**THE SCOTTISH LEGAL AID BOARD**

**DRAFT MINUTE OF MEETING OF THE SCOTTISH LEGAL AID BOARD HELD AT 1.30 PM. ON MONDAY 12 AUGUST 2019 AT THISTLE HOUSE, EDINBURGH**

Present: Ray MacFarlane, Chair

Sheriff John Morris

Steve Humphreys

Sarah O’Neill

Marieke Dwarshuis

Brian Baverstock

Tim McKay

David Sheldon QC

In attendance: Colin Lancaster, Chief Executive

Graeme Hill, Director of Corporate Services and Accounts

Marie-Louise Fox, Director of Operations

Anne Dickson, Director of Strategic Development

Ian Dickson, Principal Legal Adviser

Andrew McIntosh, Corporate Support Manager

John Osborne, Policy Manager (item 6)

Elaine Barrowman (Audit Scotland)

1. **APOLOGIES FOR ABSENCE**

Rani Dhir, Lesley Ward, Raymond McMenamin, Paul Reid.

1. **DECLARATIONS OF INTEREST**

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

1. **REVIEW OF MINUTES**

**DRAFT MINUTE OF BOARD MEETING HELD ON 24 JUNE 2019**

The draft minute of the Board meeting held on 24 June 2019 was **approved**.

**DRFAT MINUTE OF THE LEGAL SERVICES CASES COMMITTEE HELD ON 15 JULY 2019**

The draft minute of the Legal Assistance Cases Committee of 15 July 2019 was **noted**.

1. **CHAIR’S REPORT**

The Chair updated members on the Board Member appraisals and her recent meeting with John Mulholland, the Law Society’s new President.

1. **CHIEF EXECUTIVE’S UPDATE**

The Chief Executive reported on matters of interest since the previous meeting. Topics included recent meetings with the Law Society and bar associations and discussion with the Legal Aid Board in Ireland ON how they managed their employed solicitors.

After discussion, Members **noted** the position.

1. **LEGAL AID REVIEW**

Anne Dickson presented a paper inviting the Board to discuss and agree the approach to developing a response to the Scottish Government’s legal aid review consultation and the assessment of SLAB’s risk appetite in making its response.

The Board noted that the Legal Assistance Policy Committee (LAPC) had previously considered an initial draft of answers to the first part of the consultation. The Committee had provided useful feedback which was being taken into consideration in a further draft.

The Board noted that a further draft of the response would be circulated for discussion at the LAPC on 16 September. This meeting would be open to all Board members to attend.

After discussion, Members **agreed** the approach and that it was content for the LAPC to be the lead forum for input to the draft response.

After discussion, Members **noted** the paper.

1. **ANNUAL REPORT AND ACCOUNTS**

The Board were presented with a paper on the draft Annual Report and Accounts for the year 2018-19.

The report included an oral briefing on the key messages from the External Auditor and other points of note from Graeme Hill.

On the basis of a satisfactory recommendation from the Audit Committee, and the positive report from the External Auditor, the Board **agreed** that it could recommend to the Accountable Officer that he sign the Annual Report and Accounts and make arrangements for its submission, through Audit Scotland, the Auditor General and Scottish Government, for laying in the Scottish Parliament.

1. **SCENARIO PLANNING FOR ADMINISTRATION EXPENDITURE**

Graeme Hill presented a paper setting out for the Board the results of financial scenario planning work that had taken place at the end of 2018. Due to SLAB receiving a flat cash settlement in the Scottish Government Budget of December 2018, implementation of the scenarios had not been required.

The Board noted that the exercise would be recommenced at the start of October 2019, with a view to bringing back the key options to the Board for approval (if required to meet a funding gap) ahead of both the financial settlement in December 2019 and the work of the internal budget setting in December 2019 into January 2020.

After discussion the Board **noted** the position.

Members **noted** the paper.

1. **AUDIT COMMITTEE ANNUAL REPORT**

Tim McKay presented the Board with a report detailing the work of the Audit Committee in the previous 12 months.

The Board welcomed the report and noted that they it gave them assurance that the Committee was giving the appropriate scrutiny in the right areas.

The Board **noted** the report.

1. **BUSINESS PLAN UPDATE**

Andrew McIntosh presented a paper setting out progress against SLAB’s annual Business Plan.

In discussion the Board were updated further on discussions with the Scottish Government on the planning for a future grant funding programme.

After discussion, Members **noted** the report.

1. **PERFORMANCE REPORT**

Marie-Louise Fox presented the Board with a paper reporting on operational performance as at 30th June 2019.

In discussions, the Board noted ongoing work to improve the formatting of the reports. Members requested that future papers be more specific about the reasons for dips in performance although it was recognised that smaller teams could experience a skewing effect due to staff absences.

After discussion, Members **noted** the report.

**ITEM FOR INFORMATION**

**MEETINGS WITH OUTSIDE BODIES**

The Board noted a paper setting out the details of key meetings attended by senior SLAB staff

**DATE OF NEXT MEETING**: Monday 23 September 2019

The meeting ended at 3.30pm