

Andy Slaughter MP
Chair, Justice Committee
House of Commons
London
SW1A 0AA

MoJ ref: Sub 135424

30 June 2026

Dear Andy,

ADDITIONAL WRITTEN EVIDENCE RELATING TO 9 JUNE ORAL EVIDENCE SESSION

Thank you again for inviting me to give oral evidence to the Justice Committee's Access to Justice inquiry on 9 June, and for your follow-up letter of 12 June. I am pleased to provide responses below to your requests for additional written evidence, and to make one point of clarification.

1. Criminal duty solicitor schemes

Regarding crime duty solicitor schemes, we cited data around the decreasing numbers of active duty solicitors, and whether recent increases in certain legal aid fees had had an impact on arresting this decline. Could we please clarify:

Whether the MoJ or LAA has undertaken any modelling or workforce planning regarding the number of active duty solicitors which are required to ensure consistent national coverage?

The Legal Aid Agency (LAA) regularly reviews and monitors market capacity, including the number of duty solicitors on each local duty scheme to make sure there is adequate provision and access to legal aid throughout England and Wales. Furthermore, the Ministry of Justice (MoJ) continues to publish Legal Aid Statistics on the duty solicitor workforce, and monitors trends with the Criminal Legal Aid Advisory Board (CLAAB). Data was presented by MoJ analysts and discussed at CLAAB on 22 April 2026. The data covered both solicitors and barristers, including duty solicitors.

Provision under the duty scheme is demand led and so there may be variations in duty solicitor numbers across each local rota or other fluctuations in numbers depending on prevailing market conditions. Demand in local areas is measured by the needs of local courts and police, and the LAA works with these local stakeholders to ensure that there are sufficient numbers of duty solicitors to meet the specific requirements of each duty scheme.

Alongside monitoring of duty solicitor numbers, the LAA has also taken steps to improve the data held on registered Police Station Accredited Representatives. These individuals are not solicitors but have completed necessary accreditation to allow them to provide publicly funded legal advice at police stations. These steps have recently included data collection activity to improve our understanding of the geographic distribution of Representatives and their participation across duty schemes. The improved dataset will support better assessment of duty scheme capacity and emerging market pressures.

This Government has implemented significant uplifts to criminal legal aid solicitor fees – which will be worth around an additional £116m per year once in steady state. A significant portion of this investment is targeted at the duty solicitor profession through increases to police station and magistrates’ court fees, supporting recruitment, retention, and the long-term sustainability of the profession.

Jane [Harbottle CBE] told us that there had been a small increase in crime providers following the uplift. Is there available information on numbers of active duty solicitors and whether this decline has been stabilised?

In her oral evidence, Ms Harbottle mentioned that early, unofficial statistics to the end of April 2026 have shown a small uptick in provider numbers since the new crime contract was awarded on 1 October 2025. At the commencement of that contract, there were 1,021 crime providers. The latest published legal aid statistics show that there are 1,049 providers at the end of March 2026.

The latest official legal aid statistics were released on 25 June 2026. These show that duty solicitor numbers declined by around 25% from 2017 to 2026 (from 5,240 in October 2017 to 3,944 in April 2026). That is a serious concern. The decline appears to have slowed in recent years, with a slight increase of 1% in 2026. Please see the table below, which is taken from this recently published dataset Legal aid statistics quarterly: January to March 2026 - GOV.UK.

Criminal duty solicitor numbers

[Source: Legal aid statistics quarterly: January to March 2026 - GOV.UK – Table 9.8]

	2017	2018	2019	2020	2021	2022 ¹	2023	2024	2025	2026 ²
Criminal Duty Solicitors	5,240	4,923	4,600	4,539	4,361	4,023	4,003	3,923	3,898	3,944
% Change per annum		-6%	-7%	-1%	-4%	-8%	-0%	-2%	-1%	1%

¹ Figures above based on October data each year, except for 2022 and 2025, which use January 2023 and January 2026 data to align with the start of new contract cycles, when providers could join rotas in either October or January.

² 2026 data taken from April 2026.

As noted above, the LAA is also taking steps to improve the data held on Police Station Accredited Representatives. As of June 2026, there are 2,148 Accredited Representatives. We regularly monitor Accredited Representative numbers and carry out data cleansing to maintain accuracy and compliance.

Can you confirm the current duty solicitor coverage by scheme, including where duty solicitors have arrangements to cover neighbouring schemes, or where schemes have been merged due to limited duty solicitor numbers?

At present, all 189 duty schemes are fully covered, and the new rotas have been operating successfully since 1 October 2025. Data on duty solicitor coverage by scheme can be found in the legal aid statistics quarterly release - Legal aid statistics quarterly: January to March 2026 - GOV.UK

As mentioned above, a significant portion of the around £116m per year (steady state) investment in solicitor fees has been deliberately directed towards supporting the duty solicitor profession through increases to police station and magistrates' court fees.

We monitor our smaller schemes on an ongoing basis and, where issues arise, act to ensure there is ongoing availability of criminal legal advice for the public. In recent months we have seen a reduction in provider and duty solicitor numbers across the Worksop & East Retford, Hinckley, and Torbay & Teignbridge schemes, which have all moved to a single provider with between one and four duty solicitors on each scheme.

In response, the LAA has worked closely with local stakeholders, including providers, HM Courts and Tribunals Service (HMCTS) and the wider legal defence community, to establish arrangements that ensure continued coverage. The LAA has confirmed capacity with the remaining providers, for example much of Worksop & East Retford duty work is dealt with in the neighbouring Mansfield scheme where the remaining Worksop & East Retford provider has an office and seven duty solicitors. In Torbay & Teignbridge the LAA has set up a panel of providers and duty solicitors from neighbouring schemes to manage potential conflicts and has launched a consultation with the Hinckley provider and neighbouring Leicester providers to ensure on-going coverage. These measures have been operating effectively to date, and all arrangements are being actively monitored and kept under review.

These three schemes are in addition to the existing schemes with fewer than two providers: Skegness, Barnstaple, Dolgellau, Berwick & Alnwick and Newark. Specific arrangements are already in place for these schemes (alongside the Isle of Wight, due to its location) which allow providers to claim travel costs to support delivery across scheme boundaries where required.

2. Legal aid contract coverage

In oral evidence, Jane represented that there were 21 areas with no housing or debt provision, and Jane represented that there were 9 areas in family with a shortfall. Could you please provide up-to-date information, for all areas of law, on which procurement areas do not meet minimum provision requirements?

Civil legal aid services are commissioned through geographic procurement areas. These procurement areas are designed to balance three objectives: aligning provision with demand across the justice system, ensuring a sustainable provider base, and maintaining access through flexible delivery models. The LAA continually monitors legal aid coverage and this framework allows the LAA to both commission services effectively and respond where pressures arise.

There are different procurement areas in different civil categories to reflect the nature of the cases and the potential demand for services. For example, in public family cases most of the work is started by the local authority bringing care proceedings so the procurement areas largely

align with local authority areas. In welfare benefits, there are very small volumes of work and so the procurement areas are larger geographical areas.

The LAA's standard is that there is a minimum of one provider in each procurement area per category of civil law (except for family where the standard is five to allow for conflicts of interest). The only category of law where there are areas without face-to-face provision is Housing and Debt, which is why the Government is investing in fee uplifts in this area and supporting a mix of provision, including face-to-face, telephone and remote advice.

In Housing and Debt, 21 of the 134 procurement areas are currently without face-to-face coverage but they do have access to the Civil Legal Advice helpline. Of these 21 procurement areas, nine are serviced by providers from other areas on an outreach basis. The remaining 12 without outreach cover are: Barnsley, City of Kingston upon Hull, East Riding of Yorkshire, Hartlepool, Hereford and Worcester, Knowsley, Leicestershire and Rutland, Northumberland, Rotherham, Surrey, Warrington and Halton, and West Lancashire.

In Family law, there are nine procurement areas where there are less than the standard of five providers. The levels in these areas are long standing since contract inception (1 September 2024) with no negative feedback received regarding access to justice. However, one area, Trafford, now only has one provider. It is surrounded by five other procurement areas with a healthy supply whose providers can offer services in Trafford. To support increased coverage, a GOV.UK news story was used to seek further provision. It was successful with two providers coming forward, one in the process of opening a new office in the procurement area and another who could provide outreach in an office hosted by the local domestic abuse service.

Following this improvement, targeted news stories and direct contacts (providers in neighbouring procurement areas) have been made in the other eight areas with lower than preferred provision through the Expressions of Interest Process published on 2 June 2026, starting with Dudley, Solihull and St Helens (all have three providers) and then Dorset, East Sussex, Hartlepool, Knowsley and Sandwell (who all have four).

3. Government funded training

In oral evidence, you referred to initiatives to help grow the legal aid provider base, both in the criminal context through 100 match funded pupillages, and in the civil context through trainee schemes funded through the Legal Aid Agency. Could you please clarify:

For the match funded pupillages: how much funding has been allocated; what is the amount match funded per pupil; is MoJ funding directly with specific chambers or through the Inns of Court; how is it distributing the funding (e.g. geographically, etc.); and what is the intake year of the funded cohort?

We have committed to match-fund a number of criminal barrister pupillages, with a particular focus on opening up a career at the criminal Bar to even more young people from across society. The funding would increase the total number of criminal pupillages available, and the number of pupils recruited. The aim is to increase the pool of barristers available to take on criminal law cases, providing a long-term benefit to the criminal Bar.

We are working through the practicalities of implementing pupillage funding through a grant, including the approvals needed to deliver the funding. Our focus has been to ensure that any scheme is designed carefully to maximise its impact, particularly in supporting diversity, and

delivering lasting value for the system. This includes ensuring that the scheme aligns with existing, established funding programmes to maximise success. Once approvals have concluded, we will share further detail on funding, cohort intake years and the delivery approach.

We expect to announce more information shortly.

For the trainee schemes: how much funding has been allocated; how many trainees will be funded; and how is the funding distributed (e.g. geographically, by area of law, etc.)?

The Legal Aid Training Grant scheme ran from September 2023 to November 2025. It was designed to support the launch of the Housing Loss Prevention Advice Service (HLPAS) by enabling Housing and Debt providers with HLPAS contracts to recruit and train new solicitors and increase sector capacity.

The scheme provided funding to train initially 32 trainee solicitors across 27 legal aid providers. One provider exited part way through the scheme, meaning the full grant was provided to 31 trainee solicitors across 26 legal aid providers. The funding was allocated through a grant competition, to which all providers with a HLPAS contract were eligible to apply. The eventual grant recipients were distributed across England & Wales.

Grants covered up to 75% of salary costs and up to £15,000 per trainee towards qualification fees. The total funding allocated to the overall grant scheme was £1.5m. I wish to correct the statement that I made in oral evidence by clarifying that this grant was provided directly by the MoJ and not funded through the LAA.

The grant agreement required that recipients achieve several indicative performance measures, including the retention of the trainee solicitor for three months post-qualification date or after the scheme came to an end.

We are taking stock of the impact of the grant as we consider next steps to support the sector.

4. Legal Aid Agency cyber attack

We have heard substantial evidence during our inquiry of the impact ongoing contingency measures, and associated additional unpaid work, have had on legal aid providers. What monitoring is either the MoJ or LAA doing on how this is impacting both legal aid provision and provider sustainability?

Providers worked closely with the LAA following the attack and we appreciate their support and collaboration.

At every stage in our response to what was a serious criminal attack, we have acted to protect public access to justice and to support providers in delivering legal aid, including through maintaining cashflow to providers. Despite the significant operational challenges, we achieved this without affecting court backlogs or police station activity. Most provider-facing contingency measures have now been withdrawn, although we understand that service restoration and removal of contingencies does not mean business as usual for legal aid providers. There are still backlogs of work for the LAA and providers and it will take time for these to be worked through.

The LAA implemented essential contingency measures to ensure continued access to justice and enable providers to continue delivering services to the public. Provider representatives also played a key role in shaping both the implementation of these measures and the approach to withdrawing them as services were restored. Based on the LAA's contracting data, provider movements have remained stable, with ongoing entry to the market alongside typical levels of exits. Between 15 May 2025 and 23 April 2026, 96 new criminal and 46 new civil providers joined, while 69 criminal and 38 civil providers exited. This continued entry of providers into the market suggests that the cyber-attack has not undermined confidence or triggered a loss of capacity, reflecting the effectiveness of the measures taken to maintain service continuity. The LAA continues to monitor this position and work closely with the legal aid provider base and justice system partners including regular engagement with the Law Society, Bar Council, and other representative bodies to monitor market sentiment.

Where providers do believe they have incurred additional costs on individual cases, the LAA's Cost Assessment Guidance sets out what can be claimed on cases that are paid at hourly rates.

It has been represented to the Committee that LAA's lack of contingency planning worsened the impact of the cyber attack, since processes and workarounds had to be devised on the fly. What assurance can the LAA provide that it now has sufficient contingency plans in place if further incidents were to occur?

The LAA had established business continuity plans in place for critical processes before the cyber-attack. These plans had been tested across the LAA and with MoJ and were designed to support continued access to justice in the event of system outages lasting several weeks.

Within a week of discovering the attack, MoJ and the LAA implemented these business continuity plans at pace. These initial measures enabled the legal aid system to continue operating while longer-term solutions were developed in response to the specific nature of the incident.

Longer-term business continuity measures were then put in place, tailored to the specific nature of the attack. These included delegating certain functions to legal aid providers, supported by an emergency statutory instrument, and suspending civil legal aid contributions from clients. Together, these measures helped ensure that services continued to be provided to legal aid clients and that payments continued to be made to legal aid providers.

- Clients have retained access to legal aid services.
- Providers have continued to deliver services, with no evidence of market disruption.
- The LAA has retained decision-making functions for complex, high-cost and contentious matters.
- The approach has helped prevent an unsustainable backlog of cases while contingency arrangements remain in effect.

In the wider context, MoJ's Cyber Security Strategy sets out the ambition that every critical.

Our focus remains on addressing acute technology risk, including cyber security. This includes significantly reducing legacy technology, continuing to develop central security services and embedding them across hundreds of IT systems, alongside process improvements to help the department meet HMG's minimum functional security standards.

Following the LAA cyber-attack, we acted to contain the issue, undertake a full technical investigation and implement strengthened security measures across our systems.

The LAA's new secure single Sign-in to Legal Aid Services tool, SiLAS, has been designed and built in line with UK government and industry good practice for secure development. Security has been built in from the start, including multi-factor authentication, with independent testing to validate that appropriate controls are in place.

Additional funding secured over this Spending Review period means that new legal aid digital services will be built to Government Digital Service standards, secure-by-design principles, the MoJ Security Policy Framework and National Cyber Security Centre guidance. Additional safeguards, enhanced detection capabilities and further resilience measures have also been introduced to reduce the likelihood and impact of future incidents.

While no organisation can offer an absolute guarantee against future incidents, the steps taken - and those still under way - provide a stronger level of protection for applicants, providers and the services they rely on than was in place when the attack occurred. The incident has also increased our confidence in our ability to manage future disruption and in the robustness of our contingency plans. Lessons identified from the incident are being shared with colleagues across the department and wider government.

5. Clarification regarding legal aid eligibility thresholds at the Crown Court

I am grateful for this opportunity to clarify the details of one exchange during the oral session. Sarah Russell MP, asked the following:

Q213 Sarah Russell: Minister Sackman, you referred to the fact that 48% of people are unrepresented in the magistrates court. In the Crown court, where people are accused of exceptionally serious offences, the total household income to entitle someone to eligibility is £37,000. That could potentially be two people's earnings, not just one. Significant numbers of people will be completely unrepresented in the Crown court.

As I did not address this in my response, I wish to highlight that at the Crown Court, the £37,500 upper threshold for legal aid relates to disposable, not gross, annual income of the individual and their partner. Therefore, whilst the defendant's gross income will be aggregated with their partner's income, the disposable annual income calculation allows for the deduction of tax, NI, actual housing and council tax costs as well as actual childcare and child maintenance payments.

Further provision is made for a cost of living allowance (currently £5,676 per year for a single person), with deductions also in respect of the partner and/or dependent children. Only if the defendant's subsequent disposable income is £37,500 or higher is the individual ineligible for legal aid at the Crown Court.

For the sake of completeness, I should stress that those legally aided defendants whose disposable annual income exceeds £3,398 but is less than £37,500 may be required to pay a monthly income contribution towards their defence costs for a maximum six-month payment period. Income contributions are refunded with interest if the defendant is subsequently acquitted. Following conviction at the Crown Court, the defendant may also be required to pay the balance of any outstanding legal aid costs from their capital assets.

6. Disclosure of information and records from police forces

Thank you to your committee clerks for following up with further detail on the above issue, following a question from Warinder Juss MP during the session. On June 17, I received a letter from the Consumer Legal Association (CLA) about this issue. I am considering this letter and will issue a full response in due course. I will ensure you as Committee chair receive a copy of this letter.

A handwritten signature in black ink, reading "Sarah Sackman". The signature is fluid and cursive, with the first name "Sarah" and the last name "Sackman" clearly distinguishable.

SARAH SACKMAN KC MP
Minister of State