

focusmagazine

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

Why diversity is good for business

We visit a firm in London's West End where diversity is playing a vital role in building success. (pages 9 -12).



Legal aid 1940s style

On 30 July legal aid was 60. Take a look at how we celebrated

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Latest on 'legalaid60' celebrations



Mark Workman, Editor

Editorial

Our 'legalaid60 commemorations' have been continuing up to – and following – our landmark anniversary on 30 July.

We had a successful photocall in a mock-up of a 1940s-style advice session on the actual day. See page 4.

Journalists were given the opportunity to talk to people who had been helped by the legal aid system. Their stories are highlighted on page 8.

Of course, no-one could be helped by the legal aid system without the dedication of publicly funded solicitors and barristers across England and Wales.

"Of course, no-one could be helped by the legal aid system without the dedication of publicly funded solicitors and barristers across England and Wales."

Chris Stephenson is one such person. He started his career in 1966 and we met up with him to talk about his commitment to legal aid work. See pages 6-7.

Meanwhile, our 60th anniversary touring exhibition is continuing to attract a lot of interest as it moves around the country. It will continue to appear at different venues until the end of the year. See pages 4.

Equality and diversity

At the heart of the LSC's business model is a commitment to equality and diversity. We are keen to work with providers who give their people the opportunity to realise their full potential.

A great example is Freemans Solicitors in

London's West End, which we highlight on pages 10-13.

Founder Howard Freeman believes his business has been made stronger by promoting equality and diversity in the workforce. And he shares the LSC's belief that clients from all backgrounds should have access to legal services: 'Compassion is a core value at Freemans,' he says.

Provider Readiness Groups

A lot of hard work has been taking place to improve dialogue between ourselves and legal aid solicitors and barristers. There are 18 Provider Reference Groups across England and Wales.

You can find out more about them on pages 14-15 and read how solicitor Winston Hood moved from being a sceptic to a supporter of PRGs.

Reading Focus

Remember that Focus is now only available online. So it's worth checking to see if you have the latest version of Adobe Acrobat Reader. This will allow you to read the magazine how you

want, allowing you to zoom into a page, view a single page, or two pages at a time.

You can also search for items and even download a copy of the document to take away with you.

To help you with Acrobat Reader there is guidance available at <http://www.legalservices.gov.uk/help/pdf.asp>

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Useful links

Corporate News -

Corporate announcements, including policy reforms and new consultation announcements

Civil News -

News and updates for service providers working within the Community Legal Service (CLS)

Crime News -

News and updates for service providers working within the Criminal Defence Service (CDS)

LSC Update -

The Legal Services email alert for all service providers

Focus Magazine -

Homepage for the Focus magazine, containing the latest issue and recent back issues

'Legal aid 60' goes on display

Exhibition on history of legal aid attracts visitors in towns and cities across England and Wales...

Our 60th anniversary touring exhibition has been switching people on to the help available from the legal aid system.

As well as taking a peek at the past, members of the public have had the chance to talk to our special teams of 'Diamonds' about modern day legal aid services.

In Bristol one visitor to 'Legal aid 60' said: 'This is a blessing – my son is going through a very difficult time. I'm really worried. I didn't know how to help him, but I'll definitely get him to ring the Community Legal Advice helpline. You've helped my family – thank you.'

Another said: 'I'll take this employment leaflet – I had one before and as a result, myself and my work colleagues got the holiday pay we were entitled to.'

Awareness

A major reason for the exhibition is to raise awareness of legal aid following a MORI poll we commissioned earlier this year. This showed that only 17 per cent of the public in England and Wales know a great deal about legal aid.

When it visited Birmingham, legal aid minister Lord Bach and Lord Mayor of Birmingham, Councillor Michael Wilkes, both attended a special reception.

The Lord Mayor urged people to spread the word about legal aid and said: 'It's very important that the public are made more aware of the scope of legal aid, what help it can give and how to access the service.'

Timeline

'Legal Aid 60' has been on the road since opening at the House of Commons back in April 2009. The display, which includes a timeline of legal aid through the ages, will continue to visit towns and cities across England and Wales until the end of the year. You can find out more by visiting our campaign website – see below.

Visitors are able to take away a special 60th anniversary leaflet that accompanies the exhibition. This explains the role and achievements of legal aid over the past 60 years and looks forward to what the next 60 years will hold.



60th Roadshow
Clockwise from above left: Royal Courts of Justice; the exhibition in Birmingham with Lord Bach and the Lord Mayor of Birmingham; the tour in Norwich with Charles Clarke MP and the Mayor of Norwich



'Legal aid 60' steps back in time

On the birthday of legal aid we recreate a legal advice centre from the dawn of the legal aid era...

We invited the world's press to step back into the 1940s as part of our legal aid 60 commemorations on 30 July.

A period advice session was set up in a 1940s style van complete with appropriate table, chairs and a typewriter.

Our staff were dressed as a period solicitor, a housewife and two soldiers for the photocall at Inner London Crown Court in Southwark.



Contact & Information

» www.legalaid60.org.uk

History lesson on legal aid for prize students

Aspiring students invited to House of Lords learn about the history of legal aid...



A quick lesson on the history of legal aid was offered to students at an awards ceremony held at the House of Lords in Westminster.

The students were celebrating their success in completing a mentoring programme called Aspire, which has been designed to help young people reach their full potential.

One of the students was Sarah Oladele, 16, from Eastlea Community School in Canning Town, London. She said: 'It's been a really worthwhile programme and I'd definitely recommend it.'

'I've benefited from educational advice and had the opportunity for work experience in the Special Investigations Unit (SIU) at the LSC.'

Shahzeeb Sarwar, 15, also attends Eastlea Community School. He said: 'I did some work experience in a solicitor's office, which I really enjoyed.'

During their visit the students had the chance to join the thousands of people across England and Wales who have been learning from our touring exhibition how legal aid has changed over the generations.

They were presented with certificates and copies of our touring exhibition timeline about the history of legal aid. They were also given literature about Parliament.

LSC employees have been working as mentors to students from four London schools on the programme.



Service with a bounce:
from left, partners Samantha Lee, Adrian Syms, and Jessica Connelly

Solicitors stage 60th fun day

A sponsored run, cycle and walk on Southampton Common marked 60 years of legal aid for solicitors firm Swain & Co...

Anniversary commemorations included fun events for partners, staff and their families for a Southampton solicitors firm.

Swain & Co held a sponsored run, cycle and walk on Southampton Common. Sack and space hopper races were also staged and £1,000 raised for MIND, the mental health charity.

Partner Adrian Syms from Swain & Co said: 'Legal aid helps thousands of clients in Southampton and Hampshire every year.'

'It is a vital legal safeguard and protects people's rights to housing, education, medical treatment, family protection and much, much more.'

'Legal aid has allowed us to change the lives of some of the most vulnerable people in our community.'

'It has helped prevent eviction, obtain proper schooling, prevent domestic violence and gain compensation – often essential to someone rebuilding their life.'

Swain & Co Solicitors provide legal advice and representation across a broad range of legal services.

Contact & Information

» www.swainandco.com

A passion for legal aid work

As part of legal aid's 60th anniversary commemorations John Soonaye interviewed one of our longest-serving legal aid providers Chris Stephenson about his strong commitment to publicly funded work...



**Chris Stephenson,
Stephenson's Solicitors**

Interview

Chris Stephenson is senior partner at Stephenson's Solicitors. They are based in the north west of England with five locations and over 300 staff.



"Obviously, I became a businessman as well, but that developed later – in the early days I wanted to help people."

Factfile – Stephenson's Solicitors

- One of the biggest providers of publicly funded services in the north west.
- Strong commitment to legal aid work rooted in the local community.
- 26 partners and more than 300 staff.
- offices in Manchester, Leigh, Wigan, St Helens and Bolton.
- LSC franchises in welfare benefits, debt, housing, employment, community care, clinical negligence, personal injury, actions against the police, family, crime.
- Specialist Quality Marks for all areas.
- Specialists in high profile miscarriage of justice appeal cases.
- UK top 100 law firm.

Back in the summer of 1966 – as England basked in the glory of winning football's world cup – Chris Stephenson, 21, was looking forward to starting a career in legal aid.

Chris, who is retiring this year, was destined to become senior partner at Stephenson's Solicitors in Leigh, near Wigan.

Chris said: 'The firm I started with in Leigh was doing a lot of legal aid work, which was what I wanted.'

'Back in those days there weren't any training contracts. The system was for you to pay the solicitor to be taken on as an articled clerk.'

'However, the partner at the time took the view that was all old hat. So I started in the September on nothing! The good news was that

I didn't have to pay. The bad news speaks for itself.'

'I carried on that way for six months doing legal aid work without pay. Then I went on to £5 a week.'

Helping people

Chris has never regretted his decision to make a commitment to a career in legal aid and said: 'Obviously, I became a businessman as well, but that developed later – in the early days I wanted to help people.'

'I've always believed you can do legal aid work profitably – you just have to be more efficient. There is still a big market there.'

'This is an area of heavy demand for legal

aid work and we've always had a very big core legal aid base. But over time we've become less dependent on it and the other sides of the business have developed.

'That being said, as more people are pulling out of legal aid, there are fewer firms left in it to take up the cases. So our volume is going up.

'Here at Stephenson's we reaffirmed our commitment to publicly funded work in 2008 by taking on a range of LSC franchises. We did that while many law firms across the north west were walking away from publicly funded services following the Carter Review.

'Our commitment to this type of work is in line with our Corporate Social Responsibility Policy. That has at its core a firm belief in serving the local community in which we operate. It's something I believe in passionately.'

Memorable cases

Chris has handled some memorable cases – including a client who was accused of murdering his wife. It was the 1970s and the client asked if his previous record counted.

'I said, "Why do you ask?" I wasn't sure what he was going to say next – but his answer was: "My boat sank on the canal and I was fined £15!" Unbelievable!'

Welfare advice to families of striking miners wanting to claim benefits was a hot topic in 1984 and Chris recalls contributing to the debate. He said: 'We argued that we should be allowed to give welfare benefits advice.

'The debate that came from that eventually led the Legal Aid Board to accept that welfare advice was a point of English law. It had never been accepted until then. We were one of the first two firms in the country to do it, which was a big step forward.'

Chris remembers another case largely because he took a call about it while visiting his wife, who was ill in hospital. He said: 'It was from a woman who was being assaulted by her husband, so I asked my wife if I could go to sort it out. But I came back quickly!'

1960s – legal aid advances

In the decade Chris started his career in legal aid:

1960 Taxpayers rather than local ratepayers funded criminal legal aid. Civil legal aid extended to House of Lords cases. The financial limits in the means test were raised for the first time in 10 years.

1961 Legal aid extended to magistrates' courts for domestic proceedings – the final step of the 1949 Act.

1966 The Widgery Criteria gave magistrates better guidance on whether to grant legal aid in criminal cases.

1967 Divorce cases could now be heard in county courts not just the High Court for the first time – largely due to the increase in legal aid cases.

legalaid60.org.uk

Computer age dawns

Chris has always been keen on new ways of working and introduced a small computer for legal aid work as far back as 1981. Clients would be given the chance to read through completed forms on the computer screen and see them printed out on a first visit.

Chris said: 'Most people didn't have computers in those days, so this was all brand new, and so quick. The clients would tell their friends that they'd been to Stephenson's Solicitors and got their divorce papers ready and lodged at the court. At that time, other solicitors would take weeks to do the same thing. It was self-promoting. It was revolutionary!

'It's interesting to see that as part of Delivery Transformation the LSC now expects us to do applications online. We were practically doing that in 1981.'

Chris believes that in future there will be far fewer legal aid suppliers and that most of these will be big firms. He said: 'I think there will be some niche firms with particularly innovative solicitors who can work with the online system. But I don't think the majority of legal aid firms

can handle the IT, which is quite sophisticated.'

Despite this Chris is positive about the future. He said: 'I love change and I like the way the LSC is going. The way that they are delivering legal aid for the future – it's going to be able to cover such a wide area, and many more clients.

Vital to switch on to change

'I think the greater amount of work online, and linking online work with other ways of working, is all a high for the legal aid system.'

Chris says it's vital that solicitors switch on to change and new ways of working. He said: 'Solicitors have got to adopt IT and these new working practices in every respect.

'If you can work efficiently using IT and innovative ideas and delegation, you'll be fine working in legal aid. What you get paid has stayed level over the years – it's never increased, but as long as you do it efficiently, you can still work within the parameters.'

Contact & Information

» www.stephensons.co.uk/site/home

Human tales behind the legal aid forms

Two million people a year benefit from the legal aid system in England and Wales. Two of them are Patrick Friel and Pat Harrup who we interviewed as part of our 60th anniversary commemorations...

Case study 1 – Patrick Friel

At 16 Patrick Friel was in danger of losing his rented accommodation and being forced to quit his college studies.

Patrick's college mentor put him in touch with Streetwise Community Law Centre, which specialises in helping young people. He was helped for several years to deal with problems including housing, benefits and debt.

Patrick said: 'Streetwise became a home from home for me. They gave me tremendous support at a period in my life that was very dark for me. It was a nightmare.

'The help I received meant I could complete my studies and I now have a job working in customer services.'

Everyday hero

Patrick's personal journey earned him a special mention in prime minister Gordon Brown's book about 'Britain's Everyday Heroes'. He has also been featured in a BBC documentary.

The solicitor who helped Patrick when he was

16 is now a friend. He said: 'I see her regularly at Streetwise and we both share a Facebook entry. My life has been transformed and I'm now buying my own house.'

Patrick has spoken passionately about advice services for young people at meetings of the Law Centres Federation. He is now an active member of Streetwise's management committee.

Vulnerable

The centre sees large numbers of young people every day. Many of them are very vulnerable, so



"The help I received meant I could complete my studies and I now have a job..."

Streetwise tries to create a relaxed and friendly environment with pool tables and TVs.

Patrick said: 'It's a really welcoming place for young people and has been a huge success. We've been piloting extending our services across the

whole of south east London.

'I want to stay involved and give something back. My life was turned around by Streetwise and I'll always remember the help that I received because of the legal aid system.'

Case study 2 – Pat Harrup

In 1967 the world looked rosy for Pat Harrup. She was married with a week-old baby and two-year-old son.

Then one evening her husband Ron failed to come home.

Pat, who was living in Wellingborough, said: 'I spent the night worrying about where he could be. There were no telephones in those days, so I was relieved when the front door opened in the morning and he came in.

'But then he went upstairs, packed a suitcase and said he was leaving me.'

Pat, who had been married five years, went to see a solicitor who did legal aid work.

She said: 'Ron was a heating engineer and it turned out that he'd been carrying on with someone at work. He used to tell me he was doing overtime.

Shock

'It was such a shock. I was only 23, I had two young children and I don't think I could have coped without legal aid. Before having children I'd worked at the Law Society. So I knew I could get some help.

'The solicitor was excellent. He was very approachable and did everything that needed to be done. By the time the baby was 16 months old I'd obtained a decree nisi on the grounds of adultery and the house we had been buying was sold.

'That was a godsend because I didn't qualify for any benefits. So my share of the money from the house sale kept us afloat.

'My ex-husband had gone to live in New Zealand. I've never seen or heard from him since.

Divorce papers

'Thankfully, we were able to serve the divorce papers on Ron before he left. Otherwise, it would have been a few years before we could have been divorced.'

Pat moved in with her parents in Marylebone, London, for a time. But she later remarried and has been together with her second husband for nearly 39 years. She said: 'After Ron left I found it hard to trust people for a while.

'But after a couple of years I met the right man, we married in 1971 and then had a daughter together.

'Legal aid helped me at a very vulnerable time in my life and that is something I will always remember.'



Celebrating our differences with pride

Howard Freeman came to London in 1986 – six months after qualifying as a solicitor in Leeds. Here he reflects on the social mix of Freemans and how he established the practice...

Three years after arriving in London I joined a medium sized firm in Holborn and worked my way up to become a partner.

I was successful concentrating on property and business related matters after previously being trained as a litigator. When the time to change arrived in early 1995 I was keen to spread my wings and have my own practice working across a wide range of specialist areas.

I also knew I wanted immigration to be a big part of my practice having always had an interest in that area. So I suppose it was inevitable that we would need to recruit Black, Asian and Minority ethnic (BAME) staff – even if that wasn't a conscious decision at the time.

Oxford Street

Someone told me about two rooms just off Oxford Street that were on the market. They were in a dreadful state. But I liked the area so much that I didn't hesitate. I took the rooms, got them sorted out in six weeks and then opened for business. There were just three of us at the practice to begin with, and two more joined shortly afterwards.

Model for Freemans

Right from the start it was clear to me that the ethnic minority population in London and the south east was growing quickly. The recession had just ended and Britain was thought to be

a good place to come for education and work. So it was only natural that we should employ both support staff and fee earners from ethnic minority groups.

Being Jewish and therefore from an ethnic minority myself, I do not find this idea strange, but normal.

I am not interested in the colour of a person's skin or their religion when I consider applications for specific posts. Black or white, Muslim, Hindu or Jewish, British or otherwise, it does not matter. What you must have is a desire to work hard, not have money as your sole goal and be socially compassionate.

We deal with everyone here from council tenants to multi-millionaires. So if you do not have these principles as your guiding light, you will not fit in at Freemans.

Bigger premises

We've got much bigger premises now and I've never really stopped before to think about how many ethnic minority employees there are in the practice.

But I now know that out of a total staff of 36, including partners, there are 19 who are from an ethnic minority – yes, a melting pot but not a cause of difference or tension within the practice. Rather something to celebrate with pride.

Engaging with BAME firms on funding reforms

Events have been held in Manchester and London to discuss the impact of funding reforms on Black, Asian and Minority Ethnic (BAME) lawyers.

The diversity impact events were open to all providers – just like the main Best Value Tendering (BVT) consultation events. But they were specifically focused on identifying equality impact assessments.

They were the latest in a series to be organised by the LSC in partnership with the Law Society and the Black Solicitors' Network.

The events allowed BAME lawyers to discuss any issues flowing from the proposed tender process for criminal contracts.

A key issue for BAME lawyers is making sure that firms of all sizes will be able to compete effectively under BVT in any tendering rounds.

This is important for BAME lawyers because they have been shown to be over-represented among small legal aid providers in big cities like London, Birmingham, Leicester and Bradford.

Concerned

LSC head of diversity Fay Scott said: 'These events have been an important part of the consultation process. As well as BSN we've worked with the Society of Asian Lawyers, in consultation with the Equality and Human Rights Commission and the Law Society.'

'We understand BAME providers concerns that the tendering system may have a disproportionate impact on their firms.'

'We have tried to address this by carrying out impact assessments at every stage of the reform process. Also, by designing a tendering system that allows firms of varying sizes to compete in the new market environment.'

Helped

'While we appreciate the concerns of firms with BAME owners or partners, they can be reassured that they will not be disadvantaged in any way by BVT. The views of BAME providers and clients have helped develop a full equality impact assessment.'

See page 18 for details of the BVT consultation.

Why diversity is good for business...

Freemans Solicitors

Interview

Freemans Solicitors in London's West End is proud to have a diverse mix of staff with roots from many different countries. It's a formula that seems tailor-made for success in our cosmopolitan capital...

A stone's throw from London's bustling Oxford Street is a firm where diversity plays a huge role in the success of the business.

The firm is Freemans Solicitors near Selfridges, which combines both legal aid and private work. The founder, Howard Freeman, cut his teeth as a trainee solicitor in a very different environment: West Yorkshire during the 1984 miners' strike.

Howard said: 'Compassion is a core value at Freemans. I think that is one of the reasons Freemans is an attractive place to work for

people from all ethnic groups.

'I originally entered the profession to help people who for whatever reason were in unfortunate circumstances and needed legal assistance.

'I trained in a socially conscious firm called Zermansky & Partners in Leeds. The value of compassion was really brought home to me while I was there.

'I spent a year in their Pontefract office. We were at the heart of a working class community during the miners' strike. Zermansky's was one



of only two or three firms prepared to act for the miners.

Vivid memories

'I used to watch the police coming into the town centre on horseback with shields and riot gear on when there was not even a hint of trouble in the town. It made a deep impression on me and the memories are vivid to this day.

'As a lawyer I want to make a reasonable living but I feel very strongly that I also have a moral obligation to help people. We need to support people wherever we can.'

Howard's first equity partner at Freemans was Oluwole Osibona – a black British citizen, who is also known as Osborn.

Osborn was born in Fulham of Nigerian descent and he had very clear ideas about the marketing value of a diverse practice.

Howard said: 'Osborn taught me to appreciate that today's political asylum entrant is tomorrow's property owner and/or businessman. That's particularly relevant for us because we do a mix of legally aided and private work here.'



"I feel very strongly that I have a moral obligation to help people"



A wide social spectrum

Osborn heads up Freemans' immigration and nationality department and recalls a Palestinian client as a good example. He said: 'This particular guy was stateless and in danger of being repatriated to an uncertain future in Syria.'

'We helped him and he won the right to live in the UK. He has since used us to help develop his property business.'

Osborn said: 'There is a huge range of work here and about 70% of my department's work is legally aided.'

'Every month we are handling between 20 and 30 asylum cases and there is nearly always someone in reception worried about their rights to stay in the UK. But we cover a wide social spectrum. Only this morning I've had a call about a Premiership footballer with work permit problems.'

Cosmopolitan

Family specialist Karan Chadha is an associate solicitor at Freemans. She said: 'What I really like about Freemans is how our diversity within the firm is representative of the cosmopolitan city that we live in and the clients we represent. In

any one day I might hear three or four different languages spoken in the office.'

'In the family department itself we have three cultures. The head of department and partner, Nina Hansen is of Danish heritage. Then there is my colleague Laura Coyle, who is Irish. My own heritage is Indian Punjabi.'

'Each member of the firm is a valuable source of cultural knowledge and know-how. For example, in a care proceedings case involving a Somali family my Somali colleague's local knowledge gave me a deeper insight into local practices and the atrocities of war-torn Somalia.'

'When I needed information about the West African practice of Juju, Osborn was able to help. Another time, I needed to know about the different languages and dialects of Nigeria. Again, Osborn had the answer.'

'Having these resources to hand means that I gain a better understanding of my clients. So I can tailor my services to their needs accordingly.'

Good result

'My Punjabi Indian background proved important when I represented a mother whose children had been unlawfully kept in India. I was able to

use my local knowledge to liaise with embassies, local police and lawyers and achieve a good result for the client.'

'We do a range of work in the family department. This includes international child abduction, care proceedings, private children law, and financial and child maintenance claims.'

'I acted for one mother to secure financial provision for her daughter from the father – a professional footballer. Our client base is made up of a broad spectrum of nationalities and cuts across social groups.'

'We have a strong sense of team-work here at Freemans – generally we really enjoy working together. There is an exciting buzz in the firm and maybe that's because we all share a strong sense of social justice and are passionate about our work.'

'We all like a challenge and thrive on the sense of achievement at a good result. It makes for an extremely stimulating work environment.'

Approachable

Another member of the immigration team is solicitor Caroline Cheung, who said: 'This is a very friendly place to work. Everyone



“Freemans is like a branch of the United Nations save that we all work well together and get things done!”

is approachable and we all get on with one another.’

Caroline is doing a lot of work for former inhabitants of the Chagos Islands and their descendants.

The Chagos Islands is a British territory whose inhabitants were campaigning for independence when they were resettled between 1967 and 1971. This was done so that the US could build an air force base on Diego Garcia – the main island in a cluster of around 60 tropical islands in a remote part of the Indian Ocean.

Caroline said: ‘Unfortunately, they never wanted to leave their homeland and did not

to sort out. I see families whose parents have the right live in the UK while their children do not, which is a nightmare to sort out. There has recently been a decision in the House of Lords that was unfavourable to the Chagossians. So their nightmare continues.’

Partner Gopal Bhudia works on the property side of the business. His clients range from couples trying to create more room for growing families to property development companies trying to acquire a new site.

Invaluable

Gopal is fluent in Gujarati and has a working

“It might be a businessman needing help with shop lease renewals or a young family settling in Britain and buying their first home.”

settle well in Mauritius where they lived in great poverty. They’re still fighting for the return of their homeland. But many have taken up the option of applying for British passports so that they can come here and find a better life.’

Test case

‘It’s a huge issue. There are about 2,000 Chagossians in England and their native language is Creole, which is a Pidgin form of French. I’m originally from Mauritius, so I’m fluent in both French and Creole.

‘I couldn’t help them without my language skills. There are a lot of difficult residency issues

knowledge of Hindi, which is invaluable for people arriving from India, or of Indian origin, who want to set up a business. He said: ‘Very often I see people whose first language is not English and need documents explained in their own language.

‘It might be a businessman needing help with shop lease renewals or a young family settling in Britain and buying their first home.

‘It’s very satisfying when you get a positive result. For example, there might be strict time limits on a £1 million plus deal. So it’s pleasing when it works out and everyone is happy.’

Freemans Solicitors

- Established 1995 in London’s West End.
- 19 BME staff out of a total of 36.
- Ten partners in a legal team of 21.
- Family, Crime, Immigration, Property, Litigation and Wills and Probate are key areas.
- Family work covers children with everything from care proceedings and international abduction cases. Also, separation and divorce.
- Crime offers a 24-hour police station service and cases covered range from terrorism to serious drugs offences, murder, fraud and sex offences. Clients represented in magistrates, Crown and youth courts.
- Immigration covers a huge range such as asylum cases, working to reunite families, student visas, work permits and naturalisation. Able to act for individuals or companies.
- Property services cover everything from buying a Council House to major multi-million pound commercial property work.
- Litigation and Dispute Resolution Department aims to find appropriate solutions to problems for both families and businesses
- Wills and Probate assists clients from all backgrounds.

Engage with Crown Court means testing

Special 'engage events' are being organised in preparation for the roll-out of Crown Court means testing...

Nine 'engage events' are being held in August and September to talk to litigators and advocates about Crown Court means testing before it is introduced next year.

Workstream lead Sarah Schofield said: 'The idea is to help provide more information about Crown Court means testing and discuss the proposed business processes in more detail.'

'The events will be running during a 12-week consultation on the regulations needed to implement Crown Court means testing.'

Early adopter courts

The consultation opened on 13 July 2009 and the events are to be held in all of the five early adopter Crown Courts: Preston; Blackfriars;

Norwich; Swansea and Bradford.

Four other Crown Courts have also been selected for the events: Newcastle; Chester; Bristol and Derby

The early adopter phase is due to begin in January 2010 and will last for three months. The idea will be to iron out any problems before national roll-out between April and June 2010.

Contact & Information

- » 0161 244 5195 – for event reservations
- » james.bell@legalservices.gov.uk (for event reservations)
- » lsc > cds > cds news
- » lsc > cds > transforming criminal legal aid > crown court means testing

Dates for 'Engage' events

1. Preston Crown Court: 19 August
2. Newcastle Crown Court: 25 August
3. Chester Crown Court: 26 August
4. Bristol Crown Court: 27 August
5. Blackfriars Crown Court: 2 September
6. Derby Crown Court: 3 September
7. Norwich Crown Court: 7 September
8. Swansea Crown Court: 8 September
9. Bradford Crown Court: 10 September

Reserve a place

If you'd like to reserve a place at one of the events please email or telephone and let us know your preferred location using the contact details below.

Two CPD points are available for this event.

New address for hardship applications

Changes to prepare for Crown Court means testing mean certain providers need to send hardship applications to Nottingham National Courts Team...

Magistrates' courts in certain areas are now transferring complex, high risk and hardship applications and queries to the Nottingham National Courts Team.

The change has been made in preparation for the introduction of Crown Court means testing through the early adopter scheme – see accompanying article on this page.

This means that legal aid providers working in the areas listed below should be sending hardship applications directly to Nottingham.

All other applications should still go directly to

the magistrates' court and they will refer to the LSC if necessary.

Guidance pages

National courts team administrator Louise Perry said: 'All solicitors within the regions affected by the transfer of work should have been notified of the transfer by email. They should also have received their new guidance pages, which update the contact details.'

'If anyone has not received these they should get in touch with me.'

Not all of the courts detailed below are early adopters. But they may fall into the same region as an early adopter court. So to simplify the process all courts in that region have been transferred.

Contact & Information

- » Nottingham NCT, DX: 10035, Nottingham 1
- » Fothergill House, 16 King Street, Nottingham, NG1 2AS
- » louise.perry@legalservices.gov.uk

Regions and courts affected:

Cumbria Carlisle Eden Furness and district South Lakeland West Allerdale and Keswick	Dyfed Powys Carmarthen Ceredigion	De Byrchieniog Dinefwr Llanelli Montgomeryshire Pembrokeshire Radnorshire and North Brecknock	North London Camden and Islington Enfield	Haringey North Yorkshire Harrogate Northallerton & Richmond Scarborough Selby Skipton and York	Lancashire Blackburn, Darwen	& Ribble Valley Burnley, Pendle and Rossendale Chorley, Flyde Coast Hyndburn, Lancaster Ormskirk, Preston South Ribble	South Wales Cardiff, Cynon Valley Merthyr Tydfil Miskin, Neath Port Talbot Newcastle & Ogmore Swansea County Vale of Glamorgan	West Yorkshire Batley & Dewsbury Bradford, Calderdale, Huddersfield, (Kirklee) Keighley, Leeds district, Pontefract and Wakefield
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Building bridges brings key successes

Efforts to improve dialogue between ourselves and legal aid solicitors and barristers have been paying rich dividends through the 18 Provider Reference Groups (PRGs)...

This summer we've been marking a year of improving communication with legal aid solicitors and barristers through the 18 Provider Reference Groups (PRGs) around England and Wales.

Provider readiness manager James O'Reilly said: 'The meetings have been really useful for gathering feedback. It's crucial to have that dialogue if we are to make any changes we introduce work properly.'

Achievements from the meetings include:

- new litigator fee processes to address delays in disputes on bills
- a programme of support developed for providers
- improved LSC website functionality
- development of electronic submission forms.

There is still much more that can be achieved from the groups, with help from you.

How do PRGs work?

PRGs were set up in March 2008, with civil and crime meetings taking place in Cardiff,

Manchester/Liverpool, Bristol, London, Leeds, Newcastle, Nottingham Cambridge and Brighton.

The meetings comprise around a dozen providers and key LSC staff. The meetings discuss the development and implementation of LSC policy and projects.

Why should you get involved?

As well as the achievements listed above, PRGs have allowed face-to-face meetings between providers and key LSC staff, including a commissioner, who chairs the group. Legal Aid minister Lord Bach has attended two PRG meetings. A summary of achievements as well as the terms of reference for the groups can be found on the LSC website.

How do I get involved?

You can become involved in a variety of ways.

1. Become a member of a local PRG

If you are interested in taking part in PRG meetings, please contact your Relationship Manager for further information. We

are particularly interested in more bar representation.

2. Support your local PRG members

Members are keen to bring forward the key issues in their area. If you have an issue that you want discussed at your local PRG, please contact your local members. The member lists can be found by visiting the Provider Reference Groups page on the LSC website – see below.

The result of the discussion will then be published in the meeting minutes, posted on the local LSC pages – use the link to the LSC website's regional network page below.

Contact & Information

» LSC > About us > Improving efficiency > Provider Reference Groups

» LSC > About legal aid > Legal aid in your area

» james.o'reilly@legalservices.gov.uk

"I did enter the process with a degree of scepticism, and wondered whether I was taking part in a talking shop"



Winston Hood, Forbes Solicitors

Comment

Winston Hood is managing partner at Forbes Solicitors, which has nine offices in the north of England. Winston is based in Preston and specialises in criminal work. Here Winston explains how he changed from being a sceptic about Provider Reference Groups (PRGs) to an enthusiastic supporter...

I have long felt that the providers of legal services to the clients have been excluded – not only in the making of policy, but also in its implementation.

Practitioners have the most experience of practical problems that arise within the system. So when I saw the chance for a new dialogue with the LSC I felt this was an opportunity not to be missed.

My firm took part in the Preferred Supplier Pilot. One of the main advantages that I saw from that was the close relationship that could be built up with the LSC relationship manager, and I hoped that a similar dialogue could result for the benefit of the profession as a whole.

Working together brings key successes

Scepticism

I did enter the process with a degree of scepticism, and wondered whether I was taking part in a talking shop. But I believe the provider groups have addressed problems experienced within the system.

The page count problems experienced with the Crown Court payment have been addressed through the group. The CPS, which had previously refused to become involved in these matters, was approached. There is now a will from all parties to try to agree a page count in each case.

I raised a particular problem in my area with domestic violence (DV) courts, which regularly finished well beyond the time that even criminal solicitors would normally contemplate.

The point was taken, acted upon and resolved by a number of agencies by the provision of two dedicated DV prosecutors instead of one, and sufficient court time allocated to address what had become something of a problem.

Benefits

One of the major benefits of being a member of the PRG is the information that we receive on new initiatives, the implementation timetable of existing initiatives and the thinking of the LSC.

There does not appear to be any reluctance to share information, and this helps greatly in attempting to plan at a time of enormous

changes. Meetings are relaxed, presided over by a commissioner rather than an employee of the LSC. There is no restriction whatsoever on the matters discussed, the members of the group having the ability to set their own agenda.

There is still a great deal of work to be done. As to the future, I would like to see the groups consulted on proposed policies before they take on a momentum of their own. While accepting that the groups could not determine policy, early discussion in my view would highlight any potential problems for the system and the profession.

Avoided

If this had been the case before best value tendering (BVT), then a lot of the concerns and animosity that have since arisen could have been avoided.

My experience is that the LSC will listen, and they understand, and are willing to make adjustments. The continued provision of legal services is a common aim. Any differences are about how that can be achieved.

Opinions in this article are personal to the author and may not reflect LSC policy.

■ QAA pilot nears completion

The Quality Assurance for Advocates (QAA) research pilot concludes at the end of August 2009...

When the Quality Assurance for Advocates (QAA) research pilot finishes at the end of August 2009 Cardiff Law School will start evaluating the assessment methods tested in the pilot. We'll then put forward proposals for consultation early next year.

The pilot has generated interest across the profession: solicitors, barristers, QCs, Crown Prosecution Service in-house advocates and Fellows of the Institute of Legal Executives, working at different levels across all areas of criminal work, have all gone through the process.

Convergence with the CPS

We are working closely with the CPS to deliver a converged scheme by summer 2010. This will cover both defence and prosecution advocacy. Support from Keir Starmer – the Director of Public Prosecutions – has seen the addition of 30 in-house prosecution advocates into the pilot.

This will add value to the evaluation and identify steps to deliver a fully converged scheme. A key benefit of this is improved flexibility. The idea is to allow advocates to move between employed and self-employed practices more easily and fundamentally to gain experience of both prosecution and defence advocacy.

Recognising existing achievements

Development of QAA has involved mapping all existing accreditation schemes.

This will maximise the potential for exempting and passporting advocates into an operational QAA scheme.

Passporting and exemption will be tested and not simply rubber-stamped. Both regulators have also agreed to award CPD points for participation in the QAA pilot.

We intend to continue to work with the regulators so that QAA fits within the CPD and professional training structures and keep assessment requirements for QAA to a minimum.

Common standards

QAA will apply equally to solicitors and barristers, whether employed or self employed, and to both prosecution and defence advocates. It will provide a level playing field and ensure 'equality of arms'. Through the introduction of common standards and levels, QAA will offer an improved, structured career path for advocates. This will give support for progression and allow advocates to recognise how they perform against the standards.

Next steps

To support detailed work already under way for women, BME and young advocates, a disability practitioners group is being established that will

- consider the pilot evaluation
- identify any issues that are relevant from a disability perspective and any reasonable adjustments that should be considered

- feed in to proposals for a final scheme.

Similar work is under way with advocates who work in small chambers and sole practitioners. A common agenda for all involved is the desire to ensure that any scheme supports, and if possible promotes opportunities for, a more diverse and inclusive advocacy profession.

Consultation

When final proposals are consulted on, we will seek views on issues including:

- proposed methods of assessment
- quality assurance process
- impacts on different groups.

We have been working with your representative and regulatory bodies to make QAA a scheme that adds value to the profession.

However, this is a scheme for advocates. So if you want your voice to be heard, it is important to attend events held during the consultation period.

Use the email address below to be kept informed of progress with QAA including updates on proposed dates for consultation and events.

Contact & Information

- » qaa@legalservices.gov.uk
- » LSC > CDS > Quality and performance

■ International research on legal services

Providing, shaping and extending legal aid while pressure on resources increases is one of the themes of a selection of international papers published by the Legal Services Research Centre (LSRC).

The papers are available in an anthology called 'Reaching Further: Innovation, Access and Quality in Legal Services'.

They were first presented at the LSRC's seventh international research conference in the summer of 2008.

Leading experts from across three continents

have written the papers, which shed light on the approaches of different major legal aid jurisdictions.

This is the second anthology produced by the LSRC. The publication builds on many of the themes of the first, 'Transforming Lives: Law and Social Process' (also available from TSO).

The new book will be of particular interest to policy makers, practitioners and researchers working in the access to justice field and looking to update their knowledge of current developments.

Contact & Information

- » Reaching Further can be ordered from the LSRC website at <http://www.lsrc.org.uk/publications.htm> at £10 each + p&p.



New e-leaflets on CLA website

Four new e-leaflets on the topic "Losing your Home" are now available on the Community Legal Advice (CLA) website.

This is the first part of a move to rewrite the longer CLA information leaflets for use on the web. The printed leaflets have now been replaced with shorter "Call to Action" leaflets aimed at helping people take the first step towards advice.

The information in the longer leaflet "Losing your Home" has been restructured into smaller, more easily accessible and readable sections, and the navigation has been made easier.

The design is much cleaner and fits in with the CLA colours and the recent redesign of the site.

Suggestions

At the end of each section visitors are offered suggestions as to what they can do next – e.g. contact the CLA helpline, get in touch with their council, or search for a local adviser.

CLA development assistant Marilisa Valtazanou said: 'We have also taken steps to make sure the information is more accessible than ever. Visitors to the site can listen to the leaflets read out in English or Welsh. The leaflets can also be downloaded and printed.'

'We've also made it easier for people to spread the word. Visitors can share the leaflets via email or social networking sites.'

The new leaflets will be followed in the next few weeks with two more sets of e-leaflets on Domestic Abuse and Community Care, with a view to eventually rolling out all our longer leaflets in this format.

Contact & Information

- » cls.clsdirectory@legalservices.gov.uk
- » web: www.communitylegaladvice.org.uk



New British Sign Language videos available

Five more titles have been added to Community Legal Advice's growing series of information videos in British Sign Language.

The new titles are: Community Care, Divorce and Separation, Living Together, Medical Accidents, Dealing with the Police

The BSL films have a full audio soundtrack as well as subtitles, making them accessible not only to deaf BSL users but also to people with visual impairments and those with low levels of literacy.

The films are available by visiting the BSL section of the CLA website or on the CLA YouTube channel – see links below.

The CLA YouTube channel allows others to embed the videos on their own sites. Previous titles in the series have already been shared on other sites and blogs.

Plans to produce DVD copies of the videos are also under way.

Four more videos will become available later in the year and will complete the series.

Contact & Information

- » www.communitylegaladvice.org.uk/sign/
- » www.uk.youtube.com/user/communitylegaladvice

■ Best value tendering to roll-out in pilot areas

We've published our response to an extensive consultation on best value tendering (BVT)...

Best value tendering (BVT) is to move ahead with testing in police stations and magistrates' courts in two pilot areas.

Plans for the pilots in Greater Manchester and Avon & Somerset are set out in the consultation response. This can be read in full on the LSC website – see link below.

During the consultation we received more than 1,500 responses and spoke to 1,100 providers at 55 events across the country.

LSC director of policy Derek Hill said: "We know there is a lot of opposition to the introduction of BVT. But we believe it offers the best way forward to secure criminal legal aid services in England and Wales.

Longer timetable

'The pilots will start in July 2010 and by carrying out careful testing we will be able to establish the best way forward in 2013. This is a longer timetable than originally planned. It's just one of the changes we've made following the consultation.'

Other changes include:

- maintaining and improving quality requirements for all firms who take part in tendering and quality requirements for delivery of service throughout the contract
- introducing a variable cap on an individual firm's market share – so that firms have greater freedom to bid for higher volumes of work

- introducing a 10% tolerance quota for 'own client' work – so that BVT firms can work on 'own client' cases outside of their home area
- accepting the online bidding system for tendering that the majority of firms told us they preferred
- deciding that BVT contract holders should have exclusive rights to work in magistrates' courts to further protect their access to cases.

Contact & Information

» [lsc > cds > consultations > best value tendering for cds contracts 2010](#)

■ Family mediators offer services in courts

We've launched a new pilot to encourage families to choose mediation instead of court hearings to resolve disputes...

On the spot family mediation is being offered as an alternative to court hearings under a pilot programme launched by the LSC.

The idea is to prevent distressing court disputes.

'Mediation also improves communications between parties. This is especially important when children are involved, as often the parties will need to co-operate over their care and upbringing.'

'The well-being of children is at the heart of the family justice system and mediation can be a much quicker and less traumatic process for everyone.'

'Currently, only one in five legal aid clients who experience a family dispute opt for mediation. We want to increase this number by promoting the availability and benefits of out-of-court dispute resolutions.'

"We think it is in the best interests of the children to resolve these issues in an out-of-court setting"

Family head of civil policy development Sara Kovach-Clark said: 'The in-court family mediation pilot is designed to assist families to reach safe, sustainable outcomes.'

'We think it is in the best interests of the children to resolve these issues in an out-of-court setting.'

'Research shows that family disputes that are resolved through mediation are less acrimonious than those settled by the courts.'

'Agreements reached through consensus have a better chance of lasting than those imposed by the courts, are more cost-effective and are resolved much more quickly.'

How the pilot will work

The pilot is operating in five areas: Birmingham, Milton Keynes, Sheffield, Plymouth and Reading.

Under the pilot, mediators are present at court on an agreed rota basis and will provide in-court mediation under a rota scheme.

Clients will not be compelled to attend actual mediation itself. However, they will be required to attend the meeting with a mediator to discuss suitability and the potential benefits mediation can offer in resolving their dispute.

Legal aid minister Lord Bach said: 'Courts should be the last resort for resolving family disputes, particularly where children are involved.'

Next steps

The in-court mediation pilot began in June and is due to last for three months. The pilot is taking place as part of the revised President's Private Law Programme, which sets out how private law children's cases should be dealt with at court.

The pilot will be evaluated and the results used to help shape a suitable model that could potentially be rolled out nationally.

Contact & Information

» laura.newhofer@legalservices.gov.uk



Civil Bid Rounds for 2010 contracts

Our final proposals for the Civil 2010 contracts have now been published...

Our final proposals for the Civil 2010 contracts have now been published on our consultation pages (see below right).

We will also continue to answer your questions and publish key questions on our website. These can be found on our Unified Contract (Civil) 2010 to 2013 pages.

The key area that providers ask us

will now begin in October 2010. This means that current contracts will be extended for six months.

Procurement plans

A number of procurement plans for social welfare law and family procurement areas in England and Wales have been published on the

area as set out in the plans. We don't anticipate that these will be significant however.

Procurement plans are not part of the formal tender documentation, which will be published when the bid round opens.

"We will also continue to answer your questions and publish key questions on our website"

about relates to having a 'presence' in each procurement area. We will continue to address the queries providers make, either directly or through the questions and answers on our website.

Postponement of contracts and tender

We announced on 31 July that we are postponing the tender process for the new civil legal aid contracts until late 2009 or early 2010.

The new three-year civil legal aid contracts

Tenders pages of our website and we are aiming to publish the rest in the coming weeks.

The procurement plans provide further detail on services that we will be procuring in each area of the country.

Despite the postponement of new contracts, we will continue to publish these plans.

However, we will consider whether to review new matter start data in advance of the bid rounds to reflect the latest available figures.

This may mean changes to the number of new matter starts available in a procurement

Contact & Information

- » [lsc > cls > consultations > civil bid rounds for 2010 contracts](#)
(Final proposals can be found here)
- » [lsc > cls > consultations > unified contract \(civil\) 2010-2013](#)
(General information)
- » [lsc > about us > tenders > Civil contract for 2010](#)
(Procurement plans)
- » [lsc > cls > civil contracts > Unified contract \(civil\) 2010-2013 > Q&A Version 4 - 29 July 09.pdf](#)
(Q&A document)
- » civilreform@legalservices.gov.uk

Way ahead for prison law funding

Our response to the consultation on prison law funding was published on 15 July 2009...

We've been listening to your views and have made changes to our original proposals on prison law funding.

These are mapped out in our consultation response. This was published on 15 July 2009 and is available on our website (see below).

Senior crime policy manager Neal Craig said: 'The changes follow feedback received through the consultation process. We held five provider

standard fees – these have been increased from those published in the consultation document

- a revised sufficient benefit test for prison law which will be coupled with more clarity in the CDS Contract 2010 about the type of cases that we expect to fund
- a supervisor standard for prison law, based on a portfolio of cases and 350 hours of

this figure had risen to more than £21 million.

LSC director of policy Derek Hill said: "We understand that factors beyond the control of both prison law providers and the LSC, such as changes to the criminal justice system, may have contributed to increasing case costs and the increasing number of prison law cases.

'However, the LSC has to do everything it can to achieve better value for the taxpayer. We need to ensure some control over the amount spent on prison law, that we pay for the right cases at the right point and that prisoners receive quality advice for their legal problems.'

The Ministry of Justice has also launched a further consultation which includes prison law. This will run from 16 July to 8 October (see the link to the Ministry of Justice webpage below).

"We've been listening to your views and have made changes to our original proposals on prison law funding."

events, where we heard the views of more than 100 prison law practitioners, and received a range of written responses.

Invaluable

'We've also worked with the Law Society and the Association of Prison Lawyers to involve them in the process of developing the final proposals and would like to thank them for their invaluable input during the consultation period.'

In summary, when the CDS contract 2010 begins in July 2010 we will be introducing:

- a new fee scheme based on fixed and

prison law work per year.

We will also work with the association of prison lawyers and the law society to develop guidance on prison law funding that we will aim to have in place in time for the start of the cds contract 2010.

Dramatic rise in expenditure

The LSC took the decision to review prison law funding because expenditure in this area has risen dramatically in recent years. In 2001/2 the LSC spent £1 million on prison law. By 2008/9

Contact & Information

» [lsc > cds > criminal areas of work > prisons > prison law funding](#)

» www.justice.gov.uk/consultations/legal-aid-refocusing-priority-cases.htm

Payment dates August and September 2009

In the table to the below are proposed payment dates up to September 2009.

The payment day is the day it goes into bank accounts (day 3 of BACs).

For regularly updated information about payment dates please see the LSC website.

Contract Payments & 1 st settlement of the month	2 nd settlement of the month	3 rd settlement of the month	4 th settlement of the month
6 Aug 09	13 Aug 09	20 Aug 09	27 Aug 09
4 Sep 09	10 Sep 09	17 Sep 09	17 Sep 09

■ LSC > Criminal Defence Service (CDS) Pay rates and schemes > Payment dates

■ LSC > Community Legal Service (CLS) Pay rates and schemes > Payment dates