



# Political Sketchbook

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## Around the World in Three Democracies

Over the past fortnight I have visited the three most important Democracies in the world – US (as it prepares for an election), UK of course, and now in India (the largest). What do you find in such close examination? Something startling.

I have been fortunate enough to visit the home in Delhi where Gandhiji spent his final day, the home in Gujarat where Sardar Patel was born, and thanks to flights delays rewatch Richard Attenborough's film Gandhi on my iPod at the airport.

There is a spirit of the founding fathers (and mothers) of a nation which should be more invoked in a country's politics. Consider President Obama's inaugural speech when he did exactly that;

"In the year of America's birth, in the coldest of months, a small band of patriots huddled by dying campfires on the shores of an icy river. The capital was abandoned. The enemy was advancing. The snow was stained with blood. At a moment when the outcome of our revolution was most in doubt, the father of our nation ordered these words be read to the people: "Let it be told to the future world...that in the depth of winter, when nothing but hope and virtue could survive ... that the city and the country, alarmed at one common danger, came forth to meet it."

Gandhiji and Patel were barristers – they had no need to spend years in cockroach infested prisons. Or consider the patriots described in the book 'Remember Us Sometimes Once in A While' who wrote to their wives and children why they were willing to be hanged for their sedition against the British Crown during the Independence movement. And hanged they were.

And if Cromwell could be considered

## Scottish Laird Simon and wife Adity raise concern about Land Reform Bill

Craufurdland castle in Ayrshire has been in the family of the Scottish laird Simon Houison Craufurd since 1245. He is the 28th Craufurd laird to preside over 600 acres that surround the castle, built in classic Scottish baronial style. The Craufurds have been described as the thread that runs through the Tartan of Scottish history. Married to Adity, his wife of Indian origin, the



engaged to make money-470 acres are let to two tenants who farm beef and sheep, the rest is woodland, lake and gardens. Estate

helps them erect it at 7am. He has stopped his pheasant shoot, so that locals could walk through the woods.

## The Family Legal Aid Changes in Practice

In this article Emine Mehmet, Family & Childcare Law Director at Duncan Lewis Solicitors discusses how the changes in Legal Aid have practically affected the area of family & childcare law.

On 1st April 2013 the criteria for individuals to obtain family legal aid was changed significantly by the introduction of the Legal Aid, Sentencing and Punishment of Offenders Act (LASPO).

LASPO effectively introduced a scheme whereby, even if they are financially eligible, in order to obtain legal aid for most family issues a client has to prove that they have been a victim of domestic violence and that the perpetrator of that domestic violence is the opponent in the case for which they seek legal aid. This is known as scope evidence. The requirements for that scope evidence are strict, with only certain documents being acceptable. This change left many vulnerable individuals, who are unable to pay solicitors private fees, without recourse to legal advice.

There was also initially a requirement that the scope evidence had to be dated within the last 24 months. This left some stranded in the midst of the court process when the evidence then became out of date. As a result of lobbying by the Law Society, the requirement for the proof to be dated within the last 24 months has recently been lifted. However, whilst this is a welcome development, in practice there is still a way to go to ensure that victims of domestic violence can access justice. For a start, some of the scope evidence requirements in themselves are onerous and as a result victims are often unable to obtain the required documents. One of the most accessible ways in which a victim can prove domestic violence is by obtaining a letter from his or her GP. However the



Emine Mehmet

letter must specifically state that the victim has been examined, and that the GP can find no other reason for the injury upon examination. In cases where the abuse is emotional, and the injury is mental as opposed to physical, many GP's are struggling with this concept and are simply not providing the proof in a form acceptable to the Legal Aid Agency. Similarly, even if an individual has had cause to contact the police to

complain of domestic violence, evidence of that contact is not enough. A conviction or a caution is required for the purposes of the Legal Aid Agency scope evidence. According to the House of Commons Library Statistics, more than 838,000 reports of domestic violence were made to police forces across England and Wales in 2012/13, but only 6.3% resulted in a conviction. As such few will be able to obtain evidence from the police which will be acceptable to the Legal Aid Agency for the purposes of legal aid for things such as divorce, financial proceedings arising from divorce or arrangements relating to children upon separation. With the court process already a daunting prospect in itself without the added fear of facing an abuser in Court without lawyer support, victims may simply avoid the court process altogether. This could give abusers an unfair advantage.

Some law firms, such as Duncan Lewis solicitors, are providing regular pro bono advice clinics to ensure that vulnerable people can still access justice. But demand is unsurprisingly great and it is not possible to assist everyone, no matter how deserving. As such, unless there is a further change in the law, the sad fact is there will be a large part of society that will be unable to access family law legal advice for the foreseeable future.

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## Modelling on the catwalk in March to raise awareness of ovarian cancer

Samixa Shah year. Ovarian cancer is