**THE SCOTTISH LEGAL AID BOARD**

**DRAFT MINUTE OF MEETING OF THE SCOTTISH LEGAL AID BOARD HELD AT 1.30 PM. ON MONDAY 23 SEPTEMBER 2019 AT THISTLE HOUSE, EDINBURGH**

Present: Ray MacFarlane, Chair

Sheriff John Morris

Sarah O’Neill

Marieke Dwarshuis

Brian Baverstock

Tim McKay

David Sheldon QC

Rani Dhir

Lesley Ward

Raymond McMenamin

Paul Reid

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)

Matt Taylor (item 10)

Stuart Drummond

1. **APOLOGIES FOR ABSENCE**

Steve Humphreys

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 12 AUGUST 2019**

The draft minute of the Board meeting held on 12 August 2019 was **approved**.

**DRAFT MINUTE OF THE AUDIT COMMITTEE HELD ON 29 JULY 2019**

The draft minute of the Audit Committee of 29 July 2019 was **noted**.

**DRAFT MINUTE OF THE POLICY COMMITTEE HELD ON 29 JULY 2019**

The draft minute of the Policy Committee of 29 July 2019 was **noted.**

1. **CHAIR’S REPORT**

The Chair congratulated Paul Reid on his recent appointment as a sheriff. The Chair also updated members on the recent meeting with the Minister for Community Safety, Ash Denham.

1. **CHIEF EXECUTIVE’S UPDATE**

The Chief Executive reported on matters of interest since the previous meeting. Topics included the aforementioned meeting with Ash Denham, the engagement that has been carried out with the profession on the legal aid review and the planning for Grant Funding from 2020 onwards.

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

1. **LEGAL AID REVIEW**

Anne Dickson presented the latest version of the draft response to the Legal Aid Review. After discussion it was agreed that there should be an executive summary which clarifies the premise of the response and that it is not advocating the adoption of a specific model of legal aid delivery.

Otherwise the Board congratulated the drafting team on their work in putting together the response.

1. **FINANCE (LEGAL AID FUND) REPORT**

Graeme Hill presented the quarterly report and reported that there has been an increase in Summary legal aid and a change in the mix of civil legal aid work but overall we are on budget.

1. **FINANCE (ADMINISTRATION) REPORT**

Graeme Hill presented the quarterly report. It was noted that there has been an increase in the number of non-workplace accidents that has had an impact on the long-term sickness figures. Overall though there is not a major issue.

1. **RISK MANAGEMENT UPDATE**

Andy Mackintosh presented the Risk Management Update. It was reported that a risk assurance mapping exercise is being conducted to ascertain whether the controls that are in place for risks are relevant.

The Board was asked to note that the risk of SLAB being found to have breached its public sector equalities duties has increased but that this is being actively managed.

It was also noted that the risk of SLAB failure to deliver compelling strategic advice on legal aid to Ministers has decreased primarily due to a change in the engagement strategy with the Law Society of Scotland and the wider profession.

1. **PERFORMANCE REPORT**

Marie-Louise Fox presented the Board with a paper reporting on operational performance as at July 2019. The Board were asked to note the one-off presentational format which had been done in response to the Board’s request to see the graphs occasionally.

The setting of benchmarks was questioned in terms of how these will be set and how we will know that the level is set right.

Applications performance is good with the benchmarks being met or exceeded. There is a more mixed picture with accounts performance but children’s and criminal accounts are improving.

**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 4 November 2019

The meeting ended at 2.45 pm