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13/10/23

LAPG Member Update

Issue 28 of 2023

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- The new President of The Law Society
- Civil Justice Council's 12th National Forum – Friday 17 November 2023



The LAPG Annual Conference will be held in person on 9th November at University College London – details on [LAPG's website](#).

[Get your tickets here](#)

Civil Legal Aid News

Civil Legal Aid Tender – deadline 17.00 on 17 October 2023

If your organisation wants to carry out civil legal aid work when the current contract ends on 31 August 2024, **you must submit a tender even if you hold an existing 2018 contract**. Accepting a recent offer from the LAA to extend your 2018 contract to 31 August 2024, or recently tendering for a 1-year 2018 contract, do not constitute a bid for the 2024 contract and you must submit a new tender through the current process. The tender covers all civil and family categories including HLPAS.

The Tender Deadline is 17:00 on 17 October 2023.

Please, even if it is not your responsibility officially, check that the tender has been submitted or will be by Tuesday at 5pm.

If you have not seen The Law Society page on the



tender it is useful: [see here](#).

And a reminder that the Frequently Asked Questions have been [answered here](#).

RoCLA Provider Survey

We remind members of this provider survey. Here is what the MoJ has said:

“PA Consulting (an independent third-party contracted by the MoJ) are undertaking research to provide a robust evidence base for the [MOJ’s Review of Civil Legal Aid](#). We would like to invite your organisation to take an online survey, which explores civil legal aid providers’ experiences of the sector. Your responses will help shape civil legal aid policy development.

All survey responses will be anonymous and confidential. On average, the survey takes 20-30 minutes to complete but may take longer depending on the level of detail you provide.

To participate in [the survey and for more information](#) visit the website. The survey closes on 17 October 2023.”

We never like to sound curmudgeonly but we note that providers will not be paid for their time whereas users of legal aid will be via a separate research project – see next section. We grudgingly recommend completing the survey because it would be helpful to have an evidence base for the future.

RoCLA User Research – Meeting Tuesday 24 October 2.30-4.00pm

The Network for Justice has sent out an email as follows:

“As part of the [Review of Civil Legal Aid](#) (RoCLA), the Ministry of Justice (MoJ) and the Legal Aid Agency are carrying out research with civil legal aid users and with people who support them. Through this research, they aim to explore the experiences of users with the civil legal aid process, identify issues from a user perspective, and develop options to improve the process.

We would like to invite you to a roundtable to discuss this research with the MoJ on **Tuesday 24 October from 2:30-4.00pm**. This would be an opportunity for you to:

- hear more about their aims in and approach to the research;
- discuss the criteria for the research and their approach to recruitment; and
- share perspectives on the barriers that applicants for civil legal aid face.

Following the roundtable, the MoJ will invite participants to be interviewed as part of the research to discuss their experiences of supporting people who receive legal aid in detail, and/or to share their recruitment materials with people who have previously accessed civil legal aid.

The MoJ are particularly interesting in hearing from people who have applied for legal aid in the past four years, whose case closed before the end of 2022, and who are 18 or over. They would also like to speak to people who signpost and support people through a legal matter but are not giving funded legal advice. They offer interview participants a £40 voucher in compensation. If the person is more comfortable talking through their experience with an interpreter, the research team can also reimburse the interpreter in the same way. Interviews are confidential and designed through a trauma-informed lens.

If you are interested in attending, please do circulate to your networks and register in advance [here](#).”

So far, each area of work proposed under the Review has caused us concern. Working with other representative bodies we have raised concerns about every aspect of the original proposals. It appears that the process of interviewing users has slowed down (and we would hope that that is because the MoJ has been seeking to deal with the issues raised) but we have not been informed at the stakeholder meetings of current plans. If any member feels that they can attend this meeting or forward the invitation on appropriately please do so.

High Cost Family Cases – PET (Process Efficiency Team) Meeting 19 October

There will be LAPG staff and Advisory Committee members at this meeting which focuses on high cost family cases. If you have any issues to raise with any of your cases please email policy@lapg.co.uk and if you carry out a number of these cases and would like to attend meetings to

flag up issues please let us know.

LAA Webinar – Mental Health: Getting your claims paid first time: Civil merits & escape case teams: 19 October 2023 @ 1600hrs

This LAA webinar is part of the #HelpUsSayYes Webinar: and this one is by the Civil merits & escape case teams on 19 October 2023 @ 1600hrs

The LAA says “This webinar will provide you with hints and tips on certificated and controlled work within this niche area of law, to help you get your claims paid first time.

To register: [open here.](#)

Criminal Legal Aid News

The Law Society JR re fees

There has been no update from The Law Society recently so we checked to see if we have overlooked any news. Unsurprisingly there is no court date yet. [What information there is here.](#)



Prisons, overcrowding and sending prisoners abroad

It has been impossible to miss the publicity over this but there is a summary of it [in The Times here.](#)

Legal Aid Scheme Wide News

Women's Budget Group report - Gender gaps in Access to Civil Legal Justice

The Women's Budget Group [recently published a report](#) called "Gender gaps in Access to Civil Legal Justice".

"This report sets out some of the impacts on women of changes following the LASPO Act 2012, as well as other changes to the civil legal justice system. As well as exploring the consequences of some of these changes, the report explores the reasons why (and where) women seek help or advice on civil legal matters. The report also explores possible solutions to helping women – from all backgrounds – to access civil legal justice."

There is probably nothing that will surprise members but it does pull together how women have been particularly adversely affected since LASPO.

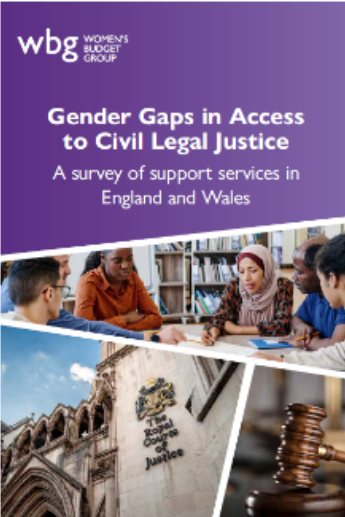
Updated Directory of Providers

The [Directory of Providers](#) has been updated on 9 October. As we always say, it is worth checking that the information about your organisation is correct.

Reading Crown Court Open Day Saturday 14 October

Reading Crown Court is holding an open day on Saturday 14 October 2023 from 10am to 2:30pm.

HMCTS says "All ages are welcome, and visitors will be able to sit in on mock trials, ask questions to judges, tour the courtrooms and cells, have their fingerprints taken for fun [er, ok...] and much more. Further information can be viewed on the [Reading Crown Court website](#)."



LAPG News & Events

LAPG Annual Conference 9 November - in person at University College London

The Conference is taking shape nicely. We have had a very short run-in and we know that



members will be very busy as always but especially with the civil legal aid tender. Prices are as low as we could make them and the early bird bookings are available until 20th October. We are constantly adding speakers and details on the website. There is something for everyone. There are three plenaries looking at the bigger picture, three sets of workshops with a choice of four workshops at each time and a drinks reception at the end of the day. And lots of coffee and nibbles throughout the day. It would be great to see you there.

And the cost?

- **LAPG Members (Early Bird - until 20th October) - £70 + VAT = £84**
- **LAPG Members - £99 + VAT = £118.80**
- **Non-Members of LAPG (Early Bird - until 20th October) - £99 + VAT = £118.80**
- **Non-Members of LAPG - £140 + VAT = £168**
- **YLAL/ JFFs/ SWSQF Members (Early Bird - until 20th October) - £20 + VAT = £24**
- **YLAL/ JFFs/ SWSQF Members - £30 + VAT = £36**

See [here](#) for more information and how to book.

Thank you to UCL, Accesspoint and John M Hayes for their support which has enabled us to keep the prices low.

APPG on Access to Justice News & Events

APPG at the Party Conferences

It's that time of year again, when thousands of politicians, businesses and party faithful descend on unsuspecting northern and coastal cities to pay homage at the altar of the various political parties. The APPG on Access to Justice team was no exception, campaigning on justice issues at all 3 conferences and hosting justice events in both Bournemouth and Liverpool. We'll be hosting a further justice event with the Conservative party in Westminster later this month to get a sense of the Conservative vision for Justice going into the next election. The topic is "*What Next for Justice?*" and we expect the Lord Chancellor, the Attorney General, and Sir Bob Neill MP to speak. Laura Farris MP will be chairing. Please



email rohini.jana@lapg.co.uk if you would like to join.

September saw the first conference gathering of the Lib Dem's since 2019, and a gentle sun shone over a hopeful party on the sandy beaches of Bournemouth. The agenda had a heavy focus on how best to tackle the growing housing crisis and discussions around the party plan to scrap the national housing target which was ultimately rejected. Other discussions hosted by the Law Society and Bar Council revolved around the Law and Liberalism and our own event exploring Access to Justice on the future Lib Dem manifesto.

Three asks were echoed by every single speaker: (1) an immediate increase in fees and index-linkage, (2) an expanded scope to cover early legal advice, (3) a call to end legal aid deserts by ensuring the existence of local providers both civil and criminal.

Zoe Bantleman of ILPA made an impassioned plea for compassion tackling rising immigration numbers, whilst complying with international legal obligations. After tackling the legislative complexity of the Illegal Migration Act, she outlined 5 obstacles to sustainable and effective legal aid: limited scope that excludes most non-asylum immigration matters; administratively burdensome Exceptional Case Funding, billing, and auditing processes; inadequate fees and insufficient billing stages to cope with the court backlog. To counter these issues, she outlined 10 key steps: covering everything from fees and scope, to safeguards and red tape.

Simon Mullings set out the position for HPLA and made the case for a bold vision for the future. LASPO has removed all the GPs and replaced them with A and E departments. Urgent investment and early advice is essential.



LAPG's Rohini Jana argued for scope, sustainability and the future of the profession, namely our 'students', citing areas of law to bring

back into scope to support the government's existing legislative agenda. We've seen a raft of new legislation in recent years passed with the express purpose of enshrining rights for tenants but there is a yawning gap between rights on a

page and rights that tenants can understand and be protected by.

The Lib Dems were in listening mode, but while a Justice Manifesto is in the process of being drafted, it was a blow to hear that the only provision with regards to access to justice that had been included was in regards to increased numbers of police officers.

Another week, another Conference and a very different mood in Manchester this year in a conference defined by the announcements surrounding HS2 and infrastructure. We attended the packed-to-the-rafters reception for Ukraine, before joining Attorney General Victoria Prentis, solicitor and out-going President of the Law Society Lubna Shuja in celebrating the previous day's appointment of Dame Sue Carr as the first Lady Chief Justice, the top judge in England and Wales. The following day was one of contrasts (or chalk and cheese if you will): speaking at a Society of Conservative Lawyers event, Lord Chancellor Alex Chalk described legal aid as a "profoundly good thing", underlining his credentials as a criminal barrister who has undertaken legal aid work, and expounding on his commitment to Early Legal Support and Advice, which he evidenced by his concept of the same name: ELSA. He appeared on the main conference stage a few hours later, but here the focus was entirely on prison expansion, the economic benefits of the legal sector and the reputation of our jurisdiction as a global legal centre.

The Lord Chancellor's closing remarks - "Let us take pride in what our country has contributed - probably more than any other to the international rules-based order" was thrown into stark relief by the more radical views that readers will be aware of expressed by former attorney general Suella Braverman's speech on the very same stage. Her speech, the most extreme by far, criticised "international rules" and alluded to the "misnamed Human Rights Act" (which, according to her, should be called the "Criminal Rights Act").

And finally, another journey up north (if only there was a faster means of travelling there), this time to sunny Liverpool and a sunny-tempered Labour party. There was a mood of excitement and energy in the city, and the beautiful Albert docks were teeming with 17,000 or so attendees bustling to the various events.

The Society of Labour Lawyers had put on a smorgasbord of justice events around young lawyers, the economic benefits of the legal system, Access to Justice and Immigration, and we hosted our own event 'Justice: Putting People First'



- with a stellar line-up of speakers. Chaired by Alex Cunningham MP and Shadow Lead for Courts and Legal Services, the panel comprising Lord Willy Bach, criminal barrister Joanna Hardy-Susskind, campaigner Zoe Gardner, HLP Chair Simon Mullings and barrister Christian Weaver talked all things access to justice, violence against women, courts backlogs, housing and immigration. A number of themes emerged- Joanna spoke movingly of reforms that were making conditions worse for complainants in rape cases, and Christian spoke of the heart-breaking case of Awaab Ishak which he'd been forced to take on as a pro bono matter. Once again practitioners urged Labour to invest in the legal system, to make changes to scope that would enable practitioners to tackle matters in a holistic manner and to build a viable career out of legal aid work.

The same themes continued the following morning at a Society of Labour Lawyers and SRA event at the stunning Royal Liver Building. The event, ostensibly to discuss Nick Madge and Roger Smith's National Legal Service concept, asked speakers from around the sector for what was needed in the next Labour Justice Manifesto. A number of ideas were mooted, and once again we returned to the theme of infrastructure. There are some laudable headlines in place, assistance and support for women, rights for tenants, a willingness to help offenders and an emphasis on education. Yet with legal aid practitioners leaving practice in droves we lack the infrastructure to truly implement these proposals. Investment is needed urgently, but also an acknowledgement on the part of the all of the parties of the crucial role that legal aid plays in this.

PLP Event: Challenging Unfairness in the Immigration System - course 21-24 November 2023



Public
Law
Project

The immigration system is now more complex and punitive than ever. This event is for those seeking to challenge discrimination and unfairness in immigration, using strategic legal, research and policy work.

PLP is presenting this series of seminars in partnership with Immigration Law Practitioners' Association (ILPA), the Strategic Legal Advice Committee (SLAC), and the Strategic Legal Fund (SLF).

The 6 seminars are presented online 1 or 1.5 hour sessions (9.5 hours in total) split over 4 days. All sessions are recorded so attendees can access after the event.

[Full details here](#)

The new President of The Law Society

There is a new President – Nick Emmerson. For more information about him [see here](#). There may be even more interest among our members in the new Vice President Richard Atkinson, who, as a criminal law practitioner, has been involved in many, many criminal law and legal aid meetings, the Bellamy report and campaigning for fee increases for years. [More information is here](#).



Civil Justice Council's 12th National Forum - Friday 17 November 2023

The Civil Justice Council's 12th National Forum on access to justice in a cost of living crisis will take place at Friends House, Euston and online on Friday 17 November 2023.



Further details and how to register [can be found](#)

[on here.](#)

A busy few weeks for LAPG, particularly in relation to the APPG and our efforts to convince the political parties to invest in and support legal aid.

And a final reminder about the civil contract tender for services from 1 September 2024. The deadline is Tuesday, 17 October at 5.00pm. If you have any questions about the tender process - please get in touch!

Take care one and all,

Chris Minnoch, CEO [@ChrisLAPG](#)

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13/10/23



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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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