

News story: Crime news: updated guidance on the 'interests of justice' test

An updated guidance document about the 'interests of justice' test is available for you to use when applying for funding.

Why is this important?

'Interests of justice' must be considered when applying for criminal legal aid.

The guidance we are making available is also used by our caseworkers when processing your applications.

How does the new guidance help?

Our intention is to provide guidance which clearly sets out what you need to know when considering the 'interests of justice' test.

This should help to reduce the number of applications being refused legal aid every year.

The document was prepared with help from both the Law Society and HM Courts and Tribunals Service (HMCTS).

What has changed?

The criteria to consider remains the same. However, there have been some changes in practice which are outlined in the guidance.

For example, the guidance clarifies the level of detail required in relation to previous convictions. We understand that providers won't always have all the detail at the point of application. So, the guidance sets out the minimum required information.

Further information

[Work out who qualifies for criminal legal aid](#) – to download 'LAA guidance on the consideration of defence representation order applications'