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31/05/24

LAPG Member Update

Issue 18 of 2024

Welcome to the latest edition of the LAPG Member Update. Please see details below of our **AGM**, online on 26 June, and how to book your tickets to this year's **LALY awards** ceremony in London on 5 July.

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Criminal Legal Aid News

Prison law escape fee guidance

The LAA has now updated its guidance on what is required in these cases by way of supporting evidence. [The news story is here which includes links to the CRM18A form and the guidance.](#)

Submit the following along with your CRM18A form:

The time ledger and key documents including:

- all file notes
- detailed attendance notes
- page counts of documents considered
- copies of any documents drafted
- page counts of Parole Dossier (original documents are not required where page counts have been provided)
- letters and calls – copies of these are required (where quantities are excessive a detailed ledger with dates and explanation will suffice)
- original completed CRM1 and CRM2 forms if your claim includes any freestanding advice or assistance
- original invoices for disbursements exceeding £20
- original CRM11 form (optional)



[The Law Society issues press release about criminal legal aid funding](#)

The Law Society has issued a press release criticising the lack of government action on reforming criminal legal aid funding since the outcome of the partially successful judicial review in January 2024.

The release notes:

‘Since the judgment, the government has failed to deliver results despite the Lord Chancellor being on record saying "some extremely trenchant, sobering and striking remarks were made by the court [in response to the judicial review], which I have read carefully and very much taken on board”.

Law Society president Nick Emmerson said:

“Four months on from our High Court victory, the government’s failure to act quickly on the ruling, in spite of the strong evidence submitted by us, has meant that time has now run out. The urgent investment needed in criminal legal aid has effectively been kicked into the long grass.

“Despite the Lord Chancellor’s commitment to accelerate the necessary decisions, which he made in good faith to us, the timetable of a general election has left our members without the money they urgently need for many more months.”

[Read the full press release here](#)

Digital developments in applying for criminal legal aid

The LAA’s current service contract that supports processing of applications and claims on criminal legal aid (eForms) ends in September 2024. They are developing new digital replacement in-house services to replace the current CRM forms when the eForms contract ends in September.

Forms to be replaced are:

- Apply for criminal legal aid (CRM14 and 15)
- Claim a non-standard magistrates’ court payment (CRM7)
- Apply for prior authority to incur disbursements (CRM4)
- Apply for extension of upper limits (CRM5)
- Accessing historic eForms information

Providers will no longer be able to submit eForms on Equiniti from Tuesday 6 August 2024. The LAA will continue to process claims that are currently

within the e-forms service until Tuesday 20 August to ensure any pending eForms are processed.

[You can read more about the changes here.](#)

How to receive your representation order

The LAA has said that when submitting an application, use the free text box on the 'Do you need to add any more information to this application?' page to confirm the email address to which Representation Orders should be sent. If no email address is supplied, they will automatically send Representation Orders to the user account email on record in CWA.

[You can read the guidance here](#)

Crime CST to handle Magistrates' Billing calls

From Monday 3 June 2024, all calls regarding Magistrates' Billing will be handled by the LAA's Crime Customer Services Team (CST). The LAA has said that this change is aimed at streamlining their communication process and providing you with a more efficient and cohesive customer experience.

Please direct any questions to the following email address:

magsbilling@justice.gov.uk

Crime processing date

[Check timescales](#) for the Legal Aid Agency (LAA) to process your work (e.g. prior authority application, graduated fee claims).

Civil Legal Aid News

Frontier Economics report on legal aid sustainability

The Law Society has published its [final report with economic consultants Frontier Economics](#) on the sustainability of civil legal aid.

Following on from its interim report which was published in March this year, the report took a



Legal Aid
Agency

deep-dive look at Housing and Family providers. The research engaged with over 45 legal aid providers and secured 47 financial returns, with 30 pertaining to housing and 17 to family legal aid. An overwhelming 82% of the 45 engaged providers experienced losses in their overall civil legal aid endeavours, and all not-for-profit providers are loss-making. The findings emphasise the need for targeted support and reforms to ensure the continued viability of civil legal aid services.

The headlines findings are:

- Civil legal aid work is loss-making for the majority of housing and family legal aid providers sampled (82%)
- All housing legal aid providers in the sample were loss-making from their civil legal aid work, including all private sector solicitors offering housing legal aid
- 47% of providers sampled working in family legal aid were also loss making
- All not-for-profit providers sampled in both areas of law were making a loss

The report provides another useful data-set for influencing the Review of Civil Legal Aid (RoCLA), which was due to conclude with the publication in July of a Green Paper setting out future plans for civil legal aid reform. The MoJ has told us that RoCLA is currently on hold pending the outcome of the general election.

High-Cost Family (HCF) virtual clinic

The High-Cost Family (HCF) clinic on Wednesday 26 June 2024, part of the #HelpUsSayYes campaign, offers the opportunity to book a virtual face-to-face, 20-minute appointment with experienced LAA case managers. Providers can discuss ongoing case specific issues. Registrations are limited and the deadline is Wednesday 19 June.

Register for an appointment

#HelpUsSayYes (#HUSY) – LAA training programme

The LAA has asked us to pass the following message to our members on their #HUSY events programme.

They are keen to hear from legal aid providers on

what other training would be desirable.

'What would you like to see?'

Webinars: Are there any topics, not covered to date, you would like to see in the future?

Clinics: Which additional teams would you like to see offering virtual clinics (at present it is the HCF team)?

Tutorials: Which additional teams would you like to see offering tutorials (at present it is the HCF team)?

Recordings:

- What recordings would you like access to on the website? For example, is there one part of an application process you struggle with? Would a reminder, in the form of a recording, benefit you?
- Ideas given so far include How to check your actions and notifications; How to upload documents onto CCMS; How to name your documents; How to ensure ECF questions are generated on an initial ECF application.

Please forward any feedback / ideas to:
LAAHelpUsSayYes LAAHelpUsSayYes@justice.gov.uk

Recordings of webinars held to date can be found here:
[Ministry of Justice: Civil recorded webinars landing page'](#)

Civil processing dates

[Check timescales](#) for LAA to process your work (for example, civil applications and bills).

Immigration providers South West directory

[The list of providers](#) able to carry out legal aid immigration work in the south west of England was last updated on 29 May 2024.

Cross-Cutting News & Events

Public Accounts Committee publishes Value for Money from Legal Aid report

[The PAC has published its report](#) assessing the MOJ's ability to demonstrate the value for money



of legal aid spend and the impact of legal aid reforms such as the introduction of LASPO.

From the PAC website:

The report finds that, nearly a decade on from the PAC's last report on the subject, the Ministry of Justice still lacks an understanding of the costs and benefits of its 2013 legal aid reforms and whether those who are eligible for legal aid can access it.

The PAC expresses its deep concerns in the report about MoJ's and the Legal Aid Agency's lack of curiosity on the impact of decreasing numbers of providers on people's access to legal aid, despite evidence which suggests access is getting more difficult.

The report makes a number of very telling recommendations:

Recommendation 1: In its Treasury Minute response, the Ministry of Justice and the Legal Aid Agency should set out how they intend to improve the data they collect on demand for and access to legal aid so that they can better monitor:

- whether an area has sufficient provision for a particular category of law to meet demand. This should include details of how they plan to consider specific local variation such as deprivation or access to public transport and demographics such as disability; and
- the extent to which capacity constraints may mean people are unable to access legal aid in areas where there are providers.

Recommendation 2: In its Treasury Minute response, the Ministry of Justice should:

- clarify what the options are for those who are unable to make use of remote advice. It should specifically consider vulnerable groups in areas with no face-to-face legal aid provision, whose issues may be too complex to solve via telephone; and
- set out how it plans to better understand the impact of remote provision on vulnerable groups and address any problems identified.

Recommendation 3: The Ministry of Justice should set out in its Treasury Minute response:

- how it plans to monitor the impact of the Illegal Migration Act 2023 on the capacity of

- other areas of immigration advice and how it plans to respond where evidence suggests people are unable to access advice; and
- details of its plans to assess whether the Exceptional Case Funding scheme is the most efficient route for immigration cases.

Recommendation 4: In its Treasury Minute response, the Ministry of Justice should set out what it will do to:

- ensure that financial eligibility thresholds for legal aid are kept under review in light of changes in the economy; and
- ensure that any proposed changes can be implemented quickly and efficiently.

Recommendation 5: The Committee recognises that it will not be possible to calculate a precise figure of the costs of the reforms to other areas of government and the justice system. However, the Ministry of Justice should set out in its Treasury Minute response:

- how it plans to work with other government departments such as Department for Levelling Up, Housing and Communities and the Department of Health and Social Care to better understand where reforms may have led to cost-shunting and the potential scale of these costs. This should include looking at the extent to which local authorities are funding immigration legal advice; and
- how it intends to work with HM Courts and Tribunals Service to improve available quantitative analysis on the impacts of litigants-in-person on the administration of justice, as recommended in the PAC's 2015 report.

Recommendation 6: The Ministry of Justice should set out in its Treasury Minute response how it plans to improve its ability to respond to emerging sustainability issues in a timely manner. This should include:

- how it plans to work with providers to keep the profitability of legal aid work in view;
- how it plans to implement the recommendations from the Criminal Legal Aid Board; and
- what mechanisms it will put in place to review the sustainability of civil legal aid

more routinely once its review is complete in July 2024

The Ministry of Justice is now required to formally respond to the PAC's report (referred to above as a Treasury Minute) but this will not happen for some time given the timing of the general election.

LAPG News & Events

LAPG AGM - Invitation to all Members - Wednesday, 26 June 2024 (online)



All LAPG members are cordially invited to join us for this year's Annual General Meeting. This is our opportunity to report on our work over the last year, seek your views on our plans for 2024-25, and formally elect or reappoint our Board members.

Agenda

1. Minutes of and matters arising from the Annual General Meeting 14.07.23
2. Co-Chairs report
3. Treasurer's report and Presentation of the 2023 Audited Accounts
4. CEO's Report
5. Election of Board of Directors
6. AOB

The meeting will take place online on Wednesday, 26 June 2024, from 13.00-14.00. To join us on Zoom, use the following details:

<https://us02web.zoom.us/j/88159790133>

Meeting ID: 881 5979 0133

If any members would like to apply to join our Board of Directors (responsible for governance of LAPG) [please get in touch](#) to discuss the role and application process. We are also seeking new members of LAPG's Advisory Committee (see below). As the Advisory Committee is not a formal part of LAPG's governance structure, appointment to the Committee does not take place at our AGM.

LAPG is seeking new members of our Advisory

Committee

We are looking for enthusiastic and committed individuals with relevant expertise and experience to join our Advisory Committee. The key priorities are to support the LAPG staff team with its policy, campaigning and representative work and to provide sector-specific knowledge and wisdom.

Our voluntary Advisory Committee of specialist lawyers and practice managers help answer member enquiries, attend meetings with the LAA and MoJ, speak at the LAPG conference, support our events including the LALYs, and assist us in responding to consultations. We also have a separate and distinct Board of Directors, LAPG's governance body (see above). In 2023, the Advisory Committee provided incredible support to help us respond to over 20 formal consultation and engagement exercises covering all areas of legal aid.

You will be joining a dedicated team of people who have expertise drawn from different legal disciplines within the Legal Aid sector who have a shared ambition of advancing the cause of access to justice and ensuring the future of the delivery of legal advice to those without means. Whilst there is lots to be done, the enthusiasm and support of working together with such a committed group lends itself well to real progress, excellent comradery and a lot of fun.

We work closely with other representative bodies to raise awareness about the importance of legal aid, the work of legal aid practitioners and the needs of clients. We work with the Legal Aid Agency and Ministry of Justice where possible, and attend a range of operational and policy meetings. We respond to consultations on justice issues and are one of three official contract consultee bodies for all civil and criminal legal aid contracting issues.

We are looking for specialists across all categories of legal aid. We are particularly looking to increase our capacity to support practitioners and develop policy in the following areas:

- Private and public family law
- Criminal defence
- Housing, debt and welfare benefits
- Education and discrimination
- Legal aid costs and billing processes
- The development of digital dispute resolution systems and digital advice tools

If you are interested in joining our Committee, or would like an informal chat to discuss the role, [please contact our Director of Legal Aid Policy, Kate Pasfield](#), for further information and an application pack.

2024 Legal Aid Lawyer of the Year awards – tickets now on sale

We're now a little over a month away from one of the most uplifting and inspiration events in the legal aid calendar. [General admission tickets are on sale](#) for this year's ceremony in central London



on Friday, 5 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.

Last week we were absolutely delighted to announce the outstanding shortlist for this year's LALY awards.

[Read the press release here for full list of finalists](#)

For more information about the finalists, read our media partner, [LAG's piece about the shortlist](#).

LAPG training courses

Supervision Courses

We have confirmed the dates for the remainder of our 2024 Supervision Courses. You can book your place on any of the training dates below:

[8TH AUGUST 2024](#)

[3RD OCTOBER 2024*](#)

[12TH NOVEMBER 2024](#)

***New Date**

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.

Sector News & Events

LAG Housing Law Conference – 7 June 2024

LAG has asked us to share this message with members:

Dear Colleague,

We're delighted to invite you to LAG's Housing Law Conference on 7 June.

The conference ticket price has been held from last year and discounted tickets are still available if you book before Wednesday. We also offer group booking discounts

This year, the conference aims to help you develop the tools you need to fight for the rights of those who do not have a safe, affordable secure home.

We have put together a brilliant line up of speakers and sessions.

Gordon Exall and Giles Peaker are joining forces to give you Personal Injury for Housing Practitioners and Gordon will also be advising on How to Avoid the Procedural Pitfalls of Housing Litigation in a separate plenary.

Showcasing our new series on 'what you need to know' in Legal Action Magazine, we have Immigration Law for Housing Practitioners. We know that housing is a big issue for those who experience domestic abuse - and is why we are working on a book with just this in mind. Domestic Abuse and Housing will be our second breakout session with Liz Davies KC, Marina Sergides and Marie Paris.

Nick Bano will be talking about his new book, Against Landlords in conversation with Katharine Swindells of Inside Housing and Tom Darling of the Renters Reform Coalition will be outlining what will happen to the Renters Reform Bill and how you, as practitioners, can get involved. We have updates on the Legal Aid Agency and HMCTS with Kate Pasfield and Simon Mullings and Sarah Steinhardt will talk you through quantum in discrimination cases.



To conclude the day, we will have three county court judges giving us their top tips at the end of the day - before drinks and networking.

For more details of the event and to book a place, [please visit the event page](#).

If you have any questions about the event, or wish to book a number of delegates, please contact tlievenwright@lag.org.uk.

Please do share this information with any colleagues you think may be interested. We hope to see you there.

Kind regards,
Legal Action Group'

Public Law Project – How to do Judicial Review – 5 June 2024



**Public
Law
Project**

PLP is running an intensive one-day, in-person course covering the basics of judicial review from introductory principles and grounds, to the practical steps in a JR claim, funding, costs, interventions and finishing with an interactive case study.

[Pricing and programme of events can be found here](#)

I hope to see as many members as possible at our AGM in June. As experts in your chosen field(s), please do join us to feed into the development of our strategy. At this crucial pre-election juncture, we would love to hear directly from you about what you think the new administration should do to fix the myriad issues blighting the legal aid scheme.

Take care one and all,

Chris Minnoch, CEO [@ChrisLAPG](#)

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[#WeAreLegalAid](#)
31/05/24

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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!



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