



## Civil Contracts Consultative Group

### Minutes

**Date:** 30 July 2008

**Chair:** Ruth Wayte

**Attendees:** Richard Miller, Lucy Scott-Moncreeff and Linda Lee - The Law Society, Richard Jenner - ASA, James Harrison - HLP, Karen Mackay - Resolution, Richard Charlton - MHLA, Alison Harvey - ILPA, Caroline Little and Alan Bean - ALC, Robert Wright - MoJ, Patrick Reeve, Natalie Pedley and Michelle Leung - LSC

**Minutes:** Frances Joyce - LSC

**Apologies:** Crispin Passmore - LSC, Carol Storer - LAPG, David Emmerson - Resolution

#### 1- Previous Minutes and Action Points

The minutes of the meeting of 29 April were agreed subject to clarification about why the reference to seeking the views of experts to assess some of the data and trends in the proposed fee scheme was not included in the final version of the minutes.

Previous action points		Who	Cleared/ Notes
Apr 08	Draft Terms of Reference circulated by The Law Society – to be considered outside of the meeting	RW/CP	ToR agreed at July 08 meeting with slight amendments
Apr 08	Agendas and minutes to be circulated within 14 days of the meeting	Civil Policy Team	Ongoing
April 08	Fee Scheme review – all to email Rob Cross with details of what information they would like reviewed in the report	All	Cleared
Apr 08	Delivery Consultation – representative bodies encouraged to respond to the on-line	All	Consultation closed 3 July

<b>Notes on previous action points</b>	
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## **Agenda Item 2- Draft Terms of Reference**

A slightly revised version of the Terms of Reference originally drafted by The Law Society was agreed subject to careful consideration of what is included with each agenda to ensure that the Group remains focussed on its core areas of responsibility. Agreed that a copy of the Scope and Membership details from Appendix 9 of the Deed of Settlement would be circulated with future agendas.

## **Agenda item 3 – New Matter Starts Review report**

The NMS report was circulated for information prior to its publication in mid August. Whilst the report is as accurate as the data received, the LSC has some concerns about that data which are being investigated to ensure greater confidence in the next reporting period. The report contains a lot of detailed tables and the LSC undertook to investigate the possibility of providing this data in mapped format for future reports. The group agreed that it was too early to draw any significant conclusions in any event. ***Please note, this report is embargoed until 12 August.***

RC suggested there may be some confusion in mental health cases about when a matter should be opened as cases can be lengthy and a matter might be revoked during the course of a case. AH reported similar problems in immigration cases and said that conflicting advice has been given by contract managers about what constitutes a single or multiple matter. PR undertook to look into this to ensure that advice is provided consistently across the board.

LSC will also report back on the factors affecting the reported drop in the number of providers in certain areas, particularly parts of London as highlighted in table 11 of the report. RM pointed out that, depending on the reasons for a reduction and the geographical area concerned, this could pose a problem in some family cases where access to more than one provider is necessary.

It was also agreed that the LSC would look into the drop in mental health matter starts in the Birmingham and Bristol regions and report back on access.

PLO tenders - PR also undertook to look into why the tenders are based on regions rather than procurement areas.

## **Agenda item 4 – Update on proposals for September consultation on family fees and contracts for 2010**

PR outlined the proposals in the family fees consultation to pay solicitors and barristers the same fee for advocacy work due to be published in September. LSC is particularly interested in hearing ideas about monitoring quality and PR would be interested to hear views on the numbers of staff a supervisor should supervise - comments can be emailed to him.

AH asked why there was a delay in the LSC report on payment for WIP, NP explained that some firms had been unable to hold early meetings with LSC resulting in the report being delayed until October. NP and RM had already discussed this and NP is looking at how the LSC might allocate resources to this area.

**Agenda item 5 – Bar Council’s request to join the Civil Contracts Consultative Group**

Although several groups represent both solicitors and barristers and there was an agreement that the Bar should have a role in collective meetings, it was agreed that because the focus of this Group was in relation to civil contract holders the Bar Council would be invited to attend the CCCG sub-group meetings instead of the main meeting. In fact, the FLBA is due to attend the Family Representative Body meeting on 4 August and an invitation will be extended across the range of subject areas.

**Agenda item 6 – AOB**

**Tenders for immigration legal advice** – AH raised two concerns about this bid round, i) that the bid round was released in July when many people are on holiday and ii) that the period from award of tenders to providers having to set up in business is very tight.

**Number of Children certificates issued** - this data should be available in the LSC Annual Report due out on 12 August but if not PR will provide the figures to CL.

**Tribunal Courts and Enforcement Act** – PR advised that the Ministry of Justice will shortly be seeking the views of interested bodies on the proposed amendments to civil legal aid necessitated by the implementation of the TCE Act 2007.

**Summary of actions points**

	Action Points	By Whom	By When
<b>Item 2</b>	Copy of CCCG ToR to be added to future agendas	Frances Joyce	Starting Oct 08 meeting
<b>Item 3</b>	<ol style="list-style-type: none"> <li>1. Liaise with the GIS team about providing maps for statistical information in the NMS report.</li> <li>2. Check reasons for inconsistent advice being given in respect of opening NMS.</li> <li>3. Examine reasons for reduction in number of providers in areas of London</li> <li>4. Examine reasons for fall in mental health matter starts in Bristol and Birmingham.</li> <li>5. PLO tenders – PR to check reasoning for them being based on regional rather than procurement areas.</li> </ol>	<p>Michelle Leung</p> <p>Patrick Reeve</p> <p>Michelle Leung</p> <p>Patrick Reeve</p> <p>Patrick Reeve</p>	<p>Oct 08 meeting</p> <p>Sept 08</p> <p>Sept 08</p> <p>Sept 08</p> <p>Sept 08</p>
<b>Item 4</b>	Any views on how many staff a supervisor should supervise can be sent to: <a href="mailto:frances.joyce@legalservices.gov.uk">frances.joyce@legalservices.gov.uk</a>	All	By 22 Aug 08

