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04/04/25

## LAPG Member Update

Issue 11 of 2025

Welcome to the latest LAPG Member Update.

We're kicking off this Update with a reminder that nominations close for this year's **Legal Aid Lawyer of the Year awards** on Tuesday, 22 April 2025. [Visit our LALY pages for more information and to submit your nomination](#). This is your chance to say to that fellow lawyer or support staffer -

*Thank you for all you do for access to justice - you are my legal aid hero!*

### Civil Legal Aid News

- Introduction of an escape fee threshold for Welfare Benefits Work
- Civil legal aid eligibility Keycard

### Criminal Legal Aid News

- Amendment to CRM18A Assessment Process
- DCO magistrates' court Fastrak claims (form DCO1)
- Legal aid management information
- Duty solicitor scheme boundary consultations

### Cross-Cutting Legal Aid News

- LAA Provider survey on capacity and demand

## Sector News and Events

- Reminder – Inaugural PAMELA meeting – 12 June 2025
- Social-Legal Studies Association conference – Liverpool – 15-17 April 2025

## LAPG News and Events

- We're entering the final few weeks for LALY25 nominations!
- SAVE THE DATE: LAPG Annual Conference – 20 October 2025 @ A&O Shearman
- LAPG research project – non-chargeable time in legal aid work – PARTICIPANTS NEEDED

## LAPG Training & Resources

- New Online Course: Introduction to Immigration & Asylum Legal Aid
- New Online Course: Introduction to Mental Health, Mental Capacity & Community Care Legal Aid
- Introduction to Managing Family and Civil Legal Aid Contracts Toolkit
- New Training: People Management – Building & Managing Your Team
- Legal Aid Supervision Courses
- Online Introduction to Civil Legal Aid Course

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## Civil Legal Aid News

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### Introduction of an escape fee threshold for Welfare Benefits Work

The Ministry of Justice laid legislation before Parliament on 1 April 2025 to introduce an escape fee mechanism for Welfare Benefits Controlled Work. The change will amend the 2013 Civil Legal Aid (Remuneration) Regulations to introduce an escape fee threshold of £624 for Welfare Benefits Controlled Work in England and Wales.

This change would not have come about if it wasn't for the successful Judicial Review brought by Osbornes Solicitors. On 28 January 2025 the High Court approved a consent order in relation to their claim concerning the rates paid by the Lord Chancellor in relation to Welfare Benefits legal aid work.

[You can read Osbornes news story here.](#)

This will enable providers to claim their costs at hourly rates rather than a fixed

fee where their costs, when calculated on an hourly basis, exceed £624. The escape fee threshold will be available in relation to applications for legal aid in Welfare Benefits cases made on or after the statutory instrument comes into force on 1 May 2025.

This change will mean that the payment mechanism for Welfare Benefits Controlled Work is the same as that for other civil legal aid categories of law where an escape fee threshold is already available. [The SI can be found here.](#)

The LAA has said that changes have been made to the Controlled Work and Administration (CWA) reporting system to support the introduction of the escape fee threshold in the Welfare Benefits category of law and will be in place for the Thursday 1 May 2025 go-live date.

[You can read their news story here.](#)

### Civil legal aid eligibility Keycard

The LAA has updated the Keycard to reflect changes in dependants' allowances. The deductions made within the legal aid means test for the partner and dependants of an applicant will increase by 1.7 percent from 7 April 2025. The dependants' allowances are based on income support rates which will increase by 1.7 percent from 7 April 2025. The updated Keycard will be available on Gov.uk, [here](#), from 7 April 2025.

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## Criminal Legal Aid News

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### Amendment to CRM18A Assessment Process

We have been informed by the LAA about an operational change to the processing of CRM18A claims (Prison Law exceptional case claims). They sent out the following message to representative bodies:

*We currently take a risk-based approach on CRM18As. CRM18As have been considered an area of low risk, mainly due to the comparatively low volume of claims, and a risk-based approach facilitates our ability to process other areas of work to that providers receive timely decisions from us. Following monitoring of risk and claiming patterns in this area, we are increasing the assessment on these files from the 1<sup>st</sup> April. Whilst re-training caseworkers to be able to process this area of work, it has become clear that some providers have been claiming for work items that we wouldn't normally*

that providers who do any volume of this work will notice the change to our assessment process, and may raise this with their respective representative body. Providers should be reassured that we will be assessing all claims in accordance with the regulations and guidance. As always, the right of appeal to an Independent Cost Assessor remains, and as happens with all other work streams we will be reviewing all appeals (both before sending to an ICA and when their decision is received back) to make sure that we have followed regulations / guidance appropriately.

Representative bodies have responded with concern and pointed out to the LAA that this new enhanced process will undoubtedly add further strain to an already unsustainable area of legal aid work. The LAA have been asked to reconsider this decision and alternatively issue guidance to help providers to avoid errors. The LAA has responded to confirm that the change will go ahead and they will keep the situation under review.

The LAA has also shared a list of tips for reducing errors on assessment:

- Checking the Qualifying Criteria (SCC 3.1-3.4) are met before starting work.
- Incomplete and/or incorrect means assessments.
- If the client is in open prison & they work outside the prison, the only deductions allowable are those on the CRM1.
- Not granting Advocacy Assistance properly – signature & date on determination & declaration on CRM3 – BOTH must be completed. Only work undertaken after Advocacy Assistance is claimable unless they do pre signature telephone advice.
- Reading the dossier multiple times, if required, this needs to be justified on file.
- Using incorrect rates.
- Being familiar with CBAM and be aware of updates – sign up to Legal Aid bulletin.

### [DCO magistrates' court Fastrak claims \(form DCO1\)](#)

[You can find the form DCO1](#) along with relevant completion guidance for claiming back dismissed defendant's magistrates' court costs of £2000 or less (including counsel's fees but excluding disbursements and VAT) [here](#).

### **Legal aid management information**

[You can find LAA management information](#) on latest workload volumes and expenditure on Criminal legal aid reform and Trafficking and modern slavery [here](#).

### **Duty solicitor scheme boundary consultations**

duty scheme boundaries [can be found here](#). The latest update to this page provides a response to the consultation on the merger of the Colchester & Clacton and Chelmsford & Harlow Police Station Schemes.

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## Cross-Cutting Legal Aid News

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### LAA Provider survey on capacity and demand

As reported on in our last Member Update (10 of 2025), the LAA launched their provider survey on 31 March 2025 in an effort to understand capacity and demand in the legal aid sector. If you are in the randomly selected group of legal aid providers (around 200 we understand), you will by now have received communications directly from the LAA's Insights Team with a link to the survey. If you are on that list, we encourage you to participate in this survey. The survey is due to close on the 12<sup>th</sup> of May. It is likely to be rolled out to all legal aid providers later in the year.

Following the launch of the survey, we heard from a member firm who reported that they had been unable to complete the survey as they could not locate the number required by Q2: 'Please confirm your legal aid firm number'. Apparently this is a number used internally by the LAA that can be found on a firm's Provider Activity Report (PAR Report).

We understand from the LAA that they have now messaged the initial cohort to explain where to find their legal aid firm number. If you have any questions about the survey, you can contact the Insights Team at [ProviderSurvey@Justice.gov.uk](mailto:ProviderSurvey@Justice.gov.uk).

### Expert witnesses in legal aid cases

The LAA Guidance on the Remuneration of Expert Witnesses in Family Cases has been [updated and is available here](#). The LAA has said that they will be contacting providers directly to update them at some point this week. The updates are below:

- Clarification around the exceptional circumstances test and how the LAA determines whether this test is met
- Makes clear that it is not the intention of the LAA that Local Authorities, other than in unusual circumstances, should make up a shortfall in expert fees

- Additions to Table 1 - Makes clear that it is not possible to apply for a prior authority to increase rates for ISWs and that ISWs based in the United Kingdom are able to undertake remote assessments of people abroad
- Clarifies that where the LAA has approved the rate for a translator or interpreter - this will apply throughout the case
- Addition of a Prior Authority checklist which may be used to ensure all the correct documentation is submitted but is not mandatory

### Revised guidance when applying for prior authority

The guidance on remuneration for expert witnesses which sets out when to apply for prior authority has been updated as follows:

The update includes:

- Clarification around the exceptional circumstances test and how the LAA determines whether this test is met.
- Makes clear that it is not the intention of the LAA that Local Authorities, other than in unusual circumstances, should make up a shortfall in expert fees.

[You can find the news story here.](#)

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## Sector News and Events

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### Reminder - inaugural PAMELA meeting – 12 June 2025, from 6.30pm

Just a reminder about the inaugural event for [PAMELA, the new Peri-Menopausal and Menopausal Legal Aid Support Network](#). Kindly



hosted by leading legal aid firm Hodge Jones & Allen, the event will bring people together from across the legal aid sector to share their experiences and hear from network founder Dr Laura Janes and writer and women's health expert Kate Muir.

The event will start with drinks, nibble and networking from 6.30pm.

From 7.00pm Dr Janes will introduce the network and women's health expert, documentary maker, and author [Kate Muir](#), who will discuss how perimenopause

and how changing hormones affect our careers. Understanding menopausal changes in clients matters too, as well as signposting them to good advice.

The presentation and Q&A will be followed by drinks and networking.

[Register for your free place here](#)

### Social-Legal Studies Association conference – Liverpool – 15-17 April 2025

It's road trip time for Team LAPG as we head up in the middle of April for the [SLSA conference in Liverpool](#). We're sponsoring two streams, Access to Legal Advice & Legal Aid and Administrative Justice, as part of our drive to support research and the sharing of ideas across these two crucial areas.

If you are in or around Liverpool on the 15<sup>th</sup>-17<sup>th</sup> of April and would like to meet up or arrange a visit to your office, please get in touch as we'd love to connect with members in the NW while at the conference.

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## LAPG News and Events

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### We're entering the final few weeks for LALY25 nominations!



A reminder that nominations close on 22 April 2025 for this year's Legal Aid Lawyer of the Year awards. Now is the time to speak to colleagues and friends across the sector about putting together a submission for your legal aid hero.

For everything you need to know about the 2025 LALYs, including this year's categories, sponsors, details of the ceremony on 4 July 2025 and guidance for making a nomination, [visit our dedicated webpage](#).

### SAVE THE DATE: LAPG Annual Conference – 20 October 2025 @ A&O Shearman

We're delighted to announce the date of this year's Annual Legal Aid Conference, which A&O Shearman has very kindly offered to host for us in their office near Liverpool St in London.

We'll be sending out further details as we develop the programme over the coming weeks and months. We'd love to hear from you about what you want from

clients, we're also always interested to hear from members about what content they would like to see. [Please do get in touch with your ideas or proposals.](#)

### LAPG research project - non-chargeable time in legal aid work - PARTICIPANTS NEEDED

We are still on the look-out for participants for our non-chargeable time research project. Many of you will have seen that we used preliminary findings, provided by Dr Jo Wilding, from this project in [our civil fees consultation response](#). We know that the MOJ and LAA are very interested in the issues that our initial efforts have highlighted, such as the sheer amount of free work that they are getting out of practitioners and support and management staff.

We have a number of organisations engaged in the current data collection phase of the project, time recording using the research tool we have developed. However, to make a compelling case to government, backed up by robust data, we would like to recruit a larger pool of participants across the sector for this important piece of work.

We are reliably informed by participants in the pilot phase of the project that the time it takes to complete the time recording spreadsheet we have developed, is between 5-10 minutes per day so not onerous.

The overarching aim of the project is to compile robust empirical data on hidden or 'non-chargeable' costs of doing legal aid work, in order to influence policy in relation to legal aid funding and the operation of the scheme.

We launched this project in response to providers voicing their concerns about the ever increasing burden of non-chargeable time involved in legal aid work.

We have three research objectives:

1. Identify and quantify 'hidden' but unavoidable costs associated with legal aid contracts.
2. Analyse what tasks are intrinsically linked to the proper management of casework but are not currently claimable time in the Cost Assessment Guidance and Criminal Bills Assessment Manual.
3. Evaluate the complexity of the funding scheme and contractual framework and identify elements that may create complexity without adequate justification. This may include identifying duplication of tasks required by legal aid contracts and regulatory or quality assurance requirements.

Please get in touch with our Head of Learning and Development Andrea Shumaker ([Andrea.Shumaker@lapg.co.uk](mailto:Andrea.Shumaker@lapg.co.uk)) if you want to discuss getting

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## LAPG Training & Resources

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Here are the latest courses on offer to support you with your legal aid casework and with managing your legal aid contracts.

### **New Online Course: Introduction to Immigration & Asylum Legal Aid**

We have launched the third instalment of our legal aid training series aimed at Immigration & Asylum Practitioners! This course is perfect for trainees, paralegals, junior lawyers as well as those that wish to refresh their knowledge in these areas. This course provides your new and junior staff with comprehensive training in an easy and accessible way, perfect for onboarding.

A big thank you to Matthew Davies from Wilson Solicitors and Jawaid Luqmani from Luqmani Thompson for writing this module!

#### **Course content:**

##### **Immigration Overview**

- What is in Scope
- How is Work Divided Between Different Legal Aid Types
- Cases with Previous Legal Aid Advisors
- Compliance and LAA Auditing

##### **Controlled Work: Starting it Right**

- The Basics
- Signing Up a Client for Legal Help or Controlled Legal Representation
- Means – The Financial Eligibility Test
- Merits – The Two Tests
- Running the Case Successfully Under Legal Aid

##### **Running the Case Successfully Under Legal Aid**

- Is it a Standard Fee Matter or an Hourly Rates Matter
- Standard Fees
- Time Recording and Attendance Notes
- Attending Home Office Interviews
- Getting Paid

##### **Immigration Certificate Funding (Licensed Work)**

- Merits Assessment
- Means Assessment
- Limitations on Funding Certificates
- Costs Risks
- High Costs Cases
- Inter Partes Costs
- Split Costs Orders

## Contributors

**Matthew Davies**, Deputy Managing Partner, Wilson Solicitors LLP

**Jawaid Luqmani**, Joint Head of Immigration & Head of Public Law, Luqmani Thompson

## Subscribe

This course is hosted on our learning platform Thinkific, delegates have access to the course for 12 months from the date of booking so they can continue to reference the material as they work through cases or across different categories of legal aid.

**[You can book this course at the LAPG Member rate of £200 here.](#)**

We offer three discount codes, JFF, for Justice First Fellows, JFFO, for Just First Fellowship Host Organisation employees\*, and multiple-tickets, to be used when subscribing more than one participant on the course. If you have any issues, questions, or require an invoice please email Andrea Shumaker.

\*Must be a current host organisation. Current host organisations are eligible for the discount during the calendar year their fellow is placed with them.

## **New Online Course: Introduction to Mental Health, Mental Capacity & Community Care Legal Aid**

We have launched the next course in our legal aid training series aimed at Mental Health, Mental Capacity/Court of Protection and Community Care Practitioners! This course is perfect for trainees, paralegals, junior lawyers as well as those that wish to refresh their knowledge in these areas. Paired with our Introduction to Civil Legal Aid Course, you can provide your new and junior staff with comprehensive training on the Civil Legal Aid Scheme as well as category specific information in an easy and accessible way.

## Course content:

- Non-Mental Health Tribunal Work
- Non-Means Tested Non-Mental Health Tribunal Work
- Non-Means Tested Mental Health Tribunal Work
- Help at Court for Victims and Licensed Work for Representation before the Upper Tribunal/High Court
- Applying Guidance
- Costs

### Mental Capacity/Court of Protection

- Cases Under the Mental Capacity Act 2005
- Cases Under the Inherent Jurisdiction of the High Court
- Full Representation Certificates -COP Cases
- The Legal Aid Application
- Financial Eligibility (Section 21 MCA 2005 Cases, Young People, Trapped Capital)
- Other Considerations – Court Orders

### Community Care

- What is Community Care Law?
- Legal Help
- Full Representation
- Investigative Representation
- The Legal Aid Application
- Other Considerations
- Payment for Community Care Work

### Contributors

**Alison Ward** is a salaried director at MJC Law in Nottingham where she practices mental health law. Alison has vast experience in representing patients subject to all sections of the Mental Health Act and is an experienced Advocate before the First Tier Tribunal (mental health), having sustained her Law Society accreditation throughout. She has a particular specialism in representing forensic patients including those detained in high secure care at Rampton Hospital. She has been involved in a number of judicial review applications throughout her career. She has also dealt with appeals including to the Upper Tribunal.

**Rosie Campbell** is an Associate Solicitor at Rook Irwin Sweeney. She qualified as solicitor in 2018 and specialises in public law and human rights, community care, and mental capacity law. She is committed to access to justice and has a particular interest in cases concerning the rights of disabled children and adults. Rosie has a wealth of experience in health and welfare cases in the Court of Protection. She

relation to the withdrawal of life-sustaining medical treatment for both adults and children, best interests disputes, deprivation of liberty, and welfare deputyship applications.

## Subscribe

This course is hosted on our learning platform Thinkific, delegates have access to the course for 12 months from the date of booking so they can continue to reference the material as they work through cases or across different categories of legal aid.

[You can book this course at the LAPG Member rate of £200 here.](#)

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\*Must be a current host organisation. Current host organisations are eligible for the discount during the calendar year their fellow is placed with them.

## Introduction to Managing Family and Civil Legal Aid Contracts Toolkit

This new Toolkit draws together key information to enable practices to understand their legal aid contract. Particularly useful for those new to delivering legal aid, it links to more detailed sources from the LAA, LAPG and others. Designed as a comprehensive resource for the people in your organisation responsible for day to day management of your legal aid contract.

## [Subscribe to the toolkit here](#)

This annual subscription will keep you up to date and regularly informed of all key changes.

LAPG Members - **£100** per annum

Non-members of LAPG - **£400** per annum

Included in your purchase is the Toolkit itself as well as access to a Community Board.

The Toolkit has seven main headings:

- Some Key Changes Between the 2018 Civil Contract and the 2024 Civil Contract
- Contracts Overview

- Managing Billing
- Managing Quality & Compliance
- Sources of Support

The Community Board notifies subscribers of all official amendments/additions to the contract and supporting documents. Updates will be incorporated into the Toolkit, which will be kept under constant review. The Community Board is a peer network which enables subscribers to interact with others managing contracts.

Hosted on our learning platform, Thinkific, the Toolkit is an intuitive and easily navigable resource.

### Contributors

**Vicky Ling** has spent her career in the advice and legal sector and has worked with a wide range of solicitors' firms and not for profit legal practices. She is a Chartered Quality Professional and provides expert consultancy support in relation to practice management and legal aid service delivery issues and has written extensively on these topics. She edits the LAG Legal Aid Handbook.

**Matthew Howgate** is an Organisation Development Consultant and Director of the LAPG Management & Leadership Hub. He started his career as a legal aid solicitor and has spent the last 15 years working as a consultant across the legal aid and advice sectors.

### New Training: People Management – Building & Managing Your Team

Delivered by experienced organisational development consultants Vicky Ling and Matt Howgate, this two-day online course focuses on the key management skills needed to build, strengthen and manage teams while enhancing their performance. Each session runs online from 10am to 4pm with breaks and is accompanied by a full set of written materials. This session is perfectly pitched at new managers (and potential managers) but is a great reminder session for those who have been managing for some time.

*Session 1: Building Your Team – 7<sup>th</sup> October 2025*

With reference to SRA, legal aid, Lexcel and SQM requirements, participants will understand how to deliver effective recruitment, induction and probation, training and development, delegation, creating healthy workplaces and how to manage people exiting the firm.

*Session 2: Managing Your Team – 14<sup>th</sup> October 2025*

understand how to deliver effective supervision; performance management, giving feedback, dealing with bullying and inappropriate behaviour, whistleblowing and handling grievances and disciplinary matters.

LAPG members receive a £80 discount on the course fee, bringing it down from £500 to £420. Please click [here](#) to book your place now! If you have any issues or require an invoice please email [Andrea Shumaker](#). We offer three discount codes, JFF, for Justice First Fellows, JFFO, for Just First Fellowship Host Organisation employees\*, and multiple-tickets, to be used when subscribing more than one participant on the course.

\*Must be a current host organisation. Current host organisations are eligible for the discount during the calendar year their fellow is placed with them.

### Supervision Courses

We have confirmed the dates for our 2025 Supervision Courses scheduled for 15<sup>th</sup> May, 10<sup>th</sup> July, 18<sup>th</sup> September and 25<sup>th</sup> November. You can book your place on any of the remaining 2025 training dates below:

[15<sup>TH</sup> MAY 2025](#)

[10<sup>TH</sup> JULY 2025](#)

[18<sup>TH</sup> SEPTEMBER 2025](#)

[25<sup>TH</sup> NOVEMBER 2025](#)

Designed for new LAA Supervisors or those wishing to refresh their supervisory skills, our course helps you meet a key component in securing and then effectively operating your legal aid contract and meeting the LAA's supervisor standards. We again welcome Matt Howgate and Vicky Ling as our tutors for this course. You will receive practical help filling out supervisor forms, learn how to conduct file reviews and how to keep up to date with LAA changes.

LAPG members receive a £40 discount on the course fee, bringing it down from £250 to £210 for the day. Book multiple delegates from your organisation and receive an additional 10% discount.

We have reformatted the course so that we are covering all of the same content across one day rather than two days. The content in this course is relevant for both crime and civil practitioners.

If you would like to know more about this course, or to reserve your place, contact [Andrea Shumaker](#).

The Civil Legal Aid scheme is incredibly complex and the consequences of getting something wrong can be damaging to a client's case or financially damaging to the organisation doing the work – sometimes both. We have therefore developed the first module in a series which provides a general introduction to the civil legal aid scheme aimed at trainees, paralegals, junior lawyers and those that wish to refresh their knowledge having worked in the sector for some time.

We have moved this online module onto a new training platform, Thinkific! This new platform allows for growth and development of the course and a better overall experience for the user. The same information is covered and it is still entirely self-paced, you will still receive access to the course for 12 months.

We now offer this course in written and video versions! Once you are enrolled on the course you will have the option to read through the material yourself or watch a video! You can mix and match how you learn to complete the course in a way that best suits your learning style and time constraints. All the video and written content are available on the Thinkific platform and you will have full access to both versions.

If you would like to subscribe for just £99 please click [here](#). If you have any issues or require an invoice please email [Andrea Shumaker](#). We offer three discount codes, JFFfree, for Justice First Fellows, JFFO, for Just First Fellowship Host Organisation employees, and multiple-tickets, to be used when subscribing more than one participant on the course.

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Where have the first three months of the year gone? And on the subject of time flying, we're now just a few weeks to the close of nominations for this year's **LALY awards**. Please do consider submitting a nomination for a colleague or associate who goes the extra mile for their clients and for access to justice. In the legal aid world, there really is nothing more special than getting recognition from peers in the form of a LALY nomination. Any questions about the process or what's involved in making a nomination, please do contact me.

Take care one and all,

Chris Minnoch, CEO [@ChrisLAPG](#)

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#WeAreLegalAid  
04/04/25

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Would you like to contribute to our Member Updates and share news and information with other members? If so, just email us and we can discuss how you can best contribute.

Thank you for being brave enough to be part of the LAPG community!



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