

Director of Legal Aid Casework Annual Report 2025-26

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Report presented to the Northern Ireland Assembly pursuant to section 5 (4) of the Legal Aid and Coroners' Courts (Northern Ireland) Act 2014.



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Contents

Foreword.....	1
Introduction	2
Interaction with the Department.....	3
The Decision-Making Structure	5
Appeals and Reviews.....	6
Litigation.....	7
Accountability	8
Assembly Questions and Freedom of Information Requests	8
Complaints	9
Statistics.....	10
Equality and Diversity	12
Conclusion	13

Foreword

I am pleased to present the eleventh Annual Report of the Director of Legal Aid Casework for 2025-26.

I have held the roles of Director of Legal Aid Casework and Chief Executive of the Legal Services Agency since 1 April 2015 when the Legal Services Agency was formed, and the role of Director was created under the Legal Aid and Coroners' Courts (Northern Ireland) Act 2014.

The role involves decision-making on individual applications for Civil Legal Services and ensuring that the decision-making process remains independent from Government, budgetary or other external considerations.

This report summarises the work carried out on behalf of the Director of Legal Aid Casework. It details the decisions made, the processes followed and the mechanisms that exist for holding the Director of Legal Aid Casework to account.

A handwritten signature in black ink, appearing to read 'Paul Andrews', with a long horizontal line extending to the right.

Paul Andrews
Director of Legal Aid Casework

Introduction

1. The Director of Legal Aid Casework (the Director) is designated by the Department of Justice (the Department) under section 2 of the Legal Aid and Coroners' Courts (Northern Ireland) Act 2014 (the Act). The role of the Director is to make determinations on applications for Civil Legal Services in individual cases. Criminal legal aid is granted by the courts.
2. The Director acts independently of the Minister and the Department. A range of processes and structures are in place within the Legal Services Agency (the Agency) to ensure this independence is maintained. These are set out in this report.
3. In practice, many of the functions exercised by the Director are delegated to the staff within the Agency under section 3 of the Act. The suite of delegations was revised on two occasions during 2025-26. These arrangements are set out in more detail in this report.
4. The roles of Director and Chief Executive of the Agency may be held by the same person. Different accountability and reporting arrangements have been established for the two roles and are detailed in the [Agency's Framework Document](#). From the establishment of the Agency in April 2015 both roles have been held by Paul Andrews.
5. This report explains how the Director has carried out the functions specifically conferred on him under the Act during 2025-26. The Agency separately published its [Annual Report and Accounts 2025-26](#) which covers its wider remit.

Interaction with the Department

6. Under the Act, the Department may issue directions and guidance to the Director about how to carry out his functions. The Director must comply with any directions given and have regard to any guidance issued as well as acting in accordance with the regulatory framework.
7. However, the Department must not issue such directions or guidance about the carrying out of the Director's functions in relation to an individual case.
8. During 2025-26 the Department issued one direction which is relevant to the Director's role.
9. Direction No. 1 2025 increased the upper financial limits within which practitioners can provide advice and assistance for immigration, asylum and human trafficking matters. This direction was issued on 24 July 2025 and applies to new instances of advice and assistance from 8 April 2025. It increased the limit beyond which the Director has to authorise an extension for advice and assistance from £88 to £1,000. The direction also includes transitional arrangements for work commenced on or after 8 April and an extension had been granted before the 24 July. The Director subsequently issued a General Authority to reflect the direction
10. All directions and guidance issued to the Director are available at [Guidance and Directions](#).

11. Save for the change made by Direction No. 1 2025, the regulatory and legislative framework as they pertain to the functions of the Director remained unchanged in 2025-26. While the period saw significant legislative changes to increase the remuneration paid to practitioners who provide civil legal services and criminal legal aid, these changes do not relate to the Directors functions.
12. The Director met the Minister on 24 June 2026 and confirmed there had been no attempts to influence decisions brought to his attention throughout the year.

The Decision-Making Structure

13. To ensure decisions are made independently and consistently, a robust organisational structure with several review mechanisms is in place.
14. In accordance with the Director's Delegations, revised during 2025-26, decisions on individual cases are made by 46 caseworkers in the Operations Directorate headed by Judith Clarke:
 - *Civil Determinations* - determining the financial eligibility of applicants and assessing the legal merits of applications for Civil Legal Services against the statutory criteria;
 - *Appeals and Reviews* - carrying out internal reviews on decisions to refuse Civil Legal Services for Representation (Higher Courts) and organising the listing of appeals to the Independent Appeals Panels and conveying their decisions to the applicant and their representatives; and
 - *Exceptional Funding* – considering applications for funding applications which fall outside Civil Legal Services, typically inquests.
15. Throughout the year, the Agency continued to review and revise its processes, to develop guidance and deliver training for practitioners to enhance the effectiveness and efficiency of these processes.

Appeals and Reviews

16. Where an individual disagrees with the Director's determination on the merits of an application for Representation (Higher Courts) they can appeal against the refusal. Appeals can be considered as part of an internal review process which can grant funding. If the internal review does not grant funding, then the appeal will be considered by an Independent Appeals Panel; comprising of a legally qualified Presiding Member and two other members, at least one of whom will also be legally qualified. The Panel considers appeals on the papers, but may in exceptional circumstances, permit oral representations. The decision of the Independent Appeals Panel is binding on the Director.
17. The Agency engages with the Presiding Members to review the workload and the timeliness of decision-making, as well as gathering any learning points for the Agency. The Agency holds in-year seminars with the Presiding Members to consider a range of practical issues and provide topic training.
18. If a client is dissatisfied with the final determination following an appeal, then the only recourse left is litigation.
19. Appeals Panel members are appointed by the Minister through the public appointments process.
20. There are separate internal reviews for refusals of Representation (Lower Courts) and Advice and Assistance.

Litigation

21. Another avenue of redress which can be used to hold the Director to account is litigation in the courts, where the Director's decision-making, (or that of the Independent Appeals Panel) can be challenged by way of judicial review. One potential challenge against the exercise of the Director's discretion to waive financial eligibility thresholds has been lodged with the court. This matter has yet to be heard by the court.

Accountability

22. There have been no changes to the way the Director's function is open to public scrutiny.

Assembly Questions and Freedom of Information Requests

23. In 2025-26, there were 26 Assembly Questions tabled in relation to the functions of the Director. In the main the questions were focused on legal aid expenditure generally.
24. Throughout the year, 15 requests for information under the Freedom of Information Act 2000 were received relating to the Director's functions. Most of these requests related to total legal aid paid in specific cases, internal processes within the Agency and data requests.
25. A total of 27 subject access requests for personal data were made under the Data Protection Act 2018. These requests were made by legal aid applicants and related to information on the determinations on the grant of Civil Legal Services made by the Agency or the cost of that service.
26. Information about an individual legal aid client is likely to be personal data and can only be released where the case meets the criteria set out within the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

Complaints

27. The Agency has an internal complaints procedure with an onward appeal to the Northern Ireland Public Services Ombudsman.
28. Every complaint is investigated under the Northern Ireland Civil Service two stage complaints procedure. The initial complaint gives the Agency the opportunity to review the way the matter was handled at a local level and put the situation right if possible.
29. Should the individual or legal aid provider be dissatisfied with this engagement they can escalate their complaint to Stage 2 where it will be routinely reviewed by a Director, or if appropriate the Chief Executive. If the complainant is still dissatisfied, they can refer the matter to the Northern Ireland Public Services Ombudsman under the Public Services Ombudsman Act (Northern Ireland) 2016.
30. The Ombudsman's Office dealt with no complaints about the Director's functions in 2025-26 and did not require the Agency to take any action.
31. During 2025-26, 11 complaints were received. The Agency does not separately record complaints which relate specifically to the remit of the Director; however, a significant proportion of all complaints received by the Agency relate to individual cases and casework decisions.

Statistics

32. Civil Legal Services provides funding for a wide range of issues and court proceedings. The main areas of business are family matters (including proceedings relating to children), personal injury claims, bail applications, and advice at police stations in criminal matters.
33. The Agency has published the [Legal Aid in Northern Ireland: Annual Statistics to March 2026](#) setting out the volume of business transacted during 2025-26 as part of civil legal services and criminal cases. A follow-up publication looking at the utilisation of legal aid by applicants and provider types, is scheduled for Autumn 2026.
34. During 2025-26, the Agency received a total of 24,718 applications for civil legal services with 19,195 applications granted. This represented a decrease of 808 (or 4%) compared to the 20,003 civil applications granted in 2024-25.
35. The Agency also supported the Independent Appeals Panels, which sat on 50 occasions during 2025-26. Relevant appeal statistics are set out in the table below:

Civil Legal Services (Representation Higher Courts) Appeals and Outcomes 2025-26

	2025-26	2024-25	2023-24
Appeals lodged*	472	485	524
Appeals withdrawn	120	107	147
Appeals heard	319	334	372
Appeals allowed (full or in part)	157	184	136

36. When considering the appeals lodged vs appeals heard it is important to note that some appeals lodged in-year are not necessarily listed or considered until the following year.
37. At the end of the previous reporting period the tenure of seven members of the Independent Appeals Panel concluded. In 2025-26 a new Presiding Member was appointed together with seven Other Members.

Equality and Diversity

- 38. All applications for Civil Legal Services are determined against the statutory financial eligibility and legal merits tests without reference to any other considerations.
- 39. The Agency complies with NICS and Departmental policy to ensure that all eligible persons will have equal opportunity for employment and advancement. The Agency is committed to ensuring that the workplace is free from all forms of bullying, harassment, discrimination, and victimisation.
- 40. The Agency aims to provide opportunities for all sections of the community and continues to strive to create an inclusive working environment in which difference is recognised and valued.
- 41. The Agency's stated values and behaviours reflect these commitments.

Conclusion

42. The Agency maintained the timeliness of decision-making and hearing appeals during the year. This was achieved with the commitment and resourcefulness of Agency staff through a combination of home and office-based working. The Agency has moved into 2026-27 in a strong position having delivered against decision-making targets.
43. I acknowledge the close working relationship with the Law Society and Bar throughout the year.
44. A copy of this report has been sent to the Department in accordance with section 5(3) of the Act. The Department has laid a copy of the report before the Northern Ireland Assembly in accordance with section 5(4) of the Act.