LSANI Board Minutes

Board Meeting: Monday 24 August 2026

Attendees: Paul Andrews (Chair)

John McDaid (Non-Executive Member)

Paul Mageean (Non-Executive Member)

Kerry McGill (Director of Corporate Services)

Judith Clarke (Director of Operations)

Steven Allison (EAJD)

Secretariat: Denver Nugent

1. Apologies

1.1 Apologies were noted from Gilian O'Kane.

2. Declarations and conflicts of interest

2.1 None.

3. Minutes of previous meeting

3.1 Minutes of previous meeting were agreed as accurate.

4. Actions arising from previous meeting

4.1 Outstanding action point, the development of a paper on the cost of cases, marked as completed. It was noted that Rob Freel would attend the next meeting to provide a presentation.

5. NEM/Chief Executive update on legal challenges.

5.1 PA acknowledged the passing of Audit and Risk Committee member Amanda Oliver's mother and on behalf of the Board, extended condolences to Amanda and her family. PA also advised with sadness the passing of James (Jim) Beggs and Malachy McKavanagh and noted the significant contribution they had made to the Agency.

5.2 PA provided an update on legal challenges.

5.3 The Board noted the Information Analysis Unit paper on 'Legal Aid Spend Drivers.' There was a short discussion on the paper. JMcD noted that it would be helpful to discuss the differences across different natures of spend.

AP - Rob Freel to attend next Board meeting to present the analysis paper.

AP - Include the differences across different natures of spend.

6. EAJD Report

6.1 SA presented the EAJD report.

6.2 SA noted that, on 18 June, the Criminal Bar Association voted by a majority of approximately 65% to return to full-service delivery.

6.3 SA provided an update on discussions with the Criminal Bar Association and the Law Society, noting that it had been agreed that, following the Accelerated Review, criminal legal aid fees would receive a further uplift of 8.66%, on top of the 16% implemented in 2025.

6.4 SA confirmed that the Minister had agreed to extend the 8.66% uplift to Civil and Family practitioners and that the uplifts will be backdated to the 22 June 2026.

6.5 SA thanked Agency staff for their work in implementing fee uplifts and facilitating the associated retrospective payments.

6.6 There was a discussion on the comparative level of legal aid expenditure per capita within the jurisdiction relative to other jurisdictions across the UK and Ireland.

6.7 SA provided an update on the proposed taxation changes, noting that a consultation paper had been issued to the Criminal Bar Association and the Law Society for response by 11 September 2026. Subject to consideration of stakeholder feedback, it is proposed that the paper will be issued for public consultation in October 2026.

6.8 SA noted that a public consultation on proposed structural changes to financial eligibility is scheduled to end in October 2026.

6.9 PM queried the timescale for legislative implementation of the proposed changes. SA advised that all proposals are expected to have progressed to legislation by March 2027.

6.10 The board discussed all proposed changes to legal aid.

SA left the meeting at 1.50pm

7. Finance

Finance Report and Budget

7.1 The Board noted the Finance paper and the Budget summary paper. PA highlighted the new reporting format and invited members to provide any feedback on the revised layout. Members were content that the report contained the necessary information and that it could be expanded to reflect important developments.

7.2 KMcG presented the report on behalf of GOK. She advised that there were no significant issues to report but highlighted a number of key points. Income remains unpredictable, and there is currently a modest underspend in staff costs, which will be transferred to cover SAU staffing costs. KMcG also noted that the anticipated year-end pressure on the Legal Aid Fund is currently £7 million, a reduction from the £10 million forecast reported several months earlier.

7.3 KMcG noted the findings of the final audit report and advised that significant work is required to address the provisions recommendations which had already commenced.

7.4 KMcG advised that a project team is being established, comprising statisticians and subject matter experts with strong knowledge of the business. The team will focus on identifying and implementing refinements to address the audit recommendations and will support the Agency in making steady progress in this area.

7.5 PM queried whether the resolution of the Criminal Bar strike had contributed to the anticipated pressure on the Legal Aid Fund. JC provided comparable payment figures from the previous year and there was a discussion around the pressure on the fund.

7.6 There was a general discussion around the budget position and PA confirmed the Agency will continue as business as usual, however there will be no discretionary spend at present until a final budget is agreed.

8. Papers to note

Operations Payments Paper

8.1 JC presented the payments report, which included figures for June and July. The Board noted the paper.

8.2 JC confirmed that all business areas were operating within agreed KPI's. She highlighted that performance is good and the Agency remains on track to

achieve processing times of four weeks across all areas, in line with the target originally set two years ago.

8.3 JC referred to the Payments Report and highlighted the introduction of new LAMS functionality to support quality assurance activities. She noted that the enhanced functionality will improve the organisation's ability to identify, monitor and respond to emerging trends and issues.

8.4 PM requested further detail on what the quality assurance functionality entailed. JC noted that quality assurance had previously relied on the manual selection of cases, but now the new functionality within LAMS enables a quicker response to error and an easier way of monitoring quality and identifying trends.

8.5 JC highlighted figure 6 noting that there has been an immediate increase in volume and value since the Criminal Bar strike has resolved.

8.6 JC confirmed that civil is operating well considering the updated guidance and new functionality which has been introduced.

8.7 JC provided an update on the Covid 19 Interim Payments highlighting that circa 60k remains to be recouped.

8.8 JC noted that there is an underspend of £4.7m in payments and that her and PA will continue to monitor this. It is however expected that all funding will be utilised by the end of the year based on recovery and uplifts, with a pressure forecast as noted.

8.9 PM queried whether there were any indications of a significant backlog within the Crown Court and whether any proposals were in place to address this. PA advised that they were not aware of any specific plans currently being considered to address any backlog.

8.10 JMcD queried the rationale for a significant amount of work on provisions as it is a best estimate. KMcG provided some context and rationale to the background.

Operations Grant Paper

8.11 JC presented the Operations Grant paper and advised that all KPIs had been met except for Non-Emergency Rep Higher and this is due to resourcing issues.

8.12 JC noted that demand remains consistent overall, while highlighting a slight increase in criminal authorities. She advised that this increase aligns with the conclusion of the Criminal Bar strike.

8.13 JC provided an update on the current staffing position, noting that while there is some instability within the workforce, staff continue to work hard to minimise any impact on service delivery and maintain performance levels.

8.14 JC informed the Board that she has a meeting with the Family Bar in October to discuss the Public Law pilot.

Corporate Services Paper including HR Report

8.15 KMcG presented the Corporate Services and HR Report and highlighted that there were currently 14 vacancies. KMcG confirmed that the Agency had been allocated four new staff since the last meeting and that the number of vacancies should continue to decrease in the upcoming months.

8.16 KMcG advised that the DoJ has commissioned a strategic planning exercise in respect of workforce planning.

8.17 KMcG advised that there are no significant concerns regarding sickness absence. While five cases were recorded in the report at the end of June, this has since reduced to one case. She further noted that none of the absences were work-related.

8.18 KMcG referred the Board to the assembly questions and noted that due to the summer recess only one assembly question has been received since the last meeting.

8.19 KMcG confirmed that the Annual Report and Accounts were laid by the summer recess deadline.

8.20 KMcG advised that the Minister had approved the business plan for 2026/27 and it has now been published.

8.21 KMcG provided an update on internal audit noting that six internal audit assignments are scheduled for completion during the current year. She confirmed that one assignment, a review of Appeals and Reviews, had been completed and was marked satisfactory, with no recommendations.

8.22 KMcG provided an update on progress against the People Plan, highlighting that a change management framework had been completed. She also noted the commencement of a programme of bite-sized learning sessions, through which Heads of Branch meet informally with staff in a group setting to share experiences, discuss challenges, and promote learning and engagement across the organisation.

8.23 KMcG provided an update on LAMS changes, noting that progress was being made in respect of the contract extension.

8.24 KMcG provided an update on the Counter Fraud Strategy and advised that there had been several staffing changes within the Counter Fraud Team. She noted that the impact of these changes was being managed and that work to progress the strategy continues.

8.25 KMcG noted the early indicators for official error, highlighting that the rate was currently higher than the desired level. She advised that the figures have been influenced by a small number of high-value errors and that these can vary across the year.

9. Corporate Governance

Performance against 2026 -27 Business Plan Targets

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

Corporate Risk Register

9.2 The Board noted the updates.

Key Risk – People

9.3 The Board discussed the risk and noted that the number of vacancies was reducing and that there is appropriate training in place for new and existing staff.

Audit and Risk Committee Annual Report

9.4 The Board approved the report.

Readout from the Audit and Risk Committee

9.5 The Board noted the readout from the ARC.

10. Message from Board for staff

10.1 The Board noted with sadness the passing of James (Jim) Beggs and Malachy McKavanagh and extended its sincere condolences to their families, friends and colleagues. The significant contribution both colleagues made to the Agency during their careers was acknowledged and recorded.

10.2 Steven Allison (EAJD) provided an update on the legal aid reform initiatives currently underway, outlining key developments.

10.3 The Board welcomed the expenditure paper provided by Rob Freel. Members agreed that a more detailed discussion on the paper will take place at the next meeting.

10.4 The Board commended the good progress being made across all Key Performance Indicators (KPIs), reflecting ongoing efforts.

10.5 Members also noted and discussed the improvements to LAMS, as well as the ongoing work to the contract extension.

11. AOB

11.1 None.

Meeting ended at 3.00pm

Date of next meeting: 22 October 2026 at 10.00am