

**Minutes of a meeting held at 2nd Floor Markwell House
on Wednesday 14th December 2022**

Members Present:	Ruth Costain	RC
	Pam Pringle	PP
	Bob Ayre (<i>via Teams</i>)	BA
	David Trace (<i>via Teams</i>)	DT
Officers Present:	Christine Clucas	CC
	Martina Jay	MJ
	Alex Powell (Note Taker)	AP
Apologies:	Margaret Mansfield	MM
	Paul Coppel	PC
	Howard Connell	HC

54/22	WELCOME AND MINUTES		
	RC opened the meeting and apologies from MM, HC and PC were noted. The Minutes of the meeting 09 th November 2022, having been previously circulated, were approved.		
55/22	MATTERS ARISING		
		52/22 Interim Costs in Personal Injury/Medical Negligence Cases - <i>tabled for discussion (Min 57/22 below)</i>	
56/22	MATTERS REQUIRING ACTION AND DECISION		
	(a)	Update from the Legal Aid Certifying Officer (MJ)	
	(i)	<p>MJ reported that, as usual, the Office was busy in the run up to the festive period.</p> <p>She had attended a Legal Aid Appeal Tribunal on 02nd December which had been adjourned for reconsideration at a further meeting. The Tribunal had ordered the provision of a written submission from the Treasury Officer who had undertaken the Financial Determinations in respect of an Appeal under consideration.</p> <p>At the hearing, MJ had maintained that the Financial Determination aspect of Legal Aid cases was outside the Tribunal's remit – this was not accepted and the Order subsequently made. CC said that the Attorney General's Chambers had been asked to advise on this matter as she was also of the opinion that the Tribunal were not empowered to consider financial appeals and that this was a matter for Treasury.</p>	

		<p>The Committee agreed that if it were ruled that the Legal Aid Appeal Tribunal could consider appeals of a financial nature then this could potentially lead to a deluge of Opponents in Legal Aid cases making such appeals.</p> <p>Officers were asked to keep the Committee appraised of the outcome.</p>	MJ/CC
	(b)	Update on Staffing/Operational Matters (CC)	
	(ii)	<p>CC advised that the Legal Aid Office was currently short staffed with one Team member off sick for several weeks.</p> <p>On 15th December 2022, CC and MJ are meeting David Catlow, Interim Chief Financial Officer (Treasury) and Victoria McLauchlan, Director of Social Security to discuss the HM Attorney General's Legal Aid Review – Options & Recommendations Report.</p>	MJ/CC
57/22	INTERIM COSTS IN PERSONAL INJURY/MEDICAL NEGLIGENCE CLAIMS		
		<p>Further to the Committee meeting 09th November, as directed, AP wrote to Kathryn Clough and Vicki Unsworth of the Law Society on 10th November requesting a copy of a formally agreed Resolution to support their correspondence in respect of a Petition of Doleance. A response was awaited.</p>	
58/22	LEGAL AID RATES		
		<p><i>Correspondence was circulated to the Committee ahead of the meeting.</i></p> <p>The Committee received a letter from the Law Society on 23rd November 2022 demanding an immediate increase in hourly Legal Aid Rates and a formal published update to HM Attorney General's Legal Aid Review – Options & Recommendations Report. AP had responded accordingly that the matter would be tabled for discussion at the next Committee meeting.</p> <p>The meeting agreed that it would not be appropriate for them to provide a formal update on the Report as ownership lies with HM Attorney General and that the Law Society be respectfully advised that they redirect their query accordingly. They further agreed that under current circumstances it was not within the Committee's gift to direct Treasury to increase the hourly rates of payment for Legal Aid advocates.</p>	

		AP was asked to reply to the Law Society on behalf of the Committee.	AP
59/22	ANY OTHER BUSINESS		
		It was agreed that Committee meetings would continue to be held on the second Wednesday of each month in 2023 – AP to arrange.	AP

The meeting closed at 14:41

Minutes agreed

**By
Chair**



Date 11/01/2023

