



# Criminal Defence Service (Advice and Assistance) Act 2001

## 2001 CHAPTER 4

An Act to clarify the extent of the duty of the Legal Services Commission under section 13(1) of the Access to Justice Act 1999. [10th April 2001]

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### 1 Extent of duty to fund advice and assistance

- (1) Subsection (1) of section 13 of the Access to Justice Act 1999 (c. 22) (duty of Legal Services Commission to fund advice and assistance as part of Criminal Defence Service) shall be treated as having been enacted with the substitution of the following for paragraph (b) and the words after it—

“(b) in prescribed circumstances, for individuals who—

- (i) are not within paragraph (a) but are involved in investigations which may lead to criminal proceedings,
- (ii) are before a court or other body in such proceedings, or
- (iii) have been the subject of such proceedings;

and the assistance which the Commission may consider appropriate includes assistance in the form of advocacy.”

- (2) Regulations under subsection (1) of section 13 (as amended above) may include provision treating them as having come into force at the same time as that subsection.

### 2 Short title

This Act may be cited as the Criminal Defence Service (Advice and Assistance) Act 2001.