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LAPG Member Update

Issue 23 of 2025

LAA cyber breach – new set of contingency arrangements from 27 June 2025

Welcome to our latest Member Update covering the evolving situation with the LAA cyber breach.

The LAA has just announced that from **27 June 2025**, they will introduce enhanced business continuity arrangements in response to the ongoing outage of their online systems. This new set of arrangements will remain in place until further notice. At the current time, we have not been given any indication from the LAA how long this situation is likely to continue.

The LAA has said that their main priority continues to be ensuring access to justice and making sure legal aid providers receive payment. These strengthened measures are intended to support providers, ease administrative pressures, and help prevent an unsustainable backlog of cases from growing while contingency arrangements remain in place.

The LAA shared the new contingency plans in yesterday afternoon's bulletin (24 June 2025), and they have done that in advance of these measures coming into

force to allow providers time to familiarise themselves with the new arrangements. You can find the detail on the new civil and criminal contingencies below which set out the new processes, how to complete forms and the support available from the LAA. It is worth spending some time reading through these guides as there are several new processes being introduced as summarised below.

It is important to note that the new contingencies will go live on the incident webpage on Friday 27 June and will apply from that date. Until then, the existing measures will apply and continue to be visible on the incident and FAQ pages. The incident webpage will be updated with the new guidance on Friday 27, whilst the current FAQ page will be archived and a new FAQ created covering these new processes.

We think it is worth keeping a record of the existing measures so that you still have access to them once they are either updated or removed. You can do this either by making a PDF or taking screen shots. We will do that and are happy to share those with members on request.

The LAA has stated in their comms that they consulted with rep bodies including LAPG, which they did do. However, whilst they did accept some of our suggested amendments, many were not accepted which is frustrating given that they asked for our input and then ignored much of it.

You can find the new guidance documents below in these links.

[Civil Legal Aid Contingencies from 27 June 2025](#)

[Criminal Legal Aid Contingencies from 27 June 2025](#)

A summary of the key measures is as follows:

Civil Legal Aid

For the period that these arrangements remain in place:

- Emergency representation time limits will be extended to 16 weeks and the default costs limitation set at £4,500.
- Initial means and merits decisions will continue to be made by the LAA via emailed forms, however providers will now be empowered to amend

substantive certificates. This includes changes to the level of service, proceedings, scope and costs up to a maximum of £7,900 (or already existing £25,000 limit for certain proceedings e.g. care). If an existing substantive certificate already has a higher cost limit then this will remain.

- Providers will have the ability under delegated functions to handle non-contentious withdrawals.
- The LAA will honour all uses of Delegated Functions which comply with the provisions of the relevant Contract and any applicable regulations. If it is determined that the merits criteria are not met at the point the LAA assesses the application, an embargo and/or discharge of the emergency certificate will take place from that date. Providers will be able to claim for work up to that date.
- Client contribution payments will be waived for existing and new cases and will not be required to be paid once services are restored.

Criminal Legal Aid

For the period that these arrangements remain in place:

- Providers will have the ability to complete means and merits (interest of justice) assessments using their delegated functions, for summary only offences and either-way offences in the magistrates' court (and other incidental proceedings) only where the client is passported, unemployed, or under 18. Providers will be able to issue representation orders for these cases using a template provided by the LAA.
- Providers will have the power to withdraw a representation order in the magistrates' courts (but LAA's power to review withdrawal decisions will be extended to cover decisions made by the LAA and by providers)
- Providers will be empowered to make decisions about representation for committals for Crown Court sentence for either-way offences where the substantive proceedings have taken place in the magistrates' court to providers.

Any existing contingencies not covered by the new guidance will, we assume, remain the same as those currently in place.

We realise that there is a lot of information to absorb here, particularly when you consider that the current contingencies have developed over time and people are

just getting used to them. If you have any questions about how these arrangements will work please get in touch with our [Director of Legal Aid Policy, Kate Pasfield](#). We will do our best to respond as quickly as possible.

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

Take care one and all, Kia Kaha,

Chris Minnoch, CEO [@ChrisLAPG](#)

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