Submission from Margaret D Lumsden for the Legal Profession and Legal Aid (Scotland) Bill

I have studied the provisions of this Bill and I would like to make the following submission.

I am disappointed that the perception that solicitors policing themselves is disadvantageous to the public. I am aware that a great deal of work is carried out by the Client Relations Office of The Law Society of Scotland and their unpaid Reporters.

I am concerned that the proposals which are being placed before the Parliament will adversely affect small private practices in rural and semi-rural areas of the country. The firms which work in the area in which I live provide services in mental health issues, vulnerable adults, family law, and conveyancing. I am deeply concerned that the proposals could lead to them restricting the availability of such work to the local population. A woman who leaves her husband because of domestic violence needs to speak to a lawyer immediately and I would not like to think that they would have to travel into one of the cities before they were able to find a legal aid lawyer.

I am aware that solicitors' firms in West Lothian employ a considerable number of people. Their economic benefit extends beyond their immediate area with them outsourcing various types of work, including dictation, to disadvantaged areas like Alloa.

I have also read that The Law Society of Scotland now have an opinion from an eminent QC that the Bill being proposed does not comply with the European Convention of Human Rights. I do not think this is surprising, given there are no rights of appeal from this Government Agency.

I understand that the costs of the Commission are to be met by the solicitors' profession. It seems deeply unfair that clients who have had a good service and who have no desire to complain... complain, end up funding, through their solicitor's fee, a supplement to cover the costs of a Government Commission. As for the Commission's powers of compensation to be increased to £20,000, I do wonder whether the Executive are simply adopting an English solution for a perceived Scottish problem.