



The Law Society



Legal Aid Agency

Crime Contract Consultative Group (CCCG) meeting

Minutes

06 October 2020

V1.0

When:	Tuesday 06 October 2020 15:00 – 16:00		
Where:	By Microsoft Teams		
Chair	Richard Atkinson - TLS		
Minutes	Emma Jarrett using the recording transcript		
Attendees	Alice Mutasa – TLS Andrew Cosma – MMS Avrom Sherr – IALS Carol Storer - LAG Daniel Bonich – CLSA Elaine Annable – LAA	Elliot Miller – LAA Glyn Hardy – LAA Ian Kelcey – CLC Jill Waring – LAA John Heavens - MoJ Kerry Hudson – BSB Liz Bryant – HMCTS Mark Troman - LCCSA	Mumtaz Patel – MoJ Neil Lewis - LAA Nick Ford – LAA Nick Poulter - LAA Roger Ralph – CILEx Russell Barnes – LAA
Apologies	Adrian Vincent – BC Arron Dolan - CBA Carla Walley – LAA Caroline Goodwin – CBA Chris Henley – CBA Daniel Sternberg - BC Gillian Brooks - HMCTS Helen Johnson – LAPG Henry Hills – SAHCA	James MacMillan – MoJ Jelena Lentzos - LAA Jennifer Johnson - LAA John Foster – MoJ Jonathan Black – LCCSA Kathy Hartup - LAA Karl Ford – LAA Matt Doddridge – LAA Maria Brown – LAA Melissa Thompson – LAA	Olwen Kershaw – HMCTS Paddy Enright – LAA Rakesh Bhasin-LCCSA Richard Miller Stuart McMillan – BC Will Hayden - LAA

Welcome and introductions.

1. **Minutes** from August meeting to be circulated and agreed later

2. **Operational update**

2.1 **Applications**

N Poulter drew the meetings attention to the report evidencing the processing position for the last three months which remains good

A Mutasa asked if the processing times were due to lower application numbers. N Poulter confirmed that application volumes had been lower and in both areas of work, applications and bills, the LAA were back to working at pre-COVID levels.

2.2 **Billing**

N Poulter confirm that processing times are good overall.

R Atkinson asked if there were value figures available alongside the volume figures. N Poulter confirmed that the process only records volumes but the quarterly statistics published may capture the values.

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

L Bryant gave an update on the current roll out of the programme with Derby and Chesterfield Courts going live. Bristol Crown and Magistrate Courts will adopt the programme soon, although there is no specified date yet and roll out to the South East will follow. There have been some issues with slowness and these issues will be investigated before any further roll out.

D Bonich questioned the issue of URNs not being issued and how this would affect using the system. L Bryant confirmed that this was in hand with the CPS and training on the subject would be available.

E Miller complemented this overview with the experience from the perspective of the LAA and how work was being undertaken to translate verdicts entered onto the system into meaningful data that can be used by caseworkers. E Miller also confirmed that focus would start to shift from the application side of the process to billing, ensuring that caseworkers had the information to enable them to make decisions upon assessments.

4. **AOB**

4.1 **Representation order issue**

R Atkinson raised an issue from R Bhasin who could not attend the meeting regarding the late communication of the refusal of a representation order. N Poulter had investigated the matter and briefed the meeting as to the specific circumstances which had been linked to COVID

resource related difficulties and confirming the process when legal aid is withdrawn; an internal right of appeal and the right to make an Interest of Justice appeal at the Magistrates Court. A Cosma asked for better clarification at the point of withdrawal in that payment would be made up to that point. N Poulter agreed this would be considered. **#AP1 [Oct]**

4.2 Withdrawal of legal aid

D Bonich raised anecdotal evidence of an increase in the Crown Court of the withdrawal of legal aid applications and a discussion ensued on the regulations concerning the transferring of legal aid. N Lewis said that he hadn't seen any statistics to this effect but would look to see if there was anything that could be shared with the meeting group. **#AP2 [Oct]**

4.3 Attorney General's Disclosure Guidelines

J Heavens clarified the position in relation to the payment mechanisms forming part of the Attorney Generals Disclosure Guidelines due to be published in December. This point was raised by R Atkinson. J Heavens informed the meeting that the intention was to run a short consultation on this in November. He said it was currently with Ministers but there was no final decision yet.

4.4 Motoring offences court sessions

I Kelcey asked for clarification on the situation in relation to volunteering for the motoring offences court sessions. G Hardy confirmed that the position from the LAA had not changed and attendance was still on a voluntary basis.

4.5 Reconciliation Team

J Waring confirmed to A Cosma that there was no known issue with contacting the Reconciliation Team and the normal work channels should continue to be used; phone and email.

4.6 Claiming fees

G Hardy responded to A Cosma's question on guidance to be circulated on claiming fees and which codes to use. G Hardy said that guidance will be published before 19 October and they would be claimed on the CRM6 form.

4.7 New contracts

G Hardy also updated the meeting on the latest contract position stating that an article had been published on GOV.UK notifying providers that the contract will be extended until March 2022, with the intention to run a tender for new contracts next year with the contract starting in April 2022.

4.8 Early engagement

I Kelcey raised a final point relating to the Chief Executive of the LAA writing to the Chief Magistrate on the issue of early engagement. G Hardy responded that the Chief Executive had written to say that the provision couldn't be facilitated within the current legal aid framework and had been passed to MoJ legal aid policy colleagues for consideration as part of the legal aid review work.

Actions from this meeting			
AP1 [Oct]	N Poulter to look into the clarification of payment at the point legal aid is withdrawn and how this is communicated	N Poulter	8 December
AP2 [Oct]	N Lewis to determine if there is any data to substantiate the claim of increased volumes of withdrawals of legal aid in the Crown Courts	N Lewis	8 December

The next meeting is on Tuesday 8 December 2020 via Teams