

Dear ACL LAG Member

In these troubled times the work of the Courts and LAA is continuing and there are some sensible clarifications/changes being introduced in the FAS scheme which is attached and can also be found on the LAA's general guidance page: <https://www.gov.uk/guidance/funding-and-costs-assessment-for-civil-and-crime-matters>.

The LAA's updated contingency response for all civil and criminal providers posted on the its website is here: <https://www.gov.uk/guidance/coronavirus-covid-19-legal-aid-agency-contingency-response>

Additions to the LAA's response include:

- Suspension of deadline to appeals against LAA assessments of civil claims – We raised this specific point at the last CCCG meeting on 11th March and Steve Starkey the LAA Operations Manager yesterday confirmed to us that the suspension of appeals referred to under 'Making Applications' applies to costs claims as well. We are trying to seek clarification about whether this applies to any applicable crime claims too.
- More taxi fares
- Only rejecting the element for non-complying bill and paying rest
- Acceptance by email instead of wet signature (although this may only apply to Controlled Work because there appears to be no relaxation of the rule for civil certificate applications to be done with client face-to-face)

The initial response on Monday already confirmed that UPOA audits by contract managers and recoupments of the same will be suspended.

The other contingencies for Civil Finance apply to Legal Help and Controlled Legal Representation cases that escape fixed fees, as well as paper-based claims. This appears to alleviate the logistical issues for the LAA. We have made proposals to LAA Operations on POAs, including relaxing the initial 3-month and two-in-12-month rules, echoing some of what we believe the LAPG has proposed. We have also asked the LAA to consider allowing family providers to submit and be paid their claims before counsel's claims in order to avoid what are likely to be very lengthy delays with some chambers.

The LAPG have produced guidance on what the Legal Aid Contract and LAA's Covid-19 Response allows. This is attached.

I hope you are all keeping well and safe and that we will all come out the other side of the current period of isolation before too long. Perhaps this is a chance to catch up without so many telephone interruptions.

Kind regards

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