



Legal Aid  
Agency

# Withdrawn

## **Criminal Legal Aid Management Information Release Explanatory Notes**

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1	15 April 2014	15 April 2014	Service Development / Finance
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## Introduction

This Management Information Release provides information to assist organisations interested in applying for a contract as part of the forthcoming Duty Provider Crime Contract procurement process.

The purpose of this information release is to provide volume and value data in relation to criminal legal aid claims over the last three financial years (that is 2010 to 2013).

For that purpose five tables are provided; table 1 details the volume and value of police station claims received, table 2, lists the volume and value of police station claims further divided by provider and crime procurement area, tables 3, 4 and 5 provide additional details for magistrates court, crown court and police station workloads. Further details are below.

## Disclaimer

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Interested parties must note that the data contained within this release is provided for information purposes only. Whilst reasonable efforts have been made to ensure that the information is accurate we can offer no guarantee in this regard. The information provided is historical in nature and interested parties are free to use it as they see fit, however, the LAA offers no guarantee or assurance whatsoever that the said information will be representative of the volume and/or value of work to be generated from future Duty Provider Contracts. Any inference drawn from or reliance placed on this information by bidders will be entirely at their own risk. In particular, interested parties must note that the volumes and values given for those areas in which the Public Defender Service (PDS) operates do not include PDS case data.

## Further Context

The document is intended to give potential bidders an insight into historic volumes and costs of cases.

This data has been provided following the Ministry of Justice's response to the Transforming Legal Aid: Next Steps consultation, and is taken from Management Information held by the Legal Aid Agency at the time of publication.

The Next Steps document explained that we would publish details of any police station and court estate changes envisaged at the point of publishing this Management Information Release. In relation to the ongoing geographical distribution of courts over the term of the contract, HM Courts & Tribunals Service continues to keep the use of its estate under review to ensure it meets operational requirements. Any new proposals on the future of courts or tribunals will be subject to consultation, and the LAA will notify providers of known listing changes where duty solicitor rotas are affected. In relation to the ongoing geographical distribution of police custody areas over the term of the contract, solicitors should maintain contact with their local forces with regards to any future estate changes.

The information in this release refers to historic financial claims made in the years 2010/11 to 2012/13. Information published as part of the KPMG financial modelling report that accompanied the Transforming Legal Aid consultation response, was based on this historic claims data for one year (to year end September 2013) and included a *series of assumptions* to sub-divide the court work of Criminal Justice system (CJS) regions into smaller procurement regions where appropriate, and to provide best estimates of duty work in the Magistrates' and Crown courts. These two releases are therefore not directly comparable.

## Data sources

The police and magistrates court data is from LAA crime contracting claims system, and the litigator payments are from the litigator graduated fee payments system.

## Reference Data

The data by crime procurement area is only provided for police station attendance claims, and not for the courts data, this is because cases originating in a particular police station do not map directly to a particular magistrates court, and the subsequent tier crown court can also vary. In addition, the court data does not allow us to tell whether it started in the police station as a “duty” case.

**Table 1: Volume and value of police station attendance claims by police station scheme identifier, grouped by crime procurement area<sup>1</sup>**

1. Volumes and values are given for each police station scheme, grouped by crime procurement area.
2. Data has been split between claims which originated from the duty solicitor and those where the client requested their own solicitor.
3. The data is further split into the fixed fees, which are priced on a scheme basis, and escapes from the fixed fees.
4. Police station attendance claims are for claim codes<sup>[2]</sup> INVC, INVD & INVJ as defined in the guidance for reporting crime lower.
5. The volume of cases is determined by the unique file reference number combined with unique provider code.
6. Claims with no identified police station scheme (less than 0.1%) have been excluded.
7. The crime procurement area is defined by groupings of police station schemes.
8. There is a small variation on the total value and volume of claims compared to the published statistics due to late claims and some claims being voided.
9. All values include VAT, travel and disbursements, if allowed. Disbursements are not split out for the sake of simplicity.

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**Table 2: Volume and value of police station attendance claims by provider, by crime procurement area**

1. Police station attendance claims are as for table 1.
2. Data is based on where cases have been claimed as opposed to where offices are based.
3. The data is listed at provider office level not firm level.

**Table 3: Additional information – magistrates court workload by CJS region**

1. Representation at the magistrates court claim codes<sup>2</sup> are PROE, PROF, PROG, PROJ, PROK, PROL, and PROM
2. Duty solicitor sessions are determined by claim code PROD

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<sup>1</sup> The crime procurement area as defined by the police station schemes is available here <https://consult.justice.gov.uk/digital-communications/transforming-legal-aid-next-steps/results/transforming-legal-aid-next-steps-respons.pdf>

<sup>2</sup> Police and Magistrates court claim codes used in this document are defined in the crime lower claiming guidance, see <http://www.justice.gov.uk/downloads/legal-aid/lsc-online/guidance-for-reporting-crime-lower-work.pdf>

3. The volume of cases is determined by counting the number of distinct Unique File Reference's submitted by each provider, partitioned by the other elements displayed in the report.
4. Claims with no identified magistrates court (less than 0.1%) have been excluded.
5. The CJS area is defined by the police force areas in England & Wales, with City of London included within the London area, data by individual magistrates' courts has not been provided as the court estate has been the subject of consolidation in recent years together with changes in listing patterns which has produced fluctuations in historical data. Volumes per CJS area have however generally remained more stable.
6. There is a small variation on the total value and volume of claims compared to the published statistics due late claims and some claims being voided.
7. All values are inclusive of VAT.
8. Profit costs are those costs payable in relation to services delivered by a legal aid provider and may also include travel and waiting, where allowed.

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**Table 3a: Supplementary information - magistrates court workload by court and CJS region**

1. Representation at the magistrates court claim codes[1] are PROE, PROF, PROG, PROJ, PROK, PROL, and PROM
2. Duty solicitor sessions are determined by claim code PROD
3. The volume of cases is determined by counting the number of distinct Unique File Reference's submitted by each provider, partitioned by the other elements displayed in the report.
4. The unique file reference is generated by providers, but is not validated to be unique on data entry, therefore the total volume is slightly higher than the table 3 originally published, the difference is less than 0.1% of volume.
5. The court names used in this table are based directly on the descriptions submitted by providers in magistrates court claims to the LAA. This may have resulted in individual courts being described under different descriptions by different providers. Where this duplication is clear we have consolidated volumes and values under a single court name but this has not been possible in all instances.
6. Claims with no identified magistrates court or courts where volumes totalled less than 30 across the 3-year period (less than 0.1%) have been excluded.
7. There is a small variation on the total value and volume of claims compared to the published statistics due late claims and some claims being voided.
8. All values are inclusive of VAT.
9. Profit costs are those costs payable in relation to services delivered by a legal aid provider and may also include travel and waiting, where allowed.
10. For a full list of all claims in a particular CJS region please contact the email address below.

**Table 4: Additional information – crown court litigator workload by CJS region**

Only spend under the litigator graduated fee scheme is included, other crown court spend, such as very high cost cases & Advocates fees are excluded.

1. The case volume is the volume of unique cases for a given provider, at a unique court/case combination, with each retrial being identified as a separate case.

2. The CJS area is defined by the police force areas in England & Wales, with City of London included within the London area, data by individual courts is not provided as cases listed in individual Crown Courts may not originate from local Magistrates' Courts.
3. There is a small variation on the total volume of cases in this instance versus the annual published stats due to counting retrials separately in this instance, whereas in the annual stats they were aggregated as a single case.
4. Profit costs are those costs payable in relation to services delivered by a legal aid provider.
5. All values are inclusive of VAT.

***Table 5: Additional information – location of providers, and total crime workload***

1. The value of volume of police station attendance, magistrates presentation and crown court litigator fees are per provider office not at firm level.
2. The office postcode is as supplied to the LAA by providers.
3. Volume of cases for police station and magistrates court cases is determined by counting the number of distinct Unique File Reference's submitted by each provider.
4. Volume of litigator fee cases is determined as for table 4.

***Table 5a: Supplementary information – location of providers, volume and value of virtual magistrates court work***

1. The value and volume of virtual magistrates court claims are per provider office not at firm level.
2. The office postcode is as supplied to the LAA by providers.
3. All values are inclusive of VAT.

**Contact point for further information**

Enquiries on the contents of this release should be directed to the LAA at the following address:  
[crimedatapacks@legalaid.gsi.gov.uk](mailto:crimedatapacks@legalaid.gsi.gov.uk)