



12/04/22

## LAPG Member Update

Issue 9 of 2022

### Legal Aid News & Events

- Criminal legal aid reaches point of no return?
- LALY awards 2022 – nominate your legal aid hero by 25 April
- Legal Aid Census campaign gains momentum
- Confirmation of extension to the 2018 Civil Contract
- DDA Scheme tender deadline 25 April 2022
- LAA news round-up: CBAM; Subject Access Requests; SQM

### Sector News & Events

- Social Welfare Solicitors Qualification Fund commences
- SRA and Kaplan announce delays to SQE2 examinations
- PLP events: Advanced judicial review and data law for public lawyers

### LAPG Training & Support

- Change of dates for the LAPG Certificate in Practice Management
- Supervision Courses and Introduction to Legal Aid online training module
- 2022 LAPG Membership

## Legal Aid News & Events

### Criminal legal aid reaches point of no return?



Well they can't say they weren't warned. In yet another example of the Ministry of Justice failing

to follow the recommendations of an independent review that they commissioned, the legal aid sector has now reacted with anger to the proposals to reform criminal legal aid.

The government's proposals have prompted [a 'no returns' policy by The Criminal Bar Association](#), which commenced yesterday. A CBA ballot in March 2022 about the CLAIR proposals demonstrated that 94.34% of its members (1800 of 1908) supported the move to adopt 'No Returns' to AGFS cases from 11 April. This effectively means that CBA members will not respond to requests to appear in hearings in which another advocate is, or was, instructed as the trial advocate. [In guidance issued to members](#) the CBA notes that the 'willingness to accept returns is an act of goodwill that maintains the smooth and efficient running of the Crown Court' and that by 'refusing to accept returns in the Crown Court, a criminal barrister is not refusing to work. They are simply limiting their caseload to their own cases with respect to which they will fulfil their professional obligations and act in the best interests of their clients'. It is widely acknowledged that this action by the CBA will have a significant impact on Crown Court caseloads and is a clear and strong signal that the CBA does not accept the government's proposals for criminal legal aid fee reform.

After initial but cautious optimism by The Law Society, the representative body has now dramatically changed its opinion of the government's recommendations after detailed analysis demonstrated that investment falls well short of that recommended by Sir Christopher Bellamy's independent review. [The Law Society has now withdrawn its support](#) for the proposals, calling the package on offer 'woefully short of the minimum identified as necessary to keep the network of criminal defence services functioning'. The Society has also noted that 'our members will need to think long and hard as to whether they believe there is now any prospect of a viable economic future in criminal legal aid. Sadly, unless the government changes tack, we no longer believe that there is'.

The Law Society issued [a detailed explanation](#) of why it has rejected the government's proposals. This should be read by all those who are intending to respond to the [CLAR consultation](#) by 7 June 2022. We would also advise those with an interest in criminal legal aid to attend TLS's webinar 'The CLAIR consultation - what it means for you' on 5

May 2022 [by booking here](#).

On 8 April 2022 The Law Society [published guidance](#) on undertaking advocacy during the CBA 'no returns' action. The guidance notes that:

*'We recognise that collective action by the profession as a whole, or by local law societies or groups may be caught by the UK competition law prohibition of anti-competitive agreements and trade association decisions and are not calling for such action to be taken.*

*But in the current circumstances, it will not be surprising if many solicitors decided independently that for professional or commercial reasons, they are unable to take on work where they cannot be confident either of finding an advocate for the case, or of it being economically viable to undertake the advocacy in-house.'*

However the Society notes that solicitors must always consider their duties to their clients and the courts under the SRA Code of Conduct.

---

## LALY awards 2022 – nominate your legal aid hero by 25 April



A reminder that the deadline is looming to submit your nomination for the 2022 Legal Aid Lawyer of the Year (LALY) awards. You have until 23:59:59 on 25 April to recognise the incredible contribution of your legal aid hero.

With 11 categories to choose from, the LALYs are an opportunity for you to express your admiration for that solicitor, barrister, caseworker, legal executive, trainee, pupil, support staffer, charity or firm which best exemplifies the truly remarkable characteristics of the legal aid profession: commitment, expertise, determination, compassion and skill.

We are absolutely delighted to be returning to in-person celebration after 2 years of virtual awards, and we are particularly pleased to include a new award to honour the support staff who worked assiduously during lockdown to keep social justice organisations running.

This year sees the 20th anniversary of these non-

profit-making awards, which were founded by LAPG in 2003 to celebrate the work of social justice lawyers. Nominations will close on 25 April 2022. Winners in the 12 award categories will be announced to an audience of around 500 guests at a ceremony in central London on 12 July

### **LALY22 award categories**

1. Outstanding achievement\*
2. Legal aid newcomer
3. Criminal defence
4. Public law
5. Housing law
6. Legal aid support staffer\*\*
7. Family legal aid
8. Legal aid barrister
9. Legal aid firm/Not-for-profit agency
10. Regional legal aid firm/Not-for-profit agency
11. Disability rights
12. Social welfare

\* We do not accept nominations for this award

\*\* New award for 2022

### **How can you support the awards this year?**

[Make a nomination](#)  
([see here for guidance](#))

[Spread the word to your friends and colleagues in local legal aid organisations and chambers](#)

[Book your tickets to attend the 12 July ceremony](#)

[Donate to become a Friend of LALY22 and support the all-important Legal Aid Newcomer award](#)

Follow us on Twitter for latest #LALY22 news:  
[@LALYawards @WeAreLAPG](#)

The LALYs is run on a non-profit making basis. It is the only awards that is run exclusively for legal aid lawyers, by legal aid lawyers. It is an opportunity to not only celebrate the impact of legal aid, but to demonstrate that legal aid lawyers work tirelessly, in the most challenging of circumstances, to support their clients and uphold the rule of law. The success of the LALYs depends very much on legal aid practitioners like you – from submitting a nomination, to raising the profile on the awards with your colleagues and friends – and we thank you for your ongoing support.

If you have any questions about this year's awards,

please get in touch with me ([chris.minnoch@lapg.co.uk](mailto:chris.minnoch@lapg.co.uk)) or LALY co-organiser Fiona Bawdon ([fiona.bawdon@gmail.com](mailto:fiona.bawdon@gmail.com)).

## Legal Aid Census campaign gains momentum

On 31 March we published the results of the 2021 Legal Aid Census and kick-started our campaign calling on government to urgently invest in all areas of legal aid. [Our Joint Open Letter](#) to the Lord Chancellor now has 18 signatory organisations representing thousands of legal professionals. We plan to expand this campaign over coming months as we press for real, meaningful financial commitment from government to address the serious concerns raised about the sustainability of the legal aid provider base by the Census, The Westminster Commission on Legal Aid, Sir Christopher Bellamy's Independent Review of Criminal Legal Aid, the Justice Committee's report on The Future of Legal Aid, the criminal legal aid data compendium and The Law Society's analyses of advice deserts. These independent sources of data and evidence provide government with both an explanation for the decline in provider and case numbers, as well as practical solutions for rebuilding the sector and increasing access to justice.

We have also written directly to the Lord Chancellor and his ministerial team asking to open a dialogue about the steps needed to address the impact of decades of underfunding and regressive policy reform. We have set out that we do not believe it is necessary to conduct a formal review of civil legal aid sustainability (as the government has recently concluded in relation to criminal legal aid) as the wide range of research and analysis listed above provides all the information that government needs to formulate a recovery plan.

We will keep you updated as we develop this campaign and continue our discussions with the Ministry of Justice. If you would like to support this campaign in your local area [please contact us](#).



# Confirmation of extension to the 2018 Civil Contract

All civil providers should by now have received notice from the LAA of an extension to the 2018 Standard Civil Contract to 31 August 2023.

As set out by the LAA on 23 March:

*'Providers are being notified of our intention to extend the 2018 Standard Civil Contract until 31 August 2023.*

## **What does this mean?**

*The 2018 civil contract will be extended to 31 August 2023.*

*Immigration will be extended for a shorter period and replaced with a stand-alone immigration specific contract. This will enable us to implement changes resulting from the Nationality and Borders Bill. The length of the extension will be communicated as soon as agreed.*

*The MoJ will be consulting in spring 2022 on new immigration fees as a result of the Nationality and Borders Bill. The new immigration contract will be tendered based on these proposals, once finalised.*

## **How will the further extension work?**

*We will be writing to all current civil contract providers to confirm our intentions and formally issue extension offers.*

## **2018 Standard Civil Contract**

*The Standard Civil Contract 2018 is the contract between the LAA and providers for the provision of face-to-face civil legal aid in England and Wales.*

*The standard terms underpin the commercial relationship between the LAA and providers.*

## **Further information**

**[Standard Civil Contract 2018](#)** – 2018 civil contract documents are available on GOV.UK'

From the LAA 24 March 2022:

*A tender opened on 24 March to deliver Detained Duty Advice Scheme work face to face at Derwentside Immigration Removal Centre.*

*Successful bidders will hold exclusive schedules for the work which will be carried out under the 2018 Standard Civil Contract.*

### **Tender requirements**

*Tenders are welcome from organisations who can meet the tender requirements, and either:*

*hold a 2018 Standard Civil Contract with authorisation to carry out immigration and asylum work, or*

*successfully bid for a 2018 Standard Civil Contract as part of this procurement process*

*Organisations solely regulated by the Office of the Immigration Services Commissioner (OISC) may not be eligible to bid as they may not be able to meet all the tender requirements.*

### **Supervisor standard**

*A revised supervisor standard has been introduced for this procurement process. This is to ensure the quality of advice provided. This requires supervisors to provide additional case examples of common elements of work encountered at IRCs.*

### **Timescales**

*The deadline for submitting tenders is 12 noon on 25 April 2022.*

*Services under the new contracts will begin 1 July 2022. Contracts will end on 31 December 2022 with the possibility of extension for an aggregate extension period of 9 months.*

### **Where can I find out more?**

*Detailed information on the tender is available in the 'Information for Applicants' document on our tender pages.*

### **Further information**

## LAA news round-up: CBAM; Subject Access Requests; SQM



Legal Aid  
Agency

### **Crime news: process change for intermediaries helping court users**

Criminal Bills Assessment Manual updated to reflect new guidance on the use of intermediaries to help vulnerable users of courts and tribunals. The LAA is updating guidance following changes to the process governing the use of intermediaries to help vulnerable users of the court system. This follows the launch of the HMCTS Appointed Intermediary Service on 1 April 2022. This aims to help vulnerable people with specialist communication needs to take part in court or tribunal hearings.

[Full details here](#)

### **Civil/crime news: digital go-live for subject access requests**

A new digital service allowing individuals to request personal information is now available which aims to improve the user experience for subject access requests (SARs). The process allows individuals to request information held by the Legal Aid Agency and other parts of the Ministry of Justice. The service is open to all solicitors and members of the public who wish to request personal information.

[Full details here](#)

### **Civil news: changes to the specialist quality mark standard**

Updates are being made to the Specialist Quality Mark (SQM) standard which will be coming into force on 1 October 2022. The new SQM standard will apply to all applications for a desktop audit and requests for a full audit made after 1 October. The LAA is making these changes following a review and the details are set out on their quality standards page on GOV.UK.

[Full details here](#)



[Download a summary of the changes to the SQM from 1 October 2022 here](#)

---

## Sector News and Events

---

### Social Welfare Solicitors Qualification Fund commences



On 30 March 2022 Young Legal Aid Lawyers, BARBRI and the City of London Law Society hosted an online event to formally launch the SWSQF. This fantastic initiative, supported by LAPG and Law Centres Network, has pooled over £200,000 in funding from 18 city law firms and the City of London Solicitors' Company Charitable Fund to support 22 existing social welfare lawyers through the SQE qualification process. The event showcased the 22 successful applicants, who deliver services across England in a wide range of areas of social welfare law.

YLAL is working with its partner organisations to ensure that this fund has longevity so that it can make a lasting impact on the recruitment and retention crisis that has gripped the social welfare sector over the last decade, noting on Twitter recently that some of the funding is already in place for 2023 qualification grants.

Further information on the Scheme [can be found here](#), and a quick summary [can be accessed here](#) in a recent Gazette article.

---

### SRA and Kaplan announce delays to SQE2 examinations

[The SRA has faced criticism](#) for failing to make a formal announcement that students who undertake SQE1 in July this year will not have their results in time to sit SQE2 in October and will instead have to wait until April 2023. The position was revealed during a webinar in February and it has become clear that this will effect hundreds of



students, many of whom have made plans or been conditionally offered positions based on completing SQE this year.

Young Legal Aid Lawyers [have issued a statement](#) calling on the SRA and Kaplan to explain the cause of the delays and offer alternative provision for those who had planned to complete both SQE1 and SQE2 this year. The SRA has updated the information and timetables set out on the [SQE section of its website](#), but as far as we are aware no progress has been made on securing an alternative arrangement to accommodate those who had planned to complete the process this year.

---

## PLP events: Advanced judicial review and data law for public lawyers



Public  
Law  
Project

### Advanced judicial review – 26-28 April 2022

Know how to do judicial review and want to up-skill? This is the course for you, with insight and outlook across cutting-edge and key areas of practice in judicial review.

*Who this event is for:*

Lawyers involved in all aspects of judicial review and public law, including solicitors and barristers; academics and researchers in public law; policy people in Government or NGOs concerned with public law; law students.

[Further information and booking process here](#)

### 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.

## LAPG Training & Support

---

# 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](#).

I can't think of a more critical time for legal aid policy since we all fought so hard against LASPO in 2012. The Means Test Review and Criminal Legal Aid Review are the most significant government initiatives in a decade. However both are fraught and riddled with worrying issues, not least because government has failed to take a 'whole system' view of legal aid and the critical role that it plays in the wider justice system. And of course there are still serious concerns about a lack of real investment to ensure that practitioners will remain in legal aid and that we can attract and retain the next generation of legal aid lawyers. However government is also in possession of more data and analysis about legal aid providers and provision than at any time in the last decade. And it all points to a deepening crisis that is fundamentally undermining access to justice to those without means.

And yet through it all you, the practitioners on the frontline, continue to deliver a quality, expert and compassionate service in the face of incredible obstacles. We salute you and will continue to fight your corner for a more accessible, more sustainable legal aid system.

Happy Easter all,

Chris Minnoch, CEO [@ChrisLAPG](#)

Follow LAPG on Twitter [@WeAreLAPG](#)

[#WeAreLegalAid](#)

12/04/22



[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**



*Copyright © 2022 Legal Aid Practitioners Group, All rights reserved.*

Want to change how you receive these emails?  
You can [update your preferences](#) or [unsubscribe from this list](#).