



# Child Rights and Wellbeing Impact Assessment (CRWIA) for civil legal aid approval for cost limit amends

## Stage 1 – Screening

### 1.1. What’s the aim/purpose of your policy/measure?

This policy sets out how SLAB considers requests for amendments to authorised case cost limits in civil legal aid. It explains the factors we consider when assessing whether further authorised expenditure will be allowed: whether the proposed work is reasonable, proportionate and necessary for the proper conduct of a case. The aim of the policy is to provide a framework for SLAB’s decision-making in this area, with a view to facilitating proportionate control on the use of public funds.

### 1.2. What’s the impact of your policy/measure on children?

The policy concerns how SLAB assesses requests from solicitors for additional authorised expenditure to progress a legally aided case. It will have an influence on the range of work which a solicitor – or by extension counsel and experts – can undertake within the context of an applicant’s case, by providing a threshold on the level of costs that can be incurred. In this sense, our policy on cost limit amends can have an indirect influence on the applicant’s case, but it must be looked at in the context of our other policies on prior approval – experts, counsel, unusual work, and unusually large expenditure – which may have a more direct impact.

Children will occasionally be assisted persons in cases where further authorised expenditure is needed. It is important to note that there are a range of reasons why further expenditure may be sought, some of which will have no specific link to the fact that the applicant is a child (for instance, there being multiple court hearings).

However, there are various scenarios in which a cost limit increase could be required that would be directly related to the fact the applicant is a child. This may arise, for example, where expert assessments (such as a report by a child psychologist) are required, or where safeguarders are appointed in Adults with Incapacity (AWI) proceedings involving young adults transitioning to guardianship.

If a request for a cost limit increase were refused, the work proposed could not be undertaken by the solicitor (or at least not paid for via legal aid), and in this sense, the potential impacts on children could be important: this is particularly so given our conclusions in other CRWIAs – such as with regards to the potential impacts of expert witnesses – where we note the potential importance of expert input to children’s rights and wellbeing.

It is important to note that the same factors and process apply to children as they do to adults. Our view is that the policy is likely to have an indirect impact on children's rights and wellbeing, insofar as it controls access to payment for forms of work that may have a more direct impact.

### **1.3. Are certain groups of children more affected than others?**

It appears reasonable to conclude that some children are likely to be more affected than others: in particular, children who are more likely to require to seek other forms of prior approval and incur associated costs: for example, disabled children may be more likely to seek approval for an expert witness (for instance in speaking to the relevance of their disability to the case at hand). Children or young adults involved in AWI or guardianship-related matters may require additional expert input or a safeguarder, which can lead to increased case costs.

Similarly, children involved in particularly complex or difficult cases may be particularly likely to seek counsel, and relatedly, more likely to need a cost limit amend.

Finally, children who require an interpreter may also be more likely to be affected by this policy given the additional costs involved in their cases.

We note for context that requests for cost-limit amendments involving children are very low in volume, comprising around 2% of total requests in 2024-25.

### **1.4. Is a full CRWIA required?**

- ***What are the results of the EqIA?***

The EqIA identifies no specific link between the policy and the protected characteristic of age, and no mechanism by which children would experience a specific negative impact because of our policy position. Disability-related work (for example, expert assessments or safeguarder involvement) may lead to increased case costs which may mean that some children are more likely to be affected, but our assessment is that there is no evidence to suggest unjustified negative impacts for the children who may be affected.

- ***What's the number of children affected?***

Few cost-limit amendment requests are submitted by solicitors on behalf of assisted persons who are children: volumes are very low compared to the total number of requests received (2% of the total in the one year of data considered, n.85).

- ***Will the policy/measure be subject to consultation?***

No consultation is planned.

- ***Is there a lack of evidence on the impact of the policy/measure on children?***

The amount of evidence is limited somewhat due to low volumes and an absence of data for some protected characteristics, but overall, our view is that the amount of data considered in developing in the EqIA nonetheless allows us to draw clear conclusions about the likely impacts of the measure on children.

- ***Is it difficult to anticipate what the impact will be on children?***

Whilst on a case-by-case basis, the extent to which a case cost amend is required may vary considerably, at the aggregate level, our assessment is that the policy is clear how requests will be treated, and the evidence we have does not suggest any significant uncertainty about the range of likely impacts on children. We do note that it is important to consider this assessment alongside our assessment of related prior approval policies, given their close relationship.

This is an internal operational policy focused on our decision-making with regards to requests for additional authorised expenditure. While children or young adults will occasionally be assisted persons in cases requiring cost-limit amendments, and some children appear more likely than others to be affected by the policy, our view is that the impacts of this policy on children’s rights and wellbeing will tend to be secondary to the more direct impacts of other related policies in the prior approval area.

Given the conclusion of the screening and those reached in the EqIA, our assessment is that a full CRWIA is not required: a screening is proportionate.

## **Approval and sign off**

**Director/SRO sign off:** 20/04/2026.

**Chief Executive approval:** 20/04/2026.