

LEGAL AID AGENCY

High Cost Crime Appeal Decision – Single Adjudicator

Case: **Ravinder Balli**

Appellant (firm/counsel): **Garrick Law**

LAA Respondent: **Rebecca Johnson**

Date of decision: **30th** June 2025

Case Manager's original decision: **13th** May 2025

Adjudicator's Decision: REFUSED

Reasons:

R

v.

Ravinder Balli

This is an appeal by the Provider, **Messrs Garrick Law** Solicitors acting on behalf of the defendant, **Mr Ravinder Balli** against the Legal Aid Agency's decision both of **13th** May 2025 (via email) and **6th** June 2025 in response to the appeal submitted.

The matter in issue between the parties is that of case categorisation. Case categorisation is decided having regard to criteria set out in the Legal Aid Agency 'Case Category Assessment Sheet.' In this instance the appellants' advance that there are at least two criteria met from Block A and at least 2 from Block B. The Respondent's position is that there is only one criterion met from Block A and as such this case should be properly categorised as a Category 3 case.

The specific matter in dispute between the parties is whether this "*defendant's case requires highly specialised knowledge.*" (LAA Criminal Cases Unit Case Category Assessment Sheet). It appears to be accepted by both parties that "*the defendant's case requires legal, accountancy and investigative skills to be brought together*" and as such one criterion from Block A is met.

In considering this appeal, I have had sight of the following documents:

1. **Ravinder Balli** appeal representations including; case summary, amended indictment, 2022 VHCC Contract Guide, VHCC Case Category Appeal Document, decision on categorisation dated **01**0425, decision on categorisation dated **13**0525, extract of email in relation to category after meeting with Sols on **19**0225, revised VHCC category – **Balli 100325**, VHCC appeals email and VHCC Case Category Assessment Sheet.
2. VHCC Appeals Response dated **6th** June 2025 and attached case summary.

The LAA Framework

4.12 The following guidance applies to Paragraphs 4.16 to 4.21 of both Specifications (and additionally 4.22 of the Specification (for organisations)).

4.13 General – in the case of each criterion, the defence team must show that the necessary factors are applicable to the case which their particular defendant has to meet and/or features of the defence that he or she will be putting forward. In a multi-handed case, it would be insufficient to argue that any criterion applied to the case against a co-defendant, and therefore to the case in general.

4.14 Where the issue of category has been settled, either through negotiation with the Case Manager or following an Appeal, category will be reviewed only where there has been a material change in the case against the organisation's defendant.

4.15 Subject to paragraphs 4.13 and 4.14 above, the defence team may request a review of category at any time. The Case Manager may review category at the start of every stage.

The VHCC guidance for Highly Specialised Knowledge states:

The defendant's case requires highly specialised knowledge

4.17 To satisfy this criterion, the Case Manager would expect that, as a prerequisite, practitioners must demonstrate a certain level of skill and expertise in dealing with large fraud cases, cases involving serious financial impropriety and complex financial transactions.

4.18 They would be expected to be familiar, or equipped to deal, with most matters frequently prosecuted by the Serious Fraud Office, Revenue and Customs Prosecution Office, Crown Prosecution Service, or any prosecution agency into which any of the above have been incorporated or are likely to be incorporated.

4.19 The defence team would need to show that a case meeting this criterion involved an area of skill and expertise outside the usual scope of a criminal fraud practitioner's expertise, taking into account the expectations of skill and experience raised in paragraphs 4.17 and 4.18 above.

4.20 The defence team would need to show both that the defendant's case required this skill and expertise, and that they were able to provide it in house. It would be expected that any putative highly specialised knowledge would go to the legal heart of the defendant's case and would be of a significant level of complexity. Where experts are instructed to address highly specialised issues, the Case Manager would expect to see evidence that the outside expertise complements expertise within the firm, rather than obviating the need for it.

In essence therefore the decision to be made in this appeal is whether this defendant's case requires highly specialised knowledge. Moreover, as per para 4.19 this would be skill and expertise outside the usual scope of a criminal fraud practitioner's expertise having regards to paras 4.17 and 4.18.

In making this decision it is correct to note that I must make a category decision based on the facts as they currently stand and the information to hand. Beyond this, in any case of this type, it is open to the appellants to seek a review of categorisation if there is a '*material change*' in the case against the defendant.

The appellants in their appeal document advance the point that the '*initial case summary is not a sound document for adjudication on the categorisation of this case.*' Whilst it is this document that forms the overview of the Crown's case at this present time, I have nonetheless considered the matters raised in the appellants appeal document, much of which does not appear within that case summary.

There are several matters that are raised by the appellant's which suggest that this is case which would satisfy the block relating to highly specialised knowledge. They include, but are not limited to, issues such as cut-throat defences, bad character

applications and advice being received, and relied upon, from other professionals. I do not find that any of these would satisfy the LAA Framework through which lens this decision is to be made. These are matters which, as per the VHCC guidance would not constitute an *'area of skill and expertise outside the usual scope of a criminal fraud practitioner's expertise.'* In fact, many of them would be encountered by general practitioners on a day-to-day basis.

As referenced in the prosecution case summary there is undoubtedly a heavy emphasis, in this case, regarding conveyancing and the use, and onward dissipation of client monies. The crown asserts at para 49 of their summary that the modus operandi used for every transaction was *"almost identical."* The prosecution within the case summary provided, outlines this process in most cases with fewer than ten numbered paragraphs for each *'event.'*

Whilst it is right to aver that conveyancing is a legal specialism, what is being placed under the microscope in this case is the processes engaged during the conduct of each conveyance. Moreover, as per the indictment it is the alleged series of false representations which form the conspiracy itself. This, it appears, to quote the VHCC guidance is what is at the *'legal heart'* of this case. All practicing solicitors will have undertaken training and be required to have passed examinations regarding the use and misuse of client funds and will have studied land law to at least degree level.

The appellants also advance that the case will involve detailed and substantial knowledge of various legislation and statutes. In my judgment, the reading, digesting, understanding and application of such to facts making up a criminal case is something that would be expected of practitioners operating in this area. Indeed, further to a hearing on April 23rd it is conceded that there is nothing of a regulatory nature in evidence at this point in time. This would appear to contradict the assertion by the appellant that they will require *'detailed and substantial knowledge'* of civil legislation and FCA Regulations.

I do note the direction made on 27th June 2025 regarding service of contract and conveyancing files. When one looks at the case summary the issues that arise from these files appears to be in the form of purported misrepresentations or the dishonest forging of signatures, nothing that would satisfy the guidance laid down.

Finally, when addressing SRA regulatory proceedings and civil proceedings that have been initiated, I would concur with the Respondents in that these are more

appropriately categorised into the legal, investigative and accountancy criterion on which there is already agreement.

In all the circumstances therefore, I do not find that this is a case which, on current presentation could be said to require highly specialised knowledge and as such reject the appeal of the appellant.

Single Adjudicator: Jonathan Mcilveen

Date: 30th June 2025