



The Law Society



Legal Aid Agency

Crime Contract Consultative Group (CCCG) meeting Tuesday 12 December 2023

Minutes

When	Tuesday 12 December 2023
Where	Via Teams
Chair	David Thomas
Minutes	Paul Moore
Present	Alice Mutasa – TLS Andrew Cosma - MMS Avrom Sherr – IALS Katy Hanson – CLSA David Thomas – LAA Edward Jones – LCCSA Eloise Worrall - LAA Jerome Lucey – LAA Frederick McGhie – LAA Digital Kate Pasfield – LAPG Neil Lewis - LAA Nick Ford – LAA
Apologies	Adrian Vincent – BC Arron Dolan – CBA Carol Storer – LAPG Chris Minnoch - LAPG Chandni Brown – CiEx Elaine Annable - LAA Elliot Miller – LAA Fadi Daoud – LCCSA Gerwyn Wise – GCLAW Glyn Hardy – LAA Helen Johnson - LAPG Henry Hills – SAHCA James MacMillan –Moj Jill Waring – LAA

Kath Burdett - LAA Kathryn Grainger – LAA Mark Newby - TLS Martin Secrett - BC Matt Doddridge – LAA Melissa Thompson – LAA Nick Poulter – LAA Rakesh Bhasin – LAPG Rebecca Booth – LAA Richard Miller – TLS Richard Owen – TLS A2J Cttee Sean Wardale - LAA Stuart Nolan – TLS Tony Ayton - LAA Will Hayden – LAA

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

1. Minutes from October meeting were reviewed and approved.

The minutes were reviewed and D Thomas requested those that had not received the papers to submit any amendment requests to the minutes by 13 December. The actions on the log were reviewed and updates and closures were noted.

2. Jerome Lucey - Operational update

J Lucey covered for N Poulter and went through the Operational Stats pack provided in the papers. Two new training videos have been created and uploaded to the provider website which have received positive feedback. Any further feedback would be welcome along with any other suggestions for training content.

Performance remains positive with applications and bills across areas processed within targets. There was a backlog with CRM7 Appeals & Contempt work due to CLAIR focussed activity, however, there has been significant reductions and resource remains focussed on reducing this further.

F McGhie, a lead product manager in LAA Digital provided an update on the E-forms database. There have been performance issues with E-forms which has prevented users from accessing functionality, along with slowness within the system and crashes.

Part of the issue is due to a large database containing significant amounts of information. To try and resolve this a partition of the database is proposed. The archive would take place for anything older than seven years. The archived data will not be accessible through E-forms in the usual way, but can still be accessed. This approach will commence in January 24.

K Hanson advised that users will need to be notified of this change to allow them enough time to extract archived information. F McGhie agreed that if CCG members agreed with this approach then wider comms will be sent out. It was agreed that this would be implemented at the end of January.

Members had no other issues and F McGhie confirmed if there were any changes then updates would be provided.

3. Nick Ford - VHCC accreditation

N Ford advised that at a previous Crime CCG discussions had taken place about accreditation for VHCC cases and reducing the requirement, particularly for firms that have already got a standard criminal contract.

K Burdett had circulated an email to members on this advising of minor amendments to the VHCC arrangements with the proposal to start that from January 24. A light touch approach is already taking place for firms that are going through the accreditation process for VHCC and crime.

N Ford requested members to review K Burdett's' email and share any feedback by the 15 December. Updated documents will be published and communications will be sent out in January.

4. Rep body ongoing topics & queries

A Mutasa had several queries which had been shared ahead of the meeting on the following topics.

SERCO

The issue is the inability of SERCO to produce prisoners in a timely manner and the subsequent contract renegotiation which allegedly states they no longer need to produce prisoners by a specific time. A Cosma flagged that this is becoming an increasing issue where prisoners do not appear until after 1pm and the Duty Solicitor has been in attendance since 9.30am. In a designated fee area waiting time is not claimable which is having financial impacts on firms.

N Lewis advised that the relevant contract manager has been identified in the MoJ and enquiries are being made. The further details given on the provider impacts will be shared with the contract manager along with exploration of existing complaints processes to allow instances of delays to be recorded.

APDEC01 – N Lewis to continue discussions with the SERCO Contract Manager to highlight the impacts on providers where prisoners are not produced in a timely manner and investigate if there is any complaints process firms can use to log specific instances of delays.

£100 limit on disbursements

Providers have reported that they need to be able to claim disbursements before the end of the case in the Magistrates Court because there's more and more serious cases being heard in these courts.

The additional issue in the Crown Court, where a concession was made was for lots of small disbursements to the same supplier in a case under £100 could be claimed. That doesn't cover everything as there could be lots of small disbursements paid to different suppliers that can not be claimed.

N Lewis advised that he would need to explore whether any changes would need to be made via the contract or regulations. It would also require digital changes to facilitate any claiming.

APDEC02 – N Lewis to review the contract & regulations and have discussions with digital to determine what changes could be made to claiming disbursements to allow re-imburement of smaller amounts.

Voluntary interviews - client no show

A request to check understanding. Normally if a solicitor is called to the police station and they set out, but while they are on the way or when they arrive at the police station the client has changed their mind about having a solicitor, they will still get paid for that attendance.

A Mutasa asked if we could confirm that this is also the case for voluntary interviews; where the police have called the client for a voluntary interview, the solicitor attends but the client does not show up.

N Lewis advised he would speak with G Hardy who was unable to attend this meeting and ask him to clarify.

APDEC03 – G Hardy to confirm the claiming position with voluntary interviews where the client is a no show.

5. AOB

Contract Management & Assurance update

K Pasfield requested the Contract Management update that is shared with Civil CCG is also circulated with the Crime CCG group. D Thomas advised this is usually shared and will be included in the next meeting.

Graduated Fees

N Lewis noted that A Mutasa had previously raised an issue with Graduated Fees where questions on the approach had been asked.

A Mutasa clarified there was a request for clarification about the approach to Counsel's bills and solicitors bills in the same case. There's awareness that one is an AGFS claim and the other is LGFS, so it may not be possible, but anecdotal evidence seems to suggest that Counsel's bills are never assessed down.

N Lewis confirmed that there is no different approach to AGFS & LGFS claims. If items have been claimed then they will need to be verified. Unfortunately N Poulter was not in attendance to clarify but it will be added to a future agenda for him to clarify the assessment approach.

N Ford advised that some AGFS & LGFS claims had been reviewed and there were questions on whether they all related to these claims and possibly may have been different areas of work and if possible further information would be needed from the providers.

APDEC04 – E Worrall to add to an item to a future agenda for N Poulter to provide an overview on the assessment process for AGFS & LGFS claims.

Review of Fees

A Cosma raised the issue of regular reviews of fees. The last increase was to Police Station and Magistrates Court youth court rates and the Bellamy review that regular reviews should take place. Are there any dates for review published?

D Thomas advised that as MoJ policy representatives are not present at this meeting it would not be the right place to discuss and debate this. There are other forums where those areas are covered.

The next meeting is Tuesday 13 February 2024 via Teams