

MINUTES OF THE SOUTH YORKSHIRE CJS AREA DEFENCE
SOLICITORS MEETING
6 SEPTEMBER 2007 AT SHEFFIELD COMBINED COURT

Present:	Julie Parkin	Regional CDS Manager (Chair)
	Steve McGowan	LSC CDS Policy Team
		HSR Law
		Paul Inman
		Ashton Morton Slack
		Harthills
		Favell Smith & Lawson
		GV Hale x2
		Wilford Smith
		Grayson Willis Bennett x2
		Foys
		Jordans
		Bridge Sanderson Munro
		W Brook
		Howells
		Firth Lindsay
	Sophie Hosking	LSC Account Manager (Minutes)

ITEM 1 – INTRODUCTIONS

Julie Parkin (JP) welcomed the solicitors and introduced the LSC staff present at the meeting.

JP confirmed her new role as Regional CDS Manager and outlined the responsibilities of the job, which include liaison with CJS partner agencies, particularly the courts, police and CPS.

Copies of the agenda pack were circulated.

ITEM 2 – CRIMINAL LEGAL AID REFORM UPDATE

JP drew attention to the Reforms in Brief handout in the agenda pack and discussed the latest position in the reforms programme, including the LSC's announcement on 5th September 2007 to terminate the General Criminal Contract with effect from 13 January 2008.

JP advised there will be a bid round for new Contracts. The bid round is expected to open towards the end of September 2007 and guidance on the process will shortly be published.

JP reported that the legal aid reforms for crime work would now be incorporated into the new contract.

A discussion followed regarding the termination of the Contract and a number of solicitors expressed concern at both the communication and consequences of the decision to terminate.

Action: LSC staff acknowledged the concerns raised and agreed to feedback solicitors' views to the CDS Policy Team.

ITEM 3 – OPERATIONAL UPDATE

JP drew attention to the figures enclosed within the agenda pack.

The 'Monthly Two Day Performance Rate' showed court performance figures for the time taken to make a decision on Means Test applications in the region.

A discussion took place regarding the performance rates throughout the region.

JP confirmed that the LSC, in conjunction with HMCS, are focussing on the poor performing courts to improve performance.

It was agreed that in future the agenda pack and any accompanying data would be circulated in advance of the meetings.

Action: LSC to ensure agenda pack forwarded to providers at least one week prior to next meeting.

ITEM 4 - REPORT FROM DEFENCE SOLICITORS ON SCHEME PERFORMANCE AND ANY ISSUES ARISING

A general discussion followed regarding operational performance across the CJS area, including that of CDS Solicitors, the Police, the CPS and the Courts.

During the discussion, the following questions were raised:

a) Announcement to terminate the General Criminal Contract – What will be in the new Contract?

JP advised that guidance on the new contracts is to be published shortly, which will include an explanation of the process for applying.

b) VHCC Panel – When will the contracts be awarded and will they be affected by the announcement to terminate the General Criminal Contract?

SMcG to seek confirmation on whether the recent announcement will affect the timing of award of VHCC contracts.

Update following meeting: The panel start date is now 14 January 2008. We will inform applicants as to whether they have been successful in early December 2007.

c) Mergers and acquisitions – What is the current position with regards to mergers and acquisition of firms?

JP advised that guidance on mergers and acquisitions is available on the LSC website.

d) LSC responses to CDS consultations – are any further responses due to be published before July 2008?

SMcG reported that all responses to consultations had been published and no further responses were expected.

e) Management Information Reports – How can firms obtain information in relation to their Contracts such as financial statements?

SH advised that, for those firms registered to use e-business, Financial Statements and some Management Information Reports will be made available online later in the year.

f) Contract Reconciliation – Does the current Criminal Contract still allow for an uplift of 7.5% on payments?

JP confirmed that under the current Criminal Contract firms continue to be entitled to request the uplift under the Monthly Payment Rules.

Update following meeting: The Monthly Payment Rules will continue under the new Criminal Contract and firms will be entitled to request an uplift of 7.5%.

g) Recruitment and Retention in Legal Aid Work – Has the LSC carried out any research into the impact of Legal Aid Reforms on recruitment amongst new entrants to legal aid work?

SMcG gave his assurance that the LSC does carry out regular monitoring of the impact of all reforms. He noted the concerns raised by providers about the potential for a fall in numbers joining the profession. He confirmed however that, according to the LSC's research, there had not been the level that had been anticipated by providers so far.

ITEM 5 - DUTY SOLICITOR ARRANGEMENTS

JP confirmed the decision had been taken to continue with the existing Duty Solicitor Rota arrangements (one slot for one solicitor, with the slot belonging to the solicitor's firm).

JP also confirmed that a three-month rota would be issued from October 2007.

The existing General Criminal Contract will be terminated with effect from 13 January 2008.

For those firms that have been awarded a new General Criminal Contract on 14 January 2008, a further six-month rota will be issued.

ITEM 6 - CJS LIAISON

JP drew attention to her Stakeholder Engagement Plan and confirmed her intention to engage with the wider CJS, including the Police and Courts.

A discussion followed as to how best to liaise with stakeholders and on which key issues such as delays within the Criminal Justice System.

ITEM 7 - FUTURE MEETINGS

A discussion took place regarding the format, frequency and location of future meetings.

It was agreed that meetings would be held on a quarterly basis and the location would be rotated across South Yorkshire.

It was further agreed that the meeting would be open to all South Yorkshire CDS Solicitors.

It was agreed that the next meeting would be held at the end of November/early December. The exact date and location is to be confirmed.

ITEM 8 - ANY OTHER BUSINESS

A question was asked about how firms, that are not VAT-registered, should bill their work under the new Standard Fees Scheme.

JP advised that firms who are not VAT-registered would need to report their work excluding VAT.