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15th October 2019

This is the first time I've approached the Parliamentary and Health Service Ombudsman with a complaint about the **Legal Aid Agency (LAA)** Who have accepted an invoice **Tyrer Roxburgh Solicitors of 1 St Michaels Terrace, London, N22 7SJ**

**Tyrer Roxburgh** submitted to the **Legal Aid Agency (LAA)** an invoice on **15th March 2019** for work done between **20th October 2017 - 2nd November 2017**.

I have supplied the same information to my MP (Catherine West) & The Parliamentary and Health Service Ombudsman, The Information Commissioner's Office and the Legal Ombudsman. I have made appropriate complaints to each organisation.

A full digital copy of all the evidence is at <https://nu-file.s3.eu-west-2.amazonaws.com/Legal+Aid.zip>

I have printed the relevant file for each complaint.

My main concern is with the **Legal Aid Agency (LAA)** Refusal to help resolve the final bill payment and the wrongful handling of my Subject Access Request.

While the Subject Access Request is primarily the responsibility of the Information Commissioner's Office I want the Parliamentary health Services Ombudsman to have a look as I feel it demonstrates a lack of responsibility and transparency.

On **1st July 2019** - My **Legal Ombudsman** caseworker sent me an email with my the attached **Final Case Decision** (*Not included*) The case was concluded on **28th June 2019** Ref **F018405**

On **19th July 2019** - Phone Call from **LCS** The **Legal Aid Agency (LAA)** has 'sold' my debt to **LCS**

- I had no knowledge of this debt before this phone call.

On **13th August 2019** - The **Legal Aid Agency (LAA)** responded to my **Subject Access Request (SAR)** of **19th July 2019**

- 13 Files disclosed.

On **27th August 2019** at **16:53** - I submitted a **Stage One Formal Complaint** to **Legal Aid Agency (LAA)** <[contactcivil@justice.gov.uk](mailto:contactcivil@justice.gov.uk)> (*Attachment 204*)

On **31st August 2019** at **13:15** - I got a nonce response from **Sean Shanmuganathan** <[sean@tyrerroxburgh.co.uk](mailto:sean@tyrerroxburgh.co.uk)> to my complaint. (*Attachment 116*)

- I received no Objection from **Tyrer Roxburgh** or **Legal Ombudsman** To my **Stage Two**, request of **23rd August 2019** at **15:22** (*Attachment 114*) So I accept this as a **Stage Two Response**

On **11th September 2019** - The **Legal Aid Agency (LAA)** responded to my **Stage One Formal Complaint** of **27th August 2019** (*Attachment 205*)

On **11th September 2019** - I submitted my **Stage Two Formal Complaint** to The **Legal Aid Agency (LAA)** (*Attachment 206*)

On **12th September 2019** - I received my first letter from **LCS**

On **13th September 2019** - I received an SMS from LCS. I am starting to feel harassed.

On **23rd September 2019** - Received another letter from LCS

On **23rd September 2019** - Received a response to my **Stage Two Formal Complaint** to The Legal Aid Agency (LAA) (*Attachment 209*)

- This response was not due until **9th October 2019**

On **24th September 2019** - I attempted to resolve my complaint with The Legal Aid Agency (LAA) *but they won't help.*

On **2nd October 2019** - I attempted to resolve my complaint with The Legal Aid Agency (LAA)

- **Attachment 120** for **ICO**. Official Complaint against The Legal Aid Agency (LAA) to the **ICO** (**Attachment 210**)
- **Attachment 119** for **MP & PHSO** Official Complaint against The Legal Aid Agency (LAA) to the **PHSO**

On **15th October 2019** - The **ICO** refused to expedite my complaint. (**Attachment 121**)

- If we accept **Emily Harper's** assertion that an invoice was submitted to me on **19th July 2018 [31th August 2019 at 14:40 (Attachment 116)]**
  - During my first complaint which started on **3rd April 2019**
    - **Tyrer Roxburgh's** disclosure to the **Legal Ombudsman** Nothing in the **disclosure** relates to an invoice being submitted to me for approval
    - So On 21st February 2018, I fire **Tyrer Roxburgh** as I have lost faith in their ability. They allegedly issue me a bill acknowledgement 147 days later on 18th July 2018 Finally, **Tyrer Roxburgh** submits to the **Legal Aid Agency (LLA)** on 15th March 2019. 250 days from submitting to myself
    - My objections were made directly to the **Legal Aid Agency (LLA)** The **Legal Aid Agency (LLA)** has several documented cases of this.
  
- In **Stage One Formal Complaint Response** from The **Legal Aid Agency (LAA)** (*Attachment 205*) *Page 1 Paragraph 4* The **Legal Aid Agency (LAA)** States
  - *“As you are aware, your emergency cover was date limited to the period 27th October – 3rd November 2017. The date limit was imposed because your solicitors did not submit a substantive amendment when required to do so. Following a ‘reinstate certificate request’, submitted by the solicitor on 22nd December 2017, we reopened the certificate and the required substantive amendment was provided.”*
    - *‘reinstate certificate request’* I assume this is a written request, yet was not disclosed in my SARs 13th August 2019
  - This response fails to explain the 3-year delay between doing the work and submitting the invoice to the **Legal Aid Agency (LAA)**
  - **No Acknowledgement** of the evidence I provided from **Tyrer Roxburgh (Attachment 117)**
  - **Failed** to acknowledge the **Legal Ombudsman** findings.
  
- In **Stage Two Formal Complaint Response** from The **Legal Aid Agency (LAA)** (*Attachment 209*)
  - The **Legal Aid Agency (LAA)** State
    - *“The request for the contribution was not as a result of the nullification of the certificate. If a client has over £3,000 in their bank accounts, a contribution will always be requested in relation to the amount held in excess of £3,000.”*
  - This confirms my contribution was due to excess capital.
    - This was never disputed. I was always aware of a **contribution**. I was unaware it would be so much. The **legal ombudsman** confirms this in the report.
    - A no point was a conversion held between myself and **Tyrer Roxburgh** about pursuing the case on a private matter.
  - The **Legal Aid Agency (LAA)** State
    - *“The email you received from Tyrer Roxburgh on 02/01/2018 appears to explain the reasons for the nullification of the certificate. However, later on, January 2 018, the certificate was reinstated,”*
      - Ignores The most important bit. Of the **2nd January 2018** email.
      - The reason I've been by **Tyrer Roxburgh** given is an **“administrative error”**
  - The **Legal Aid Agency (LAA)** States
    - *“As my colleague explained in the response to your 1st tier complaint, there is no time limit in relation to legal aid providers submitting bills for the work completed under a legal aid certificate.”*
      - *Again the Legal Ombudsman* finding support my claim I was **Tyrer Roxburgh** handling of my Legal Aid was **poor**

- The **Legal Aid Agency (LAA)** States
  - “You have noted that the response from the ombudsman included “Failed to adequately deal with the Legal Aid Agency leading to his funding being withdrawn. When funding was reinstated he had to make a contribution of £3,500.”**I am unable to comment on the response from the ombudsman but I note the following**”
    - I would argue the **Legal Ombudsman** finding support my claim I was **mis-sold** Legal Aid
    - The **Legal Aid Agency (LAA)** are being obstructive in helping me
  - “I am unable to comment as to whether Tyrer Roxburgh provided you with details of the bill they were to submit to the Agency for payment. The Agency do not forward claims received to the client for approval as this is a matter between the provider and the client.”
  - However
 

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/830008/Civil\\_Finance\\_Electronic\\_Handbook\\_-\\_v2.9.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/830008/Civil_Finance_Electronic_Handbook_-_v2.9.pdf) Page 17 States “1.6: Revocation of the certificate When a certificate is revoked the client must be given 21 days to consider the bill and make any representations, as they have a financial interest in the costs. Therefore, if the certificate was revoked either less than 21 days before or any time after the bill has been submitted (to us for assessed bills or to the court for bills where they are the assessing body), **the claim will be rejected unless there is documentation confirming the client has seen a copy of the bill and has no objections.** This will be a priority reject unless there is another valid reject reason. For assessed bills the date the Claim1/1A certification is signed should be used to determine whether the provider would have had the opportunity to send the client the bill and allow 21 days to pass. For taxed bills, the financial interest certification at the back of the bill will need to be completed to determine whether the client has been sent a copy of the bill. This will not apply where the client already had a financial interest by virtue of the statutory charge applying or contributions paid, as the client should already have been provided with the bill”
  - The Civil\_Finance\_Electronic\_Handbook\_-\_v2.9.pdf extract above suggest

Daniel McMorro