

GLASGOW BAR ASSOCIATION
Executive Committee Meeting
Via Video Conferencing
on
Tuesday 7th July and Tuesday 14th July 2020 @ 5.45pm
MINUTES

- **7th July 2020**
- **Sederunt**
- Billy Lavelle, Fiona McKinnon, Craig Dewar, Moira Deeney, Alison Heron, Tracey Mulholland, Lindsay Gaughan, Katy Wilson, David Fisken, Umar Hussain, Lorna McCann, Michael Gallen, Eddie Gilroy, Scott Adair, Jim Bauld
- **Apologies for Absence**
- None

Please note that due to the extensive agenda and by agreement, matters were continued to a further meeting on Tuesday 14th July

14th July 2020

- **Sederunt**
- Billy Lavelle, Fiona McKinnon, Craig Dewar, Michael Gallen, Lindsay Gaughan, David Fisken, Eddie Gilroy, Tracey Mulholland (Taking Minutes), Katy Wilson, Umar Hussain
- **Apologies for Absence**
- Alison Heron, Moira Deeney, Jim Bauld, Scott Adair

- **Minutes of Last Meeting**

- 19th May 2020
- 2nd & 4th June 2020
- Both: Proposed: BL, seconded: LG

- **Treasurer's Report**

- In credit

- **President and Chief Executive's Report** (See Action Points)

- **All other action points continued to next meeting**

- **Matters requiring Special Attention**

Coronavirus Update

Business Impact

(a) Contact with Law Society re approaching SG re increase in fees

FMcK was able to provide the committee with an update in relation to the work that has been undertaken on behalf of the GBA re same. Correspondence had been sent to the LS/ Joint LANT team by the GBA which precipitated the Joint LANT team making approaches to the

Government with a view to conducting a meeting within a forum to ask that consideration be given to provide financial assistance in the form of both a one off grant for practitioners and an overall increase in legal aid fees. We know that the Fee Review Panel which had been ongoing as a result of the Martyn Evans review has stalled as a result of coronavirus. A tripartite meeting has now been arranged and we wish to ensure representation of GBA at same. The LS will be reaching out to faculties for views in relation to same. We discussed at length how best to obtain the views of members and whether an SGM would be required.

- **Action: OB to put together a survey for members**
- **Action: same to be sent to Members, asking for quick response and emphasising the importance.**
- **Action: OBs to consider practicalities of discussion group with members and make arrangements relative thereto**

Engagement with other organisations

(a) Police Scotland – update from LANT

FMcK was able to give an update in relation to this. They are undertaking further work in relation to this and members have been asked to provide information in relation to their own experiences

- **Action: Continue to monitor**

(b) COPFS – re member concern about getting a hold of deposes

CD had been in contact with Moira Orr again in relation to matters arising. Requests were made for eg, email addresses for Deposes. We were directed to the COPFS website in relation to same. With regards to telecommunications, we were directed to the Plea Hotline number

- **Action: take off agenda and continue to monitor**

Jury Trial proposed legislation

We are continuing to monitor the position in relation to any proposed legislation. Noting that the High courts are starting to set dates for same.

Shrieval retirements and elevation

- **Action: Continue to next meeting**

Furlough of GBA Staff

- **Action: OB to meet before next meeting**
- **Action: Continue to next meeting**

Member concern re access to justice by persons with disability

FMcK was able to bring this matter to the attention of the Law Society who will use this as a point of discussion with PS and SCTS

- **Action: take off agenda**

Custody courts

- Situation summarised as a mess.
- People on the 10th July 2020 in until 7.30pm, with client papers ready from 1pm.
- Bodies had been left at the police station and not brought down due to the lack of space in the cells.

- Same problem as before – access to clients prior to court hearings. Queues to see clients were a problem then and a problem now.
- When can we get back into the cells? No info on this.
- Identified issues – queues for rooms, security not being there to let us in the rooms or not keeping a tab on what rooms are available, buzzers or intercoms would help and a lack of GeoAmey staff at the other end to bring custodies to the rooms. Open up cells.
- **Action** - BL to write to GeoAmey and others as required.

Remote Custodies

DF and FMcK linked in to Gillian Mawdsley of LSS and a test is being carried out for video links tomorrow. FMcK in attendance and will update the committee. For the Domestic remote custody pilot, we have indicated we will want to run our own test. FMcK and KW will attend police station, and LG and TM will be at court. To be organised. Breaks are on pilot scheme for the moment.

- **Action** – keep under review and continue to next meeting.

Summary Written Records and communication with SCTS re IDs

Discussing uncertainty after completing written record for ID if appearance is required. We are not being told early enough as to when we are appearing. This is not fair on the agents. Emails coming in the day before.

- **Action** – BL to approach Andrea Dyer as Head of Summary to discuss prospect of outcome at least 24 hours before Court Hearing.

Use of ‘Slots’

Not as bad as we originally thought. Problems however identified e.g. LG had a different slot from co-accused and was only informed of a change the night before, or courts starting late and knocking all slots off.

- **Action** – keep under review and continue to next meeting.

Bank Holiday courts

Generally agreed outrageous they have been removed with no consultation. LANT to be spoken to re unsociable hours fee increase, as well as the LSS.Cross bar issue, perhaps with a view to a letter on behalf of all bars outlining our disagreement with the position taken?

- **Action** - FMcK reach out to other bars for feedback.

Mandatory Ethics course

The dates have been extended in relation to the completion of same by Trainees and consideration will therefore require to be given to when this course should proceed.

- **Action: continue to next meeting**

EHRC Webinar

The feedback in relation to this has been positive.

SP Letter

We issued further correspondence to the SP in relation the Pilot custody Scheme and this has been published on the GBA website and sent to members. We have received acknowledgement that points raised will be taken into consideration in moving the pilot forward.

Payment and Conditions inc re Court holiday custody court

This is being addressed in work with LANT and LS as noted above.

- **AOCB**

- **Committee Meeting in August**

Given that there are lots of developments ongoing, there will be a committee meeting in August and this is scheduled for 4th August 2020.

- **Member concern re undertakings**

Concerns noted that there is no uniformity across the courts re this issue. Agreed that this is an issue for LSS rather than GBA (not our jurisdiction)

- **Action** – FMcK to address this in LANT meeting.

- **Survey of Member's views for LSS Tripartite meeting**

78 responses so far (as at Tuesday 14th July 2020). Submissions to LSS closes on Thursday and they have obtained an extension for the submission of their response to SG to Friday (mix up with the times/dates but this has been resolved and we have sufficient time to submit our response.)

- **Action** - OBs will meet and prepare a response once all survey responses received. Executive Committee deferring responsibility for response to OBs given time constraints.

- **Meeting with the President LSS**

Discussing invites received by local faculties and discussing our preference to arrange a meeting with new LSS President.

- **Action** - We will approach the new LSS President for an Association meeting.

- **Member issue re Rape Crisis**

Rape Crisis briefings to the press are very high profile, most recently over jury trial delays, victim impact and promoting Judge only solemn trials. Member considers that the issue of media consultants should be explored and we should raise our profile with the papers. Member willing to be co-opted onto the Committee to contribute to this.

- **Action** - Meeting to be arranged with member to ascertain his exact views and will be reported back by DF, CD and BL.
- **Action** – continue to next meeting.

- **Current Consultations**

- Hate Crime and Public Order (Scotland) Bill
Deadline for this is 24th July
- **Action: DF and MG to respond**
- SLC cohabitation Paper
FMcK has undertaken response in relation to same
- Raising the Age of Referral to Principal Reporter
- **Action: AH to look at and consider**
- **Next Meeting**

4th August 2020 at 5.45pm by video conference

contd....Action points/

Action	Owner	Close	Continue
Membership	MD/ALL		2020 membership drive
Social Ideas	LG TM EG		March event
CPD	EDUCATION SUB COMMITTEE		Update
Date for Next AGM	Constitution SC		Update
Update constitution	Constitution SC		Update
Membership Category for those not practising	Constitution SC		Update
Staff Contracts	FMcK and BL		Update
Judgment re late Payments	FMcK		Update
Changes in practice for Civil Practitioners	LM		Update
SLAB Duty Scheme	DF and LG		Update
SLAB Quarterly meeting	MD and Office Bearers		Update
School Mock Court Project	BL		Update
Climate change summit	All		Update
Independent review of complaints	BL, MD, EG		Update

handling			
Member concern; PM	CD		Update
Deferred Sentences	All		Update
Foodbank Drive	AH/ UH		Update
Golf Outing / Afternoon tea	Social committee		Update
GBA Charity choice	BL		Update
Card Reader	FMcK		Update
Scottish Sentencing Council consultation	BL and LM		Update