



The Law Society



Legal Aid Agency

Crime Contract Consultative Group (CCCG) meeting Tuesday 9 April 2024

Minutes

When	Tuesday 9 April 2024
Where	Via Teams
Chair	Mark Newby
Minutes	Eloise Worrall
Present	<p>Alice Mutasa – TLS Andrew Cosma – MMS Avrom Sherr – IALS Daniel Bonich – CLSA Elaine Annable - LAA Fadi Daoud – LCCSA Fleur McQuade - LAA Frank Camilleri - LAA Glyn Hardy – LAA James MacMillan –Moj Jude Lockett - LAA Kate Pasfield – LAPG Mark Newby – TLS Matilde Boccanera - LAA Neil Lewis – LAA Nick Poulter – LAA Puri Hesham Rakesh Bhasin – LAPG Rosie Clayton - LAA Sean Wardale – LAA</p>
Apologies	<p>Adrian Vincent – BC Arron Dolan – CBA Carol Storer – LAPG Chris Minnoch - LAPG Chandni Brown – CiEx David Thomas – LAA</p>

<p>Edward Jones - LCCSA Elliot Miller – LAA Gerwyn Wise – GCLAW Helen Johnson - LAPG Henry Hills – SAHCA Jerome Lucey - LAA Jill Waring – LAA Kath Burdett – LAA Katy Hanson Kathryn Grainger – LAA Martin Secrett - BC Matt Doddridge – LAA Melissa Thompson – LAA Nick Ford – LAA Rebecca Booth – LAA Richard Miller – TLS Richard Owen – TLS A2J Cttee Stuart Nolan – TLS Tony Ayton - LAA Will Hayden – LAA</p>
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M Newby welcomed attendees to the meeting and confirmed that papers and minutes had been circulated in advance.

1. Minutes from February meeting were reviewed and approved.

The minutes and actions were authorised by the group.

2. Nick Poulter - Operational update

NP referred to the paper that was sent round with the agenda. NP will pull some of the key themes that they are seeing at the moment.

Around 2 January there was a increase in intakes.

Criminal Legal Aid applications are now running at 8% over what they were running last year, there has been an 8% increase.

On LGFS there is a similar increase of 8%.

AGFS is significantly up to 19%, when they compare February and March this year to February, March last year they do think there's a bit of seasonality in, in particular the AGFS figures as advocates try to get their claims in before the end of the financial year.

They have compared the same period this year compared to the same period last year and would expect that to both encompass the same seasonality there, therefore they have seen massive intakes. The area that is different to that is the CRM7 on the Magistrates Court, February and

March this year compared to February and March last year have actually seen a very small decline at 3%.

They have had the added complication for the team operationally with Easter with two bank holidays the Legal Aid applications still flow in over the bank holidays which means they have fewer days to process them they also have the factor of the second week of the Easter holidays coinciding with Eid this year, which again impacts the resource availability. But Despite that they are still processing legal aid applications between 1 and 2 days.

LGFS are processing under 5 days, AGFS has gone out a little with a 19% increase, they are being processed between day 7 and 8 for the initial claims on AGFS, which is higher than normal.

On CRM7 they are at 10 days but there is a plan in place that will hopefully start to see improvements that are in 3 to 4 weeks time.

NP asked the group if anyone had any ideas as to why areas have increased so significantly in such a short space of time.

EA raised that she has just come off of a criminal justice board in Nottinghamshire and they've seen a 21% increase in charging summons, which probably reflects the experience that your experience on operationally.

AC suggested that there's also a push to get Crown Court cases finished due to a huge backlog which will in probably account for the LGFS.

AC asked NP if there has been a influx of new case workers because they are seeing a number of rejections where the case worker doesn't understand the the guidance.

NP confirmed there are no new case workers that are processing, NP asked AC to send through details and NP will take a look.

APAPRIL01 – AC to send NP details on the rejections recently received

3. Nick Poulter - overview on the assessment process for AGFS & LGFS claim.

Caseworkers work are reviewed regularly review, including the senior case workers, in total this year they will be looking to quality control just over 2,600 LGFS and just over 2900 AGFS claims, if errors are found they feedback to the caseworker, the error is corrected and if there's extra payment to be made that is also done.

Where necessary they will go into either informal or formal performance management with those caseworkers and at some point might end up reviewing 100% of their work.

They also have external check, this is by the National Audit Office, they will check a number of file.

This year will be 900 LGFS over the year and 800 AGFS files over the year. That number does vary,

It depends on the number of transactions that there are in that particular area of work and the level of error that they found last year.

To put it into context our time standard for a caseworker doing a lower value LGFS claim is around about 14 minutes. Core testing will spend a couple of hours going through the similar file and it's a check by the National Order Office to make sure that we are effective essentially spending.

There is a tight target, the maximum error rate we are allowed overall for the LAA is 1%.

The LGFS are running a lot lower than 1% for last year, they are around 0.2%

They also look at underpayment rate and are they underpaying providers? Are we making incorrect decisions there?

If they find errors they are rectified, either pay the extra money or again look to recoup.

NP stated that there is a number of ways they try to get it right, there's no difference to who has submitted the claim, they have to get it just as right for solicitor as they do for an advocate.

4. Jade Lockett - Equity exit and replacement CRM service update.

Jade Lockett – Introduced herself as the Senior product managers at La Digital who has three different teams who are all part of replacing the E Forms equality service. Jade handed over to her team members who presented the below slide show.

[Copy of Crime Apply Beta Provider Survey Results 26 March 2023 for CCCG meeting \(1\).pptx](#)

JL opened up for any questions.

AC stated that most of the firms are using the paper system because the system on Eform is too clunky, its very difficult as the LAA require a full file to verify the work, preparation, work, attendance. Are they still required to upload files, and if so, is that through your system or is there going to be a separate way that we do that?

JL confirmed that currently in the digital service that they are building, it will allow them to upload files up to 20 mb, currently quantity only allowed 7mb. So hopefully that will cover the problem that sometimes are facing in terms of evidence upload. Also they will be able to monitor and respond to the need around that.

FC introduced himself as the Senior Delivery Manager working across the equity exit.

what is being proposed is that the the existing Eform service will become unavailable for providers from the 6 August this year, while the team work out a couple of things and get their comms plans all sorted.

What they will do is go into a freeze so caseworkers will be able to access those existing applications on the current Eform service up until the 20 August, then after the 20 August, there

will be a complete shut down of Eforms while they migrate all the existing data on the new platform they will be providing an interface which will be live from July.

They have looked into allowing provider access to this new system, however, due to some security issues, a decision has been made not to allow that.

They are proposing a pilot for two months when they will monitor the amount of case worker workload for request for historical data.

FC opened up for questions.

DB asked who is that they go to so that people know who they're supposed to be contacting?

NP they will be giving guidance out, it will be the online support team which is part of the customer service team based in South Tyneside, they will make sure that it is clear.

5. Rep body ongoing topics & queries

DB wanted to raise changes in working practises and how they interface with the contract, specifically in relation to the instruction of Council, historically in the crown court they would instruct an advocate usually before the PTPH with the expectation that they would be the trial advocate, but if they weren't with the idea that we knew who the trial advocate would be, and that somebody else was covering the PTPH, but what is happening at the moment is why is barristers seem to be extraordinarily busy, and they seem to have more cases going on at once, and they could service and the result of which is that often you will get an attendance note through on a Monday from Counsel telling you what happened on the case from a client that they haven't heard of and haven't instructed and seems was drafted in the last minute to cover your case. The problem is that contractually, they are supposed to tell the client about changes of Counsel And often they aren't being told or aren't being told in sufficient time to update clients.

People are a little concerned if the LA decide to start looking at this on audit telling them that they haven't complied about duty to tell our clients about Council simply because they have been given no choice or it's been so late in the day and there is no realistic way they can notify their clients.

GH stated that he is more than happy to have a conversation about it. GH didn't have the contract text in front of him but suggested there is some wiggle room in that contract text where it says they should notify the clients where possible or you must use reasonable endeavours. GH confirmed that he thinks there's enough scope within that clause to deal with this kind of circumstances and if there if it is creating a conflict and attention, then he can, and we can look at that.

NL informed that group that having some sort of record on file in some way is going to be important. That will be the key thing that he will pick up. If it came up then we would be looking to understand why something had occurred and if there's a note on the file then I think that would probably be sufficient.

GH and NL look at the specifics in the contract and come back with a view as to what flexibility there is.

APAPR02 GH & NL to look into the specifics of the contracts and come back to to the group.

AOB

AM asked thr group who would like to attend the IT Sub group from the previous meeting?

6.

NL stated that he can leave it with AM to come back and and confirm who they would like. NL has been n contact with the SERCO with the internal teams who run the contract. Once NL has the list of who needs to be there he will set a meeting up.

APAPR03 – NL to set up the sub group once AM has sent on the attendee list

MN asked thr group if anyone else had anything else to raise and bought the meeting to an end.

The next meeting is Tuesday 11 June 2024 via Teams