



## **Civil Contracts Consultative Group (CCCG) Minutes**

**25 September 2014  
V1.2**

Date:	Thursday, 25 September 15:30		
Where	The Law Society – 113 Chancery Lane, London		
Chair:	Joy Merriam - TLS		
Attendees:	Amelia Walker – BC Eleanor Druker – LAA Grazia Trivedi – LAA-minutes Jean McMahon - MoJ Jess Campbell – BC John Sirodcar – LAA	Julie Bishop - ASA Kathy Hartup – LAA Kerry Wood – LAA Khalid Hasan – LAA Laura Wensley – LAA Matthew Howgate - LAPG Mike Forrester - LAA	Nicola Jones-King – ALC Paul Seddon – ACL Richard Busby – Resolution Sara Stephens – HLP Solange Valdez – ILPA Zoe Farrant-LAA
Apologies:	Alison Harvey-ILPA Avrom Sherr – IALS Carol Storer – LAPG David Emmerson -Resolution	David Keegan – LAA Ian Bugg - BC Jan Luba – BC Neil Lewis - LAA	Rachel Rogers-Resolution Richard Miller – TLS Steve Starkey – LAA

## 1. Minutes and actions from July

P Seddon requested the following text to be added to the July minutes:

*J Cable confirmed that there will be no further increase to the sample size of civil taxed (detailed assessed) bills in the future, unless the current increased sample size reveals an average increase in issues (i.e. higher average of recoupment). P Seddon said that should this occur then the Association of Costs Lawyers would wish to inspect the samples and the assessments and issues raised on the civil taxed bills that have given cause for the MoJ/LAA to assert that the sample size should be further raised. This request was acknowledged by J Cable and J Sirodcar and no objections were raised against this.*

P Seddon requested that Actions 4 and 6 be carried over to November.

R Miller's action 9 was taken forward to November.

## 2. LAA update

**2.1 CFA Suitability and Expert Guidance** Two papers had been circulated prior to the meeting. There were no comments on these. E Druker asked for any comments on the guidance to be sent directly to D Keegan.

**2.2 Prior authority.** Joy Merriman highlighted an issue that she had already raised with David Keegan about prior authority for travel time and costs and that the LAA were not providing prior authorities for travel. She was awaiting David's response and felt this was too urgent to wait for the next update of the guidance in January. **Action 4[Sep]**

**2.3 Client and Cost Management System (CCMS)** J Risk updated the group.

- LAA had been rolling out CCMS since 31<sup>st</sup> March, gradually inviting groups of providers to use it on a voluntary basis.
- Hitherto, 1,381 providers had been invited to use the system and the final 228 were due to come online on Monday 29<sup>th</sup> September.
- Over 11,000 cases were on the system with nearly 500 providers using CCMS in some way.

- Providers that had started to use the system were submitting around 40-45% of their applications through it.
- Following the end of the voluntary rollout, providers would be given time to get used to the system, to train their staff and build up their experience.
- Use of CCMS would not be mandated for new applications until 2015 and 3 months notice would be given of when LAA planned to do so.
- LAA were using feedback to identify where enhancements were required and they were committed to continually review the system.
- The website had been recently refreshed to help people locate support materials.
- E-updates were being sent to all providers to cover commonly asked questions
- A programme of WebEx sessions had started which had proved very popular; the range of topics covered would be gradually expanded and made available to chambers' users.
- LAA would continue to engage and meet regularly with Representative bodies and others, including the ACL and LSSA.
- CCMS was secure
- Since the introduction of CMS rejects had reduced by 2/3 because it did not allow providers to move onto the next stage of the process if they failed to complete each mandatory field.

Representative bodies pointed out that

- a) Teething problems with CCMS continued to hinder users and asked that the LAA launch a users' survey to identify them
- b) New users found that using CCMS was more time consuming than paper applications
- c) Delays occurred when downloading files and documents
- d) System outages were disruptive

LAA said that

- a) LAA were gathering feedback from firms via pulse surveys, contract managers and direct feedback from providers
- b) Lessons learned during the pilot suggested that as providers became accustomed to using CCMS, they got through the process much faster.
- c) Enhancements to the system were being planned to allow it to store more information so that bills could be printed and then saved on the file as pdf. In many cases delays were due to broadband speeds and machines' software at the provider end.
- d) CCMS was taken off line every Thursday and Friday evening to allow for service and upgrades to be carried out. In the event of an unplanned outage providers could still revert to paper.

#### **2.4 Commissioning Update** K Wood gave an update:

The tender for the new Mental Health and Community Care contracts had gone live on 1 Aug.

The LAA had just published their headline intentions<sup>1</sup> for *the Remaining Categories Operating Under the 2010 Standard Civil Contract* and a link to the doc was circulated to the group.

K Wood agreed to Sara Stephens' request that the LAA talk to HLPAs before re-designing the HPCDS.

### **3. Issues raised by the representative bodies**

---

<sup>1</sup> [www.gov.uk/government/publications/civil-tenders](http://www.gov.uk/government/publications/civil-tenders)

### 3.1 Court Judgements

The Law Society requested an update following the recent judgement in Q v Q. The LAA said that they would continue to make decisions on individual cases based on the current statutory framework and the circumstances of each particular case. The LAA could not comment further on the judgement as this was an issue for MoJ and HMCTS.

There was further discussion on the on-going judicial reviews. The LAA said that the appeal against the decision on the Exceptional Case Funding (ECF) immigration case would be heard later that month.

The representative bodies wanted a dialogue on changes to the ECF criteria and the domestic violence evidence criteria in light of the judicial reviews.

It was agreed that these were policy issues and that MoJ officials would be invited to the next meeting to discuss. L Wensley would forward the points onto MoJ policy colleagues and report back to CCCG **Action 5 [Sep]**.

It was also agreed that rep bodies would send G Trivedi any policy related questions on specific issues well in advance of the meeting so that a MoJ policy specialist could be invited to the meeting for discussion; rep bodies understood that requests ought not be made too close to a CCCG meeting as it took time to arrange for a policy colleague to attend.

The LAA clarified the issue around judges signing off bundle payments and confirmed that this was not a requirement however it was a practice undertaken in some local courts. LAA and TLS agreed to circulate a reminder to providers about this. **Action 6 [Sep]**.

**3.2 Request for additional data** J Sirodcar would request the information and distribute to CCCG. **Action 7 [Sep]**

**3.3 Update on future plans re legal aid availability** J McMahon would be able to update the group at the next meeting. This would be on the Nov agenda **Action 8 [Sep]**

**3.4 Publication of the CLA Gateway** was due on 15 March 2015.

**4. AOB** None

Actions from this meeting		Owner	By when
AP1 [July]	P Seddon to email J Sirodcar with details of what would be useful for a breakdown of types of bills and claims processed by LAA.	P Seddon	Closed
AP2 [July]	P Seddon to email D Keegan with specifics of his query re high cost case plans, and D Keegan to respond.	P Seddon /D Keegan	24 Oct
AP3 [July]	R Miller to consider circulating draft letter to members.	R Miller	31 Oct
AP4[Sep]	Respond to J Merriam's e-mails re prior authority for travel	D Keegan	Closed
AP5 [Sep]	Forward the issues raised about court judgements to MoJ policy and report back to CCCG	L Wensley	Closed
AP6 [Sep]	E-reminder to providers about protocol on bundle costs	E Druker/TLS	24 Oct
AP7 [Sep]	Distribute the additional data requested by rep bodies	J Sirodcar	31 Oct
AP8 [Sep]	Update on future plans re legal aid availability at next CCCG	J McMahon	10 Nov