



## Civil Route Map

your pull out copy of the Civil Route Map – and an ‘at a glance’ guide to the LSC’s agreement with the MoJ and the Law Society

CENTRE PAGES

Issue # 56

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The service provider newsletter of  
the **Legal Services Commission**

[www.legalservices.gov.uk](http://www.legalservices.gov.uk)

# focus

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## Certainty and stability

The Legal Services Commission (LSC), Law Society and Ministry of Justice (MoJ) announced in April that they had reached agreement on the best way forward following the Court of Appeal’s judgment on the Unified Contract. This agreement will ensure a period of certainty and stability for providers of legal aid.

Negotiations with the Law Society followed the Court of Appeal judgment on the Unified Contract in November 2007. As a result of these constructive and collaborative talks the Legal Services Commission and Ministry of Justice (MoJ) publicly announced that we accepted the Court of Appeal’s judgment. We also reached agreement with the Law Society on the way forward. The Law Society agreed not to pursue further litigation on this issue.

We have published a route map for the civil reform programme – see the centre pages for a ‘pull out’ route map and guide to the agreement.

### Court of Appeal’s judgment

The Court of Appeal found in favour of the Law Society’s arguments that one of the amendment powers in the Unified Contract does not comply with 2006 European regulations on public contracts. We regret that we did not recognise the implications of those regulations at an earlier stage.

The Court of Appeal’s judgment will affect the contractual relationship between the LSC and providers in future. Contracts need to be clear about the conditions that will apply

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# Provider Reference Groups

The first Provider Reference Group (PRG) meetings took place recently. Sessions were held across England and Wales with separate discussions for crime and civil legal aid providers.

The groups have been set up so that the LSC can hear at first hand the views of legal aid providers. They aim to bring a representative range of providers into discussions at an early stage in the planning of policy implementation.

Initial feedback from the meetings has been very positive. The discussions have been seen as being very useful and a good way of feeding into national decisions.

Discussion topics at the meetings included:

- > support available and needed from the LSC provider readiness team
- > civil and crime whole system initiatives and successes
- > access to domestic violence and mediation advice
- > crime contract awards and best value tendering consultation
- > communication between the LSC and providers.

If you would like to learn more about the discussions in your area you can view the minutes on your regional office news pages on the LSC's website.

The next meetings will take place in late June and early July. We are keen to encourage new members of the groups so that the views of a wide variety of providers are represented. We are particularly keen to hear from niche providers and those from ethnic minorities so that we can gain a broad range of views and understand the impacts of our policies on different providers.

If you would like to join one of the groups please contact your regional office for more details.



## The LSC is keen to continue working with the Law Society and profession in a more collaborative way.

<< P1

throughout the term of the contract and amendment clauses cannot be too wide. The LSC will also need to take account of relevant public procurement law. This means that:

- > contracts might be for shorter periods in future
- > each time new contracts are offered, the procurement process will be open to new bidders as well as existing contract holders.

### A clear way forward

The agreement provides a significant period of stability and certainty for civil legal aid providers and includes financial benefits for providers.

The LSC will work with a new Civil Contracts Consultative Group to review the impact of current fee schemes. The proposed membership comprises representatives from each major provider body, the MoJ and LSC representatives.

As part of the agreement, the LSC and MoJ have agreed to:

- > targeted increases in some of the fees in the civil fee schemes already introduced
- > not to introduce full implementation of Best Value Tendering for mainstream civil legal aid services before 2013, with pilots proposed in some areas between 2010 and 2013
- > delay until July 2009 the introduction of any Best Value Tendering scheme for criminal

defence services that may be introduced following a recent consultation

- > make new arrangements in respect of historic unrecouped payments on account (meaning payments on account made at least six years ago)
- > provide for the right to undertake Remainder Work on the no fault termination of a contract
- > make new provisions for the reconciliation of Standard Monthly Payments (SMPs) designed to keep changes to a minimum
- > not implement further family fee changes for solicitors until April 2010.

### Addressing areas of concern

The agreement also addresses some specific issues that the Law Society identified as being of concern to legal aid providers. In particular we have set up two joint working groups.

The first, to discuss quality assurance issues, will complete its work no later than 31 October 2008, publishing a report setting out its considerations, findings and recommendations.

The second group will look to improve the current Contract Compliance Audit process.

The LSC is keen to continue working with the Law Society and profession in a more collaborative way.

#### @ CONTACT & INFORMATION

web: lsc website > about us > our regional network

#### @ CONTACT & INFORMATION

web: lsc website > cls > the unified contract



## Delivery Transformation

Managing legal aid cases in partnership

On 10 April the LSC launched a 12-week consultation called Delivery Transformation, which outlines proposals for new ways of working in the future.

The consultation paper is available to download from the LSC's website at [about us > consultations](#).

### Proposals and objectives

The main emphasis of this consultation is to outline the LSC's proposals to transform the way providers interact with the LSC on a daily basis. Increased electronic working is the key and we expect this will provide benefits to clients, providers and the LSC.

The consultation includes proposals on the following:

- > means assessment for Legal Help work, Mediation, Controlled Legal Representation and Civil Representation
- > the application and amendment process for Civil Representation
- > the administration and calculation of client contributions for civil legal aid cases
- > the submission of claims for both criminal and civil legal aid cases.

The objectives of the proposals are:

- > to enable faster case progression with reduced LSC intervention
- > to increase a client's understanding of the financial status of their own case
- > to improve the client's experience of the legal aid process
- > to reduce the cost of administering legal aid for both providers and the LSC.

### What service providers should do next

The LSC encourages all interested parties to participate in the consultation process. Responses to this consultation can be made online via our website, which would be our preferred method, though we are also accepting hard copies.

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web: [lsc website > about us > consultations](#)



## Survey of your computer systems

Earlier this year the LSC released an IT (Information Technology) survey to establish the current state of computer literacy and use within the legal aid market.

The IT survey will give an indication of what investment providers may need to make to prepare for any future expansions of electronic working, including the proposals outlined in the consultation paper, 'Managing Legal Aid Cases in Partnership - Delivery Transformation' (see left).

The survey is on our website and we have posted copies out to you. If you have not had the chance to reply to the survey, we would strongly encourage you to do so – preferably online.

The more providers who respond to the survey, the more accurate the information will be. This will mean we can make more informed decisions on how we should work with you and increase efficiency whilst also understanding what support you may need from the LSC to meet any IT requirements this may put on you.

Please take the time to fill the survey in online via the LSC's website > About us > Surveys. Alternatively, if you still have the paper copy we posted to you, please complete it and return it to us at the freepost address given.

If you would like another paper copy of the IT survey, email your request to [itsurvey@legalservices.gov.uk](mailto:itsurvey@legalservices.gov.uk).

@ CONTACT & INFORMATION

email: [itsurvey@legalservices.gov.uk](mailto:itsurvey@legalservices.gov.uk)

web: [lsc website > about us > surveys](#)



## Plans for the relaunch of LSC Online

We now have a plan in place leading up to the full re-launch of LSC Online. We will extensively pilot and test the system before rolling it out in phases.

### What are the relaunch aims?

We will re-launch LSC Online for the first wave of providers in October this year.

We are aiming to give providers a system that:

- > supports the number of users who may be online at any one time (we are installing new hardware to achieve this)
- > enables monthly claims to be reported online
- > has been extensively piloted by providers
- > is fully supported by LSC Online's provider help desk.

### How will the re-launch of LSC Online work?

A pilot group of providers will test LSC Online until the end of September 2008. In the following months we will roll out the system in gradual 'waves' of providers. This strategy will allow us to monitor the progress of the system and review our approach as we proceed.

Waves will be based on regional areas so we can provide more focused support. The exception to this will be London, which will span all waves.

Providers can choose the date, within their wave, that they first log on to LSC Online as long as the submission is made by the monthly deadline.

We will keep contingency arrangements in place but gradually reduce them as more providers start to use LSC Online again.

### Plans to retrain providers

Although the LSC Online system remains largely the same, we have produced new training and guidance.

### How do we know re-launch will work?

- > Our re-launch plan is firmly based on the lessons that we have learnt from the first launch.
- > We will pilot and performance test the system with a larger and more diverse group of providers than before.
- > Our approach to re-launch has been independently reviewed and validated by external consultants.

We are confident that the extensive piloting and testing programme before we re-launch will enable us to deliver an efficient system together with effective support mechanisms.

### Find out more

We will keep the LSC Online pages of the LSC website up to date with plans for the re-launch as they develop.

## Unified Contract (Crime) July 2008 application process

The General Criminal Contract (GCC) (January 2008) is due to expire on 13 July 2008. On 3 April 2008 the LSC announced the opening of the period for applications for the replacement contract, the Unified Contract (Crime) July 2008 (UCC).

The UCC will come into effect from 14 July 2008 and is due to run until January 2010.

The application period ran from 7 April to 2 May, with applications received before 21 April eligible to be validated, and applications received before 28 April acknowledged.

To fit with the way that the UCC will operate, applications were invited from whole firms, rather than on an office-by-office basis, and Duty Solicitors were invited to apply for membership of Duty Schemes at the same time as the contract application.

The response to the process was very positive and more offices applied for a contract than currently hold the GCC (Jan 08). We now have over 2,325 individual offices within contracted firms, representing almost 108 percent of the previous number of contracts.

All applicants have now been informed of the outcome of their application, and the first of the corresponding six-month Duty Solicitor rotas, which will run from 14 July 2008 to 13 January 2009, will be issued around 14 June 2008.

The contract award process for the Unified Contract (Crime) July 2008 has no impact on the Unified Contract (Civil).

### @ CONTACT & INFORMATION

tel: 020 7759 1000 (CDS Policy Team)

web: lsc website > cds > crime contracts

### @ CONTACT & INFORMATION

web: lsc website > lsc online

# The agreement at a glance

What are the key provisions of the agreement with the Law Society, and what do they mean in practice?

The full terms of the agreement and the appendices are available on the LSC website at [CLS > The Unified Contract](#).

## No litigation, no termination

In return for the Law Society agreeing to discontinue current litigation and not to bring or support further challenges to the fee schemes, the LSC will not proceed with earlier plans to terminate and will limit future changes to the Unified Contract.

This means...

- stability and certainty

## Increase in Rates and Payment

From 1 July 2008, some rates and payments will increase. Legal help and level 2 family lower will rise by 2%. Fees for care level 2 will increase to £405 and there will be a rise of 5% on CLR for certain mental health and asylum cases.

This means...

- increases in income in a number of priority areas

## Review of Quality Assurance Mechanisms

There will be a review of quality assurance processes and procedures, including Peer Review.

This means...

- maintaining a quality assurance framework that
  - is objective and fair,
  - is integrated with other systems
  - avoids duplication.
- collaborative working between the LSC and providers



## CLACs and CLANs

We have published a list of the Community Legal Advice Centres and Networks to be introduced before April 2010. The Law Society will join the Advisory Board to the research project evaluating the impact of CLACs and CLANs.

This means...

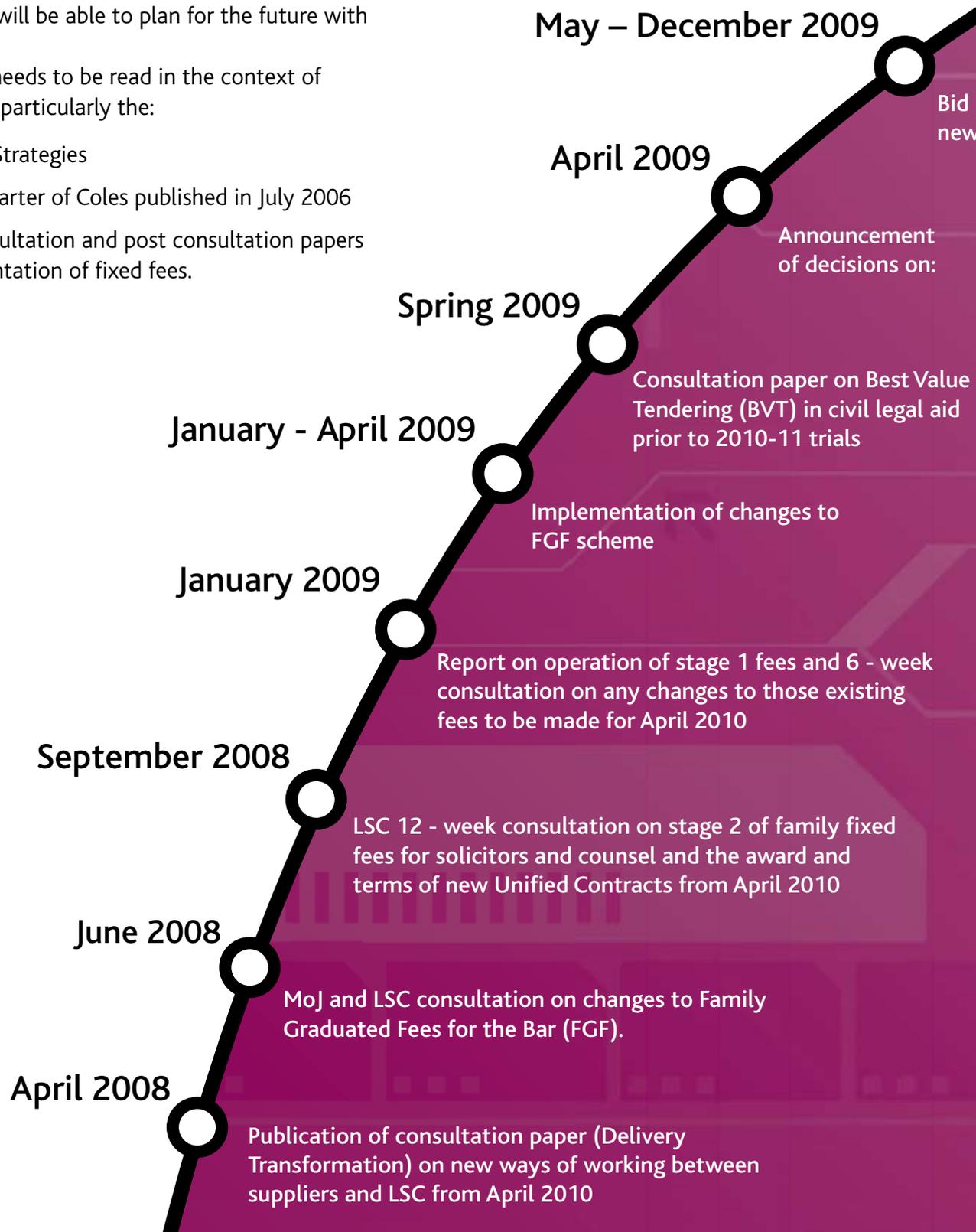
- it is clear in which areas the LSC plans to establish Community Legal Advice services (CLAs) before 1 April 2010
- providers can plan, adapting your practices to future changes

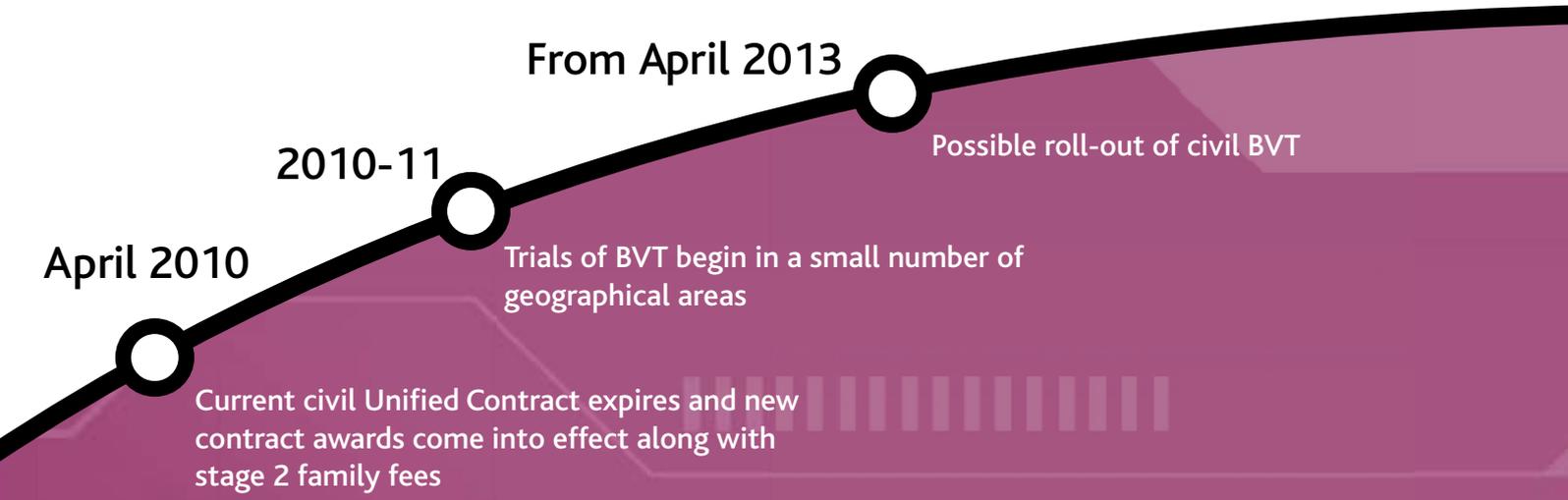
## This is the route map for the development of civil legal aid contracts for the next five years.

The full paper is online at LSC website > CLS > Transforming civil legal aid. Many of the proposals in the paper will be subject to consultation and constructive dialogue with representative bodies and others. However, by publishing this timeline and outline principles civil legal aid providers will be able to plan for the future with greater security.

This route map needs to be read in the context of other publications, particularly the:

- > CLS and Family Strategies
- > review by Lord Carter of Coles published in July 2006
- > subsequent consultation and post consultation papers on the implementation of fixed fees.





round process for the award of the  
civil Unified Contract in April 2010

- terms of new contract
- stage 2 family fees
- bid round process

# legal services

COMMISSION

## Civil Route Map

## The agreement at a glance (cont.)

### Standard Monthly Payments (SMPs)

We agreed a new method of setting contract payments. In essence, provided the claims to payments balance is within 10% of the total claims over the last 12 months then the SMP will not be changed.

This means...

- fewer amendments to payment levels and therefore a more stable cash flow
- providers will eventually be able to track their own reconciliation activity and performance online

### Constructive Engagement

The civil route map is available now (on the LSC website, and the centre pages of this magazine). The criminal route map will follow once we have made a decision on BVT.

This means...

- a period of certainty and stability where changes are gradually introduced
- providers can plan, adapting your practices to future changes

### Remainder Work

Providers who terminate their contract on a no-fault basis (or fail to apply for a new one) may continue Remainder Work for up to two years with the client's consent and subject to certain conditions. The detailed rules are set out in a new Remainder Work protocol, which will also apply to the new criminal Unified Contract.

This means...

- certainty to plan workloads
- stability for clients

### Contract Compliance Audits

We will set up a working group to improve the operation of our audit processes for the future.

This means...

- more devolved decision making powers for providers
- administrative cost savings
- a move towards greater electronic working
- clearer and simpler audit processes
- collaborative working between the LSC and providers

### Family Fee Schemes

The fixed and graduated fee schemes for those elements of family that remain under hourly rates will now not be implemented until April 2010.

This means...

- time to plan financially and to prepare for future changes
- certainty about existing schemes

### Historic Unrecouped Payments

The LSC has changed its approach to dealing with payments on account outstanding on "historic" cases: broadly, those where there has been no payment or activity for six years and less than £20,000 has been paid on account.

Full details are in the agreement.

This means...

- providers now have a choice – opting either:
  - a) not to make individual case reports, in which case the costs will be assessed at the level of the payments on account; or,
  - b) to submit further claims for costs in some or all these cases in which case claims or reports must be made on each of the cases involved

### Consultative Group

We will establish a Civil Contracts Consultative Group to review the fee schemes and other provisions for new contracts in 2010.

This means...

- collaborative working and improved dialogue between the LSC and providers
- provider involvement in reviewing fee schemes

# Improving efficiency across the justice system

Over the last year the LSC has worked with partners across the whole justice system to improve efficiency – with the aim of achieving best value for money and continuing to increase the number of people helped.

## Update on 2007/08 achievements

2007/08 was the first year the LSC had targets to improve whole system efficiency. By working closely with our partners in the family and criminal justice systems we have been able to meet the three targets set.

### Criminal Justice System

Following the successful implementation of Criminal Justice: Simple, Speedy Summary (CJ:SSS) and means testing, the LSC is taking an active part in the post implementation review.

We have made engagement with the defence, police and courts service a priority, and following agreement from the National Criminal Justice Board, now have membership of all Local Criminal Justice Boards.

Examples of local initiatives include:

- > the LSC arranged meetings in London between providers and police and provided

data, solving some common communication problems in custody suites

- > in the Midlands, the LSC enabled meetings to take place between local providers and the police to solve problems providers were facing with bailbacks
- > in South Wales, a pilot has started in Swansea custody unit in conjunction with nurses and social workers to reduce re-offending.

### Family Justice System

Activity to improve efficiency in the Family Justice System has centred on the introduction of the Public Law Outline (PLO) and the LSC is now taking an active part in the evaluation process.

Following the introduction of the new fee schemes in October 2007, the LSC took steps to increase the understanding of the courts, Family Justice Council and the judiciary.

Examples of local initiatives include:



- > in Brighton, the focus was on improving the experience of survivors of domestic violence, resulting in weekly slots on the domestic violence duty rota.
- > following feedback from the Newcastle PLO initiative the Family Graduated Fee Funding Order was amended to allow the Bar to be paid for the Issues Resolution Hearing as a main hearing.

## Plans for 2008/09

This year, we plan to build on the successes of 2007/8 in crime and family, and extend into mental health.

Working with justice system partners and Tribunals Service will be key to identifying efficiencies. National and regional issues are being identified and addressed.

### Criminal Justice System

We will continue to monitor Criminal Justice: Simple, Speedy Summary (CJ:SSS) and will take an active part in its evaluation.

In the magistrates' court, we aim to reduce the number of hearings needed to complete each case.

### Family Justice System

The national implementation of the PLO remains key. However, we will widen our

work out into other areas, including:

- > supporting the family justice system in achieving the Ministry of Justice PSA4 target of 40 weeks to conclude care proceedings
- > the promotion of mediation in family breakdown cases as a more effective solution than going to court.
- > building on work done in 2007/8 to improve the experience of survivors of domestic violence.

### Mental Health

In mental health we will work in partnership with the Mental Health Review Tribunal (MHRT) to improve efficiency and effectiveness.

The LSC has a good working relationship both nationally and regionally with the MHRT. This gives us a good starting point for our continuing collaboration on identifying ways in which administration of cases can be streamlined

to benefit clients and reduce costs to providers.

### This work will enable:

- > local, regional and national issues to be identified by both MHRT and LSC at the earliest possible stage
- > providers to raise local and regional issues via the LSC
- > solutions to be negotiated jointly between the MHRT and LSC
- > partners to hold each other to account on improving the experience for patients and efficiency for providers and other stakeholders.

If you have any ideas or suggestions please contact your regional lead who will liaise with account managers or other LSC staff as appropriate.

### @ CONTACT & INFORMATION

web: [lsc website](http://lsc.gov.uk) > about us > transforming legal aid > improving efficiency



**Carolyn Regan**

Chief Executive, Legal Services Commission

## A clear way ahead

The Unified Contract, in its amended form, provides a solid foundation on which we can build our civil reform programme. It also gives civil legal aid practitioners a stable base on which to work - a base that will remain in place until 31 March 2010.

We have frequently made the case for reform – to you directly and to other stakeholders within and outside government. We have highlighted that although greater financial control may be a product of our reforms, it is not the driving force. Our main priority has always been to create a sustainable legal aid system based on improved access, quality and value for money; a system where we can avoid making cuts to the scope and eligibility of civil legal aid so that as many people as possible can still benefit from advice and representation.

### Constructive engagement

During the recent Unified Contract negotiations, we saw a strong commitment from all parties to work collaboratively in the future. In a sense, this was one of the most important outcomes of the discussions.

In terms of working more closely with your representative bodies, and increasingly with you directly, this change is already tangible. The best value tendering workshops held in January for criminal legal aid practitioners were particularly well attended. As I write we are running provider events to support our Delivery Transformation consultation, which will help to shape simplified processes and increased use of electronic services. I hope that any future debate on civil best value tendering will be seen as an opportunity to debate constructively and influence our proposals.

Our recent agreement with the Law Society included a commitment to establish new working groups, one of which will focus on establishing a system where we secure the right level of assurance with a minimum level of intervention. For example, it will look at how we can improve peer review so that the profession has more confidence in the process; and also who should have future responsibility for quality standards.

We have also set up the Civil Contracts

Consultative Group, which includes many of the key representative bodies for civil, family and immigration providers. The group's remit includes developing the Civil Unified Contract (taking forward our commitment to reducing bureaucracy in contracting and reviewing the current fixed fee schemes) and inputting into our future procurement policy.

### Provider certainty

Civil legal aid providers can be assured of a relatively stable period ahead. We have now published our civil route map (Civil legal aid: the next five years) which timetables our key activities and milestones up to 2013, allowing you to plan ahead, adapt your business to meet foreseen challenges and plan for future opportunities. See the centre pages of this magazine for a 'pull out' copy of the route map, and guide to the agreement with the Law Society.

The agreement itself provides significant financial certainty for many, the deal being worth an estimated £60m over the next three years. The targeted package for civil increases amounts to some £15m overall while our new approach to dealing with payments on account and claims on cases over six years old is worth £20m, benefiting both civil and criminal providers.

The agreement helps you to prepare for reform by giving a longer lead-in time for change. We have delayed the proposed second stage of family fixed fees for solicitors until April 2010 when the current civil contracts expire. We will be consulting on the changes for April 2010, including new specifications in each category of law this September, well in advance of implementation. We have also confirmed that we will not introduce best value tendering to mainstream civil contracts before April 2013 except in less than a handful of pilot areas.

This revised timetable has a financial cost

in terms of savings foregone. Like any other public service, we still need to live within our budget. The ongoing rise in barristers' costs in family cases is a matter of particular concern and the Ministry of Justice, with our support, is consulting this month on how this problem should be dealt with.

### Integrating services

In many respects, integrating social welfare law services represents a key step in the process of focussing legal aid more on client needs. The Legal Services Research Centre's survey on justiciable problems highlighted the fragmented nature of advice and legal services and identified various problem clusters. This research was instrumental in the development of our new Community Legal Advice (CLA) services.

Last month, we published a list of local authority areas where we are discussing the possibility of jointly commissioning CLA centres and networks that could open before 31 March 2010. In doing so, we also provided the Law Society and Advice Services Alliance with lists of service providers in the affected areas so that these practitioners could be kept informed of developments and start to plan.

We will also hold interim bid rounds before April 2010 to award additional new matter starts that ensure that the volume and spread of civil services are maximised within our budget. In line with the above research, desirable criteria will increasingly include the ability to deliver a range of integrated services to reflect people's multiple problems.

### In conclusion

We have now delivered the first phase of reforms and remain on course to deliver the second phase of our programme. I started by talking about the constructive nature of our negotiations with the Law Society and the desire from all parties for this to continue into the future. With our plan mapped out, with policies and proposals in place to provide greater access to services, improved quality and better value for money, I hope that we can continue to work collaboratively with you.

I hope that we can continue to work collaboratively with you.



# Public Interest Advisory Panel summaries

The Public Interest Advisory Panel (PIAP) reports to the LSC on cases that raise public interest issues. These reports are then taken into account by the LSC in decisions under the Funding Code. For more information see Focus 31 (page 2) and section 5 of the Funding Code Decision-Making Guidance in Volume 3 of the LSC Manual. Copies of the full reports are available on the LSC website.

## PIAP/07/383

**Nature of case:** Claim by applicant against the Law Society and Legal Services Ombudsman for England and Wales asserting that access to the Solicitor's Disciplinary Tribunal should not have to be via the Law Society or Legal Services Ombudsman.

**Conclusion:** No Significant Wider Public Interest

## PIAP/07/384

**Nature of case:** Application for Judicial Review by the applicant against the decision of the Mental Health Review Tribunal (MHRT) to deny the applicant's solicitors access to the applicant's medical records, where the medical member of the MHRT was allowed to see the records.

**Conclusion:** Significant Wider Public Interest Rating: Significant

## PIAP/07/385

**Nature of case:** Claim by applicants against the manufacturer of an anti-convulsant drug under the Consumer Protection Act 1987.

**Conclusion:** Significant Wider Public Interest Rating: High

## PIAP 07/386

**Nature of case:** Proposed appeal to the Court of Appeal against a decision of the Administrative Court in respect of a decision by the West Yorkshire Police to extend detention in custody to seek advice from the CPS on the appropriate charges.

**Conclusion:** No Significant Wider Public Interest

## PIAP 07/387

**Nature of case:** Proposed claim against a Metropolitan Borough Council for negligence and/or breach of statutory duty in respect of alleged failure of the Social Services Department.

**Conclusion:** No Significant Wider Public Interest

## PIAP/07/389

**Nature of case:** Claim by a wheelchair user against Her Majesty's Court Service under the Disability Discrimination Act 1995 for damages and a declaration.

**Conclusion:** Significant Wider Public Interest Rating : Significant

## PIAP/07/390

**Nature of case:** Application is to defend proceedings issued by the proposed defendant to the personal injury claim, for a declaration that he is not liable for any personal injuries. **Conclusion:** Significant Wider Public Interest Rating : High

## PIAP/07/391

**Nature of case:** Claim by Applicant against the Prisons and Probation Ombudsman to bring an action for judicial review in relation to the alleged failure of the Ombudsman to exercise his discretion and award compensation.

**Conclusion:** No Significant Wider Public Interest

## PIAP/07/392

**Nature of case:** Claim by applicant against the Foreign and Commonwealth Office for charging and subsequently failing to refund the entry clearance fees charged for applications made for his relatives. The applicant asserts these were not lawfully charged given the family's circumstances and the Foreign and Commonwealth Office's policy.

**Conclusion:** No significant wider public interest.

Rating : High

## PIAP/07/393

**Nature of case:** Claim by applicant against a Council in respect of an alleged failure to make adequate provision for gypsy and traveller caravan sites in its local plan.

**Conclusion:** Significant Wider Public Interest Rating : Significant

## PIAP/07/394

**Nature of case:** Application for funding for an Inquest into the death of the applicant's son.

**Conclusion:** No Significant Wider Public Interest

## PIAP/07/395

**Nature of case:** Claim by applicant seeking leave to appeal to the Court of Appeal in respect of a claim for compensation for personal injury and financial losses as a result of abuse suffered as a child.

**Conclusion:** Significant Wider Public Interest Rating : Significant

## PIAP/07/397

**Nature of case:** Claim by two applicants seeking to challenge the enforceability of a credit agreement.

**Conclusion:** Significant Wider Public Interest Rating: Significant

## PIAP/07/398

**Nature of case:** Claim for damages against the Home Office for failing to act promptly to seek and act upon a recommendation for the applicant's release from prison by the Parole Board. The applicant's claim was based on false imprisonment, breach of Article 5 and negligence. His representatives argued the negligence limb of the claim raised a novel point of law giving rise to a significant wider public interest.

**Conclusion:** No significant wider public interest.

## PIAP/08/399

**Nature of case:** Wrongful birth claim by an applicant following a termination and sterilisation procedure at a private clinic where she received NHS funded treatment.

**Conclusion:** Significant Wider Public Interest Rating: High

## PIAP/08/400

**Nature of case:** Claim by applicant to judicially review the imposition of term in an Anti-Social Behaviour Order which prohibits him from wearing a hooded top anywhere in the borough where he lives, regardless of the climate or whether the hood is up or down.

**Conclusion:** Significant Wider Public Interest Rating: Significant

## PIAP/08/401

**Nature of case:** Claim for damages under the Human Rights Act 1998 by applicant against the Police for failing to take reasonable precautions before the execution of a warrant.

**Conclusion:** Significant Wider Public Interest Rating: Significant

## PIAP/08/402

**Nature of case:** Appeal to the House of Lords concerning the protection available to persons who are made final offers of accommodation under Part VI of the Housing Act 1996 in discharge of "the main housing duty" under section 193 Housing Act 1996.

**Conclusion:** Significant Wider Public Interest Rating: High

## PIAP/08/403

**Nature of case:** Judicial Review claim by a child applicant, through her father acting as her litigation friend, against a County Council's decision to implement a policy which means the applicant will be charged for transport, provided by the Council, between her home to a day care facility.

**Conclusion:** Significant Wider Public Interest Rating: Significant

## PIAP/08/404

**Nature of case:** Judicial Review claim by an applicant against the Secretary of State in respect of monies he says he is owed for work done whilst he was an inmate in prison.

**Conclusion:** No Significant Wider Public Interest

## PIAP/08/405

**Nature of case:** Claim for damages pursuant to the Law Reform (Miscellaneous Provisions) Act 1934 and the Fatal Accidents Act 1976

**Conclusion:** Significant Wider Public Interest Rating: Significant

## About Focus

This is the last paper copy of Focus magazine.

In response to concerns raised about the cost of printing and distributing the magazine, and requests to make it more frequent, we will be moving Focus online. This means we will no longer print and post copies of Focus or Focus on CDS.

### Subscribing

The new look Focus and Focus on CDS will be available through the current Focus page on the LSC website (CLS or CDS > Focus newsletter).

If you would like to receive an email alert when a new edition is published on the website, you will need to subscribe online. At the time of going to press (June 08), the online subscription service was still being developed, but it should be ready by August. The subscription service will be available from the current Focus page on the LSC website (CLS or CDS > Focus newsletter).

When the subscription service is up and running we will put a notice in the LSC Update email (LSC website > Help > LSC Update email) and we will also try to contact readers by post.

Please do not contact the editor to ask to subscribe.

### Readers' survey

Thank you to those readers who took part in the recent readers' survey. Your answers and comments have been extremely useful, and are shaping the way the new magazine looks and works.

### More about Focus

If you have any questions about Focus articles, please refer to the contact and information details included with each article. If there are no contact details, or for other editorial questions, please contact the editor.

### @ CONTACT & INFORMATION

email: [verity.cork@legalservices.gov.uk](mailto:verity.cork@legalservices.gov.uk)

## Payment dates for June to December 2008

The proposed payment dates for the second half of 2008 are set out in the table below. These dates may be subject to amendment, but notification of changes will be provided in advance where possible. Contact details for the LSC's Master Index and Settlement Sections are given below.

Contract Payments	1st Settlement of the Month	2nd Settlement of the Month
Friday 4 July	Thursday 10 July	Thursday 24 July
Wednesday 6 August	Thursday 7 August	Thursday 21 August
Thursday 4 September	Thursday 11 September	Thursday 25 September
Monday 6 October	Thursday 9 October	Thursday 23 October
Thursday 6 November	Thursday 13 November	Thursday 27 November
Thursday 4 December	Thursday 11 December	Thursday 18 December

If you are paid by BACS (Bank Automated Clearing System) the proposed payment date shown is the date on which you will receive a payment in your bank account. For some smaller banks the BACS credit may appear a day later. The proposed payment date will also be the date by which the last of the cheque/remittance advices are despatched from the Financial Services Settlement section. Remittance advices are despatched using DX or first class post.

If you are still being paid by cheque, we recommend that you change to BACS, which is a more efficient payment method. With BACS, the payment is made directly into your bank account, avoiding cheque-handling, and you also receive a remittance advice. BACS provides immediately cleared funds, as opposed to cheques which can take four to six days to clear.

If you have any queries about payment by BACS, please telephone the Master Index Section. Details of the amount due to you may

be obtained by contacting either the regional office or the Solicitors/Counsel Settlement Section, but no earlier than the day before the proposed payment date. If you have a query regarding an individual item shown on a remittance advice, you should contact the relevant regional office, which authorises and processes all such bills.

Names, addresses, DX, fax and telephone numbers and bank details for BACS payments are held on the LSC's Master Index database. Please help keep us up to date and make sure that you inform the Master Index Section of relevant changes relating to your firm or chambers in writing, either by letter or fax.

### @ CONTACT & INFORMATION

#### Master Index Section

tel: 020 7759 0261 | fax: 020 7759 0525

post: Master Index Section, LSC, 85 Gray's Inn Road, London, WC1X 8TX

DX: 328 Chancery Lane, London



Focus is produced by the Communications Department at the Legal Services Commission.

web: [lsc website > cls or cds > focus newsletter](#)

Editor: Verity Cork

tel: 020 7759 0440

e-mail: [verity.cork@legalservices.gov.uk](mailto:verity.cork@legalservices.gov.uk)

post: Communications, Legal Services Commission, 85 Gray's Inn Road, London, WC1X 8TX.

dx: 328 Chancery Lane/London

The LSC delivers legal aid and services through two schemes: the CLS and CDS.

Community  
Legal Service



Criminal  
Defence Service

