims with short limitation periods

65. While claims in tort involving personal injury have a three year limitation period, a number of claims that frequently arise in cases our clients bring must be issued much sooner after the incident date. For instance, claims under the Human Rights Act 1998 must usually be issued within one year less one day of the incident, and the limitation for claims under the Equality Act 2010 – six months less one day – is shorter still.

66. In our experience, it is rare to have a response to a letter of claim or a (now voluntary) questionnaire under the Equality Act in advance of the six month limitation date. A Claimant will often need time to obtain legal advice, funding will need to be put in place and some investigations completed before the claim can be initiated. In some cases, a client wishing to bring a claim will still be subject to unmeritorious criminal proceedings or police investigations by the end of the six month period, which conclude in their favour thereafter.

67. We therefore consider that clients bringing claims for discrimination – often some of the most vulnerable and disadvantaged in society – will be disproportionately affected by the increase in Court fees.

68. Claims under the Human Rights Act raise similar concerns. A significant proportion of our work in this area involves claims brought by families following deaths of relatives in custody. In these cases, an enhanced Article 2 ECHR-compliant inquest will generally need to take place before a letter of claim can be sent to the Defendant, a response received and any offers made to settle the case, a process which tends to take substantially longer than a year. In the meantime, a claim has to be issued to avoid missing the limitation date. Similar issues can also arise in other Human Rights Act cases.
69. These are also the claims that will be negatively affected by the proposed further increase to ‘any other remedy’ claims. The fact that so many of these claims are issued protectively and then settled without further input from the Court makes it particularly unfair that a Claimant should have to pay both an increased issue fee based on the monetary value of the claim, and a further fee for seeking a declaration.

*Delays in the investigation of police complaints and responses to letters of claim*

70. Many claims against the police are preceded by a formal complaint to the police force in question or the IPCC, as the main route to disciplinary proceedings being taken against officers. There is no set timescale for these complaints to be investigated and in our experience, the average time has increased substantially over the past few years. The timeframe is further increased in the frequent event that there are fundamental flaws in the police investigation into the complaint and an appeal has to be lodged to the Independent Police Complaints Commission (IPCC). If the appeal is upheld, the IPCC will usually direct a reinvestigation (causing further delay) or, less commonly, will substitute its findings for those of the police.

71. The Metropolitan Police Services and many other police forces have a policy of refusing to respond substantively to a letter of claim sent in a civil claim until after the conclusion of the police complaint investigation. As a result, even where a complaint is made well within the year deadline after an incident, a Claimant may be a long way from receiving a response within the three year period.

72. In one of our cases, a client lodged a complaint on 10 March 2013 about an incident on 26 November 2012. The civil claim regarding this matter was to be brought together with a claim regarding a linked incident on 20 September 2012. By the limitation date (18 September 2015, calculated on the basis of the earlier of these two dates) the investigation into the complaint lodged in March 2013 had not been completed. Accordingly, protective proceedings had to be
issued despite the fact that it would be at least a number of months until a
response was received to the letter of claim. This matter was legally aided and
the fact that a substantial outlay of over £1,000.00 was required in the first
instance may well have implications for the future proportionality of the case.

73. Practitioners in the area arguably now need to take these factors into account
when advising clients at the outset of a case as to whether a police complaint
should be lodged, given that the delay caused to a civil claim may ultimately
make it impossible to issue and pursue that claim if the Court fee becomes
unaffordable. In some cases, clients may decide not to pursue a police
complaint on this basis, and to move directly to a civil claim. This issue has an
impact on access to justice in the wider sense, which includes not only civil
claims but the use of alternative mechanisms. Additionally it has implications for
the availability of legal aid as applicants are expected to have made use of the
complaints system where possible before pursuing a civil claim.

74. For those clients who either have already lodged a police complaint, the delay
caused as a result will often mean that unless protective proceedings are
issued while the complaint or investigation of the civil claim is ongoing, they will
lose the right to bring the claim. This is particularly unjust as they and their
lawyers will not yet be in a position to properly analyse the prospects of
success and the risk they would be taking by incurring such a major expense.

E. Calculating the correct fee

75. The Court fee for issuing a claim worth more than £10,000 is 5% of the value of
the claim. Assessing the value of a claim from the outset can be difficult, and it
is correspondingly difficult to calculate the correct Court fee.

76. Members of PALG have reported confusion and inconsistency of approach
among Court staff as to the calculation of Court fees. A common complaint is
Court staff requiring a fee representing 5% of the top end of the applicable
bracket, even where the claim is valued significantly lower, for example, staff
have required a fee of £2,500 (5% of £50,000) for a claim valued at £20,000
because it is within the £15,000 to £50,000 bracket. This can have a detrimental impact on access to justice, particularly where Court staff refuse to issue a case that is close to limitation because of the erroneous view that deduction of a higher figure should be authorised.

**F. Prejudicing settlement negotiations**

77. The Court issuing fee for claims worth more than £10,000 but less than £100,000 is 5% of the overall value. The Claimant must state the issuing fee in the Claim Form, which must then be served on the Defendant. By basing the Court fee on a percentage of the likely value of the claim, Claimants are effectively required to inform the Defendant at the outset of how much they think their claim is worth. This undoubtedly risks prejudicing Claimants in any subsequent settlement negotiations.

78. The increased fee regime is therefore likely to result in Claimants achieving lower amounts in settlement negotiations than they otherwise might and therefore being denied access to justice.

*30 September 2015*
Appendix 1
Comparison of Court Fee Remission Thresholds with Legal Aid Thresholds

The legal aid thresholds have been adjusted to reflect the fact that the fee remission scheme does not take housing costs into account, whereas disposable income for legal aid purposes is reduced by up to £545 of housing costs for applicants without children and the full rent/mortgage costs for applicants with children.

<table>
<thead>
<tr>
<th>Partial fee remission income caps:</th>
<th>Legal aid upper income thresholds:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross monthly income with:</td>
<td>Gross monthly income with:</td>
</tr>
<tr>
<td>Single</td>
<td>Couple</td>
</tr>
<tr>
<td>No child</td>
<td>£5,085</td>
</tr>
<tr>
<td>One Child</td>
<td>£5,330</td>
</tr>
<tr>
<td>Two Child</td>
<td>£5,575</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Full fee remission income caps:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross monthly income with:</td>
</tr>
<tr>
<td>Single</td>
</tr>
<tr>
<td>No child</td>
</tr>
<tr>
<td>One Child</td>
</tr>
<tr>
<td>Two Child</td>
</tr>
</tbody>
</table>

Legal aid lower income thresholds:

<table>
<thead>
<tr>
<th>Gross monthly income with:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single</td>
</tr>
<tr>
<td>No child</td>
</tr>
<tr>
<td>One Child</td>
</tr>
</tbody>
</table>

\(^{5}\) Maximum £545 pm housing costs assumed
\(^{6}\) Maximum £545 pm housing costs assumed
\(^{7}\) Plus any rent or mortgage over £545pm
\(^{8}\) Plus any rent or mortgage over £545pm
\(^{9}\) Plus any rent or mortgage over £545pm
\(^{10}\) Plus any rent or mortgage over £545pm
\(^{11}\) Plus income tax and National Insurance (NI) contributions
\(^{12}\) Plus income tax and NI contributions
\(^{13}\) Plus income tax, NI contributions and any rent or mortgage over £545pm
\(^{14}\) Plus income tax, NI contributions and any rent or mortgage over £545pm