

The Rt. Hon Kenneth Clarke MP QC
Lord Chancellor and Secretary of State for Justice
Ministry of Justice
102 Petty France
London
SW1H 9AJ

28 February 2012

Dear Secretary of State,

Domestic abuse is recognised as one of the greatest ills in our society, damaging the lives of over a million women, men and children every year. We commend the actions taken by successive governments to tackle domestic abuse in its many and varied forms and the positive advances made in protecting more people. However, we are very concerned by aspects of the Legal Aid, Sentencing and Punishment of Offenders Bill which threaten to undermine such progress.

Legal aid is nothing short of essential for many victims of domestic abuse to escape the horrendous circumstances that they face. Without this support they would be unable to secure recourse in relation to fundamental issues such as injunctions, housing or access to children, potentially trapping them in a cycle of mistreatment and fear. It is clear that legal aid frequently allows for the resolution of domestic abuse cases before they escalate, in some cases avoiding serious injuries or even loss of life.

We welcome the government's decision, reflected in the Bill, to protect the provision of legal aid in many cases where domestic abuse is involved. Yet, by deviating from the standard definition of domestic abuse utilised across government departments and police forces, the Bill risks restricting the overall number of cases entitled to support, and consequently causing harm to many individuals and families.

Similarly the proposed list of 'objective evidence of domestic violence', required in order to qualify for legal aid, appears restrictively narrow. Most worryingly, the fact that someone has used specialist domestic violence services, provided by voluntary agencies such as women's refuges, will not necessarily be accepted as evidence. This may leave many victims in dire need of support but without the 'right kind of evidence' to secure it, whilst others will be discouraged from pursuing legal solutions at all.

Furthermore, arbitrary time-limitations on the validity of evidence risk leaving victims without access to support, even when they may still be at risk of further abuse.

We recognise your government's genuine commitment to tackling domestic abuse, and urge you to fulfil this by addressing these matters as the Bill reaches its Report Stage in the House of Lords and when it returns to the House of Commons.

Yours sincerely,

Most Rev Peter Smith, RC Archbishop of Southwark
Rt Rev Timothy Stevens, Bishop of Leicester (Church of England)
Rev Dr Patricia Took, President, Baptist Union of Great Britain
Rev Leo Osborn, President, Methodist Conference
Rev Dr Kirsty Thorpe, Moderator of the General Assembly, United Reformed Church
Lt Col Marion Drew, Secretary for Communications, Salvation Army
Jon Benjamin, Chief Executive, Board of Deputies of British Jews
Baron Singh of Wimbledon CBE, Director, Network of Sikh Organisations UK
Bhai Sahib Bhai Mohinder Singh, Chairman, Guru Nanak Nishkam Sewak Jatha
Malcolm M Deboo, President, Zoroastrian Trust Funds of Europe.

The letter's content is supported by **Bharti Tailor**, Secretary General of the Hindu Forum of Britain.