

CDS Direct – Request for Copies of Advice Process Amendment July 08

From 21st April 2008, CDS Direct has been accepting all calls for telephone advice only matters – i.e. where a detainee has requested the duty or their own solicitor.

Solicitors are entitled to request a copy of the advice which CDS Direct has provided to their client. When we established the process for this, we stipulated that providers would only be able to obtain this advice if their client gave a signed authority.

However, we have had feedback from some firms to say that this has been a burden, particularly when the client is due for a court hearing within a short time period.

Having reviewed the feedback, we agree that this process can be simplified and have amended it accordingly.

This means that where a client has requested a specific solicitor or firm for advice, but has received advice through CDS Direct, the solicitor can request a copy of the advice given without the need for signed authority from the client. The client's request for a particular firm or solicitor to advise him/her in the first place can be taken as implicit permission for sharing their information with that solicitor.

This information can be obtained by faxing the DSCC on 020 8763 3191.

The only exception to this is where a client expressly requests that the CDS Direct provider does not disclose a copy of the advice given to his or her own solicitor.

With regards clients who had originally requested duty solicitor, should they require further advice and assistance, or representation and their chosen solicitor would like a copy of the advice provided by CDS Direct, then they will only be entitled to this if they provide express written authority of their client.

If you have any queries about this or other CDS Direct procedures, please contact us on: solicitor.cdsfeedback@legalservices.gov.uk