



# Terms of Reference

## Legal Committee

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### Purpose and Scope

1. The Committee shall provide oversight and scrutiny of the arrangements the Authority and Police Scotland have in place for the handling of legal actions, claims and appeals.
2. The Committee shall authorise, where necessary and appropriate, settlement of legal actions and claims against the Chief Constable and the Authority.
3. The Committee shall determine appeals from police officers and former police officers whose applications for assistance with the payment of legal expenses in relation to civil and criminal proceedings, Fatal Accident or Public Inquiries, have been rejected. The Committee shall also consider and approve the arrangements for granting such assistance.
4. The Committee shall provide instructions to Authority solicitors where required.
5. Meetings will be used to:
  - 5.1 Consider and, where appropriate, approve settlement of civil legal actions and claims (including claims raised in the Employment Tribunal) against the Authority and/or the Chief Constable within the financial authorisations contained within the Authority's Governance Framework.
  - 5.2 Consider and, where appropriate provide instructions to Authority solicitors on legal matters, including agreements and memoranda of understanding, and civil legal actions and claims, including matters which may be considered novel or contentious, include ethical or substantial reputational issues, or are of significant public interest.
  - 5.3 Consider and approve, as appropriate, the arrangements for dealing with applications by police officers and former police officers for legal assistance in respect of alleged unlawful acts committed in the execution of their duties, including any changes to the SHHD Circular18/1978.



- 5.4 Where necessary and appropriate, consider the arrangements for the provision of legal expenses insurance.
- 5.5 Determine appeals from police officers and former police officers whose applications for legal assistance have been rejected by the Chief Constable. Appeals may be in relation to
  - criminal and civil proceedings raised against the officer in respect of alleged unlawful acts committed in the execution of their duties, and
  - for Fatal Accident and Public Inquiries in which possible allegations of irregularities in police procedure or conduct may result.
- 5.6 Monitor the handling of legal actions, claims and appeals within the remit of this Committee; seek information on themes, trends, and lessons learned as appropriate; and
- 5.7 Consider such other matters as required by the Board.

### Membership

6. The Committee will comprise a minimum of three Authority Members including the chair ("the Committee Chair").
7. The quorum of the Committee will be three Authority Members including the Committee Chair.

### Meetings

8. The Committee will aim to hold at least four scheduled meetings per year, although the precise number of meetings will be dependent upon the nature and extent of the Committee's business. Additional meetings will be held where necessary, and in matters of urgency at short notice to ensure efficient and effective delivery of instructions to Authority solicitors and consideration of proposed legal settlements.