

MINUTES OF THE MEETING OF THE CRIMINAL CONTRACT CONSULTATIVE GROUP 24 APRIL 2003

Present: Richard Collins (Legal Services Commission), Tim Collieu (Legal Services Commission), Katherine Pears (Legal Services Commission), Rob Brown (LCCSA) Rodney Warren (Law Society), Steve Wedd (CLSA), Greg Lewis (Law Society)

1 Apologies

John Binks (Legal Services Commission)

2 General Criminal Contract

The recent article concerning suggested changes to the General Criminal Contract in The Times was discussed. The LSC said that it had not been aware of any briefings. The LSC had been approached but only discussed facts. The Law Society said that the speculation was unsettling and had irritated the profession.

A letter from the CLSA concerning the service of the notice of contract termination letters was discussed. The LSC said that it had the necessary proof to show that all letters were committed to the post / DX on 26 March. However, the LSC Purchasing and Facilities department were investigating late delivery of a number of letters by the DX.

The meeting then considered the treatment of Category 3 firms. The LSC indicated that any firm that was categorized as a Category 3 would be given ample opportunity to move up to Category 2. For clarification, the LSC defined the categorization as follows:

- Category 1 assessment rate of less than 10%
- Category 2 assessment rate greater than 10% but less than 20%
- Category 3 assessment rate greater than 20%

The LSC confirmed that policy was being reviewed internally to provide a common approach between the civil and criminal contracts. However, at the moment:

Category 3 firms would receive a Contract Notice and be subject to an extrapolation of their assessment results.

Category 2 firms will be subject to an extrapolation of their assessment results.

Category 1 firms will not be subject to any wider extrapolation.

The LS expressed concerns over how the sample of work was selected and how the outcome of the audit is managed. The LSC accepted this and indicated that it was undertaking further work in this area.

The LS asked that the LSC publish a timetable leading up to publication of the new contract as soon as possible.

There was a discussion concerning whether there was scope for the LSC to contract out the Contract Compliance / Costs Assessment audits to a third party. The LSC thought that this was unlikely as it was directly accountable for its expenditure.

3 Reaccreditation

The LS provided an update on internal discussions that have been held on re-accreditation. A letter from TLS will be sent the LSC concerning proposals to be made to the training committee.

The LS confirmed that it was re-focusing on the CLAS initiative.

4 Any Other Business

a) The LCCSA asked for an update on 'fines for lawyers' that have been discussed in some government proposals, as they did not appear in any of the current proposed legislation. The LSC said that this work is being addressed through the Case Preparation and Planning Project. The core of the project is to:

- i. Express the value of protocols, timetables etc.,
- ii. Enhance the work of the police and the Crown Prosecution Service

The LSC agreed to keep the Law Society updated.

b) The CLSA responded to the LSC request for sight of the 'Waste Week' research. The research is not yet completed, but the CLSA is happy to share it with the LSC. The LSC indicated that if there were a second 'Waste Week' exercise, it would be happy to support it terms of practical assistance and / or publicity.

Next Meeting 21 May 2003, Law Society