



CSAN (Caritas Social Action Network) is the social action arm of the Catholic Church in England & Wales

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Rt Hon Chris Grayling MP
Secretary of State for Justice
102 Petty France
London
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20.05.2013

Dear Mr Grayling

RE: Protections for Victims of Trafficking and Domestic Violence

We are writing in our capacity as representatives of the Catholic Church and Catholic Charities working with victims of human trafficking and domestic violence, to express our deep anxieties about proposed criteria for access to civil legal aid outlined in *Transforming legal aid: delivering a more credible and efficient system*.

Whilst we welcome the decision to exempt asylum cases from proposals to only provide legal aid if the recipient has been lawfully present in the UK for twelve months, we are extremely concerned that no equivalent exemptions are planned for cases involving victims of human trafficking or domestic violence, undermining protections in the Legal Aid, Sentencing and Punishment of Offenders Act.

During the Act's Passage through Parliament last year, the government acknowledged that "*trafficking is a heinous, cynical crime*" and made specific amendments to maintain legal aid for compensation and immigration matters regarding trafficking victims, given their "*particular vulnerabilities*".

We strongly welcomed this move, along with the ministerial recognition that successful civil claims against traffickers "*discourage those who seek to exploit people for financial gain*", and that the provision of legal aid is necessary in achieving this as the exceptional funding scheme would not always be appropriate for such cases.

We also supported specific protections in the Act, for legal aid in immigration cases involving people who enter this country as the partner of a UK citizen,

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and subsequently suffer domestic violence at their hands. This support, which constitutes just a tiny fraction of the legal aid budget, was rightly recognised as essential to those experiencing physical or psychological abuse and trying to seek redress through an unfamiliar system, often with no personal support network.

Together these provisions reflect the government's positive record of proactively tackling human trafficking and domestic violence, and are central to fulfilling the UK's respective international obligations. Failing to replicate them under the new system will mean that victims of these appalling crimes, who are already reticent about speaking out, will either be deprived of the legal support they need or forced to wait up to twelve months with significant consequences for their safety and wellbeing.

We sincerely hope that current proposals may be amended to ensure that these most vulnerable people are protected, and would of course be more than willing to discuss this issue further at your convenience.

With thanks for your time and we look forward to hearing from you,

Yours sincerely,

Bishop Patrick Lynch, Chair, Catholic Bishops' Conference Office of Migration and Refugee Policy

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