



Ministry
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Legal Aid
Agency

Annual Review of Legal Aid Accommodation and Subsistence Rates Terms of Reference

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Project:	Annual Review of Legal Aid Accommodation & Subsistence Rates
Project SRO:	Alistair Adan
Working Group Chair / Project Lead(s):	Lib Archbold/Nick Ford

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Issue No:	Issue Date:	Issue Author:	Reason for Issue:
0.1	December 2023	Lib Archbold	First draft of ToR
0.2	March 2024	Lib Archbold	Second draft of ToR
0.3	August 2024	Lib Archbold	Final draft of ToR

Document Purpose

The purpose of this document is to define the Terms of Reference (ToR) for the annual review of legal aid accommodation and subsistence rates.

Background

In July 2023, the LAA’s Executive Leadership Team agreed to increase the guide rates for overnight accommodation and committed to monitoring and reviewing hotel and subsistence rates on a regular basis.

On 1 September 2023 legal aid accommodation guideline rates were uplifted to £100/night for London and other city centres¹, and £65/night elsewhere². These rates are exclusive of VAT.

Aims of the Review Working Group

The aim of the Working Group is to provide a structured forum for the monitoring and co-ordination of the work being undertaken. The Group will review available data and evidence on accommodation and subsistence allowances, including feedback from stakeholders.

It should be noted that the Review is not a guarantee that accommodation rates will be increased. The process is designed to check whether or not the current allowances still align with market rates and to ensure providers are able to find suitable accommodation. It should be noted that higher rates may be requested and agreed where there is clearly difficulty in securing accommodation within the published guidelines.

As well as with defence practitioners and LAA case management teams, the review will liaise with wider stakeholders, including the CPS and HMCTS, to ensure any changes made in legal aid do not adversely impact other areas. We will also look at the rates claimed by providers who undertake work through the Witness Intermediary Scheme (WIS) and HMCTS Appointed Intermediary Scheme (HAIS).

Working Group Membership

The Working Group is made up of the key LAA and MoJ stakeholders that will be responsible for reviewing the accommodation and subsistence rates and delivering any changes. The SRO is ultimately accountable for the project; however, the Chair is responsible for leading the Working Group. Group members must also assume a collective responsibility for ensuring a successful outcome for the project.

Chair of the Working Group		Job Title/Area
Service Development	Lib Archbold	Service Development Manager
Membership of the Working Group		
Service Development	Nicholas Ford	Service Development Manager

¹ Manchester, Liverpool, Leeds, Newcastle and Birmingham

² Previously £85.25/night and £55.25/night

Operations	Nick Poulter	Head of Operations – Crime Case Management
	Melissa Thompson	Operations Manager
	Stephen Kelly	AGFS Technical Lead
	Joe Sisson	LGFS Technical Lead
	Ann Davies	Civil Billing
MoJ Policy	James MacMillan	Criminal Legal Aid Policy
	Elliot Miller	Senior Policy Advisor
CCU	Kath Burdett	Head of Criminal Cases Unit
	Tom Stevens (Deputy)	Senior Case Manager
	Graham Hughes (Deputy)	Senior Case Manager
	David Carter	Case Manager
Finance	Darren McHale	Operations Group Finance Business Partnering
Contract Management and Assurance	Emily Dudley	Core Assurance & Risk Manager
	Elaine Annable	Area Contract Manager

Provider input and timescales

Practitioners and other stakeholders may provide feedback and input, in any form, throughout the year, via Crime Contract Consultative Group (CCCG) meetings or other such forums.

The Working Group will formally contact representatives from the Bar, The Law Society, the CPS and other external stakeholders in mid-July, requesting that any feedback and representations, supported by relevant information, are provided by the end of August.

The Working Group will then consider stakeholder feedback along with internal data and views from operational staff, with any recommendations for change being submitted to the LAA's Executive Leadership Team in September.

The outcome of the review will be communicated to providers by the Working Group. Where changes are made these will come into effect as soon as possible following the decision, during the autumn, and will be accompanied by news stories and updated guidance documents.

Escalation Routes

Any recommendation by the Group, including to increase accommodation and/or subsistence rates, requires escalation to the LAA's Executive Leadership Team for a final decision and signoff.