



# Annual Statement on Sustainable Economic Growth

2018-2019

The Scottish Legal Aid Board

[www.slab.org.uk](http://www.slab.org.uk)

The Public Services Reform (Scotland) Act 2010 requires certain public bodies to publish an annual statement of the steps taken during the year to promote and increase sustainable growth through the exercise of their functions. Sustainable economic growth means building a dynamic and growing economy that will provide prosperity and opportunities for all, while ensuring that future generations can enjoy a better quality of life.

The following statement sets out the steps the Scottish Legal Aid Board (SLAB) has taken during 2018-19 to promote and increase sustainable growth.

## How SLAB fits the national picture

### Scottish Government's Purpose

The Scottish Government's Purpose is to focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth.

### The National Performance Framework

To help achieve this purpose, the National Performance Framework (NPF) sets out 'national outcomes'. These outcomes describe the kind of Scotland the government is aiming to create. They reflect the values and aspirations of the people of Scotland and help to track progress in reducing inequality. The NPF is a single framework to which all public services in Scotland are aligned.

The National Performance Framework (NPF) provides a clear vision for Scotland with broad measures of national wellbeing covering a range of economic, health, social and environmental indicators and targets.

The Scottish Government's approach to delivering its Purpose is set out in Scotland's Economic Strategy (SES). The SES is built around two mutually supportive goals: increasing competitiveness and tackling inequality. The international evidence is clear on this - that promoting competitiveness and addressing inequality are interdependent and mutually supportive. Reducing inequality is not only important in itself, but is vital to creating the conditions to deliver sustainable economic growth over the long term.

## The Purpose of Legal Aid

The purpose of legal aid in Scotland is to support access to justice for those people who are unable to pay for it on their own.

Services funded by legal aid make a significant difference to people's lives and contribute to the efficient and fair operation of the justice system. Legal aid helps the criminal justice system work fairly, efficiently and effectively by providing public funding for legal services delivered to those accused of crimes who otherwise could not pay for their defence. It also helps people to access legal services for a range of civil issues. For example, people are able to ensure their future financial security when their family breaks down, or prevent them slipping into poverty; pursue a case for asylum to obtain the right to live here, or obtain guardianship orders to make decisions about elderly relatives and future care.

## **SLAB's Purpose**

To manage and improve continuously publicly funded legal assistance and to advise Scottish Ministers on its strategic development for the benefit of society.

## **SLAB's Strategic Objectives are:**

1. To deliver improvements to legal aid processes that increase efficiency and improve the experience of system users and customers
2. To advise Scottish Ministers on the strategic development of legal assistance and its contribution to a Scotland in which rights are supported and disputes are resolved fairly and swiftly
3. To ensure that our organisation has the culture and capability to be responsive to our customers, the justice system and developments in legal and advice services
4. To build and maintain effective and collaborative relationships with the legal and advice sector and our public sector partners as we seek to achieve our purpose and contribute to wider Scottish Government aims.

Effective delivery of our objectives makes a real difference in people's lives and for society as whole. Legal aid does not exist in a vacuum. By fulfilling our Purpose and Strategic Objectives, both we and legal aid will better contribute to the achievement of Scottish Government aims, an efficient justice system and improved outcomes for those who need services supported by legal aid.

SLAB's Corporate Plan 2017-20 and Business Plan 2018-19 provide more detail on our purpose, strategic objectives, priorities and the outcomes we are focused on delivering. Our Corporate Plan also illustrates how these align and contribute to Scottish Government's national outcomes.

## **An overview of slab's 2018-19 work**

The most important reflection on 2018-19 is that the public funding SLAB administers enabled hundreds of committed solicitors and advocates to help thousands of people receive help with a wide range of issues. That help will have made a significant difference to peoples' lives and their futures. Beyond that, the legal aid system and the array of advice, help and representation it enables, contributes to a society that not only values the rule of law, but can use the law to improve lives, reduce inequality and tackle abuses of power.

In November 2018, the Scottish Government published its response to Martyn Evans' independent review of legal aid. We provided technical advice to the Scottish Government on the operation of the current legal aid system to inform their response and we look forward to responding to the planned public consultation during 2019. We also look forward to contributing to the Scottish Government's Expert Payment Advisory Panel on legal aid payment arrangements which was convened in direct response to recommendations of the independent review.

Alongside our support for the legal aid review and expert panel, we have continued to develop proposals for reforms to the current system of criminal fees for both advocates and solicitors. We have engaged with the Faculty of Advocates, Society of Solicitor Advocates and Law Society of Scotland and, dependent on Scottish Government priorities, the emerging proposals will be formally consulted on during 2019. In addition, Scottish Ministers announced during the year that there would be a 3% increase applied to all legal aid fees for solicitors and counsel. This required us to reprioritise our resources to allow the necessary development of regulations and changes to our internal systems to take place. The change came into effect as planned in April 2019.

SLAB’s key work during 2018-19 is described in more detail in the following tables.

**SLAB’s key projects in 2018-19 and outcomes being delivered**

We progressed a range of key projects in 2018-19 that contributed to our Strategic Objectives, the delivery of our Corporate and Business Plans, Scottish Government objectives and national outcomes.

We made good progress with a number of substantial multi-year projects, delivering some important benefits and setting us up well for the year ahead, which is the final year of our current Corporate Plan.

| 2018-19 Key Projects   | Strategic Objective |
|--|---------------------|
| <p><b>Response to the Legal Aid Review</b></p> <p>The project aimed to develop a range of options and advice in order to assist the Scottish Government with its response to the Independent Review on Legal Aid.</p> <p>Our aim this year was to develop technical advice for the Scottish Government on a range of improvements that could be made to the current system of judicare.</p> <p>We did this and our joint work assisted the Scottish Government in publishing its response in November 2018. This enabled us to deliver our Corporate Plan outcome of contributing effectively to the legal aid review and wider Scottish Government outcomes. Tangible outcomes from the legal aid review work will be realised in future years.</p> | 1, 2, 3, 4          |
| <p><b>Corporate Governance</b></p> <p>The project aimed to review and develop a range of aspects of our Corporate Governance Framework. The project was completed during the year and delivered:</p> <ul style="list-style-type: none"> <li>• A set of corporate values that will direct our approach to our work</li> <li>• A reviewed and refocused Legal Assistance Policy Committee remit</li> <li>• New reporting tools for the Board which will also be rolled out to committees in 2019-20</li> <li>• Improved recording and reporting of complaints.</li> </ul>  | 1, 3                |

|  |      |
|--|------|
| <p>This project enabled us to deliver our Corporate Plan outcome that our corporate governance and performance management framework effectively manages risk, provides assurance and promotes operational effectiveness while enabling innovation, continuous improvement and optimal use of resources.</p>  |      |
| <p><b>People Strategy</b></p> <p>This project aimed to develop a People Strategy for approval by the Board.</p> <p>The strategy was approved towards the end of 2018 and covers a five year period. In 2019-20 we will focus on the delivery plan and corporate governance arrangements surrounding the programme of work.</p> <p>Outcomes will be delivered as the strategy is implemented and aim to enable us to attract, develop and retain a knowledgeable, skilled and high performance workforce who are engaged with and committed to SLAB's purpose.</p>  | 3    |
| <p><b>Performance Framework</b></p> <p>The project aimed to continue to develop the monitoring of our operational performance. The project achieved:</p> <ul style="list-style-type: none"> <li>• Agreement on benchmarking proposals for operational performance for 2019-20</li> <li>• Commencement of solicitor micro-surveys</li> <li>• Further enhancement of operational reporting.</li> </ul> <p>This project will continue into 2019-20.</p>   | 1, 3 |
| <p><b>Planning and monitoring of police station advice</b></p> <p>This project aimed to assess the delivery of police station advice post implementation of the Criminal Justice (Scotland) Act 2016.</p> <p>The project had to move away from the initial aim of monitoring the impact of the Act to monitoring and analysing the take up of advice due to the unexpectedly low levels of demand. Police custody statistics were, and will continue to be, analysed on a quarterly basis, which along with our own data allows us to effectively monitor the provision of advice given in police stations.</p> <p>Due to some solicitors withdrawing from the delivery of police station advice in early 2018 and the associated risk that some people held in police custody would not be able to access advice, we activated a contingency plan to use the Solicitor Contact Line and Public Defence Solicitors' Office to fill any emerging gaps in supply. This operated effectively with no evidence of supply issues during the year.</p> | 2, 4 |
| <p><b>Guidance on the Administration of Legal Aid (GALA)</b></p> <p>This project aimed to implement a new framework for the future development of any decision making guidance or information about the legal aid schemes.</p> <p>We developed the high level framework for supporting change in how we design and implement policy and guidance. We also reviewed large parts of the current legal aid handbooks.</p>   | 1, 3 |

|   |             |
|---|-------------|
| <p>This project will continue into 2019-20.</p>   |             |
| <p><b>Online Accounts</b></p> <p>The aim of our work this year was to deliver the remaining suite of online accounts products, enabling an improved user experience for solicitors.</p> <p>The 3% rise in fees had an impact on the final stages of this project. However, we successfully launched the remaining solicitor accounts modules in April 2019 in order to bring the key parts of this project to fruition.</p> <p>In November 2018, we also started a programme of user experience research with solicitors' firms to review how intuitive our systems are to use, with the focus on the Legal Aid Online system. This highlighted a number of minor system improvements that we plan to implement in 2019-20.</p> | <p>1, 4</p> |

Further information on SLAB's contribution to the Scottish Government's National Outcomes is detailed in our Annual Report and Statement of Accounts, our Corporate Plan 2017-20 and our Business Plan 2018-19, all of which are on our website at [www.slab.org.uk](http://www.slab.org.uk). Further information on the Scottish Government Purpose and the National Performance Framework is available at [www.scotland.gov.uk](http://www.scotland.gov.uk).