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08/09/23

LAPG Member Update

Issue 23 of 2023

It's LAPG conference time!

LAPG Conference in-person 9th November 2023 at University College London

We are delighted to confirm that the LAPG Annual Conference will take place in-person this year at University College London so we are now finalising plans for the day. There will be a mix of plenary sessions and workshops, with policy, campaigning and operational matters under the microscope.

When? 9th November 2023

Where? UCL, Bentham House, London

(This venue is in walking distance of Kings Cross St Pancras and Euston stations.)

How can you book? We are just finalising the programmes and hope to have an outline of the day and booking details ready next week. There will be an early bird discount.

We will have keynote speakers, panel discussions and workshops. Plenary topics will include policy and campaigning sessions and consideration of justice issues generally. Workshops will cover civil and criminal law, practice management and costs. We will of course cover the Means Test changes, RoCLA and the latest on the Criminal Legal Aid Review.

If there are any issues you would particularly like covered please email policy@lapg.co.uk while we are planning the day. We hope that there will be workshops run by YLAL for junior and future legal aid lawyers and we are in

discussions with them to see if this is possible.

Civil Legal Aid News

- Tender for the 2024 Standard Civil Contract – from as early as next week!?
- Review of Civil Legal Aid – Ministry of Justice is looking for practitioners to participate in practitioner survey
- Means Test
- Legal Aid for Possession Proceedings: Housing Loss Prevention Advice Service
- Changes to means testing inquests: new form CW1 INQ
- Updates to Civil Finance and Escape Fees Electronic Handbooks
- CW2(IMM) and CW1&2 MH forms – all amended
- Reminder - Online Eligibility Checker Tool
- LAA Training: CCMS, Immigration, evidence requirements for civil billing

Criminal Legal Aid News

- Updated Crime Contract schedules from 1 October 2023
- Publication of the duty solicitor rotas – 1 October 2023 to 2 April 2024
- Offenders to be ordered to attend sentencing

Legal Aid Scheme Wide News

- SMP v VMP engagement exercise outcome
- Overnight accommodation costs
- Directory of Legal Aid Providers
- Online portal

Sector News and Events

- New Shadow Lord Chancellor

LAPG News and Events

- LAPG Training Courses
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Civil Legal Aid News

Tender for the 2024 Standard Civil Contract – from as early as next week!?

Representative bodies received an email from the LAA this week which stated that they will open the tender for the 2024 Standard Civil Contract as early as next week. So legal aiders, better let your internal procurement and tendering team know that they need to come back from the golf course and dust off their Bravo log-ins.

Today we received the outcome of the consultation carried out in the summer to help shape the 2024 contracts and have a meeting with the LAA and other representative bodies to discuss the outcome on Monday. We are digesting the documents (Standard Terms, General Specification and Category Specifications) and will update members as soon as we can on any significant changes made to the 2024 contracts. You will recall that the two main issues being considering where supervision and office requirements but we will circulate a list of material changes early next week.

Please also note that the LAA has published the outcome of the SMP v VMP consultation – see below under **Legal Aid Scheme Wide News**.

Review of Civil Legal Aid – Ministry of Justice is looking for practitioners to participate in survey

Providers are invited to help the Ministry of Justice with research into the experiences of their clients. Interviews will be carried out with fee earners delivering civil representation, legal help or Housing Loss Prevention Advice Service work.

Results will feed into the [Review of Civil Legal Aid](#).

[Email now to register interest >>](#)

Means Test

LAPG has been raising questions about the Means Test Review implementation. Along with other representative bodies we have asked the LAA for an update on how this is going and timing for next phases. We will report back after our meeting with them on 14 September (the Civil Contracts Consultative Group).

Legal Aid for Possession Proceedings: Housing Loss Prevention Advice Service

For information available to the public see [here](#).



Legal Aid
Agency

Representative bodies are pressing the LAA for an update on HLPAS and have asked for information on how the process is working and about coverage in areas where there were no bids.

Changes to means testing inquests: new form CW1 INQ

The change to Legal Help for Inquests came into effect on 4 September 2023. This change is the final step of implementing Phase One of the Means Test Review.

Bereaved families in relation to inquests will now be able to apply to the ECF Team to be exempted from the Legal Help means test. The current Legal Help financial waiver process will end.

The LAA has said that any applications for a waiver that were in progress on 4 September 2023 will be treated as an application to be exempted from the means test and will be decided under the new test.

To view the Statutory Instrument which amended the Regulations, the link is here:

Criminal and Civil Legal aid (Amendment) Regulations 2023

<https://www.legislation.gov.uk/ukSI/2023/745/made>

You can read the news story on 4 September 2023 together with a new form CW1 INQ, revised Lord Chancellor's Exceptional Funding Guidance (Inquests) and a revised Inquest Provider Pack.

[See here](#)

Updates to Civil Finance and Escape Fees Electronic Handbooks

Civil Finance Handbook updated v3.4

General information including on costs assessment and remuneration for civil and crime matters. [See here](#) for details.

The LAA's summary of changes sent to us was as follows:-

“Overnight Accommodation Changes: The rates for overnight accommodation have been increased.

Reject Guidance: In the EC handbook we have made changes to reflect the finalised approach in relation to rejects and assessments. There is a new table with details on decisions to make and

the handbook has been updated at different points to reflect the guidance.

Revocation Guidance: Added a reminder in the finance handbook that claims on revoked certificates must be submitted within 6 years

Enhancement: Updated the finance handbook to confirm that providers can only claim panel membership when they are a panel member and removed the distinction for children panel members.

FAS: Added a little clarity on final hearings and some of the new hearings.

Booking Fees: We have removed reference to booking fees being administrative costs and therefore irrecoverable. Any claim for booking fees would be subject to a reasonableness assessment. A paragraph above referring to 4.29 of the contract reinforces that providers should be justifying disbursements.

Cancellation Fees: Provided confirmation that the rules on cancellation fees apply equally to appointments and hearings

Independent Social Workers: Added the new rate.

Interpreters: Updated guidance on interpreters claiming above codified rate

Refunds: Additional guidance added where change is required to payee.”

Escape Fees Electronic Handbook v2.3

How to submit escape fee case claims. [See here](#)

CW2(IMM) and CW1&2 MH forms – all amended

The LAA has amended the instructions for completing the financial eligibility sections on the above controlled work forms. [See here](#). These forms were originally published as new versions on 3 August on the gov.uk website but were inaccurate (spotted by an LAPG member firm) and the LAA updated them on 14 August but did not inform providers of the error. We are concerned that providers may still be using the incorrect forms if they downloaded them onto their document management systems on 3 August and were not aware of the error.

The corrections in the updates published on 14

August concern the instructions for under 18s within the financial eligibility section of both forms. These instructions now refer to completion of the case details and merits criteria section, as well as the client declaration. The previous versions published on 3 August only referred to the client declaration.

The forms affected are:

CW2: Controlled Legal Representation (IMM)

CW1&2: Legal Help and Controlled Legal Representation – Mental Health

The LAA has asked providers to download the updated forms and use those going forwards as well as discard any forms downloaded before 10am on 14 August 2023.

The updated instructions take account of the following changes:

- removal of means testing for under 18s applying for controlled legal representation
- introduction of the 'light touch' legal help means test for under 18s

Will the incorrect forms still be accepted by the LAA?

They have said that they will accept the versions published on 3 August. Providers should complete the case details and merits section, as appropriate, for under 18s before making payment submissions. The Guide to Determining Eligibility for controlled work has been updated to reflect these changes.

Please note that there is now a requirement to carry out a means assessment if your client turns 18 during the course of the matter.

[Reminder: Online Eligibility Checker Tool](#)

As mentioned in the last Update there is a new civil online tool called 'CCQ' – check if your client qualifies for legal aid – both certificated (licensed) legal work and controlled work (legal help and family mediation).

[See here](#)

[LAA Training](#)

CCMS

Training modules are available **[here](#)** for civil

providers working in the Client and Cost Management System (CCMS). Events are now listed for the weeks beginning 11 and 25 September.

Training is wide-ranging with introductory modules and in-depth guidance in areas such as emergency applications, means and merits assessments, amending applications and billing.

Immigration

Claiming for Detained Duty Advice Scheme work at IRCs.

This will cover billing Detained Duty Advice Scheme (DDAS) work at Immigration Removal Centres (IRCs) and what to expect before, during and after delivering a DDAS surgery. 12 and 13 September, 10-11.30am and 6-7.30pm, respectively. Book on Eventbrite [here](#).

Evidence requirements for civil billing

The LAA's civil billing and escape case teams will focus on the evidence needed for faster payments when billing. The event is on 21 September, 4-5.15pm. Book on Eventbrite [here](#).

High Cost Family lunch and Learn - LAA Lunch & learn with a twist: A day in the life of high cost family (HCF) family graduated fees (FGF): 19 September @ 1245hrs

Come and join the HCF and civil finance teams to learn more about the family graduated fee (FGF) - equivalent scheme. The LAA panel will be discussing how the scheme works, the different rates involved and how to apply the rates. The panel will be answering 'general' questions raised during the event. To register:

[LAA Lunch & learn with a twist: A day in the life of high cost family \(HCF\) family graduated fees \(FGF\): 19 September @ 1245hrs](#)

Care case fee scheme (CCFS): 28 September 1600 - 1700hrs

This webinar will focus on the care case fee scheme (CCFS) for one and two counsel case plan submissions. We will talk you through how to fully complete and submit CCFS interim and final case plans. There will be real life examples and tips on how to get a first-time agreement.

To register:

Criminal Legal Aid News

[Updated Crime Contract schedules from 1 October 2023](#)

The LAA has stated New Criminal Contract schedules starting 1 October 2023 went live by the end of August. They have replaced the current schedules for the Standard Crime Contract 2022 which ended on 30 September 2023. The schedules were due to be available in Contracted Work and Administration (CWA) from no later than 31 August 2023.

[News story >>](#)

[Publication of the duty solicitor rotas – 1 October 2023 to 2 April 2024](#)

The publication of the [duty solicitor rotas is here](#).

[Offenders to be ordered to attend sentencing](#)

[See here](#) for the Ministry of Justice summary of a story that was covered extensively in the national news.



Legal Aid
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Legal Aid Scheme Wide News

[SMP v VMP engagement exercise update](#)

The LAA consulted about the move from Variable monthly Payments to Standard Monthly Payments and wanted to bring this in with the new contracts. The outcome of the consultation was published today:

<https://www.gov.uk/government/news/standard-monthly-payments>

It states that:

The LAA published an SMP engagement exercise on 2



Legal Aid
Agency

May and committed to providing a response in August. However, to allow for the further implementation of the Criminal Legal Aid Independent Review, as well as enabling the LAA to gain improved information from the Review of Civil Legal Aid, **we are now deferring the final decision on the future of SMP until summer 2024.** [Our emphasis added]

Why is it happening now?

Allowing more time for this decision will also allow us to explore further options to improve cashflow to providers to assist with offsetting the impact of repaying held liabilities.

Further information

The LAA intend to make variable monthly payment (VMP) the default payment method in future contracts, whilst maintaining SMP as an option until such a point when the future of this payment mechanism has been determined.

Overnight accommodation costs

Providers and experts requesting approval for overnight accommodation costs should know that guideline rates increased from 1 September 2023. [See here](#). There was a mini consultation with the representative bodies where we all said that the rates were still too low, we submitted evidence accordingly but nevertheless the rates were increased only by the amount that was originally proposed.

Directory of Legal Aid Providers

The Latest Directory of Providers information from the end of August is [here](#).

As we say every time, it is worth checking the information recorded about your practice. We await details of the new providers as from 1 September.

Online portal

The LAA sent out a reminder flagging up that practitioners should stay updated about the LAA's systems. There is a 'service status' feature to see how well the different applications are working. They also provide a message box with the latest news about issues or outages. This is regularly checked and updated.

[The portal page is here.](#)

Sector News & Events

New Shadow Lord Chancellor

Congratulations to Shabana Mahmood, MP for Birmingham Ladywood and Labour's new shadow Justice Secretary.

[There is more information about her here.](#)



LAPG News & Events

LAPG Training Courses

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](#) – 21st 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)

***Date has been changed**

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 Slimane 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 26th September and 22nd November, you can book your place on any of the remaining 2023 training dates below:

[**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.

So there we have it civil legal aiders - a new contract on offer for 2024 and a tender process launching some time next week (which will run, we hear, until mid-October).

And we are very excited to be finalising our conference programme for November's national legal aid conference. We are really looking forward to

seeing as many of you as possible at the conference - we have missed you!

Take care one and all,

Chris Minnoch, CEO [@ChrisLAPG](#)

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[#WeAreLegalAid](#)

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

**LEGAL AID
LAWYER
OF THE YEAR AWARDS**



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