

Legal Aid Reform: what is supposed to happen when?

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The table below sets out various statements made by the DCA/LSC about the timing of the proposed changes in relation to non-family civil matters. Since the statements were made by different sources at different times, there are likely to be inconsistencies and/or overlaps between the different statements.

Text in bold indicates that an event or publication has already occurred.

The timetable is likely to change for various reasons. We hope to update this document at appropriate intervals. If you have any comments or suggestions please email Adam.Griffith@asauk.org.uk

When	What	Source	Comment
December 2006	LSC to issue draft unified contract for final consultation, until the end of January	The Way Ahead p.52	The LSC is expected to issue a "final" draft of the Standard Terms in mid February.
Late 2006 / early 2007	DCA to consult professional bodies on revisions to CLS regulations to implement the changes planned for April 2007	The Way Ahead p.52	We have no knowledge about this. We assume that "professional bodies" refers to the Law Society and the Bar Council.
Late 2006 / early 2007	Consultation on 'Making Legal Rights a Reality in Wales'		Consultation paper dated December 2006. Deadline for responses 2 March 2007
Late 2006 / early 2007	LSC to publish a detailed process document on the use of file assessment.	The Preferred Supplier Consultation Response p.15	The LSC have issued a document entitled "File Assessment – The Process" dated January 2007.
February 2007	First Quarterly Legal Aid Stakeholder meeting	Legal Aid Reform Implementation Plan ¹	Members of this group include representatives from the LSC, DCA, Court Service, Law Society, Bar Council, ASA, CPS and HM Treasury. The first meeting took place on 1st February 2007.
February 2007	LSC to issue further paper on fee scheme for immigration and asylum. Debate in both Houses on appeals regulations	Legal Aid Reform Implementation Plan	

¹ The Legal Aid Reform Implementation Plan is a document prepared by the DCA/LSC and appears in the papers for the Quarterly Legal Aid Stakeholder Meeting on the 1st February 2007.

February 2007	LSC to issue further paper on fee scheme for mental health	Legal Aid Reform Implementation Plan	
February 2007	LSC to publish roll out plan for quality assessment	Legal Aid Reform Implementation Plan	The Preferred Supplier Consultation Response says (at p.32) that the LSC will publish a detailed timetable setting out how Preferred Supplier fits with the key milestones set out in the Way Ahead. Further detail on the entry criteria is also expected.
February 2007	LSC to announce its timetable for the development of new systems and processes and will engage with providers, representative bodies and software providers before consulting more widely on the new management and control regime in Autumn 2007	The Way Ahead p.40	<i>It is not clear if this information will be published as part of, together with or separately from the paper referred to above on quality assessment and preferred supplier.</i> Focus says that "In February 2007 we will publish what the future specification will look like to enable time for us to work with providers and software companies to refine our proposals prior to publication in October 2007." (Focus 52 p.6) The Preferred Supplier Consultation Response says (at p.24) that further details of an e-business based approach will be published in February 2007, and that "we anticipate that we will roll out this process to Preferred Suppliers first". It also says (at p.25) that "we will be in a position to provide more details of our vision for e-business in February 2007, together with a broad outline of what will be expected from providers' case management systems."

March 2007	LSC to issue policy paper on procuring integrated social welfare law services	Legal Aid Reform Implementation Plan	The Preferred Supplier Consultation Response says (at p.18) that the LSC will be developing its CLS Strategy "to clarify category boundaries, provide focus on the services we wish to fund and outline how we will contract for services to ensure access for clients."
March 2007	LSC publish final scheme for quality assessment	Legal Aid Reform Implementation Plan	
April 2007	Introduction of unified contract, with revised Standard Terms, but the Contract Specification will remain largely in its current form	The Way Ahead p.12, 37, 54	
April 2007	Payment arrangements for NfPs change to monthly in advance	The Way Ahead p.11	
April 2007	All service providers will need to have an e-mail address and access to the internet by 1 April 2007	Focus 52 p.6	
April 2007	The LSC's new contract management system becomes operational	The Way Ahead p.45	The Way Ahead [para 25, p.45] is not clear if this refers to a contract management system and/or a management information system
April 2007	New SPAN codes come into operation	Preferred Supplier Consultation Response p.16	The Response says that providers will be "asked" to use new codes to report the correct matter type and outcome, and that correct reporting of this data will be monitored.
April 2007	KPI monitoring commences	Preferred Supplier Consultation Response p.33	The File Assessment – Process document states [p.5] that KPIs "will be used from April 2007 to monitor providers' performance against targets set out in the Unified Contract."

April 2007	Implementation of changes to CLS Immigration & Asylum appeals regulations	Legal Aid Reform Implementation Plan	
April 2007	Gateshead CLAC operational. Re-tendering on Leicester Centre. Tender for Centre in Derby.	Legal Aid Reform Implementation Plan	
May 2007	LSC to publish policy paper on approach to mental health legal services	Legal Aid Reform Implementation Plan	
May 2007	LSC to consult on tailored fixed fee [replacement scheme] contract level	Legal Aid Reform Implementation Plan	The Way Ahead says [pp.27, 54] that the LSC will, in early summer 2007, consult on criteria for setting contract levels under the TFF replacement scheme [including fixed fees for the social welfare law categories] from April 2008, which will redistribute some cases from providers whose average costs are either very low or very high.
June 2007	LSC to publish re-consultation response paper on immigration and asylum	Legal Aid Reform Implementation Plan	
Early summer 2007	DCA to consult professional bodies on revisions to CLS regulations and LSC Funding Code to implement the changes planned for October 2007	The Way Ahead p.54	
September 2007	LSC expected to publish paper on Low Volume Categories	Information received from Paul Newell [LSC] 22.1.07	
October 2007	Introduce replacement for Tailored Fixed Fee Scheme for civil and family controlled work	The Way Ahead p.55	
October 2007	Introduce new specification to the Unified Contract to underpin the new schemes	Focus 52 p.4	

October 2007	Introduce fee scheme for mental health	The Way Ahead p.55	
October 2007	Introduce fee scheme for immigration and asylum	The Way Ahead p.55	
October 2007	By October 2007 work submissions should be made online.	Focus 52 p.6	
Autumn 2007	LSC to consult more widely on the new management and control regime	The Way Ahead p.40	Focus says that proposals will be published in October 2007. (Focus 52, p.6). The Preferred Supplier Consultation Response says (at pp.25-26) that "By October 2007 we hope to be in a position to communicate our high-level requirements for case management systems and to set a target date for when electronic working will become mandatory."
Late 2007	DCA to consult professional bodies on revisions to CLS regulations to implement the changes planned for April 2008	The Way Ahead p.55	
April 2008	Implementation of changes to fixed fee contract levels		See the comments above in relation to May 2007
April 2008	By 1 April 2008 all service providers will need to make work submissions online	Focus 52 p.6	Compare the statement in the Preferred Supplier Consultation Response quoted above in relation to Autumn 2007
July 2008	DCA and LSC to report on possible changes to civil representation remuneration	The Way Ahead p.56	
April 2009	Introduction of competitive tendering	Preferred Supplier Consultation Response p.32	The Response says (at p.32) that "All civil legal aid services are likely to be competed in some form from April 2009 over a two to three year period."