



2020 – Our work during what has been an extraordinary year

LAPG is its Membership. We exist to promote the interests of legal aid practitioners and the clients you strive to serve.

This year has undoubtedly been very difficult for everyone in the sector. The abrupt lockdown in March saw all parts of an essentially in-person justice system come to a juddering halt. Firms and Not-for-Profits delivering legal aid services were forced to close their offices and staff were obliged to work from home, courts and tribunals venues closed, prison and hospital visits stopped and clients could no longer access their lawyers in the way that they had been doing. The knock-on effects on client access to justice and the delivery and sustainability of legal aid services have been very dramatic.

Here at LAPG Towers (in reality we are in various small towers scattered around London and the home-counties), every ounce of our energy is dedicated to improving the legal aid scheme to ensure it is accessible to as many people as possible. We also work tirelessly to improve the system for you – the providers of legal aid – without whom there is no legal aid system. We feel proud and humbled to represent such an amazing group of professionals. The work you do is truly inspiring and, as we have said many times before, it changes lives and it saves lives.

We know that you all work within an unnecessarily complex system, with ludicrously low rates of pay, that the work is relentless and stressful, and that the Legal Aid Agency can at times make life impossible. But we also know how committed you are, that you put the hours in and take everything that comes with legal aid because it is the right thing to do for your clients and for society at large.

One of LAPG's primary functions is to improve the delivery and administration of the legal aid scheme by engaging with the LAA on operational issues and the MOJ on the development and implementation of legal aid policy. We do so as a statutory consultee body, through participation in the Civil and Crime Contract Consultative Groups, the Process Efficiency Team, the Quarterly Digital & Technology Meetings and numerous other informal and ad-hoc processes. We act as a conduit between the LAA/MOJ and practitioners in an effort to ensure that policy-makers take heed of the experience and expertise of those delivering services.

In order to do what we do on your behalf, we rely on your financial support through your subscriptions, to give us the resources we need to fight for a better system. Our Members not only give us an independent and representative voice, you also gives us a strong collective voice and the coalface experience to be able to lobby the government for change.

Here is a flavour of what we have done in this extraordinary year to support you:

- Immediately on lockdown, we started logging your views on what urgent changes the LAA needed to make to the legal aid scheme to ensure continued operation of your services. We then lobbied the LAA which resulted in many of the changes we have seen in the **contingency arrangements**, such as flexibility over office opening hours, remote working, flexibility on signing LAA forms and means evidence, interaction with clients, auditing and flexibility on appeal deadlines.
- We continue to lobby hard with the LAA and MOJ on **cash flow measures to support providers** (including directly in small meetings with the LAA CEO and her senior team) such as the reinstatement of SMPs, POAs to be claimed more frequently and at 100%, claiming



enhancements as part of the POA process, interim payments for Controlled Work, payment of FAS as interim bills to allow payment at 100% and removal of the 3-month restriction for raising a POA.

- We represented your views at the **Gold Command meetings** that were convened immediately on lockdown by the MOJ involving the LAA, HMCTS and HMPPS covering all issues Covid-19 related in civil, family and crime, including the impact on clients and their lawyers from the rapid switch to remote justice. These meetings were every other day for some months into lockdown as the justice system adjusted to the new remote methods of working and then as things settled, continued weekly.
- We obtained emergency grant funding from The Legal Education Foundation (huge thanks to them for supporting us) to set up a **Covid-19 email support service** for providers to seek the expert views of consultants such as Vicky Ling and Matt Howgate on pressing issues such as the use of digital signatures, interpretation of the new rules on means evidence and advice on remote working. We produced a FAQ document of common concerns and assisted dozens of providers to unpick tricky practice management and compliance problems.
- We have continued to work with the LAA on improvements to decision-making following our **LAA decision-making survey on the culture of refusal**. This work has directly led to the LAA taking a hard look at its decision-making processes and resulted in work streams such as the 'application fixer' pilot, greater accountability and better training for caseworkers, stopping the practice of date-limiting of certificates, work on higher automatic costs limits and shortening the time from delegated functions to grant of substantive certificates.
- As the year progressed, we heard from many of you about feelings of stress and burn-out. We know that working in legal aid is difficult at the best of times. In collaboration with city firm Linklaters, we decided to run a survey into the **wellbeing of the sector**. The 420 responses we received demonstrated the devastating impact that the pandemic has had on legal aid lawyers and support staff. We are now working with Linklaters on a dedicated support package of mental health and wellbeing services for legal aid practitioners.
- As an **official consultee body** (along with The Law Society and Bar Council) the government must consult us on all proposed contract changes. This year we have represented your views through consultations on a wide range of changes, including claiming POAs, civil costs assessments being transferred to the LAA, HPCDS contracts and guidance, immigration fees, mental health hearing fees and the CLAR accelerated items.
- We have **monthly meetings with the senior team at the MOJ** to discuss the sustainability of the civil legal aid sector. These discussions feed directly into Ministerial briefings and have contributed to the growing recognition with the Ministry of the need to formally review organisational sustainability.
- The **Criminal Legal Aid Review** continues to limp along, with the accelerated measures (CLAR 1) now in place. CLAR 2 is now in the planning phase, and we have been involved in numerous discussions with the MOJ team and other rep bodies over various aspects including the need for an independent fee review body.



- The MOJ team has commenced a **civil legal aid sustainability review** – and we have participated in a number of workshops this year, focused on aspects such as recruitment and retention of staff, NfPs and Law Centres, housing and HPCDS, family law and other areas of civil legal aid.
- On the **housing front**, we are members of the Master of the Rolls Working Group for Possession Proceedings. We have worked closely with duty providers and the LAA on changes to the HPCDS guidance to reflect the overall arrangements, negotiated with the LAA and MOJ on travel costs and payments to providers for telephone lines for remote delivery, and countless discussions with LAPG member firms with duty contracts on the overall arrangements, on-going meetings with the LAA, HMCTS and providers on the bedding-in of the new arrangements for duty schemes.
- We have continued to answer non-Covid related **Member queries** on operational issues, with those queries and our own concerns feeding into our **policy work** directly with the LAA and MOJ. We meet with MOJ and LAA through the range of formal processes set out above, and via ad hoc meetings on issues such as office and supervisory requirements, CCMS outages and plans for the development of the new ‘apply’ system which will eventually replace CCMS.
- We are currently engaged with the MOJ on the future of legal aid policy through the Legal Support Action Plan. We sit on all of the **Advisory Groups** set up to advise and shape recommendations around the means test, the criminal legal aid review, the early advice pilot and other key areas of the Action Plan. Our role is to ensure that your voices are heard so that we can safeguard and improve legal aid.
- We also engage politicians through our role as joint secretariat of the **All-Party Parliamentary Group on Legal Aid** (in conjunction with YLAL). The work of the APPG has expanded massively in recent years, so while we still hold regular meetings in parliament on key legal aid issues, we are now training MPs’ caseworkers, briefing Select Committees, briefing MPs for debates, sending monthly bulletins to MPs and Lords and running campaigns such as last year’s successful Take Your MP to Work Campaign which garnered support from over 60 MPs.
- Recognising the imperative for greater parliamentary awareness of the crisis affecting legal aid, the APPG launched a cross-party initiative called the **Westminster Commission Inquiry into the Sustainability of Legal aid** in September 2020. Chaired by Karen Buck MP, the Inquiry is holding 6 live oral evidence sessions and carrying out detailed research on the legal aid workforce with academic support from Cardiff and Newcastle Universities. The Inquiry has already heard heart-wrenching evidence from criminal defence and family practitioners, and will gather critical data about those delivering legal aid and those seeking to join the profession. The Commission will report in summer 2021.
- Members receive **regular email updates** on operational and policy issues, news and events. These come out about once a week and keep you informed about all things legal aid and related access to justice issues.
- We bring practitioners together every year to celebrate the incredible impact of legal aid through the **Legal Aid Lawyer of the Year Awards**. This year we could not run our customary live event for around 500 guests so quickly adjusted to deliver a truly wonderful and uplifting virtual event in July. We run the awards on a non-profit making basis, and this year the event



was free, so that all practitioners can be part of the LALY family. Between the start of the nomination process and the live ceremony, the LALY awards generated well over 1,000,000 impressions on twitter, significantly increasing the profile of legal aid and the those brilliant practitioners delivering such vital services.

- We support Members with **recruitment**, advertising jobs on our website and on social media. We also encourage the next generation of legal aid lawyers through our work with Young Legal Aid Lawyers and with a range of universities and colleges.
- Each year we deliver **training courses** tailored to your needs. We offer an intensive practice management course, and workshops on LAA supervision, GDPR, income maximisation and an online introduction to legal aid course for new practitioners. Over the last two years more than 250 practitioners have attended our training courses. With support from The Legal Education Foundation and Therium Access, we have expanded our staff team to dedicate even more resource to supporting you and helping you to deliver your services and support your staff team.

We now have six staff members but we couldn't do any of this without our incredible voluntary Advisory Committee made up of expert legal aid lawyers and practice managers. They help answer Member enquiries, attend meetings with the LAA and MOJ, speak at the LAPG conference and support our events including the LALYs (and so much more). They also form the nucleus of our Board of Directors, LAPG's governance body.

LAPG Team

4 December 2020