

# Corporate Plan 2007-2009



# Introduction:

This Plan sets out what we aim to achieve during the period 1 April 2007 to 31 March 2009.

Over the next two years there will be substantial change to the provision of legal assistance in Scotland. Scottish Ministers want to ensure access to justice and improve the operation of the justice system. Important changes were introduced through the Legal Profession and Legal Aid (Scotland) Act 2007 and the Board has been asked to take on a number of new responsibilities and projects.

These changes build on the proposals made in the Strategic Review of Legal Aid, Advice and Information and the Scottish Executive's Advice for All consultation.

- Enabling specialist advisers who are not lawyers to provide advice and assistance where appropriate.
- Greater co-ordination and planning of advice services is needed by funders and providers and the Board has been asked to contribute to this.
- Developing proposals to improve access to justice by simplifying financial eligibility processes and developing proposals for tapered eligibility in civil legal aid.

Our vision and corporate aims are set out on page 1. The main projects and tasks that will help us turn this vision into a reality over the coming two years are set out in pages 6 to 9.

During the next two years, we will be working closely with the Scottish Government and other stakeholders to take forward these important initiatives.

We are committed to further improving the delivery of our service. We conducted a review of our performance indicators and targets and have substantially increased our performance indicators and targets which are set out on pages 14 to 21.

We report on our performance against these targets in our Annual Report.

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# Vision:

## To provide access to justice for those eligible and in need of it, in a cost-effective manner.

### Corporate aims

- to achieve consistent, timely and sound decision making at all stages of an application for legal assistance
- to achieve consistent, timely and sound decision making at all stages of assessing and paying accounts
- to achieve effective financial management of the Legal Aid Fund
- to improve the effectiveness of the delivery of our service while achieving a reasonable balance between cost and quality
- to communicate effectively with applicants, opponents, their advisers and other stakeholders in a clear, concise, timely, informative and pro-active manner
- to provide sound advice to Scottish Ministers and the Scottish Parliament on the current operation and development of the provision of legal aid.

### Strategic aims

- to deliver efficient, effective and value for money legal assistance services
- to broaden access by exploring new ways of providing and supporting quality assured legal advice services
- to contribute to the improvement and effective operation of the justice system.



During the next two years, we will be working closely with Scottish Government and other stakeholders to take forward a wide range of important initiatives.

## What we do:

We run the Scottish legal aid system which is paid for by taxpayers. We monitor it, ensure good value for money and advise Scottish Ministers on how it can be improved. Each year we deal with over 900,000 applications and accounts.

### About legal aid

Legal aid is help towards the costs of legal advice and representation, for those who qualify, paid for out of public funds. It is designed to help individuals on low and modest incomes gain access to the legal system.

Legal aid may be free, or someone may have to pay towards the cost of their case, for example through paying a contribution or from the money or property that they win or keep as a result of their legal action. Legal aid is accessed through a solicitor.

There are two main types of legal aid help: advice and assistance and legal aid. Together these are called legal assistance.

- **Advice and assistance** covers a wide range of matters, so long as they are matters of Scots law. It pays for advice from a solicitor, but apart from a few exceptions under assistance by way of representation (ABWOR), it will not cover “representation” – that is, putting the case in court.
- **Legal aid** provides funding for a solicitor to put the case in court and some tribunals. It covers the preparation work, as well as the hearing itself, and can provide funding for advocates, experts and other costs. (Cases often begin with advice and assistance, and legal aid may be the next step if necessary).

The main types of case that advice and assistance and legal aid can help with are:

- **Civil cases** – such as divorce and other matters affecting family and children, or actions for compensation after an accident or medical negligence.
- **Criminal cases** – help, advice and representation for someone charged with a criminal offence or needing advice about a criminal matter.
- **Children’s cases** – under the Children (Scotland) Act 1995, which helps to make sure children are protected and supervised. Legal aid also funds appeals against decisions of children’s hearings.

### About us

The Scottish Legal Aid Board was set up in 1987 to manage legal aid in Scotland. We are a non-departmental public body responsible to the Scottish Government.

Our work is overseen by Board Members, who are appointed by Scottish Ministers. The number of Members can vary from 11 to 15. To give a balanced range of knowledge and experience, they include people with backgrounds in business, the advice sector and the wider community as well as solicitors and advocates and a person with knowledge of court procedure and practice.

Ministers in the Scottish Government decide legal aid policy. Ministers propose the legislation to set the rules for legal aid, and the fees to be paid to the legal profession. The Scottish Parliament makes and changes legislation – including the tests for granting legal assistance. These tests are then applied to every single case. In advice and assistance and some special urgency cases, solicitors apply the tests. For civil and criminal legal aid we apply the tests, except in some criminal and children’s cases, where the courts decide.

The budget for legal aid is different from many other public services: it is not a set amount. The Scottish Government gives the Board the necessary funds to meet the cost of cases. This means we never have to refuse someone legal aid simply because there is no money left to pay for their case.

### Our work

A large part of our job is to decide who should get legal aid. If it is granted, legal aid is used to pay solicitors, counsel-advocates and solicitor advocates – and other costs of the case. The solicitor could be in private practice, employed by the Board or in a law centre.

Our work includes:

- advising Scottish Ministers on how legal aid is working, and ways to develop it
- managing the Legal Aid Fund and deciding whether to grant applications for legal aid
- deciding if people have to pay towards the cost of legal assistance, then collecting these amounts
- assessing solicitors’ and advocates’ accounts for legal aid work, and paying them for the work they have done
- registering firms and solicitors who do legal assistance work and making sure these firms and solicitors maintain high standards, including funding civil quality assurance which is run by the Law Society of Scotland
- investigating and tackling fraud and abuse of legal aid
- developing a network of Board employed solicitors who offer criminal legal advice and representation, and also under Part V of our legislation, developing advice services using Board employed solicitors on civil matters
- exploring new ways of delivering legal aid services.

When the provisions of the Legal Profession and Legal Aid (Scotland) Act 2007 are commenced, and subject to decisions by Scottish Ministers, our work will include:

- registering agencies and their specialist advisers who are not lawyers to provide advice and assistance and making sure they meet standards set out in a Code of Practice
- grant funding advice organisations.

You can read more about the new powers given to the Board through the Legal Profession and Legal Aid (Scotland) Act 2007 on page 6.

# Deliver:

## Our priorities for delivery in 2007-2009 are outlined in this section.

**Our priorities flow from the Legal Profession and Legal Aid (Scotland) Act 2007, Ministers' decisions on improvements to be made to publicly funded legal assistance and a range of changes to the operation of legal aid which the Board wants to make. However, these priorities may change as the Scottish Government determines its priorities for access to justice including legal aid and reflects the spending decisions flowing from the Comprehensive Spending review.**

### THE MAIN PROJECTS ARE:

- substantial expansion of Legal Aid Online
- reform of summary criminal legal assistance to support the reform of the summary justice system
- delivery of the Board's simplification of civil legal assistance project. We expect to see the first outcomes from the project in the second half of 2007.
- reform of civil advice and assistance in May 2007
- reform of the feeing arrangements for solicitors in solemn criminal cases
- introduction of quality assurance for criminal legal assistance practitioners in 2008
- transfer from the courts to the Board of the power to grant solemn criminal legal aid in 2008
- opening four new public defence solicitors' offices in the first half of 2007
- providing Board employed solicitors to fill gaps in private sector provision, where this is necessary.





## ABOUT OUR APPROACH

We will adopt a common approach to delivering our objectives. This will include:

**Working in partnership** with the Scottish Government, the legal profession, the advice sector, local authorities, others in the justice system and representative bodies.

**Consulting** with applicants, assisted persons, opponents, solicitors, advocates and others with an interest in legal aid and access to justice.

**Communicating** directly with applicants, assisted persons and opponents through letters, meetings and consultations, as well as through their solicitors.

**Sharing** with others our policies and practices to achieve greater openness, understanding and effectiveness.

**Engaging** in others' consultations and development processes to play our full part in improving the justice system and the operation of legal aid within it.

**Continuously** improving through investment in our people, processes and systems, and implementing changes to achieve efficiency and effectiveness of our operations.

## IMPROVING THE OPERATION OF THE LEGAL AID SYSTEM

The Legal Profession and Legal Aid (Scotland) Act 2007 transfers the granting of solemn criminal legal aid from the courts to the Board. We will consult on the financial eligibility test to be applied and expect to begin granting solemn criminal legal aid in 2008.

The Act also contains a series of technical changes to make the current legal aid system work better.

## IMPROVING CIVIL LEGAL ASSISTANCE

### Reform of civil advice and assistance

The Scottish Government introduced regulations to reform civil advice and assistance in line with their previous consultation. The regulations introduce changes to the procedures for granting and providing civil advice and assistance and will be implemented in the spring of 2007.

### Monitoring the impact of civil legal aid reforms

We will continue to monitor the volume of civil legal aid applications and the operation of civil legal aid by the Board and solicitors, including the impact of recent changes to the fee structure.

### Review of civil legal aid fees

We will work with the Scottish Government in 2007 to review the level of civil legal aid fees to ensure that they provide fair remuneration.

### Simplification of civil legal assistance

Solicitors, applicants and opponents can find the process complex. We are looking at ways we can further reduce bureaucracy and make the system more effective and efficient for all who use it. The project will look at all aspects of the operation of civil legal assistance including the applications process.

We will develop a training and support strategy for solicitors providing civil legal assistance.

Our extensive consultation exercise will be completed in the first half of 2007. We will then develop recommendations for change that can be implemented during this two year planning period.

### Counsel's fees

We will work with the Scottish Government and Faculty of Advocates to develop and implement a new table of fees for work in the civil courts.

## EXTENDING ELIGIBILITY FOR CIVIL LEGAL AID

### **Simplifying financial assessment**

We will begin a review of the application of the means tests for civil legal aid and advice and assistance. The review will seek to identify ways of simplifying the civil legal aid application and assessment process. We will also develop for submission to the Scottish Government costed proposals for tapered eligibility for civil legal aid which, if implemented, would increase access to justice.

## IMPROVING ACCESS TO JUSTICE

### **Advice and assistance by advisers other than lawyers**

The Legal Profession and Legal Aid (Scotland) Act 2007 extends the provision of legal advice services by expanding the range of suppliers that can be funded by the Board.

The Board will be able to fund advice and assistance provided by advisers other than lawyers, as well as solicitors as at present. It is for the Scottish Government to decide categories of work on which advice can be given by specialist advisers who are not lawyers.

### **Grant funding**

The Legal Profession and Legal Aid (Scotland) Act 2007 also gives grant funding powers to the Board to fund provision of advice services. Decisions on the overall funds to be made available to the Board for grant funding will be taken by the Scottish Government, following which we will consult with stakeholders on the development of the scheme and invite grant applications.

### **Quality assured services**

Advice agencies will be registered with the Board in order to qualify to provide advice and assistance. The Board will develop a Code of Practice, to be approved by Scottish Ministers, for registered organisations.

### **Co-ordination and planning of advice services**

Improvements to access to justice can also be achieved by greater co-ordination and planning of advice services. We will work closely with the Scottish Government, the legal profession, local authorities, the voluntary sector, our customers and justice system partners to develop ways of assessing the need for legal advice and respond to these in the most appropriate ways.

### **New ways of providing civil legal assistance**

Through Part V of the Legal Aid (Scotland) Act 1986, the Board can run innovative legal advice projects to test new methods of delivering legal advice and to improve access to legal services. The Board has five projects across Scotland, providing casework services and second tier support and training for local advisers. We will evaluate these projects and decide what types of services to provide when they come to an end in March 2008.

The Board will also continue to monitor provision of civil legal assistance to identify gaps in private sector provision. We will also identify ways of filling these as well as exploring new ways of delivering civil legal assistance.

We will open an office in Inverness to provide civil legal assistance to clients across the Highlands and Islands who cannot find a private solicitor to advise or represent them under legal aid.

## IMPROVING CRIMINAL LEGAL ASSISTANCE

### Reform of solemn criminal legal aid

We will work with the legal profession and the Scottish Government to reform fee arrangements for solicitors for solemn criminal legal aid work.

### Quality assurance for criminal legal assistance

We expect the new quality assurance system based on peer review for criminal legal assistance will be introduced in 2008.

### Counsels' fees

A new table of fees for counsel in criminal appeals cases, building on discussions between the Scottish Government, the Board and the Faculty of Advocates, is expected to be introduced in the second half of 2007-2008.

### Reform of summary justice and criminal legal assistance

Major changes to the operation of summary justice are planned to be introduced in 2008. Summary criminal legal assistance will need to be substantially reformed to ensure that it supports and facilitates the effective working of the new summary justice system. There will be full consultation on the proposed changes to summary criminal legal assistance.

### PDSO – Public Defence Solicitors' Offices

At the request of Scottish Ministers, we will open four new PDSO offices in Kirkwall, Dundee, Falkirk and Ayr by the middle of 2007.

We will work with the Scottish Government to contribute to a report to the Scottish Parliament by the end of 2008 on the operation of the public defender system.

## DELIVERING IMPROVED SERVICES

### Legal Aid Online

We will substantially expand Legal Aid Online, our system which allows solicitors to submit legal aid applications and accounts through the internet. By 2010 we expect virtually all legal aid business to be online.

At the start of 2007, around 200 firms were using or wanted to use Advice and Assistance Online. We expect to see the numbers increase in 2007-2009. We will roll-out the Civil Legal Aid Online system in 2008.

For criminal legal aid practitioners, we will introduce Criminal Legal Aid Online alongside the reform of summary criminal legal assistance.

### Best Value

The Scottish Government's Best Value duty is to ensure continuous improvement in performance whilst maintaining an appropriate balance between quality and cost.

The Board carried out a self-assessment which was reviewed by Audit Scotland who found that the Board's overall arrangements to secure Best Value were 'well developed'.

We have prepared a development plan to build on the work already done.

We will carry out a programme of business efficiency reviews to help us deliver further improvements to our efficiency and effectiveness.

### Efficient Government

The Board has worked with the Scottish Government to develop and deliver changes to legal aid that will increase value for money as part of their Efficient Government initiative.

The Scottish Government set efficiency gains targets for legal aid for the next two years and achievement of these is subject to the introduction of further packages of regulatory change by the Scottish Government. Two of the efficiency gains packages have already been introduced and the target for 2006-2007 was achieved, with savings of £9 million.

We will work with the Scottish Government to identify further efficiency gains in legal aid.

### Investing in systems

Over the next two years, we will continue to invest in spend to save initiatives and capital projects, particularly IT systems, to improve efficiency.

### Telephone helpline and information on legal aid services

We will further develop our recently introduced telephone helpline. In particular, we will enhance the information available to help members of the public find solicitors who deal with specific types of case.

We will work with solicitors and advice providers in the not-for-profit and local authority sectors to improve information on legal aid services, helping people get to the right person to deal with their problem.

### Procurement of third party services

We will follow on from consultation already conducted to work with relevant professional bodies to develop changes to the way we pay for work carried out by third parties, such as accountants, doctors, psychologists, reporters and curators in legal aid cases to help ensure that we achieve value for money.

### Research and analysis

We will continue to work closely with the Scottish Government and Law Society of Scotland to deliver a programme of research into the current and future supply of legal aid services and research into the resolution of parental disputes over contact with and residence of children.

We will conduct research into outcomes of civil legal aid cases to inform our decision making processes.

### Engaging with our customers and stakeholders

Over the next two years, we will continue and further develop our programme of:

- surveys of the legal profession and users of the legal aid system
- legal aid clinics where the public can discuss their case confidentially with our staff
- meetings with local faculties of solicitors to discuss legal aid issues.

### Equality

In 2007-2008 we will:

- work with external stakeholders to develop our work on the statutory responsibilities on race, gender and disability equality, and in preparation for the single Equality and Human Rights Commission
- develop a rolling programme of customer involvement to inform the development of action plans on equalities
- publish our gender equality scheme.

### Minimising fraud and abuse in legal aid

We will further develop and enhance our approach to minimising fraud and abuse in legal aid. We will expand our verification of checks on applicants' financial information. This will include setting up direct links with the Department for Work and Pensions' systems to enable us to verify benefits information. We will also continue our analysis and review of firms of solicitors to identify potential areas for investigation.

### Minimising risk

The Board's risk management and programme management systems are designed to help us successfully manage and implement these important projects.

# Forecast:

Analysis of trends in volumes and expenditure gives the context for resource planning to enable us to achieve our strategic objectives.

## FORECAST IN VOLUMES AND EXPENDITURE

Estimating the cost of legal aid is complex. Legal aid is not cash limited and can be affected by numerous factors. The Board has developed a model to estimate future legal aid spend. It relies very heavily on making assumptions about the numbers of cases that will go through the justice system. We rely on information from other justice system organisations to make informed assumptions.

Current figures suggest that overall net expenditure from the Legal Aid Fund is likely to be around £156 million in 2007-2008.

## CRIMINAL LEGAL ASSISTANCE

### Volumes

Overall volumes of criminal legal aid applications are affected by many factors, such as crime levels, police clear up rates and the decisions of the Crown Office and Procurator Fiscal Service as to whether to prosecute individual cases. Changes in the volume of applications for legal aid have a direct effect on spending. Our current estimates of volumes and expenditure are based on recent trends and latest indications of likely future trends.

The total volume of applications for summary criminal legal aid increased steadily between 1999-2000 and 2004-2005. However, we saw a small reduction in applications during 2005-2006. In 2006-2007, the volume of applications has increased again. For 2007-2008, our assumption is that the volume of summary criminal cases will remain at broadly the same level. In 2008-2009, we will see the effect of summary criminal justice reform and the associated changes in summary criminal legal assistance.

In 2004-2005, we saw a reduction in the volume of grants of solemn criminal legal aid by the courts. However, this was reversed in 2005-2006 and 2006-2007 with a large increase in the volume of grants of solemn legal aid by the courts. For planning purposes we have assumed that the volumes of solemn cases will continue to grow in 2007-2008 but at a significantly slower rate than we have seen in the last year.

### Cost

The system of fixed payment continues to ensure the predictability of costs in individual summary cases from year to year. The main influence on overall expenditure will be the number of cases and changes in fee levels.

Solemn criminal legal aid costs will increase as a result of the changes to fees, fee structures and if volumes continue to increase. We anticipate that the cost of solemn criminal legal aid will rise to around £43 million.

Overall, and assuming current trends continue, we expect the cost of criminal legal assistance to be around £111 million in 2007-2008.

# £156m

is the cost to the taxpayer for legal aid that we expect in 2007-2008.

## CIVIL LEGAL ASSISTANCE

### Volumes

The number of applications for both civil advice and assistance and civil legal aid received by the Board have fallen substantially over the last few years. Advice and assistance continues to fall and we expect this trend to continue. The reduction in civil legal aid applications slowed to 1% in 2005-2006 but increased again in 2006-2007.

Ministers have indicated their wish to consider extending eligibility through changing the way in which financial eligibility is assessed and how benefits are treated. These will lead to an increase in civil legal aid cases.

### Cost

We are now seeing the impact of increases in solicitors' fees for cases which were granted after October 2003. Further changes to solicitor fees which were made in February 2007, are expected to cost £1 million a year. We expect the average cost of civil legal aid cases to continue to increase in 2006-2007 as these changes and other recent increases in fees take full effect.

## CHILDREN'S LEGAL ASSISTANCE

We expect expenditure on children's legal assistance to be around £5 million.

Legal Aid Fund expenditure (£million)	2006-2007	2007-2008
Criminal legal assistance	107	111
Civil legal assistance (gross)	51	53
Children's legal assistance	4	5
<b>Total gross expenditure</b>	<b>162</b>	<b>169</b>
Less income from contributions and recoveries	-12	-13
<b>Total net expenditure</b>	<b>150</b>	<b>156</b>

## ADMINISTRATION RESOURCES

We require the appropriate resources to achieve our objectives and deliver our services effectively and efficiently.

The Board's administration costs are funded through Grant-In-Aid from the Scottish Government. This meets the costs of necessary capital investment, paying competitive remuneration to recruit and retain skilled staff, and further improving efficiency and effectiveness.

Over the next year we expect staff numbers to fall in a number of administration areas as a result of our current programme of investment in Legal Aid Online services, document management system and a new computer system for criminal legal aid.

Additional resources have been allocated for new activities such as criminal quality assurance, the provisions of the Legal Profession and Legal Aid (Scotland) Act 2007 and specific spend to save initiatives.

Our current estimate of our resource requirements is: £13.0 million.



**Legal Aid Online is being used more and more by solicitors to send applications and accounts to us through the internet. This brings a quicker and more efficient service to solicitors and the Board.**

Administration costs (£million)	2006-2007	2007-2008
Staff, accommodation etc	12.3	12.8
Capital	0.3	0.1
Part V Projects	0.3	0.1
<b>Total</b>	<b>12.9</b>	<b>13.0</b>

The Legal Aid Fund and Administration figures do not include:

- any carry forward of Grant-In-Aid between financial years
- any additional operating costs associated with any, as yet unknown, significant changes in policies or legislation

Part V projects are set up under Part V of the Legal Aid (Scotland) Act 1986 to look at new and innovative ways of providing legal advice.

## Measure:

Our headline indicators provide a measure of our performance by combining individual targets for timeliness of processing cases and accuracy of decision making.

During 2006, we carried out a review of our approach to performance indicators and targets. This included consulting our stakeholders for their views. The feedback from stakeholders was very positive.

The Board's performance measurement system consists of both timeliness and accuracy targets for each aid type. For timeliness, we set a service standard – for example, that we will assess a civil legal aid application within 35 days. We also set a target – for example, to assess 92% of applications within the service standard.

There are eight headline performance indicators covering each of the main types of legal assistance. These combine individual targets for timeliness of processing cases with measures of the accuracy of decision making. In addition to these key measures of operational performance, we have other corporate indicators and targets that apply to other aspects of our work.

### Individual service standards and targets

We have significantly reduced the timescale for processing many types of legal aid applications, in some cases by up to 50%. For example:

#### Criminal cases:

- the timescale for dealing with requests for certification of summary criminal cases as exceptional is shortened from 10 days to 5 days
- reviews of refusal of initial application are shortened by 25%, from 12 days to 9 days.

#### Civil cases:

- for applications for sanction to employ counsel, expert witnesses or to incur unusual costs, the service standard is shortened by 17%, from 12 days to 10 days
- for applications to extend the scope of the case, the timescale is shortened by 17% from 30 days to 25 days
- the service standard for reassessment of financial eligibility is shortened by 15% from 33 days to 28 days.

We have also increased the percentage targets for seven application types.

### Headline indicators

The new targets we introduced and improvements to the existing targets have resulted in increases in two of our eight headline indicators.

We have also introduced two specific headline targets for children's legal aid.

### Legal Aid Online

We have separate and significantly better service standards for our online services.

# 50%

reduction in the target timescale for dealing with some types of legal aid application has been made.

# Headline performance indicators

## 2007-2008

The headline performance indicators combine individual timeliness and accuracy targets for each legal aid type. They are weighted equally so that we achieve an appropriate balance between the measures for speed of processing and the quality of decisions. They are the key measures of the Board's operational performance. They are compiled from individual targets for each aid type which are set out on pages 17-21.

Our eight headline performance indicators are:

ADVICE AND ASSISTANCE APPLICATIONS			ADVICE AND ASSISTANCE ACCOUNTS		
	2006-2007 Target	2007-2008 Target		2006-2007 Target	2007-2008 Target
Timeliness	96%	96%	Timeliness	95%	97%
Accuracy/consistency	98%	98%	Accuracy/consistency	96%	96%
Headline	97%	97%	Headline	96%	97%
CIVIL LEGAL AID APPLICATIONS			CIVIL LEGAL AID ACCOUNTS		
	2006-2007 Target	2007-2008 Target		2006-2007 Target	2007-2008 Target
Timeliness	92%	94%	Timeliness	97%	97%
Accuracy/consistency	96%	96%	Accuracy/consistency	96%	96%
Headline	94%	95%	Headline	97%	97%
CRIMINAL LEGAL AID APPLICATIONS			CRIMINAL LEGAL AID ACCOUNTS		
	2006-2007 Target	2007-2008 Target		2006-2007 Target	2007-2008 Target
Timeliness	99%	99%	Timeliness	97%	97%
Accuracy/consistency	98%	98%	Accuracy/consistency	97%	97%
Headline	99%	99%	Headline	97%	97%
CHILDREN'S LEGAL AID APPLICATIONS			CHILDREN'S LEGAL AID ACCOUNTS		
	2006-2007 Target	2007-2008 Target		2006-2007 Target	2007-2008 Target
Timeliness	99%	99%	Timeliness	97%	97%
Accuracy/consistency	98%	98%	Accuracy/consistency	96%	96%
Headline	99%	99%	Headline	97%	97%

The headline indicators have been rounded to the nearest percentage. Outcomes will be similarly rounded.

# Advice and assistance timeliness and accuracy targets

## Applications

<b>TIMELINESS</b> (percentage of applications actioned within service standard time)					
	2006-2007		2007-2008		Target
	Service standard	Target	Paper applications service standard	Online applications service standard	
Registration of intimations of grants of advice and assistance by solicitors	10 days	97%	7 days	3 days	97%
Requests for increase in authorised expenditure	7 days	94%	7 days	4 days	95%
Requests for change of nominated solicitor <sup>1</sup>	10 days	95%	7 days	4 days	95%
Requests to reconsider a decision by the Board	7 days	90%	7 days	5 days	94%
<b>All application types</b>		<b>96%</b>			<b>96%</b>

  

<b>ACCURACY OF DECISION MAKING</b> (percentage of decisions that are free of material error)		
	Service standard	Target
		2006-2007
<b>All application types</b>	error free	<b>98%</b>
		2007-2008
<b>All application types</b>		<b>98%</b>

  

<b>HEADLINE INDICATOR</b>		
	2006-2007	2007-2008
<b>Advice and assistance applications</b>	<b>97%</b>	<b>97%</b>

## Accounts

	Service standard		Target	
	Paper accounts	Online accounts	2006-2007	2007-2008
<b>TIMELINESS</b>				
Applications under Regulation 16(3) – “hardship applications”	15 days	15 days	N/A	97%
All other accounts	30 days	15 days	95%	97%
<b>ACCURACY</b>				
All types	error free			96%
<b>HEADLINE INDICATOR</b>			<b>96%</b>	<b>97%</b>

Online services enable applications and accounts to be submitted and transacted through the internet. Service standards are in calendar days and exclude public holidays.

<sup>1</sup> This applies only to a change in the nominated solicitor where the case remains with the same firm of solicitors.

# Civil legal aid timeliness and accuracy targets

## Applications

<b>TIMELINESS</b> (percentage of applications actioned within service standard time)					
	2006-2007		2007-2008		Target
	Service standard	Target	Paper applications service standard	Online applications service standard	
Initial applications	37 days	92%	35 days	32 days	94%
Sanction to employ counsel, expert witnesses or incur unusual costs	12 days	92%	10 days	8 days	94%
Requests to change solicitor	12 days	90%	10 days	7 days	94%
Reviews of refusal of initial application	33 days	90%	30 days	25 days	90%
Requests to extend the scope of the case with 14 day intimation period	30 days	90%	25 days	20 days	93%
Requests to extend the scope of the case with 28 day intimation period	33 days	90%	33 days	31 days	93%
Reassessment of financial eligibility	33 days	95%	28 days	20 days	95%
Special urgency cases received Monday - Thursday	2 days	97%	2 days	2 days	97%
Special urgency cases received Friday - Sunday	4 days	97%	4 days	4 days	97%
Stage reports	N/A	N/A	20 days	15 days	93%
<b>All application types</b>		<b>92%</b>			<b>94%</b>

<b>ACCURACY OF DECISION MAKING</b> (percentage of decisions that are free of material errors)			
	Service standard	Target 2006-2007	Target 2007-2008
All application types	error free	96%	96%

<b>CORRESPONDENCE</b>			
	Service standard		Target 2007-2008
	Paper based	Online	
Case correspondence <sup>1</sup>	14 days	12 days	95%

<b>HEADLINE INDICATOR</b> (timeliness and accuracy)		
	2006-2007	2007-2008
Civil legal aid applications	94%	95%

<sup>1</sup> Correspondence which indicates the need for a response to be made, will receive within 14 days either a full response, or information on when it will be dealt with and what factors have prevented us from dealing with it in the target.

## Accounts

	2006-2007		2007-2008		Target
	Service standard	Target	Paper accounts service standard	Online accounts service standard	
<b>TIMELINESS</b>					
Judicial Expenses Accounts	N/A	N/A	17 days	17 days	97%
All other accounts	30 days	97%	30 days	20 days	97%
<b>ACCURACY</b>					
All accounts	error free		error free		96%
<b>HEADLINE PERFORMANCE INDICATOR</b>		<b>97%</b>			<b>97%</b>

Online services will enable applications and accounts to be submitted and transacted through the internet. Online targets shown are indicative and will be revised when online services are fully available. Service standards are in calendar days and exclude public holidays.

# Criminal legal aid timeliness and accuracy targets

## Applications

<b>TIMELINESS</b> (percentage of applications actioned within service standard time)					
	2006-2007		2007-2008		Target
	Service standard	Target	Paper applications service standard	Online applications service standard	
Initial applications in summary cases	10 days	99%	10 days	5 days	99%
Sanction to employ counsel, expert witnesses or incur unusual costs	7 days	99%	6 days	5 days	99%
Requests to change solicitor	7 days	99%	6 days	5 days	99%
Reviews of refusal of initial application	12 days	99%	9 days	5 days	99%
Applications to make an appeal in court	7 days	99%	7 days	5 days	99%
Requests to reconsider a decision by the Board	12 days	99%	9 days	5 days	99%
Special urgency cases (summary first instance and appeals)	3 days	99%	3 days	2 days	99%
Exceptional cases	10 days	99%	5 days	5 days	99%
<b>All application types</b>		<b>99%</b>			<b>99%</b>

<b>ACCURACY OF DECISION MAKING</b> (percentage of decisions that are free of material error)			
	Service standard	Target 2006-2007	Target 2007-2008
All application types	error free	98%	98%

<b>HEADLINE INDICATOR</b> (timeliness and accuracy)		
	2006-2007	2007-2008
Criminal legal aid applications	99%	99%

## Accounts

<b>TIMELINESS</b> (percentage of accounts actioned within service standard time)					
	2006-2007		2007-2008		Target
	Service standard	Target	Paper accounts service standard	Online accounts service standard	
Fixed fee	30 days	97%	30 days	15 days	97%
Detailed accounts	30 days	97%	30 days	20 days	97%
<b>All accounts types</b>		<b>97%</b>			<b>97%</b>

<b>ACCURACY</b> (percentage of accounts actioned within service standard time)			
	Service standard	Target 2006-2007	Target 2007-2008
Fixed fee	error free	98%	98%
Detailed accounts	error free	96%	96%
<b>All accounts types</b>	<b>error free</b>	<b>97%</b>	<b>97%</b>

<b>HEADLINE INDICATOR</b> (timeliness and accuracy)		
	2006-2007	2007-2008
Criminal legal aid applications	97%	97%

Online services will enable applications and accounts to be submitted and transacted through the internet. Online targets shown are indicative and will be revised when online services are fully available. Service standards are in calendar days and exclude public holidays.

# Children's legal aid timeliness and accuracy targets

## Applications

<b>TIMELINESS</b> (percentage of applications actioned within service standard time)					
	2006-2007		2007-2008		
	Service standard	Target	Paper applications service standard	Online applications service standard	Target
Sanction to employ counsel, expert witnesses or incur unusual costs	7 days	99%	6 days	5 days	99%
Requests to change solicitor	7 days	99%	6 days	5 days	99%
Applications to make an appeal in court	7 days	99%	10 days	5 days	99%
Requests to reconsider a decision by the Board	12 days	99%	9 days	5 days	99%
Special urgency	3 days	99%	3 days	2 days	99%
<b>All application types</b>		<b>99%</b>			<b>99%</b>

  

<b>ACCURACY OF DECISION MAKING</b> (percentage of decisions that are free of material error)			
	Service standard	Target 2006-2007	Target 2007-2008
	All application types	error free	98%

  

<b>HEADLINE INDICATOR</b>		
	2006-2007	2007-2008
Children's legal aid applications	99%	99%

## Accounts

	Paper accounts service standard	Online accounts service standard	Target	
			2006-2007	2007-2008
Timeliness	30 days	20 days	97%	97%
Accuracy	error free		96%	96%
<b>HEADLINE INDICATOR</b>			<b>97%</b>	<b>97%</b>

Online services enable applications and accounts to be submitted and transacted through the internet. Online targets shown are indicative and will be revised when online services are fully available. Service standards are in calendar days and exclude public holidays.

## Corporate targets

	Standard	Target
<b>Complaints handling</b> We aim to deal with complaints as soon as possible, and in any event within 28 days. However, if the complexity of the case means that we are unable to meet this standard, we will write to the complainant explaining the reasons and when their complaint will be dealt with.	28 days	–
<b>Payment for goods and service</b> Compliance with Late Payment of Commercial Debts (Interest) Act 1998 (percentage of debt paid within 30 days). This applies to suppliers of goods and services excluding solicitors and advocates providing legal aid services.	30 days	98%
<b>Collection of contributions</b> Percentage of the amount of assisted persons' contributions payable.	–	90%

## Notes and definitions

Targets and outcomes are rounded to the nearest percentage. The targets for all application types such as timeliness, are calculated in proportion to the volumes of each individual legal aid type that the Board receives and the target set for that type. They are not calculated using a simple arithmetic average.

### Applications:

'Actioned within service standard' is measured from the date of receipt until the date of final decision, excluding any periods where the application has been continued for further information. In the case of an intimation of a grant of advice and assistance, the service standard is met when the Board issues to the solicitor an acknowledgement of the grant.

A final decision on an application is considered to have been taken if we have intimated any of the following:

- (a) a decision to grant legal aid
- (b) a decision to refuse legal aid
- (c) a decision to abandon the application.

All timeliness targets are in calendar days and exclude public holidays.

### Accounts:

All timeliness standards are in calendar days, and exclude public holidays. Performance targets are a percentage of the number of accounts actioned within 30 calendar days (excluding public holidays). The 30 day period begins on the day the account is received by the Board when this is before 12 noon. For accounts received after 12 noon, the 30 day period will begin from the next business day. It ends when: a payment is processed to BACS, a letter seeking further information is issued, or an offer is made. This applies to properly prepared and vouched accounts.

Civil and criminal accounts are actioned by way of an offer letter or a request for further information. Where an offer can be made, payment will be made at the time of the offer. Advice and assistance accounts are actioned by way of payment or issuing a letter about abatements or requesting further information. No payments on offer can be made.

## If you need legal help, you need our number

Legal aid could help you get the advice you need. Call us on **0845 122 8686** or visit [www.slab.org.uk](http://www.slab.org.uk) to find out more about legal aid and if it could help you.

### Talk to us

Need more information about legal aid?  
All you have to do is get in touch.

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