

NOTES OF MEETING OF LEGAL AID GROUP  
HELD ON TUESDAY 8 JULY 2014-07-08

Present: Kim Fenson (by telephone) Linda Kann, Rachel Perkins, Paul Seddon

**1. Seminar**

a) Murray has provisionally booked the Hilton at Milton Keynes for Monday 22 September 2014. Ian Black has confirmed he will be present, Paul is waiting for confirmation from Carol Storer.

b) Linda will contact the sound engineer to see if he is available to provide a sound system.

c) The provisional programme was agreed as follows :

Introduction	Sue Nash	15 minutes
CCMS	Ian Black	1 hour 30 minutes
LAPG	Carol Storer	45 minutes
Entitlement to IP costs	Murray Heining	45 minutes
Quantification of IP costs	Murray Heining	45 minutes
*Q & A session	Kim/Linda	1 hour 00 minutes
*High Costs	Kim/Linda	1 hour 00 minutes

\* For the Q & A session, Linda will put together some of the most recent queries from the Forum. Kim will lead the session unless she is unable to attend due to family commitments, in which case Linda (or Paul?) will lead the session

\* For the High Costs session, Linda will put together a skeleton programme but as she does not have a lot of experience in putting together such presentations, Kim has kindly agreed to take a look and give advice. It will concentrate on events based high costs plans but also cover hourly based plans but not in so much detail.

d) Kim felt the ACL Council should be asked if CPDs could be given for those of us involved in the LAG Group who help to organise the seminars and perhaps also for those who serve on Council for the time that is given. It was also suggested that those involved in organising the seminars should not have to pay to attend.

e) This seminar will be a fundraiser for Sheila Chapman. It will not officially be an ACL seminar because of its policy on monies raised from training not contributing to charitable causes. Sheila Heining will do all the administration. We will still get CPDs through Murray who is accredited.

f) The cost per delegate is still to be confirmed but is likely to be £100 for members and £200 for non-members.

## 2. CCMS

Paul reported on his meeting with Cat Little and Joe Risk (LAA) on 24 June. He said Kat Little seemed to understand our concerns and issues as she comes from the private sector.

a) Objectives for the meeting:

- Discuss effects of limitations of the system as only the simplest of claims are on the system. KL and JR gave no assurances that these were being investigated
- Contingency plans and implementation e.g. when the system goes down – no concessions at the moment
- Training – the LAA training really is not training in the true sense

Paul confirmed the various actions the LAA needs to take.

b) CL agreed there should be written contingency plans for circulation but said there were contingency plans and was resistant towards the assertion by PS that they have not been used properly for claims. At the moment if the system goes down they will not allow paper based claims. We need to know triggers. In the pilot paper claims were only allowed after making a big fuss, otherwise cost lawyers have been left staring at screens which do not work.

c) The LAA needs to identify claims that cannot be processed on CCMS

d) The LAA needs to test the system with regards to training. There is a test system which can only be used by the CCMS team, rather than a dummy system available direct to Users as part of CCMS. Paul said we should not be used to verify or guarantee their system, though we can help.

e) The LAA does not appear to be communicating with any of their cost assessment/billing teams on the following:

- Functional problems – the fact that CCMS won't do some things
- Non-functional – various tasks take too long although there have been some major upgrades
- Changes in process – adapting to change. PS said this is something that on reflection is likely to be met with more resistance by the LAA's own staff than external providers

The system is well below par, so they don't seem to want to communicate with other departments in the LAA. Their IT understand the system, their case work departments understand the process but neither seem to understand both.

PS: It appears CCMS are looking to use the ACL's involvement as unpaid consultants in order to avoid issues of internal politics within the LAA. We need to be careful that we are not exploited to the

detriment of our own businesses/employment by providing knowledge and expertise that already exists within the LAA.

- f) We have had a response but only on the items JR wants to deal with. He wants to run an internal webex with Paul and a couple of Costs Lawyers in the NE who have experience of CCMS to deal with matters we think cannot be dealt with under CCMS

### **3. Very High Costs cases**

Paul raised the issue of updating of case plans. He referred to what happens when during an agreed stage an extra hearing takes place, the LAA is saying it will not be covered unless prior notice is given to the LAA.

If an extra hearing takes place, notice of change of the timetable has to be notified to the LAA on the date of receipt of notice otherwise solicitors will be penalised. The LAA is refusing to accept retrospective case plans if an additional hearing has already happened.

The HCCU is getting more and more difficult, playing everything by the book and not being pragmatic. If in doubt, they simply reject. Paul mooted the suggestion made to him by Jeff Francis, that as a compromise, there be a 28 day (possibly) deadline by which changes in numbers of hearings should be notified to the LAA. It is not always practical to be able to do this on the day if there is an emergency same day hearing.

PS: Will review this issue to find out what exactly is the problem before suggesting further deadlines to the LAA that could actually be more restrictive than currently.