

Letter from Minister for Community Safety Ash Denham to Legal Profession

The Scottish Government recognises the important role played by legal aid providers in supporting their clients and our justice system. I also recognise that those offering legally aided services now face a time of unprecedented uncertainty, and require our support. I am keen to find ways to support cash flow in order to help alleviate some of the pressures that the current pandemic is causing, and to do so in the immediate future.



My officials have been working closely with the Scottish Legal Aid Board, and SLAB is currently processing all existing accounts in the system as quickly as possible, and to respond to the growth in accounts being submitted. I would therefore encourage all solicitors and advocates with any accounts that are still under preparation, to finalise and submit these as soon as possible.

I recognise the importance, at this time, of payment for any work that has been completed, even when a matter has not been concluded. Therefore, there has been extensive work with SLAB to identify how best to expand the current scheme of interim payments, for all aid types, to make it more flexible and accessible. SLAB will be communicating about what more they can do within the current system, but some changes need primary legislation, which will be put in place as a priority. I would strongly encourage solicitors and advocates to make full use of the existing interim payment schemes and, once SLAB is able to extend these and necessary legislative fixes are available, to take full advantage of the extended and more flexible arrangements. SLAB will issue guidance on these changes shortly.

Adaptations to the court system and the management of cases will be

necessary, and new procedures are under development. To ensure that solicitors and advocates receive appropriate remuneration for these new procedures from the Legal Aid Fund, secondary legislation is being developed and will be implemented in line with this work.

These are the immediate priorities that we are taking forward to ensure that cash flow is not interrupted in the short term. I will continue to monitor impact as the situation progresses, and I am of course keen that the Scottish Government continues to work with stakeholders to the best of our ability to find appropriate solutions to these challenging circumstances.

We would also encourage everyone to avail themselves of the support being made available to businesses through UK Government measures. [That information can be found here.](#)

ASH DENHAM

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