

GLASGOW BAR ASSOCIATION  
Executive Committee Meeting  
Via Video Conferencing  
on  
Tuesday 4<sup>th</sup> August and Tuesday 11 August  
2020 @ 5.45pm  
MINUTES

- **4<sup>th</sup> August 2020**
- **Sederunt**
- Billy Lavelle, Fiona McKinnon, Craig Dewar, Moira Deeney, Alison Heron, Lindsay Gaughan, Katy Wilson, David Fiskin, Umar Hussain, Michael Gallen, Eddie Gilroy, Jim Bauld
- **Apologies for Absence**
- Scott Adair Lorna McCann Tracey Mulholland

Please note that due to the extensive agenda and by agreement, matters were continued to a further meeting on Tuesday 11<sup>th</sup> August

**11<sup>th</sup> August 2020**

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

- **Minutes of Last Meeting**

- 7<sup>th</sup> July 2020
- 14<sup>th</sup> July 2020
- Both: Proposed: BL, seconded: FMcK

- **Treasurer's Report**

In credit

- **President and Chief Executive's Report** (See Action Points)
  - Various action points removed as no longer relevant
  - **All other action points continued to next meeting**

- **Matters requiring Special Attention**

We were joined in the first part of our meeting on 4<sup>th</sup> August 2020 by Ian Moir, LANT rep, who was able to share information as to what is being done to seek further financial assistance from SLAB/ SG for solicitors. There was a recent tripartite meeting between members of LANT, SLAB, SG. Funding has been sought for two discrete purposes; a grant to cover the additional costs for practices as a result of Covid-19, and secondly, due to loss of income. In addition, funding has been sought for trainees. There is be a further meeting once

the SLAB has had time to consider matters. An increase in fees has also been sought. LANT are keen to receive feedback.

**Action:** BL, FMcK, AH to contact other Bar Associations.

**Action:** FMcK to prepare letter for consideration.

- **Court Issues**

- Court Programme

EG and BL met with Andrea and indicated we would wish to set up a meeting as we are keen to work with court staff

**Action:** meeting to be set up with SCs and COPFS

- Practice Note re Conduct of Criminal Trials

There are still very few trials able to proceed at GSC. CD met with MO who confirmed that there had been a meeting between Sh Miller and a Senior Fiscal. There is space for 36 witnesses in the building. Court patrons will not be allowed to enter the building unless they have a case that is calling. Further, patrons are only being allowed to enter the court approx. 10 -15 mins prior to the time slot for their case.

In relation to the Practice Note, it is early days and the position will require to be monitored. In general, a view has been expressed that remote trials should not be the default position.

Trials and the prioritisation of same will be raised in meeting with COPFS

- **Action:** Monitor the situation and raise with COPFS

- Cell area

- **Action:** Monitor

- Summary written records and ID position

- **Action:** Monitor

- Custody Courts

- **Action:** take off agenda as covered below

- Use of Slots

BL has made enquires as to whether it is possible for agents to get more notice as to whether their case will call (particularly with Intermediate Diets). However, this does not appear to be possible without the need for written records to be lodged even earlier.

- **Action:** Monitor

- Remote Custodies

DF will attend a meeting with the SP in relation to same. There is presently a lack of coordination in relation to information being available to all. We had previously raised an issue with GeoAmey and are yet to receive a response.

- **Action:** email members once outcome of meeting between DF and SP is known

- **Action:** raise as an issue at meeting between GBA and SC and COPFS

- Bank Holiday Courts

SP has asked for agreeable dates from us in relation to the Christmas courts.

- **Action:** BL to prepare email to members and seek feedback which will be fed back
- Member Concern re undertakings
- **Action:** Monitor
- Defence witnesses
- **Action:** Monitor
- Member issue Rape Crisis

**Action:** Monitor

- **Wider Issues**

- Covered above
  - Bank Holiday Courts – payment and conditions
- Covered above
  - Representations to Law Society re tripartite meeting – Payment and conditions generally
- Covered above
  - Police Scotland and work of LANT

FMcK was able to give an update in relation to this. She has been seeking an update from IM further to the information that he was able to share at our meeting on 4<sup>th</sup> August 2020.

- Covered above
  - Remote Custodies and use of video link pilot
- Covered above
  - Jury Trials
- Covered above
  - Meeting with President of LSS

This will require to be revisited prior to the meeting and our view in relation to same will be informed by what happens with LANT.

- Covered above
  - Letter from Association and faculties re duty scheme for tripartite meeting

- **Organisational issues**

- Shrieval Retirements and elevations
- **Action:** continue to next meeting
- Furlough of GBA staff
- **Action:** continue to next meeting
- Mandatory Ethics course
- **Action:** continue to next meeting

- **AOCB**

- Heritable Court

We have been approached by a member in relation to the heritable court not yet sitting

- **Action:** Letter to be sent to SP re same

- Court Facilities

A member has raised an issue in relation to not being able to meet with clients to consult at GSC. BL has spoken to Clerk in relation to same and this is not possible now

- **Action:** Continue to monitor

- Undertakings

SC U/Ts have been moved and will now commence at 11am which is causing problems and undertaking slips have a time of 12pm on them. JP U/Ts have also been moved

- **Action:** continue to monitor

- Civil Hearings by telephone

There is an issue in relation to receiving payment in relation to these

- **Action:** continue

- **Current Consultations**

- Hate Crime and Public Order (Scotland) Bill

- DG and MG submitted a response to this

- Raising the Age of Referral to Principal Reporter

- **Action:** AH to prepare response

- **Next Meeting**

8<sup>th</sup> September 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	LM		Update

for Civil Practitioners			
SLAB Duty Scheme	DF and LG		Update
SLAB Quarterly meeting	MD and Office Bearers		Update
Independent review of complaints handling	BL, MD, EG		Update
Foodbank Drive	AH/ UH		Update
Card Reader	FMcK		Update