

Changes to the legal aid system have left some of the most vulnerable groups in society without access to the justice system, the General Synod heard today.

Members voted to back a motion recognising legal aid as an 'essential public service' that needs to be preserved 'for the benefit of the nation.'

The Synod called on the Government to explore ways of alleviating the impact of the Legal Aid Sentencing and Punishment of Offenders Act – which came into force in 2013 - on some of the most deprived and vulnerable communities.

Carl Fender, from Lincoln Diocese, said 'large groups' of people now found themselves ineligible to receive legal aid as a result of the changes brought about by the Act.

These included most private family law cases and people with immigration difficulties. Those affected by benefits changes also face the 'double whammy' of not being able to access legal aid to mount a challenge, he said.

"Access to justice is fundamental to the 'rule of law' because without it, the rule of law can be nothing more than a concept, an ideal," he told the General Synod.

"If access to justice is absent, legal rights cannot be exercised and legal obligations cannot be enforced. Nor can public or private bodies be challenged through the courts, or individuals brought to account. Access to justice is essential to a humane, just and civilised society."

The Dean of the Arches, Charles George QC, speaking in support of the motion, said: "Funding for legal aid is one of the many victims of ill-judged austerity."

The Bishop of Southwark, Christopher Chessun, told the Synod: "The impact of the very significant restructuring of legal aid was severe and has had very detrimental consequences across the land, not least in communities like south London where there are significant pockets of deprivation."

The full text of the motion, passed by 218 in favour, 0 votes against and one abstention, is as follows:

That this Synod, mindful that a justice system should be open and free from barriers of any kind, and also provide easy access to enable the most vulnerable and disadvantaged people in our society to seek professional help in bringing their claims before our courts and tribunals;

(a) recognise our legal aid system as an essential public service and fully endorse its preservation for the benefit of the nation;

(b) welcome the reports by Amnesty International and the Bach Commission about the impact of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 and note both their findings about its impact on the most vulnerable and disadvantaged groups in our society and their recommendations for reform of the current system; and 9

(c) call on Her Majesty's Government to respond positively to these reports and explore ways of alleviating the impact that the 2012 Act has had on these groups.'

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