



24/05/23

LAPG Member Update

Issue 13 of 2023

Civil Legal Aid News

- Civil Contracts Update – see Legal Aid Scheme-Wide News
- Civil Processing Times
- Controlled Work Forms

Criminal Legal Aid News

- Crime Contracts Update – see Legal Aid Scheme-Wide News
- 2022 Standard Crime Contract extended to 30 September 2025
- DSCC Security Upgrade 24 May between 22.30 and 22.40
- Common Platform - Forms PET and BCM & London Courts
- Crime Processing Times

Legal Aid Scheme-Wide News

- Civil Contracts and Crime Contracts – feedback requested – what changes would you like to see to the contracts?
- Consultation on moving from SMPs (Standard Monthly Payments) to VMPs (Variable Monthly Payments) – high importance for some practices
- CCMS outage – 26-30 May 2023
- LAA Training Sessions
- Directory of Providers
- Do you want to be on the LAA review panel re costs?

Sector News and Events

- Consultations: Open Justice; Help with Fees; Family Mediation
- HMCTS News
- Research Briefing: Affordable Advice Service – Law for Life and Resolution
- Civil Justice Council Report on Costs

- Criminal Justice System (CJS) Dashboard
- Honorary KC Nominations
- Improving support for children going to court as witnesses

LAPG news and Events

- LALY finalists announced and awards ceremony tickets on sale
- LAPG Training Courses – New course for Managers; Supervision; Online Intro Modules

Civil Legal Aid News

[Civil Contracts update - see Legal Aid Scheme-Wide News below](#)

Civil Processing Times

If you are having problems with delays do check [this document](#) to see what the LAA states is the expected processing time.

Controlled Work Forms

The LAA has published a new CW5a Controlled Work Prior Authority Form, which should be used to request prior authority to instruct King's Counsel, 2 counsel or disbursements above prescribed rates, [which is now available here](#).

This form was [previously hosted here](#) but can now also be accessed from the [Controlled Work Applications Forms page here](#).



Legal Aid
Agency

Criminal Legal Aid News

[Crime Contracts Update - see Legal Aid Scheme-Wide News below](#)

[2022 Standard Crime Contract extended to 30 September 2025](#)

The LAA announced on 22 May 2023 that the 2022 Standard Crime contract would be extended by 24 months to 30 September 2024. The LAA news items read:



Legal Aid
Agency

A headline intentions document has been published on GOV.UK about a 24 month extension to the 2022 standard crime contract.

The extension means that the contract will now end on 30 September 2025.

Next steps

We will issue notices of the extension to individual providers by the end of May 2023. New schedules will be issued later in 2023.

Why is this happening?

The Ministry of Justice is continuing work on the next phase of the policy development of the Criminal Legal Aid Independent Review (CLAIR) proposals.

We consider that we will be best placed to tender for a future crime contract once the outcome of this policy work is known.

2022 crime contract changes

We are engaging with representative bodies to discuss potential changes that could be introduced through the 2022 crime contract to:

- increase flexibility
- reduce administration for providers

Further information

[Standard Crime Contract 2022](#) - to download headline intentions document

[Response to independent review of criminal legal aid](#)

DSCC Security Upgrade 24 May between 22.30 and 22.40

The LAA has advised us that the DSCC will be conducting security upgrades to their system on 24th May. The Defence Solicitor Call Centre will be completing the upgrade between 22:30 and 22:40. During this period the calls will queue and will be answered once completed at 22:41 (or earlier if work is completed before). This time has been carefully selected to ensure there is minimal impact, with a short recovery period afterward. DSCC have increased staffing levels to support with the increased call volumes immediately following the upgrade. The website (dutysolicitors.org) and email address (enquiries@dutysolicitors.org) will remain active throughout.

Common Platform

Forms PET and BCM

As flagged up in the LAA Bulletin of 18 May, two forms used by defence practitioners are being digitised by HM Courts and Tribunals Service for use on the Common Platform:

- preparation for effective trial (PET)
- better case management (BCM)

The new digital forms can be viewed from 22 May. They can be used from 24 May.

[Guidance to new digital forms >>](#)

[Video demonstration >>](#)

London Courts

Defence practitioners need to ensure they have Common Platform user accounts for a number of London courts switching to the digital case management system from 22 May 2023.

The courts include: Bexley magistrates, Bromley magistrates, Croydon Crown Court, Croydon magistrates, Inner London Crown Court and Woolwich Crown Court.

[Common Platform registration >>](#)

Crime Processing Times

If facing delays with the LAA processing your claims and bills – the current response times [are set out here](#) – please do let us know at policy@lapg.co.uk if you are experiencing difficulties with processing claims or bills.

Legal Aid Scheme-Wide News

Civil and Crime Contracts – feedback requested – what changes would you like to see to the contracts?

As members will be aware, the 2018 Standard Civil Contract has been extended to 31 August 2024. Why? This will enable the findings of the Review of Civil Legal Aid to be considered and introduced by the LAA. The LAA has advised us that offers have been sent out and need to be actively accepted. The LAA will be issuing



Legal Aid
Agency

supporting contract schedules to cover 1 September 2023 to 31 August 2024.

Compare the 2017 Crime Contract - a 2022 Crime Contract was brought in to run for one year from 1 October 2022 and has now been extended by two years to 30 September 2025. The 2022 contract will run to a point at which a subsequent Contract based on the governments' substantive response to CLAIR has been developed and can be implemented.

The LAA is negotiating with the statutory consultation bodies – LAPG, The Law Society, ASA and The Bar Council – about the detail of both contracts. We are not allowed to share the proposed changes or the detail of the discussions but:

- Where possible all relevant representative bodies (beyond the consultee bodies listed above) are being asked for their views
- We would very much like members to feed back to us about what changes they want to see in the next contracts. Clearly, increased fees are the priority, but please take that as a given that we are pressing for these at every possible forum we attend. Increasing the fees does not come within this contract engagement process as it is a matter of government policy, not LAA administration. The contract feedback that we would like from you is about any improvements in the contract that would make it easier/less bureaucratic for you and for clients. Please email policy@lapg.co.uk with your suggestions. This piece of work will be ongoing for some time but it would be helpful to have your thoughts by 5th June. The LAA want initial views by 16 June. It is unclear whether the LAA will run a separate consultation process once it has received feedback on any other potential changes to the 2024 Standard Civil Contract.

A note on timelines: The LAA has advised us that it intends to run the tender process for 2024 Standard Civil Contracts from autumn 2023. It has also indicated that it intends to initially contract for one year, but include a term in the contract enabling a number of 12-month extensions. Presumably this is because there is a great deal of uncertainty over when any potential changes might arise from the Review of Civil Legal Aid.

[Consultation on moving from SMPs \(Standard](#)

Monthly Payments) to VMPs (Variable Monthly Payments) – high importance for some practices

We are repeating some of what we said in Update 11 because of the importance of this. The deadline for responding is 30 June 2023. [The LAA news story on this is here.](#)

Approximately 390 organisations receive SMPs for civil and/or criminal work and the LAA want to convert these to VMPs. That could cause serious financial difficulty for some practices. So if you receive SMPs then you need to consider the implications for your practice. We are told by the LAA that they have tried to negotiate higher repayment where a provider seems to be receiving a lot more than they are claiming, but it appears that there was no contractual term that enabled this to happen if the provider said no.

This was what the LAA appeared to be saying so we looked into the contract provisions. We are very grateful to Matt Howgate for his assistance with this.

Clause 14.14 of the Contract Standard Terms says:
“We have the right to set-off against any amount payable by us to you under this Contract or otherwise, any amount payable by you to us, under this Contract (including under the Specification) or otherwise. For the avoidance of doubt, when this Contract ends, any obligation to make payment is subject to this right of set-off.”

Clause 14.17 says that where there has been a LAA notice that there has been an overpayment (or mispayment) firms should notify the LAA within seven days of becoming so aware to enable them to adjust the provider’s account (or to require repayment). It also requires providers to “promptly make any repayment requested” by the LAA.

Clause 14.20 does allow for repayment of sums over £5,000 in instalments but makes clear that it must be “over the shortest reasonable period and must usually be completed within 12 months.”

Please do get in touch with us if this affects your organisation. It would be helpful to us to hear from members to see what effect it might have. Please email policy@lapg.co.uk

CCMS outage – 26-30 May 2023

The LAA plans to carry out essential IT maintenance work on the Client and Cost Management System (CCMS), which means that it

will be unavailable from 12pm on Friday 26 May to 9am on Tuesday 30 May i.e. over the Bank Holiday weekend.

The LAA is advising providers to save incomplete work in CCMS before 12pm on 26 May to avoid any risk of it being lost. They have placed guidance on the [LAA training and support website](#) explaining what is happening and the action they need to take and the e-alert on 18 May 2023 had a short piece about the outage with signposting to the guidance.

Further information: [Legal Aid Bulletin](#) – 18 May 2023 (third item in e-alert) and [LAA training and support website](#) – CCMS outage guidance

LAA Training Sessions

A reminder that the LAA has a range of upcoming training sessions:

- The next round of virtual clinics: [#HUSY virtual clinics: 6 June](#)
- Face to face clinics in the South Tyneside office: [#HUSY face to face clinics: 7 June](#)
- Webinars: 4/7/23 Exceptional Cases (Cases which escape CCFS)
- CCFS and Hourly Rates: dates TBC
- External Lunch & learns: 12.45
 - 19 September HCF: With A Twist: FGF Equivalent and
 - 18 October 2023: HCF: Two Counsel

Directory of Providers

As we say every time the latest version is published, it is always worth checking your entry in the [Directory of Providers](#).

Do you want to be on the LAA review panel on costs?

The Legal Aid Agency (LAA) has a Review Panel of more than 60 lawyers who consider appeals against its decisions such as the refusal of a legal aid application or where a claim for costs has been disallowed. Many of the members are practising solicitors and barristers but they also welcome applications for membership from Fellows of the Chartered Institute of Legal Executives and, for costs appeals, from qualified Costs Lawyers.

Panel members must be involved in regular legal aid casework and those who are solicitors or

Fellows of the Chartered Institute of Legal Executives must work for an organisation which has a contract with the LAA. The full membership criteria can be found in the [Review Panel Arrangements](#)

The LAA will be recruiting again later in 2023. They say:

“If you or a colleague feel you might be interested, we can log your contact details to enable you to be alerted when the recruitment campaign starts.

Candidates are welcome with specialisms in ANY Legal Aid work category although we are particularly keen to increase membership levels in High Cost Family work, clinical negligence, education, appeals and reviews (crime), prison law and civil costs assessment.

If you require more information about the Review Panel or wish to have an informal discussion about what the role of a panel member involves please email mark.crosskill@justice.gov.uk.”

Sector News & Events

Consultations

Open Justice Consultation – Call for Evidence – Closing Date 11.59pm 7 September 2023

[The consultation on open justice is here.](#) The Government states:

“We want to hear from all interested parties, including the judiciary, legal professionals, the media, businesses, academics, law and technology experts and our court and tribunal users on how you think the government can uphold and strengthen open justice in the modern age.”

The topics on which evidence is invited include: open justice, listings, accessing courts and tribunals, remote observation and live-streaming, broadcasting, single justice procedure, publication of judgments and sentencing remarks, access to court documents and information, data access and reuse, and public legal education.



Open Justice: the way forward

Call for Evidence

We'd love to hear Members' views on any of these topics, and in particular on those that relate to our key concerns of client access to the justice system and the future delivery of justice services. Please feed any thoughts into policy@lapg.co.uk.

Revising the 'Help with Fees' remission scheme – deadline 30 May

The MoJ is proposing a series of reforms to make the Help with Fees scheme more generous, target financial assistance at those most in need, whilst providing value for money for the taxpayer – closes 30 May 2023. [The consultation details are here.](#)

LAPG is not proposing to respond but has been flagging this up with organisations with more expertise in this area. There may be some LAPG members who have some experience of help with fees applications – if so questions 24-26 may be ones on which you have a view. [The consultation itself is here.](#) These questions are about allowing legal representatives and litigation friends to sign the application, what to do if information is incomplete and when to assess applicants.

Family Mediation – deadline 15 June

This [consultation](#) aims to support earlier resolution of private family law arrangements. The Government is particularly interested to hear from organisations representing separating families, family justice professionals, mediation service providers and other dispute resolution service providers. Our thanks to family members of the Advisory Committee Jenny Beck KC (Hon), Lucy Verity, Beverley Watkins and Lisa Phillips for their input to date. We hope to share our draft with members by 7 June. In the meantime if you have any thoughts you would like to share with us to help with our drafting please do email policy@lapg.co.uk.

HMCTS News

- HMCTS has created a [signposting strategy](#) to help all court and tribunal users navigate the justice system and access the support they need.
- [Scammers are making fraudulent calls](#) claiming to be high court enforcement



HM Courts &
Tribunals Service

- officers.
- HMCTS has published [management information for March 2022 to March 2023](#). This is used to understand workload volumes and timeliness nationally.
-

Research Briefing: Affordable Advice Service – Law for Life and Resolution



Family lawyers (and others who may want to develop this in other areas) will be interested in [this Briefing Paper](#). For more of the background and a [summary of the key findings see here](#). The authors note:

“This briefing paper presents key findings from research into the second year of the Affordable Advice service provided by Law for Life in partnership with Resolution.

The service is aimed at people who are managing their finances on divorce or child arrangements difficulties with little or no advice. The service offers a blend of step-by-step guidance from the Advicenow website with fixed fee, unbundled legal advice from Resolution family lawyers at the most crucial points in the process.

The service was developed to meet the needs of Litigants in Person (LiPs) and potential LiPs who do not seek the advice they need from family law solicitors due to fear and confusion about prices, the high cost of advice, and lack of confidence about how to find a good solicitor, and how to be sure it will be worth it.”

Civil Justice Council Report on Costs



The Civil Justice Council has published its final report on costs, following consultation last year. The report makes recommendations related to costs budgeting; guideline hourly rates; pre-action and digitisation; and, the consequences of the extension of fixed recoverable costs.

Details of the working group, consultation

responses and the report can be found on the CJC's webpages at [Costs | Courts and Tribunals Judiciary](#).

Enormous thanks to [Paul Seddon](#) from our Advisory Committee for all his work on this consultation.

Criminal Justice System (CJS) Dashboard

The Ministry of Justice has published the seventh iteration of the [Criminal Justice System \(CJS\) Delivery Data Dashboard](#).

This dashboard brings together a range of criminal justice data. It gives an overview of the justice system; from the point a crime is recorded by the police, to when a case is completed in court.

The metrics in the dashboard cover three priority areas for the criminal justice system:

- improving timeliness
- increasing victim engagement
- improving quality of justice

[Find out more about the dashboard](#)



PLP Judicial Review Training

A complete online course, run in short (1hour +) sessions on Zoom, over 4 days (19 June – 22 June). All sessions are recorded for delegates to access after the training concludes.

Who should attend:

- Junior and trainee lawyers, advisers, advocates and anyone likely to be involved in judicial review claims, or increase their understanding of JR to help their clients.
- Anyone responsible for legal policy in NGOs or Government, or those tasked with Government decision making.
- Those working in campaigning organisations with a legal strategy and
- Those representing and advising marginalised groups in society



Public
Law
Project

Honorary KC Nominations

The announcement will be made soon inviting nominations for Honorary KC – see [last year's announcement](#) to understand who can be nominated and look out for this year's announcement.

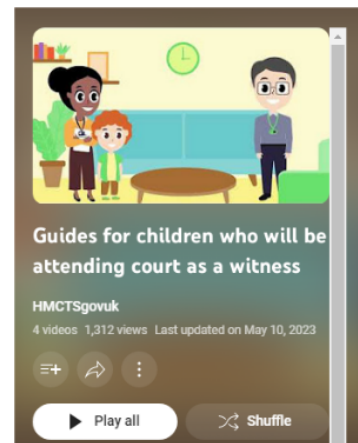


Improving support for children going to court as witnesses

HMCTS has launched new [animated video guides](#) to support children involved in court proceedings. Courts can be a daunting environment for children and giving evidence can cause nervousness and stress.

As a result, the Government has introduced the ability to [pre-record cross examination before a trial](#) and these new animations, aimed at young children, provide an easy-to-understand guide about what to expect.

[Read more](#) about the animated video guides.



LAPG News and Events

LALY finalists announced and awards ceremony tickets on sale

Last week we were absolutely delighted to announce the quite exceptional shortlist for this year's Legal Aid Lawyer of the Year awards.

The LALYs is our opportunity each year to thank you all for your continued commitment to legal aid and access to justice. It is also a chance to shine a



spotlight on the incredible, life-changing work of legal aid lawyers, and the power of legal aid to bring about positive change. The work is complex and difficult, remuneration is inadequate, the scheme is unnecessarily bureaucratic, and the political environment is often hostile. Yet legal aid lawyers work tirelessly each day to get the best possible results for their clients. We couldn't be more proud to represent you or more honoured to have the opportunity to thank you for your efforts by delivering the LALY awards.

[Read the full press release here](#)

This year's winners will be announced at our customarily glittering ceremony on Wednesday, 12 July 2023 in central London. 500+ finalists, friends and colleagues will join us for a true celebration of legal aid. [Join us by registering for your place here](#). Tickets are very affordable for an in-person event and cover a drinks reception and food, with discounts available to YLAL members and Justice First Fellows.

A special thanks to our sponsors (set out in the press release above) and to our media partner Legal Action Group, who have been steadfast in their support for the LALYs. There is no LALY awards without them.

LAPG Training Courses – New course for Managers; Supervision; Online Intro Modules



'Management Skills for Private Practice' Training Modules

In 2014 LAPG was awarded a government grant to develop a management training programme for legal aid law firms. Successfully piloted in 2015, the Certificate in Practice Management combined face-to-face training with online learning and materials to provide an accessible and affordable management training programme for busy lawyers and practice managers.

We have now completely re-designed the programme and this year sees the launch of our

Management Skills for Private Practice training modules. You can take any number of modules to suit your needs. If you would like to learn more or book an individual session please click [here](#). Complete them all and you'll be awarded the LAPG Certificate in Private Practice Management. 90% of employers surveyed said they'd noticed increased knowledge, skills and confidence in the staff that had attended the full programme.

The modules are designed around the Law Society LEXCEL standard, the Specialist Quality Mark and the SRA competence framework:

1. [Finance & Resource Management](#) - 28th September
2. [Business Planning & Risk Management](#) - 19th October
3. [Managing People](#) - 9th November
4. [EDI, Policies & Compliance](#) - 30th November
5. [Marketing & Communications](#) - 14th December, Half-Day Session (AM)
6. [Managing a Legal Aid Contract](#) - 14th December, Half-Day Session (PM)

You can book any of the individual sessions above by clicking on them. You can book the entire course [here](#). If you would like to take multiple sessions, but not the entire course, please contact [Andrea](#). For each additional session you book, you receive a 10% discount.

The course trainers include Vicky Ling, Matt Howgate and other legal aid sector experts. Phaniel Mutumburi and Themer Silmane will join us for sessions 4 and 5 respectively. Themer will discuss different approaches to communication with a focus on social media and Phaniel Mutumburi will focus on the importance of diversity and inclusion in the workplace.

We are able to heavily discount this course thanks to the generous support of The Legal Education Foundation and the Community Justice Fund. Our main tutors, Matt Howgate and Vicky Ling, bring invaluable knowledge gained through many years of work in the sector and consultancy. Matt and Vicky will:

- Show you how to set meaningful organisational and operational objectives by using a SWOT analysis

- Help you carry out effective financial planning and analysis by focusing on understanding resource, income, budgeting, forecasting, resource and variance analysis
- Give you the tools to manage all aspects of people management from recruitment to appraisal
- Discuss SQM and Lexcel as well as policies to ensure compliance with SRA, OISC, Legal Aid and regulatory requirements including how to avoid audit issues and contract notices
- Create communication strategies

We house this course on our new learning platform Thinkific! It is a wonderful way to engage in our courses, save time and have everything you need all in one place rather than sifting through your emails trying to find materials and zoom links. This platform is easy to use and gives us the opportunity to update our courses to be more effective for our participants.

A recent graduate of the 2021 CPM course said:

"I would highly recommend the LAPG Certificate in Practice Management course for all partners and managers in legal aid firms. It is the only law management course I know of aimed exclusively at helping legal aid firms to manage their businesses – good management is so essential for delivering access to justice to all. The course is full of practical tips and over 5 sessions gives you get a very good overview of all the key aspects of running a legal aid practice."

Managing Partner of a large legal aid firm

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

Supervision Courses

We have confirmed the dates for our 2023 training programme, with Supervision Courses scheduled for 5th July, 26th September and 22nd November, you can book your place on any of the remaining 2023 training dates below:

[5TH JULY 2023](#)

[26TH SEPTEMBER 2023](#)

[22ND NOVEMBER 2023](#)

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.

Online Introduction to Management Course

We are currently working on a new and exciting training course, an online module similar to our Introduction to Civil Legal Aid Course, all about management. This course will offer an introductory look into management and will be entirely self-paced!

We are soft launching this course shortly and it will be made widely available in the coming months! If you are interested in partaking or getting more information please contact [Thomas Rigard-Asquith](#).

There is a lot happening on the policy front LAPG peoples - civil and crime contract consultations, the Review of Civil Legal Aid, ongoing discussions about the next stage of the Criminal Legal Aid Review proposals (not to mention a Law Society JR), consultation on doing away with Standard Monthly Payments.... And the Means Test Review response should land anytime soon.

This is where we need you. Your expertise from the frontline, interacting on a case by case basis with the LAA and in that intersection between the LAA, your clients and the justice system, is invaluable in helping to shape our policy work. If you want to get involved in any of the processes set out above, or have views to share, please contact us (policy@lapg.co.uk). We will also shortly be advertising for new members of our Advisory Committee - watch this space.

Take care one and all,

Chris Minnoch, CEO [@ChrisLAPG](#)

Follow LAPG on Twitter [@WeAreLAPG](#)
[#WeAreLegalAid](#)
24/05/23



Subscribe to our courses

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!

LEGAL AID LAWYER OF THE YEAR AWARDS



Copyright © 2023 Legal Aid Practitioners Group, All rights reserved.

Want to change how you receive these emails?
You can [update your preferences](#) or [unsubscribe from this list](#).