

NCDV – Panel Application form

Our Work

The National Centre for Domestic Violence (NCDV) provides “a service that helps victims (of domestic abuse) obtain protection through the courts”.

NCDV is a community interest company (CIC), it is a not for profit organisation.

Law firms are invited to apply to join our panel in areas where our existing coverage is not satisfying the demand for our service.

NCDV are not government funded, we create our own income by providing (1) Panel firms with an optional document drafting service called a bundle if they so require, (2) through our process serving arm when an order is needed to be served and (3) we accept donations and contributions to support our pro-bono team.

We are proud that we support vulnerable victims irrespective of their financial position.

In 2023 we provided over 4500 victims that could not afford legal aid or a solicitor with support to help them obtain a protective injunction, no other organisation provided this volume of support for free.

We care for our Victims, referrers, employees, solicitors’ panel, the police and the courts, but what we really care about above all else is the victim.

We try as hard as possible to deliver the best service we can based upon the resources we have. For us at NCDV – “Every Person Matters”.

Solicitors that join our panel need to be, compassionate, conform with all regulations, preferably have special skills in the domestic abuse and violence sector, have experience in helping vulnerable people and last but not least understand what we do and why we do it.

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Process

We will ask all panel to complete this form (bi-annually) to help us understand you and your firm.

The Legal Aid Agency have issued a statement in relation to the arrangements for legal aid firms to be on a NCDV panel which you can download via the link below.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/766652/Position_of_the_Legal_Aid_Agency_as_to_undertaking_work_with_the_National_Centre_for_Domestic_Violence3.pdf

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DETAILS OF THE PERSON COMPLETING THIS FORM

Name:
Job Title:
Your Qualifications:
Address for correspondence:
Office telephone number:
Mobile telephone number:
Email:

INFORMATION ABOUT YOUR FIRM

Firm Name:
Trading name (if different from above):
Date of Incorporation:
SRA number:
Constitution: Limited Liability Company, General Partnership, Limited Liability Partnership, ABS etc:
Firm Address:
Website Address:

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How many offices do you have that has the benefit of a legal aid family contract?
How many Solicitors do you have by office who deal with domestic abuse cases?
How many of these Solicitors by office are family panel accredited?
How many additional paralegals and support staff by office in your firm will support the solicitors?
Please provide a list of all your partners/members and the name of your senior partner and Managing Partner:

What is the % of your family income as a proportion of your firm’s total income?
Approximately how many ‘live’ domestic abuse cases is your firm dealing with at the moment?
How many Non Molestation orders have your firm dealt with in the last 12 months?

Has any of your employees been convicted of a domestic violence incident in the last five years? if the answer is Yes please give details of the circumstances giving rise to the conviction.

Please provide a copy of your complaints procedure _____(tick)

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COVERAGE

Which courts are you able to cover:
What weekly number of cases are you able to take on:

REFERRALS

For reference purposes please indicate other organisations that you receive referrals from:

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Memorandum of Understanding

Between National Centre for Domestic Violence (“NCDV”) and its Panel Firms.

The aim of NCDV is to provide support and assistance to victims of domestic abuse regardless of their financial circumstances, ethnicity, gender or sexual orientation. Working with the police, our panel solicitors and other support agencies, our purpose is to provide “a service that helps victims obtain protection through the courts”.

Panel Membership, Criteria for Joining & Removing a Law Firm from a NCDV Panel

The panel operated by NCDV (“the Panel”) is open to any law firm to join. The essential prerequisites are:

1. The firm undertakes family work, in particular domestic abuse and violence work.
2. The firm has a legal aid contract.
3. The firm can help the victim to secure an injunction quickly, effectively, compassionately and without delay following the allocation of the case.
4. The firm will follow NCDV’s SLA’s.

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NCDV:

1. Will operate a national solicitors' panel divided into areas determined by Family courts.
2. It shall in its absolute discretion determine the number of firms that is registered to receive referrals to each court.
3. In determining the number of firms that are registered to each court it will consider the following:
 - a. the number of courts in that area.
 - b. the number of enquiries from victims in that area.
4. Each court will be reviewed bi-annually. NCDV will consider the following when deciding to admit a new law firm, remove a law firm, increase the number of law firms on the panel:
 - a. the matters mentioned at 3 a & b above
 - b. the quality and timeliness of the firm's service in speaking to and helping a victim
5. Cases will be allocated to the firm located nearest to the victim; if that firm is not able to take on the case and act upon it within a period of 24 hours then it will be allocated to the next firm on the panel, nearest to the victim.

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Work of NCDV

NCDV receives a significant number of referrals from the Police and other support agencies such as Refuge, Woman’s Aid *et al.* When we receive a referral we will:

1. Call the victim and carry out a triage process understanding if there are appropriate merits for a non molestation order. NCDV are fully aware that passing unmeritorious matters through only misaligns with a victim’s expectations and can in turn cause for unnecessary stress and anxiety for them. If the matter does not have merits, NCDV will inform the original referrer and signpost the victim to alternative appropriate support.
2. On the basis a matter has merits, NCDV will carry out preliminary means eligibility by using the LAA online civil legal aid calculator. If the matter has means (and merits) this will be passed to the allocations team. If the victim cannot afford the legal aid contribution we will support and assist the victim on a pro bono basis with the pro-bono team.
3. If the victim is eligible for legal aid, our allocations team ascertain:
 - a. the location of the court nearest to the victim
 - b. the solicitors that are registered to that court

and determine which firm is to be allocated the case based on the proximity of the victim to the law firm, the court and the previous level of service they have offered to NCDV victims.

4. We will send the Panel firm brief details of the victim and the respondent to enable them to do a conflict check and tell us if they have capacity to take on the case. We determine capacity to mean that the panel firm has the ability to offer every victim a consistent and good level of service. Every Person matters.
5. Irrespective of whether or not they are able to act for the victim, they will respond to our email within the hour, indicating whether or not they can act and whether or not they would like us to prepare a bundle of documents for their use. If a bundle of documents is required we will prepare :
 - a. Witness Statement
 - b. FL401
 - c. Notice of Acting
 - d. Draft Order
 - e. Statement Questionnaire
 - f. Triage Questionnaire

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6. We will make a charge for the preparation of the bundle £215.99 + VAT (the “Bundle Fee”). It is vital that the panel firm understands this is not a disbursement that can be reclaimed from the Legal Aid Agency when submitting their claim for costs. We will waive the Bundle Fee if for any reason the case does not proceed.

7. If we are asked by the Panel firm to prepare the bundle we will endeavour to produce the above documents and email them to the firm within 24 hours of their email confirmation.

8. It is the Panel firm’s responsibility to check that the bundle of documents that have been prepared for their use; make suitable amendments after discussing with the victim; and that the documents are fit for purpose before they are submitted to Court. This is not the responsibility of NCDV, the responsibility of documents for court lies with the Panel firm.

9. If the Panel firm does not want us to prepare the bundle of documents we will email to them by return a completed Triage Questionnaire.

10. Please note once an order has been obtained for the victim the panel firm must provide NCDV with a copy of that order and statement of service in order for NCDV to update the original referrer.

11. The Panel firm can use our process serving service which attracts a fixed fee of £100 plus VAT. One of the attractions of this service is that the details of the order (in particular the details of the victim and the respondent) are entered on our ASSIST database which is accessible by the police and the CPS. This affords the victim an increased level of protection in that in the event of further abuse and a breach of the order the police can check the database for the terms of the order. Other process servers would not be able to access the ASSIST database. There is, however, no obligation for law firms to use this service.

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Service Level Agreement

As a panel firm we expect our law firms to abide by the following code of conduct (“the service level agreement”):

The SLA is written to ensure panel firms working with NCDV adhere to the highest quality standards so that our service users and those that refer survivors to us can be assured we are securing for the vulnerable the best protection possible.

Care and consideration.

We deal with vulnerable victims of domestic abuse and violence and fully expect that they will be treated with compassion, respect and integrity. Occasionally, the stress victims are placed under may cause them to present in a way which may be challenging.

We expect panel firms specialising in the field of domestic abuse to ensure they are specifically trained and able to help our service users with appropriate adjustments to their procedures to ensure that as many victims as possible can be properly helped.

We expect panel firms to offer the same level of service to every victim, we expect all victims to be called immediately and if they do not answer we expect you to continue to contact them.

We expect panel firms to be available and contactable for the victims we pass through to them.

Panel firms found to have been rude or failed to show a professional level of empathy may be excluded.

Timely working practices.

Victims are referred to us because of the speed of our service and Panel firms should use their best endeavours to respond to the needs of the victim as quickly as possible. These are emergency situations requiring emergency responses. We expect a firm to call back victims within an hour and if they have not communicated with a victim within 72 hours to contact us.

We will then follow up with either the referrer or the victim.

When attending court if for whatever reason you are delayed you are required to keep the victim regularly up to date.

Serving documents. It is critical that respondents are served in accordance with the Family Justice Council’s guidelines. Proper service ensures the desired police reaction, if the order is breached. In the interests of protecting our clients and preserving their right to action in the event that an order is breached firms not following the guidelines may be excluded.

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Quality.

We expect a high quality service from all our panel firms. They must check the documents including the facts and merits of each case, give full and holistic advice and remain fully compliant with the robust quality and procedural obligations placed upon them by the courts, the Legal Aid Agency and their regulatory body the Solicitors Regulation Authority.

The panel firm is fully accountable for the documents presented to a court and is required to take full ownership and responsibility.

They are responsible for adhering strictly to funding and best practice guidance and must take responsibility for adapting to changes in case law and practice.

We expect our panel firms to report any serious quality breaches to us and we may exclude a firm who has a serious sanction imposed on their contract by the LAA, or has had an adverse finding made by the SRA or whose casework or preparation has been justifiably criticised by the client, court or a relevant third party.

NCDV work transparently with both the legal aid agency and the judiciary and regularly seek feedback from both parties on NCDV and our panel firms. Any firm found not meeting our SLA after feedback from either the legal aid agency or the judiciary could be excluded from the panel.

Updates.

Our service extends to the referrer, and we have created a feedback system that updates referrers on the status of a case. Certain trigger points create an automatic update which satisfies the referrers need for information to offer support to the victim. Keeping our referrers informed is an extremely important part of our process. To do this we need case updates from our panel firms.

Firms not providing timely updates may be excluded.

Equal Opportunity.

We would expect that our panel firms will not prejudice victims that are unable to afford a legal aid contribution. We provide pro bono assistance to thousands of victims and we would expect panel solicitors to have a pro bono policy.

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DECLARATION

- I confirm that the answers I have given to the above questions are true and accurate to the best of my knowledge and belief.
- I understand that the information given in this form may be cross checked/verified with the Legal Aid Agency and consent is provided to allow NCDV to do this.
- I understand that NCDV will require this application for to be completed and reviewed on a biannual basis.

SIGNATURES
Signature of applicant:
Date:
Name in Capitals: