

## PRACTICE DIRECTION

# REFERENCES BY THE LEGAL SERVICES COMMISSION

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- 1.1** This Practice Direction applies where the Legal Services Commission ('the Commission') refers to the High Court a question that arises on a review of a decision about an individual's financial eligibility for a representation order in criminal proceedings under the Criminal Defence Service (Financial Eligibility) Regulations 2006.
- 1.2** A reference of a question by the Legal Services Commission must be made to the Administrative Court.
- 1.3** Part 52 does not apply to a review under this paragraph.
- 1.4** The Commission must –
  - (a) file at the court –
    - (i) the individual's applications for a representation order and for a review, and any supporting documents;
    - (ii) a copy of the question on which the court's decision is sought; and
    - (iii) a statement of the Commission's observations on the question; and
  - (b) serve a copy of the question and the statement on the individual.
- 1.5** The individual may file representations on the question at the court within 7 days after service on him of the copy of the question and the statement.
- 1.6** The question will be decided without a hearing unless the court directs otherwise.

