

Resolution working for clients – changes to domestic abuse legal aid

A statutory instrument comes into force today (21 May 2025) [The Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(Legal Aid: Domestic Abuse\) \(Miscellaneous Amendments\) Order 2025](#) which amends legal aid for domestic abuse victim/survivors and aligns legal aid legislation with other legislation on domestic abuse and immigration. It includes several provisions which Resolution has been raising with the Ministry of Justice. It changes:

1. The scope of immigration legal aid to make legal aid available for those who are eligible to apply for leave to enter or remain in the UK under Appendix Victim of Domestic Abuse to the Immigration Rules.
2. The evidence requirements for domestic abuse to ensure that victims can provide overseas medical evidence from appropriate health professionals for legal aid applications in domestic abuse cases.
3. Terminology to align with the Domestic Abuse Act 2021, replacing 'domestic violence' with 'domestic abuse', 'financial abuse' with 'economic abuse' and recognising that abuse against an individual (B) may consist of behaviour directed at another individual (e.g., B's child).
4. Complements orders made in 2023 and 2024, in relation to the scope of legal aid for Domestic Abuse Protection Orders and Domestic Abuse Protection Notices, to ensure full availability of legal aid for individuals in respect of these orders.

The Ministry of Justice and Legal Aid Agency are making changes to the relevant Lord Chancellor's Guidance, guidance on domestic abuse and the gov.uk website to implement the changes made by this SI. They are also making other changes to the Lord Chancellor's Guidance to update references in relation to dependents' allowances and Class II National Insurance contributions and Independent School Boards.

The following documents will be updated:

- the Lord Chancellor's Guidance under Section 4 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012;
- the Lord Chancellor's guidance on determining financial eligibility for Controlled Work and Family Mediation;
- the Lord Chancellor's guidance on determining financial eligibility for certificated work;
- The Legal Aid, Sentencing and Punishment of Offenders Act 2012 - Evidence Requirements for Private Family Law Matters guidance;
- The list of offences and relevant protective measures that can be used as evidence of domestic abuse and child abuse in legal aid claim in England and Wales; and
- Sample letters to get evidence of domestic abuse.