

## **EXPLANATORY NOTES**

### **ACCESS TO JUSTICE ACT 1999**

#### **INTRODUCTION**

#### **OVERVIEW**

**A. Funding of legal services (Parts I & II – sections 1-34 )**

**B. Provision of legal services (Part III – sections 35-53)**

**C. Appeals, courts, judges and court proceedings (Part IV - sections 54-73)**

**D. Magistrates and magistrates' courts (Part V - sections 74-97)**

**E. Immunity and indemnity (Parts VI - sections 98-104)**

#### **A. FUNDING OF LEGAL SERVICES (PARTS I & II, SECTIONS 1-34)**

##### **Summary**

**Community Legal Service**

**Criminal Defence Service**

**Conditional fees etc.**

##### **Background**

**Legal Aid**

**Quality assurance and contract pilots**

**Advice sector**

**Conditional fees**

##### **Commentary**

#### **PART I: THE LEGAL SERVICES COMMISSION**

*These notes refer to the Access to Justice Act 1999 (c.22)*

**The Commission**

**The Community Legal Service**

**The Criminal Defence Service**

**Supplementary**

**PART II: OTHER FUNDING OF LEGAL SERVICES**

**Conditional fee and litigation funding agreements**

**Costs**

**Legal aid in Scotland**

**B. PROVISION OF LEGAL SERVICES (SECTIONS 35-53)**

**Summary**

**Background**

**Rights of audience etc.**

**Complaints handling**

**Commentary**

**The Legal Services Consultative Panel**

**Rights of audience and rights to conduct litigation**

**Barristers and solicitors**

**Legal Services Ombudsman**

**Legal Services Complaints Commissioner**

**Public notaries**

**C. APPEALS, COURTS, ETC. (PART IV - SECTIONS 54-73)**

**Summary**

**Background**

**Commentary**

**Appeals**

**Civil division of Court of Appeal**

**High Court**

**Crown Court**

**Judges etc.**

**Court proceedings**

**D. MAGISTRATES AND MAGISTRATES' COURTS (PART V - SECTIONS 74-97)**

**Summary**

**Background**

**Organisation and management of the magistrates' courts service**

**Altering territorial units**

**Constitution and funding of MCCs**

**A single authority for London**

**Justices' clerks and justices' chief executives**

**Unification of the stipendiary bench**

**Committals for sentence**

**Execution of warrants**

**Commentary**

**Territorial organisation**

**Justices**

**Magistrates' courts committees (MCCs)**

**Justices' chief executives, justices' clerks and staff**

**Execution of warrants**

**E. IMMUNITY AND INDEMNITY (PART VI - SECTIONS 98-104)**

**Summary**

**Background**

**Commentary**

**Justices and their clerks**

**General Commissioners of income tax and their clerks**

**Coroners**

**Commencement**

**Funding of legal services**

**Provision of legal services**

**Appeals, courts, judges and court proceedings**

*These notes refer to the Access to Justice Act 1999 (c.22)*

**Magistrates and magistrates' courts**

**Immunity and indemnity**

**Parliamentary Progress**