



The Law Society



Legal Aid  
Agency

## Crime Contract Consultative Group (CCCG) meeting

### Minutes

16<sup>th</sup> January 2018

V1.0

<b>When:</b>	Tuesday 16 January 2018      15:00 – 17:00		
<b>Where:</b>	113 Chancery Lane (Breame Room)		
<b>Chair</b> <b>Minutes</b>	John Sirodcar - LAA Gillian Hothersall - LAA		
<b>Attendees</b>	Andrew Cosma – Martin Murray Sols Avrom Sherr – IALS Carol Storer – LAPG Daniel Bonich – CLSA Elaine Annable – LAA Elliot Miller – LAA	Glyn Hardy – LAA Helen Johnson – LAPG Jane Edwards – LAA James MacMillan – MoJ Julie Parkin - HMCTS Lorraine Softly - HMCTS	Matt Doddridge – LAA Neil Lewis – LAA Nick Ford - LAA Rakesh Bhasin-LCCSA Richard Atkinson – TLS CLC Rodney Warren - TLS
<b>Apologies</b>	Alice Mutasa – TLS Adrian Vincent – BC Greg Powell – LCCSA	Henry Hills – SAHCA Paul Keleher – CBA N Poulter - LAA	Richard Knight – LAA Roger Ralph – CILEx Tom Payne – BC

Actions from the last meeting	Owner	Deadline
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AP1 [Nov]	R Warren to liaise with A Mutasa and confirm who is responsible for providing update re CLAS accreditation.	R Warren	16 Jan
AP2[Nov]	J Edwards to circulate redrafted IoJ guidance including caseworker guidance.	J Edwards	16 Jan
AP3 [Nov]	J Edwards to investigate whether there could be a method of recording the number of instances in which a rep order is refused in an 'all options open' case.	J Edwards	16 Jan
AP4 [Nov]	N Poulter to report back on the success of the move of AGFS calls to the new phone line.	N Poulter	16 Jan
AP5 [Nov]	N Poulter to investigate the issue of caseworkers having access to the same screen as practitioners, and respond.	N Poulter	16 Jan
AP6 [Nov]	R Atkinson to prepare a written paper outlining the points of principle regarding wasted costs.	R Atkinson	16 Jan
AP7 [Nov]	G Hardy to liaise with A Mutasa, R Ralph and any other relevant parties to discuss implications of the Lammy review.	G Hardy	16 Jan
AP8 [Nov]	R Atkinson to take forward the formation of a sub-group to discuss relevant issues and feed into CCG.	R Atkinson	16 Jan

Welcome and introductions.

**1. Minutes** from November were approved. Actions were discussed as follows:

- AP1 [Nov] R Warren to liaise with A Mutasa and confirm who is responsible for providing update re CLAS accreditation. J Sirodcar is speaking to Rachel Hawkins about this shortly. Action can be closed.
- AP2 [Nov] J Edwards to circulate redrafted IoJ guidance including caseworker guidance: slightly delayed but will be circulated before next meeting. Keep action open. **#AP1 [Jan]**
- AP3 [Nov] J Edwards to investigate whether there could be a method of recording the number of instances in which a rep order is refused in an 'all options open' case: it is possible to get the data, however, the caveat is that it depends on the caseworker using the words 'all options open'. J Edwards will circulate before next meeting. Keep action open. **#AP2 [Jan]**
- AP4 [Nov] N Poulter to report back on the success of the move of AGFS calls to the new phone line: N Mountain reported that the Crime applications team number has moved successfully. Some people still call the old number but this should be decommissioned soon. Suggest a notice in the LAA Bulletin at the end of January, then a four-week countdown. This was agreed.

Calls for AGFS began to be diverted in November and it is going well. It is proposed to continue to monitor the situation, and discuss next steps leading to moving LGFS calls and then decommissioning the Nottingham number. This was agreed. Action can be closed.

- AP5 [Nov] N Poulter to investigate the issue of caseworkers having access to the same screen as practitioners, and respond.
- Post-meeting note:** Alice Cudmore (Product Manager for CCD) and the CCD User Researcher visited Mr Cosma at the end of November to review the CCD end to end process. A number of suggested improvements were discussed, and these have been taken away for incorporation in the next iteration of the system. This includes developing calculation functionality, as well as improving the retrial claiming process. In addition, caseworkers in both Nottingham and Liverpool have been given access to the screens that providers see. Any further issues should continue to be raised with N Poulter for discussion with the CCD project team. Action can be closed
- AP6 [Nov] R Atkinson to prepare a written paper outlining the points of principle regarding wasted costs: this was discussed at sub-group (see AP8). Action can be closed.
- AP7 [Nov] G Hardy to liaise with A Mutasa, R Ralph and any other relevant parties to discuss implications of the Lammy review: initial discussions had taken place and will continue. Action can be closed.
- AP8 [Nov] R Atkinson to take forward the formation of a sub-group to discuss relevant issues and feed into CCG. The group has been set up and has met - see item 4 below. Action can be closed.

## 2. HMCTS reform

J Parkin and L Softly reported on developments in HMCTS reform. G Hothersall to circulate the presentation.

**Post meeting note: presentation circulated.**

R Atkinson commented that it would encourage engagement if invites were broken down into smaller amounts of time at the outset, and information given as to the amount of involvement. An invitation to a two-day event is likely to be declined as too large a commitment. J Parkin commented that this would be taken on board for the next stage, and that defence workshops are being set up regionally.

A Cosma commented that there might be objections to extended operating hours. J Parkin responded that this was a future state intention and not something for the near future. She also reiterated that all feedback received was being taken into account during the process.

R Atkinson asked about payment for pilots, and G Hardy responded that this is still with Ministers.

In response to a query from A Sherr, it was confirmed that work has been done to look at other countries' systems as part of the process.

J Sirodcar asked if the group could be sighted on design principles. J Parkin said the design should be ready by the end of March for the pilot in September. J Parkin to update the group on design principles when they are ready. **#AP3 [Jan]**

All members invited to contact J Parkin if they wish to be involved in the planned defence workshops, or if they wish to have a standalone workshop. **#AP4 [Jan]**

### **3. Operational update**

#### **3.1 Billing:**

A Cosma raised the issue of duplicates with the same DSCC number and asked whether it was possible to flag up whether a number had been used. A Cosma to send details to J Sirodcar who will make enquiries as to whether this has been added to desired changes to the system.

**#AP5 [Jan]**

He also mentioned an issue regarding RUIs and requested whether it was possible to use a code for these. M Doddridge to investigate. **#AP6 [Jan]**

#### **3.2 Applications:**

A Cosma raised an issue regarding rejected applications due to mileage, even when 3 routes are shown on Google maps. N Mountain to discuss with N Poulter and respond.

##### **Post meeting note:**

N Poulter confirmed that caseworkers should be accepting a print out supplied with the claim, providing the “to” and “from” post codes can clearly be seen and match the claim details. Confirmation has been sent out to all caseworkers that this process should be followed.

N Mountain also updated the meeting on plans to reduce rejects on CRM14. Communications will be circulated to the group. A revised grant method for CRM4 is also being worked on.

J Edwards reported on a small process change. The assent date on the Libra system is occasionally incorrect; LAA will no longer send a manual representation order when this happens. Communications will be circulated to the group before this happens.

### **4. Report from sub-group**

R Atkinson reported that the sub-group met and discussed wasted costs and the 14 hour rule. N Lewis said he would seek policy team attendance at a future meeting to discuss the wasted costs issue.

**#AP7 [Jan]**

N Lewis commented that Ministerial agreement would be sought to run a consultation on the inclusion of advocacy within the 14 hour rule. The idea of a moratorium had been discussed, but it was not possible to officially impose this, although it is being taken into account on an informal basis.

**#AP8 [Jan]**

J Sirodcar reported that a Contract Review Board was taking place shortly, in which the 14 hour rule was a factor. There are several other appeals currently in the system regarding the rule. He proposed to wait until the CRB decision was made to see what implications this had for other appeals. He stated that if any members think LAA have been unreasonable in imposing a sanction regarding this rule, he is happy to discuss with the provider and representative body if desired. **#AP9 [Jan]**

## 5. Change of audit approach / 'prepared for trial' internal LAA auditor guidance

J Sirodcar asked for views on the proposed change of approach outlined in the paper circulated before the meeting. He noted that this will also be discussed with Civil CCG before anything is implemented. He also outlined the consistency note which was circulated to the group. This has no contractual standing but is intended as internal LAA guidance. He reiterated that each instance would be considered on its individual merits. The group was in agreement with the change of approach.

## 6. Issues raised by representative bodies

### 6.1 Deadline for CRM12 submission in respect of rotas:

R Bhasin asked whether the deadline could be changed for future rotas. J Sirodcar said that there was a balance to be struck between providing advance information and too much time. Unless rep bodies disagreed, he suggested the balance now was probably just about right.

### 6.2 Applications for prior authority in Crown Court cases

J Sirodcar confirmed that two quotes were generally needed, but if there was good reason why it was not possible to provide two, let LAA know the reason why.

**Post meeting note:** J Sirodcar circulated the following after the meeting.

Normally we do need to see two quotes as the hourly rates and number of hours sought can vary significantly. We need to be able to demonstrate we are achieving best value for money.

If there is a real need (speed or narrow expertise) for why a provider does not think it is reasonable for two quotes to be provided, if a short explanation of the reasoning is provided, our case workers have been advised to use discretion

### 6.3 Peer reviewers – access to digital information

A Sherr raised the issue of peer reviewers not having access to digital information, particularly when the case has been closed for some time. E Miller confirmed that a peer reviewer can be invited onto the system; however, this would compromise the peer reviewer's anonymity. Potential solutions suggested included a generic Peer Reviewer address or an invitation via a CJSM address, or the ability to download and forward information to a peer reviewer. E Miller to consider the issues and respond. **#AP10 [Jan]**

## 7. Any other business

There was no other business.

The next meeting will be on Tuesday 6 March at MoJ.

Actions from this meeting			
AP1 [Jan]	J Edwards to circulate redrafted IoJ guidance including caseworker guidance.	J Edwards	6 Mar
AP2[Jan]	J Edwards to circulate data re instances in which a rep order is refused in an 'all options open' case.	J Edwards	6 Mar
AP3 [Jan]	J Parkin to update the group on design principles for HMCTS reform when they are ready.	J Parkin	15 May
AP4 [Jan]	All invited to contact J Parkin if they wish to be involved in the planned defence workshops, or if they wish to have a standalone workshop.	All	6 Mar
AP5 [Jan]	A Cosma to send details of duplicates with same DSCC number to J Sirodcar who will make enquiries as to whether this has been added to desired changes to the system	A Cosma J Sirodcar	6 Mar
AP6 [Jan]	M Doddridge to investigate issue regarding RUIs and requested whether it was possible to use a code for these.	M Doddridge	6 Mar
AP7 [Jan]	N Lewis to seek policy team attendance at a future meeting to discuss the wasted costs issue	N Lewis	6 Mar
AP8 [Jan]	N Lewis to seek Ministerial agreement to run a consultation on the inclusion of advocacy within the 14 hour rule.	N Lewis	6 Mar
AP9 [Jan]	All invited to arrange discussion between J Sirodcar / rep body / any provider who believes LAA have been unreasonable in imposing a sanction regarding the 14 hour rule.	All	6 Mar
AP10 [Jan]	E Miller to consider the issues re peer reviewers' access to digital information, and respond.	E Miller	6 Mar