

ELIGIBILITY FOR LEGAL AID FOR VICTIMS OF DOMESTIC ABUSE

New measures were introduced in Apr 07 to provide increased help to victims of domestic abuse.

From 9 Apr 07 the eligibility waiver within Regulation 5E of the [Community Legal Service \(Financial\) Regulations 2000](#) which provided the LSC with discretion to waive the upper disposable income limit for victims of domestic violence seeking protection from the court was extended to apply to all eligibility limits, i.e. the gross and disposable income limits and disposable capital limit.

However, any contribution from income or capital that is applicable under the regulations cannot be waived in such cases.

A client with disposable income of £316 per month or above will therefore be liable to pay a monthly contribution of a proportion of the excess over £311. Below is a table that explains how the contribution works.

The eligibility waiver applies to any application for Legal Representation for proceedings where the client seeks an injunction or other order for protection from harm to the person, or for committal for breach of any such order.

Thus along with victims of domestic violence and abuse, the waiver may also apply to applicants in certain harassment cases as well as to victims of forced marriages seeking forced marriage protection orders.

The waiver does not extend to other matters in family proceedings such as ancillary relief, contact etc.

Work therefore cannot be undertaken on other matters relating to the breakdown of the relationship under the certificate granted for domestic violence proceedings where the waiver has been applied.

Contributions

Band	Monthly disposable income	Monthly contribution
A	£316 to £465	1/4 of income in excess of £311
B	£466 to £616	£38.50 + 1/3 of income in excess of £465
C	£617 and above	£88.85 + 1/2 of income in excess of £616

For further details on how to calculate eligibility please see keycard 45 on the [civil legal aid eligibility page](#).