



Child Rights and Wellbeing Impact Assessment (CRWIA) – Screening for prior and retrospective approval of unusual work in civil legal aid cases

Stage 1 – Screening

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

Civil legal aid: prior and retrospective approval for unusual work.

The policy sets out how SLAB applies the relevant civil legal aid regulations when deciding whether prior (or retrospective) approval is required for work of an unusual nature. It defines what constitutes unusual work, explains the reasonableness test applied by decisionmakers, and clarifies the relationship between unusual work approval and other approval routes (such as expert witnesses or unusually large expenditure).

The policy provides a consistent and transparent framework for decision-making in relation to funding requests, supporting effective case progression while ensuring appropriate use of public funds.

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

The policy is not intended to have specific impacts on children as opposed to adults and is not designed to regulate children’s participation in legal proceedings. Our assessment is that, in most cases, any impact on children is indirect, arising in a limited number of civil cases where unusual work relates to matters such as child contact, evidence being taken by commission, or other case-specific procedural steps. While several requests arise in cases involving children (for example, supervised contact, child welfare reports or family therapy), children themselves are infrequently the applicants, and the impacts are therefore generally mediated through the operation of the case rather than the policy directly.

In a small number of cases, however, there may be a more direct link to children’s participation, for example, where prior approval is sought for evidence to be taken by commission and the child is the applicant. Such cases are expected to be infrequent and do not indicate a broader or systematic impact arising from the policy.

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

The policy does not routinely affect children. In the small number of cases where it may intersect with child-related matters, this is likely to be driven by case-specific procedural factors rather than by children’s characteristics themselves. For example, unusual work may be required where non-standard procedural steps are necessary to progress a case, such as where evidence is to be

taken by commission, or where particular arrangements are needed in relation to contact or other family proceedings.

Children with additional vulnerabilities (for example communication needs, disabilities, or trauma-related factors) may be more likely to be involved in cases where such steps are sought. However, these situations reflect the procedural requirements of the case rather than differential treatment arising from the policy, and do not indicate that the policy affects particular groups of children unevenly or systematically.

1.4. Is a full CRWIA required?

The Equality Impact Assessment found no evidence of negative or differential impacts on children under the protected characteristic of age. While the policy is indirectly relevant in cases involving children (for example, certain forms of unusual work connected to family proceedings or evidence-taking arrangements), analysis of application volumes and grant rates by age does not indicate disadvantage or discriminatory outcomes for younger applicants. In a small number of cases, such as where evidence is taken by commission and the child is the applicant, there may be a more direct link to children's participation; however, these instances are infrequent and do not indicate a broader impact arising from the policy. Any variation observed is explained by case type and subject matter rather than policy design.

Children form a very small proportion of those directly affected by this policy. Applications from persons under 18 are rare, comprising just over 1% of the total requests received in the years' worth of applications we considered. Overall, the number of children directly affected by the operation of this policy is limited. Whilst we note that nearly 75% of total requests for unusual work were made in the context of family proceedings in which children would be involved (for example contact, variation and residence), as noted above, our view is that the impacts would be indirect in such cases.

No external consultation is planned. The policy is concerned with the approval of funding for various types of work, many of which have no relation to children's rights at all (for instance shorthand writers, use of multiple solicitors) and the policy is delivered via solicitor-led requests. Direct consultation with children would not be proportionate given the indirect and infrequent relevance of the policy to children. Internal consultation with operational and policy colleagues has informed the assessment.

There is limited child-specific evidence, primarily because cases involving children under this policy are uncommon. However, the available applications data, operational experience, and findings of the EqIA provide sufficient evidence to assess potential impacts. There is no indication from the evidence reviewed of negative effects on children's rights or wellbeing.

While individual impacts are highly case-specific, the overall operation of the policy is well understood. Given the low volume of relevant cases, the procedural nature of the policy, and the safeguards provided through existing legal and court processes, it is not anticipated that the policy will have significant or problematic impacts on children.

These considerations indicate that, although children may be indirectly involved in a small number of cases affected by this policy, the impact on children's rights and wellbeing is limited, indirect, and infrequent. On this basis, a screening level CRWIA is sufficient, and a full CRWIA is not required.

Approval and sign off

Director/SRO sign off: 22/06/2026.

Chief Executive approval: 22/06/2026.

CRWIA review date:

22/06/2029.