

CJINI Inspection of Criminal Legal Aid Processing – Implementation Action Plan

Objective	Action and Action Owner	Timeline
<p>Strategic</p> <p>1. The Department of Justice and the Legal Services Agency Northern Ireland should commence a review of Exceptional Preparation as soon as the review of the standard fees under the third statutory review of the 2005 Crown Court Rules is completed (paragraph 2.45)</p>	<p>Accepted – Initial discussions have taken place between LSA and EAJD to determine information needed to support policy proposals in relation to exceptionality. A project is to be established by Enabling Access to Justice Division (EAJD), Department of Justice (DoJ) for a review of the exceptionality provisions introduced in May 2016 to evaluate the effectiveness of the provisions, and identify and give effect to any required legislation.</p> <p>EAJD and LSA</p>	<p>Within one year of publication of this report, subject to the prior completion of the statutory review of the 2005 Crown Court Rules.</p>
<p>2. Within six months of publication of this report the Legal Services Agency Northern Ireland should update all relevant guidance for Criminal Legal Aid processing, the Legal Aid Management System and Legal Aid Management System Support (paragraph 3.34).</p>	<p>Accepted - Full review of guidance underway and all relevant guidance will be updated, shared with the legal profession for input and once finalised will be published on the LSA Website or LSA Intranet, as appropriate. It will be kept under regular review and will be subject to further revision, as and when legislative changes are made.</p> <p>Payments and LAMS Support Teams, LSA</p>	<p>Within six months of publication of this report</p>

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<p>3. Within six months of publication of this report the Legal Services Agency Northern Ireland should develop a training strategy and complete an action plan to improve the delivery of training (paragraph 3.34).</p>	<p>Accepted - Training Strategy for the Agency to be produced. Training Needs Analysis under development to identify training needs and skills gaps. Training and learning objectives to be agreed. Revised training material to be designed and implemented and training to be evaluated, reviewed and revised. Revised Induction Programme for all staff being rolled out across the Agency to include Criminal Legal Aid processing guidance, LAMS on the job training and Northern Ireland Civil Service policies to ensure full compliance with policy requirements and improved performance and ongoing error rate reduction.</p> <p>Compliance and Training Unit and LAMS Support, LSA</p>	<p>Within six months of publication of this report</p>

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<p>Operational</p> <p>1. Within six months of publication of this report the Public Prosecution Service for Northern Ireland and the Department of Justice should produce a list categorising offences and make this available to the Legal Services Agency Northern Ireland. This document should be updated when new offences are introduced. (paragraph 2.26).</p>	<p>Accepted – The actions are set out in a separate joint PPS / LSA / EAJD action plan.</p> <p>PPS, EAJD and LSA</p>	<p>Within six months of the publication of this report an update list of active offences will be publically available and will be maintained going forward</p>
<p>2. Within one month of publication of this report the Legal Services Agency Northern Ireland should develop and implement a job description for the role of Legal Aid Management System Support Manager (paragraph 3.23)</p>	<p>Accepted – Job description to be drafted and assessed by the Evaluation and Grading Unit.</p> <p>Corporate Services, LSA</p>	<p>Within one month of publication of this report</p>
<p>3. Within nine months of publication of this report the</p>	<p>Accepted – An assessment of the fraud risks across the Agency has commenced to inform the Fraud Strategy. An</p>	

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<p>Legal Services Agency Northern Ireland should provide a Prevention, Detection and Response Fraud Strategy and an operational plan for delivery of the strategy (paragraph 3.74</p>	<p>Operational Plan to deliver the Strategy will then be produced.</p> <p>Counter Fraud Unit, LSA</p>	<p>Within nine months of the publication of this report</p>
<p>Areas for Improvement</p> <p>1. The Legal Services Agency Northern Ireland and the Public Prosecution Service for Northern Ireland should review their current information sharing practices and put in place an effective process to ensure consistency of approach to assist with Criminal Legal Aid processing and forecasting (paragraph 2.23)</p>	<p>Accepted – The PPS and LSA will deliver a Memorandum of Understanding / Information Sharing Agreement to enable the LSA to receive advance notification of cases which are likely to have a significant impact on its budget</p> <p>PPS and LSA</p>	<p>Within three months of the publication of this report</p>
<p>2. The Legal Services Agency Northern Ireland should set up a staff forum at which they can raise issues and suggest potential changes to the Legal Aid</p>	<p>Accepted – Following the award of the new support and maintenance contract for LAMS which will enable changes to the system, the LSA has agreed an internal change process where Heads of Branch in conjunction with LAMS Support will agree changes and their priority for review and</p>	<p>Within two months of publication of this report</p>

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<p>Management System and general operations directly to both Legal Aid Management System Support and Management (paragraph 3.21)</p>	<p>approval by the Agency's newly established Change Authority Board (CAB). The CAB will consider proposed internal changes and those presented by the Bar and Law Society in order to agree a programme of change for the upcoming year and monitor progress and cost throughout the year. The first CAB is scheduled in April 2022 to agree changes for 22-23.</p> <p>Corporate Services, LSA</p>	
<p>3. The Legal Services Agency Northern Ireland and the Northern Ireland Courts and Tribunals Service should add Court of Appeal cases to the Legal Aid Management System/Integrated Courts Operation System interface so that the Legal Services Agency Northern Ireland have a daily record of cases and their progress as this would assist with forecasting (paragraph 3.85)</p>	<p>Accepted – LSA has engaged with the Northern Ireland Courts and Tribunals Service (NICTS) who have confirmed that they can send details for Court of Appeal cases as the infrastructure to provide for this is already in place in their Integrated Courts Operation System (ICOS). However, changes will be required to the LAMS Interface to ensure LAMS has the required logic to deal with any new information sent through the interface, which will be subject to the Agency's new change process.</p> <p>LAMS Support have also engaged with the LSA Finance Team who have confirmed that following significant work, the quarterly sheets received from the Taxing Master are reliable to base forecast or provisions for Court of Appeal cases on and therefore current interim arrangements in place are sufficient for forecasting purposes at this time.</p>	<p>Within one year of publication of this report</p>

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	<p>Given that there is a suitable workaround in place for forecasting and provisions and as the volume of these cases are low this change would be considered a low priority at present as LSA have a number of key priority changes to be delivered in this financial year following a two year change freeze period.</p> <p>NICTS and LSA will review the position in November 2022 and will work collaboratively to implement the recommendation by agreement as soon as practicably possible thereafter.</p> <p>NICTS and LSA</p>	