

<b>Council</b>	<b>Agenda Item 72 (3)</b>
1 February 2018	Brighton & Hove City Council

**NOTICE OF MOTION  
LABOUR AND CO-OPERATIVE GROUP**

**SCRAP THE FEE**

This council resolves to support the Scrap the Fee campaign by:

- Calling on the Secretary of State for Health to scrap the unfair and unjust fee which GPs are currently permitted to charge for letters needed for legal aid applications in cases of domestic violence, by for example bringing this service under the NHS contract
- Calling on Brighton and Hove CCG to request local GPs as a voluntary measure not to charge fees for letters needed for legal aid applications in cases of domestic violence.

Proposed by: Cllr Hill

Seconded by: Cllr Cattell

Supporting information

National statistics have not changed for decades. Two women are killed every week in England and Wales by a current or former partner. One in four women will experience domestic violence in their lifetimes. Legal Aid is a lifeline for women fleeing domestic abuse. It helps them to protect themselves, their children and secure their financial situation. However, under the Legal Aid, Sentencing and Punishment of Offenders Act 2012, for individuals to qualify for legal aid in domestic abuse cases, prescribed evidence was required to prove they have been subjected to abuse.

This council notes the recent work undertaken by support organisations with the Ministry of Justice to highlight the barriers to justice in cases of domestic abuse, and therefore the changes being brought forward, including the expansion of forms of evidence to include evidence from domestic abuse support services

<http://rightsofwomen.org.uk/news/domestic-violence-legal-aid-changes-finally-confirmed-by-government/>

<https://www.gov.uk/government/news/more-legal-aid-support-for-victims-of-domestic-violence>

Nonetheless, this council notes that one form of evidence remains a letter from a GP. This is not under NHS contract, and so GPs are permitted to charge a fee.

<https://www.bma.org.uk/advice/employment/fees/legal-aid-domestic-violence>. There are other areas where GPs provide evidence and certification where fees are not chargeable <https://www.bma.org.uk/advice/employment/fees/certificates-no-charge>

It is everyone's responsibility to help prevent domestic violence and abuse. No GP should charge victims of domestic abuse for a letter they request to assist them in accessing legal aid. The government must therefore bring this charge under NHS contract, or make whatever other change is needed to ensure no individual is charged by their GP in these circumstances.

