



**Criminal Defence Service**  
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[www.legalservices.gov.uk](http://www.legalservices.gov.uk)

[date]

Ref: «Red\_No»

«Main\_contact\_name»  
«Applicant\_name»  
«Address»  
«City» «Post\_Code»  
«DX» «DX\_Address»

Dear Sirs

## **Very High Cost Case (Crime) Panel Contract Documentation – Subject to Contract**

### **Panel Member's Contract**

Further to our letters of the 6<sup>th</sup> and 20<sup>th</sup> February 2008, our consultation on the contract amendments has now come to an end. As mentioned in our letter of the 6<sup>th</sup> February, our proposal in the consultation was to amend the Panel Contracts to enable the Panel to proceed, despite the fact that an insufficient number of Advocates had signed their Contracts.

We have made some further amendments to the Panel Member's and Panel Advocate's Contracts as a result of the consultation responses. You can view our response to the consultation together with versions of the Contract documents which show the changes we have made (including post-consultation amendments) on our website:

<https://consult.legalservices.gov.uk/inovem/consult.ti/CarterVHCC/listdocuments>

### **Signature of the Panel Member's Contract**

We enclose the final version of the Panel Member's Contract for your signature.

You should download a copy of the Contract Annexes from the LSC website:

[http://www.legalservices.gov.uk/criminal/contracting/very\\_high\\_cost\\_case\\_contracts.asp](http://www.legalservices.gov.uk/criminal/contracting/very_high_cost_case_contracts.asp)

We also enclose a completed page 5, Annex 3 and Annex 2 which contain clauses specific to you. Please insert these into the Contract.

Please also ensure that the information on page 5 of the Panel Member's Contract and Annex 3 is correct (please add your email address in the space provided on the enclosed page 5). If the information is not correct, please contact the VHCC Panel Tender Project team on the number above.

Provided the information is correct, please sign and date page 30 of the Panel Member's Contract. Once signed, please make a copy of the document, retain the copy and return the original to the VHCC Panel Tender Project team by **12 noon on the 14<sup>th</sup> March 2008**.

## **Peer review**

Please be aware that if you have not yet achieved a final rating of "Threshold Competence" (PR3) under the LSC's Peer Review process, your Panel Member Contract will be conditional upon the final result being PR3 or higher in accordance with the provisions contained on page 7 of the Information for Applicants and Clause 4 of the Panel Member Contract. If your Contract is conditional on this basis we have indicated this on page 5 of your Contract.

## **[Confirmation of Defence Team experience**

As stated in our initial offer letter to you dated the 20<sup>th</sup> December 2007, your Panel Member Contract is also conditional upon satisfactory independent evidence being produced to us of the experience of certain members of your Defence Team. This evidence must be provided within three months of the Contract start date and prior to you commencing any work under the Contract. We will contact you shortly with details of the members of your Defence Team whose evidence we wish to clarify.]

## **Signature of the Panel Advocates Contract(s)**

Each self-employed Advocate listed in your tender application will need to sign their own Panel Advocate Contract and return it to us. It is your responsibility as the applicant to make contact with those Advocates. Please ensure that each Advocate obtains a copy of the Contract documents which are available on the LSC website:

[http://www.legalservices.gov.uk/criminal/contracting/very\\_high\\_cost\\_case\\_contracts.asp](http://www.legalservices.gov.uk/criminal/contracting/very_high_cost_case_contracts.asp).

Please ensure that all Advocates are made aware that they are required to complete page 5 of the Contract and then sign and date page 27. Once signed, they should make a copy of the document, retain the copy and return the original to the VHCC Panel Tender Project team no later than **12 noon on the 14<sup>th</sup> March 2008**.

Please note, however, that self-employed Panel Advocates only need to sign one Panel Advocate's Contract, even if they have been listed as an advocate on a number of successful applications by different Panel Member firms. Therefore, if the Advocates inform you that they have already returned a Panel Advocate's Contract to us, you need take no further action.

If you have any queries please contact Cris Scotter at the above address or by email: [cartervhcc@legalservices.gov.uk](mailto:cartervhcc@legalservices.gov.uk).

Yours sincerely

**VHCC Panel Tender Project Team**

## PARTIES

- (1) **THE LEGAL SERVICES COMMISSION** whose head office is at 85 Gray's Inn Road, London WC1X 8TX; and
- (2) **THE PANEL MEMBER** whose details appear in the box below.

Name of Panel Member	«Applicant_Name»
LSC account number (if applicable)	«Acc_No»
Conditional Panel membership (yes or no)	«Conditional2»
Holder of LSC General Criminal Contract (yes or no)	<i>Yes: Annex 18(1) applies</i> <i>No: Annex 18(2) applies</i>
Email contact	

## RECITAL

The Very High Cost Case (Crime) Panel has been established in accordance with the Criminal Defence Service (General) (No. 2) Regulations 2001 as amended by the Criminal Defence Service (General) (No. 2) (Amendment No. 2) Regulations 2007..

Successful applicants in the 2007 tendering exercise have been selected to be members of the Very High Cost Case (Crime) Panel ("Panel Members") and contracted to provide criminal defence work to clients on Very High Cost Cases ("VHCCs"). In order for those successful applicants to become Panel Members they are required to sign up to this Contract.

The Advocates nominated by the successful applicants in the 2007 tendering exercise have also been selected to provide criminal defence work to clients on Very High Cost Cases as part of the Very High Cost Case (Crime) Panel. Such Advocates must provide these services either as employees of a Panel Member or as Panel Advocates. Advocates who are self-employed are required to sign up to the contract for Panel Advocates in order to become Panel Advocates.

## ANNEX 2

### MEMBERS OF YOUR BID TEAM BY CATEGORY

1.1 As part of your tender, you submitted details of the Bid Team. These details are included in this Annex.

#### 1.2 Levels of Litigator

##### 1.2.1 Level A Litigator (including Level A solicitor-advocates)

A 'Level A' Litigator must:

- (a) be a solicitor/ solicitor-advocate or employed Barrister; and
- (b) have 8 years' post-qualification experience; and
- (c) either:
  - (i) during the last three years, have conducted a total of 1,050 hours of working on other Serious Crime Cases; or
  - (ii) in any two of the last three years, have conducted a total of 700 hours working on other Serious Crime Cases; or
  - (iii) have a particular specialism that is relevant and important to the case; or
  - (iv) have a combination of (c)(i) and (c)(iii), or (c)(ii) and (c)(iii).

For (c) (i) and (c)(ii) above, evidence that these hours have been met (by way of Billing Guides) must be provided to the CCU upon request.

##### 1.2.2 Level B Litigator (including Level B solicitor-advocates)

A 'Level B' Litigator must:

- (a) be a solicitor/ solicitor-advocate or employed Barrister; or
- (b) be a Fellow of the Institute of Legal Executives; or
- (c) have substantial knowledge and experience of criminal defence casework. Generally this would be expected to include ten years' experience of criminal defence casework and some experience of serious and complex criminal cases.

##### 1.2.3 Level C fee-earner

A 'Level C' fee-earner must:

- (a) be a trainee solicitor; or
- (b) be a pupil barrister; or
- (c) be a legal executive (although note the criteria for a Level B Litigator above); or
- (d) be any other person conducting fee-earning work.

**List of Bid Team members**

**Level A Litigators (including Level A solicitor-advocates)**

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**Level B Litigators (including Level B solicitor-advocates)**

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### ANNEX 3

#### PANEL MEMBER'S OFFICE ADDRESS(ES)

<b>Name of Panel Member</b>	«Applicant_Name»
<b>Address of main office</b>	«Address» «City» «Post_Code»  «DX_Address»
<b>Address(es) of any linked office(s)</b>	