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MEETINGS WITH LOCAL FACULTIES

Thank you to all solicitors who took part in the recent series of meetings between the Board and local faculties. The meetings were constructive and we gained a great deal of useful information and feedback on our service. The meetings highlighted areas of our work where we clearly need to improve. We are taking careful note of these issues and over the coming months we will endeavour to make changes to our systems and procedures which will improve the service you receive. As a result of the review of our services we have already carried out, we have implemented a number of improvements but we know we have a long way to go.

Some of the areas you highlighted that need improvement are

- ▶ consistency of decision-making on applications
- ▶ more reasons given for refusals of applications, particularly the 'interests of justice' test
- ▶ variations in the time taken to deal with some post-certificate work, such as sanctions
- ▶ the process for dealing with transfers
- ▶ clarification on issues relating to abatement of accounts, such as perusal of documents, lunch breaks at court and fees for defence post mortems
- ▶ the need for publication of taxation decisions
- ▶ improve the time taken to deal with correspondence
- ▶ provide more information for solicitors and assisted persons about the clawback provisions.

We have more meetings with local faculties in other areas planned for the next couple of months. We also hope to hold regular meetings with representatives of local faculties in different areas to allow us to maintain the dialogue and discuss issues as they arise.

Public meetings

In addition to the faculty meetings, we held a number of public meetings throughout Scotland. Although the number of people who attended was quite small, the information gathered at these meetings was very useful. It gave us a chance to meet and talk to members of the public who had experienced the legal aid system at first hand, either as an assisted person or an opponent. We will be holding another public meeting in Edinburgh in July, after the publication of our Annual Report 1999-2000.



Accounts assessment issues

One of the main areas of discussion at the faculty meetings was accounts assessment. A number of questions were raised and we have answered some of the main issues in the article below.

CRIMINAL

Transcribing or listening to tapes

Following discussion with the profession, we have decided to review our approach to dealing with tapes provided to the defence by the Crown. In all cases where it is considered necessary to listen to a taped interview in the interests of a client, a time charge will be allowed for listening to the tape. Thereafter an appropriate charge will be allowed for perusing the transcript to the extent justified by the content and nature of the tape.

No charge can be allowed for typing out the transcript as this is not work carried out by a fee earner and falls within the area of general work. Nor can a framing charge be made as there is no original thought or input by the solicitor to the material being typed.

In solemn cases, where the transcript is provided a charge will be allowed for perusal as well as listening to the tape on the same basis as above. It is presumed that the tape and transcript can be considered together and paid as one time charge. In the event of separate charges being made, an explanation would be required by the Board justifying the additional charge.

Warrants

For practical reasons, some years ago we introduced a practice of rejecting accounts where warrants had only just been issued. There was inevitable double handling of accounts in the event that the client got back in touch or was apprehended, requiring further representation. For this reason we suggested that by allowing a period of three months to elapse after the warrant had been issued, the Board could be satisfied that the proceedings were effectively at an end.

The introduction of fixed payments in summary criminal legal aid cases has reduced the problem to the extent that supporting papers do not need to be returned but has not entirely eliminated the problem of double handling since assessment and payment authorisation are still required more than once. Unfortunately the fixed payment regime has created a different problem. Where there is a transfer of solicitor in a fixed payment case the Board requires to prorate the fee element of the account equally between the number of solicitors who have represented the accused. Our records indicate that when the accused is apprehended there are occasions where a transfer of agency is taking place and if the Board was to allow for the submission of the account immediately a warrant was issued, this would inevitably create a situation where the original acting solicitors would be overpaid, creating additional administration for both the Board and the solicitors in recovering the overpaid sums.

In recognising the cashflow problems practitioners can face, but also taking
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into account the normal practice of contacting a client to advise that a warrant has been granted and seek instructions, the Board is prepared to relax the time limit on submission of accounts to one month from the date of granting of the warrant in all criminal cases including fixed payment cases.

Deferred sentences

The background to not accepting accounts where sentences have been deferred for a period of less than six months is similar to warrants and is, essentially, for similar practical reasons. Several years ago the courts, increasingly, were deferring sentences for shorter periods resulting in several appearances which, in turn, meant that we were receiving, in some cases, up to four or more supplementary accounts. This resulted in a significant impact on resources and multiple handling of cases.

We shall require to consider this matter in greater detail, and are prepared to review this practice in approximately six months time when we will be in a better position to determine the impact on current resources. We feel it is important to maintain our 30 day commitment in criminal cases and improve our turnaround on civil and advice and assistance cases. In addition, we also wish to work on delivering better response times in the handling of mail.

Lunch

The question of payment over lunch continues to generate discussion. A recent taxation (subject to Objections having been taken to the sheriff) held that where the solicitor is in his local court and can reasonably be expected to go back to his office during the lunch recess then one hour should be abated. It was also accepted by the Auditor, in general, that it is not reasonable for a solicitor to be paid whilst actually eating his lunch. The taxation only took place in the context of the local court and the Board is not seeking to expand its application to other situations.

There are, of course, situations where although the solicitor is in his local court, it is not possible because of the time/distance to return to his office e.g. Leith/Edinburgh, Broxburn/Linlithgow or outlying areas of cities or large towns. In these circumstances, we are taking a broad view to assist in disposing of the remainder of time and line accounts and to avoid protracted disputes on this point, and a compromise will be made in all such accounts by allowing half an hour. In a non-local court, the solicitor does not have the option of returning to his office but, presumably, would still have lunch and again, on the basis that it is reasonable to assume that half an hour has been taken for lunch, half an hour will be allowed in these cases.

It should be made clear that there is no bar on the Board paying solicitors for work actually and reasonably done during the lunch period as such. If work is actually carried out then this should be clearly stated in the account.

In some cases, particularly in High Court and Sheriff and Jury cases, the solicitor may work through his lunch. In such cases it is not at all unreasonable to allow the solicitor to claim for the lunch period providing the work is detailed and chargeable. Reviewing papers is not chargeable as it is covered by preparation already claimed. Again details of work actually undertaken during the lunch recess will be required.

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Expert witnesses – pathologists

We have been aware for some time of the difficulties in obtaining the services of a pathologist for defence post mortems due to the level of the Crown rates. The Board can only pay Crown rates in terms of Regulation 8(1)(b) of the Criminal Legal Aid (Scotland) (Fees) Regulations 1989.

We have reviewed the terms of the Crown Finance Manual and, taking into account Crown practice, have found that we have some flexibility by applying the various schedules and can pay as follows:

Necessary travelling time from residence or place of business	Engaged not more than 1 hour	60.10
	Engaged more than 1 hour, but not more than 4 hours	123.30
	Engaged more than 4 hours, but not more than 6 hours	185.00
	Engaged more than 6 hours	246.70
Mileage		As per Crown rates
Autopsy Fee		179.40
Preparation of detailed report	Engaged not more than 1 hour	60.10
	Engaged more than 1 hour, but not more than 4 hours	123.30
	Engaged more than 4 hours, but not more than 6 hours	185.00
	Engaged more than 6 hours	246.70

On this basis requests for sanction can be granted to the sum of £299.60, exclusive of VAT and mileage as a minimum and £672.80 as a maximum. In the Board's experience most claims would fall within the 1-4 hour band. If sanction is being requested for travelling time or work in excess of 4 hours, full details as to the travel likely to be incurred or work requiring to be done should be given on the sanction form to avoid delay in the request being dealt with.

Other experts

There is not presently the same scope within the Crown Finance Manual to apply the same criteria to other experts. The Board has, however, met with the Crown to discuss the current problems and is awaiting further information which should significantly improve matters. An update will be provided once this information is received and assimilated.

Precognitions – corroboration only

From time to time we are asked why we do not allow a framing charge for corroborating police statements. The attendance taking the statement is always allowed as it is appreciated that you will not know that it is to be corroboration until the interview. In the vast majority of these situations, the precognitions which are produced simply read "I can corroborate the statement of Constable X and can identify the accused". As this is not a precognition, the framing charge is disallowed. If there is more than simple corroboration, a framing charge will be considered.

This matter was taxed in Hamilton on 22 November 1976 in the case of PF -v- Thomas Gerald Delaney. The auditor supported the Law Society's view and his comments are posted on our website at www.slabpro.org.uk.

Fixed payments - s.23(1)(B)

The Board is aware of the concern arising from the level of the fixed payment for all work in connection with a grant of legal aid under s.23(1)(b) and the apparent lack of cover for deferred sentences following the initial procedure. The Board has raised the issue with the Scottish Executive and will advise you as to the outcome of our discussions.

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CIVIL

Commissions

Our position on commissions has been less than clear and has caused some difficulty with regard to the issue of the requirement for prior sanction for work of an unusual nature or likely to involve large expenditure, on reaching the accounts stage. We need to review our policy in this regard and we will do this as quickly and openly as possible. In the meantime we will continue to require prior sanction for all open commissions, which the Board has consistently stated to need prior sanction. In the case of all other commissions we will base our decision in adjusting the account on the test of reasonableness as to whether the procedure was necessary, all other avenues having been explored (e.g. Optional Procedure having been utilised); whether the commission is premature; whether it was carried out without due regard to economy etc. This approach will apply to accounts currently with the Board and future accounts until our new policy has been published. The Board will continue to be happy to deal with requests for sanction in all cases where a solicitor prefers to obtain the Board's prior approval as to the procedure and the estimated cost.

CORPORATE PLAN

2000-2003

Our Corporate Plan for 2000-2003 will be published in early June and will be on our public web site at www.slab.org.uk. The Plan highlights the key issues facing the Board over the next three years and the main projects we will be undertaking.

In developing this Plan we have reviewed our service, systems and procedures and taken into accounts the comments from the recent meetings with local faculties. Through this consultation and review we have developed a new mission statement, corporate objectives and a set of performance indicators and targets. These reflect the changes already taking place at the Board and those that are planned for the future.

The performance indicators will take effect from 1 October 2000. This will allow time for the necessary changes to systems. Our performance against these new targets will be published in the Annual Report 2000/01. The main changes to the indicators are as follows.

- ▶ We have indicators for all elements of the application process, rather than just first instance decisions.
- ▶ As well as timeliness, the indicators will also include accuracy and efficiency, although the efficiency element will not be implemented until we can establish monitoring systems next year.
- ▶ We are setting up an independent checking unit to monitor decisions on applications and accounts. The staff within the unit will be independent of the teams dealing with cases. The Unit will also give an important feedback mechanism to staff to help improve consistency of decision-making.

To support the indicators, we will produce service standards for applicants, opponents, solicitors and advocates which will set out the standards they can expect for each stage of their legal aid case. These standards will be published later this year.

REVIEW OF APPLICATIONS PROCESSES

Review of applications

We are about to complete a major review of all aspects of the applications process. We have already identified a number of areas for improvement where we could be more efficient and effective. These include

- ▶ a change in the structure of our Applications Division, with more integration and closer working with solicitors in our Legal Services Department
- ▶ making it easier for practitioners to contact our in-house solicitors to discuss particular aspects of an application
- ▶ our recognition of the need to improve the way we deal with post-certificate work, such as sanctions – we will be working on this over the coming months
- ▶ increased use of fax to intimate decisions more quickly to practitioners.

Review of sanctions

We have set up a Sanctions Working Group, comprising legally qualified Board members, Board staff and co-opted private practitioners, to look at the approach taken to requests for sanction to employ counsel and expert witnesses. We need to be sure that our procedures and decisions are both fair and justified.

The Group is looking at all of the existing guidance and procedures, including

- ▶ the levels at which decisions are currently taken
- ▶ statistics on the number of applications received
- ▶ our current staff guidelines.

The Group has not yet reached final conclusions about the way forward but will report shortly.

European Convention on Human Rights

The Board will be classified as a public authority under the Human Rights Act when it comes into force on 2 October 2000. We are currently reviewing our current practices and procedures to identify those that do not comply with the Convention and to amend them accordingly. The Board has also made sure that staff awareness levels and knowledge of Convention issues are high. The process will conclude shortly with an external audit of the Board's internal findings.

Legal audit

The Board is also carrying out an internal review of the legal aid legislation and its policies at the same time as its review of Convention issues.

SERVICE SATISFACTION SURVEY

Thank you to everyone who completed the service satisfaction survey which was issued recently to 1,000 solicitors on a random basis. We appreciate you taking the time to complete the questionnaire which asks for your comments on the service provided by the Board in all aspects of our operation. Along with the information gained at the meetings with local faculties, your comments will help us to identify the areas where we need to improve and to ensure that the changes we make will meet your needs. In future issues of *The Recorder*, we will report on the outcomes of the survey and the actions we will take as a result.

MOTIONS FOR INCREASES IN FEES

In legal aid cases there is a facility enabling the solicitor representing a legally assisted person to obtain an uplift in the fees chargeable to the Scottish Legal Aid Fund to reflect the responsibility undertaken by the solicitor in the conduct of the proceedings. Provision for this is made in regulation 5(4) of the Civil Legal Aid (Scotland) (Fees) Regulations 1989.

Where the proceedings are in the Court of Session, you are entitled to ask the court to allow an additional fee, the amount of which would be determined by the Auditor. In the case of proceedings of importance or requiring special preparation brought in the sheriff court, you may ask for a percentage increase in fees (not more than 50% for a case on the Ordinary Roll or 100% for a case on the Summary Cause Roll).

The procedure to be followed is laid down in Rule 7 of the Act of Sederunt (Civil Legal Aid Rules) 1987. The application to the court must be made by motion. Along with your motion you must lodge your account of expenses (or an estimate of the probable amount of expenses) and a statement of the grounds on which the application is made. The court may either dismiss the motion, or may order the solicitor to intimate to the Board a copy of the motion, the account of expenses (or estimate), and the statement of grounds on which the application is made. The intimation should be addressed to the Board's Director of Legal Services. The Board may appear and be represented at that hearing.

The procedures just described apply, of course, only to fees payable from the Fund. Where an additional fee, or percentage increase in fees, is sought in respect of party and party expenses, the appropriate motion should be enrolled under Rule 42.14 of the Act of Sederunt (Rules of the Court of Session) 1994, or General Regulation 5 (b) of the Schedule to the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment and Further Provisions) 1993. Where an additional fee, or percentage increase in fees, is sought in respect of both civil legal aid fees and party and party expenses, separate motions must be enrolled under the appropriate legislative provisions.

Intimation must be made at least 14 days before the date fixed for the continued hearing of the motion.

APPLICATIONS – USE OF FAX

We have the following fax numbers which can be used for urgent requests:

Criminal Applications	0131 220 2905 and 0131 226 5477
Civil Applications	0131 220 4879
Advice and Assistance	0131 220 3462 and 0131 220 2904

Civil or criminal legal aid

When you urgently need sanction for counsel, expert witnesses or unusual expenditure, the SANC/APP form, if signed by the solicitor, can be faxed to us on the appropriate number shown above. The original form should not be sent to us. The faxed form will provide an adequate record for our purposes. However, this only applies to sanction requests. For the time being, faxed applications for transfers of agency or for full legal aid still need to be followed up by sending us the original form through the post or DX.

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Advice and Assistance

An urgent intimation of a grant of advice and assistance on form AA/APP may be faxed to us, but the original form must also be sent to us in all cases.

Urgent increase requests on form AA/INC may be faxed if signed by the solicitor. This only applies to cases where the AA/APP form has already been submitted and you can quote the case reference at Question B.6 on the form AA/INC, in which case the original form should not also be sent to us. This will avoid double handling of the paperwork. The faxed form will be returned to you with our decision.

Please help us by using the fax only for urgent matters. Whether a matter is urgent enough to justify the use of a fax will depend on the circumstances of the case, but as a guide, we will generally consider the following situations to be urgent.

- ▶ An imminent proof, trial or next court appearance (but do try to allow enough time for your request to be given proper consideration).
- ▶ The availability of particular experts or counsel (e.g. before someone goes abroad).
- ▶ Experts who may need to report on matters quickly (e.g. examining injuries on a client before they heal up or where important evidence may be lost).
- ▶ The availability of other witnesses (e.g. a tourist about to return home).

CHANGES TO THE CODE OF PRACTICE

In the January 2000 issue of *The Recorder*, we reported that proposed revisions to the *Code of practice in relation to criminal legal assistance* had been passed to the Scottish Executive for Ministers' approval. We had hoped to issue the revised Code by now but the volume of legislative work currently before the Scottish Executive has meant that consideration of the Code has been delayed. Once we receive Ministerial approval, we will publish the revised Code as quickly as possible and circulate this to the profession.

ACCOUNTS CALLS

From **Monday 12 June**, our Accounts Assessment Department will be happy to accept telephone calls throughout our normal working hours of 8.30am to 5.00pm. We would like to thank solicitors for your co-operation in phoning only during the afternoons over recent months.

PRINCIPAL SUMS MANDATES

We have received a number of enquiries from solicitors about mandates to pay principal sums to a third party. This article sets out our current policy on accepting and implementing these mandates. Before a mandate is accepted the Board will consider certain factors and these are noted below.

Reason for mandate	Factors to consider	Implement?
Pre-legal aid account had to be paid.	Has advice and assistance been granted? Has the civil account been paid?	Yes
Assisted person does not have a bank account.	Need confirmation from the solicitors that their account would not exceed the balance that the Board would be left holding.	Yes
Money due in damages case to a relative/ spouse as their claim makes up part of the settlement.	Need confirmation from the solicitors that their account would not exceed the balance that the Board would be left holding.	Yes
Solicitor has paid contribution on assisted person's behalf.	Why did the solicitor pay the contribution?	*
Solicitor returned contribution refund cheque and asked for it to be paid in favour of their firm.	Why?	*
Assisted person wants to pay off debts such as loans, Visa or Scottish Power.	None. The settlement cheque can be issued in favour of the assisted person and they can settle the debts privately.	No
Money is to be paid to a third party because the solicitor has stopped enforcement action being taken against the assisted person on the understanding that the debt will be cleared from settlement award.	Solicitor must confirm the mandate will stop eviction or something as extreme. Need confirmation from the solicitors that their account would not exceed the balance that the Board would be left holding.	Yes
Money is to be paid to a solicitor for reasons other than pre-legal aid work.	Solicitor must clarify why money is due to be paid and confirm no private charges are occurring under the grant of legal aid.	Yes
Money is to be paid to a curator, who had not been appointed at legal aid application stage.	Solicitors must supply appropriate formal documentation to confirm appointment. Need confirmation from the solicitors that their account would not exceed the balance that the Board would be left holding.	Yes

* A mandate will not usually be implemented in these situations. Any specific arrangements of this nature between the client and solicitor must be resolved between these parties. The Board will refund the principal sum to the named assisted person.

This list is not exhaustive and individual cases not covered in it will continue to be considered on their own individual merits. If you have any such cases or any other enquiries or comments on this guidance please contact Cindy Marshall in the Principal Sums Section, who will be happy to help you.

NEW BOARD MEMBERS

In April, the Minister for Justice Jim Wallace announced the appointment of two new Board Members.

Professor Ian Percy is Chairman of the Accounts Commission for Scotland and a Director of a number of companies. He has 25 years experience as a Chartered Accountant, including activities as a DTI inspector and as an expert in determination work. He has been President of the Institute of Chartered Accountants of Scotland and holds an honorary chair in accountancy at Aberdeen University. In 1996 he was awarded the CBE for services to accountancy and local government.

William Gallagher was previously Director of Customer Services for the ScottishPower group and was the former ScottishPower Director responsible for managing the introduction of competition into the supply of electricity for all customers. He is a Chartered Engineer and a Member of the Institute of Electrical Engineers.

These appointments are for an initial four years from April 2000 and mean that the Board has a full complement of 12 members.

Professor Peter Grinyer completed his term of office in March after serving eight years as a Board member. We thank him for his contribution over this time.

The Minister also reappointed Yvonne Osman, Nick Kuenssberg and Sandy Jessop to the Board for a further four years.

MANAGEMENT OF DUTY PLANS

Marcia Dodd, who managed the duty plan scheme, has retired after 19 years involvement with legal aid. She joined the then Lothian and Borders Legal Aid Committee as a secretary in 1981 and shortly afterwards took on responsibility for drawing up the duty plans. This is a complex job, involving over 100 courts and 1,500 solicitors, as well as liaising with the police and prison services. Marcia carried out this job efficiently, fairly and was probably one of the best known members of the Board staff among criminal practitioners.

The task of maintaining all the duty plans for district and sheriff courts in Scotland has been taken over by Lindsay Frame, Deputy Team Leader in the Criminal Applications Division. You can contact Lindsay on ext. 419. We are currently working on making the duty plans available on our web site for the profession, SLABPro. The plans and any updates throughout the year will continue to be sent to firms by post but any changes will be updated immediately on the web site as well.

FORTHCOMING SEMINARS

The Edinburgh Law Review Seminar Series 2000 Legal Aid – Human Rights Issues and Update on Criminal Law

For the second year, we are pleased to collaborate with the University of Edinburgh to provide a legal aid review seminar. This seminar will cover two vital topical issues – the impact of Human Rights legislation in both criminal and civil legal aid; and a general update on criminal matters, including a detailed summary on all the issues arising from fixed payments in summary cases. The seminar will review what has happened, but also look forward, keeping practitioners informed of changes to this crucial and topical area of practice. The speakers will be provided by the Scottish Legal Aid Board.

The dates and venues of the seminars are:

The Glasgow Marriot	14 June
The University of Edinburgh	21 June
Treetops Hotel, Aberdeen	28 June

Those interested should obtain details and registration form from

Lisa Ellis

FREEPOST

The University of Edinburgh

Office of Lifelong Learning

11 Buccleuch Place, Edinburgh, EH8 9LW (tel: 0131 651 1180; e-mail: lisa.ellis@ed.ac.uk).

HANDBOOK AND RESOURCE CD-ROM

The fifth edition of the Scottish Legal Aid Handbook will be published in late June or early July and order forms will be sent to all firms. The digital version will again be issued free of charge on CD-ROM, along with the digital legal aid application forms and other information for practitioners.

Web sites

You can also find the digital Handbook and forms on our web site for the profession, SLABPro, at www.slabpro.org.uk.

The username is [resource](#) and the password is [sw8784](#).

You will see that we have improved the format of our web sites as well as making them quicker to access. Comments received from solicitors who use the sites were incorporated in developing the sites. We always welcome feedback on the web sites and in particular we are keen to hear any suggestions for additional information and services which could be available via the web. Contact our Communications Office with any comments on ext. 306 or by e-mail at general@slab.org.uk.

REPORTERS AND SUB-COMMITTEE MEMBERS 1999/2000

The following practitioners acted as external reporters to the Board during 1999/2000.

Members of the Faculty of Advocates

I R Abercrombie, QC	D A Kinloch	D C Rae
G C Bell, QC	G W M Liddle	E W Robertson
A M Clark	D I Mackay, QC	S Woolman, QC
L J Dunlop, QC	L J Milligan	J N Wright, QC
A J Hajducki, QC	S O'Brien, QC	

Solicitors

I M Banks, Greenock	D Hossack, Edinburgh	S N Moffat, Edinburgh
P Brown, Glasgow	J P Hunter, Hawick	B A Murphy, Ayr
M J Burns, Dingwall	C J B Jackson, Leven	D Nicol, Edinburgh
F Cooper, Edinburgh	P H Loudon, Edinburgh	G S Peterson, Lerwick
A Cruickshank, Elgin	M K Lucas, Arbroath	A S Pollock, Glasgow
A D Currie, Jedburgh	J N McCormick, Glasgow	A Prentice, Edinburgh
S Doonan, Glasgow	D S McDonald, Aberdeen	J Pryde, Midlothian
C J Flanagan, Dunfermline	R H McFarlane, Cupar	D Reekie, Edinburgh
M Foster, Glasgow	S G McLaren, Perth **	D Short, Edinburgh
K H R Graham, Edinburgh	H A Macandrew, Turriff	W H Summers, Aberdeen **
E A Grant, Paisley	D MacPhee, Fort William **	S R Waters, Alloa
G M Hay, Peterhead	W C MacReath, Glasgow	D M Watson, Aberdeen **
C Hennessy, Glasgow	D S Millar, Edinburgh	D S Williamson, Edinburgh

** with effect from July 1999

Co-opted members of Sub-Committees

The following practitioners acted as co-opted members of the Legal Services Sub-committee during the year.

C Hennessy	F Cooper (from February 2000)	D S Millar
A Prentice (resigned Oct 1999)	J N Wright, QC	

Our thanks to all of those people for the work they have carried out throughout the year.

INTIMATION DOCUMENTS

When submitting an application for civil legal aid which involves either the Scottish Ministers, the Lord Advocate, the Advocate General for Scotland or the Secretary of State for any UK Government Department as the opponent, please use the appropriate address on the intimation document.

Where the opponent is the Scottish Ministers or the Lord Advocate, representing a Department of the Scottish Executive, address the intimation document to

**The Scottish Ministers or The Lord Advocate
Office of the Solicitor to the Scottish Executive
Victoria Quay
Edinburgh EH6 6QQ
or DX 557000 Edinburgh 20.**

If the opponent is either the Advocate General for Scotland or the Secretary of State for the appropriate Government Department, address the intimation document to

**The Advocate General for Scotland or Secretary of State for the appropriate UK Government Department
Office of the Solicitor to the Advocate General for Scotland
Victoria Quay
Edinburgh EH6 6QQ
or DX 557008 Edinburgh 20.**

When completing an intimation document for an application where the BBC is the opponent, please use this address.

**Mr Alistair J Bonnington
Solicitor
BBC Scotland
Broadcasting House
Queen Margaret Drive
Glasgow G12 8DG.**

The intimation document should be included with your legal aid application and sent to the Board. We will then forward the intimation documents to the opponent.

SCOTTISH PARLIAMENTARY COMMISSIONER FOR ADMINISTRATION

At one of the recent meetings with local faculties, we were asked where complaints about the Board should be directed if someone is not satisfied with the way we handled your complaint. The Scottish Parliamentary Commissioner for Administration investigates complaints made by MSPs on behalf of members of the public who have suffered an injustice through maladministration by the Scottish Executive, the Parliamentary corporation and a wide range of public bodies involved in devolved Scottish affairs, including the Board. He can also deal with complaints about problems in obtaining access to official information. If you want to make a complaint to the Scottish Commissioner you must first approach a Member of the Scottish Parliament.

For further information contact –

**The Scottish Parliamentary Commissioner for Administration
28 Thistle Street
Edinburgh EH2 1EN.
Enquiry line: 0845 601 0456.**

HAVE YOU RECEIVED THIS INFORMATION?

Since issue 29 of *The Recorder* was published in January 2000, the following mailshots, containing important information about legal aid, have been sent to practitioners. If you did not receive these, contact our Communications Office for a copy.

- ▶ Letter from Jim Edgar, Director of Finance, asking if firms would be interested in receiving information about Fund payments by fax – 23 February 2000.
- ▶ Letter from Jim Edgar, Director of Finance, about correspondence on abatements in criminal legal aid accounts – 13 March 2000.
- ▶ Letter from Legal Services Department about changes to eligibility limits from 10 April 2000, along with a keycard, proforma calculation sheet and eligibility limits leaflet – 30 March 2000.

IN THE NEXT ISSUE OF THE RECORDER

In the next issue of *The Recorder* in September, we will have a major article on plans for the introduction of e-commerce between the Board and the profession. We will also give the first report on the outcomes of our latest service satisfaction survey among solicitors.

We would be interested to know if there is any information you would like to see in future issues of *The Recorder*. For example, you might want clarification on any policy or procedure relating to an application for legal aid or payment of accounts. Or you may be interested in who to contact at the Board about a specific matter.

We would welcome any suggestions for articles so please contact our Communications Office on 0131 226 7061, ext. 306 or e-mail us at general@slab.org.uk.

We aim to publish *The Recorder* at least three times a year – in January, May and September. If there is important news in between these dates, we will produce a special issue as required.

If any solicitor in your firm does not receive *The Recorder*, please ask them to contact our Communications Office, quoting the firm's code and their practitioner code, to be included on the mailing list.

You can find back copies of *The Recorder* from January 1998 on our web site for the profession at www.slabpro.org.uk.

DX ADDRESS FOR THE BOARD

In October 1999 our DX addresses changed to

DX 555250
General Mail
Edinburgh 30 *or* **DX 555251**
Applications only
Edinburgh 30

Please make sure that you use the full DX address and change any computer systems or records that still contain our old address. Our previous address of DX 251 now belongs to another organisation and they are receiving large amounts of mail for the Board. As well as the inconvenience caused, this is causing delays in mail reaching the Board.

MISDIRECTED MAIL

We receive significant amounts of misdirected mail. This is mainly correspondence which has become attached to other mail by mistake. In most cases it is clear where the item of mail has come from and we return it immediately. However we also receive items, such as internal memos, which have no contact details and we cannot return them.

Please make sure that all enclosures are firmly attached to the covering letter and that other correspondence or internal mail are not sent by mistake with correspondence.

CHECK YOUR DETAILS

To ensure that correspondence, *The Recorder* and other important information from the Board reaches you, please make sure that you tell us immediately if you change address or firm. Please also remember to tell us if your firm changes to or from Royal Mail and Hays DX so that we can update our records and send mail to you by the most appropriate means. You should notify our Finance department in writing of any change in address or practitioner details. If you are registered on the Criminal Legal Assistance Register, you should also notify our Criminal Legal Assistance Registration Unit on ext. 444 if you change firm or address.