

**THE SCOTTISH LEGAL AID BOARD  
MINUTE OF MEETING OF THE SCOTTISH LEGAL AID BOARD HELD AT 1.30PM  
ON MONDAY 16 JUNE 2008 AT 44 DRUMSHEUGH GARDENS, EDINBURGH**

Present: Iain Robertson, Chairman  
Graham Watson  
David Nicol  
Susan McPhee  
Elaine Rosie  
Ellen Morton  
Graham Bell  
Kenneth Ross  
Joseph Hughes  
Denise Loney  
Les Campbell

In attendance: Lindsay Montgomery, Chief Executive  
Andrew Menzies, Director of Corporate Services and Accounts  
Tom Murray, Director of Legal Services and Applications  
Ian Middleton, Director of Audit and Compliance  
Colin Lancaster, Head of Policy and Development  
John Osborne, Policy Development Officer (item 12 only)  
Susan King, Research Officer (item 13 only)  
Stuart Foster, Board Administrator

**1. APOLOGIES FOR ABSENCE**

Paul McBride.

**2. DECLARATIONS OF INTEREST**

No interests not previously registered in the Register of Board Members' Interests were declared.

Susan McPhee and Elaine Rosie declared interests in relation to item 13 (Advice Sector Survey).

**3. DRAFT MINUTE OF MEETING HELD ON 12 MAY 2008**

Subject to correcting a typographical error at item 14, the draft minute of the meeting of 12 May 2008 was approved.

**4. DRAFT MINUTE OF THE LEGAL SERVICES POLICY COMMITTEE HELD ON 28 MARCH 2008**

The draft minute of the Legal Services Policy Committee held on 28 March 2008 was noted.

**5. DRAFT MINUTE OF THE LEGAL SERVICES POLICY COMMITTEE HELD ON 31 MARCH 2008**

The draft minute of the Legal Services Policy Committee held on 31 March 2008 was noted.

## **6. DRAFT MINUTE OF THE LEGAL SERVICES CASES COMMITTEE HELD ON 28 APRIL 2008**

The draft minute of the Legal Services Cases Committee held on 28 April 2008 was noted.

## **7. DRAFT MINUTE OF THE AUDIT COMMITTEE HELD ON 12 MAY 2008**

The draft minute of the Audit Committee held on 12 May 2008 was noted.

## **8. QUARTERLY ACTION POINTS**

Members considered a paper showing progress with implementation of outstanding action points in the quarter to June 2008.

It was AGREED:

- the impact of the summary reforms on the Board's workload be reflected in the External Communications Strategy.

**ACTION: CL**

- otherwise, to note the position.

## **9. CHAIRMAN'S INTRODUCTION**

The Chairman reported on his attendance at the Law Society AGM.

## **10. CHIEF EXECUTIVE'S UPDATE**

Members considered a report by Lindsay Montgomery updating them on matters of interest since the previous Board meeting.

Updates were provided on: reform of summary criminal legal assistance; civil fees review; pay remit; Law Society conference; appeals fees for counsel; NDPB conference; Board accommodation project; legal aid online; research into recruitment and retention of lawyers in Scotland; publication of gender equality annual review.

Members noted the position.

## **11. SUMMARY CRIMINAL REFORM**

Members considered a paper which reported on progress with the implementation of the systems and process changes needed to support the summary criminal legal assistance reforms.

It was noted that good progress was being made with the systems and process changes and that these were on target for delivery on schedule. However, because of the nature and required speed of the development work and the pressure this placed on testing, there was a risk of the system not being wholly error free as at the implementation date.

The first week of roadshows had been well attended and those attending had asked well-informed and practical questions. Fees had not been a prominent issue.

Members would be kept informed of developments.

In noting the position, members expressed their appreciation for the efforts of Tom Murray and all the staff involved in this challenging project.

## **12. ANALYSIS OF SUPPLY OF SOLICITORS**

Members considered a paper outlining work currently being undertaken to analyse patterns of supply of civil legal assistance, noting progress and results so far, and setting out planned future work.

In discussion, concern was expressed about the falling number of applications in the Dumfries and Galloway sheriffdom, and it was noted that it would be examined as an area of interest to the Board. It was also noted that a full report of findings from the detailed analysis would be submitted to the October Board meeting.

After discussion, it was AGREED:

- the findings should be shared with local solicitors in Dumfries and Galloway;
- future reports should show the subject areas of law in the geographical areas concerned and make more use of bullet points.

**ACTION: CL**

## **13. ADVICE SECTOR SURVEY**

Members considered a paper that reported the key findings from the Board's survey of key advice sector providers, and proposed further work with the sector.

It was noted that whilst the Board had worked closely with the advice sector on collaborative policy development programmes and partnership projects, the survey specifically sought views from the sector about the operation of legal aid supply, and their experience of helping people access legal aid.

The key findings were:

- the majority of providers signpost rather than refer service users with a legal problem onto a solicitor
- use of the Board's online solicitor finder is low
- providers perceptions indicate the supply of legal aid provision in their area is diminishing
- around half of providers would find further training and support beneficial to them in providing advice to the public on legal issues.

The findings had been presented at the annual CABx Managers meeting and would be made widely available to stakeholders shortly. Further discussions with providers in the coming months would assist the development of an action plan on how the Board could continue to support the work of the advice sector.

After discussion, members noted the position.

**DATE OF NEXT MEETING:** Monday 21 July 2008

The meeting ended at 3.00pm