

**MINUTES OF THE CRIMINAL CONTRACTING CONSULTATIVE GROUP
HELD AT THE OFFICES OF THE LAW SOCIETY ON 20 DECEMBER 2007**

IN ATTENDANCE: Rodney Warren – Chair (LS); Richard Miller (LS); Alice Mutasa (LS); Andrew Bishop (CLSA); Penny Mackinder (LAPG); Derek Hill (LSC); Tim Collieu (LSC); Stephen O'Connor (LSC); David Szaroleta (LSC); Paul Wastell (LSC); Pat Bennink (LSC - Minutes)

1. **APOLOGIES:** Greg Powell (CLSA); Tim Gir (LAPG)

Matters arising

2. **VHCC PANEL**

Action

DH (LSC) advised that letters would be going out shortly to individual firms. TC (LSC) would check whether the list of firms was sent to the Law Society and also whether the list will be published on the LSC website as all firms should have access to the list. TC (LSC) also to check when the finalised contract will be available and advise.

TC

TC

3. **CROWN COURT - LITIGATORS FEE**

DH (LSC) advised that litigator's fees were to be implemented on 14 January. Extensive training has been conducted around England and Wales on submitting claims. Guidance will also appear on the website. DH (LSC) also said it should be noted that the IT for Litigators Fee is largely separate from IT relating to SMS. In any case, no claims are expected for 2 – 3 weeks after going live.

CROWN COURT - SINGLE FEE

DH (LSC) said the LSC had met with Bar Council regarding single fee and the Bar had suggested joint meetings with the Law Society to take forward the issue. RM (LS) said the Law Society would want to clarify its view before meeting with the Bar. It was agreed that a separate meeting would be arranged for initial discussions after 14 January, and that joint meetings would take place after that.

TC

4. **BEST VALUE TENDERING**

SO (LSC) reported the first BVT consultation document had been launched on 10 December. The consultation will last for 12 weeks and close on 3 March. The consultation has been published on the website and responses can be completed online. To date already 30 firms had registered their responses. SO (LSC) to provide representative bodies with hard copies of consultation document.

SO (LSC) advised that this consultation is the first of a two-stage process.

A second consultation will follow later in 2008. The consultation covers three core areas as follows:

- It asks what rates would be likely going forward.
- It says if BVT were introduced, what would the fundamentals look like.
- And finally it looks at the scope of the work to be tendered for.

The consultation also covers Equality and Diversity which is supported by an Overall Impact Assessment. In addition, the consultation document asks the question whether there should be price floors and ceilings.

DH (LSC) said BVT events are scheduled to take place around the country in January/February next year to get views from the profession. Events will be held at local level and representative bodies will be invited to attend in their capacity as representatives of organisations. SO (LSC) to provide list of events to Law Society.

RW (LS) asked if there is at this stage any indication of the impact on BVT spending and DH (LSC) replied it was assumed to be cost neutral. DH (LSC) said the argument for BVT is that it matches price to the cost of running a business in a specific area.

RM (LS) said he thought it helpful to engage the profession at this early stage. However, he said considering the scale of work to be done on BVT it was unhelpful to have announced the start date for BVT as January 2009. He also said he believed this was unachievable. LSC noted the view.

There was general discontent among representatives at the meeting that the 12-week consultation period included two weeks over the Christmas period when most firms are closed. AB (CLSA) said he recalled being at a meeting when Paul O'Sullivan had agreed to add two weeks to the consultation period to accommodate. DH (LSC) agreed to take away.

DH

PM (LAPG) said the LAPG will be running their own training events on BVT and would appreciate input from an LSC representative. DH (LSC) agreed to provide someone from the BVT team to attend. DH (LSC) also suggested that Karl Demian be invited to attend the next CCCG.

PB

, DH (LSC) said the second BVT consultation would be relative to options coming from the first consultation and would form the model of how you tender from start to finish.

5. JULY 2008 CONTRACT

RW (LS) queried whether it was the intention to extend the period of the new contract beyond July 2008. DH (LSC) said that no date has been set to consult on July 2008 crime contracts and no decision had been taken to extend the contract.

6. CDS DIRECT SCRIPT

TC (LSC) apologised that John Sirodcar (LSC) could not attend the meeting. However, he will be invited to attend the next CCCG at which time he will be in a position to answer the many queries currently being raised around the introduction, interpretation and implementation of CDS Direct. RW (LS) said the police seem to have a different understanding of how DSCC will work and that this could cause problems for 14 January. DH (LSC) agreed to discuss further with John Sirodcar (LSC).

DH/TC

7. CONTRACT NUMBERS AND REPORTING

TC (LSC) said final contract numbers would be available in January and in response to RM's request agreed to provide a breakdown by regional office on a monthly basis. Forty late submissions had been sent to regional offices for consideration but unless extenuating circumstances for late submission could be found, contracts were not granted.

TC

8. ANY OTHER BUSINESS

It was agreed that future Agenda's would comprise core items.

Cris Scotter from VHCC to attend future CCCG meetings.

RM (LS) queried progress on means testing in the Crown Court and DH (LSC) said work at the moment is in the preliminary stage only.

AB (CLSA) reported that a CLSA member had complained that LSC Online only accepts claims for the month in which work has been done and excluded claims for completed work done before a claim submission. This has caused cashflow problems for some of the smaller firms. TC (LSC) said the rules relating to this had been explained and it was unfortunate some firms experienced problems in the short term.

TC (LSC) and RW (LS) to meet separately in the New Year to discuss confusion relating to reconciliation of statements.

AB (CLSA) requested minutes from CCCG meetings be posted on the Internet and TC (LSC) agreed to arrange for minutes from the last two meetings to be uploaded.

TC

Dates for meetings in 2008 had been circulated. PB (LSC) to rearrange the February date which is unsuitable for some.

PB

The next meeting will take place on 9 January 2008 at Gray's Inn Road.