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10/02/25

LAPG Member Update Issue 4 of 2025

Welcome to the latest LAPG Member Update.

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Criminal Legal Aid News

Crime Contract 2025 tender

The LAA <u>has published updated information</u> for organisations interested in delivering face to face Criminal Legal Aid Services from October 2025.

A reminder that this information relates to Stage 2 of the procurement process that is currently open and will close at 23:59 on 30 April 2025. Those tendering in this stage will be able to commence contract work on 1 October 2025 and join duty rotas from January 2026, subject to meeting the stated requirements.

New email address for cost limit increase request

From Monday 3 February 2025 the LAA's Magistrates Billing team is considering cost increases and there will is a designated email address for requests. As part of a review of the contempt of court guidance the LAA say that they have moved the consideration of cost increases to the Magistrates Billing team.

<u>Read more</u> about the reasons for introducing a new email address.

The new email address to send requests for a cost limit to be increased is: <u>NTP.extensions@justice.gov.uk</u>

For guidance on the funding of civil contempt, how to apply, and how to get paid

see: Apply for legal aid for civil contempt cases

Secure file exchange update for crime providers

On 31 March 2025 the LAA will delete the 'Special Preparation' workspace on the secure file exchange (SFE) platform Galaxkey. If you use this workspace to upload documents, please familiarise yourself with the following information:

<u>Guidance for submitting documents via Secure file exchange (SFE) – Legal Aid</u> <u>Learning</u>

CRM16: review on the grounds of hardship

<u>Apply for a review</u> of legal aid in criminal proceedings on the grounds of hardship.

CRM14: criminal legal aid application form

<u>Applying for criminal legal aid</u> in the limited circumstances where the Apply for criminal legal aid service cannot be used: main application (CRM14), financial statement (CRM15), and guidance.

Crime processing dates

<u>Check timescales</u> for the Legal Aid Agency (LAA) to process your work (e.g. prior authority application, graduated fee claims).

Civil Legal Aid News

Civil legal aid fees consultation

As reported in Member Update 3 of 2025, the Ministry of Justice has <u>launched a</u> <u>consultation</u> on proposals to increase fees for Housing & Debt and Immigration & Asylum work. The consultation also seeks views from all practitioners about the LAA's current approach within the contracts to remote working and office requirements.

The government has indicated strongly in the consultation that the fee increase proposals for these two areas of legal aid are just the first step in a wider programme of reform. It seems likely that the approach the MoJ has taken to determining the revised fee schemes for housing and immigration will also be applied to other areas of civil legal aid if further funding is made available through the second stage of the Spending Review. Given the dual focus on contractual service delivery requirements like remote working, we would therefore urge all practitioners to engage in this consultation.

LAPG has been discussing this consultation with HLPA and ILPA, and with other membership and representative bodies, to ensure that there is a coordinated approach. LAPG will be working with a discrete group of housing and immigration providers to model the likely financial impact of the proposals and what steps providers are likely to take if their legal aid income increases. We would like to support members to respond to this consultation so that the MoJ receives as much direct feedback from frontline practitioners as possible. We'll be in touch with members soon with further thoughts on the methodology adopted by the MoJ and suggestions on how you can engage with the proposals and determine how they might impact on your organisation.

Whichever area(s) of civil legal aid you undertake, if you like to discuss the proposals with us please get in touch with our <u>Director of Legal Aid Policy, Kate</u> <u>Pasfield</u>.

Note that this consultation closes on 21 March 2025.

Join a roundtable to share your views on changes to civil legal aid

The Law Society invites legal aid practitioners to take part in <u>a series of virtual</u> <u>roundtable discussions</u> in late February and early March.

These sessions are an opportunity to hear directly from Ministry of Justice representatives about recently announced changes to civil legal aid — including proposed fee increases — and to provide feedback as part of the UK government's consultation.

There will be four 90-minute online roundtables:

- 24 February, 4pm Immigration fee proposals
- 27 February, 4pm Housing fee proposals
- **3 and 4 March, 4pm** Service delivery (includes a general discussion on fees and a focus on remote working and office requirements)

To join a roundtable, <u>complete the Law Society's online sign-up form</u>. All sessions are open to all practitioners, but places are limited—register now to secure your spot.

Osbornes Wins JR on welfare benefits escape fee

Congratulations to our friends at Osbornes Solicitors for their successful

challenge to the Welfare Benefits fee regime which you can read all about here.

Osbornes' application challenged the MoJ's removal of the escape fee threshold for Welfare Benefits work which, they argued, made these cases unprofitable and unsustainable. LAPG was involved in the early stages of discussions with the LAA and MoJ seeking to persuade them to reinstate the escape fee mechanism. However court action was necessary in the end.

This outcome is crucial for the sustainability of this area of legal aid work. The MoJ has agreed to reinstate the Escape Fee mechanism, which is vital as lengthy and detailed challenges to decisions in the Upper Tribunal and beyond often involved work far in excess of what is covered by the standard fixed fee.

Civil Legal Advice (CLA) tender

Organisations are now able to submit bids to the LAA to deliver specialist telephone advice services under the 2025 Civil Legal Advice Contract. This opportunity is open to any interested party that can meet the LAA's minimum tender requirements. The procurement process opened on 29 January 2025 and will close at 5pm on 10 March 2025.

The LAA are looking to award:

- Up to 4 Discrimination contracts; and
- Up to 5 Education contracts; and
- Up to 3 Housing and Debt contracts.

You can read the LAA's news story here.

You can find the **relevant information and documentation here**.

HLPAS contract changes

As of the 27 January 2025 two changes to the 2024 Standard Civil Contract Category Specific Rules: Housing and Debt took effect. Both changes relate to the Housing Loss Prevention Advice Service.

You can find the revised contract documentation here.

The two changes relate to illegal eviction and use of interpreters, as follows:

• Illegal Eviction - clarification that where the individual is experiencing illegal eviction they would be able to seek Early Legal Advice under HLPAS. Changes have been made to the contract to amend the required entry evidence and the end point for Early Legal Advice as previously the clauses

in the contract focused heavily on cases following the legal possession route, which had proved problematic for illegal eviction cases. The policy intent was always to include those experiencing illegal eviction and so the contract changes now reflect this intent.

 Interpreters – interpreters at the pre-hearing advice stage at court for the In Court Duty service under HLPAS can now be claimed via disbursements. Current interpreters at court provided via HMCTS can only be used for the hearing itself. This change enables interpreters to be used in the prehearing stage where the initial interaction with the client is undertaken.

Revised HLPAS provider guidance reflecting these changes is available at <u>Housing Loss Prevention Advice Service (HLPAS) - GOV.UK</u>.

LAA training events

#HUSY Q&A event: High cost family (HCF): Transfer of high cost cases: Thursday 13 February @ 4pm

The latest addition to the LAA's #HelpUsSayYes (#HUSY) family is a Q&A event. This Q&A event is hosted by the civil high cost family team. Following on from the November webinar, there will be a question-and-answer event on the transfer of high cost cases. This event will give you the opportunity to ask the LAA's panel of case managers questions related to this topic.

Register here

#HUSY: High-Cost Family (HCF) virtual clinic: Wednesday 19 February 2025

The HCF clinic on 19 February 2025, 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 12 February.

Register for an appointment here

#HUSY webinar: Civil means: New process for further information (FI) requests for business cases: Thursday 27 February @ 4-445pm

The civil means team will focus on the new further information request process for business cases due to launch on Monday 3 March.

Register here

LAA webinar: Procurement Act 2024: Various dates / times

Join one of the LAA's three events in February / March 2025 to find out about the

new procurement regulations which apply to all government contracts, following the Procurement Act 2024 coming into effect. LAA presenters will discuss what will change and what providers and suppliers will need to do.

Register here

Immigration providers south west support directory

You can find the LAA's updated list of providers able to carry out legal aid immigration work in the South West of England <u>here</u>.

Civil processing dates

<u>Check timescales</u> for LAA to process your work (for example, civil applications and bills).

Cross-Cutting Legal Aid News

LAA debt collection and enforcement services

On Monday 3 February 2025, <u>Advantis Credit Ltd.</u> took over responsibility for Crown Court means testing (CCMT) debt collection and enforcement services (DCES) for the LAA. Advantis were awarded the DCES contract in August 2024, following a competitive procurement process. You can find frequently asked questions (FAQs) about Advantis, including information specific to the LAA, at <u>Advantis Credit | FAQ</u>.

Privacy notices on legal aid application forms

The LAA is updating application forms following revisions to the privacy notices. Changes have been made to privacy notices on all legal aid forms across both criminal and civil legal aid. The privacy notice now includes reference to Advantis Credit Ltd. who took over the contract for CCMT. <u>Read more here.</u>

LAA online portal help and information

You can find an updated list of services that the LAA online portal provides, terms and conditions, and help <u>here</u>.

New LAA 'About Us' webpage

The LAA has a new webpage all about who they are and what their responsibilities are.

LAPG Membership - Renew for 2025

A little nudge from the team here about renewing your membership for 2025. Membership for those working in organisations with legal aid contracts is via the organisation rather than the individual. This means that everyone in the firm or NFP with a contract becomes a member and can benefit from our services and support. However we also have membership options for organisations interested in legal aid that do not have a contract and for individuals such as barristers who carry out publicly-funded work.

The membership period runs from 1 January to 31 December each year and enables legal aid practitioners to:

- Receive regular email updates containing up-to-date information about legal aid policy, news and events
- Access our training courses and events such as our annual conference at significantly discounted rates
- Raise Member Queries to obtain our support and guidance on legal aid contracting issues (which can include working with the LAA to find solutions)
- Join our Advisory Committee to support a wide range of policy, training and influencing activities
- Access the members-only area of our website, which allows practitioners to view our archive of legal aid resources and connect with others in the field
- Contribute to our policy work, consultations, research and campaigns to improve the legal aid system and widen access to justice
- Post vacancies on our website and receive support to publicise opportunities via our social media channels
- Participate in our community-building activities, such as networking activities and the quite wonderful Legal Aid Lawyer of the Year awards

If you're yet to renew, <u>please do visit our website</u> where you can complete the online renewal process. If you have any questions about membership, please get in touch with our membership guru, <u>Anna Neira Quesada</u>. From next week we are going to start restricted access to services for organisations who held a 2024 membership but have not renewed for 2025. That means Member Updates will no longer be available and services such as Member Queries and training course discounts will be discontinued.

If you would like to talk to us about how you can maximise the benefits of LAPG membership, please do get in touch.

Sector News and Events

The Legal Action Group Domestic Abuse and Housing Law Conference 2025

LAG and Garden Court Chambers invite you to a unique afternoon conference, which will bring together leading experts in housing law with pioneering domestic abuse lawyers and campaigners. Confirmed speakers include housing silk Liz Davies KC, and Clare Wade KC, who acted in the ground-breaking *Sally Challen* appeal.

This event will include front-line professionals supporting victims of domestic abuse and their families, and will explore key issues involved in protecting the housing rights of domestic abuse victims. It will be an opportunity to share experiences, and engage in discussions aimed at improving the support available to victims facing domestic abuse and their housing-related challenges.

Topics include:

- Legal analysis and update
- Spotlight on migrant rights
- Voices from the frontline
- Update on the new Domestic Abuse Protection Notices pilot

You can find more information and how to book here.

Challenging unfairness in the immigration system – PLP training

This event is for those seeking to challenge discrimination and unfairness in the immigration system, using strategic legal research and policy work. The topics cover socio-economic discrimination to asylum and trafficking, and a how-to on running systemic cases to challenge unfairness in the immigration system as a whole.

The series is presented in partnership with the Immigration Law Practitioners' Association (ILPA).

You can find more information and how to book here.

PAMELA launch event – 18 March 2025

A date for your diaries as we're planning on holding a formal launch event on

Tuesday, 18 March 2025 for the PAMELA initiative. We are in discussions with a central London venue to host the event, which will consist of a panel discussion and Q&A with <u>author and journalist Kate Muir</u>, followed by drinks and networking. We'll update you with more details as soon as possible.

Thank you to all of those who have express an interest in being part of the PAMELA initiative. For more information about the support network, <u>see here</u>.

LAPG News and Events

LAPG research project - non-chargeable time in legal aid work

PARTICIPANTS NEEDED

We are still on the look-out for participants for our non-chargeable time research project.

As reported in previous updates, LAPG is conducting a research project in an effort to capture the amount of time spent on non-chargeable tasks generated by undertaking casework and operating under a legal aid contract – so both casework and non-casework tasks. These tasks can be many and varied taking differing amounts of time. Some are conducted daily, some weekly and others less frequently, such as file reviews and audits.

The overarching aim of the project is to compile robust empirical data on hidden or 'non-chargeable' costs of doing legal aid work, in order to influence policy in relation to legal aid funding and the operation of the scheme. We plan to share an anonymised analysis of the data that we capture with the MoJ and the LAA in order to demonstrate the time that legal aid providers spend on work that they cannot charge for. We have three research objectives:

- 1. Identify and quantify 'hidden' but unavoidable costs associated with legal aid contracts.
- 2. Analyse what tasks are intrinsically linked to the proper management of casework but are not currently claimable time in the Cost Assessment Guidance and Criminal Bills Assessment Manual.
- 3. Evaluate the complexity of the funding scheme and contractual framework and identify elements that may create complexity without adequate justification. This may include identifying duplication of tasks required by legal aid contracts and regulatory or quality assurance requirements.

Having completed the pilot phase, we are now recruiting participants for the main phase of the research project and a number organisations have signed up

and started recording their non-chargeable time for us. But, we still need a larger pool of legal aid providers to join our project.

We need to ensure that we have as wide a variety of types of providers as possible, so large, medium and small firms and not-for-profits, covering all areas of legal aid practice, including mixed practices who also carry out privately funded work.

Please get in touch with our Head of Learning and Development Andrea Shumaker (<u>Andrea.Shumaker@lapg.co.uk</u>) if you want to discuss getting involved. We really do need your help to try to tackle the enormous complexity, unpaid and wasted time associated with legal aid work.

<u>New Online Course: Introduction to Mental Health, Mental Capacity &</u> <u>Community Care Legal Aid</u>

We have launched the next course in our legal aid training series aimed at Mental Health, Mental Capacity/Court of Protection and Community Care Practitioners! This course is perfect for trainees, paralegals, junior lawyers as well as those that wish to refresh their knowledge in these areas. Paired with our Introduction to Civil Legal Aid Course, you can provide your new and junior staff with comprehensive training on the Civil Legal Aid Scheme as well as category specific information in an easy and accessible way.

Below is a list of what is covered in the course:

Mental Health

- Non-Mental Health Tribunal Work
- Non-Means Tested Non-Mental Health Tribunal Work
- Non-Means Tested Mental Health Tribunal Work
- Help at Court for Victims and Licensed Work for Representation before the Upper Tribunal/High Court
- Applying Guidance
- Costs

Mental Capacity/Court of Protection

- Cases Under the Mental Capacity Act 2005
- Cases Under the Inherent Jurisdiction of the High Court
- Full Representation Certificates -COP Cases
- The Legal Aid Application
- Financial Eligibility
 - Section 21 MCA 2005 Cases
 - Young People
 - Trapped Capital
- Other Considerations Court Orders

Community Care

- What is Community Care Law?
- Legal Help
- Full Representation
- Investigative Representation
- The Legal Aid Application
- Other Considerations
- Payment for Community Care Work

Contributors

Alison Ward is a salaried director at MJC Law in Nottingham where she practices mental health law. Alison has vast experience in representing patients subject to all sections of the Mental Health Act and is an experienced Advocate before the First Tier Tribunal (mental health), having sustained her Law Society accreditation throughout. She has a particular specialism in representing forensic patients including those detained in high secure care at Rampton Hospital. She has been involved in a number of judicial review applications throughout her career. She has also dealt with appeals including to the Upper Tribunal.

Rosie Campbell is an Associate Solicitor at Rook Irwin Sweeney. She qualified as solicitor in 2018 and specialises in public law and human rights, community care, and mental capacity law. She is committed to access to justice and has a particular interest in cases concerning the rights of disabled children and adults. Rosie has a wealth of experience in health and welfare cases in the Court of Protection. She regularly acts on behalf of adults who lack mental capacity, instructed by the Official Solicitor, as well as family members. She acts in complex cases including in relation to the withdrawal of life-sustaining medical treatment for both adults and children, best interests disputes, deprivation of liberty, and welfare deputyship applications.

Subscribe

This course is hosted on our learning platform Thinkific, delegates have access to the course for 12 months from the date of booking so they can continue to reference the material as they work through cases or across different categories of legal aid.

You can book this course at the LAPG Member rate of £200 here.

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. If you have any issues, questions, or require an invoice please email <u>Andrea Shumaker</u>.

*Must be a current host organisation. Current host organisations are eligible for the discount during the calendar year their fellow is placed with them.

Introduction to Managing Family and Civil Legal Aid Contracts Toolkit

This new Toolkit draws together key information to enable practices to understand their legal aid contract. Particularly useful for those new to delivering legal aid, it links to more detailed sources from the LAA, LAPG and others. Designed as a comprehensive resource for the people in your organisation responsible for day to day management of your legal aid contract.

Subscribe to the toolkit here

This annual subscription will keep you up to date and regularly informed of all key changes.

LAPG Members - **£100** per annum Non-members of LAPG - **£400** per annum

Included in your purchase is the Toolkit itself as well as access to a Community Board.

The Toolkit has seven main headings:

- Some Key Changes Between the 2018 Civil Contract and the 2024 Civil Contract
- Contracts Overview
- Key Issues Under the Standard Civil Contract 2024
- Managing Casework
- Managing Billing
- Managing Quality & Compliance
- Sources of Support

The Community Board notifies subscribers of all official amendments/additions to the contract and supporting documents. Updates will be incorporated into the Toolkit, which will be kept under constant review. The Community Board is a peer network which enables subscribers to interact with others managing contracts.

Hosted on our learning platform, Thinkifc, the Toolkit is an intuitive and easily navigable resource.

Contributors

Vicky Ling has spent her career in the advice and legal sector and has worked with a wide range of solicitors' firms and not for profit legal practices. She is a Chartered Quality Professional and provides expert consultancy support in relation to practice management and legal aid service delivery issues and has written extensively on these topics. She edits the LAG Legal Aid Handbook.

Matthew Howgate is an Organisation Development Consultant and Director of the LAPG Management & Leadership Hub. He started his career as a legal aid solicitor and has spent the last 15 years working as a consultant across the legal aid and advice sectors.

Training courses

New Training: People Management – Building & Managing Your Team

Delivered by experienced organisational development consultants Vicky Ling and Matt Howgate, this two-day online course focuses on the key management skills needed to build, strengthen and manage teams while enhancing their performance. Each session runs online from 10am to 4pm with breaks and is accompanied by a full set of written materials. This course is perfectly pitched at new managers (and potential managers) but is a great reminder session for those who have been managing for some time.

Session 1 took place on the 21st of January 2025, with Session 2 scheduled for the 25th of February.

Session 1: Building Your Team

With reference to SRA, legal aid, Lexcel and SQM requirements, participants will understand how to deliver effective recruitment, induction and probation, training and development, delegation, creating healthy workplaces and how to manage people exiting the firm.

Session 2: Managing Your Team

With reference to SRA, legal aid, Lexcel and SQM requirements, participants will understand how to deliver effective supervision; performance management, giving feedback, dealing with bullying and inappropriate behaviour, whistleblowing and handling grievances and disciplinary matters.

LAPG members receive a £80 discount on the course fee, bringing it down from £500 to £420. Please click <u>here</u> to book your place now! If you have any issues or require an invoice please email <u>Andrea Shumaker</u>. 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.

*Must be a current host organisation. Current host organisations are eligible for the discount during the calendar year their fellow is placed with them.

We'll be looking to run a second iteration of the course later in 2025 so if you are interesting and want to join the waiting list please contact <u>Andrea Shumaker</u>.

Supervision Courses

We have confirmed the dates for our 2025 Supervision Courses scheduled for 13th March, 15th May, 10th July, 18th September and 25th November. You can book your place on any of the remaining 2025 training dates below:

<u>13TH MARCH 2025</u> <u>15TH MAY 2025</u> <u>10TH JULY 2025</u> <u>18TH SEPTEMBER 2025</u> <u>25TH NOVEMBER 2025</u>

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 <u>Andrea Shumaker</u>.

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 <u>here</u>. If you have any issues or require an invoice please email <u>Andrea Shumaker</u>. We offer three discount codes, JFFfree, 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.

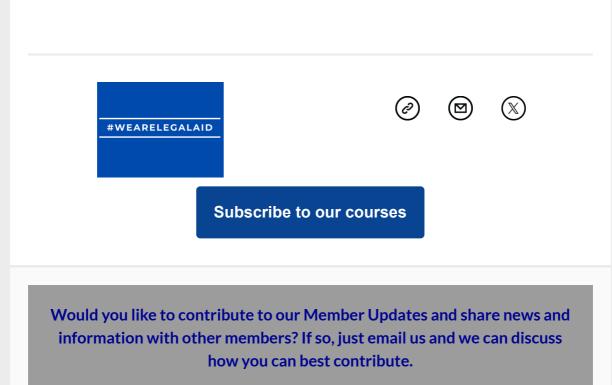
Another packed Member Update for you LAPG family and friends. As always, if you want to discuss anything in this Update with us just get in touch. And if you have anything you would like to include in our Updates, to share with other members or to reach out and connect, please do let us know.

Follow LAPG on Twitter @WeAreLAPG and look out for us soon on Bluesky Social.

#WeAreLegalAid 10/02/25

Take care one and all,

Chris Minnoch, CEO @ChrisLAPG









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