

Our ref: FOI-10/LL/4716

Our E-mail:

foi.staff.cf@legalservices.gsi.gov.uk

Date: 12 October 2010

By e-mail only:

Dear [REDACTED],

RE: YOUR FREEDOM OF INFORMATION ACT REQUEST

I refer to your request for information under the Freedom of Information Act 2000 which we received on 17 September 2010 by way of e-mail.

In your e-mail, you requested for:

I am currently conducting research into legal aid expenditure. I would be very grateful if you could give me a breakdown of total legal aid spend for every financial year since its inception in 1949 (I would like total expenditure overall as well as expenditure for each individual year). I understand you may not have figures for 2009/10 just yet, so if these have not been published I would be more than happy with 2008/09.

By way of background, you may find a brief history on the development of legal aid in England and Wales useful:

- July 1949 – The Legal Aid and Advice Act came into force giving the Law Society the power to run the first legal aid scheme in England and Wales
- April 1989 – the Legal Aid Act 1988 came into force and transferred the administration of legal aid from the Law Society to the Legal Aid Board
- April 2000 – the Access to Justice Act 1999 replaced the Legal Aid Act 1988 and established the Legal Services Commission which replaced the Legal Aid Board.

A copy of the information available is enclosed at **Annex A**. Please note the following points in relation to the data provided:

1. We do not hold data between 1949-1959.
2. For consistency, the data provided is on a cash basis, as we do not hold resource figures for the full period.

3. Data pre-1979/80 comes from the Ministry of Justice's (MoJ) record of legal aid cash spend. This data is not split by crime and civil and shows totals only.
4. Data from 1979/80 onwards comes from the LSC's Annual Reports.
5. All other data shows a split between crime and civil, with the exception of the extra line on 'advice and assistance' between 1979/80 and 1983/84 which cannot be split.
6. The LSC took over responsibility for Crown Court (crime higher) spend on 1 April 2003. The LSC was supplied with this data from April 2001 and included it within the Annual Report. Prior to this time all data and financial responsibility belonged to Her Majesty's Courts Service and the MoJ's predecessor departments; data for this period was supplied by the MoJ.
7. Due to factors such as inflation, it would not be meaningful to aggregate the legal aid costs from 1960 to 2009.

For more information on legal aid history, you can visit the archived *legaid60* website at <http://www.webarchive.org.uk/wayback/archive/20100615130849/http://www.legaid60.org.uk/sixty/index.jsp>.

If you have any queries about this letter, please contact us at the above address. Please remember to quote the reference number above in any future correspondence.

You have the right to ask for internal review if you are dissatisfied with the handling of your request. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to: Legal Director, Legal Team, Legal Services Commission, 4 Abbey Orchard Street, London SW1P 2BS.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,

Lily Loke
Corporate Governance Adviser

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