



The Law Society



Legal Aid
Agency

Crime Contract Consultative Group (CCCG) meeting

Minutes

2 June 2020

V1.0

When:	Tuesday 2 June 2020		
Where:	Via Teams		
Chair Minutes	Richard Atkinson - TLS Eloise Worrall - LAA		
Attendees	Adrian Vincent – BC Alice Mutasa – TLS Andrew Cosma – MMS Arron Dolan - CBA Avrom Sherr – IALS Carla Walley – LAA Caroline Goodwin – CBA Chris Henley – CBA Daniel Bonich – CLSA Daniel Sternberg - BC Elaine Annable – LAA Elliot Miller – LAA Gillian Brooks - HMCTS Glyn Hardy – LAA	Hannah Payne - LAA Helen Johnson – LAPG Henry Hills – SAHCA Ian Kelcey – CLC James MacMillan – MoJ Jelena Lentzos - LAA Jennifer Johnson - LAA John Foster – MoJ Jonathan Black – LCCSA Kerry Hudson - BSB Karl Ford – LAA Matt Doddridge – LAA Maria Brown – LAA	Melissa Thompson – LAA Mumtaz Patel – MoJ Neil Lewis - LAA Nick Ford – LAA Olwen Kershaw - HMCTS Rakesh Bhasin-LCCSA Richard Miller Roger Ralph – CILEx Russell Barnes – LAA Stuart McMillan – BC
Apologies	Paddy Enright - LAA Will Hayden - LAA		

Welcome and introductions.

1. **Minutes** from 4 April meeting were approved. Actions were discussed as follows:

Actions from the last meeting and decisions from this meeting			
AP1 [Feb]	To look at the channels through which the defence can find a URN	E Miller	Closed
	To be covered in the main minutes		
AP1 [Apr]	HGS are investigating route cause of website outages and will update CCCG if there are to be repeated or prolonged outages.	HGS	Closed
	Action can be closed		
AP2 [Apr]	HGS advised that this shouldn't still be happening and will investigate the root cause of this issue.	HGS	Closed
	Action can be closed		
AP3 [Apr]	HGS confirmed they have re-briefed all agents in appropriate action and response to this additional pressure. HGS confirmed that agents have the authority to push back on requests from the police to reallocate cases as solicitor will not attend	HGS	Closed
	Action can be closed		
AP4 [Apr]	HGS confirmed that "COVID-Negative" is a response to a new query which identifies if clients are symptomatic with COVID19 symptoms. The script currently asks "is the detainee self-isolating or displaying symptoms" – with responses logged in comments box.	HGS	Closed
	The change was made immediately		
AP5 [Apr]	HGS to communicate any expected long-term or repeated outages	HGS	11 August
	To remain open		
AP6 [Apr]	HGS to investigate route cause of calls showing up as Private Caller	HGS	Closed
	Bug fix worked		
AP7 [Apr]	HGS to amend "COVID" process so that police are still asked if the detainee is 'self-isolating or displaying symptoms' but will only pass on information where the detainee has expressed COVID19 related concerns (symptoms, contact with a symptomatic case, or increased risk).	HGS	Closed
	Action can be closed		
AP8 [Apr]	HGS to take forward suggestion of Police Service rolling out Risk Assessment and initial questions to NPCC.	HGS	11 August
	To remain open		
AP9 [Apr]	All members to forward any issues with E-Forms applications to N Poulter	All	Closed
	Action can be closed		
AP10 [Apr]	All members are invited to look at GOV.UK LAA Contingency Response for SFE guidance.	All	Closed

	Action can be closed		
AP11 [Apr]	All members, if not already invited to SFE, to contact Contract Manager to discuss access to SFE.	All	Closed
	Action can be closed		
AP12 [Apr]	To circulate guidance on downloading bundled prosecution material through DCS.	E Miller	Closed
	Action can be closed		
AP13 [Apr]	I Kelcey/R Atkinson to send G Hardy examples of where HMCTS are changing policies on a daily basis, for LAA to bring to discussions with HMCTS about Duty Solicitor Rota to improve this going forward.	I Kelcey	Closed
	Action can be closed		
AP14 [Apr]	G Hardy/E Annable to take up conversations with Courts to explore hotline for increased communications with provider base	G Hardy/ E Annable	Closed
	Action can be closed Action can be closed		
AP15 [Apr]	E Annable to liaise with HMCTS about informing solicitor that court dates have changed	E Annable	Closed
	Action can be closed		

2. DSCC update

An interesting few months. Forecasting is at a stop since COVID started which has caused difficulty in estimating what kind of workforce requirements there may be. From a DSCC position, it is interesting in that the police were arresting people at different times before COVID with interviews taking place in the evening which leads to a lot of calls coming through during the day. There has been shift in numbers and moving people around to ensure the right amount of people were available at the required times. The results were that numbers dropped dramatically by over a thousand over the course of a few days. The numbers are starting to rise again. This week they are back to usual numbers. During this time agents have been removed from the team however they have started to now return.

There have been some movements in that the Chiswick office workers are now all home workers. Homeworking policy is now in place and should give more flexibility.

Overall strong performance in answering calls. The volume of calls within 15 minutes were 94% of cases. The May the calls are back up to 97% with an average time across the board at 11 minutes in April and again in May it was 8 minutes.

A lot of work is going on behind the scenes on complaints, what the root cause of those are, looking to see what is required from the agents and whether they are errors or lack of training.

3. Operational update

When lockdown hit the LAA was in a really good place in terms of the ability to allow caseworkers to work flexibly; this enabled work to be moved quickly. Applications in the CAT and Courts Team have seen no impact on the service provided as most staff there were able to work from home straight away. Applications are still at 100% within two days.

Billing, Grad fees, LGFS and AGFS are all in a good place as caseworkers could all work from home flexibly. The main issue however was the submission of assessments and electronic evidence on disc or

USB. Secure filling was introduced which enabled most caseworkers to access those. Work has started in looking at making all assessments and evidence to be sent via secure file exchange.

There are some areas which have been an issue since working at home, mainly CRM7 nonstandard fees in the magistrate's court and to a lesser extent CRN18 and 18As. Movement has been made to a light touch assessment process.

AGFS performance is on a 2 day turn around, LGFS is on 5 days. In relation to 7's, 18 and 18a's they are all at 2 days.

Hardship applications are currently on 494 with an average of 25 a day of those. LGFS is now on 71 with an average of 1 or 2 a day.

Looking forward, the area causing concern are CRM7s. As lockdown arrangements start to ease a restart of the process will be looked at where providers would send in a file with their CRM7.

N Poulter to collate data of the costs of claims processed for April and May. #AP1 [Jun]

4. **Crime Programme Progress (Common Platform)**

Common Platform as a technical system is ready for launch. All the testing will have been completed by the end of June and will be ready for deployment. The challenges that are being face during the COVID world is to ensure the individual sites, to which common platform will be rolled out in the early days, are ready to accommodate it. There are a lot of supporting processes that need to be in place. Not all staff are currently on site and some of the courts that were intending to go live are perhaps not the best in the context of the volume of cases they could handle to make it worthwhile.

At the moment there is not clarity on which sites will be going live and no date for a rollout schedule either. This is expected to take course over the summer months.

The next point raised was around what steps will be needed to onboard defence firms onto the common platform. The approach that is planned is that they will work alongside the LAA to look at which firms are providing defence services, at the sites in which the system will go live. Those firms will be approached directly to provide user information to HMCTS to set up accounts. HMCTS will be asking for the name of somebody to nominate as the chief administrator within the firm. HMCTS will then carry out some and the chief users will then receive an email containing a link for registration on the common platform.

The group discussed feedback on the URN issues which relates to common platform.

5. **Impact of COVID and financial support**

H Payne and R Atkinson had a meeting to set out some of the issues that practitioners are facing. Firms are operating on a 5% profit margin. LGFS claims are now down to 65% of normal rates and firms are in real financial difficulty. Staff are being furloughed but that is just one of many overheads. The furlough scheme is due to come to an end at the same time as firms will start to really feel the issue in terms of cash flow. There is appreciation that some arrangements have been made for interim payments and there are some firms that are entitled to some help through the small business grants but those are very small firms with a significant small overhead. There are two other loan options which for one reason or another do not work for most firms.

London firms have the added pressure of the rental cost of offices and most are tied into a contract. Firms have already cut everything down and there isn't much else they can release. Cashflow is the main concern with no way of knowing when the current workflow will start to increase.

From the Bar, it's a similar issue. Their main income is from jury trials and they have a similar situation in that currently barristers are surviving on the cases they have previously billed. Barristers are already questioning whether to renew their practising certificates because there is a £800 fee and they aren't earning £800 as trials are not happening.

The LAA thanked the firms for their feedback and for being so direct. The LAA have focused on what they can do to keep the cash flow going to the extent that they can make payments as quickly as they are able. The LAA are going beyond the LAA's normal function, which is paying for work that is done. On the face of it, if there is less work the spend from legal aid fund is going to be less than forecast. However, the CEO doesn't have the power and cannot as an accounting officer within the current framework agree to send payments out without being linked to work done. The framework would not allow this. The LAA are talking to policy teams and also to Treasury about what else can be done.

6. AOB

H Payne discussed an email that was sent out to the group this morning regarding the provider visits. Anything that required face to face engagement has been completely paused until the end of June. Hannah has set out some indicative dates and asked the group for feedback.

The feedback was that August does sound ambitious for the visits to start to take place again, in particular to those firms that are furloughed under the current regime until the end of July. If the date was 1st September it would be more achievable.

H Payne to go back to the team to discuss the dates for when audits will start again. Any comms would be shared with the group before being widely communicated. **#AP2 [Jun]**

Actions from this meeting			
AP1 [Jun]	N Poulter to collate data of the costs of claims processed for April and May.	N Poulter	11 August
AP2 [Jun]	H Payne to go back to the team to discuss the dates for when audits will start back up. Any comms would be shared with the group before being widely communicated.	H Payne	11 August

The next meeting is on 11 August 2020.