



17 July 2025

Dear Provider,

Please note that today there are no new updates to the latest business continuity arrangements. In case helpful, we again share the most recent updates and signposting, shared with you via email on Tuesday, 15 July.

For the full list of contingencies, please visit [GOV.UK](https://www.gov.uk).

Crime Applications

(Updated on 15 July) On 14 July we updated the contingency guidance in relation to passported benefits to clarify the process of evidencing passported benefits (except where the client is in court custody), what to do if this cannot be obtained, and to address the question of what to do with stockpiled applications.

Please see below a clarification of that guidance. The following comments relate to the use of delegated authority to grant a Representation Order.

- It remains the case that providers do not need to gather any evidence of a passporting benefit for cases that have already concluded.
- Providers have fed back that gathering passporting evidence for all cases that are still live would be a significant additional administrative burden for providers. Given this, we can confirm that the requirement to try and gather evidence of a passporting benefit will only apply to any case where you are newly instructed from 16 July onwards.
- Providers have reported concerns that the requirement to attempt to gather evidence of a passporting benefit may lead to the LAA refusing to pay claims where this evidence is not provided. Please be assured that this is not the case. If evidence of a passported benefit cannot be obtained or is not provided despite a chaser, the applications should be assessed as non-passported. For a non-passported case, a provider only needs to gather details of the name, amount and frequency of benefit payments and use this to complete the online means calculator (<https://www.gov.uk/guidance/criminal-legal-aid-means-testing>). In line with existing requirements, you do not have to obtain evidence of a non passported benefit. Please note that if a case is treated as non-passported, it does not need to be emailed to the LAA on a completed CRM14. The only cases that need to be submitted remain those where the defendant is employed, self employed, a director or living off savings or if the case progresses to the Crown Court.
- National Insurance Numbers (NINOs). It has always been a mandatory requirement for providers to obtain a NINO for any defendant who is in receipt of a passported benefit (with certain exceptions set

out in [CLAM](#)). This requirement remains in place. It is necessary to enable retrospective confirmation that a defendant was in receipt of the benefit claimed. It is important to note that this checking will not lead to the recoument of any claims paid, where a good faith and proportionate approach has been demonstrated to implementing the contingency processes in line with the guidance. This checking is, however, essential for us to assess the impact of the contingency arrangements, and the extent of any errors.

- When completing a CRM14 for submission to the LAA, and you have proof of passporting benefit, please note that you can jump straight from the passporting section of the form to the proceedings questions.

Civil billing – Average Payments Scheme

A reminder that the process to opt in to civil billing contingency and accept the payment is running on a weekly basis, giving you flexibility to opt in each week. To opt in, you must let us know by midday each Monday to make that week's payment run.

Civil Applications

As communicated on 7 July, please note the following reminders and ensure you are directing your submissions to the correct team.

- Civil Prior Authority requests must be submitted directly to CivilPriorAuthorityRequests@Justice.gov.uk. Providers should use the CIV APP8A, you will need to

detail that you have a current live certificate on CCMS, that you have delegated functions to grant emergency funding or been granted an application under LAA Contingency in this matter. This service cannot be used for standalone cost limit increases.

- **(Added on 14 July)** All other Civil Application forms (CIV APP1, CIV APP3, CIVAPP6 CIVAPP8, CIVAPP11, and Means forms) should be emailed to ContactCivil@justice.gov.uk. Ensure the subject line is titled 'LAA BC Plus – Type of Application form – Type of Means Form (if applicable) - client's name – firm name' Please note that all forms need to be submitted via email. Paper forms submitted by post are not accepted.
- For all matters involving exceptional and complex cases, please click here [ECCT submission quick guide](#) for further information on how to submit work.
- For all High-Cost Family related work please click here [High Cost Family \(HCF\) Contingency Processes](#) for further information on how to submit work. Please use the [High Cost Family submission cover sheet](#).
- **(Added on 14 July)** Where providers have used delegated functions, they can continue to amend under delegated functions for any related proceedings, scope and cost limitations of their emergency grant for the 16 weeks, or until they submit the application on CCMS. Emergency certificates will have a £4,500 costs limitation; providers have the ability to use delegated functions for a higher cost limit under emergency representation where it can be justified for work required.
- Providers can delegate functions to amend a substantive certificate where the LAA has made an initial substantive determination. This will include changing scope limitations, adding new proceedings and amending costs limitations to a maximum of £7,900 where a higher limit is not already in place. Providers cannot use delegated functions to grant a cost limitation above £7,900, if providers seek a higher cost limit following use of delegated functions on a substantive certificate, they can submit the

amendment for a decision at a later date, the LAA will exercise the backdating provisions were required. The determination will need to be in the same Category of Law as the original determination and will need to arise out of the same dispute, issue or incident as the original determination. Providers will keep a file record of amendment under delegated functions. The amendment will need to be submitted to LAA via CCMS once system access has been restored. Do not submit a CIVAPP8 form when delegated functions has been used.

- **(Added on 14 July)** Providers are authorised to sign off on applications and carry on work in non-means and non-merits tested cases. *These are Special Children Act matters and parental placement and adoption cases.* When access is restored to the LAA systems, applications can be submitted, and certificates will be backdated to the initial date work began. Please note that for a parental placement and adoption case the client must be the parent or have parental responsibility and must oppose the order being made. If the client does not oppose the order, then the matter falls to be means and merits tested. When the LAA issue these certificates, they will have a £25,000 cost limitation.

We continue to operate our contingency measures with an aim of supporting providers and their clients to maintain access to justice, recognising the impact that the systems outage is having, and are grateful for the continued constructive engagement and feedback we receive from providers and their representative bodies to help us do so.