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LAPG Member Update

Issue 20 of 2025

Welcome to another Member Update covering the latest information for providers following the LAA data breach. We have received a large number of queries from members all of which we have referred to the LAA for official answers. Some of what we have asked has now appeared in the latest set of LAA FAQs (updated yesterday evening – 29 May).

We know that the situation is evolving rapidly and that you are all under immense pressure. We also know that you need clarity and certainty so that you can assist your clients, so we are continuing to press the LAA for responses on other unresolved issues.

We will try to respond to every query, but if we don't manage to get back to you straight away, please keep an eye on the [LAA's dedicated cyber security incident page here](#), and the [LAA's FAQ page which is here](#). These pages are being updated very regularly.

[Payments to providers](#)

Civil billing

The LAA has now published their latest update on the cyber-attack with a contingency plan for payments to reflect anticipated income from civil certificated work (called Average Payments for Civil Representation Scheme) [which you can read about here](#).

This scheme requires providers to opt-in to the process, so please do review the guidance if you want to receive payments through this mechanism. **If you decide to opt in, you need to let the LAA know by midday each Monday to ensure that you are paid in that week's payment run. The first opt in date is 2 June.**

You should by now have received an email from the LAA telling you what your weekly (or two weekly payment to start with) will be. That is based on an average of your last three months billing including POAs and VAT. The LAA has confirmed that even if you decide not to opt in straight away, but subsequently change your mind, the amount you will be paid will not change as the 3 month average is fixed.

The Solicitors Regulation Authority (SRA) has confirmed that the payment received from the LAA should be paid into your office account and that the payments are not considered to be client money. You can find further information on how to deal with these payments on [The Law Society website here](#). Their advice includes how to deal with VAT, and what to do if you find yourself in financial hardship despite the proposed payments. If you are unsure about how to account for contingency payments from the LAA, please speak to your accountant.

Crime billing

Graduated fee (LGFS and AGFS) claim assessment has now recommenced, and payments will begin next week. The LAA has said that you should continue to submit bills via CCCD in the normal way and have already communicated contingency arrangements for CRM4s, CRM5s and CRM7s.

Client Queries

Clients who might contact you with concerns about their personal data should be advised to contact the LAA on 0300 200 2020.

Civil applications

We have received a lot of queries about how to deal with civil applications, including costs and scope extensions, when to delegate and also when to obtain a client signature whilst CCMS is out of action.

The LAA FAQs now cover these issues under the Legal Aid operations and communications section, but if in doubt, follow the LAA's instructions and telephone the LAA customer support team. We understand that the LAA has now provided additional capacity for their call centre, so it is not taking too long to get through on the phone.

Client signatures

We have had a number of queries from members asking what to do about obtaining a client's signature when delegating functions and whether a signed declaration is necessary until there is a method available for submitting applications.

The LAA's contingency arrangements currently say the following:

Under current contingency arrangements, if the provider has a new client and there is urgent work they should exercise Delegated Functions if reasonable to do so and start the work required, this application should be uploaded through CCMS when access is restored to the portal. We are waiving the need for providers to submit the application to us within 5 working days.

We understand that that the LAA has advised that they are not mandating the need for signatures, however there will be a need for this when the portals are back up and running. That, of course, is likely to cause difficulties for providers if clients are no longer in touch or willing to sign forms when their case might have finished. We have asked the LAA for clearer guidance on what to do about this, and hope to have a response for you ASAP.

We have also pointed out to the LAA that their current guidance leaves providers having to work at risk and hope to have some reassurances on that as well.

What we still don't know

We have asked the LAA whether there is a planned contingency coming for billing escape fee cases and what the plan is for the next Crime Lower and Legal Help monthly submission. We will update on that as soon as we hear anything.

We understand that in the longer term, the LAA will launch new or revamped systems and will notify providers what they need to do to operate on those systems. We don't know when that is likely to happen, although we are pressing the LAA for information on when new systems might become available.

We continue to highlight the immense stress that this situation is placing on legal aid providers who were already suffering from the effects of a failure by government to increase fees for many years. We have also highlighted the fact that even when new systems do become available, it will take providers a long time to catch up with applications and billing, and that the LAA will need to bear that in mind when commencing any recoupment processes. We have highlighted in particular that the recoupment process for the contingency payment arrangement, currently planned to commence two weeks after systems come back online, will cause immense pressure for practitioners and asked that this be reconsidered.

And finally, as per The Law Society advice, we strongly recommend firms keep a

record of any time and costs incurred as a result of the breach, in case it becomes appropriate to make a claim for compensation to the LAA.

We will continue to raise issues with the LAA from our members so please continue to contact kate.pasfield@lapg.co.uk.

Please get in touch if you have any other questions or concerns.

Take care one and all, Kia Kaha,

Chris Minnoch, CEO [@ChrisLAPG](#)

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