



28 January 2016

Subject: Procurement of 2015 Own and Duty Provider Crime Contracts

We are writing to all organisations that were notified they had been successful in this procurement process to explain the consequences of the Lord Chancellor's written ministerial statement on criminal justice.

Today the Lord Chancellor set out his policy on the future of the legal aid system including his decision not to go ahead with the dual contracting system resulting from the 2015 crime contract tender process.

The reasons for this decision can be found in the written statement which can be found at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statements/>

Next steps

In accordance with the Lord Chancellor's decision the LAA is cancelling the 2015 Own Client (including Prison Law and Appeals and Reviews work) and Duty Provider Crime Contract procurement process with immediate effect.

For the avoidance of doubt the Information for Applicants (IFA) documents governing this procurement process expressly provide that "The LAA has the right to vary or cancel the procurement process in its entirety or in part, and not to proceed to award Contracts at any time at its absolute discretion."

The IFA documents also confirm "The Applicant Organisation is solely responsible for the costs and expenses incurred in connection with the preparation and submission of a Tender or associated with any cancellation or suspension of this procurement process by the LAA."

This decision will affect participants in the process in different ways as set out below:

Organisation Type	Consequence
Organisations notified of an Own Client Contract award and who executed an Own Client Contract in CWA.	The operation of Own Client Contracts has previously been suspended and affected organisations were offered the opportunity to conduct this class of work under the 2010 Standard Crime Contract.

	We will write separately to these organisations to formally terminate any 2015 Own Client Crime Contracts that have been executed.
Organisations notified of an Own Client Contract award and who did not execute the Own Client Contract before the procurement process was cancelled.	This notice acts as formal notification that all contract offers (currently suspended and incapable of acceptance) under this procurement process are revoked and are not capable of acceptance.
Organisations notified of Own Client Contract award and, where applicable, Duty Provider Contract award but no formal contract offer made via CWA.	The procurement process has been cancelled and the LAA will not make any further contract offers under this exercise.

Despite the cancellation of this procurement exercise all successful bidders (including organisations that have not previously held crime contracts but meet our minimum requirements) will have the opportunity to deliver criminal legal aid services under contingency arrangements.

Future of Legal aid crime contract work

The Lord Chancellor has stated that the LAA will extend current contracts so as to ensure continuing service until replacement contracts come into force.

We will shortly begin an engagement exercise with representative bodes prior to commencing a process to award new crime contracts. In the interim; the LAA has already offered all successful applicants for a 2015 Own Client Crime Contract an opportunity to undertake crime contract work under the 2010 Crime Contract.

We will be issuing further communications shortly setting out our plans in more detail. In the meantime; if you have any questions about the contents of this letter please contact your contract manager.

Yours sincerely



Hugh Barrett
Director of Legal Aid Commissioning and Strategy