



The Law Society



Legal Aid
Agency

Crime Contract Consultative Group (CCCG) meeting Tuesday 8 August 2023

Minutes

When	Tuesday 8 August 2023
Where	Via Teams
Chair	David Thomas
Minutes	Eloise Worrall
Present	<p>Alice Mutasa - TLS Avrom Sherr – IALS Chris Minnoch - LAPG Daniel Bonich – CLSA David Thomas – LAA Elaine Annable – LAA Emma Green – NAO Fadi Daoud - LCCSA Fleur McQuade – Digital Glyn Hardy – LAA Helen Johnson – LAPG Hesham Puri - Kath Burdett – LAA Kathryn Grainger – LAA Kaye Stapleton - LAA Kemi Duroshola - NAO Mark Newby – TLS Matt Doddridge – LAA Maxine Wellsbury - LAA Melissa Thompson – LAA Nick Ford - LAA Nick Poulter – LAA Russ Crooks - HMPPS Sandra Torres Cancino - HMPPS</p>
Apologies	

D Thomas welcomed attendees to the meeting and confirmed that papers and minutes had been circulated in advance.

D Thomas noted there was a few additional attendees who had joined this session of CCG and invited them to introduce themselves. Maxine Wellsbury and Kemi Duroshola introduced themselves.

1. Minutes from June meeting were reviewed and approved.

Actions were discussed as follows.

APDEC04	Investigate the possibility of providers submitting police station claims for lengthy bail time cases and in conjunction with the method of claiming for supplemental parking and mileage.	G Hardy	Have implemented the change. This is now closed.
APJUN01	To update the forum, with any further developments, as they progress on the prisoner pin phone system	B Lauff	
APJUN02	To arrange a meeting as part of a CCCG subgroup to discuss virtual court fees and the issues around HMCTS consolidating their estate.	G Hardy & N Lewis	The subgroup did meet. There will be further meetings which will be feedback to this group.
APJUN03	Provide a detailed breakdown of figures, following the SMP engagement exercise.	K Ford	Complete. Closed

2. Nick Poulter – Operational update to include an overview of the Crime Stats Pack.

N Poulter confirmed that the performance pack had been sent round prior to the meeting and gave an overview of the key performance points.

August is usually a challenging time from an operational perspective with it being a peak leave period, however, processing of applications within 48 hours and bill processing was maintained. NP provided some stats on specific claim types and how long it was taking for them to be processed.

N Poulter flagged that there was a red indicator in regards to CRM18s. A plan has been put in place to improve the situation and there has been slight movement over the last couple of weeks.

N Poulter suggests the group look over page 7 where there are some webinar uploads and have a look at the webinars that are available. They will be uploaded in August. There will also be supporting FAQs that go with those.

DI Bonich raised the issue of LGFS claims being assessed down where the firm had been instructed but the proceedings had been moved to a nightingale court during Covid. The reason being given that a local provider should have been instructed. He asked if there had been a change in policy. N Poulter advised that there had been no change in policy and something that should be allowed as it is outside of the firm's control. If firms make it clear in their claims why they have attended a court outside of the local area this will help caseworkers determine these types of claims. N Poulter advised he will re-inforce this message with caseworkers.

3. Russ Crooks - Electronic monitoring

R Crooks introduced himself and his colleague Sandra Torres and they are from HMPPS Electronic Monitoring Business Change and Stakeholder Engagement Team. Their role is to support stakeholders and to raise awareness of the Electronic Monitoring capabilities. He shared a presentation which had previously been circulated to the members which gave further details of their work and various stakeholders they engage with.

H Puri asked if they could have a video giving details of Electronic Monitoring and this could be shared with members.

A Mutasa suggested that they may want to engage with the Prison Lawyers Association.

If any members wish to contact the team they can get in touch with either R Crooks or S Torres via; Sandra.torrescancino@justice.gov.uk and russ.crooks@justice.gov.uk

4. Maxine Wellsbury - Apply Update

M Wellsbury introduced herself as the Onboarding Manager for the Apply project and was attending to provide an update on Apply for Criminal Legal Aid. An update was previously provided at the April Crime CCG meeting.

The existing E Form service is provided by a contractor with that ending in September 2024. This contract can not be extended and alternatives have had to be explored. A new system has been sourced which will replace e-forms with a gradual roll out taking place.

In July 2023 an early version of the system was released with basic functionality for use by the Public Defender Service and a small number of providers.

The plan is for a further 12 providers to be on boarded within the pilot period which will run to the end of September. During this time we will work closely with providers obtaining feedback on the system.

Once the pilot has ended, providers will be invited to start using the system in tranches during October. Firms will be notified one month in advance of their go live date via email. All providers need to be onboarded to the new system prior to the existing e-form contract ending.

M Wellsbury asked the group for feedback and questions.

H Puri queried the users within the new system and whether it would be one user per firm or whether a firm could have multiple users linked to that office/firm.

Fleur McQuade advised that it would depend on how users are set up currently. It is possible for a number of users to be linked to an account number/office and they would then have access to all applications for that office regardless of the user that entered. This allows tracking of applications in case of absences, etc.

F Daoud asked if it was possible if the system could be set up with a user hierarchy. F McQuade advised that the system at present was flat in regards to user hierarchy, but this was something that could be explored.

5. Rep Body – Ongoing Topics & Queries

Reporting of contract non-compliance

D Bonich raised an issue in respect of Contract Management approach and consistency in regards to office and duty solicitor requirements as part of verification and whether there was an escalation route members could take if they were aware of non-compliances with other firms. In the example given D Bonich advised that the Contract Manager had not been helpful and advised that they were unable to provide any information about another firm.

D Thomas confirmed that the appropriate route would be via the Contract Manager, however, they would not be able to share specifics about another firm. Investigations would take place if non-compliances were raised. If concerns have been raised that do not appear to have been investigated then the Area Contract Manager would be the appropriate escalation route.

D Thomas advised that he would remind the Contract Management teams to acknowledge any concerns but advised that we would not be able to share any investigation outcomes.

Duty Solicitor compliance

D Bonich raised an example of where a duty solicitor had been diagnosed with a significant illness and was expected to be absent from work for 6 months. They were then removed immediately from all schemes mid rota, which was considered to be harsh. If a duty solicitor was going on maternity leave they would remain on the rota. For instances of long term sickness is this the correct approach?

E Annable advised it would depend on the duty solicitors engagement criteria. If someone is ill for 6 months then they would not normally be removed from a scheme mid rota. It would depend on the specific circumstance.

D Bonich will obtain some further details from the firm in this specific case and will pass on to E Annable to investigate.

VHCC Proposals

A Mutasa queried whether we could discuss the VHCC proposals and the discrepancy in the fees between employed and self-employed advocates. It was only ever supposed to be a temporary arrangement.

N Ford advised that this issue is being looked at and engagement with policy is taking place.

6. AOB

Hotel Rates

N Ford gave an update to the group on hotel rates. Concerns have been raised previously through this group and a variety of other routes about the ability to secure suitable hotel accommodation within the current LA guideline rates.

Rates will be increased within LAA guidance;

- London and other major cities will increase from £85.25 to £100
- Elsewhere will increase from £55.25 to £65.00

A very short consultation needs to take place which will open on the 9 August for 1 week. Updated guidance will then be published on the 1 September and new rates will take effect from that date.

The next meeting is on Tuesday 10 October via Teams