

## **DSCC & CDS Direct Expansion Consultation Paper: Q&A**

### **1. Where can I find the response to consultation document?**

The Consultation document, the LSC's Final Response and the Draft and Final Regulatory Impact Assessments can be found on the LSC's website at CDS > Consultations > Recent Consultations > Duty Solicitor Call Centre and CDS Direct.

### **2. What are the proposals?**

Both the Duty Solicitor Call Centre and CDS Direct will be expanded to deal with all requests for publicly funded advice at the Police station.

On 1 October 2007 the Duty Solicitor Call Centre will expand to deal with all requests from the police station for publicly funded legal advice.

CDS Direct will be expanded to cover all requests for publicly funded advice in connection with offences within its existing scope (General Criminal Contract Specification Part B 8.2.17-18)

All other matters will be referred to the client's own solicitor where one is requested or to a duty solicitor.

### **3. When would the proposals take effect?**

In order to ensure that the system is fully tried and tested, the changes will take effect as follows:

- The Duty Solicitor Call Centre will deal with all requests for publicly funded advice in the police station from 1 October 2007 across the whole of England and Wales
- CDS Direct will begin handling own client matters that are restricted to telephone only advice under the General Criminal Contract from 31 October 2007 for clients detained in Police Stations within the Greater Manchester, West Midlands and West Yorkshire CJS areas
- For clients detained across the rest of England and Wales, the new service will begin operating on 31 January 2008.

### **4. My firm is based in one of the areas in phase one but I do work in other CJS areas – will all my cases be affected?**

No. Phasing areas will be based on the CJS area of the Police Station where the client is being detained not the location of the firm requested,

### **5. Who will run the expanded CDS Direct service?**

CDS Direct is currently the subject of a tendering process that is running subject to the outcome of this consultation. Further details about this can be found on the LSC website at CDS > Tenders.

### **6. Why is it necessary to expand Duty Solicitor Call Centre & CDS Direct in this way?**

There are 3 key objectives for the implementation of these proposals:

- Achieving greater value for money.
- Ensuring the LSC greater control over Legal Aid expenditure under the proposed fixed fee regime.
- Affording the LSC access to complete management information on the number, location and nature of requests for publicly funded advice and areas for concern in police practices, which can be investigated and acted upon if necessary.

**7. What happens where my client is bailed or held in custody to attend court?**

In these circumstances, a fax will be sent to your office updating you, so that you can represent your client at court.

**8. What about PACE codes?**

We are currently in discussion with the Home Office to ensure that any changes made to the PACE Codes are appropriate.

**9. What will happen in cases where a friend or relative of the client but not the police contacts me?**

The Commission accepts that at present firms may receive requests for advice from various sources in own client matters. Under the expanded system we will require all requests for advice to be directed through the Duty Solicitor Call Centre if a claim is going to be made from public funds. We recognise however that there may be exceptional circumstances where this scenario might not be appropriate and we propose to discuss these situations in detail with representative bodies and the police in due course.

**10. Will the way that Duty Solicitor work is handled/deployed change at all?**

The proposals do not include any changes to the way that duty solicitors are deployed.

**11. I don't have any duty solicitor slots. How will the Duty Solicitor Call Centre know how to contact me if these plans go ahead?**

We will be writing to every firm holding a General Criminal Contract, asking them to register full contact details with the DSCC.

**12. Are the offences that are covered by CDS Direct changing?**

At present there are no plans to change the range of offences covered by CDS Direct.