

LSANI BOARD MINUTES

Board Meeting: Tuesday 27 January 2026

Attendees: Paul Andrews (Chair)
John McDaid (Non-Executive Member)
Paul Mageean (Non-Executive Member)
Judith Clarke (Director of Operations)
Kerry McGill (Director of Corporate Services)
Steven Allison (Deputy Director of EAJD)
Gillian O’Kane (FSD)

Secretariat: Denver Nugent

1. Apologies

1.1 None.

2. Declarations and conflicts of interest

2.1 None.

3. Minutes of previous meeting on 25 November 2025

3.1 The minutes of the previous meeting were agreed as accurate.

AP: It was agreed to retain an action point on the development of a paper on the cost of cases.

4. Actions arising from previous meeting on 25 November 2025

4.1 All actions noted as completed.

5. NEBM/ Chief Executive update and EAJD report (Agenda Items 5 & 6 taken together)

6. EAJD report

Impact of Crown Court Strike

- 6.1 SA provided background on the Criminal Bar Association (CBA).
- 6.2 PA referred to paper 6(2) on the agenda highlighting the potential scenarios and impact on the Legal Aid fund through to the end of the current financial year, depending on when there was a return to work.
- 6.3 JC provided figures on the volume and value of Crown bills received in January 2026 compared with January 2025. It was noted that there was slight change in the volume of bills; however, the overall value had decreased by 33%.
- 6.4 There was a discussion on the impact of the strike and approach being taken by solicitors and judiciary.
- 6.5 PA highlighted the impact of the strike on the Agency's business.

Increase in Remuneration Fees and Payment of Further Fees

- 6.6 PA noted that the new rules came into effect on 7 January and that the new fee structure has been operating effectively.
- 6.7 PA shared a paper with the Board outlining the work undertaken by Agency staff to retrospectively apply the uplift in fees to bills and process additional funding. It was noted that this work continues to progress well.
- 6.8 JC provided details on manual cases where an uplift must be applied manually (those cases in which a recoupment or partial amendment had been applied), highlighting that there are over two hundred such cases and that these were expected to be completed by the end of the month.

SA left the meeting.

7. Finance

Finance Report and Budget

- 7.1 The Board noted the Finance paper.
- 7.2 GO'K noted that, as of 31 December, the Agency had approximately £30m remaining in the fund to be spent in the final three months of the financial year. It was noted that, while this would not normally present an issue, the Crown Court strike may impact the Agency's ability to spend the full legal aid budget.
- 7.3 GO'K highlighted other areas of underspend, including a potential £500k underspend on salaries compared to the previous year, attributed to natural attrition, vacancies not being filled as expected. GO'K noted that income also impacts the fund, however it is difficult to predict.
- 7.4 GO'K provided detail on work ongoing to make payments in respect of the outcome of the Valliday and Lynch Judgement.
- 7.5 There was a discussion on the potential budget for 2026/2027, including the implications of a three-year budget.

GO'K left the meeting.

8. Papers to note

Operations Payments Paper

- 8.1 JC presented the payments dashboard and advised that trends are similar to the previous year.
- 8.2 JC highlighted the position on civil receipts, noting that while the value of receipts is lower than in the previous year, overall volumes remain steady.
- 8.3 JC provided further detail on the Valliday and Lynch payments, noting that decisions are currently being taken and that 105 individual reviews are due to be completed by adjudicators, impacting approximately sixty-six cases. JC advised to date thirty decisions have been made of which twenty-five have resulted in a grant to the value of circa £274k.

- 8.4 PM asked for a brief update on the proposed training plan for payments staff.
- 8.5 JC provided details of the Agency's training plan, noting that staff will be upskilled and equipped with the skills required to work across different lines of business.
- 8.6 JC provided an update on the current staffing position.

Operations Non-Payments Paper

- 8.7 JC presented the operations non-payments paper and advised that adjudication side of the business is performing well.
- 8.8 JC focused on the civil caseload, noting that there are approximately seven hundred cases awaiting processing, which represents an increase compared to December. It was noted that this position may have been impacted by staff resource pressures.
- 8.9 JC noted that Exceptionality and Authorities are managing well.
- 8.10 JC noted that the strike has not impacted the non-payments side and confirmed that current figures are comparable with the same period last year.
- 8.11 JC provided an update on the work undertaken with the Family Bar in relation to Article 3 and the trigger for refresher fees. It was noted that the engagement between practitioners and the Agency had been positive, and further sessions have been arranged with the Family Committee and the Family Bar.

Appeals

- 8.12 The Board noted the paper.
- 8.13 JC provided details on the functions of CLSAP, the appeals process, and the role of its members.
- 8.14 JMcD thanked JC for the information provided.

8.15 JC provided an overview of appeal decisions and there was a discussion on the outcome of appeals.

Corporate Services Paper including HR Report

8.16 KMcG presented the Corporate Services and HR Report and highlighted that the number of staff vacancies is currently fifteen noting that ten of these are at AO grade. KMcG noted that they intend on conducting a resource review once the EO2 competition has completed.

8.17 KMcG provided details on current sickness absence and highlighted that there were four sickness absences in total. KMcG noted that the Agency continue to consult with employee relations in respect of these work-related absences.

8.18 KMcG advised that the Department's absence report has been issued and noted that the Agency has the third lowest number of working days lost, at 10.8 days, compared with the lowest figure of 9.5 days. KMcG further noted that, in relation to long-term absence, the Agency has the lowest percentage of working days lost.

8.19 KMcG informed the Board that central updates, including the Dignity at Work and Grievance policies, have been issued to all staff. It was noted that these policies aim to reinforce expectations around acceptable behaviour and to promote the benefits of early intervention and informal resolution of workplace issues. KMcG further noted that the Grievance Policy has been strengthened to provide improved support for staff.

8.20 KMcG provided an overview of the Assembly Questions, Ministerial Correspondence, Freedom of Information Requests and Security Incidents since the last Board meeting and advised that 100% of correspondence had been completed within the required timescales.

8.21 KMcG noted that the 9-month accounts were nearing completion and will be submitted to the audit office by 9 February.

8.22 KMcG noted that FSD continue to refine the provisions methodology to fully reflect the estimated impact on the various reform changes.

- 8.23 KMcG noted that work on the Annual Report has commenced and that the first iteration is due to be returned to FSD at the beginning of March.
- 8.24 KMcG advised that Aisling Hillen has moved on to another role and Andrea Quail will lead on preparing this year's set of accounts.
- 8.25 KMcG provided an update on internal audit reports and noted that all completed reports to date have been provided satisfactory assurance.
- 8.26 KMcG noted that a new People Plan is being drafted and highlighted that feedback identified that leading and managing change was one of the lowest scoring areas. In response, a series of short, bite size learning sessions were being developed to support line managers with practical guidance across a range of topics, with the aim of improving capability and confidence in delivering NICS policies and leading teams through change.
- 8.27 KMcG noted that annual security briefings have been delivered to all staff.
- 8.28 KMcG provided updates on LAMS functionality changes and highlighted changes delivered to support legal aid reform. KMcG noted that there were several further changes to be deployed in the upcoming months.
- 8.29 KMcG provided an update on Fraud and Error and noted they are 76% of the way through the annual sample, and that official error was currently 4.1% and practitioner fraud and error was 8.3%, excluding non-compliance the error rate is 3.4%.
- 8.30 KMcG noted that the early indicators for FOP show savings of circa £77k.
- 8.31 KMcG advised the common sample size for last year was 784 and this year it has been agreed at 896 to include taxed cases, however taxed cases will only be reviewed for official error. The sample size for FOP will remain the same.
- 8.32 PM asked if there are any concerns on the current rate of official fraud and error.

8.33 KMcG noted that the target for the year was no more than 5.5%, that the figure typically sits between 4% and 5%, and that the Agency was on track to meet this target.

9. Corporate Governance

Performance against Business Plan Targets

9.1 The performance against the business plan was noted by the Board.

9.2 KMcG noted that items currently rated amber do not present a concern and were expected to be completed by year end.

9.3 KMcG noted that the planned stakeholder survey was rated red, however SMT had plans to issue the survey in the upcoming months.

Update on Business Plan 2026/2027

9.4 It was confirmed that a meeting had been scheduled with NEMs to discuss the Business Plan for 2026/2027.

Corporate Risk Register

9.5 PA noted tracked changes to risk one on the register to show the impact of the strike.

9.6 The Board noted the tracked changes and approved the risk register.

Key Risk – Budget/ Stakeholder Relationships

9.7 The Board discussed the risk and associated impacts.

10. Message from Board for staff

10.1 The Board noted interest in the ongoing CBA strike and were updated on the successful processing of the new fees. They were really impressed with the hard work from staff in planning for the change, including the prompt back

payments and the manual catch-ups. There was also discussion on the proposed three-year budget currently out for consultation. Finally, the Board commended the Agency's overall performance and progress against the business plan.

11. AOB

11.1 None

Meeting ended 12.30pm

Date of next meeting 24 March 2026 at 10.00am