

CRM12 Duty Solicitor Applications – Guidance Note

16 December 2016

The LAA will be issuing CRM12 forms to organisations that have passed the initial stage of verification of their office(s) under the 2017 Standard Crime Contract procurement process. The CRM12 process enables those organisations to nominate their duty solicitors and to be allocated slots on rotas from 1 April 2017 for the schemes they are eligible for.

CRM12s have been sent via the Bravo e-tendering system. They include details of each office that passed the initial stage of verification by 23.59 on 12 December 2016.

Completed CRM12s must be submitted to CRM12@legalaid.gsi.gov.uk by 23.59 on 13 January 2017 to ensure that slots will be allocated on the April rotas.

What information must I complete on the CRM12 form?

Organisations who receive a CRM12 must provide the details of all duty solicitors they wish to nominate for inclusion on relevant duty schemes from 1 April 2017.

Each organisation specified in their tender the number of duty solicitors they intend to use in the first two rota periods. Where an organisation includes more duty solicitors on their completed CRM12 than they are entitled to, the LAA will not take into account the additional number when allocating duty slots on the rota.

For those CRM12s received by noon on Monday 9th January 2017, the LAA will perform the following checks and will contact organisations if there is any missing information:

- that duty solicitor information is complete
- that organisations' duty solicitor volumes do not exceed those specified in their tender

Unfortunately the LAA will not be able to perform checks on CRM12s received after the 9th January and organisations should note that non-compliant information submitted after this time may result in their application being delayed or rejected.

The CRM12 requires an organisation's Compliance Officer for Legal Practice (COLP) to confirm that:

- all duty solicitors will meet the attendance requirements in the 2017 Standard Crime Contract;
- attendances will be undertaken for the organisation to which the slots have been allocated;
- each duty solicitor will undertake 14 hours' Contract Work per week from the office for which they derive their rota slots; and
- they have made reasonable enquiries of each of these duty solicitors to confirm that they have not applied for duty rota slots with another organisation.

Compliance against these requirements will be monitored throughout the contract period.

Where the LAA receives CRM12s from multiple organisations for the same duty solicitor it will not take into account that duty solicitor for the April rotas. It will contact the affected organisations to advise that they resolve any disputes as to which CRM12 should be accepted so that the duty solicitor may be taken into account for the July rotas.

2017 Rotas

The April rota will commence on 1 April 2017 and will run until 30 June 2017. Slots will be allocated in respect of duty solicitors Engaged by those organisations who passed verification by 12 December and who submit completed CRM12s by 23.59 on 13 January 2017.

The second rota period will commence on 1 July 2017 and will run until 31 December 2017. In addition to allocations made to organisations who met the requirements for the April rota, slots will also be allocated in respect of duty solicitors Engaged by those organisations who passed verification by 28 February 2017 and for whom the LAA receives CRM12s by 23.59 on 17 March 2017. The LAA will run a separate CRM12 process for the July rotas, and will provide further details of that process in due course.

Organisations that are allocated rota slots from 1 April and/or 1 July 2017 will not be able to add any additional duty solicitors for these rotas but will be able to replace duty solicitors who leave the organisation during that period.

For subsequent rotas, the rules set out in Section 6 of the 2017 Standard Crime Contract Specification apply.

Allocation of duty work

An organisation's duty solicitors must serve on those police station, court and virtual court schemes that the organisation successfully tendered for.

The number of duty slots allocated to an organisation is determined by the number of duty solicitors that the organisation 'Engages' (in line with Section 6 of the 2017 Standard Crime Contract Specification). The number of duty slots allocated to each organisation is also dependent on the number of slots on that scheme, and on the number of other organisations on the rota.

In most areas, the allocation of court duty slots is automatic and directly linked to the police station schemes which organisations qualify for. However, for organisations that qualify for London schemes, their duty solicitors must select on the CRM12 form those court duty schemes on which they will appear from 1 April. Duty solicitors whose organisations are members of London schemes may only select two adult court duty schemes (including associated youth courts) on which they will appear.

Police and Court Estate Changes

Where there are changes to the criminal justice system that affect the schemes during the tender period, local consultations will take place to determine any scheme changes. Organisations will be kept updated via the .Gov.uk website where ongoing consultation details will be made available up to the contract start date. Where consultations close during the tender process organisations who have bid for those duty schemes will be notified of changes which affect them as part of their tender outcome notification letter.