

Consultation Papers

Extracted Facts or Assertions

Authored by:

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Extracted Facts or Assertions

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Date & Time	Fact Text	Source(s)	Linked Issues	Key
To Be Determined	[The data also identifies BME firms in London as being overrepresented in the small firm4 category, 52% of small firms are BME owned compared to 33.3% for the White group. In the light of this information the consultation paper specifically invited views on the nature and extent of the impact of the proposals on BME firms and on small firms in London]	mda research - april 06 [%LF% 7 89 524 247 30] Page 8	BME, London	
Not Applicable	[Section 48 of the Criminal Justice and Public Order Act 1994 provides that courts should take into account the stage at which a guilty plea is indicated and entered when considering sentence. The resulting sentence discounts were intended as an incentive for defendants to plead guilty at the earliest opportunity, rather than 'cracking' trials on the day. However, in cases which are likely to involve a long prison sentence, there may be little perceived gain from this credit, especially if weighed against the possibility of witnesses not attending court, or the CPS feeling the pressure to charge-bargain. In many //88 Report by the Comptroller and Auditor General (1999). Criminal Justice: Working Together. London: The Stationery Office. 89 Tracing the progression of specific charges was impossible in many cases. Changes were made to the order of the counts and charges were simply added or dropped with little explanation as to why. Some of the lack of written explanation was no doubt due to the informal, verbal negotiations that took place at court, but many unexplained changes were made to the indictments before trial. Some barristers had a policy of asking the client to endorse the brief or to write a statement saying that they had freely made a decision as to, for cases, even when charges are appropriate, the maintenance of a not guilty plea up to the time of trial by a defendant who has committed the offences charged may be argued to be a sensible testing of the prosecution's ability to discharge the burden of proof, rather	Criminal Case Profiling Study [%LF% 74 89 505 371 35] Page 75	Demand Driven, London	

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**	than an abuse of the system]	**	**	**
Not Applicable	[Most Crown Court cases were concluded within a few months of being committed. However, there was great variation within the files, and the interviews with practitioners suggested that there was considerable variation between courts. Outside London, a lack of judges causes 'bottle-necks' and the 'commonplace' extension of custody time limits by three to six months. This was less of a problem with shorter cases.]	Criminal Case Profiling Study [%LF% 81 132 505 729 630] Page 82	Demand Driven, Crown Court, London	
Not Applicable	[Cases conducted by solicitors based in London were more expensive, reflecting, in part, the peculiar case mix of the Central Criminal Court, Inner London Crown Court and Snaresbrook Crown Court. The first two of these courts account for over two-thirds of cases costing over £250,000. Another court with a high proportion of high cost cases was Manchester Crown Court, reflecting the number of fraud cases tried there.]	Criminal Case Profiling Study [%LF% 99 132 505 633 534] Page 100	Criminal Legal Aid Spending, Demand Driven, London	
Not Applicable	[some of the variance within Crown Court solicitors' case costs can be attributed to particular characteristics of individual cases. Serious offences, such as murder and rape and complex cases, such as fraud, generally involve substantially higher costs than others do. Trials and multiple defendants increase costs. The value of property and number of experts involved in cases affect costs. Cases conducted by solicitors based in London are more expensive than elsewhere, and, generally, solicitors' firms and courts appear to have different efficiency levels as regards completing the same processes.]	Criminal Case Profiling Study [%LF% 106 132 505 688 548] Page 107	Demand Driven, London	
Not Applicable	[The LSC recognised that their data on the makeup of the criminal defence supplier base in London showed that both small criminal defence solicitor firms and those in which the majority of owners/partners are from a BME background (BME firms) are over-represented and therefore could be disproportionately affected by the proposed changes.]	mda research - april 06 [%LF% 2 89 524 455 370] Page 3	BME, London	
Not Applicable	[Figures collected demonstrate clearly that BME firms and	mda research - april 06	BME, London	

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**	BME solicitors are disproportionately over-represented amongst criminal legal aid contractors in London. Therefore any proposal to change the way in which the LSC awards contracts for criminal legal aid work in London will not only have a disproportionate impact on BME owned or controlled firms, but also on the employment prospects of BME solicitors who are far more likely to be practising in BME owned firms than their White counterparts.]	[%LF% 3 89 524 103 30] Page 4	**	**
Not Applicable	[there was likely to be a similar impact on firms outside London as those in London. In fact, it found that firms outside London and BME firms in particular, are smaller than those in London. Although the proposed minimum contract value threshold is likely to be lower than in London and may vary across different parts of the country it is likely that the impact of a minimum value threshold would have a greater impact on the smallest firms, ruling out more BME firms from the bidding process than in the Capital.]	mda research - april 06 [%LF% 4 125 524 436 324] Page 5	BME, Size of firms, London	
Not Applicable	[Overall, the initial assessment also found that issues relating to the impact on access to justice for BME clients are similar to those in London; that is, BME clients choose BME solicitors and BME owned firms for reasons of geography, language, cultural and religious affinities.]	mda research - april 06 [%LF% 4 125 524 325 267] Page 5	BME, Client Choice, London	
Not Applicable	[The data shows that in London 46% of criminal legal aid contractors are BME owned firms compared with to 42% of firms that are White owned. Nationally BME owned firms make up 13.4% of criminal contractors compared to 82% for White firms.]	mda research - april 06 [%LF% 7 89 524 316 259] Page 8	BME, London	
Not Applicable	[In London we find that 46% (90) of Criminal contractors are BME owned or controlled, a further 12.2% (24) have split control and 42% (82) of Criminal contractors in London are White owned or controlled]	mda research - april 06 [%LF% 28 89 524 336 293] Page 29	BME, London	
Not Applicable	[Outside of London BME owned and controlled legal aid (Civil and Criminal) contractors was 13.6% in the West Midlands,	mda research - april 06 [%LF% 28 89 524 281 237]	BME, London	

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**	8.1% in Yorkshire and Humberside, 7.8% in Wales, 7.7% in the East Midlands and 7% in the North West region.]	Page 29	**	**
Not Applicable	[In London 91.5% (75) of White firms were awarded category 1 compared with 80%(72) of BME firms and 75% (18) of firms with split control. There were no firms with a Category 3 marking and again a higher percentage of BME firms had not been audited compared with White firms: 7.8% and 3.6% respectively. This shows that the gap between the two groups in the highest category closed slightly. However, again these figures do not demonstrate significant concerns about the quality of BME criminal contractors in London, as measured by cost compliance audits.]	mda research - april 06 [%LF% 33 89 524 535 422] Page 34	BME, Quality, London	
Not Applicable	[Data on the size of firms with criminal contracts shows that nationally 41% of criminal contractors are defined as small firms the figure for London is 35%. Within the London region 52% (36) of small firms with criminal contracts are BME owned and controlled, 14.5% (10) of small firms have ownership that is split between BME and White British partners and 33.3% (23) are White British owned. Comparisons of the proportion of small firms within each ethnic category show that 40% of all BME criminal contractors in London are small firms, compared with 28% of White firms and 41% of firms where control is split.]	mda research - april 06 [%LF% 38 89 524 586 432] Page 39	BME, Size of firms, London	
Not Applicable	[Comparisons of the proportion of small firms within each ethnic category show that 40% of all BME criminal contractors in London are small firms, compared with 28% of White firms and 41% of firms where control is split. The 2004 diversity analysis of all legal aid suppliers shows that the proportion of BME fee earners decreased with the size of the firm, so that in firms with 5 or fewer fee earners 15% of fee earner solicitors were BME. This figure reduced to 10.8% in firms with 11 or more fee earners.]	mda research - april 06 [%LF% 38 89 524 476 336] Page 39	BME, Size of firms, London	

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Not Applicable	[research by the London Development Agency (LDA)27 into the barriers to business development, growth and success faced by BME businesses which showed that small businesses and in particular BME businesses are less successful when tendering for public services contracts. The difficulties identified included a lack of knowledge and understanding of the formal procurement process (public and private), contractor expectations and uncertainty about how to write a formal tender or prepare presentations are major barriers for small businesses']	mda research - april 06 [%LF% 44 89 524 466 353] Page 45	BME, Size of firms, London	
Not Applicable	[Data on the distribution of the value of lower criminal work between suppliers in London shows that 160 of the total 488 criminal legal aid firms in London earned less than £50,000 from such work in 2003/04. If the threshold was set at £50k as proposed, this would potentially exclude a significant number of these suppliers from the bid process.]	mda research - april 06 [%LF% 49 89 524 535 464] Page 50	Criminal Legal Aid Spending, Size of firms, London	
??/??/1999 - ??/??/2000	[Over £ 750 million was spent on criminal legal aid. £ 109 million was spent on police station work, of which around two-thirds was paid to ' own' solicitors and one- third to duty solicitors. London accounted for almost 25% of all police station legal aid expenditure. £ 233 million was spent on criminal legal aid in the magistrates' courts, 46% of this was paid through lower standard fees and just over 25% through non- standard fees. £ 19 was spent on the court duty solicitor scheme, and £ 25 million on criminal Legal Advice and Assistance. The majority of the £ 371 million spent on Crown Court criminal legal aid was paid to barristers. Around £ 115 million was paid to solicitors]	Criminal Case Profiling Study [%LF% 2 118 505 373 219] Page 3	Criminal Legal Aid Spending, London	
??/??/1999 - ??/??/2000	[Four separate detailed statistical analyses were undertaken; three based on COMSHARE data and one on the detailed sample data drawn from solicitors' case files. A regression analysis of COMSHARE data, to determine broad cost drivers, resulted in the development of a model including the duration of trial, case type, class of offence, number of defendants,	Criminal Case Profiling Study [%LF% 5 118 505 578 230] Page 6	Demand Driven, London	

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**	<p>whether the solicitor was based in London, and offence category. The first three independent variables in the model accounted for around one- third of overall cost variance. When individual offence categories were looked at in isolation, sex, violence and fraud cases were found to have the highest costs. A multilevel model, with Crown Courts as the higher level variable, to determine the effect of individual courts on case costs, indicated that although there was some variance between courts, most was within them. A stochastic frontier analysis was conducted to compare costs across solicitors' firms and courts and to estimate the efficiency of individual firms and courts in completing the same processes, given the same mix of cases. This indicated that solicitors' attendance time and volume of correspondence were the prime determinants of cost and throughput efficiency. An increase in the number of jury trials, especially fraud trials, was found to reduce throughput and increase costs and an increase in burglary cases and appeal cases to increase throughput and reduce costs. A regression analysis of the detailed sample data re- affirmed the influence of offence category and plea on case costs. The size of prosecution bundle, number of prosecution expert witnesses, and value of property involved were also cost drivers.]</p>	**	**	**
<p>??/??/1999 - ??/??/2000</p>	<p>[Of the £ 109 million the Legal Aid Board spent on the Police Station Advice and Assistance Scheme in the 1999/ 00 financial year, just under one- third of this was paid to ' duty' solicitors, and the remainder to ' own' solicitors. A total of 745,381 suspects were assisted, at an average cost of just over £ 146, an increase of 5.9% on the previous year. 21.7% of suspects received only telephone advice, the remainder received advice in person. London accounted for almost 25% of all police station legal aid expenditure. Elsewhere, expenditure varied between regions, even if population size is taken into account, reflecting different levels of take- up of the services offered.]</p>	<p>Criminal Case Profiling Study [%LF% 22 132 505 426 327] Page 23</p>	<p>Criminal Legal Aid Spending, London</p>	

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Date & Time	Fact Text	Source(s)	Linked Issues	Key
<p>??/??/1999 - ??/??/2000</p>	<p>[There were differences in cost variance between detailed offence category cases. Some offence categories were relatively homogenous as regards costs, others had highly skewed cost distribution patterns. Part of the reason for the differences seems to have been plea patterns. Different offence categories were associated with different trial rates, and those offence categories associated with the lowest trial rates were associated with the greatest cost variance. Cases involving more than one defendant were associated with higher solicitors' costs. Cases conducted by solicitors based in London were found to be more expensive, reflecting the peculiar case mix of the Central Criminal Court, Inner London Crown Court and Snaresbrook Crown Court. Variance in solicitors' case costs was greatly reduced if a small number of high cost cases were removed from calculations.]</p>	<p>Criminal Case Profiling Study [%LF% 110 132 505 522 327] Page 111</p>	<p>Criminal Legal Aid Spending, Demand Driven, Crown Court, London</p>	
<p>??/??/2003 - ??/??/2004</p>	<p>[The amount spent by the Criminal Defence Service (CDS) under the General Criminal Contract (GCC) for criminal lower was £ 535m in 2003/ 4 (around £ 110m of which was spent in London). This £ 535m is around one quarter of the total legal aid budget of £2.1 billion]</p>	<p>IMPROVING VALUE FOR MONEY FOR PUBLICLY FUNDED CRIMINAL DEFENCE SERVICES IN LONDON [%LF% 6 118 486 642 584] Page 7</p>	<p>Criminal Legal Aid Spending, Magistrates' Courts, Police Stations, London</p>	
<p>??/??/2003 - ??/??/2004</p>	<p>[in London in 2003/ 4 £ 26m (29%) of the £ 91m spent on police station advice and assistance attendance cases, and representation order cases in the magistrates' court was spent on travel and waiting]</p>	<p>IMPROVING VALUE FOR MONEY FOR PUBLICLY FUNDED CRIMINAL DEFENCE SERVICES IN LONDON [%LF% 10 161 505 323 266] Page 11</p>	<p>Criminal Legal Aid Spending, Magistrates' Courts, Police Stations, London</p>	
<p>??/??/2003 - ??/??/2004</p>	<p>[Nearly 160 out of just under 500 London- based suppliers (32%) earned less than £ 50,000 from CDS lower work]</p>	<p>IMPROVING VALUE FOR MONEY FOR PUBLICLY FUNDED CRIMINAL DEFENCE SERVICES IN LONDON</p>	<p>Criminal Legal Aid Spending, Magistrates' Courts, Police Stations, London</p>	

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**	**	[%LF% 14 118 505 178 134] Page 15	**	**
??/??/2003 - ??/??/2004	[The amount spent for criminal lower work in 2003/ 4 was £ 535m (of which around £ 110m was spent in London), which represents a quarter of the overall legal aid budget. If we do not control criminal legal aid spend, the scope of the criminal and civil legal aid work we currently fund is likely to be cut.]	IMPROVING VALUE FOR MONEY FOR PUBLICLY FUNDED CRIMINAL DEFENCE SERVICES IN LONDON [%LF% 32 89 505 235 163] Page 33	Criminal Legal Aid Spending, Magistrates' Courts, Police Stations, London	
??/??/2003 - ??/??/2004	[Based on 825 responses to the LSRC's 2003/ 04 supplier survey, (a response rate of 30%) it would appear that a disproportionate percentage of suppliers with criminal contracts in the London region are BME suppliers. This percentage is slightly higher for small firms, defined as those with five or fewer fee earners]	IMPROVING VALUE FOR MONEY FOR PUBLICLY FUNDED CRIMINAL DEFENCE SERVICES IN LONDON [%LF% 41 89 505 647 575] Page 42	BME, London	
??/??/2003 - ??/??/2004	[Number of suppliers (based in the London Region and active on 3 September 2004): 488 Total value of work reported (including work outside the police station and magistrates' courts): £ 110.4m Number of suppliers on duty solicitor schemes: 387 Number of duty solicitors (police station and magistrates' court):]	IMPROVING VALUE FOR MONEY FOR PUBLICLY FUNDED CRIMINAL DEFENCE SERVICES IN LONDON [%LF% 49 89 430 550 420] Page 50	Supply of services, Criminal Legal Aid Spending, Magistrates' Courts, Police Stations, London	
??/??/2003 - ??/??/2004	Duty Solicitors in London region: Number of cases 51,595, Total cost £21.8m, Average cost per case £422 Own solicitors in London region: number of cases 44,550, total cost £15.5m, average cost per case £349 Total for London region: number of cases 96,145, total cost £37.3m, Average cost per case £388	IMPROVING VALUE FOR MONEY FOR PUBLICLY FUNDED CRIMINAL DEFENCE SERVICES IN LONDON [%LF% 49 95 499 285 119] Page 50	Police Stations, London	
??/??/2003 -	[London Region: Magistrates' Courts Number of magistrates'	IMPROVING VALUE FOR	Magistrates' Courts, London	

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??/??/2004	courts: 50 Number of court duty solicitor schemes: 42 Number of court duty solicitor slots in a 4- month period (across all schemes):]	MONEY FOR PUBLICLY FUNDED CRIMINAL DEFENCE SERVICES IN LONDON [%LF% 50 89 430 771 686] Page 51	**	**
??/??/2003 - ??/??/2004	[Volume and Value of Magistrates' Court Cases (2003/04 in London Region] Court duty solicitor session: number of cases/sessions: 14,319, total costs £3.7m, average cost per case/session £262 Representation Order cases: number of cases 80,546, total cost £53.8m, average cost per case £668 Total cost: 57.6m	IMPROVING VALUE FOR MONEY FOR PUBLICLY FUNDED CRIMINAL DEFENCE SERVICES IN LONDON [%LF% 50 140 454 661 644] Page 51	Magistrates' Courts, London	
??/12/2003	[The firms that would be willing to take on more work were most likely to be located in the North 1 and in London (where 55% and 44% of firms, respectively, would be willing to take on more work). The firms were also likely to derive a large proportion of their total fee income from legal aided work and to have more limited outside opportunities in terms of other types of work than the average for firms responding to the survey]	A market analysis of legal aided services provided by solicitors [%LF% 9 124 487 586 507] Page 10	Over Supply, London	
??/12/2003	[That firms in London hold the second largest number of contracts per firm could be indicative of the importance of legal aided work to firms based in London...In London, on average, firms derive close to 80% of their fee income from publicly funded work, compared to just over 50% for firms based in the Midlands and in the South]	A market analysis of legal aided services provided by solicitors [%LF% 42 108 487 346 267] Page 43	Supply of services, London	
??/12/2003	[firms in London and the South have higher cost per fee earner at just over £ 25,000 compared to just over £ 20,000 in the north]	A market analysis of legal aided services provided by solicitors [%LF% 43 108 486 292 267]	Costs Drivers, London	

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**	**	Page 44	**	**
??/12/2003	[Excess supply might be more likely in London and in the North, and in larger firms that derive a larger proportion of their fee income from legal aid, or hold a larger number of contracts]	A market analysis of legal aided services provided by solicitors [%LF% 48 108 487 439 360] Page 49	Over Supply, London	
??/12/2003	[The notional salary for equity partners is assumed to be £ 45,000 per annum in London and £ 40,000 in the rest of England and Wales. These figures are taken from Andrew Otterburn's report of the 2003 Survey of Legal Aid Firms and is based on the earnings of the highest paid fee earner in each firm responding to the survey]	A market analysis of legal aided services provided by solicitors [%LF% 53 136 487 225 186] Page 54	Costs Drivers, London	
??/??/2004 - ??/??/2005	[The vast majority of cases (80% by volume) are paid at the lower standard fee rate. However, while the majority in volume terms are paid on a lower standard fee, in value terms the high standard fees and ex post facto escape payments are much more significant. A regional breakdown of payments in terms of total costs, travel and waiting shows that travel makes up between 6% (Merseyside) and 14% (London) of total cost, while waiting makes up between 8% (Leeds and the Southwest) and 13% of total cost. On average travel and waiting account for 17% of total costs]	Procurement of Criminal Defence Services [%LF% 29 304 533 606 435] Page 30	Criminal Legal Aid Spending, Magistrates' Courts, London	
??/??/2004 - ??/??/2005	[An analysis of the types of contracts that became less common in 2004/05 suggested that the greatest decrease in the number and percentage of contracts awarded was in the immigration category and that London had a high proportion of firms failing to obtain contracts for 2004/05. It followed that as BME firms were highly overrepresented both in London and in immigration legal aid work these factors could explain statistically why BME firms were significantly less likely to no longer hold contracts.]	mda research - april 06 [%LF% 30 89 524 216 30] Page 31	BME, London	
??/08/2004	[There are 33 Boroughs in London and their boundaries generally correspond with those of the police station and	IMPROVING VALUE FOR MONEY FOR PUBLICLY	Magistrates' Courts, Police Stations, London	

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**	magistrates' court duty solicitor schemes]	FUNDED CRIMINAL DEFENCE SERVICES IN LONDON [%LF% 49 89 487 619 575] Page 50	**	**
??/??/2005	[London represents the largest market for CDS in England and Wales and consumes around 22% of the CDS lower budget;]	IMPROVING VALUE FOR MONEY FOR PUBLICLY FUNDED CRIMINAL DEFENCE SERVICES IN LONDON [%LF% 33 136 502 648 618] Page 34	Criminal Legal Aid Spending, Magistrates' Courts, Police Stations, London	
??/01/2005	[The Commission is not seeking to reduce the number of suppliers in London to a particular number or to limit the size of a firm (other than perhaps by setting a minimum volume of work to ensure quality).]	IMPROVING VALUE FOR MONEY FOR PUBLICLY FUNDED CRIMINAL DEFENCE SERVICES IN LONDON [%LF% 4 89 494 465 421] Page 5	Supply of services, London	
??/01/2005	[research that suggests the current level of potential supply (measured by fee- earning capacity) in London most clearly exceeds the level of demand]	IMPROVING VALUE FOR MONEY FOR PUBLICLY FUNDED CRIMINAL DEFENCE SERVICES IN LONDON [%LF% 15 136 497 710 666] Page 16	Supply of services, London	
??/01/2005	[London represents the largest market for CDS in England and Wales and consumes around 22% of the CDS lower budget;]	IMPROVING VALUE FOR MONEY FOR PUBLICLY FUNDED CRIMINAL DEFENCE SERVICES IN LONDON [%LF% 15 136 502 656 626] Page 16	Criminal Legal Aid Spending, Magistrates' Courts, Police Stations, London	

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??/01/2005	[The proposal will impact on approximately 500 suppliers who currently provide CDS services under the Commission's General Criminal Contract in Greater London.]	IMPROVING VALUE FOR MONEY FOR PUBLICLY FUNDED CRIMINAL DEFENCE SERVICES IN LONDON [%LF% 40 89 505 706 662] Page 41	Supply of services, London	
Tue 05/07/2005	<p>A fairer deal for legal aid. Written ministerial statement by Constitutional Affairs Secretary and Lord Chancellor, Lord Falconer: "Legal aid is one of the cornerstones of a fair and decent society. It provides the means to guarantee that all citizens can enforce their rights and are held accountable for fulfilling their responsibilities; it ensures that people accused of a crime get a proper defence; and safeguards vulnerable and disadvantaged people so they are not denied access to justice because of their inability to pay for it.</p> <p>The paper, 'A Fairer Deal For Legal Aid', analyses the development of legal aid services, including the substantial increase in spending on legal aid in criminal cases at the expense of civil law cases. The paper sets out the Government's vision for legal aid, based on a system that:</p> <ul style="list-style-type: none"> Provides advice and representation to defendants, in a way that is proportionate to the issues at stake; Supports the objectives of the criminal justice system, by helping to ensure timely and effective procedures and trials Provides a more effective service for people involved in civil disputes <p>The Government will take steps to address the disproportionate amount of money spent on defending high-cost criminal cases and redistribute funding so that all criminal cases are dealt with swiftly and fairly and ensure greater flexibility to provide more civil help and advice to those who need it. This will include:</p> <ul style="list-style-type: none"> Tougher judicial management of larger, complex cases; A new review board, with members from across the criminal 		Miscellaneous, London	

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**	<p>justice system, to examine previous cases and identify improvements for the future; Better management of large volumes of evidence - including better use of technology; A comprehensive review of how fraud cases are brought to justice; Closer co-operation between the defence and prosecution in the police station; Letting defendants know their sentence discount, should the plead guilty; An independent review by Lord Carter of Coles, which will produce a plan by early 2006 identifying how to improve procurement of publicly funded legal services ENDS Legal Aid Procurement Review - terms of reference 1. These are the terms of reference for the production of a plan to implement a package of reforms to the way publicly funded legal advice and representation are procured by the state. The review and resulting plan will be produced by Lord Carter in agreement with the Secretary of State and Lord Chancellor and by early 2006. 2. The review will consider the means by which to deliver the Government's vision, set out in A Fairer Deal for Legal Aid, for procuring publicly funded legal services, particularly criminal defence services. This will be presented as a plan for delivering a procurement system that achieves maximum value for money and control over spending whilst ensuring quality and the fairness of the justice system. 3. The reforms will also encourage a more open and responsive market, share risks between supplier and purchaser, and improve the way the state engages with lawyers when procuring legal services. ^ Top 4. To achieve these objectives the plan will set out how to deliver the best way of buying and delivering legal services, in particular criminal defence services for high cost cases, that:</p>	**	**	**

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**	<p>(a) matches the right advice and representation to the issue at stake</p> <p>(b) meets specified quality standards</p> <p>(c) incentivises swift conclusions and minimises costs to other parties</p> <p>(d) encourages a diverse and competitive market of lawyers and others offering advice and advocacy that helps deliver quality and just outcomes for best value</p> <p>(e) avoids frequent and piecemeal direct fees negotiations between the purchaser and individual sectors within the legal services market.</p> <p>5. The review will take in to account the current programme of moving to fixed or graduated fees (in particular schemes for graduated fees for cracked trial and guilty pleas and for Crown Court litigators) and the proposals for competitive tendering for solicitors in London. This review will also fulfil the commitment that the DCA gave in a letter to the Bar dated 24 June 2004 to review the current criminal graduated fee scheme and the very high cost criminal cases scheme.</p> <p>6. The review will focus on the options for new procurement arrangements set out in A Fairer Deal for Legal Aid (block contracting, price competition, and lead supplier) but may also contain other reforms to supplement, modify or replace these options in order to produce an effective overall package.</p> <p>^ Top</p> <p>7. The plan will be grounded in a detailed analysis of the impact of the final reforms. This analysis will include:</p> <p>(a) an assessment of how effective each reform and/or combination of reforms will be at achieving the overall objectives, whilst ensuring quality</p> <p>(b) the likely efficiency gains and the timescale over which they will be achieved</p> <p>(c) the impact of a new procurement regime on the supply of criminal defence services, the wider legal market, the way the professions are structured, the way the CPS operate and the operation of the entire justice system</p>	**	**	**

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**	<p>(d) the impact on the various agencies e.g. the Legal Services Commission and Her Majesty's Courts Service.</p> <p>8. From this analysis the plan will give a route map of how to deliver the reform package and how that will achieve the overall objectives. Included in this route map will be the action needed to promote changes to the quality, structure and performance of the market and its constituent professions (in the context of wider legal service reforms). The plan will also include mitigating action to be taken to address any adverse affects on quality and performance that may result from changes.</p> <p>ENDS</p> <p>Progress</p> <p>Workplan</p> <p>Lord Carter's Review of Legal Aid Procurement commenced on 5 July 2005 and is due to conclude in early 2006. The review consists of two main phases, as shown in the workplan diagram below.</p> <p>Text only version of workplan diagram</p> <p>Stakeholder Engagement</p> <p>During phase one, work will be carried out to understand in more detail the way legal services are delivered at present and how new and more efficient ways of working could be achieved with the help of new procurement systems. The main areas of work are:</p> <p>a study of the workflows, roles and responsibilities and how they relate to expenditure, income, efficiency and productivity of the legal professions in delivering legal aid services based on a survey of the practices and profiles of a range legal service providers to be selected in discussion with the Law Society, Bar Council and Legal Services Commission; Further information on this project.</p> <p>a clearer understanding of the systems, procedures, quality control mechanisms and cost-drivers involved with legal aid work and how these compare to the way justice is delivered in other countries; and</p>	**	**	**

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Date & Time	Fact Text	Source(s)	Linked Issues	Key
**	<p>development of possible future models for procuring and delivering publicly funded legal services in England and Wales including consideration of impact and requirements on supply and demand drivers.</p> <p>Much of this work will be carried out with advice and close engagement of the professions and the representative bodies, the judiciary and the relevant government departments and agencies. The review's success depends on the ongoing engagement, input and support of these groups. Lord Carter emphasised the importance of this by stating recently:</p> <p>"Since 5 July, my team and I have met with a number of figures from the legal professions and have gained valuable insight into the important role they play, and the current legal aid issues facing all stakeholders. I have been very impressed by the willingness of the professions to support and become engaged in the review, and I welcome their commitment to continue their engagement as I proceed".</p> <p>A wide range of written views have been submitted to the review from the professions and the public in response to notices placed in the national press. You can download the following letters of appreciation from Lord Carter:</p> <p>Letter from Lord Carter to the Bar Council - September 2005 [PDF 27kb, 1 page]</p> <p>Letter from Lord Carter to the Law Society - September 2005 [PDF 26kb, 1 page]</p> <p>Submissions continue to be welcome throughout the course of the review. Contact us.</p> <p>Members of the review secretariat have been meeting regularly with dedicated contact groups of senior members and officials from the Law Society, Bar Council, Legal Services Commission, Department for Constitutional Affairs, judiciary and other representative groups.</p> <p>In addition to the advice and support of the relevant professional bodies, the review is being supported by a group of senior figures from the commercial and legal worlds. This group will meet regularly to discuss emerging issues and the</p>	**	**	**

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**	<p>progress of the review. The group will also meet members of the legal professions and judiciary to gain a better understanding of the issues. The group consists of:</p> <p>Guy Beringer: Guy has been a partner of Allen & Overy since 1985 and was elected Senior Partner in 1999 and again in 2004. Allen & Overy is an international legal practice comprising approximately 4800 staff.</p> <p>David Gregson: David is Chairman of Phoenix Equity Partners, which he co-founded in 1991. Phoenix is now one of the leading mid-market private equity businesses in the UK. David has also been a director of 15 public and private companies to date, and has been involved in the supporting of nearly 100 private companies in the UK across most sectors of the economy. David is Chairman of the Jane Goodall Institute, the leading UK conservation and education charity. He has an MBA from Manchester Business School/New York University and a degree in Natural Sciences from Cambridge University.</p> <p>David Ross: David studied Law at Nottingham University and subsequently qualified as a Chartered Accountant. He is chairman of the of the National Express Group, deputy chairman of the Carphone Warehouse Group PLC, non-executive director of the Big Yellow Grou</p>	**	**	**
Wed 20/07/2005	<p>Legal Aid Procurement Review wants your views Date: 20 July 2005</p> <p>A public consultation into the future of legal aid procurement has been launched today.</p> <p>The Legal Aid Procurement Review would like to hear as many views as possible from those directly or indirectly affected into the best way of procuring legal services with legal aid. Advertisements inviting responses will appear in 10 national and regional newspapers and specialist legal trade magazines over the next two weeks.</p> <p>Ideas, comments and submissions should be sent to: The Secretariat Lord Carter's Review of Legal Aid Procurement</p>		Miscellaneous, London	

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**	<p>2.02 Selborne House 54 Victoria Street LONDON SW1E 6QW email: fax: 020 7210 1348 Notes to Editors 1 On July 5, 2005, Lord Falconer the Lord Chancellor and Secretary of State for Constitutional Affairs asked Lord Carter of Coles to examine how to improve the arrangements for purchasing publicly funded legal services. 2 The Legal Aid Procurement Review will look at the options for new procurement methods including price competition between lawyers, block contracting and lead supplier for all legal services for longer trials. 3 Lord Carter will report back in early 2006 with a plan setting out how to deliver the best way of buying and delivering legal services, in particular criminal defence services for high cost cases. 4 Full terms of reference for the review and further details can be found at the website www.legalaidprocurementreview.gov.uk. ENDS</p>	**	**	**
Tue 30/08/2005	<p>Legal Aid Procurement: Announcement of Review Work Programme Date: 30 August 2005 Details of how the Review of Legal Aid Procurement will be taken forward over the next few months were announced today. The review is being headed by Lord Carter of Coles and will develop a plan for delivering a procurement system for legal aid which achieves maximum value for money and control over spending, whilst ensuring quality and fairness in the criminal justice system. The review's success depends on the ongoing engagement, input and support of the legal professions and government</p>		Miscellaneous, London	

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**	<p>departments and agencies involved. Lord Carter said: "Since 5 July, my team and I have met a number of figures from the legal professions and have gained valuable insight into the important role they play, and the current legal aid issues facing all stakeholders. "I have been very impressed by the willingness of the professions to support and become engaged in the review, and I welcome their commitment to continue their engagement as I proceed". Several pieces of work are being carried out over the next few months to inform the review. The work includes: a study of the workflows, roles and responsibilities and how they relate to expenditure, income, efficiency and productivity of the legal professions in delivering legal aid services; a clearer understanding of the systems, procedures, quality control mechanisms and cost-drivers involved with legal aid work and how these compare to the way justice is delivered in other countries; and development of possible future models for procuring and delivering publicly funded legal services in England and Wales. Much of this work will be carried out with advice and close engagement of the professions and the representative bodies, the judiciary and the relevant government departments and agencies. While this work is being undertaken anyone with an interest in this work can make submissions to: The Secretariat Lord Carter's Review of Legal Aid Procurement 2.02 Selborne House 54 Victoria Street LONDON SW1E 6QW email: fax: 020 7210 1348 Notes to Editors 1. Further details on the review, Lord Carter and the Department for Constitutional Affairs can be found at</p>	**	**	**

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**	www.legalaidprocurementreview.gov.uk. ENDS	**	**	**
??/11/2005 - ??/12/2005	[A high proportion of firms surveyed, in line with the general spread of legal firms in the UK, were drawn from London (33.2%) and the South East (14.9%). Other areas are evenly represented with between 3% and 10% from individual Government regions.]	fresh-minds-solicitor-survey [%LF% 6 89 505 396 359] Page 7	Miscellaneous, London	
??/??/2006	[The 3,000 advocates who provide publicly-funded criminal defence services as part of their work are distributed over approximately 240 chambers, approximately 60 of which are located in London.]	Procurement of Criminal Defence Services [%LF% 14 56 282 702 632] Page 15	Supply of services, London	
??/02/2006	[There are around 175 police stations in London, with a combined value of work of £ 38 million.]	Procurement of Criminal Defence Services [%LF% 16 304 536 687 646] Page 17	Criminal Legal Aid Spending, Police Stations, London	
??/02/2006	[Using criminal justice areas as the base unit for contracts would be impractical as it would give contracts ranging in size from £ 39 million (London) to £ 700,000 (Wiltshire).]	Procurement of Criminal Defence Services [%LF% 26 56 281 336 280] Page 27	Procurement, London	