



29/04/22

LAPG Member Update

Issue 11 of 2022

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Legal Aid News & Events

The end of the LAA Covid-19 Contingency Measures

Contingency Measures
COVID-19

All providers will have now received notice from the LAA of the withdrawal of the vast majority of

Covid-19 contingency measures. Most measures had been either phased out or transitioned into permanent changes over the last year, with the final measures now set to end on 16 May 2022. Measures put in place to enable clients to provide digital signatures (or in some cases no signature) and for providers to accept photographed or scanned evidence remain in place until further notice.

For a full breakdown of the current position in relation to all of the various contingency measures, see the LAA's schedule of Covid-19 measures here:

<https://www.gov.uk/guidance/schedule-of-processes-restarting-after-covid-19-contingency>

In recent months LAA contract managers have been contacting providers and asking them to confirm whether they are now in a position to revert back to full compliance with the standard requirements of the crime and civil contracts. The LAA has reported to us that the vast majority of providers are now in a position to do so, and with all government restrictions lifted they are confident that it is now time to withdraw the remaining contingency measures. However a number of our members have been in contact to express concerns about the fact that high infection rates pose risks to staff and to vulnerable clients. They have also noted that business practices have changed over the course of the pandemic and it is not always practicable to revert back to the pre-pandemic position. They are particularly concerned about the withdrawal of contingencies relating to office opening hours and supervisor requirements and have pointed out that alternative arrangements, including remote supervision and limited opening hours, have worked well during the pandemic without compromising the quality of their service or their standards of client care.

Prior to the announcement by the LAA that they would be withdrawing the remaining contingency arrangements the LAA canvassed the views of a wide range of membership bodies. As part of this process we raised concerns about the potential for adverse impact on some providers. However the LAA has pressed ahead with its plan to return to 'business as usual' despite the fact that we argued that business as usual has changed significantly for many providers over the last two years in response to events that were completely outside of their control.

We would like to keep this conversation going with the LAA so if you have any concerns about the practical, HR or health and safety implications of returning to a business as usual approach [please do get in touch with us](#). We believe the LAA should offer flexibility around these measures by allowing for alternative approaches, if firms and agencies can demonstrate that client access, quality of service and client care are not compromised by a variation on the standard contract requirements. Please do get in touch with us if you would like to discuss this further.

Means Test Review and Criminal Legal Aid Review Updates

The LAPG staff team and our expert Advisory Committee are currently beavering away on our responses to these two gargantuan consultation processes. Thank you also to a range of practitioners and experts from our member firms and agencies for offering up your time and expertise to help us shape our responses.

Both consultations close on **7 June 2022**. For more information about the processes see:

[Response to the Independent Review of Criminal Legal Aid and Consultation on Policy Proposals](#)

[Means Test Review Consultation](#) (note that the [consultation itself is hosted here](#))

Our aim is to circulate our draft consultation responses to the membership via an update in mid-May 2022 to enable you to feed in any thoughts or ideas. [But please do get in touch with us](#) at any stage if you have any information or ideas to share, or you would like to feed in to our responses.

The Law Society and Ministry of Justice are hosting a series of events to help inform practitioners about these two consultations:

Law Society event: Wed 4 May 2022, 6.15pm - The CLAIR consultation - Your chance to hear from Minister Cartlidge
Location: Online

Legal Aid Means Test Review

Closes 7 Jun 2022

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[Book your place here](#)

The MoJ has published a consultation on the proposals arising from the Criminal Legal Aid Independent Review (CLAIR) report. Minister Cartlidge will summarise the proposals and answer your questions on this topic.

MOJ Event: Wed 4 May 2022, 4-5.30pm - Criminal legal aid means test proposals. Virtual stakeholder event

Location: MS Team

[Book your place here](#)

Law Society event: Mon 9 May 2022, 2pm - Government consultation on changes to the civil legal aid means test

Location: Online

[Book your place here](#)

The government has undertaken a review of the legal aid means test. They are now consulting on their proposals for changes to the test. The consultation is open for twelve weeks and we want to receive input from our members on the proposals to feedback to government through our response. This event will tell you what the government is proposing for both the criminal and civil legal aid means test and is an opportunity for members to give their views on those proposals.

Law Society event: Wed 11 May 2022, 4pm - Government consultation on changes to the criminal legal aid means test

Location: Online

[Book your place here](#)

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PLP publishes research on

'Trapped Capital' and legal aid means testing



PLP has this week published their report and recommendations: [Trapped capital and financial eligibility for legal aid](#).

The Government's recent Means Test Review means the landscape on legal aid is changing, but new research from the Public Law Project shows there is still much to be done to ensure legal aid is accessible to eligible low income homeowners, including domestic abuse survivors

'Trapped capital and financial eligibility for legal aid' by researcher Dr Emma Marshall and solicitor Daniel Rourke shows that despite a ruling in 2020 making legal aid more accessible for those with trapped capital, significant hurdles remain for low income homeowners in obtaining legal aid, including incorrect advice given by the Legal Aid Agency (LAA).

Based on surveys and interviews with providers, support workers, and a domestic violence charity, the research found that individuals are still unable to access legal aid in 30% of 'trapped capital' cases.

The research found that barriers to legal aid include financial disincentives for legal aid providers, a failure by the LAA to provide adequate training to its caseworkers or information to the public, and the discretionary nature of the rules around legal aid eligibility.

These problems persist despite litigation brought in November 2020 by PLP clients which resulted in two key changes that should make it more accessible:

- New regulations providing that when valuing a home as part of the capital test, the full value of any mortgage can now be deducted.
- Updated guidance to confirm that the Director of Legal Aid casework has a discretion to value a home 'equitably' (including by valuing it at £0), if there would otherwise be a breach of convention rights/the common law right of access to the court.

[Read the full report here](#)

Contacting the High Cost Family Team



Legal Aid
Agency

From the LAA 21 April 2022:

We have made changes which mean you can now contact the high cost family team through the Client and Cost Management System (CCMS).

What does this mean?

You should submit a case enquiry using CCMS and avoid sending emails to this mailbox:

highcostfamily@justice.gov.uk

The options available to you in the system will be:

- *general VHCC enquiry – for queries not specific to a case*
- *VHCC case enquiry – for case specific queries*

From 1 June 2022 emails will only be responded to if:

- *you are an applicant and don't have access to CCMS*
- *you want to make a complaint*

This will prevent duplication and ensure that the team can respond promptly.

The automatic bounceback on the mailbox will be updated and any emails that fall outside of the circumstances listed above will be deleted.

You should continue to use the high cost family fixer mailbox if you think an error has been made. Guidance about using this service is available on our training website within the 'contact us' directory.

Further information

highcostfamilyfixer@justice.gov.uk – refer to training site guidance before emailing to report errors

[Legal aid learning: contact us](#) – scroll to 'high cost family fixer' for 'more information' guidance link

[Launch of high cost family fixer service](#) – GOV.UK news story

highcostfamily@justice.gov.uk – only use to contact high cost family team in circumstances outlined above

The LAA's Legal Aid Learning page gets a makeover

From the LAA 21 April 2022:

We are refreshing the look of the home page for our training and support specialist website from Monday, 25 April 2022.

In response to user feedback, the idea is to make it easier to view highlighted content and give it a more user-friendly feel.

'What's new' section

We're also adding a 'what's new' section which will highlight any recent changes, including new additional content.

Webchats

All the existing content will remain. You should note especially that the 'webchat' feature can now be found in the 'contact us' section.

Feedback

We welcome feedback on the redesign which can be submitted via a form on the home page.

Further information

[Legal aid learning home page](#)

[Legal aid learning contact directory](#) – for 'webchat' feature



Legal Aid
Agency

The next Civil Contracts Consultative Group meeting

The next CCCG meeting takes place on 18 May 2022. CCCG meetings are an opportunity for bodies representing civil practitioners to meet with the LAA to discuss operational, process, commissioning and digital issues. Prior to each meeting civil representative groups get together to coordinate our approach to the next meeting. At yesterday's meeting the groups shared views on keys issues to raise through the Means Test Review consultation, and discussed the next civil



"OK, who's ready for a breather."

tender round, the LAA's current approach to developing immigration services in SW England, the Early Legal Advice Pilot, the Process Efficiency Team work streams and the actions arising from the last CCCG meeting.

If you would like to catch up on what has been discussed at recent CCCG meetings, [see the Gov.uk page which hosts the minutes](#). And please do get in touch with us if you want to discuss any of the issues raised at these meetings. They are very operational meetings so we are always interested to hear from members about how these issues are developing at the legal aid coalface.

LALY awards 2022 – nominations now closed – what happens next?



Nominations closed this week for the 2022 Legal Aid Lawyer of the Year awards, and what a fantastic crop of nominations we received across 11 of the 12 award categories (Outstanding Achievement is awarded by the judging panel).

So what happens next? The judging panel meets on 16 May 2022 and has the incredibly difficult job of selecting the finalists. We will publicly announce the shortlist later that week or early the following week. All finalists will be contacted directly before we make any public announcements. Look out for a dedicated Member Update announcing the finalists, and follow @LALYawards for news.

Aaaaand, then we all get together on 12 July in London for the LALY's 20th birthday party and our first chance to host a physical ceremony since 2019. We can't tell you how excited we are to be back to an in-person event and to have 500+ friends and colleagues joining us to celebrate the incredible work of legal aid lawyers.

Join us for the 20th anniversary event on 12 July [by grabbing your tickets here](#).

The LALYs are run on a non-profit basis and all sponsorship and ticket sales go towards the costs of staging the event and making it as accessible as possible. Tickets cover the glittering event, drinks

and food and are a remarkably affordable £40pp, with discounts available for members of Young Legal Aid Lawyers and the Justice First Fellowship scheme.

Sector News and Events

The Manchester Crime and Justice Film Festival 2022

Manchester Metropolitan University's Policy Evaluation and Research Unit is hosting this year's film festival with a series of events in May and June, showcasing films which provoke debate and provide an alternative take on crime, justice and punishment.

For more information about the range of events and how to book your place, [see here](#).



PLP event: Data law for public lawyers

Data law for public lawyers, public law for data lawyers – 27 May 2022

Government are using data in ways they have not done before. This event looks at data use and the law, and will be relevant across areas including benefits, immigration, housing, discrimination, health, procurement, policing, or criminality and protest.

Who this event is for:

Lawyers, researchers and policy professionals concerned with the data use and misuse and Government decision-making.

[Further information and booking process here](#)



Public
Law
Project

Change of dates for the LAPG Certificate in Practice Management



register for the entire 5-session course, or book for the sessions that best meet your training needs

We have now opened the booking process for the full CPM course. At just £499 for LAPG Members (£649 for non-members) this course is incredible value for legal aid practitioners. We are able to heavily discount this course thanks to the generous support of The Legal Education Foundation and the Community Justice Fund. Sessions can either be attended as discrete courses or for your place on the course could span more than one course if you wish to work towards the full Certificate over a number of years.

Focussed primarily on the needs of managers and supervisors in private practice, the LAPG CPM covers key strategic and management issues over 5 full-day online workshops:

Please note that the course dates have changes from previous LAPG updates

- 6 June 2022 - Session 1: Time Management & Strategic Planning [BOOK HERE](#)
- 14 July 2022 - Session 2: Financial Management [BOOK HERE](#)
- 8 September 2022 - Session 3: People Management [BOOK HERE](#)
- 6 October 2022 - Session 4: Policies and Compliance (including Diversity and Inclusion) [BOOK HERE](#)
- 3 November 2022 - Session 5: Communications (a.m.) & Legal Aid Contracting (p.m.) [BOOK HERE](#)

More information about this course is [available on our website here](#).

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 and Introduction to Legal Aid online training module



Supervision

Our next online Supervision Course takes place on 10 and 17 June 2022. 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.

[JUNE 2022 COURSE - BOOK YOUR PLACE HERE](#)

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.

To subscribe for just £99 please email [Anna Neira Quesada](#).



2022 LAPG Membership

A huge thank you to all of the organisations that have renewed membership for 2022. Your support ensures that we can maintain a strong and independent voice to advocate for legal aid practitioners and access to justice at the highest levels of political influencing and push for operational improvements to the legal aid scheme with the LAA.

LAPG Membership runs from January to December so there is still time to refresh your LAPG Member status.

Number of fee earners	Standard Fee
1 – 5 fee earners	£175.00
6 – 10 fee earners	£265.00
11 – 20 fee earners	£380.00
21 – 30 fee earners	£520.00
31 – 50 fee earners	£605.00
51+ fee earners	£700.00
Non-contract holding rate	£315.00

To download the membership renewal form or for more information on the renewal process please [visit the Membership page of our website](#).

If you have any queries about LAPG membership or the renewal process, please contact our ever-helpful Operations Officer, [Anna Neira Quesada](#).

Please do get in touch about any of the issues raised in this Member Update. We'd particularly like to hear your views in relation to the LAA's contingency measures, and any thoughts or concerns you have about the government's Means Test Review or Criminal Legal Aid Review proposals.

Have a relaxing weekend one and all,

Chris Minnoch, CEO [@ChrisLAPG](#)

Follow LAPG on Twitter [@WeAreLAPG](#)
[#WeAreLegalAid](#)
29/04/22



Subscribe to our courses

Would you like to contribute to our Member Updates and share news and information with other members? If so, just email us and we can discuss how you can best contribute.

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

LEGAL AID LAWYER OF THE YEAR AWARDS



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