

There is currently an issue with the LAA's checking procedures on this, that means claims may be being rejected and/or reduced incorrectly where the substantive certificate was issued on or after 13 October 2015 (see <https://www.gov.uk/government/news/civil-news-payment-for-work-under-emergency-certificates>). We have highlighted this to LAA Operations and the problem is currently being rectified. But in the meantime, it is worth bearing this in mind and where claims under a certificate where the substantive certificate was issued on or after 13 October 2015 are:

1. Rejected on the basis there is a funding gap between emergency and substantive certificate - use laacivilclaimfix@legalaid.gsi.gov.uk
2. Reduced on the same basis – apply for review of assessment

The LAA introduced further internal checks as to whether there were gaps between emergency and substantive certificates, because apparently, this was highlighted as a big problem. Their own internal checklists were updated to include a section at the top reminding the case worker to check the dates of issue of emergency and substantive certificates and referred them to their rates calculator (these checklists have not updated on the LAA website). The rates calculator has a box that works out if there's a funding gap where the emergency certificate has expired before the substantive certificate was issued and returns the dates of this funding gap. The only problem is that this calculator has not been updated since before the changes for substantive certificates issued from 13 October 2015. The rates calculator is currently being updated and tested, and further material for case workers being reviewed.