



Ministry
of Justice



Shailesh Vara MP
Parliamentary Under-Secretary
of State for Justice

Nigel S. Meadows
H.M. Senior Coroner
H.M. Coroner's Office
P.O. Box 532
Manchester Town Hall
Albert Square
M60 2LA

Your ref: 01632/2013
MoJ ref: ADR32818

25th April 2016

Dear Mr Meadows

INQUEST INTO THE DEATH OF STEPHEN HUNT, DECEASED

Thank you for your letter of 30 March, addressed to the Lord Chancellor and Secretary of State for Justice, regarding the inquest you are holding into the death of the above named. In particular, you raise the issue of legal aid funding for two individuals who you have identified as interested persons. I am therefore replying as the Minister responsible for legal aid.

I have seen the recent judgment handed down by Mr Justice Leggatt, which confirmed that Article 6 of the ECHR was not engaged by the circumstances of this case and that the Director of Legal Aid Casework therefore had no power to make legal aid available to the two individuals via the legal aid exceptional funding scheme. I also noted carefully the comments made regarding the duty on coroners under the Coroners (Inquests) Rules 2013 to protect witnesses from self-incrimination.

Under the legal aid scheme decided by Parliament as set out in the Legal Aid, Sentencing and Punishment of Offenders Act 2012, funding for representation at inquests is only available for family members in the form of exceptional case funding where, broadly, a refusal to fund would breach Article 2 of the ECHR or where the Director of Legal Aid Casework has made a Wider Public Interest Determination in relation to the inquest and the family member. Under the scheme decided by Parliament, legal aid is not available for representation of non-family members and there are no current plans to change this scheme.

Finally, I must point out that applications for legal aid are considered individually by the Legal Aid Agency and decisions are made by the Director or Legal Aid Casework independently of Ministers. The law does not allow Ministers to intervene. It is important that these decisions are, and are seen to be, free from political and Government influence.

Yours sincerely
Shailesh Vara

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