

Legal Services Commission

Immigration & Asylum

Frequently Asked Questions – March 2008 version 4

Effective 20 March 2008

Amendments

The following questions have been amended:

Section G – Question 28

Additions

The following questions have been added

Section E – Questions E44 – E56

Section H – Question H14

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A. Provisions for cases paid under the Graduated Fee Scheme

<p>A1</p> <p>If counsel is instructed to represent the client at the substantive appeal and to assist in the preparation of the appeal including attending a conference with the client prior to the hearing date, how will this be remunerated under the Graduated Fee Scheme?</p>	<table><tr><td>Advocacy services</td><td>Paragraph 11.20</td></tr><tr><td>Stage 2 Graduated Fee</td><td>Paragraph 11.12 (2)</td></tr><tr><td></td><td>Paragraph 11.18 (2)</td></tr></table> <p>In addition to the appropriate Stage 2 Graduated Fee, which covers the preparation of the appeal, additional payments are also claimable in relation to advocacy services at the AIT. The level of payment due to counsel for their work, which may include items such as attending a conference and representing at a hearing, will be made from the total payment to you under the Scheme (as per Rule 11.20)</p>	Advocacy services	Paragraph 11.20	Stage 2 Graduated Fee	Paragraph 11.12 (2)		Paragraph 11.18 (2)
Advocacy services	Paragraph 11.20						
Stage 2 Graduated Fee	Paragraph 11.12 (2)						
	Paragraph 11.18 (2)						
<p>A2</p> <p>Upon receipt of an expert's report and having re-applied the CLR merits test prior to the substantive hearing it is decided that the test is no longer met and CLR should be withdrawn. Under the Graduated Fee Scheme what am I entitled to claim from the LSC under CLR?</p>	<table><tr><td>Stage 2a: Asylum</td><td>Paragraph 11.11</td></tr></table> <p>As CLR has been granted but the case has concluded prior to the substantive hearing you may claim the following:</p> <ul style="list-style-type: none">i) The Graduated Fee of £240 for Stage 2aii) Any applicable additional payments for representation at an oral/telephone CMRH and/or adjourned hearing.iii) Any disbursements reasonably incurred up to the applicable limit	Stage 2a: Asylum	Paragraph 11.11				
Stage 2a: Asylum	Paragraph 11.11						

<p>A3</p> <p>A Stage 2a claim is made as CLR has been withdrawn prior to the substantive hearing; the client however is successful upon review to the IFA. I then accept the client's instructions on the appeal under CLR, following the substantive hearing on this matter would I be able to claim the Stage 2b fee having already claimed the Stage 2a fee?</p>	<p style="text-align: center;">Stage 2: Controlled Legal Representation Paragraph 11.10</p> <p>Paragraph 11.10 of the Immigration specification is clear that you may not claim payments for both Stage 2a and Stage 2b in the same matter. In this scenario you should contact your Account Manager who can remove your earlier Stage 2a claim from SMS. You will then be able to claim the stage 2b fee.</p>
<p>A4</p> <p>Are the costs of a travel fare covered by the £290 additional payment for attendance at the Home Office interview?</p>	<p style="text-align: center;">Additional payments Table 4 (b) of the Payment Annex</p> <p>No. The £290 additional fee covers the travel and waiting time and attendance at a Home Office interview; any travel fare will be covered by the Stage 1 Legal Help Disbursement limit of £400.</p>
<p>A5</p> <p>If the Home Office withdraw the decision the day before the hearing, where counsel has been instructed and the matter prepared for hearing, would the stage 2a or stage 2b fee be claimable?</p>	<p style="text-align: center;">Stage 2: Controlled Legal Representation Paragraph 11.10</p> <p>Stage 2a will be claimable in this scenario.</p> <p>Stage 2b can only be claimed if you/counsel have attended the substantive hearing</p>

<p>A8</p> <p>Does the £600 CLR Stage 2 Graduated Fee Disbursement Limit include Counsel Fees?</p>	<p style="text-align: center;">Advocacy Services Paragraph 11.20</p> <p>No. Counsel's costs can be paid from the applicable Graduated Fee and/or Additional payment(s), not from within the £600 CLR Disbursement limit.</p> <p>However it is for the supplier to decide which aspects of work counsel may be instructed in relation to and to negotiate a fee for that work. Suppliers are reminded that unless a case is flagged as “exceptional” and ultimately assessed as such, you will only be paid the Graduated fee(s) and applicable additional payments.</p>
<p>A9</p> <p>Is there any provision under the new scheme for us to claim costs in addition to the Stage 1 Graduated Fee for completion of the CW2 Imm form?</p>	<p>Payment for this aspect of work has been factored into the Stage 1 Graduated Fee and therefore an additional fee is not available. You should still record the actual time spent carrying out the merits test and completing the CW2 Imm and report this to us within your “actual costs” on the CMRF.</p> <p>ADDED 12 NOV 2007</p>
<p>A10</p> <p>What Matter Type II Code should be used for a Fast Track case payable under the Graduated Fee Scheme?</p>	<p>For those Fast Track matters payable under the Graduated Fee Scheme, the Matter Type II code should be IIRC.</p> <p>Fast Track matters payable at Hourly Rates should be reported using Matter Type II IFST.</p> <p>ADDED 12 NOV 2007</p>

<p>A11</p> <p>If a client is called for interview with the Home Office and I fall within the exceptions (under para 11.102) that allow me to attend with them, if the interview is not completed (i.e. it is adjourned), can I claim a second additional payment for attending the rescheduled interview?</p>	<p>No. If the second interview is merely a continuation of the first, which was not completed, for instance, due to lack of time, then only one Additional Payment will be claimable.</p> <p>If it is confirmed that, for instance, following a screening interview, that the second interview is to be a different level of screening or indeed a substantive interview, then a second additional payment may then be claimable. In these circumstances please refer to FAQ G9 for details of how to claim multiple additional payments for attendance at interview.</p> <p>ADDED 7 FEBRUARY 2008</p>
<p>A12</p> <p>Under the Graduated Fee scheme, can providers still claim costs on files where they fail to get evidence of means for the client or where they find out that the client has withheld information or the clients income is in fact more than what they initially stated?</p>	<p>If the provisions of B6 of the Funding Code and paras 2.3 to 2.5 of the Standard Terms of the Unified Contract are complied with then the "appropriate" fee may be claimed. Where this is a Graduated Fee case then the full Graduated Fee is claimable. Where this is an hourly rate case, <u>up to</u> a maximum of 2hrs (depending on the actual amount of time spent) may be claimed.</p> <p>Suppliers must report the actual time spent. If only a small amount of advice is given in a number of cases to which the Graduated Fee Scheme applies and no evidence of means is obtained, suppliers run the risk of not meeting the 20% Fixed Fee Margin KPI. Obtaining appropriate evidence of means is one of the things that will be looked at as part of the revised Contract Compliance Audit process.</p> <p>ADDED 7 FEBRUARY 2008</p>

B. Provisions for cases paid at Hourly rates

<p>B1</p> <p>What is the LSC definition of an “unaccompanied” asylum-seeking child?</p>	<p><u>An unaccompanied asylum-seeking child:</u></p> <ul style="list-style-type: none"><u>Is applying for asylum in their own right; and</u><u>Is separated from both parents and not being cared for by an adult who by law or custom has responsibility to do so.</u> <p><u>This definition is also that currently used by the Border and Immigration Agency.</u></p> <p>An unaccompanied asylum-seeking child (UASC) is a person who at the time of making the asylum application is or appears to be under eighteen and who has no adult relative or guardian in the United Kingdom.</p> <p><u>AMENDED 7 FEB 2007</u></p>
<p>B2</p> <p>If the Home Office disputes an UASC’s age, would this matter continue to be claimable at hourly rates?</p>	<p>Yes. If you continue to act the case will be funded at hourly rates</p>
<p>B3</p> <p>If a minor who is living with an adult family member in the UK, seeks instructions on making an asylum application in their own right, will this work be funded under the Graduated Fee Scheme?</p>	<p>Yes. As the client does not fall within the definition of an Unaccompanied Asylum Seeking Child (UASC), the matter will not be paid at hourly rates and will fall within the Graduated Fee Scheme.</p> <p>Should the Home Office wish to interview the client, you may claim the £290</p>

	additional payment for attending the interview with the client.
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<p>B4</p> <p>For matters payable at hourly rates, am I required to complete the following fields on the CMRF when reporting?</p> <ul style="list-style-type: none">- CMRH Oral/Phone- Adjourned Hearings- Substantive Hearings- Detention Travel and waiting	<p>No. These fields are only applicable in matters payable under the Graduated Fee Scheme.</p> <p>For Hourly Rates matters, SMS will set these fields to their Default values and the supplier need not complete these fields.</p> <p>ADDED 12 NOV 2007</p>
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C. Provisions for cases opened prior to 1 October 2007

<p>C1</p> <p>If a client instructs me prior to 1 October, is signed up to Legal Help but doesn't make their claim for asylum until on/after 1 October – will this case fall within the GFS?</p>	<p>Transitional Arrangements- Part A Section 4 of the Unified Contract Civil Specification</p> <p>No. The provisions of the previous specification under the Unified Contract or General Civil Contract will govern this case. The case will continue to be claimed at Hourly Rates under the appropriate Cost Limits.</p> <p>This qualifies paragraph 11.2(a) of the Immigration specification for the small number of cases that may be opened prior to 1 October but where the application is lodged on/after.</p>
<p>C2</p> <p>If I continue an asylum matter opened prior to 1 Oct 07 (as per 11.2(a) of the Immigration specification), would I continue with the initial (non-devolved power) Legal Help limit of £286.75 or would the limit automatically increase to £800 from 1 October?</p>	<p>Controlled Work paid at hourly rates Paragraph 11.2(a)</p> <p>The Legal Help cost limits for all cases will automatically increase to £800 for asylum and £500 for non-asylum. The disbursement limit will also increase to £400.</p>

<p>C6</p> <p>If I have applied for CLR prior to 1 October and this has been refused by the LSC, now that I have Devolved Powers can the client still apply for a review of the LSC’s decision to the IFA or can I grant CLR myself if I believe the merits to be met?</p>	<p>We would expect that the client would still utilise their right of review to the IFA. In making the decision whether to do so the supplier should consider the guidance detailed in question E10.</p>												
<p>C7</p> <p>As a NFP provider, for those cases opened by me prior to 1 October, what are the applicable limits on/after that date?</p>	<p>For those cases that you opened prior to 1 October, your limits as of that date will be automatically increased to:</p> <table data-bbox="884 782 1747 1005"> <tr> <td>Legal Help</td> <td>Asylum</td> <td>16 hours casework limit</td> </tr> <tr> <td></td> <td>Non-asylum</td> <td>10 hours casework limit</td> </tr> <tr> <td>CLR</td> <td>Asylum & non-asylum</td> <td>12 hours casework limit</td> </tr> <tr> <td>Individual Disbursement limit</td> <td></td> <td>£400</td> </tr> </table> <p>Any time incurred prior to 1 October will count towards these limits.</p>	Legal Help	Asylum	16 hours casework limit		Non-asylum	10 hours casework limit	CLR	Asylum & non-asylum	12 hours casework limit	Individual Disbursement limit		£400
Legal Help	Asylum	16 hours casework limit											
	Non-asylum	10 hours casework limit											
CLR	Asylum & non-asylum	12 hours casework limit											
Individual Disbursement limit		£400											

<p>C8</p> <p>For those matters in which an asylum application was made prior to 1 October 2007, if the client is requested to attend the Home Office interview and one of the exceptions given at paragraph 11.103 is met, do I need to seek prior authority from the LSC to attend this interview and to incur the reasonable costs of attending?</p>	<p>No. Whilst this matter may have been opened under the old specification, in this circumstance the provisions of the current specification would apply. Therefore if the matter is payable under Hourly Rates and one of the exceptions is met, then you would not require prior authority from the LSC to attend the interview and you may incur the reasonable costs of attending such an interview in addition to your Upper Cost limit, again without the need to apply to the LSC.</p> <p>ADDED 7 FEBRUARY 2008</p>
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D. Provisions for cases under Exclusive Contracting arrangements

<p>D1</p> <p>For those cases undertaken under an exclusive contract in relation to the Early Advice Pilot at Solihull, will both the Legal Help and CLR aspects of a matter be claimable under Hourly rates?</p>	<p>Yes. Hourly rates will apply throughout the matter.</p>
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E. General Provisions

<p>E1</p> <p>Does assistance with matters relating to NASS continue to be funded as a non-asylum Immigration matter?</p>	<p>No. From 1 October, work in relation to NASS assistance would ordinarily be undertaken as a Welfare Benefit matter, it couldn't be conducted under an Immigration matter start.</p>
<p>E2</p> <p>If a client requires advice in relation to NASS matters, whilst this cannot be undertaken under an Immigration matter start, if I do not hold a contract in another relevant category such as Welfare Benefits or housing, may I undertake work under Tolerance?</p>	<p>Yes. You should have been allocated a number of tolerance matter starts; they can be opened for this purpose. The relevant fixed fees are detailed in the Payment Annex to the Civil Specification.</p>
<p>E3</p> <p>If a client seeks to instruct me on/after 1 October 2007 in relation to an asylum application that was lodged prior to that date, would this matter be paid at hourly rates or under the Graduated Fee Scheme?</p>	<p>Controlled Work paid at Hourly Rates paragraph 11.2</p> <p>Providing the Previous Controlled Work provisions are satisfied, in this scenario the matter would be funded at hourly rates as the application to the Home Office had been made prior to 1 October 2007.</p>

<p>E4</p> <p>If a client seeks to instruct me on/after 1 October 2007 in relation to a non-asylum matter, in which an application had been made to the Home Office/ECO prior to that date, would this matter be paid at hourly rates or under the Graduated Fee Scheme?</p>	<p>Regardless of whether an application had been made by the client prior to 1 October 2007, if a non-asylum matter is opened by you on/after that date it will be payable under the Graduated Fee Scheme (please refer to paragraph 11.2(c) of the Immigration Specification).</p>
<p>E5</p> <p>If a client seeks to instruct me in relation to an application for an extension of leave following an application for asylum made prior to 1 October 2007, will this application be funded at hourly rates?</p>	<p>As per paragraph 11.1 (b) of the Immigration Specification, an application for further leave or an active review will be considered as an “asylum” matter where:</p> <p>The application relies on the 1951 Convention Relating to the Status of Refugees and/or Article 3 of The European Convention for the protection of Human Rights and Fundamental Freedoms 1950.</p> <p>If this is the case then the matter will fall within paragraph 11.2(b) of the Immigration Specification and will be payable at hourly rates.</p>

	<p>supplier who should advise the client, but in any event the second supplier cannot claim time for advising the client on the IFA process.</p>									
<p>E9</p> <p>If the 5-day time limit has expired can the client still apply for a review to the IFA?</p>	<p style="text-align: right;">Review by the Independent Funding Adjudicator Paragraph 11.147</p> <p>Yes. If there are exceptional circumstances that prevented an application being made within the time limit, an out of time review application can be considered by NIAT.</p>									
<p>E10</p> <p>A client attends upon me having been refused CLR by their previous supplier. They wish to appeal against the Home Office decision and have asked me to take on their case. What work can I claim for and under what level of funding?</p>	<table border="0" style="width: 100%;"> <tr> <td style="width: 33%;">Previous Controlled Work</td> <td style="width: 33%;">Rule B9.1</td> <td style="width: 33%;">Funding Code</td> </tr> <tr> <td></td> <td>Rules 2.22 to 2.30</td> <td>Civil Specification</td> </tr> <tr> <td></td> <td>Paragraph 11.69</td> <td>Immigration Specification</td> </tr> </table> <p>You will need to apply the Previous Controlled Work rule. As part of this you would need to establish whether the client had received a completed CW4 and if they had made an application to the IFA against the first suppliers decision to refuse CLR. Normally, where it is practical to do so, the client should appeal the first supplier's decision to the IFA. However if urgent work is required e.g. there is a need to lodge an appeal and an application for a review to the IFA is therefore not practicable, then CLR may be granted as unclear/ borderline.</p> <p>In Graduated Fee cases, a stage 2 a or b fee can be claimed depending where the matter concludes e.g. if the merits are reassessed following receipt of the full file of papers and CLR is withdrawn, then the Stage 2a fee can be claimed.</p>	Previous Controlled Work	Rule B9.1	Funding Code		Rules 2.22 to 2.30	Civil Specification		Paragraph 11.69	Immigration Specification
Previous Controlled Work	Rule B9.1	Funding Code								
	Rules 2.22 to 2.30	Civil Specification								
	Paragraph 11.69	Immigration Specification								

<p>E11</p> <p>If a client wishes to transfer to a second supplier due to dissatisfaction with the previous legal advice, should they also wish to make a complaint to the relevant regulatory body must I also contact the LSC to notify them of the complaint?</p>	<p>Yes. Please refer to Rule 2.26 of the Civil Specification for further guidance.</p>									
<p>E12</p> <p>If a client wishes to transfer instructions to a new supplier due to the first supplier's Immigration contract being terminated or withdrawn, will this automatically meet the requirements of the previous Controlled work rules?</p>	<table border="0"> <tr> <td>Previous Controlled Work</td> <td>Rule B9.1</td> <td>Funding Code</td> </tr> <tr> <td></td> <td>Rules 2.22 to 2.30</td> <td>Civil Specification</td> </tr> <tr> <td></td> <td>Paragraph 11.69</td> <td>Immigration Specification</td> </tr> </table> <p>Yes. The above rules will automatically be met.</p>	Previous Controlled Work	Rule B9.1	Funding Code		Rules 2.22 to 2.30	Civil Specification		Paragraph 11.69	Immigration Specification
Previous Controlled Work	Rule B9.1	Funding Code								
	Rules 2.22 to 2.30	Civil Specification								
	Paragraph 11.69	Immigration Specification								
<p>E13</p> <p>Do exceptions relating to funding for attendance at a Home Office interview continue to apply?</p>	<table border="0"> <tr> <td>Attendance at interviews</td> <td>Paragraph 11.102/103</td> </tr> </table> <p>Yes. You will not be required to obtain prior authority from NIAT to attend an interview in which one of the listed exceptions applies, however the justification for the attendance should be recorded on file. The reasonable costs for attending the interview will also be in addition to the relevant cost limits.</p>	Attendance at interviews	Paragraph 11.102/103							
Attendance at interviews	Paragraph 11.102/103									

	<p>The CW3B should be used solely for applications to extend the relevant cost limits in those cases outlined in paragraph 11.2 (b), (d), (f), (g), (h), (i) and (j).</p> <p>The CW3C should be used solely for applications to extend the relevant Disbursement limits in relation to matters attracting a Graduated Fee (see Rule 11.23/11.24)</p> <p>Controlled Legal Representation in relation to applications under section 103A of NIA 2002 for review continues to be funded at hourly rates, however the CLR Upper Cost limit does not apply. Please refer to paragraphs 11.2 (e) and 11.54 to 11.65 for further guidance on such matters.</p> <p>11.2 (k) confirms that matters calculated as “exceptional” within the Graduated Fee Scheme, will be paid at hourly rates, however this will be determined post reporting and assessment of such a claim and therefore an Upper Cost Limit does not apply.</p>
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<p>E17</p> <p>If I require a LH extension on a post Oct non-GFS case (e.g. Fresh claim where an original application for asylum was made prior to 1 October 2007) but I also require an extension to my CLR limit in relation to a bail application, can I apply for both at once on the CW3B form?</p>	<p style="text-align: center;">Applying to extend Financial limits Paragraph 11.68</p> <p>Yes. If you wish to apply for an extension to one or more of the Legal Help, Legal Help Disbursement or CLR Upper Cost Limits at the same time, you may do so on the same form – the CW3 B Imm. You should ensure that the costs incurred and requested under each of the limits are clearly distinguished and that sufficient information is available on the form to ensure that an informed decision may be made in relation to each request.</p> <p>If you believe it would be more appropriate to make such applications on separate Forms (e.g. One for the Legal Help aspect, the other for the CLR Bail work) you may do so.</p>
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<p>E18</p> <p>If a client is in detention, is my travel and waiting time to see the client included within either the applicable Graduated Fee or the appropriate Hourly Rate Upper Cost Limit?</p>	<p style="text-align: center;">Detained Cases Paragraph 11.106 (a)</p> <p>Whether the matter is claimable under the GFS or under hourly rates you may claim your reasonable costs for travel to the place of detention up to a maximum of 3 hours for a return journey; and your actual waiting time at the place of detention.</p> <p>For Graduated fee cases this can be claimed in addition to the Graduated Fee.</p> <p>For Hourly rates cases these costs can be claimed in addition to<u>within</u> the applicable cost limit.</p> <p>Your actual travel disbursements e.g. train ticket, are also claimable. For Graduated Fee cases these can be claimed within your Stage 1 or Stage 2 Disbursement limits. For hourly rates cases, these can be claimed within either the Legal Help Disbursement limit of the CLR Upper Cost Limit, which ever may be applicable.</p>
<p>E19</p> <p>If a former UASC seeks to instruct me in relation to an “active review” for a matter in which the original application was made on/after 1 October 2007, would the matter be funded at hourly rates?</p>	<p>No. If a client instructs you in relation to an extension of leave, if they are still under 18 when you sign them up to Legal Help then the matter will be paid at hourly rates. If they are 18 or over when they instruct you then the matter will proceed under the Graduated Fee Scheme.</p>

<p>E20</p> <p>If I advise a client prior to attendance at the ASU, will I be required to obtain formal confirmation that they cease to instruct me in order that I may claim up the £100 for initial advice as per Rule 11.36 (c)(i)?</p>	<p style="text-align: center;">Legal Help Cost Limit Paragraph 11.36 (c)(i)</p> <p>No. If after a reasonable period (and no longer than 3 months) the client does not return to give further instructions then for the purposes of claiming any payment for the initial advice you take that as a cessation of instruction.</p>
<p>E21</p> <p>Can counsel's opinion be sought regarding the merits of a potential JR?</p>	<p>Not usually. Counsel's advice can be claimed under Legal Help in very limited circumstances, however, it would be expected that in the vast majority of matters the adviser with conduct of the case would be in a position to determine the merits of proceeding to Judicial Review.</p>
<p>E22</p> <p>Is 'legal advice' in relation to form filling (e.g. regarding the completion of an application for citizenship) funded under GFS?</p>	<p style="text-align: center;">Controlled Work paid at hourly rates Paragraph 11.2(g)</p> <p>As per paragraphs 11.2(g) and 11.99 of the Immigration Specification, legal advice in relation to form filling is funded under Hourly rates.</p>

<p>E23</p> <p>If a client's appeal before the AIT is successful but there are issues with a delay in receiving status papers or in correcting the details on the papers, would these costs be covered by the Stage 2b GF or the CLR Upper Cost Limit?</p>	<p>No, neither. The Stage 2b Graduated Fee covers all work up to advising the client on their rights and entitlements, however should there be any problems concerning a delay in receiving status papers, advising on an application for travel documents or in those matters in which there are errors on any such papers, a new matter start should be opened to cover any advice in relation to such matters. Any work in relation to legal advice in relation to form filling, applying for a certificate and/or complying with pre-action protocol will be funded under Hourly Rates as per Rule 11.2.</p>
<p>E24</p> <p>Prior to 1 October our organization did not have Devolved Powers, however from 1 October we have been granted Devolved Powers for CLR, do these also extend to certificated work?</p>	<p>No. For those suppliers granted Devolved Powers from 1 October 2007, these will only apply to CLR; you would still be required to make an application for an emergency certificate to NIAT using the App6 procedure. If you have been granted Devolved Powers prior to this date, then these powers would also extend to certificated matters.</p>
<p>E25</p> <p>If funding is granted by the IFA following an application for review of a refusal/withdrawal of CLR, will the outcome of the substantive appeal count towards the 40% substantive benefit Key Performance Indicator (KPI)?</p>	<p>Yes. These cases should be noted by yourselves and highlighted in any discussion concerning your KPI with your Account Manager.</p>

<p>E26</p> <p>If CLR is granted for the substantive appeal but later is refused in relation to a bail application whilst the substantive matter is still continuing, will the client still retain a right of review to the IFA of the decision to not extend the grant of CLR?</p>	<p>Review by the Independent Funding Adjudicator Paragraph 11.147</p> <p>Yes. The client retains the right of review to the IFA for a refusal or withdrawal of CLR in relation to Bail throughout the life of a case, even where funding has been granted for the substantive appeal.</p>
<p>E27</p> <p>If everyone has devolved powers to grant CLR what is the purpose of pages 5-6 ("for applications to the LSC only") in the 4 October 2007 Version of the CW2 Imm?</p>	<p>This has been retained, as although everybody will have devolved powers from 1st October 2007 there may at some stage in the future be a need for us to withdraw these from certain providers, where the power is being used inappropriately.</p>
<p>E28</p> <p>If the Home Office withdraws a decision in order to review the matter and issue a further decision, should the matter be kept open to advise on any subsequent decision from the Home Office?</p>	<p>No. A new endpoint code IG has been created for such a scenario, this allows for the matter to be reported as completed at this stage, with a further matter start to be opened to cover any work in relation to any subsequent Home Office decision.</p> <p>The new matter start will attract payment of either a new graduated fee or payment through hourly rates depending on the circumstances of the matter. Where applicable the upper costs limits will apply to the new matter start.</p>

<p>E29</p> <p><u>What can I claim if I have been referred a NAM client through a LSC rota¹ and the client does not show up, can I claim any interpreter costs associated with the scheduled appointment, if so and how would these be claimed do I report this on the CMRF?</u></p>	<p><u>Yes. You may claim costs of up to the equivalent of 1 hour (£52.55) in this circumstance. This can cover the costs of an interpreter attending your offices and/or your time in the event the client does not attend, but in any event no more than £52.55 may be claimed.</u></p> <p>You should use the following codes when reporting on the costs on the CMRF</p> <p>Matter type I code: IAXL Matter type II code: IGOL</p> <p>Stage Reached code: IE Outcome code: IX</p>
<p>E30</p> <p>I have attended upon a new client who has not himself received a 'legacy questionnaire' from the Home Office. Can I photocopy a blank legacy questionnaire and submit this to the Home Office on behalf of my new client?</p>	<p>The LSC will not fund (or grant extensions for) such work, which in all likelihood will not move the client's case forward. The Home Office and Case Resolution Directorate have given clear guidance as to how they are dealing with the legacy backlog. They have set out the priority and order of cases. The courts also have given guidance on this, see R (Housein & Others) v SSHD, S (Afghanistan). If your client requires advice in relation to their outstanding (legacy) case and/ or has received a legacy questionnaire or comes within the ambit of the court guidance then you may provide legal advice in relation to this.</p>

¹ Currently these operate in Leeds, Liverpool, Cardiff and Solihull

<p>E31</p> <p>In a deportation matter, where we are pursuing a claim based on article 3 of the ECHR, would this matter be classed as an asylum matter for the purposes of funding?</p>	<p>Yes. The relevant provisions of paragraph 11.2 should also be considered in determining whether the matter would be paid at Hourly Rates or under the Graduated Fee Scheme.</p> <p>ADDED 12 NOV 2007</p>
<p>E32</p> <p>Can I claim my client's reasonable travel expenses to my office for the purpose of taking their instructions?</p>	<p>Please refer to the LSC Manual section 2D—029 for further clarification.</p> <p>Where the client is in receipt of NASS, the full reasonable costs of the return fare on the cheapest available public transport will be claimable as a disbursement.</p> <p>Where the client is not in receipt of NASS, the costs in excess of £5 of the return fare on the cheapest available public transport will be claimable as a disbursement.</p> <p>In either circumstance, the justification for claiming the disbursement must be recorded on the file for audit purposes. You should check before making an initial appointment to see a client whose fare you are likely to reimburse under this Guidance whether there is a more local contractor with capacity to take the case.</p> <p>ADDED 12 NOV 2007</p>

<p>E33</p> <p>How long should a supplier be expected to wait for a client's file to be released from their previous supplier and what should they do if it is not forthcoming?</p>	<p>Where the previous solicitor's file is not forthcoming within a reasonable time the Solicitor's Regulatory Authority (SRA) should be informed of the firm's refusal to provide the file. It is considered that 7 days is a reasonable period within which provider's should be able to provide the file. If during the 7 days, or any extended period, a matter becomes urgent the "urgent" work provisions in relation immediate work should be considered.</p> <p>ADDED 12 NOV 2007</p>
<p>E34</p> <p>If a solicitor is unable to provide the file within 7 days what should they do?</p>	<p>Where an appropriately signed authority is provided, absence or non-availability of staff will not constitute a good reason for failing to forward the client's file of papers within 7 days. There should be appropriate procedures in place to ensure that requests to release files can be dealt with promptly.</p> <p>Where it is apparent that the file cannot be provided within 7 days, for example because the file needs to be retrieved from an off-site storage facility, the new supplier should be contacted as soon as possible (and certainly within the 7 day period) and informed of the likely delay. If the new supplier is not satisfied it may be appropriate for a complaint to be made to the Law Society.</p> <p>ADDED 12 NOV 2007</p>

<p>E35</p> <p>What documents does the LSC believe constitute the client’s “file of papers” for the purposes of Rule B9.1?</p>	<p>The file of papers would be those papers which would be required in the circumstances to allow the second supplier to make an informed judgment as to whether the potential reasons for transfer satisfy Rule B9.1 of the Funding Code and 2.20-2.30 of the Civil Specification. This may depend on the reasons given by the client for wanting to change solicitor and the stage the matter has reached when the transfer occurs, this will be a matter for the second supplier to determine however this may not require the entire file (e.g. appeal bundles, individual attendance notes etc may not be required).</p> <p>ADDED 12 NOV 2007</p>
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<p>E36</p> <p>As a solicitor, what papers must I provide to the client during/at the end of their case?</p>	<p>Suppliers are reminded of their obligations, under the Law Society requirements, as set out below:</p> <p>In addition to requirements set out in the Guide to the Professional Conduct of Solicitors regarding information that must be provided to clients, it is best practice to provide a client with copies of at least the following documents during their case:</p> <ol style="list-style-type: none">1. The client’s statement and a translation where necessary;2. Interview notes and translation;3. Any refusal letter and translation;4. Any further statements taken from the client in relation to an appeal and translation5. Any substantive correspondence sent on the client’s behalf to the Home Office,6. Immigration Service, NASS or any other official body that has bearing on the client’s current case.
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	<p>If any of these documents have not been given to the client already, they should be provided on termination of a retainer regardless of the existence of a lien or the lack of an undertaking as to costs.</p> <p>ADDED 12 NOV 2007</p>
<p>E37</p> <p>Where can I find further guidance on the matters detailed in the Immigration Specification, in particular concerning Previous Controlled Work and the transfer of matters at the AIT appeal stage?</p>	<p>In addition to the Immigration Specification and FAQs, the Funding Code decision-making guidance for Immigration – Section 29 is also available. This can be downloaded from the LSC website at the following address:</p> <p>http://www.legalservices.gov.uk/civil/guidance/funding_code.asp</p> <p>Section 29.10 of the guidance provides further clarification in relation to the provisions pertaining to Previous Controlled Work.</p> <p>Section 29.23 expands upon the provisions relating to the Refusal and Withdrawal of CLR, with reference to the Previous Controlled Work provisions.</p> <p>ADDED 12 NOV 2007</p>
<p>E38</p> <p>In what circumstances can I open a matter under Legal Help to claim time to undertake an assessment of the merits for granting CLR at the initial AIT appeal stage?</p>	<p>If a client seeks to instruct you following a negative decision by the Home Office/Entry Clearance Officer, having considered the Previous Controlled Work provisions, time will only be claimable under Legal Help for assessing the merits of granting CLR in relation to appeal to the AIT in the following circumstances:</p> <ul style="list-style-type: none">i) Where the Client has not previously received Controlled Work in relation to the same matter

	<ul style="list-style-type: none">ii) A period of more than 6 months has elapsed since Previous Controlled Work was received in the same matteriii) Controlled Work funding in relation to the matter ceased prior to the Home Office decision. <p>Please refer to the Funding code decision-making guidance, Immigration Section 29 for further clarification on such matters.</p> <p>ADDED 12 NOV 2007</p>
<p>E39</p> <p>Can the supplier claim for attendance with client at First Reporting Event?</p>	<p>No. The LSC does not provide funded attendance at the ‘First Reporting Event’ (FRE). The FRE does not touch on the basis of the convention claim for which legal advice may be required at the event.</p> <p>The LSC concentrates resources on those areas where legal advice is required. For avoidance of doubt, funded legal attendance is not available for the Decision Event, as legal advice is not required at the event. It is up to the individual supplier to assess what further or additional attendance is required with the client after these events.</p> <p>Similarly the LSC will not fund the attendance of a supplier with a client at an expert’s office if legal advice is not required in that attendance. Where attendance at the supplier’s office either before and/or after the attendance with the expert, is believed to be appropriate and necessary, then funding may be available for that purpose.</p> <p>ADDED 12 NOV 2007</p>

<p>E40</p> <p>I have a client who is a UASC and whilst I am aware that the LSC will not usually fund the translation of a witness statement where I have already read back the witness statement to the client with an interpreter present, can I nevertheless obtain a translation in these circumstances.</p>	<p>All the circumstances of the case should be considered. The LSC do however accept that because of age and maturity, different considerations may apply for UASC. It may indeed be reasonable for you to obtain a translation for a UASC. You should justify your reasoning on file for obtaining a translation in addition to an interpreter read back.</p> <p>ADDED 12 NOV 2007</p>
<p>E41</p> <p>If a former dependent of a client who made an asylum application prior to 1 October 2007 now wishes to make an asylum application in their own right, would this be payable under Hourly Rates?</p>	<p>Yes. As the original application was made prior to 1 October and they were a dependent on that application, any subsequent asylum claim they make will be payable at hourly rates as per para 11.2 (b) of the Immigration Specification.</p> <p>ADDED 7 FEBRUARY 2008</p>
<p>E42</p> <p>If a client is detained and advised in the initial attendance not to claim asylum and subsequently the supplier ceases to be instructed, would the £100 limit under para 11.36 be applicable?</p>	<p>No. This £100 limit is applicable if the client intends to claim asylum at the Asylum Screening Unit (ASU). The £100 limit does not apply for clients in detention and therefore providers would be able to claim either the applicable Graduated Fee or their reasonable costs under Hourly rates as per 11.2 of the Immigration specification.</p> <p>ADDED 7 FEBRUARY 2008</p>

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E43 Does the limit of 3 hours per return journey in relation to detained matters apply to matters opened prior to 1 October 2007?	No. The 3-hour limit on each return journey only applies to matters opened on/after 1 October 2007. ADDED 7 FEBRUARY 2008
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<u>E44</u> <u>Will the LSC pay for the costs incurred in obtaining a file from a previous representative?</u>	<p><u>No – although we are aware that suppliers, on occasions, are being charged for the retrieval, copying and transfer of files from previous representatives. We are also aware that the costs being charged varies extensively from supplier to supplier and can be for as much as £100.</u></p> <p><u>The Law Society's, the SRA's and OISC's practice guidance are silent in relation to the costs that can be charged in this situation, and whether or not such costs are reasonable or justified. However, the Law Society's Guide to the Professional Conduct of Solicitors states that the "file of papers" should be provided to all clients during their case (for a definition as to what is included in the "file of papers" please refer to question E36). If any of these documents have not been given to the client already they should be provided on termination of the retainer, regardless of the existence of any lien or of any understanding as to costs.</u></p> <p><u>In light of the stated guidance above, the LSC will not pay for any costs incurred in retrieving these documents or providing them to the client/subsequent provider. This extends to photocopying, filleting, postage, 'courier costs' and any other related costs.</u></p>
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<p><u>E45</u></p> <p><u>In the situation where the client has not been provided with the file of papers, what action should I take?</u></p>	<p><u>In these circumstances the client should be referred to the SRA/Law Society as this a regulatory issue. You are reminded of the requirement under the Civil Specification (Paragraph 2.26) to refer the client to the relevant body should they wish to make a complaint. In a situation where there is a dispute between the parties as to whether the papers have been provided or not the matter should be directed to the SRA to be resolved.</u></p>
<p><u>E46</u></p> <p><u>Where the client has been provided with a copy of the papers but is unable to produce them, what costs can be claimed from the LSC in obtaining a further copy from the previous supplier?</u></p>	<p><u>None. We would expect the file of papers to be readily available from the client for examination and therefore no additional costs should arise.</u></p> <p><u>Clients have a responsibility to aid the progression of their case and ensure that unnecessary costs are not incurred. The LSC will not pay for any costs associated with the replacement of papers already provided to clients.</u></p>
<p><u>E47</u></p> <p><u>Can I accept instruction from a client outside of my region?</u></p>	<p><u>It has become increasingly apparent that suppliers are accepting instructions, on a large scale, from clients outside of their region. This is most common in relation to the London region, where instructions are being accepted from as far away as the North East and North West of England. This clearly has major implications in terms of cost to the LSC Fund and, more importantly, on client care and access.</u></p> <p><u>Contracts, and more specifically Contract Schedules, are issued locally by Regional Offices to deal with supply and demand within a particular area. The intention is that local suppliers will address local need.</u></p>

	<p><u>Suppliers need to be aware that instructions should not be accepted from clients outside of their region where a more local supplier is in a position to undertake this work. Where advice cannot be provided in the client's location it is expected that the next most local supplier will deal with the matter.</u></p> <p><u>Given that we have a fully accredited supplier base, it would not be reasonable to accept instructions where there is a more local provider simply because you feel you possess greater specialist knowledge or expertise.</u></p>
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<p><u>E48</u></p> <p><u>If I do accept instructions from a client outside of my region (subject to the provisions for matters paid at both Hourly Rates and under the Graduated Fee Scheme) can I claim the full costs of any travel incurred by virtue of the client's distance from my office?</u></p>	<p><u>Para 8.37(c) of the Civil Specification states:-</u></p> <p><u>"You may not claim for any additional costs incurred by you or your client because you are based in a location distant from your client where it would have been reasonable for your client to have instructed a supplier located nearer to him or her."</u></p> <p><u>Where outside of Region work is undertaken the following must be noted:</u></p> <p><u>1) The file must evidence the reason(s) why such instruction was accepted. This should include clear evidence of all attempted referrals (here it is expected that at least 3 of the most local suppliers will be contacted and the reason(s) why instructions cannot be taken recorded). Unless it is clear from the file that the aforementioned action has been taken any additional costs (including disbursements) as a result of accepting instructions out of region must not be claimed. Where they are claimed they will be disallowed on assessment/audit. This will include the application of the out of London rates</u></p>
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	<p><u>to all profit costs and travel and waiting, where appropriate (i.e. in hourly rate cases and exceptional cases) and any additional disbursement costs.</u></p> <p><u>Where there is not a more local provider able to take instructions, and the good reason for accepting instructions has been demonstrated, your full and reasonable costs may be claimed.</u></p>
<p><u>E49</u></p> <p><u>If a client is dispersed or moves prior to the Home Office decision on their application, can I claim any increased travel costs incurred due to this dispersal?</u></p>	<p><u>Should a client move from a region during the lifetime of a case we would normally expect you to continue to act up until the end of the present stage. Your full and reasonable costs including the client's full travel costs (where appropriate) may be claimed.</u></p>
<p><u>E50</u></p> <p><u>If having attended the ASU, a client comes back to my office and it is apparent that they are to be routed outside of my region, can I continue to accept instructions?</u></p>	<p><u>No. Where the client does not continue to instruct you following attendance at the ASU or where it is clear following this attendance that they are to be routed out of your region, you should cease to act. If a client has not received an appointment with a solicitor in the NAM region they are to be dispersed to, you should refer them to a provider in that region. In these circumstances only costs up to a maximum of £100 should be claimed</u></p>
<p><u>E51</u></p> <p><u>As a London supplier, can I send an interpreter from London to accompany me to attend my minor client's Home Office Interview in Liverpool, where they also reside?</u></p>	<p><u>Para 3.5 of the Cost Assessment Guidance which states:-</u></p> <p><u>"Where it would have been reasonable for the client to instruct a more local supplier, payment for disbursements that are more expensive by reason of the distance of the client from the solicitor's office will be limited accordingly."</u></p>

	<p><u>Regardless of the location of the client/supplier any additional interpreter/expert (and client) travel costs incurred above what a local interpreter/expert would have charged should not be claimed and will be disallowed upon assessment. For clarification purposes, “local” in this scenario refers to where the work is to be undertaken.</u></p> <p><u>Here, we would expect a local Liverpool interpreter to be instructed for attendance at the interview, but if an interpreter from the Liverpool area is not used, the costs must be limited to what a local interpreter would have claimed.</u></p>
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<p><u>E52</u></p> <p><u>If I accept instructions from a client in prison, yet there is a more local provider within 1 hour of that prison who the client could have been referred to, can I continue to claim up to 3 hours for each return journey to the prison?</u></p>	<ul style="list-style-type: none">• <u>Civil Specification</u> <u>para 8.37 (c)</u>• <u>Costs Assessment Guidance</u> <u>para 3.5</u>• <u>Policy Update – Accepting Instructions from Non-local Clients</u> <p><u>No. If no reasonable justification has been provided as to why the client could not have been referred to the more local provider, you will not be entitled to claim any costs/time above what the local provider would have claimed. In this circumstance we would expect that no more than 2 hours return travel would be claimed for each attendance on the client in prison.</u></p> <p><u>Please refer to para 8.37 (c) of the Civil Specification and para 3.5 of the Costs Assessment Guidance for further detail on such matters.</u></p> <p><u>Please refer to Questions E47-E51 for further guidance on such matters.</u></p>
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<p><u>E53</u></p> <p><u>Are there any places of detention from which I may claim my full reasonable return travel time rather than a maximum of 3 hours?</u></p>	<p><u>From 1 April 2008, where you act for a Client under Paragraph 11.105 of the Civil Specification:</u></p> <p><u>In addition to the costs claimable (either under the Graduated Fee Scheme or Hourly Rates) you may claim, your reasonable additional costs for travel (including travel disbursements), and your actual waiting time, at the following places of detention only:</u></p> <p><u>HMP Portland;</u> <u>HMP Dartmoor; and</u> <u>HMP The Verne.</u></p>
<p><u>E54</u></p> <p><u>Under the new office schedules issued for 2008-2010, can I claim my full travel time to attend a client detained in HMP Portland, HMP Dartmoor and HMP Verne even where there is a more local provider who may have been able to accept instructions?</u></p>	<p><u>No. If no reasonable justification has been provided as to why the client could not have been referred to the more local provider, you will not be entitled to claim any costs/time above what the local provider would have claimed.</u></p> <p><u>Please refer to para 8.37 (c) of the Civil Specification and para 3.5 of the Costs Assessment Guidance for further detail on such matters.</u></p> <p><u>Please refer to Questions E47 – E53 for further guidance on such matters.</u></p>
<p><u>E55</u></p> <p><u>Does the 3-hour return travel limitation also apply to travel time for Interpreters?</u></p>	<p><u>No. However we would expect that interpreters local to the client's place of detention are instructed to facilitate attendance with the client. Please refer to questions E47 – E52 for further guidance on such issues.</u></p>

<p><u>E56</u></p> <p><u>Does Counsel's travel fare (e.g. train ticket, mileage) count as part of their fee or as a separate disbursement?</u></p>	<p><u>Their travel fare should form part of any disbursement limit applicable. For matters payable at hourly rates, this would form part of the CLR Upper Financial limit however for matters payable under the Graduated Fee Scheme the travel fare is not incorporated within the fee or any additional payment and therefore it should form part of the Stage 2 Disbursement Limit, which can be extended is required using the CW3 C form.</u></p> <p><u>Please refer to question G35 for details of how to claim for any travel fares such as these.</u></p>
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F. Review and Reconsideration & onward appeals

<p>F1</p> <p>In what circumstances can I claim up to £100 for assessing the merits of an application for review under s 103A of the NIA 2002?</p>	<p>If you have undertaken work for the client under Stage 2b of the Graduated Fee Scheme, Stage 2b covers the assessment of the merits of an application for review therefore the £100 limit <u>will not</u> be applicable.</p> <p>If the appeal before the AIT has been funded at hourly rates, then following a determination up to £100 can be claimed for the assessment of merits, this is in addition to the CLR limit of £1600/£1200.</p> <p>If a client wishes to transfer a matter to you following a negative decision by the AIT, if satisfied that the Previous Controlled Work provisions are met, then up to £100 can be claimed under Legal Help for assessing the merits of an application for review. If the merits assessment is positive, and the means assessment met, then CLR should be granted to cover the costs of an application for review subject to a s 103D costs order.</p> <p>However, we would certainly not expect further advice to be provided where <u>more than one</u> provider has previously assessed the merits of the case.</p>
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<p>F2</p> <p>How will an application to the AIT for permission to appeal to the Court of Appeal be funded following an appeal before a panel of 3 Judges?</p>	<table border="0" style="width: 100%;"> <tr> <td style="text-align: center; vertical-align: top;"> <p>Licensed work Claiming</p> </td> <td style="text-align: right; vertical-align: top;"> <p>Paragraph 11.90 & 11.91 Paragraph 11.71</p> </td> </tr> </table> <p>If the appeal before the panel was funded under Hourly Rates, then an extension of the £1600/£1200 CLR Upper Cost Limit should be sought to cover any further work in applying for permission to the AIT.</p> <p>If the appeal before the panel was funded under the Graduated Fee Scheme, Stage 2b <u>does not</u> cover the costs of applying for permission to appeal from the AIT as this work is funded at Hourly rates (see paragraph 11.2(d)). You would need to open up a new NMS, under Legal Help, to deal with the merits of making such an application. This would be paid under hourly rates and the £800/£500 limit (depending on the nature of the original application) would apply. Where the merits are met, CLR should be granted to actually make the application itself. Again, the upper costs limit of £1,600/£1,200 will apply.</p> <p>If a client seeks to instruct you following an appeal before a panel of 3 Judges, then subject to the provision of the Previous Controlled Work rules being met, you may undertake the assessment of the merits of any onward appeal under Legal Help. CLR may be granted if the relevant merits and means assessments are met to undertake work in relation to the application for permission. Again, the £1600/£1200 CLR Upper Cost limits will apply to this work.</p> <p>The application to the Court of Appeal itself and any appeal in the Court of Appeal will continue to be funded under the current provisions for Public Funding Certificates under Part C of the Funding Code.</p>	<p>Licensed work Claiming</p>	<p>Paragraph 11.90 & 11.91 Paragraph 11.71</p>
<p>Licensed work Claiming</p>	<p>Paragraph 11.90 & 11.91 Paragraph 11.71</p>		

<p>F3</p> <p>How will an application to the AIT for permission to appeal to the Court of Appeal be funded following an unsuccessful reconsideration hearing?</p>	<p style="text-align: center;">Licensed work Claiming</p> <p style="text-align: right;">Paragraph 11.90 & 11.91 Paragraph 11.71</p> <p>If you have undertaken work for the client under CLR in relation to the reconsideration hearing, then the assessment of merits for an application for permission to the AIT and any subsequent application will also be funded without an Upper Cost Limit, at ‘reasonable costs’. A s103D costs order will not be required to entitle you to claim the costs of any work in relation to the application under s103E, therefore the uplifted hourly rates will also not be applicable.</p> <p>The costs of any application should be reported as part of the claim for the review and reconsideration proceedings.</p> <p>If a client seeks to instruct you following an unsuccessful reconsideration hearing, then subject to the provision of the Previous Controlled Work rules being met, you may undertake the assessment of the merits of any onward appeal under Legal Help. CLR may be granted if the relevant merits and means assessments are met to undertake work in relation to the application for permission. Any work in relation to the application for permission will be funded without an Upper Cost Limit, at ‘reasonable costs’</p>
<p>F4</p> <p>Following remittal of an appeal by the Court of Appeal, would the costs of any work in relation to the subsequent reconsideration be subject to a section 103D order and therefore a 35% uplift would be applicable?</p>	<p>No. The costs of the reconsideration following remittal by the Court of Appeal would not be dependent on a s 103D order and therefore the 35% uplift would not be applicable. When claiming these costs, the matter type II used should reflect whether a s 103D order was required for the <u>original</u> reconsideration not whether it was required for the reconsideration following remittal.</p>

ADDED 7 FEBRUARY 2008

F5

If I open a matter under Legal Help to assess the merits of an application for review under s103A of the NIA 2002, and then grant CLR to make an application for review, if the application and cost order are refused by the AIT/High Court, what costs can I claim and how?

In this scenario, as a cost order has been refused, any Profit Costs and Counsel Fees incurred under CLR cannot be claimed. You would be entitled to claim up to £100 under Legal Help for the assessment of merits plus any reasonable disbursements incurred under CLR.

In this scenario you would report the Legal Help and any claimable CLR disbursement costs together on one line of the CMRF using the following codes:

Matter Type I IAXC / IMXC

Matter Type II IRAR

Stage Reached IK

Outcome IE

ADDED 7 FEBRUARY 2008

	E.g. Case-start date – 011007 Case ID – 004, therefore UFN = 011007/004
<p>G3</p> <p>SMS contains references to the Unique Client Number (UCN), what is this reference and who allocates it?</p>	<p>It will uniquely identify each client. The UCN is made up of the following:</p> <ul style="list-style-type: none"> i) Client's date of birth ii) Client's initial iii) First 4 letters of client's surname <p>The UCN will be derived by SMS from the information entered by the supplier in the relevant fields in the format – ddmmyyyy/A/AAAA.</p> <p>E.g. 05051962/M/SMIT for client Mark Smith with a date of birth 05/05/1962.</p>
<p>G4</p> <p>SMS contains references to the HO UCN, what is this reference and who allocates it?</p>	<p>This is a unique number allocate by the Home Office to each individual when they make an immigration application. The number consists of a letter followed by a series of numbers (usually 7). The Home Office reference number will be allocated on the decision letter at the latest.</p> <p>E.g. H1234567</p>
<p>G5</p> <p>If a client's surname is less than 4 digits in length, will SMS accept this when generating the UCN?</p>	<p>Yes.</p>

<p>G6</p> <p>Will I be required to assign a Case ID retrospectively to matters opened prior to 1 October but that are billed on/after that date?</p>	<p>A case ID must be assigned for all matters claimed from November onwards. However as you will not have allocated a Case ID when opening the matter prior to October, you should use the following 3-digit code on all matters opened by you prior to 1 October, which are to be billed after this date:</p> <p>Case ID - 999</p>
<p>G7</p> <p>Is VAT included when SMS calculates whether a claim is exceptional?</p>	<p>No. The exceptional threshold is calculated net of VAT. All figures reported on the CMRF will be net of VAT. There is however a VAT field on the CMRF which providers will use to indicate whether VAT is payable, you should refer to the guidance previous provided in Focus 48 & 49 concerning VAT.</p>
<p>G8</p> <p>When submitting an exceptional case for assessment, can we submit our running record of costs in place of completing page 2 of the EC Claim 1?</p>	<p>Yes. Providing that the information contained within your Running record of costs contains the same level of detail as required on the EC Claim 1 form then you may attach your record in place of completing page 2.</p>

<p>G9</p> <p>In a Graduated Fee case, if I attend more than one Home Office interview, how should I report this on the CMRF given that the matter codes IALA and IMLA will only generate one additional payment of £290 per claim?</p>	<p>You claim the costs for any additional interviews on a separate line of the CMRF using the following Matter type I code IAXL</p> <p>You should enter multiples of the £290 additional payment value in the profit costs field for each additional interview that you attend.</p> <p>E.g. 3 interviews are attended, the additional payments for the 2nd and 3rd should be claimed together on one separate line to a combined value of £580 (2 times £290)</p> <p>The actual costs/time for attending these secondary interviews should be recorded with the main claim.</p> <p>On the second line, only the multiples of £290 should be entered, all other time/cost fields should be blank as this information will have been recorded on the main claim.</p>
<p>G10</p> <p>If I attend more than one Oral CMRH, how should I report this on the CMRF given that only O can be entered in the relevant field and this will only trigger 1 additional payment of £175?</p>	<p>You claim the costs for any additional Oral CMRHs on a separate line of the CMRF using the following Matter type I code IAXC.</p> <p>You should enter multiples of the £175 additional payment value in the profit costs field for each additional hearing that you attend.</p> <p>E.g. If 3 Oral CMRHs are attended, the additional payments for the 2nd and 3rd should be claimed together on one separate line of the CMRF to a combined value of £350 (2 times £175)</p> <p>The actual costs/time for attending these secondary CMRHs should be recorded</p>

	<p>with the main claim.</p> <p>On the second line, only the multiples of £175 should be entered, all other time/cost fields should be blank as this information will have been recorded on the main claim.</p>
<p>G11</p> <p>Can I claim an oral CMRH additional payment if I attend a Pre-Hearing Review under the GFS?</p>	<p>For each pre-hearing review that requires your attendance and that you attend, you will be entitled to claim an additional payment of £175. You should enter 'O' in the relevant field of the CMRF as you would if you had attended an Oral CMRH.</p> <p>Should you attend the AIT for more than 1 Pre-hearing review, you can claim the further additional payments as per the process set out in question G10 above.</p>
<p>G12</p> <p>How do the LSC define “legacy” cases for the purpose of reporting on the CMRF?</p>	<p>These are all cases in which claims/ applications were made to the Home Office prior to 1 April 2007. Whether the matter has been determined is not an issue.</p>

<p>G13</p> <p>Both matter type part II codes IRAR and IRHO state that these codes can be used in relation to a claim for a remitted reconsideration appeal by the Court of Appeal. Given these costs would not be subject to a s 103D costs order and therefore IRHO would appear applicable, in what circumstances would IRAR be used to report such costs?</p>	<p>IRAR should be used in relation to a reconsideration appeal following a remittal by the Court of Appeal where the original reconsideration appeal was subject to a s 103 D cost order. In those cases in which a s 103D cost order was not required for the original reconsideration appeal, Matter type part II IRHO should be used when reporting the costs of the remitted reconsideration hearing.</p>
<p>G14</p> <p>On/after 1 October if a client is detained in a prison/short term holding centre, which Matter Type II code should be entered on the CMRF, form to allow suppliers to enter the travel/waiting time in the relevant fields?</p>	<p>The Matter Type II code IIRC should be used with '10' entered in the 'Detention Centre ID' field of the CMRF (this indicates the place of detention as 'other').</p>
<p>G15</p> <p>For those cases in which the client is an over stayer, which Matter Type part II should be used when reporting the costs on the CMRF?</p>	<p>The Matter Type II code IGOL should be used.</p>

<p>G16</p> <p>Where two matter type II codes apply, which take precedent?</p>	<p>The most appropriate Matter Type II code should be used when reporting matters (i.e. the code that most accurately reflects the most significant legal issue dealt with.</p>
<p>G17</p> <p>What do we mean by advice time on the CMRF?</p>	<p>The advice time field would include time in relation to: attendance, preparation, advocacy, time spent in conference, routine letters and phone calls. The actual time spent should be reported on each occasion. If however, your running record of costs records a standard 6 minutes next to all routine letters and calls, then this is the figure that should be used.</p>
<p>G18</p> <p>In the counsel fee field on the CMRF, should counsel's actual costs be recorded?</p>	<p>Yes. You should confirm to counsel the costs that you will pay them from the amounts paid to you under the Graduated Fee and any additional payments. Counsel should also then confirm to you the value of the work they have undertaken if claimed at the appropriate CLR hourly rates.</p>
<p>G19</p> <p>What fields are picked up by SMS when calculating the Profit Costs of a case to determine whether a claim is exceptional?</p>	<p>In all Graduated Fee cases, SMS will pick up the values entered in the 'Net Profit Costs' and 'Net Counsel Fee' fields to ascertain the "value" of the work claimed.</p>

	<p>For those cases in which the client is detained, SMS will also include the costs claimed in the 'Detention Travel costs Excl. VAT' field.</p>
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<p>G20</p> <p>The Unique Client Number may not be unique if there are more than 1 client with the same name and date of birth, will this prevent the code being of any use.</p>	<p>LSC software changes Q&A update issue 1</p> <p>No. We are aware that alone neither the UFN nor UCN would be unique, however combined they offer a very definite way of identifying a case and a client. In the absence of any pre-existing unique identifier of a client, this approach allows us to identify where a client has multiple issues, and will drive future commissioning of services.</p>
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<p>G21</p> <p>If the client is homeless, what should I enter in the Post Code field on the CMRF?</p>	<p>LSC software changes Q&A update issue 2</p> <p>The opt-out for a client who is homeless must be 'NFA'</p>
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<p>G22</p> <p>What codes can I enter in the Disability field on the CMRF?</p>	<p>SMS Guidance version 1 October 2007-10-04</p> <p>If a client considers himself or herself to have a disability please mark the disability monitoring column with the most appropriate code (these can be found in the above</p>
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	<p>document). If the client has multiple disabilities please report the code that reflects the predominant disability. If the client does not consider himself or herself disabled then mark the column with the code NCD. Where a client does not wish to provide this information please mark the column with the code UKN.</p>
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<p>G23</p> <p>Should the same Case ID be used if I am working on two separate matters for the same client?</p>	<p>Not necessarily. This is a decision for the supplier, as you will allocate the case ID. As it is a combination of the Case ID and the Matter Start date, which will derive a Unique File Number (UFN), the UFN should generally be different for each matter opened for the same client if the matter start dates are different.</p> <p>You should ensure however that the same UFN is not derived for any two matters, therefore the same client will require different Case IDs if more than one matter is opened on the same date.</p>
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<p>G24</p> <p>When reporting an asylum matter opened on/after 1 October but where there has been a previous asylum application lodged prior to 1 April 2007, will I have to indicate this new matter as a legacy case when reporting on the CMRF?</p>	<p>Yes.</p>
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<p>G25</p> <p>Where a client is detained in an IRC or prison and they seek advice in relation to Deportation, which Matter Type II code should be used when reporting the claim?</p>	<p>For those cases in which advice is given on Deportation, the Matter Type II code IRVL should be used and the relevant Detention Centre should be selected from the options available in the Detention Centre field.</p> <p>ADDED 7 FEBRUARY 2008</p>
<p>G26</p> <p>It appears that Matter Type II code IFRB cannot currently be used in conjunction with Matter Type I codes IALA/IALB is this correct?</p>	<p>There is currently a problem with the validation built into SMS. As such as a temporary solution Matter Type II code IFRA should be used for all fresh asylum claims which attract graduated fees (i.e. where the original asylum application was lodged on/after 1st October). This means that regardless of whether Matter Type I code IALA or IALB has been used, Matter Type II code IFRA should be used.</p> <p>IFRB can still be used for matters where the original asylum application had been made prior to 1 October 2007 and a subsequent fresh claim is made after that date.</p> <p>ADDED 7 FEBRUARY 2008</p>
<p>G27</p> <p>On the CMRF, what should a provider do if VAT is payable on a matter but counsel is not VAT registered as the VAT indicator applies VAT to both Profit Costs and Counsel Fees?</p>	<p>Where this happens providers <u>will</u> need to tick the VAT box on the CMRF. They will be then paid the full sum, inclusive of VAT, which is what they should declare on their VAT returns. The provider will however pay counsel net of VAT and the VAT that has been paid to the provider on counsel's portion of the costs to the provider <u>must be</u> declared by them in their returns.</p> <p>ADDED 7 FEBRUARY 2008</p>

<p>G28</p> <p>Some submissions have been rejected by SMS where Matter Type I code IMAP (pre Oct non-asylum appeal) has been used in conjunction with Matter Type II code IRAR <u>or IAAP (pre Oct asylum appeal) with IRHO</u> and Stage Reached code IK – are these combinations not valid at present?</p>	<p>There is currently a problem with the validation built into SMS, which prevents IRAR being used with pre October Matter Type I codes IAAP-IMAP and IRHO being used with IMAP, however this will be rectified from April 2008. Until then the following Matter Type I and II codes should be used for all Review and Reconsideration claims:</p> <p><u>Matter Type I:</u> IAXC or IMXC – depending on whether the matter is asylum or non-asylum</p> <p><u>Matter Type II:</u> IRAR or IRHO - depending on whether a cost order was required or not</p> <p>Please note that these codes should be used regardless of whether the matter was opened pre or post October 2007.</p> <p><u>ADDED 7 FEBRUARY 2008AMENDED 20 MARCH 2008</u></p>
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<p>G29</p> <p>On the Bulkload spreadsheet v1.6, which fields must be completed in all Immigration matters and which are optional, not applicable or generated by the spreadsheet?</p>	<p>There are three types of fields on the spreadsheet: Grey, White and Yellow.</p> <p>The fields in <u>Grey</u> need not be completed by the provider, these will either be fields that are not applicable to the category of law that has been selected or will be fields where the value is automatically generated by the spreadsheet e.g. UFN or UCN.</p> <p>The <u>Yellow</u> fields are optional and need only be completed if applicable to a particular claim. If they are not applicable, these can be left blank. If applicable, one</p>
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	<p>of the suggested values should be entered e.g. for the CMRH field, the values that can be entered are O or T.</p> <p>The fields in <u>White</u> are mandatory and must be completed otherwise the claim will be rejected when uploaded. Whilst some of these fields have default values on SMS, SMS will not automatically enter these defaults if the field is left blank on the spreadsheet.</p> <p>ADDED 7 FEBRUARY 2008</p>
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<p>G30</p> <p>When submitting a claim for Fast Track Standby costs, what should be entered in each field?</p>	<p>The majority of the values entered in the various fields will be the same for all Fast Track Standby claims.</p> <p>The following values will be the same for all Fast Track Standby claims:</p> <table data-bbox="875 909 2083 1423"> <tr> <td>Client Forename -</td> <td>IDSS</td> </tr> <tr> <td>Client Surname -</td> <td>IDSS</td> </tr> <tr> <td>Date of Birth -</td> <td>01/01/1901</td> </tr> <tr> <td>HO UCN -</td> <td>A0000000</td> </tr> <tr> <td>UCN –</td> <td>01011901/I/IDSS</td> </tr> <tr> <td></td> <td>(Derived from Client's DOB/Client's initial/first 4 letters of Client's surname)</td> </tr> <tr> <td>Gender -</td> <td>U (Unknown)</td> </tr> <tr> <td>Ethnicity -</td> <td>99 (Unknown)</td> </tr> </table>	Client Forename -	IDSS	Client Surname -	IDSS	Date of Birth -	01/01/1901	HO UCN -	A0000000	UCN –	01011901/I/IDSS		(Derived from Client's DOB/Client's initial/first 4 letters of Client's surname)	Gender -	U (Unknown)	Ethnicity -	99 (Unknown)
Client Forename -	IDSS																
Client Surname -	IDSS																
Date of Birth -	01/01/1901																
HO UCN -	A0000000																
UCN –	01011901/I/IDSS																
	(Derived from Client's DOB/Client's initial/first 4 letters of Client's surname)																
Gender -	U (Unknown)																
Ethnicity -	99 (Unknown)																

	Disability -	UKN
	Client Post Code –	NFA
	Travel Time -	0
	Waiting Time -	0
	Net Disbursements -	0
	Net Cost of Counsel -	0
	Disb VAT -	0
	Travel and Waiting Costs -	0
	Legacy Indicator	N
	VAT Indicator	Y (provider should only tick the Y for the VAT indicator if they are VAT registered.
	Adjourned Hearing fee -	N/A
	Detention Travel Costs -	N/A
	JR/Form Filling -	N/A
	Detention Centre -	N/A
	CMRH -	N/A
	Substantive Hearing -	N
	Stage Reached -	IT
	Outcome -	-- (double dash)
	Matter Type I	IAXL
	Matter Type II	IFST

The following fields should be completed by the provider based on the circumstances of each individual claim:

Case Ref Number – The provider will allocate this

Case Start Date - The date on which the standby related to i.e. 02/11/2007

Case ID – This will be allocated by the provider

Case Concluded Date - Same as Case Start Date i.e. 02/11/2007

Advice Time - Number of minutes on standby i.e. 480mins = 8hrs

Net Profit Costs exc VAT Total value being claimed
(i.e. £4.25 p/h x 8 = £34.00)

The following will be automatically generated by SMS or the Bulkload spreadsheet but would have to be manually entered on the paper CMRF:

UFN – Derived from **Case Start Date** and **Case ID**.

ADDED 7 FEBRUARY 2008

<p><u>G31</u></p> <p><u>Where can I find further detailed guidance relating to claiming Immigration matters including guidance on the CMRF form and which codes to use?</u></p>	<p><u>Various documents have been produced to assist providers in completing the CMRF and ensuring the correct codes/information is entered when billing.</u></p> <p><u>These include:</u></p> <ul style="list-style-type: none">• <u>SMS Guidance</u> http://www.legalservices.gov.uk/docs/forms/SMS_Guidance_Version_1_October_2007_(364KB).pdf• <u>Civil Codes Guidance October 2007</u> http://www.legalservices.gov.uk/docs/forms/Civil_Codes_Guidance_Version_2_October_2007_(387kb).pdf• An Explanation of the Immigration CMRF http://www.legalservices.gov.uk/docs/forms/Explanation_of_Immigration_CMRF_No_v07.pdf• Two examples of Graduated Fee matters, how costs would be claimed on the CMRF and how the Exception Cases calculation would be undertaken. http://www.legalservices.gov.uk/docs/forms/Claiming_Example1_Asylum_matter_funded_under_the_Graduated_Fee_SchemeNov07.pdf http://www.legalservices.gov.uk/docs/forms/Claiming_Example2_Detained_Asylum_matter_funded_under_the_Graduated_Fee_SchemeNov07.pdf
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	<p><u>Should you have any questions regarding the Claiming Codes or what information should be entered in each field that cannot be addressed by the above documents, please email the Immigration Policy Team at:</u></p> <p><u>immigration-services@legalservices.gov.uk</u></p> <p><u>ADDED 7 FEBRUARY 2008</u></p>
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<p><u>G32</u></p> <p><u>If we only have part of the client's postcode (e.g. SW1 but not the last 3 or 4 characters) what should we enter on the CMRF/SMS when submitting our claim?</u></p>	<p><u>In such a scenario, partial postcodes are not permitted. In such a circumstance where the client's full postcode cannot be confirmed you should enter "NFA" in the required field.</u></p> <p><u>Acceptable formats are (when A is a letter and N a number):</u></p> <p><u>AN NAA e.g. M1 1AA</u> <u>ANN NAA e.g. M60 1NW</u> <u>AAN NAA e.g. CR2 6XH</u> <u>AANN NAA e.g. PL25 4HH</u> <u>ANA NAA e.g. W1A 1HQ</u> <u>AANA NAA e.g. EC1A 1BB</u></p> <p><u>We would expect however that if you have sufficient remaining details of the client's address you might be able to obtain the full postcode through other means than simply inquiring of the client.</u></p> <p><u>If the client does not know their postcode Royal Mail operates a telephone postcode enquiry service on 0906 302 1222 or visit royalmail.com</u></p>
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	completed on the Bulkload Spreadsheet.
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<p><u>G35</u></p> <p><u>When claiming counsel's travel fare(s) (e.g. train ticket, mileage), which field should these be entered in on the CMRF?</u></p>	<p>Regardless of whether the matter is payable at Hourly Rates or under the Graduated Fee Scheme, counsel's travel fare should be claimed as a disbursement and recorded in the Net Disbursement excl VAT field, with any applicable VAT on that disbursement recorded in the Disb VAT field.</p> <p>Counsel's travel fare will not therefore count towards determining whether a matter is "exceptional" under the Graduated Fee Scheme.</p>
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H. Bail

<p>H1</p> <p>Am I required to report my costs in relation to any bail work separately from the costs in relation to a substantive appeal if the same Upper Financial Limit covers them both?</p>	<p>This would depend on whether the matter commenced before 1 October 2007 and the bail work has been concurrent with an appeal under the same CLR form. If it has, then suppliers would not have to separate the costs as it is appreciated that their systems would not have been set up to record the bail preparation time separately from the appeal preparation time prior to 1 October.</p> <p>If CLR is granted on/after 1 October then any costs in relation to bail should be separated from any costs in relation to the substantive matter.</p>
<p>H2</p> <p>Where bail work is undertaken as part of the substantive matter, which commences on/after 1 October, are separate Legal Help and CLR forms to be signed?</p>	<p>No. Where bail work is undertaken on behalf of a client for whom you are already acting, a separate Legal Help or CLR form is not required. Other than for stand-alone bail matters (i.e. bail work on behalf of a client who is not already receiving advice in respect of a substantive matter), a fresh Matter Start should not be opened to cover bail work.</p>
<p>H3</p> <p>If I am taking instructions from a client in relation to an asylum claim that has yet to be decided, yet at the same time they are detained and a bail hearing is due to take place in the coming days, if the bail hearing is successful</p>	<p>Yes. CLR can be extended if required to cover any substantive appeal however the costs in relation to the successful bail hearing should be claimed using the relevant codes.</p>

<p>do I keep the CLR open in case the asylum claim is refused and there are merits to pursue an appeal?</p>	
<p>H4</p> <p>If a client has exhausted all appeal rights but CLR remains open to pursue a bail application, do I have to wait until the bail aspect has concluded before claiming the costs of the substantive appeal?</p>	<p>Civil Codes guidance – version 2, October 2007</p> <p>No. In this scenario you should submit a CLR Completed Matter claim for the substantive appeal work following the AIT determination, the bail work can be claimed upon conclusion of that aspect of work.</p>
<p>H5</p> <p>If I undertake bail work under both Legal Help and CLR, would I claim these on two separate lines of the CMRF?</p>	<p>Civil Codes guidance – version 2, October 2007</p> <p>No. All bail work should be claimed together on the same line of the CMRF.</p>
<p>H6</p> <p>If a client is successfully granted bail, do I stage claim the relevant costs and keep the matter open to cover the costs of any subsequent bail renewals?</p>	<p>Civil Codes guidance – version 2, October 2007</p> <p>No. Following a successful bail application a completed matter claim should be submitted. A new CLR Matter Start should be opened to cover the first and any subsequent Bail renewals where required.</p>

<p>H7</p> <p>In a matter under the GFS, should I wish to pursue an application for bail to the Chief Immigration Officer, would the Stage 1 Graduated Fee cover this?</p>	<p>No, all bail work is to be paid for at hourly rates, for which the asylum/non-asylum Legal Help cost limits would be applicable.</p>
<p>H8</p> <p>Does the £500 bail only limit include disbursements?</p>	<p>Upper Cost Limit – CLR paragraph 11.47 (c)</p> <p>Yes. The £500 CLR Upper Cost Limit is inclusive of disbursements and counsel fees. This limit is extendable upon application to NIAT.</p>
<p>H9</p> <p>CLR has been granted for both a substantive asylum appeal and a bail application will the £1600 Upper Cost Limit automatically increase by £500 to £2100?</p>	<p>No. An automatic increase will not be provided; you should apply to NIAT for an extension of the Upper Cost Limit where appropriate. You should clearly distinguish the level of costs incurred in relation to both the bail and the substantive appeal, this will allow a greater understanding from the caseworker of exactly how the costs have been apportioned, the level of work undertaken and therefore the reasonableness of any further costs.</p>

<p>H10</p> <p>If an asylum matter is opened before 1 October 2007, where there is no appeal pending but CLR is granted for a bail application on/after that date, what would be the appropriate CLR Upper Cost limit?</p>	<p>Where CLR is granted on/after 1st October 2007 (but where the substantive matter was opened prior to 1st October) specifically to deal with a bail application, the upper costs limit will be £500. The key date here is the date the merits test for CLR was carried out. If on/after the 1st October the new bail only limit will apply. In these circumstances form CW3 (b) should be used should an extension be required.</p>
<p>H11</p> <p>For Bail matters, am I required to complete the following fields on the CMRF when reporting the costs?</p> <ul style="list-style-type: none">- CMRH Oral/Phone- Adjourned Hearings- Substantive Hearings- Detention Travel and waiting	<p>No. These fields are only applicable for claims payable under the Graduated Fee Scheme.</p> <p>For Hourly Rates matters, including claims in relation to Bail work, SMS will set these fields to their Default values and the supplier need not complete these fields.</p>
<p>H12</p> <p>In a Graduated Fee matter in which bail work is also being funded at hourly rates, if I attend on a client in detention and take instructions on both bail and the substantive claim, should I apportion the costs/time for attendance, preparation, travel and waiting between the</p>	<p>Yes. The costs/time for attendance and preparation should be apportioned between the two fee schemes. This should be based on the approximate proportion of time that was spent on each aspect e.g. if you spent 75% of the time on the substantive issue and 25% on bail you should apportion any costs/time accordingly.</p>

two?	<p>In relation to the travel/waiting time and costs, for instances where advice is given both in relation to the substantive and bail aspects in the same attendance, all of the travel/waiting time & costs should be claimed on the Graduated Fee substantive claim.</p> <p>ADDED 7 FEBRUARY 2008</p>
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<p><u>H13</u></p> <p><u>When claiming costs in relation to Bail, which Matter Type I codes should I use?</u></p>	<p><u>For all claims in relation to Bail, regardless of whether there is a substantive matter payable at hourly rates or Graduated Fee, and regardless of whether the matter was opened pre-post 1 October 2007, the following Matter Type I codes should be used:</u></p> <p><u>IAXL Bail work undertaken on behalf of an asylum client but where a bail hearing does not take place.</u></p> <p><u>IMXL Bail work undertaken on behalf of a non-asylum client but where a bail hearing does not take place.</u></p> <p><u>IAXC Bail work undertaken on behalf of an asylum client and where a bail hearing takes place.</u></p> <p><u>IMXC Bail work undertaken on behalf of a non-asylum client and where a bail hearing takes place.</u></p>
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Useful web links:

1. Legal Services Commission – The Unified Contract

http://www.legalservices.gov.uk/civil/unified_contract.asp

2. The Unified Contract – Standard Terms February 2007

http://www.legalservices.gov.uk/docs/civil_contracting/unified_contract_standard_terms.pdf

3. Immigration Specification October 2007

http://www.legalservices.gov.uk/docs/civil_contracting/070813_Civil_Specification_Section_11_ImmigrationSpecification.pdf

4. Payment Annex August 2007

http://www.legalservices.gov.uk/docs/civil_contracting/070813_Civil_Specification_and_Family_Mediation_Part_B_-_Payment_Annex.pdf

5. NFP Unified Contract Transition process

http://www.legalservices.gov.uk/docs/civil_contracting/070813_NfPTransition.pdf

6. LSC Immigration Home Page

http://www.legalservices.gov.uk/civil/immigration_asylum.asp

Immigration & Asylum Frequently Asked Questions – March 2008 version 4

7. LSC processing immigration applications – NIAT

<http://www.legalservices.gov.uk/civil/immigration/5528.asp>

8. LSC Immigration Policy Development

<http://www.legalservices.gov.uk/civil/immigration/5526.asp>

9. LSC Immigration Updates

<http://www.legalservices.gov.uk/civil/immigration/5527.asp>

10. Civil Legal Aid Eligibility

http://www.legalservices.gov.uk/civil/civil_legal_aid_eligibility.asp

11. Electronic Billing – LSC Online

<http://www.legalservices.gov.uk/civil/ebusiness.asp>

12. LSC – Certificated work – application forms

<http://www.legalservices.gov.uk/civil/forms/applications.asp>

13. LSC – Controlled work – application forms

<http://www.legalservices.gov.uk/civil/forms/contracting.asp>

Immigration & Asylum Frequently Asked Questions – March 2008 version 4

14. AIT Practice Directions – consolidated April 2007

http://www.ait.gov.uk/practice_directions/documents/2007_practice_dirs_30apr07.pdf

15. AIT forms and guidance

http://www.ait.gov.uk/forms_and_guidance/forms_and_guidance.htm

16. Solicitor's Regulatory Authority (SRA)

<http://www.sra.org.uk/home.page>

17. BIA Case Resolution Programme

<http://www.ind.homeoffice.gov.uk/applying/asylum/caseresolutionprogamme/faqs/>

18. LSC Funding Code Decision making guidance – Immigration Section 29

http://www.legalservices.gov.uk/civil/guidance/funding_code.asp

19. Immigration Services Team Newsletter June 2005

http://www.legalservices.gov.uk/civil/immigration_asylum.asp