

Ms Joan Corrigan
request-885448-65ea4164@whatdotheyknow.com

DfE Ref No. 2022/207

Netherleigh
Massey Avenue
Belfast
BT4 2JP
Telephone: 028 9052 9900
Text Relay: 18001 028 9052 9900
Web: www.economy-ni.gov.uk
Email: foi@economy-ni.gov.uk

Date: 25 August 2022

Freedom of Information Act 2000

Thank you for your request for information relating to the provision of legal aid for Employment Tribunal cases in Northern Ireland. The request was received on 10th August 2022 and the Department is dealing with it under the terms of the above legislation.

I am writing to advise you that legislative authority and policy responsibility for the provision of legal aid in Northern Ireland rests with the Department of Justice (DoJ). DoJ may hold the information you are seeking, and if you have not already done so, you may wish to telephone (028) 9076 3000.

The Legal Services Agency of Northern Ireland (LSANI), an executive agency sponsored by DoJ, advises that the cost of legal representation at Employment Tribunals is not a matter which falls within the scope of either Representation Lower or Representation Higher within the civil legal aid scheme.

Exceptional Funding (EF) however is part of the LSANI civil legal service provision which caters for matters which do not fall within the scope of the civil legal aid scheme.

A solicitor may make application to LSANI for Exceptional Funding for any matter which falls outside the scope of the civil legal aid scheme, which could include matters before an Employment Tribunal.

All EF applications are considered on their own individual merit as assessed against the legislative criteria of Art 12 A of the Access to Justice (NI) Order 2003 (as amended). It should also be noted that any application for Exceptional Funding must also satisfy financial eligibility requirements in terms of an applicant's financial resources and that the Agency will also be mindful of alternative funding for costs cover, for example, by way of Union Representation, support of Equality Commission, or other relevant sources.

If you are dissatisfied and wish to request a review of our decision or make a complaint about how your request has been handled, you should write to the Head of Information Management Unit at the email address provided above. Your request for internal

Our Privacy Notice is available at: <https://www.economy-ni.gov.uk/sites/default/files/publications/economy/Privacy-Notice-FOI-EIR-SAR.pdf>

review should be submitted to us within 40 working days of receipt by you of this response. Any such request received after this time will only be considered at the discretion of the Head of IMU. If, having exhausted the review process, you are not content that your request or review has been dealt with correctly, you have a further right of appeal to the [Information Commissioner's Office](#).

Yours sincerely

Gareth Dillon
Head of Employment Relations Policy & Legislation – Work-Life Balance