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# Care proceedings: putting children first



**Mark Workman, Editor**

## Editorial

*The LSC is working with its partners to reduce unnecessary delays in care and supervision proceedings.*

*You can find out more about the performance improvements that have been set on page 5.*

## Our new ministerial team

New legal aid minister Jonathan Djanogly and the rest of the ministerial team who will be working with Justice Secretary Ken Clarke. See page 4.

## Launch celebrations for advice centres

Two new advice centres have held their launch celebrations after successful openings in recent months.

You can find out more about the services in West Sussex and Barking & Dagenham on page 9.

## Options for change under the new Government

LSC chair Sir Bill Callaghan talks about the importance of good working relations as we prepare for a period of significant change at the LSC. Read more on page 14.

## Students take a peek at the Supreme Court

Teenagers learn about the workings of the Supreme Court. It was all part of a presentation day to mark the conclusion of an LSC sponsored programme to help young people reach their potential. See page 10.

## Research and its value to policy-makers

The value of research for getting value for money from policy-makers is highlighted at the Eighth Legal Services Research Centre International Research Conference 2010. See page 8.

## Community Legal Advice hits 1m target

The target for helping people by delivering 1m acts of assistance through Community Legal Advice (CLA) has been achieved for the second year running. See page 12.

## 'Protecting the legal aid fund'

Caseworker talks about his work at the Special Investigations Unit. See page 6.

## New scheme for Very High Cost (Crime) Cases

A new individual case contracting scheme has replaced the VHCC Panel scheme. See page 16.

## Kat Craig wins Young Legal Aid Solicitor of the Year Award

The LSC sponsored award is won by Kat Craig from London firm Christian Khan. See page 11.

## Reading focus

Remember that Focus is now only available online. So it's worth checking to make sure you are using 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 single pages, or two at a time.

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

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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 Commission email alert for all service providers

### Focus Magazine -

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



## Taking up the reins as legal aid minister

### Feature

*New minister Jonathan Djanogly looks forward to meeting people working in the legal aid system...*

The new minister responsible for legal aid and legal services is Jonathan Djanogly.

The Conservative Parliamentary Under Secretary of State is one of four ministers working with the Lord Chancellor and Secretary of State Ken Clarke.

The other three are:

- **Tom McNally** – Minister of State and Deputy Leader of the House of Lords
- **Nick Herbert** – Police Minister
- **Crispin Blunt** – Parliamentary Under Secretary of State

Jonathan said: 'I'm looking forward to meeting a wide range of people working in the legal aid system.'

'It's important to listen to what people have to say as we move ahead with our policy assessment of legal aid.'

'That will help to inform the plans we make to ensure the system is working as efficiently as possible in the current economic climate.'

### Range

The full range of responsibilities for Jonathan Djanogly includes:

1. legal aid and legal services

2. HM Courts Service, tribunals and administrative justice
3. Office of the Public Guardian
4. Offices of Court Funds, Official solicitor and public trustee
5. civil law and justice
6. family Justice
7. coroner reform and burial policy
8. Criminal Cases Review Commission
9. Criminal Injuries Compensation Authority
10. Parole Board

### Welcome

Lord Chancellor and Secretary of State Ken Clarke said: 'I am pleased to welcome a team of able and distinguished ministers to the Ministry of Justice.'

'I believe they will bring a great range of talent and experience to the department.'

Ken Clarke has oversight of all MoJ business.

He also has responsibility for:

- Criminal Justice and penal policy strategy
- Constitutional issues
- Judicial Policy
- National security justice issues
- EU and International

## New minister visits Citizens Advice Bureaux

*Staff and clients chat to legal aid minister who sits in for advice sessions...*

Legal aid Minister Jonathan Djanogly spent time learning about the range of services members of the public can access when visiting two offices covered by Wandsworth Citizens Advice Bureaux.

The minister chatted to both staff and clients on his visit to the bureaux offices in Tooting and Battersea, south London.

He sat in on welfare and housing advice interviews at the two sites.

### Useful

Jonathan Djanogly said: 'I'm keen to learn as much as I can about the different ways that legal aid services are delivered. So this visit was extremely useful.'

'I listened to advice being given by a welfare benefits supervisor and also a debt caseworker, who was helping a housing client.'

'I can see that there are some very committed people doing a lot of valuable work in the legal aid system.'

### Specialist help

Wandsworth CABx holds four full-time LSC contracts. This enables it to provide specialist legal help in debt and welfare benefits.

In 2009/10 a total of 16,000 clients were seen by bureaux staff. This figure includes client visits to a third site in Roehampton.

Wandsworth CABx chief executive Olufemi Oluleye said: 'Jonathan Djanogly asked a lot of questions.'

### Frontline

'We all felt he genuinely wanted to make good use of his time and learn more about the different way frontline services are provided.'

'We were very pleased to meet him and I know our advisers appreciated the visit.'

'I think he was struck by the vulnerability of the clients. They often have problems that require relatively small amounts of money to put right.'



# Care proceedings: partnership working puts children first

## Feature

### *Partnership working to reduce delays in care and supervision proceedings*

The LSC is now working with partners to reduce unnecessary delays in care and supervision proceedings.

Performance improvements have been set for:

- the LSC
- local authorities
- Her Majesty's Court Service
- Children and Family Court Advisory and Support Service (Cafcass)

This follows on from Lord Laming's Report on safeguarding children in March 2009.

#### Length of time

Lord Laming was particularly concerned about the length of time that care proceedings take to reach a resolution in the courts.

He said: 'For many children the length of delay in a court case is unacceptable'.

Lord Laming's recommendation for a system-wide target to reduce delay puts the responsibility on everyone involved in the care proceedings system.

#### Overriding aim

The overriding aim is for individual cases to be dealt with at a speed that is right for each individual child. Each agency aims to 'work with our partners to remove the barriers that stand in the way of prompt and timely disposal of individual cases in line with the timetable for the child'.



To achieve this local performance improvement groups (based upon care centre areas) representing family justice partners, will review progress and hold each other to account.

No single part of the system is responsible for unnecessary delays. But by identifying performance improvements the different partners will be able to address areas of the care proceedings system they are able to influence.

#### Avoid

We know that where level 2 pre-proceedings advice is taken up more than 10% of cases avoid the need for care or supervision proceedings.

The LSC aims to work with providers and local authorities to:

- increase the number of cases in which pre-proceedings advice is given
- increase parents understanding and participation in the care proceedings process
- make sure there are opportunities to resolve or narrow the issues

The LSC's partners will be working to make sure that cases that do go to court are dealt with efficiently.

They will be looking to ensure that cases are dealt with in accordance with the timetable for the child.

The idea is to encourage agencies to overcome administrative barriers to the process moving ahead in a prompt and timely way.

Local authorities will look to avoid delay by reducing the number of applications with missing core assessments.

Cafcass will look to ensure that most public law cases (97%) have a guardian allocated to them.

#### Speedy resolution

By robust application of the Public Law Outline the courts will ensure that they play their role in reducing unnecessary delay. Also, that cases suitable for speedy resolution are dealt with quickly, balanced with a speed appropriate to the needs of the child.

## Free legal advice before care proceedings: how it works

The Public Law Outline requires that when safe to do so local authorities should write to parents, or those with parental responsibility, before issuing care proceedings.

This letter should set out the details of local authority concerns and invite parents to a pre-proceedings meeting.

Sending this letter acts as a "trigger" for non-means tested publicly funded legal advice at level 2.

The thinking behind this advice is to give

parents support at a time when research suggests families frequently feel confused, insignificant and unheard.

The LSC's performance will be measured by the percentage of parents in the care proceedings process who have received this pre-proceedings advice.

A detailed plan is now being developed by the LSC, with the aim of working with providers to work out how to improve uptake.

# Special Investigations Unit (SIU): Protecting the legal aid fund

## Interview

*Michael Wright\* talks about his job tackling legal aid fraud and checking financial eligibility*

I work on applications for civil legal aid funding. There is a separate criminal team in the Special Investigations Unit (SIU).

We know that the vast majority of our clients and providers are honest. But fraud is a serious problem that needs tackling as it takes valuable resources away from these clients.

My crime colleagues try to claw back money from clients who have received legal aid funding in the magistrates and crown courts.

As well as financial investigations they are also responsible for detecting client fraud in this area.

## Questions

This will happen because there are unanswered questions about someone's means. Also, when we receive representations from a third party.

For example, the prosecution may raise issues about someone's means that we need to look at.

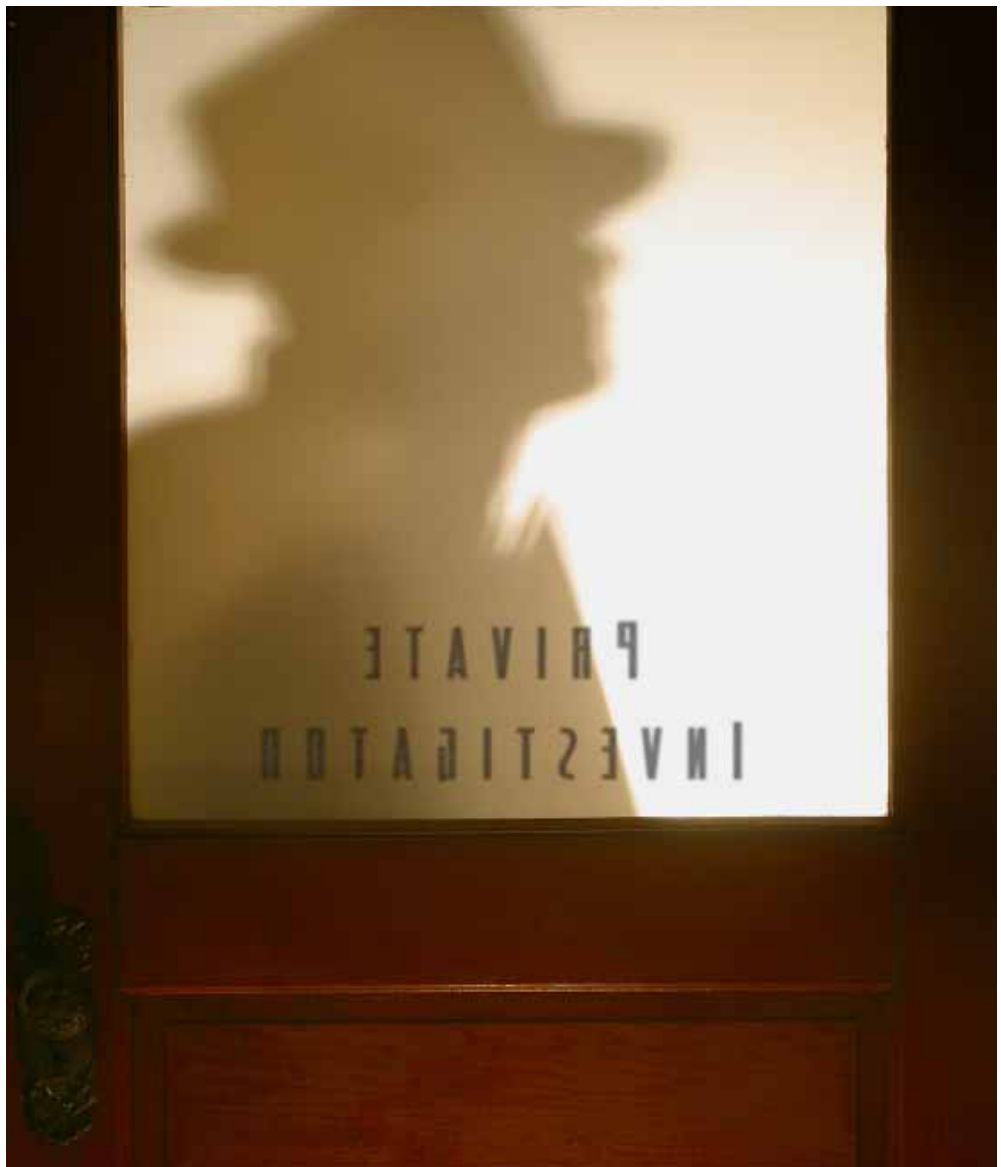
In my job, the bottom line is that if someone wants civil legal aid funding they must meet the LSC's legal merits and financial means eligibility test.

## Qualify

If someone has more than £8,000 in capital or a monthly disposable income above £733 they won't qualify.

That sounds simple but of course there are lots of complications. For example, if someone has the use of a house then that is a financial benefit.

A lot of people will protest but the fact is that we are entitled to put a cash figure on that benefit.



**"It is our job to prevent fraud and protect the legal aid fund"**

## Fantastic

It's a fantastic feeling when you work really hard on a case and have a positive result at the end.

I did a lot of work on our first ever prosecution for legal aid fraud following a tip off from our Nottingham office.

This involved Nigel Melia, who was convicted in Maidstone Crown Court earlier this year after lying to the LSC.

## Garden shed

He claimed to be single and living in a garden

shed. In fact, he had gone from being the hired help to the Lord of the Manor after marrying his wealthy employer.

It was satisfying for us because we need to send out a message to potential fraudsters that we will catch them and they could end up in court if they are dishonest.

Nigel Melia was sentenced to 200 hours of community service and we're working to recover £10,105 in public funds that he obtained through his deception.

### Amazed

I'm constantly amazed at the incomes of some people who put in legal aid applications.

When I point out that there was never any

## "You need to take a forensic approach..."

chance we would accept responsibility for their legal aid I get all kinds of responses.

Some people make applications because they just want to delay paying their legal bills. So they see it as a form of credit.

### Helping people

Then there are people who earn a decent amount of money but find it hard to manage their finances. So they are just desperate and don't know where to turn.

We have to focus on the fact that it is our job to prevent fraud and protect the legal aid fund so that we can keep helping those people who are entitled to our help. For example, the majority of people on benefits will qualify.

### Complex financial affairs

Some of our applicants have very complex financial affairs. They may have assets or money abroad, which we have to investigate.

Our team have been called on to value everything from light aircraft to yachts, antiques and properties abroad.

You never know what is coming into the office on any one day. That is one of the things that makes it so satisfying. We can be asked to investigate means at any time in the lifetime of a case.

*\* We've changed Michael's name to protect his anonymity. Caseworkers have to deal with a wide range of cases, some involving potentially dangerous people. For example, alleged terrorists.*

### Judicial review

For example, there might be a judicial review or a business registration that throws up questions.

I specialise in limited companies and look into the means of company directors and shareholders.

Typically, we're talking about companies with turnovers between £30,000 and £40,000 a year.

### Forensic approach

You need to take a forensic approach because there is a lot of fine detail to piece together. I think it helps that I trained originally with HM Revenue and Customs.

Checks might involve talking to applicants, asking for documentary evidence and looking

at information that is already in the public domain through Land Registry and Companies House.

We also have a good working relationship with the Department for Work and Pensions.

### Interesting

I love the wide-ranging nature of the work. I spent some time in the private sector. But I find working for SIU much more interesting.

Fraud is increasing and there's more pressure on us than ever when financial stewardship is so high on the agenda.

Like everyone here I'm working hard to meet the challenge. We have more prosecutions in the pipeline. So keep an eye on the news.

### Factfile: 2009/10 for SIU

- Landmark conviction of man who lied to claim more than £10,000 in legal aid
- Civil investigations team made legal aid savings of £1.8m – increase of £400,000 on 2008/09
- Crime investigations team carried out 551 financial investigations on clients receiving funding in Crown Court
- Crown Court judges made more than £1.7 million worth of recovery of defence cost orders – increase of £1.2 million on 2008/09

## New tool to tackle fraud

### LSC beefs up its counter fraud strategy

The LSC has a new tool to protect the legal aid fund by using CIFAS – the UK's fraud prevention service.

LSC director of provider assurance Geoff Mountjoy said: 'We know the vast majority of our clients and providers are honest.'

'But we need to tackle fraud to maximise the amount of money available to honest, hardworking people and firms.'

'We will pass information to CIFAS where false or inaccurate information has been provided by clients or providers and fraud has been identified.'

'This move fits in well with the LSC's drive to ensure we have the highest possible standards of financial stewardship.'

### Significant

LSC director of recovery services Richard Houlbrook said: 'This is particularly significant because we are the first public sector organisation to 'go live' with the CIFAS service. It gives us a very useful resource.'

'CIFAS is a not for profit membership association which represents the private and public sectors and operates in the public interest. It works to identify financial crime and prevent fraud.'

'An example of how useful this will be is that the Special Investigations Unit will now be able to draw on information to help with decisions about where to focus investigations.'

### Debt recovery

'Another vital area is debt recovery and the data we can now access will help identify people who are misrepresenting their financial means when we are considering whether to take legal action against an individual to enforce a debt.'

Other uses at the LSC include:

- checking details on applications for legal aid
- managing legal aid cases
- checking details of job applicants

### Contact & Information

» CIFAS website: [www.cifas.org.uk](http://www.cifas.org.uk)

# ■ Highlighting the value of research to policy-makers

*8th Legal Services Research Centre International Research Conference 2010*

Delegates from around the world gathered at Cambridge University for the eighth international research conference held by the Legal Services Research Centre.

The conference was opened by LSC chair Sir Bill Callaghan, who stressed the need to get value for money when delivering legal aid.

## Share

Addressing delegates from 16 countries he said: 'We share, perhaps now more than ever, the pressing need to get value for money. It is in times like these that good research is more important than ever.'

'And by 'good' I mean useful – the kind of research that shows the impact of changes to our justice system on legal aid providers and, most importantly the users of legal aid.'

'The kind of research that gives genuine insight into behaviour and which enables policy makers to make tough choices with good information like: where to focus resources; how to balance or prioritise competing areas of expenditure; how to get the best from the resources we have.'

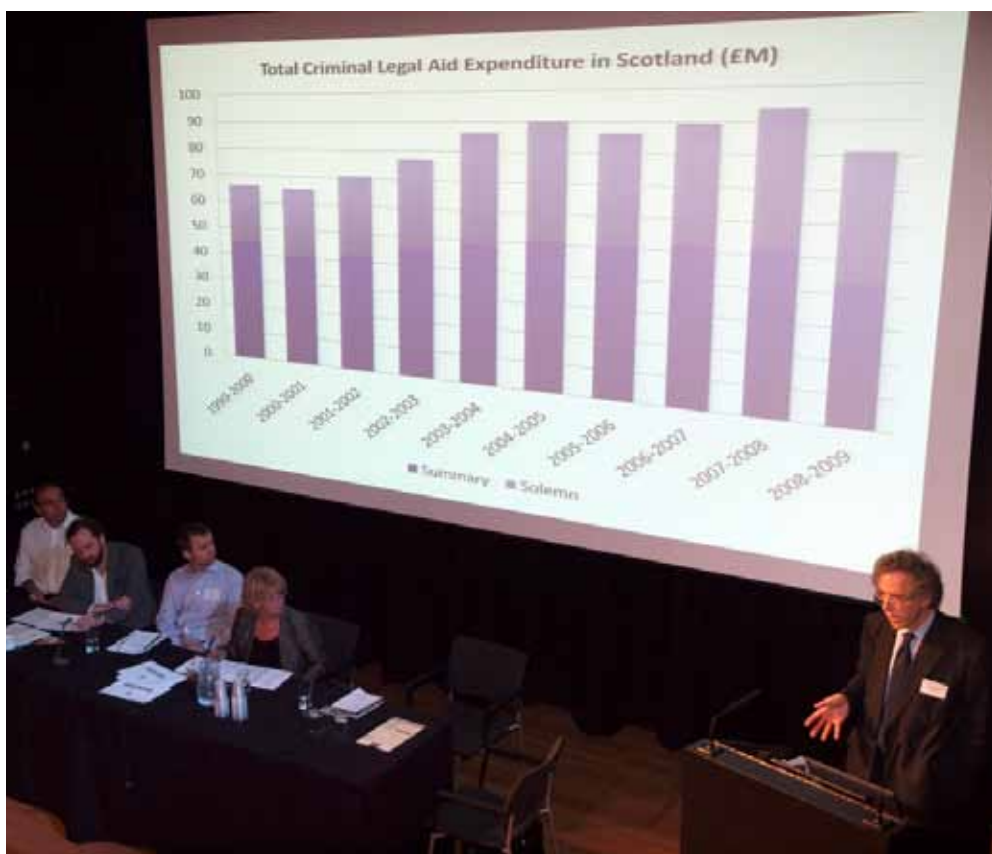
## Innovate

'The kind of research that opens up new opportunities to innovate. This is our central objective – producing research that's useful and practical for policy makers – and it's the theme of this conference.'

Sir Bill told the conference that he was a big fan of 'evidence based policy-making' and was glad to see this approach entrenched when he joined the LSC, particularly through the work of the LSRC.

## Examples

Sir Bill said: 'Recent examples of the LSRC's policy relevant work includes its research on police station advice, which demonstrated the significant misconceptions people have



in relation to the availability of free and independent advice following arrest.

'One simple but practical consequence was a range of new posters and leaflets for police stations and courts that tackled some of the

misconceptions around – for example – the belief that asking for a solicitor was a 'sign of guilt' and that the legal aid funded duty solicitor worked for the police.'

## A decade of LSRC conferences

The Eighth Legal Services Research Centre International Research Conference was held at Downing College, University of Cambridge, from 30 June to 2 July 2010.

The theme of the research conference was 'Research into Practice: Legal Service Delivery in a New Decade'.

## Success

Building on the success of previous years, the conference is being designed to provide

more of a focus on commissioning, service delivery and the practical implications of access to justice related research.

Previous conferences, spanning more than a decade, have been held in Greenwich (Royal Naval College), Belfast (Queens University), Cambridge (Selwyn College), Oxford (Jesus College), London (Russell Hotel), London (Institute of Advanced Legal Studies) and London (London School of Economics).



*Official launches of new advice services in*

*West Sussex and Barking & Dagenham*

## West Sussex celebrates advice service launch



A special launch event has taken place to mark the establishment of West Sussex Community Legal Advice Service.

Key figures among the guests were Citizens Advice Bureaux public policy director Teresa Perchard, Shelter chief executive Campbell Robb and John Sirodcar from the LSC.

The two organisations are working together to deliver the service.

Other guests in the seaside town of Bognor Regis were representatives from the LSC, West Sussex County, District and Borough Councils.

### Invest

The bodies came together to invest more than £7 million over the next three years to make it happen.

John said: "Following the launch of the West Sussex Community Legal Advice Service, local people will have much better access to a whole range of legal advice.

"It will provide essential services in a much better way and at great value for money."

### Excitement

The service has been operating since April. West Sussex CLAS manager Claire Armstrong has spoken of her excitement that the consortium is up and running.

She said: 'The great thing about the new CLAS is that it's fully integrated – it's a real one-stop shop and I'm very proud to be the manager.'

There are 12 advice centres making up the service and 18 outreach locations for those living in more remote parts of the county.

The service covers debt, employment, housing, community care, welfare benefits and family law.

### Contact & Information

» LSC website: West Sussex Community Legal Advice Service

» LSC website: Focus 65 (see page 13)

## Helping hand for 1,500 in Barking & Dagenham

The early success of Barking & Dagenham Community Legal Advice Centre has been highlighted at an official launch event.

Since opening its doors on 4 May more than 1,500 local people have already been helped by the centre with a wide range of legal problems.

LSC chair Sir Bill Callaghan attended the launch on 8 July 2010.

### Delighted

He said: 'I am delighted to be present at the launch of this new centre.

'It fills significant gaps in the borough's publicly-funded legal services that existed before it opened. Now people will be able to get all the advice they need from one place at times convenient to them.'

The service is being provided by Barking & Dagenham Citizens Advice Bureau and Edwards Duthie solicitors. They both had representatives at the launch.

The centre provides joined-up legal and advice services on issues relating to debt, welfare benefits, housing, community care, employment and family matters.

All levels of help are on offer from two main sites in Barking and Dagenham town centres and from outreach sites for those who find travelling into town difficult. These include everything from basic information to representation at court.

### Invested

More than £2.2 million is being invested in the centre over the next three years by the LSC and Barking and Dagenham Council, which was also represented at the event.

Local MP Margaret Hodge said she was 'absolutely delighted to be opening the new Community Legal Advice Centre'.

She added: 'I know from the work I do taking up issues brought to me by local residents how important it is to have a Community Legal Advice service on our doorstep.'

### Contact & Information

» Barking and Dagenham Community Legal Advice Service



## ‘Aspire’ helps students reach potential

*Career in legal aid among goals of students on LSC programme*

Students learnt about the workings of the Supreme Court at the conclusion of an LSC programme to help young people reach their full potential.

Aspire is a mentoring programme to help teenagers make the most of their opportunities.

It helps young people in school years 10 and 11 aged between 15 and 16.

One student hoping to become a legal aid lawyer after taking part in the programme is Abu Sayed Khalisadar from Forest Gate Community School in North London.

### Tour

Abu joined students in a special tour and awards ceremony at the Supreme Court.

He said: ‘I really appreciate the help I’ve had from my mentor. I am very interested in doing legal aid work and I’d like to do a law degree.’

‘My brother is a barrister – he’s been an inspiration to me. Thanks to my mentor, Sarah Schofield, I have learnt how to socialise more and express my feelings. It’s really helped me to get to the stage I want to be at.’

Sarah was one of 21 mentors from across the



LSC working with students from Gladesmore Community School in Tottenham, Forest Gate Community School, Newham, and Boldon School, South Tyneside. She described Abu as a “real star”.

### Learnt

During the year the students have learnt about:

- career development
- confidence building
- CV writing
- social skills
- interview skills

Supreme Court chief executive Jenny Rowe presented the awards and joined LSC executive director Hazel Parker- Brown in praising the students.

The mentors were coached before taking part in the Aspire programme and received training

from experienced mentor and coach Royston John.

### Pivotal

He said to the students: ‘I want you to feel proud of yourselves. Tell people that you have been to the Supreme Court to celebrate that achievement. Today is a pivotal moment in your lives.’

Samiha Ahmad from Gladesmore said: ‘It’s been really useful and I think it’s a good thing for people to do.’

‘My mentor helped me a lot and I’ve really started to think about the future.’

Erica Pinto from Forest Gate said: ‘It’s been great and I’d recommend it to other people. It’s given me lots of ideas.’

Jason Field from Boldon School said: ‘Doing the Aspire programme has helped me work out some goals.’



## Kat Craig wins young solicitor award

*LSC sponsored Young Legal Aid Solicitor of the Year award won by Kat Craig from Christian Khan*

The winner of the Young Legal Aid Solicitor of the Year award is Kat Craig from London firm Christian Khan.

The award is sponsored by the Legal Services Commission. It is an important part of the annual Legal Aid Lawyer of the Year (LALY) awards. These are run by the Legal Aid Practitioners Group.

Clients spoke of Kat Craig's commitment, dedication and 'outstanding legal knowledge'.

Kat specialises in actions against the police and other detaining bodies. She also represents bereaved families of those who have died in police and prison custody.

### Tireless energy

Fellow solicitors referred to her 'unwavering commitment to legal aid work and her tireless energy to fight for her clients and all those around her who require support and assistance'.

Louise Christian, founding partner of Christian Khan, said: 'We are delighted that Kat's hard work has been recognised by this award.'

'Christian Khan is committed to representing individuals and communities against big business and the state, whether they are able to pay or require legal aid.'

'Kat's efforts are a great example of this commitment to high quality publicly funded work.'

### High profile

Kat's work has included high profile terrorism cases, and cases in the Court of Appeal and House of Lords.

In 2008 she was 'highly commended' in the category of Junior Lawyer of the Year in the Law Society's annual Excellence Awards.

Kat regularly speaks at public meetings and rallies, and has written for The Guardian, The London Advocate and Independent Lawyer.



**Kat Craig of Christian Khan Solicitors, winner of Young Legal Aid Solicitor of the year**

### Presented

The awards were presented at the Globe Theatre and Cherie Booth QC was the chair of the judges.

Among the 300-plus guests awards were the new attorney general, Dominic Grieve QC, who was formerly a legal aid lawyer and the DPP, Keir Starmer QC.

The awards are non-profit making and the Law Society was the principal sponsor for the second year running.

There were 10 awards in total, including Outstanding Achievement.

## Legal Aid Lawyer of the Year awards

*Other winners at this years award ceremony included:*

### Outstanding achievement –

Michael Mansfield QC, who was honoured for a career at the Bar spanning 40 years. Judges praised him for 'never shying away from controversial causes or apparently unwinnable cases'.

### Criminal defence lawyer –

Peter Mahy, whose case before the European Court of Human Rights (*S and Marper v UK*) established it is unlawful to retain the DNA of innocent people

### Young legal aid barrister –

Adam Straw of Tooks Chambers for his work representing families at inquests.

### Family legal aid lawyer –

David Jockelson who has trained in psychotherapy and as a parenting workshop facilitator.

### Social and welfare lawyer –

Kathy Meade from Tower Hamlets Law Centre.

### Mental health lawyer –

Sophy Miles who has a raft of reported cases, including *JE v DE*, which was a leading decision about deprivation of liberty and mental capacity.

### Immigration lawyer of the year –

Amie Henshall who was praised for her ability to put vulnerable clients at ease.

### Legal aid barrister –

Mark Henderson who is highly regarded for his immigration work.

### Legal aid firm/Not-for-profit agency –

Just for Kids Law/Lawrence & Co which goes the extra mile to provide mentoring and other services to its young clients.



## Helping families keep their heads above water

*New partnership initiative to help people struggling to pay bills*

Water customers struggling to pay their bills are being encouraged to contact the Community Legal Advice helpline in a new campaign by the LSC and Northumbrian Water.

Customers who fall into arrears are being sent a flyer with their bill reminders to encourage them to face up to money troubles.

Callers ring the helpline on 0845 345 4 345 and specialist advisers can help eligible customers to arrange manageable repayment plans to pay their arrears.

### CLA website

Customers using Northumbrian Water's website who are looking for help with their bills will see a link to the CLA website.

The campaign is also being run with Essex and Suffolk Water, which is part of

Northumbrian Water. So families in both the north east and the south are benefiting.

LSC national relationship director John Sirodcar said: 'I am delighted at this opportunity to work in partnership with Northumbrian Water to help some of the most vulnerable people in the community.'

### Pilot

'A pilot earlier in the year resulted in a 5% return in calls to the helpline – much higher than we'd expect from most marketing campaigns. People really needed the help.'

'Calls weren't just about debt but other social welfare problems too. If the response to the new campaign is similar we can expect around 10,000 calls over the coming year.'

### Case Study: Light at the end of the tunnel after losing job

When Anthony Walsh\* lost his job he struggled to meet his household bills and credit card repayments.

He owed just under £20,000 and could not meet the required minimum repayments because his only income was Job Seeker's Allowance.

Anthony rang the Community Legal Advice helpline. An adviser helped Anthony to create a financial statement detailing his income, essential expenditure and debts.

Using this information, the adviser negotiated

offers of repayment with five of Anthony's creditors and an attachment to his benefits to repay his water arrears at an affordable amount.

This repayment plan was a lot more manageable for Anthony and meant he could afford to pay essential bills.

Anthony said: 'Thanks to Community Legal Advice I can stop worrying about my finances and concentrate on finding a new job.'

\*Anthony's name has been changed for this article.

## CLA beats 1m target for helping people

*Community Legal Advice exceeds 1m target for helping people for the second year running*

The target for helping people by delivering 1m acts of assistance through Community Legal Advice (CLA) has been beaten for the second year running.

This compares to the 500,000 acts of assistance being delivered five years ago.

Up to 31 March 2010 the number of people being helped breaks down into:

- face-to-face: more than 750,000
- telephone: nearly 420,000

### Face-to-face and telephone

The figure for face-to-face advice was up 23% on the previous year and telephone advice was nearly 40% above target.

The telephone helpline figure is made up of:

- 126,866 people being given tailored legal advice
- 290,574 people being provided with information or another source of help to enable them to resolve their problem

LSC senior contracts manager Jane Harbottle said: 'I am delighted that the high quality service we're able to offer is providing access to legal services for increasing numbers of clients.'

### Website

The CLA website also saw an increase to nearly 2.3m in the number of visits it received – around 200,000 more than last year. Nearly 34m individual pages were viewed – 9m more than 2008/09.

The value of CLA advice leaflets is highlighted by the fact that nearly 750,000 were downloaded from the website – double the amount last year.

### Contact & Information

» Community Legal Advice

## ■ CLA achieves quality standard for helping clients

*Putting the client at the heart of Community Legal Advice services*

Community Legal Advice has achieved a Customer Service Excellence (CSE) standard for its telephone service, website and leaflets.

CSE is a national excellence standard for public sector services. It replaced the Charter Mark award in 2008.

National relationship director John Sirodcar said: 'This award is an independent validation of the quality of the service we provide.'

### Delivering

'It highlights the fact that we're delivering access to quality legal aid and providing a sustainable legal aid scheme.

'The assessment included tests on delivery, timeliness, information, professionalism and staff attitude.

'These are key to providing a client-centred service. We're delighted to have achieved a score of 95% from the assessor. That's well above the 80% required to achieve the standard.

'The Cabinet Office has said that it believes it is important for all public services to focus on

improving skills and understanding in order to better meet the needs of customers.

'This award shows that our clients are at the heart of what we do. Also, that we're working hard to respond to requirements and opportunities to empower and involve them.'

### Consistency

The assessor's report praised the consistency of customer service, given the range of providers and the fact that the service is delivered from so many different areas.

It confirmed that CLA:

- has developed customer insight
- demonstrates a culture of customer focus
- provides accessible information that is easy to understand
- achieves challenging delivery standards
- has high standards of timeliness and quality.

The accreditation lasts three years and is subject to continuous assessment.

## ■ Update on 2010 Civil Contracts tender processes

*Contract awards for mental health, family mediation and immigration tenders*

The LSC has now been in touch with organisations to let them know the results of tender applications for work in mental health, family mediation and immigration

Those applicant organisations failing the Pre-Qualification Questionnaire or Essential Criteria in the family and social welfare law tender processes have also been informed.

During July 2010 the LSC has been sending notification of the final outcome of tender processes for family and social welfare law, including other family services. Most of these have been sent out.

For the latest information see the social welfare law and family tenders pages of the website (see contact box). The aim is to send out notification of the outcomes of the low volume categories process by the end of July.

### Message boards

Information has also been sent to applicant organisations through the secure message boards in the eTendering system (see contact box). Alerts will be sent to the email address used by applicants when registering.

Applicants should check the message boards regularly and make sure that the email address they used when registering there is the one they want messages sent to.

For information on the latest status of each tender process, and when notification can be expected, please see the "Status Update" table on the Civil Contracts for 2010 tenders page (see the contact box below).

### Contact & Information

- » lsc > eTendering portal
- » lsc > cls > tenders > civil contracts for 2010
- » lsc > cls > tenders > civil contracts for 2010 > social welfare law and family

## ■ Changes to Advocates' Graduated fee scheme

*Processing work to be handled by the LSC*

In autumn this year the processing, validation and payment of claims under the Advocates' Graduated Fee Scheme (AGFS) is being transferred from Her Majesty's Courts Service (HMCS) to the LSC.

Although claims have been processed by the courts since AGFS was introduced in 1997, ownership of the funding for this work rests with the LSC.

The LSC has processed Litigators' Graduate Fee Scheme (LGFS) claims since that scheme was introduced in 2008.

Bringing the processing of Crown Court advocacy fees in-house will enable the automated calculation of the final defence

costs needed for the recovery of funds through Crown Court Means Testing.

Advocates will have the option of submitting claims electronically through our new Crown Court Remuneration System (CCR) for which web-based training material will be available.

You can speed up the payment of your claim by submitting it electronically and ensuring that all required information and evidence is provided.

### Contact & Information

- » lsc > cds > cds news



## ■ Good working relations in a period of change



### *LSC chair Sir Bill Callaghan on options for change under the new Government*

Sir Bill Callaghan has spoken about the importance of good working relationships in a period of change.

LSC chair Sir Bill said 'staying the same' would not be an option in his address to the Eighth International Research Conference held by the Legal Services Research Centre.

He said: 'Here in Britain, you may know that

#### **Fundamental**

'The LSC's legal aid budget is £2.1 billion – almost a quarter of the Ministry's total budget. The Justice Secretary has announced the start of a fundamental look at the legal aid system.

'Indeed, I have come this afternoon from a meeting with his policy officials and the

not being discussed is staying the same.

#### **Relationship**

'One change I can say which seems likely to happen is in the organisational relationship between the Legal Service Commission and the Ministry of Justice.

'Late last year, the previous Government asked an eminent public servant, Sir Ian Magee, to carry out a review of the Legal Service Commission's role and functions.

'He recommended we change from being a non departmental public body to become an executive agency of the Ministry of Justice.

#### **Legislation**

'The new government has recently indicated it is minded to follow Sir Ian's recommendation. If so, we would expect legislation to go before Parliament later this year.

'Whatever the Commission's eventual status, whether we are an agency or a non departmental public body, my view is that relationships are by far the most important element. Ministers will continue to set the policy direction of legal aid. We will continue to deliver legal aid operationally.

#### **Grant**

'The criminal courts will continue to grant legal aid to defendants, providing the necessary independence from Government.

'If we do become an agency, we will need to ensure that a similarly robust and independent system is in place for the granting of civil legal aid applications.

'Whatever the final outcome, I am determined to ensure that there will continue to be a good working relationship between the Commission and the Ministry.'

#### **Fiscal climate**

Sir Bill continued: 'No-one can pretend the current fiscal climate is an easy one. However, I strongly believe that the current policy assessment should be seen as an opportunity and not as a threat.

'It would be hard to argue, in this country at least, that the legal aid and justice system is the "best of all possible worlds" and there is no scope for greater efficiencies and use of new technology.'

Reflecting on his speech Sir Bill said: 'Positive relations with the Ministry will make it simpler to develop a clear vision for everyone working in the legal aid system.'

**"...I strongly believe that the current policy assessment should be seen as an opportunity"**

the new coalition Government has recently announced 25% cuts in the budgets of most of its major spending departments in a bid to bring down public sector debt.

'That includes MoJ, the department that oversees prisons, the courts and legal aid.

Commission's Board to discuss the work.

'I cannot anticipate the outcome but the Government will be looking at ways to make the system more efficient, while ensuring that it continues to provide necessary access to justice for those who need it most. One option that's



## ■ Guidance for providers - financial stewardship visits

*Relationship managers have been visiting providers as part of our financial stewardship programme*

Visits are taking place with providers across England and Wales as part of our drive to improve financial control.

A guidance document has been published which sets out what relationship managers are likely to cover during the visits. The 'RM Assurance Process Guidance' document is available on the LSC website (see below).

National relationship director John Sirodcar said: 'Many firms will already have met with their relationship managers.'

'In the interests of being open and transparent we're keen to share with providers the draft guidance we've been developing for our relationship managers to use.'

### Response

'This forms a key part of the LSC's work to address issues identified by the National Audit Office and the Public Accounts Committee Report into the procurement of legal aid.'

'As a result, we've been looking closely at how we can build upon our internal controls to ensure we effectively manage and control legal aid expenditure.'

### Collaborative working

'We have been working with members of the representative bodies and Provider Reference Groups to ensure that the guidance provides clarity for providers and will be a useful tool for both parties.'

'This collaboration will continue until we have an agreed document, but we think it's important that providers can see the work in progress.'

### Contact & Information

- » lsc lsc > cls > civil contracts
- » lsc lsc > cls > crime contracts

## ■ Duty Solicitor rotas for crime contracts 2010

*New rotas published for July 2010 crime contracts*

Duty Solicitor rotas have now been published for each police station and court duty solicitor scheme in England and Wales.

These are rotas for contracts that began on 14 July 2010.

The system for allocation of the rotas has, in some instances, led to some inequitable distribution.

### Committed

The LSC is committed to making sure that no provider loses out as a result of this issue or because it has not been possible to resolve any outstanding membership scheme queries from providers before the start date.

A number of these were outstanding when the new contracts began.

As a result, it has been decided to reissue all rotas in three months' time.

This reissue will address two areas:

- outstanding queries on scheme membership
- fewer slots being allocated to individual firms than should have been due to the random distribution of slots.

### Allocated

Providers who were not allocated the slots they were entitled to in the first three months of the rota will be compensated by receiving extra slots in the second three months of the rota.

The LSC has apologised for the confusion and disruption caused by:

- errors in the rotas
- issuing the rotas so close to the start dates for the contracts.

### Contact & Information

- » lsc > cds > cds news > duty solicitor rotas
- » lsc > cds > tenders > crime contracts for 2010

## ■ New scheme for Very High Cost (Crime) Cases

### *Replacement for Very High Cost (Crime) Cases (VHCC) Panel Scheme*

The VHCC Panel scheme expired on 13 July 2010 and is being replaced with an individual case contracting scheme.

The new arrangements are being introduced following a consultation about the shape of a replacement VHCC scheme.

This allowed the LSC to gather the views of practitioners and their representative bodies.

LSC Executive Director for Commissioning Hugh Barrett said: 'We've agreed with practitioners that individual case contracts offer the best long-term solution for litigators and advocates working on VHCCs.'

'Individual case contracts will ensure an appropriate level of eligibility for organisations

and self-employed advocates wishing to carry out VHCC work.

'This approach also offers the flexibility required for a system that has undergone significant change in terms of advocacy work.'

On 14 July, the LSC published the new VHCC 2010 arrangements, which establishes the new scheme and sets out the eligibility criteria.

#### **Opportunity**

Organisations wishing to do this work will be given the opportunity to become an accredited VHCC provider by submitting an application through the LSC website. Self-employed advocates due to be instructed on a VHCC will

also need to apply.

Those organisations that were VHCC Panel Members will not be required to resubmit the information they provided in 2007/08 provided they have not undergone any fundamental changes to the structure of their organisation.

For more information about the new scheme and guidance on how to apply please visit the LSC website.

#### **Contact & Information**

» [lsc](#) > [cds](#) > [vhcc](#)

## ■ Electronic forms being used by 120 providers

### *Numbers will keep rising as rollout continues*

Trials of electronic legal aid forms are going from strength to strength with more than 120 providers now registered to complete, submit and track eForms.

This number is expected to increase as the rollout continues during July and August 2010.

There has been positive feedback from the 24 providers in the pilot group who have been testing the forms.

Training materials for the electronic forms can be found on the Provider Training website – see contact box.

This allows users to see for themselves what

it is like to use the forms and what the benefits are. Registration is free.

#### **Contact & Information**

» [lsc](#) > [about us](#) > [electronic working](#)  
 » 0155 908 4349 – Bianca Franqueira

## ■ Payment dates July to October 2010

*In the table to the right are proposed payment dates up to October 2010. 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.*

| 1 <sup>st</sup> settlement of the month | 2 <sup>nd</sup> settlement of the month | 3 <sup>rd</sup> settlement of the month | 4 <sup>th</sup> settlement of the month | 5 <sup>th</sup> settlement of the month |
|---|---|---|---|---|
| 6 Jul 10                                | 8 Jul 10                                | 15 Jul 10                               | 22 Jul 10                               | 29 Jul 10                               |
| 5 Aug 10                                | 12 Aug 10                               | 19 Aug 10                               | 26 Aug 10                               |   |
| 6 Sep 10                                | 9 Sep 10                                | 16 Sep 10                               | 23 Sep 10                               | 30 Sep 10                               |
| 7 Oct 10                                | 14 Oct 10                               | 21 Oct 10                               | 28 Oct 10                               |   |

- [LSC > Criminal Defence Service \(CDS\) Pay rates and schemes > Payment dates](#)
- [LSC > Community Legal Service \(CLS\) Pay rates and schemes > Payment dates](#)