Bob Neill MP  
Chair of Justice Committee  
House of Commons  
London  
SW1A 0AA  

Dear Bob,

HOUSING POSSESSION COURT DUTY SCHEME – COMMISSIONING SUSTAINABLE SERVICES 
CONSULTATION

I am writing to notify you of the intention to publish a response to the consultation on procuring Housing Possession Court Duty Schemes (HPCDS) during summer recess.

I fully appreciate it is not ideal to publish at this time, however, delaying this publication would cause uncertainty to the legal profession as to when they can expect legal aid contracts to be retendered. A delay could also increase the risk of a legal challenge due to further beyond-term extensions of current contracts.

The Legal Aid Agency (LAA) is in the process of procuring new face to face and Civil Legal Advice (CLA) telephone contracts. This is an administratively complex process, with around 1600 bidders expected. One element of the tender is the HPCDS, which provides emergency on the day advice to clients facing repossession of their homes. HPCDS advice is delivered in person at the court that is hearing the possession proceedings.

The Government consulted in March on proposals to consolidate HPCDS contract areas and introduce price competition into the tender model for the first time. The wider tender for all civil face to face contracts and CLA telephone advice contracts is linked to the HPCDS tender, as bidders must hold a face to face housing contract to bid for a HPCDS contract.

The original tender launch was delayed by the election period, meaning that current contracts are being extended beyond their maximum term by several months. If we are unable to publish the consultation response during recess, further contract extensions will be required. As the length of extension increases so does the associated legal risk, as potential providers (i.e. those that do not currently hold contracts) are denied the opportunity to tender for contracts.

I am therefore satisfied there is a sufficient case for the Government’s response to the consultation to be published as swiftly as possible, and am more than willing to provide the Committee with any further information on the proposed approach to the tender should they require it.

Yours sincerely,

DOMINIC RAAB

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