

Legal Aid Committee

Minutes of a meeting held at 2.30pm on Wednesday 1st February 2017 at the Public Records Office, Unit 40A, Spring Valley Industrial Estate

Members Present: Andrew Swithinbank (Chair) AS
Tony Warham TW
Steph Lowe SL
Jane O'Rourke JO
Tony Jones TJ

Officers Present: Ross Stephens RS
Christine Clucas CC
Alex Powell (Note Taker) AP

Apologies: David Trace (Vice Chair) DT

Action

01/17 **MINUTES OF PREVIOUS MEETINGS**

The minutes of the meeting of 21st December 2016, having previously been circulated, were approved.

02/17 **MATTERS ARISING**

(a) **Reappointment of Committee Member**

The Committee was advised that the advertisement for a replacement member was currently advertised and that the closing date was 13th February 2017.

03/17 **MATTERS REQUIRING DECISION AND ACTION**

(a) **Staffing/Operational Issues/IT Developments in Legal Aid Administration.**

CC advised that the Legal Aid Office continued to focus on improving processes throughout including engaging with the Change & Reform Team and also Government Technical Services who were aware that timeframes are pressing to update the Legal Aid website and information held thereon. It was agreed that there was a need to monitor trends and the meeting noted, that going forward, meaningful strategic information gathering will take some time to pull together.

The LACO has been liaising with colleagues in Home Affairs to address a query about the Prison's independent monitoring board being in a position to, in effect, grant free legal aid to a person in the preparation and conduct of his [or her] case in the proceedings. The Committee requested an update on the potential implications of this.

WM

- It is anticipated that the relocation of the Legal Aid Office to Markwell House will be in April. The Committee requested an update of the positives/negatives of this move be delivered in September 2017. CC/AP
- (b) **LACO Report**
- The LACO's Annual Report was circulated prior to the meeting. The Committee expressed their appreciation be passed to WM and that she be invited to attend the next LAC meeting. AP
- It was agreed that in the next report it would be useful to identify what challenges had arisen and how solutions had been implemented and what interaction there had been with other bodies.
- It was requested that a further Annual Report be submitted in December 2017. WM
- The Committee also agreed that it would be good practice to produce a brief Annual Report focussing on scope and strategy– in light of the ongoing Consultation, the date agreed was April 2018. LAC
- (c) **Impact Assessment Form re Care Legal Merits- submitted by the Public Law Care User Group**
- The User's Group impact assessment form had been received with thanks and circulated to prior to the meeting. The request from the Group was have the need for a Legal Aid "merits" test in Care Proceedings cases removed.
- The submission was looked upon favourably but it was agreed that in order to consider the cost implications for Legal Aid, that further statistics from the Group would be helpful. These being: actual number of cases; types of party; who paid for representation – was the child represented separately from the parents; were parents separately represented? CC/AP
- (d) **Impact Assessment Forms from LACO**
- Deferred until March 2017. WM
- (e) **Letter and Recommendation from Coroner of Inquests**
- CC provided an update on this item, having attended a meeting with relevant parties in January.
- On the basis of that information the Committee was satisfied that an extension, as regards locations where Duty Advocate representation be available, was appropriate CC/AP

04/17 **REPORTS FROM SUB-COMMITTEES AND OTHER MEETINGS**

(a) **Law Society Submission to Legal Aid Consultation**

It was noted that Committee members had met 25th January 2017 to discuss the Society's submission and that the LAC Chair and Vice-Chair would meet with the Society 09th February 2017 to give feedback and address queries.

AS/DT

(b) **Feedback from Mediation meeting with LOGIS, LACO and Advocate**

JO reported that the meeting held 23rd January 2017 had been very positive and progress had been made.

It was agreed that, as part of a package of measures to promote the use of mediation, for a trial period of six months, as of 01st February 2017, that the nominated Advocate should seek the authority of the LACO for the mediation assessment session in the sum of £75 per side of the dispute.

05/17 **ANY OTHER BUSINESS**

None.

06/17 **DATE OF NEXT MEETING**

2.30pm on Wednesday 1st March 2017 at the Ground Floor Committee Room, Murray House.

The meeting closed at 16.20pm

Minutes agreed by Chairman



Date 6-4-2017

