|  |  |
| --- | --- |
| Report to: | The Board |
| Meeting Date: | 3rd October 2022 |
| Report Title | The Public Defence Solicitors’ Office Update |
| Report Category | For Information |
| Issue status: | Business as usual |

|  |  |
| --- | --- |
| Written by: | Paul Haran |
| Director responsible: | Choose an item. |
| Presented by: | Colin Lancaster |
| Contact details: |  |

|  |  |
| --- | --- |
| Delivery of Strategic Objectives | |
| Select the Strategic Objective(s) relevant to the issues | 1. We deliver a high quality user focussed service 2. We embed ways of working across the organisation that enhance the quality, consistency and transparency of our decisions and delivery 3. We engage with users and delivery partners across the legal aid and justice system to inform good design of our system and services |
| The purpose of this paper is to update the Board on the operations of PDSO | |

|  |
| --- |
| Link to Board or Committee Remit |
| To monitor the performance of operational departments |

|  |
| --- |
| Publication of the Paper |
| The Board has previously agreed that this paper should be published as a matter of course. It will be published on the Board website in due course. |

|  |
| --- |
| Executive Summary |
| The landscape has continued to be challenging, particularly for PDSO offices most impacted by withdrawal of private solicitors from duty plans. Business levels are continuing to grow across the network. Our staffing challenges have been alleviated somewhat with successful recruitment in recent weeks with further recruitment ongoing. We hope to have our first new office in 15 years opened in Aberdeen later this year. We are also looking to better support duty service in areas not usually covered by PDSO with increased in-person representation. |

|  |  |
| --- | --- |
| Previous Consideration | |
| Meeting | Detail |
| March 2022 |  |

**PDSO MANAGEMENT**

In September 2022, Paul Haran, Director of Client Legal Services left SLAB to take up appointment as a Sheriff in the Sheriffdom of South Strathclyde, Dumfries and Galloway sitting at Airdrie.

A PDSO Head of Service has now been appointed. After a recruitment exercise that resulted in significant interest in the post, Nicola Brown, Head of Office, PDSO Dundee was successful in being appointed to the role. Nicky has been with PDSO since 2007 and her appointment was universally welcomed by staff across the PDSO network. Nicky was able to have a short handover period prior to Paul’s departure and moves into her new role with a good awareness of the current challenges facing her new team.

**PDSO EXTENT OF SERVICE**

Since the last update in March 2022, PDSO has seen strong growth in business levels. We are now considerably above pre-pandemic levels. Network wide we has seen an increase in new business of over 25% YTD compared with the same period in 2019.



PDSO Edinburgh and PDSO Dundee have been most impacted by duty scheme resignations. Edinburgh has seen a YTD increase of 40% for the same period in 2019. Dundee has seen an even higher increase of 110% for the same period. It is of note that these are against pre-pandemic numbers.

****



**OPERATIONAL LANDSCAPE**

As the Board is aware, since the last formal update in March 2022 a number of additional geographical areas saw private solicitors withdraw from duty plans in April 2022. There has been no significant change in the status quo since then. At present PDSO is providing 100% of duty cover in the Sheriffdom of Lothian and Borders as well as Aberdeen, Dunfermline and Kirkcaldy.

Private solicitors have continued to boycott weekend and holiday courts which has required PDSO to take on additional work in these custody courts, in some cases appearing for almost all custodies on these days.

The boycott of certain domestic abuse cases by private solicitors continues to be in effect, although it is being less strictly followed in some geographical areas. We are now starting to see a notable increase in the number of these cases, whether by direct approach from clients unable to find a solicitor or by contact from the courts looking to appoint a solicitor. We anticipate this burden will increase in the coming week as the number of these cases reaching trial stage increases. PDSO will continue to take on as many of these cases as possible but we have required to refuse a number of court appointments, particularly in areas where we do not have solicitors appearing regularly. We will continue to prioritise making a solicitor available for accused persons remanded in custody.

**PDSO RESOURCING**

In the last update to the Board we highlighted the significant recruitment challenges that we were facing. In response to these challenges, Scottish Government approved the introduction of a recruitment and retention allowance to assist us in retaining staff and recruiting into vacancies. We are pleased to report that over the past few weeks we have managed to recruit into vacancies in Inverness, Dundee and Edinburgh. While additional vacancies remain unfilled, we are in the process of a recruitment exercise which we hope will fill the remaining vacancies. We have recruited additional admin staff resource for PDSO Dundee and hope to do so shortly for Edinburgh.

Members will be aware that the Scottish Government approved the opening of a PDSO office in Aberdeen a number of weeks ago. At present we still have only a single solicitor providing limited court cover in Aberdeen, focusing on duty work. We hope to focus our recruitment efforts in the coming days on the Aberdeen office vacancies.

We continue to grapple with the limitations of providing virtual duty solicitor services in the Fife courts. We are likewise hoping to recruit additional resource in the coming weeks to enable us to more fully service those courts. Our data indicates that the business we are seeing from the 2 fife courts mirrors the business levels seen at PDSO Ayr, a busy 3 solicitor office. While we intend to initially increase the in person cover in these courts from existing PDSO offices, should we start to keep the ongoing work coming from duty work in these courts, we may see a future justification for a Fife based PDSO office.

I am pleased to report that the improving resourcing landscape has also had a marked impact on staff morale, particularly in Edinburgh and Dundee. While challenges still remain, particularly on the admin side, we hope that new incoming staff taking up posts will further improve matters.

**NEW CASE MANAGEMENT SOFTWARE**

Our new case management software, iCasework is now up and running. For PDSO this has been a big change, having used our previous software for over fifteen years. Feedback has been very positive, particularly from the admin teams. Solicitors are being encouraged to use the software and level of use have been increasing week by week as staff experience increases. One positive outcome is that we have seen a marked improvement in equalities data gathering using the new software.

The software is such that we will continue to develop and learn from the product to identify efficiencies and room to streamline processes and procedures. This will improve the service to clients, such as the use of text message reminders for court hearings. We anticipate being able to start exploratory work on a client portal in the months ahead, this being a tool available within the software.