

*These notes refer to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c.10) which received Royal Assent on 1 May 2012*

# LEGAL AID, SENTENCING AND PUNISHMENT OF OFFENDERS ACT 2012

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## EXPLANATORY NOTES

### COMMENTARY

#### **Part 1: Legal Aid**

#### **Provision of legal aid**

#### *Section 1: Lord Chancellor's functions*

61. **Section 1** gives the Lord Chancellor overall responsibility for legal aid.
62. *Subsection (1)* provides that the Lord Chancellor must secure that legal aid is made available in accordance with Part 1 of the Act. "Legal aid" is defined in *subsection (2)* as civil legal services and advice, assistance and representation for criminal investigations and proceedings that are required to be made available under sections 9, 10, 13, 15 or 16 or paragraphs 3 to 5 of Schedule 3.
63. *Subsections (3) and (4)* ensure that the Lord Chancellor has the power to arrange for the provision of general information about the law and legal system, including information about where people may obtain advice and assistance about the law and legal system, and to perform functions that support the Lord Chancellor's functions in relation to legal aid. For example, the Lord Chancellor may make arrangements for a legal advice helpline which, as well as assisting people who qualify for legal aid, would also be able to assist callers who do not qualify for legal aid by referring them to providers of appropriate services.