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25/03/24

LAPG Member Update

Issue 12 of 2024

Welcome to the latest edition of the LAPG Member Update.

A reminder that **Legal Aid Lawyer of the Year awards nominations** close on Monday 22nd April 23:59 – i.e. one minute to midnight. See below for more information. The ceremony will be held in central London on 5th July 2024.

Civil Legal Aid News

- Legal Aid means test reforms to be delayed to 2026
- Additional Procurement Process for the 2024 Standard Civil Contract
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Civil Legal Aid News

Legal Aid means test reforms to be delayed to 2026

On 14th March 2024, the MoJ put out a press release headed '[Victims given greater access to justice through legal aid reform](#)' stating that innocent people who have suffered miscarriages of justice, personal harm or injury are among those who will benefit from means test changes coming into effect this year.

Further on in the release however, it states that whilst new non-means tested areas of legal aid were implemented in 2023 under Phase 1 of the means test reforms, and detailed work had been done to deliver further reforms, 'the timeline for implementation will take longer than initially envisaged due to wider competing priorities. The new schemes are now not expected to be fully operational until 2026'.

We had been expecting to see some progress on the major Phase 2 reforms this year, which were due to bring in the following reforms to the civil means test:

- a significant increase to the income thresholds, using a cost of living-based approach to require recipients of Universal Credit with household earnings above £500 per month to go through an income assessment, rather than being passported as at present
- a time cap of 24 months on the maximum length of time for which income contributions are payable
- increases to the disposable capital thresholds and the equity allowance
- to disregard compensation, ex-gratia and damages payments for personal harm, and backdated benefit and child maintenance payments, from the capital assessment



Legal Aid
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- to disregard property which is the subject matter of dispute, in the case that the individual is applying for legal aid
- to disregard inaccessible capital which cannot be sold or borrowed against to fund legal services
- to exempt recipients of certain welfare benefits who are not homeowners from the capital assessment

A small number of the Phase 2 changes will be introduced this year: disregards for certain compensation payments, ex-gratia and damages payments for personal harm, backdated benefit and child maintenance payments. It now appears that all further reforms will be delayed which is a significant blow for access to justice given that the thresholds and disregards that determine eligibility have not been updated for more than a decade.

This announcement has been met with a great deal of frustration from representative bodies and practitioners. We have been pushing the LAA and the MoJ for a timeline for implementation and an update on the roll-out of the Apply system, the LAA's replacement interface for CCMS. As previously reported, Apply has recently been taken off-line for functionality reasons.

The MoJ's explanation for the delay is that of 'competing priorities' and the LAA's outdated IT systems, which will require significant change whilst remaining 'live' and constantly in use for existing work. Officials have explained this makes the roll-out of the means test reforms particularly complicated and time-consuming. This is scant comfort for those thousands of clients who cannot afford to pay privately for advice but remain ineligible for legal aid due to the completely outdated means test.

Additional Procurement: Civil 2024 Contract Procurement Process

The LAA has announced a further procurement process for the 2024 Standard Civil Contract.

[**You can read about it here**](#)

Please note that this is an additional opportunity to bid for a civil contract across all categories and procurement areas.

You do not need to submit a bid in the following circumstances:

- you have been notified of a successful outcome on the 2024 Standard Civil Tender through the eTendering message board; and
- you are not seeking to deliver contract work in additional categories of law and/or from additional offices/procurement areas

It is anticipated that successful bidders will be able to commence work on the contract start date of 1 September 2024 but the LAA has noted that this will only be possible if the verification process has been successfully completed by that time.

This additional tender opened on Monday 18 March 2024 and has a closing deadline of 5pm on Monday 22 April 2024.

[The tender documentation can be found here](#)

High Cost Case Family Guidance

The LAA has sent out guidance on the Care Case Fee Scheme (CCFS), KC/2 Counsel Events, and detailed case plans to use when a legal aid-funded family case becomes high cost [which you can read here](#).

2024 Standard Civil Contract Verification

We recently received a query from a member firm on the 2024 Standard Civil Contract verification process, which closed on 15th March 2024. The firm concerned had not heard conclusively from the LAA that their documentation had been accepted by the time the verification process closed. We asked the LAA for an update on how verification was progressing and what we could tell the firm concerned to alleviate their worries.

The LAA said the following:

'We have received a very good response to verification however, it is taking us quite a long time to get through everything and to send those responses back to applicants.

As we've said, we're dealing with things in chronological order and will respond as soon as we can.

We've already published in the FAQ (no 74 below) that we will continue to work with applicants after the

verification deadline’.

Q.74. What happens if I cannot provide all verification information by the Verification Date?

A.74. As set out at paragraph 6.6 of the Award ITT:

“6.6 At our absolute discretion and where it is practical and feasible to do so we may, but are under no obligation to, accept verification information submitted after the Verification Date subject to the conditions outlined in this Section 6 and our obligations to comply with relevant legal principles.”

This means, where verification information is not available by the Verification Date it must be submitted at the earliest opportunity but by no later than the Contract Start Date, except in respect of Individual Bids for HLPAS Areas and Contract Work delivered in an IRC setting where Verification Deadlines apply.

As set out at paragraph 6.8 of the Award ITT:

“Applicants that do not successfully complete the verification process prior to 1 September 2024 will not be able to undertake Contract Work at the Contract Start Date and the Contract award may be withdrawn at our discretion.”

Criminal Legal Aid News

[Reminder: Crime Lower Consultation – Proposed Pay Increase for Police Station and Youth Court work – responses by 29 Mar 2024](#)

A reminder that this consultation seeks views on proposals to increase Crime Lower fees for Police Station and Youth Court work but once again the government has declined to propose a fee increase for prison law work.

[The announcement on 29 January is here](#)

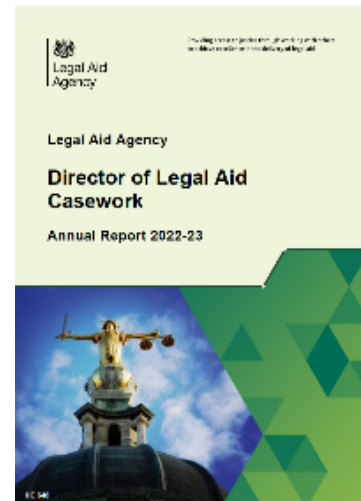
[The consultation is here](#)



Legal Aid
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LAA publishes its DLAC Annual Report for 2022-23

The Director of Legal Aid Casework (DLAC - the Director) is designated by the Lord Chancellor under section 4 of the LASPO Act 2012. The role of the Director is to make determinations on the provision of legal aid in individual cases. In practice this role is delegated throughout the various decision-making teams within the LAA. Each year the DLAC is required to publish an annual report as part of the LAA's accountability framework. The report outlines the performance of the DLAC (and therefore the wider LAA) and covers issues such as changes to Lord Chancellor's guidance and the legal aid regulatory framework, decision-making processes and structure, appeals and review and litigation. It also covers accountability processes, such as parliamentary questions and complaints and provides a range of statistical and EDI data.



[You can download a copy of the report here](#)

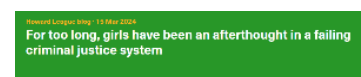
Sector News & Events

Howard League for Penal Reform – Wetherby Update

The Howard League has started a [petition](#) calling on the government to move girls out of Wetherby, a prison that can hold children as young as 15. They decided to act after an inspection report raised serious concerns about the prison, including the distressing revelation that, on consecutive nights, male staff had forcibly removed a girl's clothing to prevent her self-harming.

The **good news** is that many more people have added their voices to their call for change. Several charities and campaign groups have come forward to show their support, and the number of signatures on the petition now stands at almost 1,700.

The **bad news** is that their recent meeting with the prisons minister has not resolved the situation to



The Howard League has been extremely busy in the fallout from last week's damning inspection report on Wetherby, a prison in West Yorkshire that can hold boys and girls as young as 15. It's essential to thank everyone who has signed our petition calling for girls to be moved out of this prison.

their satisfaction. Girls are still in Wetherby, and the government provided no indication that this will end soon.

This is a story of system failure, and failed leadership, that dates back years. The Howard League has published a [new blogpost](#) on their website, which provides more information about their campaign as well as some background to the government's decision to break with established policy by placing girls in a boys' prison.

The blogpost explains how, in April 2022, they were given assurances by the government that placing girls in Wetherby would be a temporary measure for 18 to 24 months, pending a proper plan. Almost two years on, that plan has failed to materialise. The Howard League have met five different prisons ministers during that time, raising this issue at every meeting, and the government does not appear to be any closer to delivering a permanent solution that will keep girls safe.

They have said that they will keep up the pressure, but they need your help to do that. Please [sign the petition](#) and share it by email or on social media with anyone who you think might be interested. The more signatures they have, the louder and more effective the campaign will be.

LAPG News & Events

[2024 LALY awards nominations - Closing date 22 April 2024](#)

We are now half way through the nomination window for the 2024 Legal Aid Lawyer of the Year awards. The nomination window closes on 22 April 2024 so please speak to colleagues about gathering the supporting information required to demonstrate the brilliance and commitment of your nominee individual, team or organisation.

Full details of this year's categories, guidance for nominations and how to submit your nomination can be found on [our sparkly new LALY webpages](#) (with a special thanks to our wonderful Ops lead Anna Neira Quesada). Please also follow @LALYawards on X/Twitter for all the latest news.



[General admission tickets are on sale](#) for this year's ceremony in central London on Friday, 5th of July. As always, we've kept the prices low (tickets include a meal and a drinks reception, along with the inspirational ceremony) to make the LALYs as accessible as possible. Discounted tickets are available for members of Young Legal Aid Lawyers and the Justice First Fellowship.

[Renew your LAPG membership to continue to benefit from our support](#)

LAPG membership runs from 1 January to 31 December each year. Thank you to the many member organisations and individuals who have already renewed their membership for 2024.

If you are yet to renew your membership, please get in touch with us as the Early Bird rate expired on 29 February. However our membership fees are still incredibly competitive as we have maintained low fee levels despite rising costs because we know how difficult it is for legal aid providers to cover additional costs for support services.

For those who have not renewed, we have now started to restrict access to:

- Member Updates
- The Member section of our website
- The discount scheme for LAPG training courses and events
- Support with legal aid and practice management issues through our Member Query service

Renewing really couldn't be simpler – you can complete the renewal form online, submit your list of contacts for Member Updates and make payment either through our website or by BACS.

[Visit the Membership page of our website for more details](#)

Not sure whether your organisation has renewed or have any questions about membership, please [get in contact with our Operations Officer, Anna.](#)

[LAPG training courses](#)

Supervision Courses

Book your place on any of 2024 Supervision Courses below:

23 APRIL 2024

2 MAY 2024

8 AUGUST 2024

12 NOVEMBER 2024

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](#).

Online Introduction to Civil Legal Aid Course

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, 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.

Yet more frustration over recent weeks with Ministry of Justice plans - this time in relation to further delays implementing the changes promised by the Means Test Review. While we have always been skeptical that the sector has the capacity to help the 2 million or so people who will become eligible for legal aid once the Means Test Review changes are in place, updating the thresholds and allowances is crucial to ensure that people without means can access legal advice. And just as worryingly, the Ministry has not committed to keeping the thresholds updated regularly, with a review not planned for another 3 or more years after implementation. Perhaps things will change after the general election....

On a brighter note, a huge thank you to everyone who has contributed to the #LALY24 crowdfunding appeal to support the Legal Aid Newcomer award. We've been bowled over once again by the generosity of people from across the legal aid world.

Take care one and all,

Chris Minnoch, CEO [@ChrisLAPG](#)

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25/03/24



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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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