**THE SCOTTISH LEGAL AID BOARD
APPROVED MINUTE OF MEETING OF THE SCOTTISH LEGAL AID BOARD HELD AT 9.30 PM. ON
MONDAY 25 NOVEMBER 2019 AT THE BONHAM HOTEL, EDINBURGH**

Present: Ray MacFarlane, Chair
Sheriff John Morris
Sarah O’Neill
Marieke Dwarshuis
Steve Humphreys
Tim McKay
Rani Dhir
Lesley Ward
Raymond McMenamin

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
Matt Taylor (item 9)
Stuart Drummond

1. **APOLOGIES FOR ABSENCE**Brian Baverstock, David Sheldon QC
2. **DECLARATIONS OF INTEREST**No interests not previously registered in the Register of Board Members’ Interests were
declared.
3. **REVIEW OF MINUTES
DRAFT MINUTE OF BOARD MEETING HELD ON 23 SEPTEMBER 2019**The draft minute of the Board meeting held on 23 September 2019 was **approved**.
**DRAFT MINUTE OF THE POLICY COMMITTEE HELD ON 14 OCTOBER 2019**The draft minute of the Policy Committee of 14 October 2019 was **noted.**4. **CHAIR’S REPORT**The Chair reported that Paul Reid has resigned from the Board creating a vacancy for a
Law Society of Scotland member. This vacancy will be filled in due course.
5. **CHIEF EXECUTIVE’S UPDATE**The Chief Executive reported that a Payment Panel Workshop was being held on 26th
November at Thistle House. In attendance will be the Scottish Government and
independent economists. It was hoped that there will be a better sense of where this work
is moving to. SLAB had shaped the agenda to prompt the questions that need to be
addressed in order for the remit of the panel to be fulfilled.
The Chief Executive also updated the Board on the current situation regarding the
payment of interest on solicitor accounts. Although an agreement had been reached with
the Faculty in relation to counsel, a solicitor has raised a commercial action in the Sheriff
Court. The Board were made aware of the risk that the decision could go against SLAB. It
was reported that at this stage the extent of SLAB’s exposure was not clear. The court has
assigned a debate for the 5th December.
The Board were also updated on a live employment tribunal case.
6. **FINANCE (LEGAL AID FUND) REPORT**The Board noted the update. GH reported that the full re-forecast will be carried out in
December. There has been an increase in Solemn and Summary applications and we are
currently over the forecast budget by approximately £1 million although there will be
more detail in the re-forecast.
The source of the increase appears to be the way COPFS has been managing its caseload.
Sexual offence, serious and organised crime and domestic abuse cases are complex and
resource intensive and seem to be hitting the courts at the same time.
7. **FINANCE (ADMINISTRATION) REPORT**The Board noted the report. GH reported that there is currently an £81K underspend,
which is in line with expectations.
8. **TRENDS IN LEGAL ASSISTANCE**The Board noted the paper on trends, which reports that the gross expenditure has
increased by 1.6% to £127 million in the 12 months to September 2019 and applications in
civil legal aid and summary and solemn legal aid are increasing.
9. **BUSINESS PLAN UPDATE**The Board noted the Business Plan update which reports on delivery against the business
plan to date. The following issues were noted in particular:
• Fee reform is unlikely to happen in this financial year
• A project manager has been appointed for the People’s Strategy Work
• The Scottish Government are still to confirm the funding that will be available
for the Grant Funding Programme.
10. **PERFORMANCE REPORT**The Board noted the performance report. The Board agreed that it was a strong report and
it was good to see the ongoing improvement.
11. **PDSO UPDATE**The Board noted the PDSO update. The PDSO is very busy but the SCL has not seen the
anticipated high volumes of calls. This has prompted consideration of how the SCL
resources might be used in different ways.
The PDSO is proposing to work with an Edinburgh based charity called Aid and Abet, which
works to support people going through the criminal justice system. The Board approved
further exploration of this proposal.
12. **CLAO UPDATE**The Board noted the CLAO update. The Board queried whether the remote working
arrangements for Argyll and Bute were working and it was confirmed that this is operating
well.
It was also noted that CLAO is in the last year of a three year business plan and that the
management team is new, with a new Head of Service, and heads of office in Aberdeen,
Edinburgh and Inverness.
**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 10TH February 2020
The meeting ended at 11:15 am