



JUSTICE

59 Carter Lane
London
EC4V 5AQ
DX 323 Chancery Lane
(020) 7329 5100
(020) 7329 5055
admin@justice.org.uk
www.justice.org.uk

The Editor
The Telegraph
(By email)

29 April 2014

Dear Sir,

For publication not before 00.01 Wednesday 30 April 2014 (JCHR Report subject to Embargo)

In last Tuesday's Telegraph, the Lord Chancellor heralded new cuts to prevent "[legal aid abusers](#)" tarnishing the justice system. Specific restrictions were justified to restrict judicial reviews "instigated by pressure groups, designed to force the Government to change its mind over properly taken decisions by democratically elected politicians".

Today, in a critical Report, the cross-party Parliamentary Joint Committee on Human Rights (of which I am a member) rejects the Government's case. The politicised premise that judicial review is abused by pressure groups is rejected entirely, with concern expressed about the particular role played by the Lord Chancellor.

Mr Grayling suggests a democratic motive in restricting legal aid for judicial review. Yet, the JCHR is the second Parliamentary Committee to express concern. Motions against the cuts have been tabled in both Houses of Parliament.

Judicial review allows individuals to hold public decision makers to account for unlawful action. Restrictions which may close the doors of the court to all but those with deep pockets should be treated with some suspicion.

Parliament, not Government, must determine whether these changes are justified. The cross-party consensus emerging suggests the Government needs to go back to the drawing board lest it cause lasting constitutional harm.

Yours sincerely,

Baroness Helena Kennedy of the Shaws QC
Chair of JUSTICE Council

Chair of Council Baroness Kennedy of The Shaws QC Director Andrea Coomber

JUSTICE Registered Charity No 1058580
A company limited by guarantee and registered in England No 3216897 Registered office as above
British Section of the International Commission of Jurists