



Legal assistance handbooks update

Issued to all solicitors registered to carry out legal assistance

8 April 2010

New improved legal assistance handbooks

Online handbooks containing all current guidance on applications, accounts, clawback and expenses, and other information for civil, criminal and children's legal assistance are now complete and fully revised. They also contain all current legislation, as amended at 12 April 2010. We will be publishing these new versions online on Monday 12 April 2010. All information should now be easy to find, in one place, and easy to use, with cross-referencing between parts of the guidance, other relevant information and legislation.

Some new or improved features are:

- new criminal guidance, on all aspects of summary and solemn applications
- new civil advice and assistance accounts guidance
- updated criminal fixed payment accounts guidance and civil legal aid accounts guidance
- restructuring of all handbooks to make them easier to navigate and search.

The online handbooks are our principal source of information about the Board's legislation, policies and procedures for applications and accounts. Using them online, you can always be sure you are viewing the most up-to-date guidance and information. As legislation, policies and procedures change, the handbooks evolve to take these changes into account.

As part of our transition from paper-based to online systems, we will update you about changes by mailshot and will not normally send out printed copies of any guidance we issue in future - we will simply refer you to the relevant updated guidance in the handbooks. You should not need to refer to any stand-alone guidance, and we will be removing this from the website shortly.

Criminal

Applications

Summary and solemn criminal guidance on applications is now completely up-to-date and presented more clearly and simply.

The criminal handbook incorporates all guidance following the summary reforms in 2008, and any subsequent changes in policy and procedure that we have publicised in mailshots. We have aimed to simplify and clarify this wherever possible.

Solemn criminal legal assistance guidance has changed little since the previous version of the handbook. As you know, responsibility for decision making will shortly be moving from the courts to the Board, and at the same time changes including new financial hardship tests will be introduced. We will be revising the handbook to cover these new arrangements when they come into effect.

Guidance on how we can help you in high cost or complex cases is included for the first time.

Guidance that is currently out for consultation on sanction requests will be incorporated shortly, as soon as it has been updated to reflect the results of the consultation.

Accounts

The fixed payments guidance that we issued in June 2008 has been updated and included in the handbook. The electronic format should make this easier to use, with links to legislation and other relevant guidance.

New guidance on detailed accounts will be issued shortly when the new fees regulations come into force.

Quality assurance

Guidance on quality assurance has been added in Part I of the handbook.

Civil

We've restructured all the handbooks so that they are in several Parts, each dealing with a different stage of the legal aid process. This should make it easier for you to find the information you need.

Accounts

- There is completely new guidance on civil advice and assistance accounts.

Applications

This section has been updated and improved, with

- new improved guidance on reasonableness
- simplified and expanded guidance on clawback in legal aid cases
- new guidance on how we can help you in cases that may be complex and involve high costs.

Children's

The children's handbook has also been restructured to make it more easily navigable. A chapter on how we can help you in high cost and complex cases has been added.

We are preparing accounts guidance for children's cases, which we will be publishing in the handbook soon.

Who to contact if you have any questions

If you have questions about the content of the handbooks, please contact:

- for criminal applications - Owen Mullan, Head of Legal Services - Criminal, at mullanow@slab.org.uk
- for civil applications - Catriona Whyte, Head of Legal Services - Civil, at whyteca@slab.org.uk
- for children's applications - Liz Cuschieri, Solicitor at cuschierili@slab.org.uk
- for accounts matters - Douglas Haggarty, Head of Legal Services - Technical, at haggartyja@slab.org.uk

If you have questions or suggestions about the structure and navigation of the handbooks, please contact Charlotte Townsend, Communications Project Officer, at townsendch@slab.org.uk.