Submission from Graeme McKinstry for the Legal Profession and Legal Aid (Scotland) Bill

I write to register my strongest concerns regarding the proposals contained in the Bill

Whilst not having the opportunity to consider the terms of the Bill in detail – one aspect in particular gives me concern and that relates to the proposal for an initial non-returnable deposit of £300 payable by the legal agent at the outset of the complaint.

2 points arise:-

1. The procedures for vetting complaints appears to be woefully inadequate and there is no disincentive on the complainer by way of any financial penalty.
2. Some work will become simply uneconomic on this basis many transactions are at a level of £300 or below.
3. These two points alone are sufficient to suggest that the proposals are grossly inequitable and that the Bill should not be allowed to progress without substantial amendment