

Table of Delegated Authorities for the Legal Aid, Sentencing and Punishment of Offenders Act 2012

The below table sets out the authorisations given pursuant to section 6, for the purposes of section 5(2) and section 5(4), of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, in relation functions of the Lord Chancellor and the Director of Legal Aid Casework respectively under that Act.

Where an authority is delegated below to Providers in relation to determinations on applications for a representation order in the magistrates' court or Youth Court for summary only offences, either way offences or prescribed proceedings where the individual is a child (an individual who is under the age of 18 on the date on which an application is made for a determination under section 16 of the Act), or is unemployed (means is not employed, self-employed, a director or is living off savings, and, where applicable, their partner is also not employed, self-employed, a director or is living off savings) or is in receipt of a passported benefit, such a determination is to be made in line with the Criminal and Civil Legal Aid (Amendment) Regulations 2025.

Determinations are to be made in accordance with the Criminal and Civil Legal Aid (Amendment) Regulations 2025, including the transitional arrangements therein.

Legal Aid, Sentencing and Punishment of Offenders Act 2012, Part 1			
Section	Function	Who exercises the function in the section	Who is authorised to exercise the function in practice
1(3) (The Lord Chancellor's functions)	Securing the provision of information	The Lord Chancellor	The Legal Aid Agency
3 (Standards of service)	Setting and monitoring standards of service	The Lord Chancellor	The Legal Aid Agency

9(1)(b) (Civil legal services)	Making a determination	The Director of Legal Aid Casework	The Legal Aid Agency The Provider, subject to holding a relevant contract with the Lord Chancellor, made under s2(1) of the Act, and to being authorised to make a determination in accordance with any regulations which apply to any given case.
10(2) (Exceptional cases)	Making an exceptional case determination	The Director of Legal Aid Casework	The Legal Aid Agency
10(4) (Exceptional cases)	Making a wider public interest determination and a determination that an individual qualifies for services under Part 1.	The Director of Legal Aid Casework	The Legal Aid Agency
11 (Qualifying for civil legal aid)	Making a determination that an individual qualifies for civil legal services	The Director of Legal Aid Casework	The Legal Aid Agency The Provider, subject to holding a relevant contract with the Lord Chancellor, made under s2(1) of the Act contract, and to being authorised to make a determination in accordance with any regulations which apply to any given case
13 (Advice and assistance for an individual in custody)	Making a determination that an individual qualifies for advice and assistance.	The Director of Legal Aid Casework	The Duty Solicitor Call Centre

15 (Advice and assistance for criminal proceedings)	Making a determination that an individual qualifies for advice and assistance	The Director of Legal Aid Casework	The Legal Aid Agency HM Courts & Tribunal Service
16(1) (Representation for criminal proceedings)	Making a determination that an individual qualifies for representation, where the Director of Legal Aid Casework is the relevant authority	The Director of Legal Aid Casework	<p>Determinations on applications for a representation order in the magistrates' court or Youth Court for summary only offences, either way offences or prescribed proceedings where the individual is a child (an individual who is under the age of 18 on the date on which an application is made for a determination under section 16 of the Act), or is unemployed (means is not employed, self-employed, a director or is living off savings, and, where applicable, their partner is also not employed, self-employed, a director or is living off savings) or is in receipt of a passported benefit:</p> <p>Providers, subject to the terms of the Standard Crime Contract in force at the time</p> <p>Determinations on all other applications for a representation order in the magistrates' court or Youth Court and on all applications for a representation order in the Crown Court and any other court:</p> <p>The Legal Aid Agency HM Courts & Tribunal Service</p>
16(2) (Representation for criminal proceedings)	Making a determination that an individual qualifies for representation, where the Director of Legal Aid Casework is the relevant authority	The Director of Legal Aid Casework	The Legal Aid Agency HM Courts & Tribunal Service

17(1) (Qualifying for representation)	<p>Making a determination that an individual qualifies for representation, in accordance with:</p> <p>(a) the relevant financial eligibility test for representation in criminal proceedings and</p> <p>(b) the interests of justice (IoJ) test at 17(2).</p> <p>where the Director of Legal Aid Casework is the relevant authority</p>	The Director of Legal Aid Casework	<p>Determinations on applications for a representation order in the magistrates' court or Youth Court for summary only offences, either way offences or prescribed proceedings where the individual is a child (an individual who is under the age of 18 on the date on which an application is made for a determination under section 16 of the Act), or is unemployed (means is not employed, self-employed, a director or is living off savings, and, where applicable, their partner is also not employed, self-employed, a director or is living off savings), or is in receipt of a passported benefit:</p> <p>The Provider, subject to the terms of the Standard Crime Contract in force at the time</p> <p>Determinations on all other applications for a representation order in the magistrates' court or Youth Court and on all applications for a representation order in the Crown Court or any other court:</p> <p>The Legal Aid Agency HM Courts & Tribunal Service</p>
21(1) (Financial Resources)	Making a determination on an individual's financial resources	The Director of Legal Aid Casework	<p>The Legal Aid Agency HM Courts & Tribunal Service The Duty Solicitor Call Centre</p> <p>The Provider, subject to holding a relevant contract with the Lord Chancellor, made under s2(1) of the Act contract, and to being authorised to make a</p>

			determination in accordance with any regulations which apply to any given case
Schedule 3 3(1), 4(1), 5(2), (Legal Aid for Legal Persons)	Making an exceptional case determination in relation to the legal person	The Director of Legal Aid Casework	The Legal Aid Agency