

MINUTES OF THE MEETING OF THE CRIMINAL CONTRACT CONSULTATIVE GROUP 30 NOVEMBER 2001

Present: Tim Colliou (Legal Services Commission), Richard Collins (Legal Services Commission), Katherine Pears (Legal Services Commission), Greg Lewis (Law Society), Rodney Warren (Law Society), Steve Wedd (CLSA), Robert Brown (LCCSA).

1 Apologies

Hilary Moufid (Legal Services Commission)

2 Latest Statistics

These were unavailable, but would be provided at the next scheduled meeting.

3. Acknowledgement of CDS 6

The Commission had given consideration to the problem highlighted at the last meeting and were looking at a number of possible options. It was agreed that there was a potential problem for firms and the Commission stressed again that one long term solution might be the EDI (Electronic Data Interchange) system that was currently being piloted.

4. CDS 7

The Law Society still had concerns that some bills were taking over 10 days to process and it was therefore proposed that Robert Brown visit one of the Commission's processing centres to observe the way in which bills are handled. It was agreed that it was helpful for both sides to understand the difficulties involved.

5. Funding Review Committees

A recent edition of *Focus on CDS* had highlighted the help and input that practitioners could give to the training of members and clerks. This was a significant task and it was agreed that practitioners were well placed to assist in the process. Contract review bodies were now also up and running and the Commission agreed that they would aim to match review body nominees with the specialist knowledge to match the subject matter of any review.

6. Age Profiling of Duty Solicitors

Whilst the data produced by the Commission at the last meeting had been helpful, the Society asked if further data comparing the position over a number of years could also be produced.

7. Public Defender Service

The Commission announced that the fifth office would be Cheltenham and that a head had been appointed. The sixth and final office was likely to be a branch of an existing office.

It was agreed that in areas where the Public Defender Service was operating, auditors would allow sections of the business plan dealing with firms' strategy for dealing with the Public Defender Service to be removed.

The research methodology for the pilots was due to be published in December. There would be a Law Society nominee on the research team.

8. Duty Solicitors Arrangements 2001

Regional Managers have undertaken an exercise to identify the impact of strictly applying the Arrangements. Where this is likely to cause difficulty with supply, then the Arrangements and the guidance in the Duty Solicitor Manual will be applied with more flexibility.

The future arrangements for London will be discussed at a conference to be arranged early in 2002. No change to these arrangements is likely before April 2003 at the earliest.

9. Costs Assessment Manual

It was agreed that a meeting should take place to discuss the consultation responses as soon as possible to include representatives from the Society, CLSA, LCCSA and LAPG.

10. Crown Court Contracting

The aim was to expand the existing contract to incorporate Crown Court work in April 2003. At the same time the Commission would inherit payment responsibility from the National Taxing Team. The same payment arrangements will continue, but covered by the contract rather than by regulations. Following consultation with the Bar and the Society, draft contract amendments would be published in April 2002. These would be finalised by October 2002 allowing at least a six month lead in.

11. Any Other Business

The issue of extending London Weighting to the Home Counties was raised by the Society and the impact that trying to compete with CPS salaries had on staffing and recruitment.

Reconciliation of contracts to between 90 – 95% was also discussed and the Commission confirmed that these figures were a starting point for negotiations with firms. Due to the uncertainty of billing, the Commission was not looking to impose 92.5% as an arbitrary figure, they would look at the individual firms' position.