Submission from Association of Chief Police Officers in Scotland (ACPOS) for the Legal Profession and Legal Aid (Scotland) Bill

I refer to your correspondence dated 10 March 2006 in connection with the above subject, which has been considered by members of the Criminal Justice Business Area, and can now offer the following by way of comment.

Members recognise that there are substantial sections of the Bill which fall outwith the realms of the Police Service therefore comment is restricted accordingly.

The Bill is silent on the action to be taken if conduct and service complaints are found to be criminal in nature and members would welcome clarity in relation to this matter.

Part 4 – Section 45 – Register of Advisers: Advice and Assistance

This section of the Bill proposes changes to the administration of the Scottish Legal Aid Fund by creating a ‘register of advisors’ who will provide “assistance by way of representation”. This should widen the scope for persons seeking formal legal advice which currently requires the services of a solicitor. Members welcome this proposal, particularly if this results in accused persons having access to appropriate legal advice and guidance whilst contemplating a plea of guilty.

I trust that the foregoing is of assistance to you.