

**IMPORTANT LETTER REGARDING APPLICATIONS FOR THE  
VERY HIGH COST CASE (CRIME) PANEL**

**NOTICE OF LIMITED EXTENSION OF DEADLINE (AFFECTING SOME  
APPLICANTS/INFORMATION ONLY) AND CHANGE TO START DATE  
FOR VHCC PANEL**

The deadline for applications for the Very High Cost Case (Crime) Panel was 12 noon on Friday 27 July 2007.

We have received two letters from representatives of the Bar Council which have prompted us to extend this deadline in certain circumstances and to allow certain bidders who have made applications to submit additional information. The new deadline is 12 noon on Friday 17 August 2007.

Please read carefully below to see if you are affected:

1. Lack of original signature on application form
2. "Qualifying Cases" for Litigators, Advocates And Nominated Case Managers

**1. ADDING ADDITIONAL ADVOCATES TO YOUR BID IF OMITTED  
BECAUSE OF LACK OF ORIGINAL SIGNATURE.**

Timothy Dutton QC, Vice Chairman of the Bar Council, wrote to us on 27 July to express his concern that Advocates had been omitted from VHCC Panel applications because they were unable to supply original signatures on the Application Form to the bidding organisation in advance of the deadline.

We announced on 26 July that we would accept faxed signatures from Advocates as a concession, when the extent of the problem of Advocates being unable to provide original signatures became evident.

In response to Mr Dutton's concerns that despite this concession there are Advocates who have been omitted from tender applications because of their inability to supply original signatures, we propose to allow any bidding organisations who have submitted applications by the original deadline of Friday 27 July, 12 noon, to submit the details of any additional Advocates who they have omitted from their bid because of their inability to supply an original signature from this Advocate.

Bidding organisations who wish to do this should submit a supplementary Application Form setting out:

- the new Advocates' details;
- any details of Qualifying Cases or Qualifying Hours for these Advocates; and
- any supporting evidence.

The Advocate must sign this form, but a copy/faxed signature is acceptable.

We will add this information to the bidding organisations' original bid, and treat it as one application. You do not need to repeat any information you have already submitted in your original Application Form.

You should let us have this information no later than **12 noon on Friday 17 August**. As with the original bids, you should let us have four hard, bound copies; one hard, unbound copy; and one copy on CD.

**You should not re-submit your entire bid and any other additional information submitted will be discounted.**

## **2. CLARIFICATION OF WHAT COUNTS AS RELEVANT EXPERIENCE OF VHCCs FOR LITIGATORS, ADVOCATES AND NOMINATED CASE MANAGERS**

Geoffrey Vos QC, former Vice Chairman of the Bar Council, wrote to us on 24 July seeking clarification of when experience of "Qualifying Cases" would be taken into account by us on assessing bids for VHCC Panel membership.

We have responded to a number of questions about Qualifying Cases and, from the response from bidding organisations, we believe most bidders are clear on the position:

- in relation to setting the size of bids (number of VHCCs for which bidders may bid) (see page 21 of the Information for Applicants) only cases which the bidding organisation itself has handled will count, not cases which individuals involved in the proposed Defence Team may have had experience of while working for other organisations. This is subject to the exceptions set out in paragraphs 3 and 4 on page 22 of the Information for Applicants;
- in relation to whether Litigators, Advocates and nominated Case Managers have the required professional experience to meet the selection criteria EC1, EC2, EC3, DC5, DC6 and DC7 experience of Qualifying Cases is not limited in this way. Litigators, Advocates and nominated Case Managers may submit information relating to Qualifying Cases which they worked on, even if this was with an organisation different from the bidding organisation.

In order to meet Mr Vos's concerns, we have decided to take 2 steps:

### ***Step 1***

We will allow bidding organisations who have already submitted a bid, but who thought that Litigators', Advocates' and nominated Case Managers experience on Qualifying Cases was limited to work carried out for the bidder, to:

- **add additional Litigators, Advocates and nominated Case Managers to their Defence Teams** if these Litigators and Advocates were excluded because of their lack of experience on Qualifying Cases for the bidding organisations. You should also include information about their Qualifying Cases in response to criteria EC1, EC2, EC3, DC5, DC6 and DC7; or
- **add extra Qualifying Cases carried out for other organisations by Litigators, Advocates and nominated Case Managers** who are currently included in your bid if you now wish us to take these cases into account.

Bidding organisations which wish to do this should submit a supplementary copy of the Application Form setting out the new information referred to above only.

Any new Advocates included in these supplementary Application Forms must sign this form, but a copy/faxed signature is acceptable.

We will add this information to the bidding organisations' original bid, and treat it as one application.

You should let us have this information no later than **12 noon on Friday 17 August**. As with the original bids, you should let us have four hard, bound copies; one hard, unbound copy; and one copy on CD.

**You should not re-submit your entire bid and any other additional information submitted will be discounted.**

## **Step 2**

If any organisation has not submitted a VHCC Panel application because they discounted the experience of Litigators, Advocates and nominated Case Managers gained on Qualifying Cases for other organisations and therefore concluded their proposed Litigators and Advocates did not have sufficient experience of Qualifying Cases to meet the requirements of this tender, these organisations may now submit a bid.

We must receive these bids no later than **12 noon on Friday 17 August**.

Subject to the information provided in this letter, the requirements, terms and conditions set out in the Information for Applicants apply in full to these bidders, and the only change is the extension of the deadline. For the avoidance of doubt, the information provided in this letter is further clarification and not new policy.

**These are the only organisations which may submit a complete new bid.**

## **AMENDMENT TO INFORMATION FOR APPLICANTS: SIZE OF ASSESSMENT PANEL**

To ensure that we are able to manage the additional work that these changes will create, we reserve the right to increase the number of assessors on the Assessment Panel beyond the maximum of five stated on page 27 of the Information for Applicants.

## **AMENDMENT TO START DATE FOR VHCC PANEL**

In order to ensure that we have sufficient time to assess any extra information submitted under this letter, the start date for the VHCC Panel will now be **1 November 2007.**

## **QUESTIONS**

Any questions from applicants affected by these changes should be sent by email to [CarterVHCC@legalservices.gov.uk](mailto:CarterVHCC@legalservices.gov.uk). Questions received by 5 pm on weekdays will be answered individually by 5 pm the following working day. Questions received on Saturday or Sunday will be answered by 5pm on the following Monday. Questions received after 5 pm on Wednesday 15 August will not be answered.

**We apologise for any inconvenience or confusion caused to bidders by the steps outlined in this letter.**