



18 July 2025

Dear Provider,

Please note the information on initial civil applications and substantive certificates has been clarified following feedback.

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

Civil Applications

- **(Added on 18 July)** Clarification on increasing cost limitations using delegated functions:

Initial Applications: The cost limit of an emergency certificate will be issued with £4,500. If a higher cost limit is required at any time, for any work needed under the scope of the emergency certificate within the 16 week emergency limit, providers can further exercise their delegated functions. Providers

only need to make a file note of their further use of delegated functions use, providers can submit on CCMS when LAA systems are restored.

Substantive Certificates: Providers can use delegated functions on substantive certificates to increase cost limitation to a maximum of £7,900 where a higher limit is not already in place. 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. If cost limitation of above £7,900 is required on a substantive certificate delegated functions cannot be used, Providers have the option to submit the amendment for a decision at a later date on CCMS, the LAA will exercise the backdating provisions were required, or if the provider wants the LAA to make the decision, if they are unsure if the merits criteria is being met, they can submit a substantive amendment to the LAA following the contingency arrangements.

- **(Added on 18 July)** Providers can delegate functions to amend a substantive certificate (which falls within the scope of Legal Aid regulations) 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.
- For housing providers this means they can use delegated functions to amend scope limitations to add disrepair, surveyors' reports, medical reports up to a cost limitation of £7,900. Please read the full contingency guidance and the tables of delegated functions for full details of all proceeding, limitations etc.
- 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.
- On the 27 June 2025, the time limit of an emergency certificate was extended from 8 weeks to 16 weeks, the 16 weeks will apply to all emergency certificates that the LAA have not determined. The 16 week limitation starts from the date the provider initially exercised delegated functions, even if this was before the 27 June 2025.
- **(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.

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.

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 attempt to 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 any 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 confirmation will not lead to the recoupment of any claims paid, where a good faith and proportionate approach has

been demonstrated and where the guidance has been followed. This confirmation 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.

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.