



Statement

1st July 2011

Clarification - Police Station Duty Scheme timescales

The Law Society of Scotland yesterday distributed a press release with incorrect information regarding the Police Duty Scheme. It has since been corrected, however, we think it would be helpful to provide further clarification, particularly for those who may have read the incorrect version on the Society's website or other publications.

The Society claimed that "solicitors will only have only 25 minutes in which to get to a police station interview, or the call will default to a telephone helpline operated by the Scottish Legal Aid Board."

This has never been the case.

The Society has since modified the text to read, "We understand that solicitors will have only 25 minutes to respond to a request to give a client advice at a police station."

To clarify the situation, which the Society is aware of from discussions that have taken place about the police station duty scheme, the actual position is that the Police will call the Solicitor Contact Line, which is operated by the Board, to inform them that a suspect requires advice. If the suspect has a named solicitor, the Solicitor Contact Line will call that solicitor. If the solicitor does not answer the telephone call, the solicitor has 25 mins to call the Solicitor Contact Line back to confirm that they will contact the Police and provide the advice. (If there is no response 15 mins after the first call, the Solicitor Contact Line will call them again and allow a further 10mins - hence the 25 mins.)

If a personal attendance by a solicitor is required at a police station and from the point they inform the Police that they will attend, it is anticipated that 1 hour is a reasonable timescale for a solicitor to attend the police station if they live in an urban area and 2 hours to attend if they live in a rural area, (although consideration will be taken of issues such as availability of modes of transport and weather conditions); or alternatively at a mutually agreed time with the investigating officer.

Ends

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