

Legal Aid Committee

Minutes of a meeting held at 2.15pm on Wednesday 06 September 2017 in the Ground Floor Boardroom, Markwell House, Douglas

Members Present:	Andrew Swithinbank (Chair)	AS	
	David Trace (Deputy Chair)	DT	
	Margaret Mansfield	MM	
	Tony Jones	TJ	
	Jane O'Rourke	JO	
Officers Present:	Ross Stephens	RS	
	Christine Clucas	CC	
	Wendy Montgomerie	WM	<i>for part of meeting</i>
	Alex Powell (Note Taker)	AP	
Apologies:	Steph Lowe	SL	
	Tony Warham	TW	

Action

43/17 MINUTES OF PREVIOUS MEETINGS

The minutes of the meeting of 02nd August, having previously been circulated, were approved.

44/17 MATTERS ARISING

(a) Care Proceedings Issue

In care proceedings both the legal merits and financial means tests will be deemed to have been met for the granting of the initial application.

There would continue to be stringent monitoring and reviewing of cases by the LACO and no case is out with the system. It may be that a change in Regulations is required. WM to check.

WM

It was further agreed that CC/WM/RS would bring back monitoring data to the LAC in 12 months from 01 January 2018.

CC/RS/
WM

(b) Duty Advocate Scheme

CC had spoken with Howard Connell at the Attorney General's Office who was in turn going to liaise with the Police and revert to CC with an update. Ongoing.

(c) Consultation on Members Expenses

AP had spoken to the Cabinet Office who advised that comments could still be submitted to this Consultation which was yet to go public. Members agreed to send any comments to AP who would collate and forward accordingly.

AP

45/17 **MATTERS REQUIRING DECISION AND ACTION**

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

The Committee were advised that the employment of two students over the summer had now ended and there were ongoing discussions re staffing and the levels required. A more definitive update on process mapping would be provided at October's meeting. The Committee requested a before and after comparison of processes in a flow diagram and identification of any barriers to change.

CC/AP

Movements had commenced towards developing an electronic filing system but this would take some time and resources. Shared Services have agreed *in principle* to payment of Green Forms and Scheme payments in the future. Meetings with Government Technology Services regarding online forms were ongoing. AS noted that the Law Society should have some input into this process when further down the line. The revamped online Legal Aid calculator is still being tested ahead of going live.

CC agreed to report at October's LAC meeting on the recommendations of the Select Committee.

CC

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

WM advised that there had been no further Legal Aid User Group meetings since August's LAC meeting. She hoped that the goodwill between the Legal Aid office and Advocates continued to be engendered and that there was more transparency regarding the turnover of requests for information/payments.

Regarding the Proceeds of Crime Act and applications for Legal Aid, JO suggested that it may be helpful to have the issue regarded by way of an Impact Assessment form and that the DLACO be asked to seek advice from the Attorney General's office and report back to the LAC.

SM

WM left the meeting at 3.30pm.

(ii) **Deputy LACO**

CC reported that the DLACO has accepted the terms of his renewed contract and would be providing cover for the LACO in September.

(c) **Workshop for Stakeholder Organisations**

AS advised that there should be an update provided to stakeholders who had responded to the LAC's Consultation with the possibility of involving said stakeholders in sub-committees looking to the future. The Committee agreed that the proposed workshop could also include updates on the process review, including online forms/calculator and direct illustrations of how the work of the LAC was making it easier for people to access justice. It was

agreed to review this idea in October.

46/17 **REPORTS FROM SUB-COMMITTEES AND OTHER MEETINGS**

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

Papers pertinent to this discussion topic, having been circulated prior to the meeting, were approved and the news that that the Attorney General's office was now to take the lead on progressing this initiative was warmly welcomed by the LAC. It was agreed that the sub-committee would share with the Treasury Minister and Attorney General work which had thus far been undertaken and that DT would draft appropriate correspondence to accompany this information sharing.

DT

It was agreed that it was important for the LAC to continue to have input in the process.

(b) **Legal Advice Centres**

AS and TJ were to visit counterparts in Ireland w/c 11th September and AS advised that they would report their initial impressions to the LAC in October and draft a paper on their findings and recommendations for next steps in November for the LAC's action.

AS/TJ

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

JO advised that she and TW were due to meet with Minister Thomas on Tuesday 12th September and representatives of the Law Society were also invited to attend.

JO/TW

There had been some ongoing correspondence with the Law Society on this matter and it had been agreed that there were a number of areas of mutual agreement including that mediation be an alternative to Advocates and on the need for appropriate training to be developed.

47/17 **ANY OTHER BUSINESS**

None.

48/17 **DATE OF NEXT MEETING**

2.15pm on Wednesday 04th October 2017 in the Ground Floor Boardroom, Markwell House.

The meeting closed at 4.05pm.

Minutes agreed by Chairman



Date 1/11/17