

Legal Aid Committee

Minutes of a meeting held at 2.15pm on Friday 7th July 2017 in the Ground Floor Boardroom, Markwell House, Douglas

Members Present: David Trace (Acting Chair) DT
Steph Lowe SL
Tony Warham TW
Tony Jones TJ
Margaret Mansfield MM
Jane O'Rourke JO

Officers Present: Ross Stephens RS *for part of meeting*
Christine Clucas CC *for part of meeting*
Wendy Montgomerie WM *for part of meeting*
Alex Powell (Note Taker) AP

Apologies: Andrew Swithinbank

Action

31/17 MINUTES OF PREVIOUS MEETINGS

The minutes of the meeting of 31st May, having previously been circulated, were approved.

32/17 MATTERS ARISING

(a) **Care Proceedings Issue**

RS reiterated that he would meet with Paul Coppell (IOM Courts) on this issue in order to progress.

RS

(b) **Duty Advocate Scheme**

CC advised that she was continuing to liaise with Howard Connell (Attorney General's Office) to review this and that she would revert to the Committee accordingly.

CC

(c) **Consultation on Members Expenses**

The papers pertinent to which having been circulated prior to the meeting, it was agreed that AP would construct a document in order that all Committee members could - should they so wish- submit their comments to be collated by AP and a joint response be submitted.

AP

33/17 MATTERS REQUIRING DECISION AND ACTION

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

CC reported that both she and AP had held meetings with Katie Ward of the

Cabinet Office in order to ensure that the information re process mapping et al project be presented in a format that was comprehensive and beneficial for the Committee. It was agreed that this project continued to be a positive development in the work of the Legal Aid Office going forward.

CC further advised that pieces of work on Contributors and Debtors were being undertaken in conjunction with the Attorney General's office.

RS

(b) (i) **LACO Update**

WM reported that there was to be a further Legal Aid User's Group w/c 10/07/17 and it was agreed that MM would attend in DT's stead due to unavailability. WM said that she was to request copies of Bills of Costs no longer be sent to the Legal Aid Office as this was duplicating the physical amount of paperwork being maintained at the office. SL said that he would also like to attend a Legal Aid User Group going forward to improve upon relations betwixt the LAC and the Legal Aid User Group.

WM/MM/
CC/SL

JO suggested that LAC members could hold meetings with representatives of Advocate firms on an individual basis to look at how best to improve relations between the LAC and firms – perhaps in the Autumn/New Year.

LAC/AP

JO and TW commented that they had met with the Law Society earlier that morning (07/07/17) and that there had still been a number of comments about 'micromanagement' of cases, particularly in mediation aspects. WM suggested that there still remained to be proof that mediation had been sought in order that bureaucracy be kept to a minimum and advised that she would discuss this at the next Legal Aid User Group meeting to ascertain their views. JO noted that the Committee had confidence in the expertise of the LACO that such cases were being managed accordingly.

WM

WM praised the work that was being undertaken by the current Legal Aid Office team and it was agreed that a formal letter of thanks would be sent on behalf of the Committee.

DT/AS

WM left the meeting at 14:50

(ii) **Response from Law Society to the LAC Interim Report 2016**

There was and had previously been considerable discussion on this issue, the response from the Law Society having been circulated to the LAC some months ago. The Committee agreed that, given the amount of time that it had taken for the submission to be received and digested, it would be a retrograde step. Given that relations between the two bodies are now improved, and that the Law Society's comments were being taken into consideration, the LAC was reluctant to publish all responses at this stage given the amount of time elapsed. It was agreed that DT would draft a response to the Law Society.

DT

34/17 **REPORTS FROM SUB-COMMITTEES AND OTHER MEETINGS**

(a) **Public Defender Unit Sub-Committee**

The sub-committee are due to meet with the Attorney General's Office on 24th July. RS advised that a submission had been made to the SAVE programme on this matter and that it was considered a 'shared goal' with other areas of Government. This information would be shared with the sub-committee ahead of the meeting with the AG's.

It was agreed that DT would submit the figures which he holds on this matter to CC and RS

Officers left the meeting at 3.25pm

(b) **Legal Advice Centres**

TJ gave an update on the proposed field study trip to Ireland and noted that it was essential to make the best use of the Members time there. It was agreed that AP would continue to liaise with the Irish Legal Aid Board to formulate an itinerary.

AP

(c) **Alternative Dispute Resolution/Mediation Sub-Committee**

JO and TW met with the Law Society 07 July and reported that discussions had been very positive. However Advocates did note that mediation accreditation was expensive to maintain and it was queried whether there could be a localised 'Manx' version established?

It was agreed that it was difficult to move forward constructively until a Mediation Centre had been established. There was the potential that the Isle of Man could become a Centre of Excellence in this field and it was proposed that JO And TW meet with the appropriate politicians to establish a way forward and possibly consolidate mediation services throughout the Island.

JO/TW

35/17 **ANY OTHER BUSINESS**

None.

36/17 **DATE OF NEXT MEETING**

2.15pm on Wednesday 2nd August 2017 in the Ground Floor Boardroom, Markwell House. Apologies were received from JO and TJ.

The meeting closed at 15:45

Minutes agreed by Deputy
Chairman

Justin Trace

Date 02/08/17

DRAFT