



Statistical Information 2005/06

Community
Legal Service



Criminal
Defence Service



Contents

	Page
Introduction	1
Glossary of key terms	2
Table CLS1: Controlled Work categories held in contracts 2005/06	3
Table CLS2: Controlled Work matters started 2005/06	4
Table CLS3: Outcomes reported in Controlled Work cases 2005/06	5
Table CLS4: Work started, completed and billed 2005/06	6
Table CLS5: Certificates issued in family proceedings 2005/06	7
Table CLS6: Bills paid in family proceedings 2005/06	8
Table CLS7: Outcomes reported in family proceedings on final main bills submitted 2005/06	9
Table CLS8: Certificates issued in civil non-family proceedings 2005/06	10
Table CLS9: Bills paid in civil non-family proceedings 2005/06	11
Table CLS10: Outcomes reported in civil non-family proceedings on final main bills submitted 2005/06	12
Table CLS11: Exceptional funding applications determined 2005/06	13
Table CDS1: Services provided to suspects who had not yet been charged 2005/06	14
Table CDS2: Services provided to defendants who had been charged 2005/06	15
Table CDS3: PDS matters started by office	16
Table LSC1: Representations	17

Introduction

The Legal Services Commission looks after the provision of legal aid in England and Wales. We are also responsible for ensuring that people get the information, advice and legal help they need to deal with a wide range of problems. The LSC works in partnership with solicitors and not-for-profit organisations to deliver legal services through the Community Legal Service and the Criminal Defence Service.

A detailed statistical analysis of our work, including comparisons with 2004/05, is available [here](#). This is supplemental to our *Annual Report 2005/06*, which reviews the LSC's progress during the year towards fulfilling our commitments and objectives, as agreed with the Secretary of State and set out in our *Corporate Plan 2005/06 – 2007/08*.

Glossary of key terms

Some of the more technical terms used in the tables are explained below.

Act of assistance	An event which gives rise to a unique claim from a solicitor or not-for-profit service provider for giving advice, assistance or representation to one or more people.
Criminal Defence Service	The CDS ensures access for individuals involved in criminal investigations or proceedings to such advice, assistance and representation as the interests of justice require.
Civil Representation	Representation by solicitors and barristers for civil cases, which could go to court.
Community Legal Service	The LSC provides publicly funded civil legal and advice services as part of the CLS network.
Controlled Work	Work under the civil contract that covers legal advice and assistance (Legal Help), Help at Court and Legal Representation in front of Mental Health Review Tribunals and the Asylum and Immigration Tribunal.
Criminal Higher	Legal representation in the Crown Court and above.
Criminal Lower	Work carried out by our suppliers at police stations and in the magistrates' courts.
DCA	The Department for Constitutional Affairs is the LSC's sponsoring Government department.
Legal Help	Legal advice and assistance.
Licensed Work	Work under the civil contract that covers all Legal Representation (representation by solicitors and barristers for civil cases which could go to court) except work covered by Controlled Work or Very High Cost Cases, which are managed under separate contracts.
Matter starts	A matter refers to an instance of help given by a service provider to a legal aid client under Controlled Work and does not cover representation at court.
VHCCs	Very High Cost Cases are civil cases where the costs are likely to exceed £25,000. The LSC manages these under individual case contracts.
VHCCCs	Very High Cost Criminal Cases are criminal cases with an expected trial length of 41 days or over. The LSC manages these under individual case contracts.

Community Legal Service statistical tables 2005/06

Controlled Work

Table CLS1 shows that the number of contracts held in specific categories of law decreased by 8% overall, from 7,301 as at 31 March 2005, to 6,725 as at 31 March 2006.

Table CLS1: Controlled Work categories held in contracts 2005/06

	March 2005			March 2006			Change
	Solicitors	NfPs	All	Solicitors	NfPs	All	
Family	3,115	3	3,118	2,881	6	2,887	-7%
Actions against the police etc.	76	0	76	75	0	75	-1%
Clinical negligence	290	0	290	273	0	273	-6%
Community care	61	11	72	63	13	76	6%
Consumer	46	3	49	37	3	40	-18%
Debt	168	237	405	138	263	401	-1%
Education	50	11	61	43	12	55	-10%
Employment	164	74	238	136	80	216	-9%
Housing	455	149	604	420	167	587	-3%
Immigration	393	105	498	264	103	367	-26%
Mental health	303	6	309	276	7	283	-8%
Personal injury	1,052	0	1,052	960	0	960	-9%
Public law	46	0	46	45	1	46	0%
Welfare benefits	189	294	483	144	315	459	-5%
Total non-family	3,293	890	4,183	2,874	964	3,838	-8%
Total categories	6,408	893	7,301	5,755	970	6,725	-8%

Table CLS2 shows the number of matters started for clients under the Controlled Work schemes, including immigration work. The information is split by type of service provider. This year, through these providers, the LSC delivered more acts of assistance than at any point since 2000.

Table CLS2: Controlled Work matters started 2005/06

	March 2005 ¹				March 2006 ²				Change
	Solicitors	NFPs	CLS Direct	All	Solicitors	NFPs	CLS Direct	All	
Family	275,899	1,226	0	277,125	281,688	1,586	0	283,274	2%
Actions against the police etc.	4,584	0	0	4,584	4,548	7	0	4,555	-1%
Clinical negligence	3,693	0	0	3,693	3,552	0	0	3,552	-4%
Community care	3,100	359	0	3,459	3,549	528	0	4,077	18%
Consumer	3,338	601	0	3,939	3,393	463	0	3,856	-2%
Debt	14,438	44,889	13,589	72,916	16,704	56,196	29,508	102,408	40%
Education	2,242	421	2,312	4,975	2,192	456	4,631	7,279	46%
Employment	5,299	4,359	2,311	11,969	5,829	5,613	11,562	23,004	92%
Housing	51,781	32,439	1,902	86,122	59,101	38,817	12,397	110,315	28%
Immigration	70,453	24,585	0	95,038	64,520	26,611	0	91,131	-4%
Mental health	30,773	230	0	31,003	34,125	167	0	34,292	11%
Personal injury	3,152	3	0	3,155	2,844	10	0	2,854	-10%
Public law	1,632	17	0	1,649	1,764	35	0	1,799	9%
Welfare benefits	23,918	49,973	6,000	79,891	23,933	60,694	14,047	98,674	24%
Miscellaneous	9,644	252	394	10,290	8,946	452	1,480	10,878	6%
Total non-family	228,047	158,128	26,508	412,683	235,000	190,049	73,625	498,674	21%
Total categories	503,946	159,354	26,508	689,808	516,688	191,635	73,625	781,948	13%

1. Data based on starts reported as at 5 June 2006.

Table CLS3 shows the outcomes of completed Controlled Work matters reported in 2005/06. The success rates of concluded matters were highest in debt work, where service providers reported that the outcome was of significant benefit to the client in 88.8%¹ of concluded cases.

Table CLS3: Outcomes reported in Controlled Work cases 2005/06¹

	Matters reported with valid codes	% of all matters reported	% of matters proceeded under other CLS funding	% of matters otherwise not concluded, outcome not known or client ceased to give instructions	% of matters concluded with financial benefit for the client	% of matters concluded with non-financial benefit for the client	% of matters concluded with no reported benefit for the client	% success rate of concluded matters
Family	281,453	100.0%	22.5%	39.6%	4.2%	14.7%	19.0%	49.8%
Actions against the police etc.	4,203	100.0%	12.6%	37.0%	4.8%	15.1%	30.5%	39.5%
Clinical negligence	3,387	99.9%	47.6%	24.7%	0.7%	2.2%	24.8%	10.5%
Community care	3,723	100.0%	15.9%	29.3%	3.0%	34.3%	17.5%	68.1%
Consumer	4,494	100.0%	5.5%	49.6%	11.3%	14.2%	19.4%	56.8%
Debt	90,875	99.7%	1.1%	41.6%	19.4%	31.5%	6.4%	88.8%
Education	7,191	99.6%	5.0%	37.0%	0.4%	47.5%	10.1%	82.6%
Employment	20,959	100.0%	0.9%	52.3%	15.2%	19.9%	11.7%	75.1%
Housing	104,583	100.0%	8.9%	41.6%	3.2%	37.4%	8.9%	82.0%
Mental health	34,106	100.0%	2.9%	6.6%	0.1%	29.6%	60.8%	32.8%
Personal injury	3,612	99.9%	7.4%	35.9%	24.1%	3.6%	29.0%	48.8%
Public law	1,580	99.9%	22.3%	20.6%	3.0%	24.8%	29.2%	48.8%
Welfare benefits	94,322	100.0%	1.0%	32.9%	36.6%	13.5%	16.0%	75.8%
Miscellaneous	10,481	99.9%	6.3%	39.7%	1.5%	22.4%	30.1%	44.4%
Total non-immigration	664,969	99.9%	12.1%	37.8%	10.9%	21.8%	17.4%	65.2%
Immigration asylum	79,397	98.7%	1.7%	32.1%	-	24.8%	41.4%	37.4%
Immigration non-asylum	40,228	99.1%	1.0%	36.7%	-	38.0%	24.3%	61.0%
Total immigration	119,625	98.8%	1.4%	33.6%	-	29.2%	35.7%	45.0%

1. Outcomes data includes CLS Direct

¹ Updated 14/08/06

Controlled Work and Licensed Work

Table CLS4 shows the shows the number of applications we received for civil and family legal aid funding, the amount of certificates for funding that we issued, and the number of bills we paid for cases that were finished in 2005/06.

Table CLS4: Work started, completed and billed 2005/06

	Controlled Work ¹		Licensed Work ²		
	New matters started	Completed matters reported	Funding applications received	Funding certificates granted	Final bills paid
Family	283,274	281,540	160,826	130,598	139,375
Non-family:					
Actions against the police etc	4,555	4,205	1,719	922	1,086
Clinical negligence	3,552	3,389	6,088	4,383	6,937
Community care	4,077	3,724	768	674	649
Consumer	3,856	4,494	1153	565	1,236
Debt	102,408	91,176	821	412	608
Education	7,279	7,221	579	389	524
Employment	23,004	20,966	124	74	122
Housing	110,315	104,605	15,786	12,734	13,872
Immigration	91,131	121,032	2,047	1,715	2,232
Mental health	34,292	34,111	257	198	166
Personal injury	2,854	3,615	292	79	4,749
Public law	1,799	1,582	1,667	1,155	1,084
Welfare benefits	98,674	94,368	47	34	76
Miscellaneous	10,878	10,494	2,621	1,133	2,820
Total non-family	498,674	504,982	33,969	24,467	36,161
Total	781,948	786,522	194,795	155,065	175,536
Total 2004/05	689,808	744,923	193,329	154,648	180,033

1. Data includes CLS Direct and is based on cases reported as at 5 June 2006

2. Certificates are classified according to the first or main proceedings authorised.

Licensed Work - family

Table CLS5 shows that the number of certificates we issued for family legal aid increased slightly in 2005/06, a reversal of the trend over the past few years.

Table CLS5: Certificates issued in family proceedings 2005/06¹

	Level of help authorised		Total certificates issued	Total 2004/05 ²
	Approved Family Help	Full Representation		
Special Children Act proceedings	0	27,898	27,898	26,827
Other public law Children Act proceedings	228	8,931	9,159	8,525
Private law Children Act proceedings	14,883	30,452	45,335	45,055
Domestic violence	79	18,452	18,531	18,756
Financial provision	17,014	5,608	22,622	24,051
Combined family proceedings ³	11	48	59	100
Other family proceedings	161	751	912	898
Help with Mediation	6,082	0	6,082	4,992
Total	38,458	92,140	130,598	129,204

1. Certificates are classified according to the first or main proceedings authorised.

2. These totals have been revised to include back-dated certificates issued after the year-end. Further information has also led to the reclassification of a few certificates.

3. May include two or more from: private law Children Act proceedings, domestic violence or financial provision.

Table CLS6 shows that the number of bills we paid for legal aid work in the family category of law in 2005/06 was less than in 2004/05, reflecting the decline in certificates issued in previous years. Gross payments nevertheless increased as the result of an 8% increase in average cost per case.

Table CLS6: Bills paid in family proceedings 2005/06 ¹

	Bills paid		
	Number	Amount £000	Average cost
Special Children Act proceedings	32,578	209,315	£6,425
Other public law Children Act proceedings	8,211	33,847	£4,122
Private law Children Act proceedings	46,478	131,582	£2,831
Domestic violence	20,905	50,806	£2,430
Financial provision	25,692	75,280	£2,930
Combined family proceedings ²	121	720	£5,951
Other family proceedings	1,022	4,441	£4,345
Help with Mediation	4,368	1,497	£343
Total	139,375	507,488	£3,641
Total 2004/05	141,334	476,835	£3,374

1. Certificates are classified according to the first or main proceedings authorised.

2. May include two or more from: private law Children Act proceedings, domestic violence and financial provision.

Table CLS7 shows the outcomes reported in family work. Legal aid service providers reported a substantive benefit to the client in 57% of family cases completed during the year, the same proportion as in 2004/05.

Table CLS7: Outcomes reported in family proceedings on final main bills submitted 2005/06 ¹

	Stages reached							
	No proceedings issued	Substantive benefit to client ²	Proceedings issued, no final hearing	Substantive benefit to client	Final hearing or appeal	Substantive benefit to client	Total number in sample ³	Substantive benefit to client
Special Children Act proceedings	468	19%	1,818	29%	21,437	42%	23,723	40%
Other public law Children Act proceedings	515	10%	1,108	29%	6,208	48%	7,831	43%
Private law Children Act proceedings	3,140	14%	14,544	52%	24,717	61%	42,401	55%
Domestic violence	1,674	13%	5,144	58%	12,408	69%	19,226	61%
Financial provision	3,960	45%	10,202	84%	10,063	81%	24,225	76%
Combined family proceedings ⁴	20	30%	32	75%	67	79%	119	70%
Other family proceedings	327	15%	349	57%	517	60%	1,193	47%
Help with Mediation	2,390	55%	903	87%	343	66%	3,636	64%
Total	12,494	32%	34,100	61%	75,760	59%	122,354	57%

1. Certificates are classified according to the first or main proceedings authorised.

2. Includes awards or recoveries of money and/or property and other orders or settlements in the client's favour.

3. In 6,317 cases the service provider reported that the final outcome was unknown, as the client had ceased to give instructions or was proceeding under other funding or as a litigant in person. In a further 108 cases the provider reported that an explanation or apology had been secured for the client.

4. May include two or more from: private law Children Act proceedings, domestic violence or financial provision.

Licensed Work – non-family

Table CLS8 shows that the number of certificates issued for non-family legal aid was less than last year, a continuation of the trend since the implementation of the *Funding Code* in April 2000.

Table CLS8: Certificates issued in civil non-family proceedings, 2005/06 ¹

	Level of help authorised			Total certificates issued	Total 2004/05 ²
	Investigative Help	Full Representation			
Actions against the police etc.	480	442		922	924
Clinical negligence	3,831	552		4,383	5,673
Community care	118	556		674	622
Consumer	159	406		565	567
Debt	46	366		412	433
Education	103	286		389	531
Employment	11	63		74	91
Housing	585	12,149		12,734	11,857
Immigration and nationality	11	1,704		1,715	1,859
Mental health	17	181		198	175
Personal injury	44	35		79	312
Public law	180	975		1,155	977
Welfare benefits	5	29		34	98
Miscellaneous	166	967		1,133	1,325
Total	5,756	18,711		24,467	25,444

1. Certificates are classified according to the first or main proceedings authorised.

2. These totals have been revised to include back-dated certificates issued after the year-end.

Further information has also led to the reclassification of a few certificates to different categories.

Table CLS9 shows the bills paid for civil non-family proceedings. A number of categories of law were taken out of the scope of legal aid after the introduction of the *Funding Code* in April 2000, which sets out eligibility for legal aid. As cases started before 2000 finish, the number of bills that we have to pay decreases; this year we paid 7% fewer bills than in 2004/05.

Table CLS9: Bills paid in civil non-family proceedings 2005/06 ¹

	Bills paid		
	Number	Amount £000	Average cost
Actions against the police etc.	1,086	8,553	£7,875
Clinical negligence	6,937	94,652	£13,644
Community care	649	2,296	£3,538
Consumer	1,236	12,586	£10,183
Debt	608	2,783	£4,577
Education	524	2,440	£4,656
Employment	122	1,185	£9,713
Housing	13,872	38,458	£2,772
Immigration and nationality	2,232	6,184	£2,771
Mental health	166	878	£5,288
Personal injury	4,749	84,077	£17,704
Public law	1,084	7,787	£7,183
Welfare benefits	76	309	£4,068
Miscellaneous	2,820	33,952	£12,040
Total	36,161	296,139	£8,189
Total 2004/05	38,701	299,001	£7,726

1. Certificates are classified according to the first or main proceedings authorised.

Table CLS10 shows that there was a significant decrease in the proportion of non-family cases where providers reported a substantive benefit to the client, from 52% in 2004/05 to 45% in 2005/06. We have actively been seeking to close down older cases where there is no prospect of a positive outcome, and this is reflected in the statistics for this year.

Table CLS10: Outcomes reported in civil non-family proceedings on final main bills submitted 2005/06¹

	Stages reached							
	No proceedings issued	Substantive benefit to client ²	Proceedings issued, no final hearing	Substantive benefit to client	Final hearing or appeal	Substantive benefit to client	Total number in sample ³	Substantive benefit to client
Actions against the police etc.	430	23%	337	64%	216	34%	983	39%
Clinical negligence	3,676	13%	1,916	60%	589	52%	6,181	31%
Community care	299	53%	170	65%	57	40%	526	56%
Consumer	653	12%	379	60%	453	36%	1,485	31%
Debt	149	14%	220	52%	251	50%	620	42%
Education	294	26%	106	36%	47	53%	447	31%
Employment	34	9%	22	41%	69	39%	125	31%
Housing	3,141	39%	4,341	76%	5,019	65%	12,501	63%
Immigration and nationality	356	47%	1,207	34%	384	36%	1,947	37%
Mental health	71	23%	43	42%	32	47%	146	34%
Personal injury	2,830	16%	1,756	71%	1,609	38%	6,195	37%
Public law	426	32%	293	52%	548	18%	1,267	31%
Welfare benefits	19	42%	9	67%	53	28%	81	36%
Miscellaneous	1,329	16%	789	57%	1,152	43%	3,270	35%
Total	13,707	23%	11,588	64%	10,479	51%	35,774	45%

1 Certificates are classified according to the first or main proceedings authorised.

2 Includes awards or recoveries of money and/or property and other orders or settlements in the client's favour.

3 In 1,813 cases the supplier reported that the final outcome was unknown, as the client had ceased to give instructions or was proceeding under other funding or as a litigant in person. In a further 77 cases the supplier reported that an explanation or apology had been secured for the client.

Exceptional funding

Table CLS11 shows the outcomes of exceptional funding applications during 2005/06, where clients have applied for funding for cases that are outside the normal scope of CLS funding.

CLS11: Exceptional funding applications determined 2005/06

Category	Refused by LSC	Awaiting DCA decision	Granted by DCA/LSC	Refused by DCA	Total	Total %
Inquest	78	3	25	10	116	33
In scope inquest	29	2 ¹	58	1	88	26
Enquiries/tribunals	16	4	28	2	50	14
Personal injury	11	0	1	0	12	3
Director disqualification	2	0	0	0	2	1
Other	44	2	35	1	82	23
Total	180	11	147	14	350	
Total %	51	3	42	4		

1. Cases out of financial scope where the LSC is requesting that the DCA waive eligibility limits.

Criminal Defence Service statistical tables 2005/06

Tables CDS1 and CDS2 set out the work claimed in 2005/06 under the General Criminal Contract.

In 2005/06 we continued to maintain coverage of duty solicitor schemes across police stations in England and Wales and the CDS assisted more people than ever before who needed help at police stations.

Table CDS1: Services provided to suspects who had not yet been charged 2005/06

Type of service	Number of cases	Total claimed £000	Average claim per case
Police station: attendance	617,362	166,138	£269
Police station: attendance on immigration issues ¹	2,555	351	£137
Police station: telephone advice only	134,615	5,519	£41
Police station: warrants of further detention	1,569	786	£501
Police station: standby (claims) ²	35,023	10,505	£300
Free standing advice and assistance	13,954	1,526	£109
Total amount claimed	-	184,824	-

1. May also include advice and assistance on criminal matters.

2. Standby claims are made on a monthly basis.

Table CDS2: Services provided to defendants who had been charged 2005/06

Type of service	Number of cases	Total claimed £000	Average claim per case
Representation where a Representation Order had been granted by the court:			
Lower standard fees	462,695	157,924	£341
Higher standard fees	87,059	78,527	£902
Non-standard fees and exempt cases	31,553	58,784	£1,863
Second claims for deferred sentencing ¹	1,487	418	£281
Total Representation Orders	582,794	295,653	£507
Advice, assistance and advocacy where no Representation Order had been granted:			
Post charge police station advice and assistance ²	17,882	1,139	£64
Preparation: Representation Order refused ³	6,849	405	£59
Court Duty Solicitor (sessions)	86,069	19,782	£230
Early first or administrative hearings ⁴	296	46	£156
Advocacy assistance ⁴	3,789	1,895	£500
Free standing advice and assistance ⁴	1,442	282	£195
Prison law	19,928	8,742	£439
Appeals, reviews and other courts	2,282	2,244	£983
Civil assistance on criminal matters ⁵	265	71	£266
Firms claiming for File Review payments ⁶	1,709	3,728	£2,181 ⁷
Total advice, assistance and advocacy	-	38,333	-
Total amount claimed	-	333,986	-

1. A separate fee can be claimed where sentencing takes place at a further hearing. subsequent to conviction.

2. Advice and assistance given to the client after they have been charged and not covered by the standard fee for representation.

3. Preparatory work on cases where the client's application for legal aid proved unsuccessful.

4. Removed from scope in May 2004.

5. Public law work arising from criminal work.

6. Under the terms of the General Criminal Contract, supervisors are required to review at least two files per month for each fee earner. A fixed fee may be claimed for each review carried out.

7. Average total claims per firm.

Public Defender Service

CDS services are also delivered through the Public Defender Service (PDS). We created this service in 2001 to deliver quality criminal defence services directly to clients, rather than through private practice solicitors. Figures for PDS matters started by office are shown in table CDS3. The service dealt with 5,886 cases in 2005/06, an increase of 27% on 2004/05.

Table CDS3: PDS new matters started by office

Office	New Matters Started					% from existing clients in 2005/06 ¹
	2001/02	2002/03	2003/04	2004/05	2005/06	
Liverpool	482	781	814	719	843	39%
Middlesbrough	327	715	612	582	362	53%
Swansea	626	749	543	508	547	55%
Birmingham	275	512	419	427	536	35%
Cheltenham	-	668	683	1,052	1,690	37%
Pontypridd	-	384	491	421	479	44%
Chester	-	12	274	385	415	34%
Darlington	-	28	455	540	1,014	25%
PDS Total	1,710	3,849	4,291	4,634	5,886	38%

1. Percentage of new matters started for existing clients of PDS or fee-earner or referred by existing clients.

Legal Services Commission statistical table 2005/06

Representations

When we grant public funding to an individual, their opponents or other third parties may make representations against the grant or continuation of funding. Representations may be made concerning the legal merits of the case, the financial means of the applicant, or both. Table LSC1 gives detailed figures about our handling of representations during 2005/06.

Representations

	2005/06				2004/05			
	Merits	Means	Merits & means	Total	Merits	Means	Merits & means	Total
Number received	1,706	1,614	171	3,491	1,520	1,748	170	3,438
(As % of total) ¹	49%	46%	5%	-	44%	51%	5%	-
Outcome of investigation into representations								
No change ²	1,219	1,037	102	2,358	1,176	1,023	101	2,300
Application refused	3	39	2	44	2	36	2	40
Certificate amended	36	57	5	98	25	71	15	111
Certificate discharged	288	230	25	543	231	264	19	514
Certificate revoked	9	424	39	472	17	393	31	441
Total representations closed out ³	1,787	1,555	173	3,515	1,451	1,787	168	3,406

1. Percentages may not add up to 100% due to rounding.
2. Outcome 'No change' includes representations that did not merit investigations into the issues raised (for example where the information was irrelevant or already known to the Commission).
3. Total representations closed out (whatever type) can include representations that were received in the previous year. To deal with representations properly takes time, because of the need to contact third parties to confirm information, and regulations allow the funded client or their colisor a reasonable period of time to respond to the issues raised. This means there is a time lag between receipt of representations and when they are fully closed out.

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