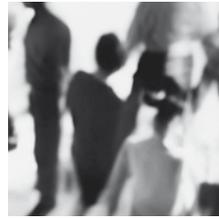




## Coding framework changes set to improve quality of reporting data

NEWSPAGE2



## Criminal contract changes since implementation explained

NEWSPAGE6

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

The Criminal Defence Service  
provider newsletter of the  
**Legal Services Commission**

# focus on cds

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## The reform programme



**Derek Hill**  
Director, Criminal Defence Service

This issue of Focus on CDS heralds the next stage of the legal aid reform programme, which commenced in July 2006 with publication of Lord Carter's review of legal aid and continued with the publication of the government's and LSC's joint response to that report in *Legal Aid Reform: the Way Ahead* in November 2006.

Since the review, the LSC has published consultation papers on potential changes to duty solicitor rotas to ensure market stability and the changes required to amend the General Criminal Contract to implement the revised standard fee scheme for representation orders. The latter presented a revised proposal for magistrates' court fees in response to the feedback received during the consultation on Lord Carter's paper on the structure of the revised standard fee scheme.

The next few months will see implementation of the final form of these changes as proposed in the consultation paper, and the revised standard fee structure that took effect from 16 April.

We have now reached the next stage of the programme and have published our proposals for delivery of the fixed and graduated fees to manage the transitional period. These changes represent fundamental steps on the road to implementing the legal aid reform programme and fulfilling the ultimate vision set out in *Legal Aid Reform: the Way Ahead*.

On 12 February the LSC published *Police Station Reforms: Boundaries, Fixed Fees and New Working Arrangements*. This consultation paper contains our proposals on fixed fees for police station attendances, proposals for the redrawing of boundary areas, and revised working arrangements for the delivery of criminal defence services.

It is our belief that the proposed fixed fee regime will allow providers to understand and explore the costs base, identify efficiencies and benefit from increased financial certainty. This will pave the way for preparation of informed bids for best value tendering. At the same time, the changes will allow the LSC and Ministry of Justice to stabilise criminal expenditure prior to the next phase of the process.

I recognise that this is a period of adjustment, and that significant change is not easy. It is a matter of regret that some contracted firms choose to make clients suffer by failing to cover duty slots. The LSC is committed to ensuring that clients continue to receive the service that they are entitled to, and we hope that the continuing consultation will enable providers to influence the debate in a constructive manner. We are committed to the fundamental principles of delivering value for money through a sustainable legal aid scheme so that clients continue to have access to services they need. However, we are also committed to working with you to identify alternative approaches that meet these aims, and we continue to welcome all responses to our proposals.

During March and April, regional LSC offices held a series of briefing events where providers were invited to learn more about the changes and participate in workshops. We encouraged providers to participate in the debate and explore what the changes meant for individual firms. We continue to develop our proposals for best value tendering and further details will be available during the summer.

As we move to implement the first round of these far reaching changes we must not lose sight of our objective - that change is necessary to ensure that legal aid remains available to all who need it. The creation of sustainable schemes that deliver real value for money is how we will achieve that goal.

There are real opportunities for growth for those providers who embrace the changes that we propose.



Thousands of providers submit controlled work online.

# Cracking the code

From this year, changes to the LSC's civil and criminal coding framework are set to improve the quality and integrity of case information reporting. The revised codes took effect on 1 May 2007.

## New civil and criminal codes

A group of independent peer reviewers has recently undertaken a detailed review of civil legal help and criminal claiming codes. The review informed major changes to both the structure of the codes and the accompanying descriptions - new codes have been added and existing codes changed in format to include additional characters.

## Why the new codes?

The previous set of codes presented difficulties in accurately reporting case outcomes, and it is essential that accurate data be obtained about the type of cases the LSC funds and how these cases end. The new category-specific codes will also significantly improve the quality of case data, and deliver a clearer and more consistent understanding of legal aid cases and the work providers are doing.

## What does this mean for you?

All CMRF, CDS6 and CDS7 claims for cases closed on or after 1 April 2007 must be reported using the revised set of claim codes, matter types, stage reached and outcome codes. This applies to all contracted providers making monthly claims under the Civil Unified Contract or the Criminal Contract.

The old codes became invalid on 1 May 2007 and are no longer available for use on claims forms or through LSC Online. Details of the changes were communicated to software vendors of case management systems and accounting packages.

Guidance for translating old civil and criminal codes into new codes is available on the LSC website. Specific guidance for each affected category of law can also be found in the Related Documents panel on each web page.

## How will the new codes be used?

The improved information that the new codes deliver will be incorporated into the current work to ensure quality and value for money.

Accurate reporting will be crucial in the Preferred Supplier scheme because a number of key monitoring tools such as Peer Review, Quality Profiles, and File Assessment - Value for Money, will also rely on the accuracy of claim information.

The Preferred Supplier Scheme will develop less intrusive relationships with providers and will rely on the timely provision of accurate

case data. In the meantime, the LSC will use case data to drive and focus its ongoing monitoring of quality and value.

Ultimately, inaccurate billing will have a direct impact on a provider's profile, Peer Review rating and File Assessment results. Consistent inaccuracies could lead to contract sanctions.

## Need help with the transition?

The simple solution to ensuring a smooth transition to the new codes is to sign up to LSC Online, the LSC's free and secure electronic billing service.

Thousands of providers already submit their controlled work online and benefit from the system's robust online error and omission checking function. One of LSC Online's key features is that it will automatically validate all submissions so that only acceptable combinations of matter types and codes can be entered, which ensures the integrity of case data.

The scheduled Spring Forms Masterpack update was distributed in March 2007 for cases concluding on or after 1 April 2007. Updated forms, which are also available for download from the LSC website, include all correct new codes.

All CMRF and CDS6 claims using the old codes were due for submission to the LSC in April 2007. Paper submissions that contained incorrect codes are being rejected and will require re-submission with the correct codes.

For more information and to get registered, call the LSC's Online Marketing team or visit the LSC website.

When was the case concluded?	When was the case data submitted?	What codes should be used?
Before 1 April 2007	Before 1 May 2007	Old codes
Before 1 April 2007	On or after 1 May 2007	New codes - old codes to be translated
On or after 1 April 2007	On or after 1 May 2007	New codes

## @ CONTACT & INFORMATION

### Registration

tel: 0117 302 3117 (LSC Online Marketing Team)

web: lsc website > cls > electronic billing - lsc online

### Civil code changes

web: lsc website > cls > forms > contracting forms

email: alex.ashcroft@legalservices.gov.uk

### Criminal code changes

web: lsc website > cds > forms > cds forms

email: stephen.mcgowan@legalservices.gov.uk

# Police station reforms

As part of the police station arrangement consultation, providers were encouraged to communicate their views on how best to construct duty solicitor slots before new arrangements become effective in October.

The LSC has announced the outcome of the consultation on police station duty solicitor slot allocation for the period until October 2007.

After consulting with criminal defence solicitors and representative groups, a new three-month rota for duty solicitor slots will be issued based on the current system. It will apply between 1 July and 30 September 2007.

Announcing the outcome, Derek Hill, Criminal Defence Service Director, thanked the profession for their thoughtful responses to the consultation and apologised for the uncertainty caused by the change of plans.

'The majority of respondents to the consultation wanted the current allocation methods to continue until October. They wanted certainty of rota fixtures for the coming months. We will collect data on any firms who reduced their duty solicitor numbers in response to the LSC's original announcements and will consider this in deciding on a way forward from October 2007.'

The LSC launched this consultation in April 2007 after announcing that it would not be possible to calculate duty solicitor slots for the next few months using historical volumes of work as originally planned. Discussions with providers highlighted inaccuracies with the data, and after extensive testing, it was clear that this exercise would not deliver robust information on which the policy could be based.

The LSC will introduce new methods for recording such data from October 2007 to enable this option to be reconsidered in the future. However, it will not be possible to introduce this option for at least another year.

The LSC will shortly set out plans for police station reforms from October 2007.

Any affected providers should read the guidance that has been published on the LSC website.

## @ CONTACT & INFORMATION

web: [lsc website](#) > [cds](#) > [consultations](#) > [recent consultations](#)

## News in brief

### Speedy, Simple, Summary Justice

The LSC, working with local criminal justice partners, has been actively involved in successful new test working arrangements in Coventry, Camberwell, Thames and West Cumbria magistrates' courts which have reduced the number of wasteful hearings and improved the speed of cases through the courts. For more information contact your local CDS team or visit the Department for Constitutional Affairs' archive site at [www.dca.gov.uk](http://www.dca.gov.uk)

### Police station legal aid by telephone

From October 2007, all calls for legal aid assistance at police stations will be routed through the Duty Solicitor Call Centre (DSCC). From the end of October - for less serious offences - the DSCC will forward all cases in Greater Manchester, West Midlands and West Yorkshire police stations to Criminal Defence Service Direct (CDS Direct) who will provide high quality legal advice 24 hours a day, seven days a week. If someone is accused of a more serious offence the call will be passed to the duty solicitor or a specific solicitor if one has been requested by the client. The CDS Direct telephone service will deal with all less serious offences throughout England and Wales from early 2008.

### Committals for sentence

A number of recent queries suggest that there may be some confusion about representation orders for committals for sentence, in particular whether work in the Crown Court covers both solicitor and advocate. A representation order automatically extends to cover work by a solicitor only for any subsequent committal hearings at the Crown Court as provided under Regulation 3(3)(a) of the Criminal Defence Service (General)(No2) Regulations 2001. If a solicitor feels that an advocate in the Crown Court is necessary, an application to extend the representation order must be made to the court. The Criminal Legal Aid Guidance (Annex 7 and Annex 9) will be updated to clarify this as part of the next update.

### Guide for witnesses on DVD

Her Majesty's Courts Service is currently developing a new DVD to help defence and prosecution witnesses. 'Going to court: A step-by-step guide to being a witness' will be launched at the end of July. The free DVD aims to encourage victims and witnesses to attend their court cases, raise awareness and understanding of the court process and support available, and help criminal justice system agencies to share good practice in victim and witness care. The DVD will be distributed to witnesses and victims through witness care unit managers, defence lawyers and witness service managers.

### Tendering opportunities

The LSC is conducting a number of tendering exercises in 2007, all of which appear on the LSC website under About Us > Tenders. As such, it is timely to remind applicants of the importance of complying fully with the tender document instructions. In particular, applicants should complete all questions and every section of the application form(s) as instructed, and adhere to the 'Conditions of Tender'. In a competitive bid round not all applicants will be successful and it is important that the best possible tenders are put forward.



## Prescribed proceedings

The consultation response to Amendments to the General Criminal Contract and duty solicitor arrangements closed on 9 February 2007. All proposed changes arising from the consultation were introduced on 16 April 2007.

Civil proceedings prescribed by regulation as criminal for the purposes of CDS funding will now be funded as representation orders. These proceedings will no longer form part of the Advocacy Assistance scheme.

Prescribed proceedings include applications for anti-social behaviour orders, closure orders, football banning orders, parenting orders and orders under the Sexual Offences Act 2003.

Amendments to General Criminal Contract remuneration provisions allow prescribed proceedings to be paid in accordance with the standard fee scheme that applies to other criminal cases. Means testing applied to prescribed proceedings from 16 April 2007.

Applications for representation orders in prescribed proceedings will continue to be made in the same manner using the same application forms as for other criminal cases. The rules and eligibility criteria for means testing and early cover arrangements will also remain the same.

The Interests of Justice criteria set out in Schedule 3 of the Access to Justice Act 1999 will be applied to applications for prescribed proceedings. When completing the application for a representation order, solicitors should explain why they consider the Interest of Justice test is satisfied.

Where a client has a representation order in the magistrates' court, it covers obtaining advice on appeal and the preparation of any application for leave to appeal. Advocacy Assistance will continue to be available to fund appeals to the Crown Court in accordance with paragraph 3.2.1(d) of the Contract Specification.

### @ CONTACT & INFORMATION

web: [lsc website](#) > [cds](#) > [consultations](#) > [amendments to the general criminal contract](#)

## Public Defender Service - the way ahead

In 2001 the Public Defender Service was established as the first salaried criminal law provider in England and Wales. An independent review of the PDS has now concluded and the findings have been published.

The LSC established the Public Defender Service (PDS) as a four-year pilot project in 2001. Eight offices were opened in Birmingham, Chester, Cheltenham, Darlington, Liverpool, Middlesbrough, Pontypridd and Swansea.

In 2006, the LSC commissioned an independent team of researchers to evaluate the pilot project. The team was led by Lee Bridges of the Legal Research Institute, School of Law, University of Warwick, and Avrom Sherr of the Institute of Advanced Legal Studies, University of London.

Their evaluation found that overall the PDS provides a better quality of service than private practice, and that offering criminal advice services through a directly employed organisation has no negative effect on the independence of the advice and representation. The evaluation also revealed that when the PDS was building up its caseload during the start-up period, it had higher costs than other criminal defence providers in the same areas.

The research findings suggest that the PDS was more expensive to operate than private practice. Gaynor Ogden, Head of Employed Services acknowledged this and said, 'The research data was gathered in the first three years of operation. Since that time there have been dramatic improvements in value for money, and the Cheltenham and Darlington offices are now cost-effective. We have learned from the pilot that we are most successful in areas with limited supply and can add value by filling gaps in the market. Providing a value for money service will be a key focus for the future.' The LSC committed to reviewing the PDS once

the research was published, so in February 2007 proposals for the future were announced. The proposals have been made in light of the research findings, the needs of clients and the wider legal aid reforms outlined in *Legal Aid Reform: the Way Ahead*:

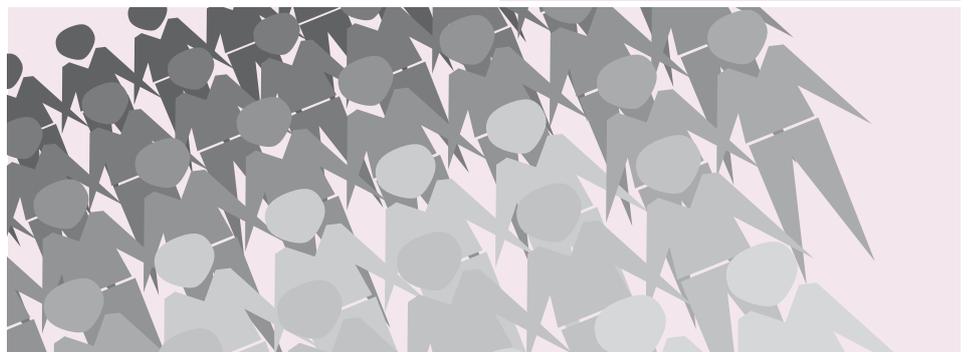
- > Cheltenham and Darlington PDS offices to remain open - they are cost-effective and important local providers, and by gathering benchmarking information the offices can be used as test beds for service delivery
- > Pontypridd and Swansea PDS offices to remain open - they have significantly improved cost-effectiveness since they were first established, and their performance will be reviewed in the next financial year
- > Middlesbrough PDS, which closed part way through 2006, will not be reopened
- > Birmingham, Chester and Liverpool PDS offices will close - these locations have an alternative criminal defence service supply, which may have made it difficult for these offices to capture sufficient work.

Where possible, the closing offices will finish existing cases. However, if necessary, clients will be consulted if their case is to be forwarded to another service provider in the same area.

An overview of the evaluation aims, process and findings is available on the LSC website.

### @ CONTACT & INFORMATION

web: [lsc website](#) > [cds](#) > [pds](#) > [reports and guidance](#)





## Litigator Graduated Fee Scheme consultation

The Litigator Graduated Fee Scheme consultation paper sets out a graduated fee scheme proposal for litigators in the Crown Court. The paper will be published shortly on the LSC website.

The Litigator Graduated Fee Scheme (LGFS) consultation paper will be published shortly on the LSC website. The paper will set out revised proposals for a graduated fee scheme to replace the existing ex post facto payment scheme for litigators undertaking work in the Crown Court. A draft Regulatory Impact Assessment (RIA) for the proposals will also be published to assess the impact of the scheme on criminal defence providers.

The LSC originally intended to publish the LGFS consultation paper in June 2007, however additional time was required to consider practitioner input and feedback. A resulting delay for implementation (originally planned for October 2007) is also anticipated. Further information on the timetable will be communicated to stakeholders and published in the consultation paper.

The amended proposals follow a full consultation period with stakeholders. This second consultation allows stakeholders to comment on the amendments made to the scheme following responses to the consultation.

In addition to the consultation paper, a payment calculator will be made available on the LSC website to enable providers to calculate fees payable under the suggested LGFS. It is hoped that providers will use the calculator to inform their responses to the consultation.

The proposals are intended to safeguard the provision of civil and family legal aid services

by controlling Crown Court costs. The fee scheme is expected to provide a clear system for all legal service providers, reward efficient providers, simplify the claims process and introduce one payment scheme for solicitors in the Crown Court other than for Very High Cost Cases. This focus on value for money will enable the LSC to improve the sustainability of legal aid funding and will, in particular, allow the LSC to focus on continuing to increase the number of people helped with a limited budget.

The proposed LGFS includes a formula based on the elements of a case that appear best to predict its complexity and costs. This formula is used to calculate the fees payable to litigators for Crown Court work.

Responses to the initial consultation, which were outlined in *Legal Aid Reform: the Way Ahead*, highlighted two main concerns about the scheme – the taper and proxies. As a result, the LSC has worked closely with the Law Society and practitioners to consider potential changes to the LGFS. The taper has been removed, and two additional uplifts have been modelled, which will be presented to practitioners for consideration in the consultation paper.

LGFS queries should be emailed to the LSC with 'LGFS Consultation' in the subject line.

### @ CONTACT & INFORMATION

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

web: [lsc website](#) > [cds](#) > [criminal areas of work](#) > [crown court](#)

## Revised fees for advocates

Advocates (barristers and solicitor advocates) now have a revised fee scheme for representation orders granted by the courts on or after 30 April 2007.

The amendments to the Advocate Graduated Fee Scheme (AGFS) were first proposed in the Carter Review and cover increased base fees, the introduction of two new offence classes, a reduction in the number of ancillary payments and the introduction of a new payment principle that the AGFS payment should be made to the instructed advocate(s). A new claim form is currently being finalised by the LSC, which will allow instructed advocates to claim the revised fees. Her Majesty's Courts Service staff will process claims for the new fees when their CREST IT system is updated to cover the AGFS revisions. This is expected to occur in the week commencing 30 July 2007, with any claims received before this date to be held in a backlog for processing when the CREST update is complete.

## Very High Cost Cases

A VHCC is any case where trial length is likely to be 41 days or more.

Since 2004, the LSC has funded all VHCCs on an individual contract basis, with work negotiated in advance with contract managers of the Complex Crime Unit (CCU). The LSC currently spends around £100m on VHCCs. Lord Carter's report *Legal Aid: A market-based approach to reform* acknowledged the cost savings made by the CCU but recommended improvements to case management and control. The LSC has published its response to the consultation on the creation of a panel of VHCC providers on the LSC website. The application pack for the panel is also available on the website. The application process runs to 27 July with the aim of announcing the results of the tender early in September, and the first 18-month contracts beginning in October.

### @ CONTACT & INFORMATION

web: [lsc website](#) > [cds](#) > [tenders](#)



The LSC's new accommodation in the Docklands district.

## Red Lion relocates

Staff at the LSC's offices in Red Lion Street, Holborn, have moved to London's Docklands district.

In early April more than 300 LSC employees relocated from the Red Lion Street office in Holborn to Exchange Tower, near South Quay. Departments moved include the London regional office's Contracting and Contract Compliance Audit teams; the London Operations team, which processes applications for legal aid; and the National Immigration and Asylum team, which handles all immigration and asylum work across England and Wales.

The London regional office alone looks after more than 800 providers of legal services across the capital. All providers will have received a letter containing the new details for their key contacts.

Red Lion Street had been the home of legal aid in London for 40 years and some staff have worked there since the 1960s (previously for the Legal Aid Board before the creation of the LSC).

Martin Seel, the LSC's Regional Director for London and the South East said, 'The lease on our Red Lion Street building was about to expire so we had no option but to seek new accommodation. The new office is both smaller and cheaper, but it is also much more modern and more pleasant for our staff to work in.'

### @ CONTACT & INFORMATION

#### LSC London Office

post: Exchange Tower, 2 Harbour Exchange Square, London E14 9GE DX 170 Chancery Lane

tel: 020 7718 8466

# Amendments to the General Criminal Contract

Following two separate consultations with representative bodies, the LSC issued a Notice of Contract Amendment for the General Criminal Contract. Changes to the Standard Terms became effective from 1 April 2007.

Changes to the General Criminal Contract were proposed in the context of introducing a Unified Contract covering civil and criminal legal aid.

The Unified Contract covers civil work from 1 April 2007 and criminal work from 1 April 2008. However, certain important provisions from the Unified Contract were introduced into the General Criminal Contract from 1 April 2007. General Criminal Contracts have been automatically extended from 1 April 2007 to 31 March 2008, with implementation of the Unified Contract for all providers from 1 April 2008.

Following consultation with representative bodies, changes to the Standard Terms were effective from 1 April 2007. A Notice of Contract Amendment was sent to all contract holders in February 2007. It included:

- > the LSC's right to terminate the contract or part of the contract with three months' notice to facilitate reform of the legal aid scheme
- > introduction of performance standards in respect of Independent Peer Review and Assessment of Claims for contract work
- > ability to amend the Contract Specification outside the April and October 'windows'
- > a requirement for providers to comply with equalities law and best practice
- > providers required to have an email address for electronic communications as provision for future transactions through LSC Online
- > new provisions to cover collusion and bribery, fraud and unethical behaviour.

The power to amend Standard Terms does not apply to providers in London and therefore these providers were invited to voluntarily adopt the amendments.

The LSC has given formal notice that all General Criminal Contracts outside London will not continue in force beyond 31 March 2008 but will terminate on that date, unless lawfully terminated before that date. Written notice of

this deadline will also be provided.

### Amendments to Contract Specification

The changes to the Contract Specification apply to all holders of the General Criminal Contract, and the changes came into force on 16 April 2007. For some changes providers had the flexibility to operate under the new requirements from 1 April.

Many of the changes have been covered in more detail elsewhere in this edition of *Focus on CDS* but in summary they include:

- > revised magistrates' court standard fees in 16 urban areas including London, Birmingham and Manchester (see page 8)
- > measures to ensure market stability for legal aid services in police stations
- > funding of prescribed proceedings to be by way of representation order (see page 4)
- > changes to the requirements for Service Cases, allowing accredited representatives to advise service personnel when being questioned by the Service Police (ie. Royal Navy Regulating Branch, Royal Military Police and Royal Air Force Police)
- > retrospective contract amendments for payment for completing means forms under the CDS Act
- > consequential amendments to the guidance manuals, which are available on the LSC website.

A range of documents relating to this consultation are now available on the LSC website. They include full details of the consultation outcomes, relevant Notice of Amendments and corresponding cover letter, revision marked General Criminal Contract, Criminal Bills Assessment Manual and Duty Solicitor Manual.

### @ CONTACT & INFORMATION

web: lsc website > cds > crime contracts > contract guidance  
lsc website > cds > pay rates and schemes > guidance on fees and funds

# CDS Act Update

A number of important changes to the CDS Act have been implemented as part of the reform programme. As part of these changes, revised forms became mandatory in March 2007, and investigations continue into the difficulties of means test compliance for the self-employed and clients with severe mental health problems.

Changes to the CDS Act arising from *Legal Aid Reform: the Way Ahead* are currently being implemented, and a number of changes are still being considered by the LSC.

## What has changed since implementation

- > Early Cover now extends for five days from date of first instruction regardless of whether or not the client is in custody.
- > Incomplete application forms are returned to preserve the first date of submission as the representation order date for application grants.
- > Applications can be delivered to court (including satellite courts), with the legal advisor/usher confirming the date of receipt and forwarding the application to the administration centre if necessary.
- > The CDS17 can only be used for defendants who are employed and detained in custody. A CDS17 is not required for unemployed clients, the self-employed and those on benefits. There is no need to provide supporting evidence for clients on benefits.
- > Clients remanded in custody who do not know their national insurance number can record this on the CDS14.
- > Unless the solicitor knows with certainty that the client is in receipt of a passported benefit, a CDS15 should be completed to record the amount of benefit received and

no evidence is required. If the application fails the Department for Work and Pensions (DWP) check, Her Majesty's Courts Service (HMCS) staff will process the CDS15 and if the client is deemed eligible, a representation order issued without the need for more information.

- > The requirement for aggregation of a partner's income and partner's signature cannot be waived. However, in exceptional circumstances, for example, if the partner is physically unable to sign because they are an overseas resident or have been hospitalised, the partner's signature is not required if written permission is obtained from the applicant to approach the partner in order to confirm their financial circumstances.
- > Clients aged less than 18 years who have no income and are not enrolled in full-time education can be passported by ticking a box on the CDS14 and signing the declaration.

## Clients with severe mental health problems

Clients with severe mental health problems are vulnerable and find it difficult to comply with the means test requirements. The LSC is currently working with the Law Society, Justices' Clerks' Society and practitioners with experience of crime and mental health work to resolve means test difficulties for this client group.

## DWP check

Whilst acknowledging concerns around DWP data, a comprehensive investigation has confirmed that the DWP data is accurate. Further research into applications that have unexpectedly failed revealed these applications contained inaccurate information provided by the client, or in a small number of cases, the client's benefit claim was suspended because they missed a sign on date.

The LSC is working with DWP to find a solution to this problem. In the meantime, unless a client is on a passported benefit, both CDS15 and CDS14 forms must be completed. If the application fails the DWP check, HMCS staff will process the CDS15 to establish financial eligibility.

## Self-employed applicants

Investigations are continuing into the difficulties self-employed applicants have with providing evidence for the means assessment.

## Hardship applications

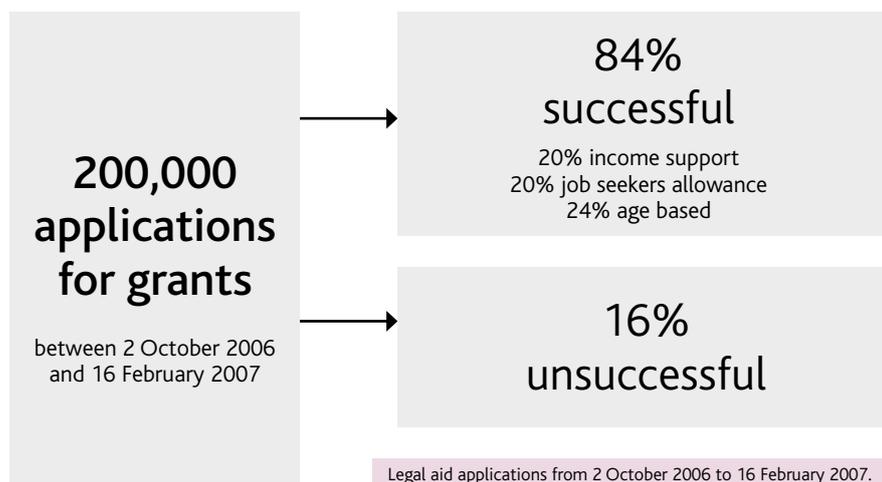
Whilst to date less than 1000 hardship applications have been received, many of these applications were not supported by the required documentation.

Required documentation in these cases might include evidence of outstanding debts and the repayments being made, or justification for the solicitor's costs. Clarification of the evidential requirements in these circumstances will accompany any re-issue of guidance material.

## Forms and guidance

Revised forms became mandatory on 2 March 2007 and are now available from [cgsforms@ecgroup.co.uk](mailto:cdsforms@ecgroup.co.uk)

The Plain English Commission has approved the newly consolidated guidance and information pack, and any future guidance releases will incorporate the Interests of Justice and Hardship guidance to provide a single comprehensive resource for information on criminal legal aid.



## @ CONTACT & INFORMATION

web: [lsc website](http://lsc.gov.uk) > cds > consultations > amendments to general criminal contracts

## Focus on CDS

Focus on CDS is sent automatically to all LSC account holders who undertake criminal work.

It is usually published four times a year but is not strictly quarterly as it is produced whenever the LSC needs to communicate important information to the profession rather than according to a rigid timetable.

While Focus on CDS contains guidance, the LSC Manual should be referred to for definitive information.

Focus on CDS is distributed using the names and addresses of LSC account holders, details of which are held on the LSC's Master Index database.

If you have not received a copy of Focus on CDS it may be because you have not alerted the Master Index Section to changes to your name, address or DX. Please make sure you send any relevant changes in writing to the Master Index Section and include your LSC account number.

It is important that Focus on CDS is seen by everyone in your firm who is involved in LSC work, so copies of this publication should be made as required.

Focus on CDS editions 1 to 20 are available for download as PDFs from the LSC website. If you require assistance to obtain copies of Focus on CDS, please contact Janine McCarthy using the contact details listed below.

If you have any questions regarding the articles that appear in Focus on CDS, please refer to the contact details included with each article. If there are no contact details, or for other editorial questions or requests for extra copies, please contact the editor.

### @ CONTACT & INFORMATION

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## Magistrates' court revised standard fees

On 16 April 2007 revised standard fees took effect in 16 urban areas. The fees include payments for work undertaken on behalf of clients as well as an element for travel and waiting.

The second consultation on the revised fees closed on 9 February 2007 and a notice of contract amendment was sent to all contractors. The consultation paper and the LSC's response, along with the contract amendments, new standard fees and related documents, are available on the LSC website.

The revised standard fees now apply in the Greater Manchester, London, Merseyside and West Midlands criminal justice areas, as well as the local authority areas of Brighton and Hove, Bristol, Cardiff, Derby and Erewash, Kingston-upon-Hull, Leeds and Bradford, Leicester, Newcastle-upon-Tyne and Sunderland (including Gateshead, North Tyneside and South Tyneside), Nottingham, Portsmouth, Sheffield and Southampton. Following representations from providers and further analysis, Gosport and Blyth Valley have been removed from the implementation areas.

Changes to claim codes were also introduced on 1 April 2007, and revised

standard fees apply to cases where the representation order was granted on or after 16 April 2007. For cases where there is more than one representation order, the fees will apply where the earliest representation order in the case was granted on or after 16 April 2007.

The revised fees will reward firms for efficiently handling magistrates' court work and help them prepare for competitively tendered contracts in October 2008. Competitive tendering will enable service providers to bid for work once they have assessed their costs and made efficiencies under fixed fees.

Incorporating payments for travel and waiting into magistrates' court fees is one of the measures that will enable the LSC to ensure a sustainable future for legal aid that is fair to clients, practitioners and taxpayers.

### @ CONTACT & INFORMATION

web: [lsc website > cds > forms > CDS forms > Claim Code Guidance for CDS6 and CDS7](http://lsc.gov.uk/forms/cds)



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

Community  
Legal Service



Criminal  
Defence Service

