



Legal Aid
Agency

Providing access to justice through working with others
to achieve excellence in the delivery of legal aid

Service Development - Help Us Say Yes Webinar - Your Questions

Delivery of the Remote Detained Duty Advice Scheme (DDAS)

December 2023



Your questions answered:

Q: What do you suggest if a client has previous legal advice or signed legal help, and they attend the surgery without the initial proforma?

A: If the client has an open substantive matter with another legal aid provider, they are still entitled to have a 30 minute DDAS appointment with you. However, if they decide to transfer instruction to you, they must provide you with the information about their current provider. This is necessary so you can arrange for their matter to be transferred to you.

Please note: You should have consideration of the previous advice provisions set out in paras 3.40-9 of the General Specification.

Q: What is the latest time to receive confirmation from the Immigration Removal Centre (IRC) that the DDAS surgery is taking place with potential clients?

A: Face to face attendance is at your discretion. The IRC staff may suggest this is preferable, however, use your professional judgement.

You will receive the list of clients no later than midday the working day before the surgery is scheduled to take place. If you do not receive it or information is missing, contact the IRC directly and CC the IRC Queries team any emails.

Q: What do you suggest if a client does not bring their documents to the 30 minute appointment? Do we still take initial instruction?

A: Yes, you should still see the client and take initial instructions. Ensure the written summary clearly states what documents you will need to see, where to send them, and what will happen next.

Q: When we record the number of matters opened resulting from the surgery, do we only record the legal help stage matters or do we record the controlled legal representation (CLR) stage too? For example, if a client makes an asylum claim under legal help and a bail application under CLR, should we record both?

A: Any matter opened resulting from the DDAS surgery appointment should be included when reporting the surgery. However, you should record no more than one matter per client. For example, if a single client has a legal help matter opened as well as a CLR matter at the same time, then you should record this as '1'.

Q: Can I give a copy of the completed proforma to the client at the end of the meeting?

A: You are required to provide a written summary to the client at the end of the DDAS surgery appointment. We have provided a proforma for you to use to make this easier. Ensure the client has a copy of the summary, in a written format, by the end of the day the surgery was conducted.

Q: Is the disbursement limit £400 for the Surgery? I didn't think there was a limit until I could not submit a claim for my mileage because of the high interpreter fees.

A: There is no disbursement limit for DDAS surgeries, however claims should be reasonable. If you are unsure, contact your LAA contract manager.

Q: Can you add a box to add an email address to the proforma?

A: Thank you for the suggestion. We will look to add this.

Q: Where a client does not have an email address or the details provided are incorrect, where and how would it be best to send the proformas?

A: The IRC will provide an email address for each client. If a client does not have a personal email address on detention, they will be helped to set one up.



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