

WALES COMMITTEE FOR THE CLS

Minutes of the Meeting held on Friday 11th September 2009
Novotel, Cardiff

Present:

Tom Jones - Commissioner for Wales, LSC (Chair)
Rhys Evans – Consumer Focus Wales
Paul Newell – Head of Civil Policy, Legal Services Commission
Fran Targett – Citizens Advice Cymru
Alan Davies – HMCS
Matthew Williams – Equality & Human Rights Commission
Ash Patel – Legal Services Research Centre
Paul Critchley – CAFCASS Cymru
Sue Finch – WLGA
Dr Steven Marshall – Welsh Assembly Government
Graham Benfield – Wales Council for Voluntary Action
Ceri Doyle – Big Lottery Fund (for part of the meeting)

Legal Services Commission Staff:

Tiana Williams – Wales Civil Policy Manager
Cate Jolley – Corporate Governance
Nicola Cragg – Corporate Governance

Apologies for Absence:

Naomi Alleyne – Welsh Local Government Association
Alexy Buck – Legal Services Research Centre
Dr Caroline Turner – Welsh Assembly Government
Lynne Schofield – Welsh Assembly Government
Catrin Williams – CAFCASS Cymru
Angela McCarthy – NOMs Cymru

1.	<p>Introductions, Apologies and Welcome</p> <p>Tom Jones welcomed everyone to the meeting. Apologies were noted on behalf of the individuals listed above. It was noted that Legal Aid had celebrated its 60th anniversary at the Eisteddfod. In addition Citizens Advice had celebrated its 70th anniversary over the summer.</p>	
2.	<p>Minutes of the meeting held on 5th June 2009</p> <p>The minutes of the previous meeting were approved as an accurate record subject to one amendment on page 8 which Fran would provide post meeting.</p> <p>Action</p>	
3.	<p>Matters Arising</p> <ul style="list-style-type: none"> ▪ Tom reported that he had met with Ruth Marks, the Older People's Commissioner. It was noted that the Committee had wished to invite representation onto the Committee following the review of governance 	

	<p>and it was confirmed that there was a wish on behalf of the Commissioner for this invitation to be accepted.</p> <ul style="list-style-type: none"> ▪ It was noted that the Wales Committee Annual Report had been published and circulated to the Committee, all local authority chief executives and leaders, AMs, and had been used as part of an MP event in Westminster for Welsh MPs. ▪ It was noted that at the last CLS Independent Advice Forum, they went through the action plan from the Young People's event and gathered details of what is already happening. Once all this information had been brought together Fran would report back to the Committee. ▪ There was no update from NOMs regarding progress of the WEFO funded project. ▪ Alan reported that changes had been brought in for sentencing for young offenders. A scaled approach would be brought in from November which simplifies the process and strengthens orders from judges by making stronger ties to referral and support processes, and working with Youth Offending Teams to reduce reoffending. ▪ Fran would keep Tiana informed about the research being undertaken by Glamorgan University. Action - FT ▪ Nigel Balmer had previously mentioned that LSRC had produced a paper on the impact of the recession on advice needs. Several other papers had been published and a number of factsheets and were available on the LSRC website. www.lsrc.gov.uk A number of pertinent papers would be circulated to Committee members. Action - Secretariat 	
<p>4.</p>	<p>LSC Update</p> <ul style="list-style-type: none"> ▪ Paul Newell reported that a decision had been made to delay the bid round for commissioning contracts to take effect from April 2010. Part of the reason for this included the need to finalise the new family fee scheme, which had not been signed off by the Legal Aid Minister therefore delaying the tender. Existing contracts would run until October 2010 and once the fee scheme was agreed the timeline would be revised and published. ▪ Procurement plans had been published for all of Wales covering Social Welfare Law, Family, Immigration and Mental Health. ▪ The Commission had published arrangements for consortia for social welfare law to cover the three categories of debt, welfare benefits and housing. The Commission was currently working with representative bodies regarding having separate but linked contracts as part of these arrangements. ▪ Lord Bach's legal advice study was published on 11th June and the Task Group was in the process of drawing up an action plan to take it forward. The report 'Legal Advice at a Local Level' was available on the Ministry of Justice website. ▪ Lord Bach was scheduled to meet with Rhodri Morgan the following week. 	

	<ul style="list-style-type: none"> ▪ Within the Commission and the Ministry of Justice there was a review underway by an independent consultant looking at the policy functions across both organisations and was due to report in September. ▪ The Ministry of Justice were consulting on fee cuts in criminal legal aid. ▪ The Commission was required to make an additional 5% cut in admin costs on top of those already announced and an additional 10% the following year. ▪ It was noted that the Welsh Assembly Government's feasibility study into alternative joint commissioning models was due to report in October. The consultant undertaking the work had held a series of consultation events across Wales to feed into the work. ▪ It was reported that the tender was out for the first Community Legal Advice Network in East Riding and Yorkshire. The tender documents were available on the local authority websites. It was felt that they might potentially be of interest due to the requirement to use volunteers in the delivery of the service, and to increase during the life of the contract. ▪ The Legal Services Research Centre would publish in December its evaluation report into CLACS and the lessons learnt. ▪ It was questioned who was being engaged with externally in respect of the review of policy functions. Paul confirmed that it was an internal review initially and would report initial findings before any wider engagement or consultation would take place. He confirmed that he would feedback the view that this would be welcomed. It was also noted that this review had impacted on the planned review of the governance of the Committee as the additional policy post planned for Wales was put on hold until the outcome of the review was known. Action - PN 	
<p>5</p>	<p>Update on Recession Measures</p> <p>Updates were received from all Committee members about their organisation's initiatives to address the recession.</p> <p>Consumer Focus Wales</p> <ul style="list-style-type: none"> ▪ Rhys reported that work was underway for research into the hidden social exclusion as a result of the recession. This involved speaking to local authorities about the drop off in services where there would be cost to the consumer. Eg. after school care. ▪ In addition the organisation was currently lobbying the relevant minister about the planned cuts to Consumer Direct Wales and the impact that this would have the following year. This would be likely to have an impact on advice services also. ▪ Consumer Rights week would take place the following week. Poverty premium response was due at the end of September. In October a paper would be published on whether Job Centre plus was fit for purpose. ▪ Consumer Focus Wales work plan for 2010 was due out for consultation in October/November. <p>CAFCASS Cymru</p> <ul style="list-style-type: none"> ▪ Paul reported that CAFCASS Cymru had received an increase in referrals. 7.5% in private law matters and also an increase across public law cases. 	

WCVA

- Graham reported that through working with DWP that Job Centre referrals to volunteering had doubled each month.
- The Future Jobs Fund would be available in October and would fund 7000 jobs for 18-24 year olds for six months at the minimum wage. This would be available for young people on benefits for more than 10 months.
- There was a mixed pattern with income raising. It was slightly more stable than six months ago but this was not the case for some organisations.

The issue of levels of local authority funding was raised and Sue Finch confirmed that there was some concern in local government as large cuts in budgets were due to take effect. In addition a low settlement figure was expected on 18th October and by 2017/18 would go down further. It was queried whether the Compact agreement provided any assistance. Graham confirmed that there was a WLGA commitment to working with local government to ensure that they were not making reactive and inadequately thought through decisions. Some had considered making cuts with the third sector but then reconsidered.

WLGA

- Sue confirmed the background to the difficulties being faced by local government, in that the return on investment was going down.
- WLGA were watching how local government responded. It was noted that there was a varied response across Wales. Some had set aside funds, others were working more in partnership and increased collaboration.
- A report commissioned in July was now available on the WLGA website on the impact of the recession on local government.

Citizens Advice Cymru

- Fran reported that client figures continued to rise (11% increase) and this had been reported across a range of other advice organisations.
- There had been a 17% increase in debt year on year particularly in the more serious aspects of advice regarding repossessions and redundancy.
- Central government had provided £10M to CABx across England and Wales. It was noted that these additional hours were being delivered since April.
- The Big Lottery Fund were bringing forward its recession fund for Wales for advice.
- A joint letter had been sent from WLGA and Citizens Advice Cymru to all local authorities to highlight the need for advice services and local government to work together. In some cases additional monies had been made available for advice services.

Randells

- Annette Bell confirmed that in private practice there had been a similar experience to that of the not for profit sector. There had been a dramatic increase in crime cases since January last year and sessions in court were going on much later into the afternoon. It was noted that there was

	<p>an increase in serious crime.</p> <ul style="list-style-type: none"> ▪ There had been a lull in children cases, however since the Baby P cases there was a dramatic increase and her firm had needed to increase the number of trained specialist staff. ▪ The social welfare law categories position mirrored that of the not for profit sector. The LSC had increased the levels of new matter starts available to meet this increase in demand. The Housing Possession Court Duty Scheme was very busy. There was a large increase in the number of Debt Relief Orders and Bankruptcy matters. ▪ There had been a need to increase the number of staff working within the firm. <p>HMCS</p> <ul style="list-style-type: none"> ▪ Alan reported that the position in the courts was as outlined by Annette. The courts were seeing an overall increase in crime but not as high as first predicted. There had been a rise in inquisitive crime. ▪ There had been an increase in uptake of family work on the back of the Baby P case. Local Authorities were reviewing cases and the levels of family cases had returned to where they had been two years previously. They were now looking to move more resources into family work to address this change in trend. ▪ It was proving a challenge to keep sight of the whole system and the costs involved. It was considered important that the budgetary pressures did not result in organisations reverting to a silo mentality in order to keep their own costs in order. ▪ It was noted that the Gwent CJB had undertaken a series of lean reviews that had identified enormous savings and cross management opportunities. The system is currently being reworked and if successful there was a desire to rollout. <p>ECHR</p> <ul style="list-style-type: none"> ▪ Mathew reported that there were pay differentials in the Financial Sector. ECHR had published a paper for businesses regarding how to address equality issue during a recession. ▪ Casework issues had been focussed on employment issues and discrimination. ▪ ECHR was likely to have its own budget pressurised. 	
<p>6</p>	<p>Mortgage Rescue Scheme for Wales – Early Intervention</p> <p>Richard provided an overview of the papers that had been circulated regarding the pilot scheme undertaken in Carmarthenshire. Annette Bell was welcomed to the meeting. She explained her involvement in the pilot and the benefits it had had for people in crisis in Carmarthenshire, and helping them resolve their housing problems.</p> <p>The Committee noted that continued funding of the Mortgage Rescue Scheme remained at the discretion of the Deputy Minister, and this presented some uncertainties for continued support.</p> <p>A discussion followed about the range of organisations and stakeholders that</p>	

	<p>would need to be involved in rolling out the benefits of the pilot across Wales in addition to a number of weaknesses in the Mortgage Rescue Scheme.</p> <p>The Committee endorsed the pilot and wished to see it rolled out across Wales.</p> <p>Action:</p> <ul style="list-style-type: none"> ▪ It was noted that Fran Targett would raise with the Assembly Government the issue regarding the weaknesses in the existing scheme. FT ▪ Richard would take forward the discussions with key stakeholders and organisations to roll out the pilot. RH ▪ Alan would speak to Terry Lewis to personally respond and engage the judiciary in taking this work forward. AD 	
<p>7</p>	<p>HMCS – Community Justice in Wales</p> <p>Alan provided a presentation about the work of the Merthyr Tydfil Community Justice work. A copy of the slides would be circulated to members. Action - Secretariat</p> <ul style="list-style-type: none"> ▪ It was noted that to date, very little community engagement had taken place but that this was now being heavily focussed on. ▪ Community Impact Statements following sentence, were now being presented by the prosecution and also being taken into account as part of the process. ▪ It was noted that a police survey in Cardiff, Swansea and Newport regarding the perceptions of the community had raised issues that had not been anticipated. The survey raised issues around anti-social behaviour and a perception around youths. It was noted that there was a perception of fear and disorder in respect of managing a safe community. ▪ It was questioned how long the pilot had been running. Alan confirmed that due to court refurbishment it had been running since November 2008. ▪ It was noted that it was unique in Wales and that 10 other pilot areas existed in England, with the original one being in Liverpool. Merthyr was also unique as it was trying to use more elements of Community Justice, which had stretched resources initially but was now becoming business as usual. ▪ It was questioned how well defence lawyers were in engaging with the scheme, and Alan confirmed that they had very positively. ▪ It was queried about the level of failure by other agencies that should be responding regarding sorting out the wider problems of individuals. Alan confirmed that so far there had been no difficulties as volumes were relatively low, however there was some uncertainty about the capacity in respect of drug and alcohol services. <p>Alan was thanked for his presentation.</p>	
<p>8</p>	<p>Big Lottery Fund (BIG) – Priorities for Wales</p>	

	<p>Tom introduced Ceri Doyle and welcomed that the Big Lottery fund was discussing advocacy in respect of it becoming a priority. It was noted that quality thresholds were important and should be shared across commissioners. In addition any research, as the more that can be gathered and shared, would lead to more informed funding. Ceri highlighted that BIG had some young people research and would share this prior to the next meeting. Action – CD/TW</p> <p>Ceri gave a presentation on the priorities of the Big Lottery Fund in Wales.</p> <ul style="list-style-type: none"> ▪ It was questioned whether there were funding rounds or specific deadlines. Ceri confirmed that there were both, depending on which programme. The strategic programmes in order to manage them better tended to be more rigid and detailed in order to narrow down outcomes and therefore there were deadlines. Within the demand led programmes one in five applications were approved. ▪ It was noted that LSRC had a variety of projects with clients and hard to reach groups and were talking to ASA in order to secure lottery funding for further work regarding immigrants. There was information to be shared which was currently at an England and Wales level. Ceri confirmed that BIG policy lead for advice services would look into what information LSRC had and would then look at their young peoples research and pull out information to share. Action – CD/LSRC ▪ It was noted that only one in twenty of the UK wide projects were getting through ▪ It was queried how and when the Strategic Programmes were run. Ceri confirmed that these were on a five-year cycle usually. There was currently a strategic framework up until 2015 for England and Wales. A large-scale public consultation had been held for the first time however they were not going live with everything at once. <p>Ceri was thanked for attending the meeting and for her presentation.</p>	
9	<p>CLS Independent Advice Services Forum National Update</p> <ul style="list-style-type: none"> ▪ Fran reported that the Welsh Assembly Government’s Feasibility Study into Joint Commissioning had been discussed and the Forum was feeding into the study. ▪ The Forum has scheduled a potential date to discuss the study. ▪ There was a draft implementation plan for Lord Bach’s Local Advice Study. A number of points will involve MoJ talking to other relevant government departments. The Office of the Third Sector would be encouraged to talk to the Assembly Government’s Social Justice and Local Government department. ▪ The Forum had discussed the ongoing young people’s work and would now bring more detailed data back to the Committee. Action - FT 	

	<ul style="list-style-type: none"> ▪ The Forum recognised that the LSC civil bid round was causing problems for some organisations. It was also noted that there were some queries about a discrepancy in the numbers of new matter starts published in the procurement plans against the numbers awarded this year. It was also noted that the Forum discussed that eligibility rules continued to have an impact on people in real need. 	
9	<p>Overview of Wales equality statistics – Social Justice & Sustainability Statistics Unit - WAG</p> <p>Dr Steven Marshall gave a presentation about the availability of Welsh specific statistics. Copies of slides would be circulated. Action - Secretariat</p> <p>It was noted that individual and tailored request for data and analysis could be made from the unit, and that all contact details were available on the slides.</p>	
10	<p>Any Other Business</p> <p>Annette thanked the Committee for being invited to attend the meeting.</p>	
	<p>Close of Meeting</p> <p>Tom thanked everyone for attending and contributing to the meeting. It was noted that the next meeting would take place on Friday 4th December.</p>	