Part 1 (The Scottish Legal Complaints Commission)

The proposal for a general levy is discriminatory and inconsistent with the status of the proposed commission as an independent body. It can only be independent if funded independently from its sphere of activity. There is no known precedent for a body with the Section 8 power of imposing large fines to be funded exclusively by persons over whom it has punitive jurisdiction, thereby creating a nexus between its financial requirements and its flow of business.

The specific levy conflicts with natural justice and with the presumption of innocence guaranteed by Article 62 of the European Convention for the protection of Human Rights and Fundamental Freedoms.