

MINUTE Meeting of the SLCC Consumer Panel



Thursday 20 July 2017
Venue: The Stamp Office, 10 – 14 Waterloo Place, Edinburgh, EH1 3EG

Present: Carol Brennan (CB) [Chair], Queen Margaret University Consumer Dispute Resolution Centre
Shaben Begum (SB), Scottish Independent Advocacy Alliance
Sheila Scobie (SS), Competition & Markets Authority
Mark Patterson (MP), Citizens Advice Scotland

David Buchanan-Cook, Head of Oversight (HoO), SLCC

Louise Johnson (LJ), Scottish Women's Aid (Items 1 – 6)

1. Welcome

The Chair welcomed all present to the meeting of the Panel, particularly welcoming Louise Johnson from Scottish Women's Aid.

2. Apologies

There were no apologies to record.

3. Declarations of interest

No notes of interest or conflict were declared.

4. Approval of previous Minute

The Minute from the Panel meeting of 7th February was reviewed and approved as being an accurate record of the meeting.

5. Actions

The HoO provided an update on the outstanding actions list, noting that most had now been cleared. He advised that he was due to meet with the Northern Ireland Oversight Commissioner in August and would extend the Panel's invitation to attend a meeting at that time. He also advised that he was due to meet with colleagues at the Legal Ombudsman for England & Wales to discuss potential areas for joint research.

6. Presentation from Women's Aid

LJ described her role in the representation of those subject to domestic abuse, including child welfare aspects and solicitor representatives. She explained that for many women, finding a solicitor with real understanding, as opposed to an awareness, of the issues was a problem. In many instances, for example, women were being encouraged to take up mediation when that was inappropriate. These were not simply dispute situations but issues around power and safety.

Poor legal service in domestic abuse cases was quite common, but women were often unwilling to complain whilst in the middle of the legal transaction for fear of disrupting proceedings. This

can often be linked to concerns about the adverse impact on the client's personal reputation, particularly in small and/or rural communities.

LJ perceived other challenges around 3rd party issues, for example, in relation to child welfare reports where inappropriate conduct may not be being flagged to the SLCC. There were also particular issues around women whose first language was not English, and with children. She suggested that the Panel might wish to speak to the Children's Commissioner.

LJ referred to a survey of callers to the SWA helpline which was about to be undertaken, asking questions about legal aid, etc. The HoO asked if it might be possible to include questions about dissatisfaction with legal providers and the extent to which there was awareness of the SLCC's role in such situations. LJ said she was looking into that possibility and offered to forward the outcomes of a previous SWA survey.

The Chair thanked LJ for a thought-provoking presentation and the Panel agreed that the presentation had highlighted many aspects to consider going forward.

7. August meeting

The Panel discussed a number of topics for inclusion in the forthcoming discussion with the Chair of the Regulatory Review Panel. These included some of the perceived inadequacies of the current system and areas for potential improvement. The role and scope of the Panel itself was also discussed. It was agreed that the HoO would put together a short presentation with prompts for the discussion.

8. SLCC Quarterly Statistics

The HoO introduced the Management Statistics which had been circulated in advance of the meeting. The Panel again expressed concern at the time being taken to assess the eligibility of complaints and considered it needed a better understanding of why the process was so complex. The HoO referred to a recent article in the Scotsman which had outlined the many steps the process involved and agreed to circulate a link to that article.

9. SLCC Feedback

The Panel noted that similar issues had been highlighted as in previous quarters, many relating to communication issues. The Chair reminded the Panel of their interest in some form of complainer research. The HoO confirmed that, now that the declaration on the complaint form had been amended, this could now be attempted again. It was agreed that the Panel would review the questionnaire form again at its next meeting.

10. SLCC Style Guide

The Panel considered that this draft document was a helpful guide. It was acknowledged however that, as a result of the inflexibility of the wording of the legislation, which often required to be quoted, plain English would be difficult to achieve. It was suggested that it would be helpful to add specifically to the guide that language and format of communications should be adapted to the audience wherever possible.

11. Appeals & joint CAS/SLCC research

MP confirmed that a meeting had been set up with the HoO on 3 August to progress this.

12. Consumer Principles - round table feedback

The Panel confirmed that the consolidated notes from the round table meeting captured the discussions which had taken place. It was agreed that these would form the basis of a guidance document for the profession. After discussion, it was also agreed that the note would be sent to the Chair of the Regulatory Review panel, together with a copy of the round table presentation, in advance of the meeting on 1 August.

13. Date of next meeting

The Chair noted that the date of the next meeting was 7 November at 10.15.

14. AOB

The HoO noted that the Chair of the SLCC was due to retire at the end of December and had expressed a wish to speak to the Panel at its November meeting. It was agreed that he be invited to attend.

There being no further business, the Chair thanked the Panel for their input.