

**MINUTE OF A MEETING OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS COMMISSION: 10.00 AM MONDAY 13<sup>TH</sup> DECEMBER 2010**  
**Venue: The Stamp Office, 10 – 14 Waterloo Place, Edinburgh, EH1 3EG**

**PRESENT:**

**LAY:**

Jane Irvine (Chairing Member)  
 Linda Pollock  
 Douglas Watson  
 George Irving  
 Ian Gordon

**LAWYER:**

David Smith  
 Alan Paterson  
 David Chaplin  
 Margaret Scanlan

**In attendance:**

Rosemary Agnew (CEO)  
 Name withheld FOISA Section 38(1)(b) (CIM) (part of meeting)  
 Name withheld FOISA Section 38(1)(b) (MA) (minutes)  
 Name withheld FOISA Section 38(1)(b) (SCB) (observer)

**Abbreviations used:**

LSS – Law Society of Scotland  
 SCCRB – Scottish Criminal Cases Review Board

**1. WELCOME, APOLOGIES & DECLARATION OF CONFLICT OF INTERESTS**

- 1.1 Apologies – None
- 1.2 Members confirmed that there were no conflicts of interest.

**2. APPROVAL OF PREVIOUS MINUTES**

- 2.1 The Draft SLCC Minutes 8<sup>th</sup> November 2010 were approved subject to minor grammatical changes.

**3. MATTERS ARISING FROM LAST MINUTES (not on agenda)/AOB**

- 3.1 **Annual Accounts:** The CEO updated the Board that the annual accounts have now been signed off by the external auditors and sent to the Auditor General for Scotland for final approval.
- 3.2 **Meeting with SCCRB:** A meeting is to be arranged to discuss any mutual involvement in criminal cases.

ACTION: GI to arrange meeting with SCCRB to discuss mutual involvement in criminal review cases	DUE: next quarter
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*Margaret Scanlan arrived 10.25 am*

**4. ANNUAL RECURRING MATTERS**

- 4.1 **Draft Budget:** The CEO presented her paper on the draft budget and the following points were discussed and agreed:

- 4.1.1 An adjustment is to be made to the budget in respect of Members' costs to take into account the crossover time with new Members for handover and training.
- 4.1.2 An adjustment is to be made to the contingency to take into consideration legal expenses in line with what was discussed.
- 4.1.3 The CEO recommended a reserves level of 3.5 months running costs and the Board agreed.
- 4.1.4 The CEO stated that her aim is to reduce the levy from the previous year and the Board concurred.

	ACTION: CEO to rework draft budget in line with the Board discussion and bring back to January 2011 meeting.	DUE: Jan 2011 meeting
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- 4.2 **Budget Policy:** The Members were happy with the budget policy subject to some minor changes and agreed that the CEO should re-word and bring back to next meeting as a below the line paper for final approval.

	ACTION: CEO to reword the budget policy in line with the Board discussion and bring back to January 2011 for final approval	DUE: Jan 2011 meeting
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- 4.3 Members agreed that a full discussion on levy policy should take place at the May Board meeting.

## 5. COMPLAINTS

- 5.1 **Complaints Update:** Members agreed the new format for the monthly complaints update. All future reports will be in this format.

- 5.1.1 There was a brief discussion on the content of the update. Additionally, Members would like to have more information on mediation in general now that the take-up of mediation had increased.

	ACTION: CEO to arrange for a session at a future discussion meeting for the Mediation Manager to update the Board on how mediation is going and general information on the success rate. A paper to be provided.	DUE: March/April
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- 5.1.2 The Board asked for more information on appeals to be provided in future updates. The Chair asked that this be provided for next meeting.

	ACTION: CEO to populate the report with more detailed information regarding appeals.	DUE: January 2011
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- 5.1.3 A brief discussion on KPIs took place. The Board feel there is a need to explore these further now that they have been set up indicatively on the case management system. A working group comprising three Board Members

was agreed to spend time doing some analysis and work on them in preparation for a Members' discussion.

	ACTION: MA to organise a meeting for the working group, plus a Members' Only meeting to discuss findings.	DUE: asap
	ACTION: Members working group to undertake work on KPIs in preparation for a full Members' discussion.	DUE: Beginning 2011.
	ACTION: Chair to prepare and issue tasking note in relation to KPIs in advance of Members' discussion.	DUE: Beginning 2011

## 6. CHAIR REPORT

The Chair's update was noted.

*CIM attended 11.45 am*

## 7. OTHER STATUTORY FUNCTIONS

7.1 **Conduct Complaints Oversight:** Members confirmed they were content with the paper.

7.2 **Master Policy/Guarantee Fund Update:** The CEO gave a verbal update with the key points as follows:

7.2.1 The Board's decision in relation to the sample size was fed back to the LSS mid-November. To date no updated costing has been received.

7.2.2 Professor Stephen's further report has not yet been received.

7.2.3 The Guarantee Fund research has commenced. The questionnaire is in the process of being redrafted. The timetable has been revised to allow for Professor Stephen's input and to avoid sending out questionnaires close to Christmas. The final report is now due March 2011.

## 8. OPERATIONAL PLAN UPDATE

8.1 A discussion took place regarding the draft operational plan and the Members agreed they were content with the format of the plan, plus the Objectives and Activity sections. However, they would like the measurements refined to allow the Board to better monitor operational progress.

8.1.1 A working group was formed comprising three Members and the CEO to work on strategic measurements for the operational plan.

	ACTION: Working Group for strategic measurements to meet initially, and once work has been done, MA to arrange meeting with Working Group and CEO.	DUE: Beginning 2011
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## 9. CEO REPORT

9.1 The CEO's update was noted.

9.2 **PCCS Consultation Proposal Paper:** The Board agreed that the SLCC will contribute to the consultation.

## 10. DATE OF NEXT BOARD MEETING

The next Board Meeting will be held on Monday 24<sup>th</sup> January 2010, 10 am at the Stamp Office 10 – 14 Waterloo Place, Edinburgh, EH1 3EG.

*Board Meeting ends 12.30 pm*