

HLPA legal aid update no. 4 (10/10/07)

1. Fixed fees

HLPA's Housing Justice Campaign booklet, which was widely distributed amongst MPs, set out practitioners' concerns about the anticipated impact of fixed fees.

From 1st October 2007 practitioners, and more importantly clients, have had to contend with the reality of the fixed fee system and HLPAs are very keen to receive feedback from members about the impact fixed fees are having.

The feedback will be of great assistance to HLPAs' attempts to campaign and lobby for a more client sensitive fee scheme. The feedback will also provide a useful backdrop to the debate, 'Access to Housing Rights', to be held at HLPAs' conference on 14th December 2007.

Whilst all feedback is very welcome, members' experiences of the following would be particularly welcome:

- Examples of housing suppliers who are giving up housing advice, or who are reducing the amount of controlled work they carry out (either from these suppliers themselves or from other suppliers in their area).
- Examples of particular clients or classes of client who are finding it much harder to secure advice. For example:
 - Has it become harder to refer certain types of cases?
 - Are members aware of other suppliers cherry-picking easier/quicker/more profitable cases? (Member do not need to name names, we just want to know if this is happening).
 - Are members more reluctant themselves to assist certain clients and certain types of cases?
- Examples of clients being provided with obviously sub-standard advice from some suppliers. For example:
 - Are members being approached by clients who have been told by other suppliers that no more can be done to assist them when that is obviously wrong? (Again, members do not need to name names, we just want to know if this is happening).
 - What are members' experiences of the help their clients have received from CLS Direct?
- Experiences of adapting to the fixed fee and exceptional fee systems. For example:
 - Has the transition been an easy one administratively and in terms of staff training?
 - Did suppliers receive enough help from the LSC to help them adapt?
 - Are the rules clear enough?
 - Are there particular aspects of the rules which don't work or require modification?
 - What are members' experiences of the exceptional claims procedure?

Please forward any feedback to Newsheen.Bhatti@shelter.org.uk and please note that HLPAs will not disclose the identity of the person/organisation supplying the feedback if appropriate.

2. Law Society's judicial review

The Law Society's and LSC's appeals have been listed to be heard in the Court of Appeal on 15th and 16th October 2007. A judgment and an explanation of what the judgment will mean in practice will take a little longer.

3. Access to Justice Alliance

The Access to Justice Alliance is holding an Annual General Meeting at 6pm on Tuesday 30th October. The meeting will take place in the Meeting Room, 12th Floor, London Bridge House, 25 London Bridge Street, London SE1 9SG.

4. LSC costs assessment guidance

The LSC will soon issue revised costs assessment guidance for LSC costs assessors and external adjudicators. HLPAs have been provided with a copy of the current draft and HLPAs are meeting with the LSC on 15th October 2007 to discuss it. If any members would like to receive a copy of the current draft and would like to provide feedback about it please contact gmitchell@pierceglyn.co.uk.

5. LAPG conference

Details of the conference are available at <http://www.lms.lawsociety.org.uk/pages/events/list>. Speakers include Lord Hunt, the minister with responsibility for legal aid.