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TO: The senior partner or sole practitioner
Firms on the provisional civil legal assistance
register and criminal legal assistance register

Helpline direct dial number:
0131 240 2007

Email: civilreform@slab.org.uk

Your ref:

Please quote the department above and
our reference: **Civil Reform / 10**

This letter contains important information and should be considered by the senior partner or sole practitioner responsible for:

- **Civil legal aid and civil advice and assistance**
- **Children's legal aid and associated advice and assistance**

A response is required from you by *Friday 25 June 2004*

31 May 2004

Dear Sir / Madam

CIVIL LEGAL AID REFORM MAILSHOT 10

This mailshot is the tenth in a series of mailshots issued by the Board to provide information about the civil legal aid reforms and is being sent to all firms on the provisional civil legal assistance register. It includes:

- an update on civil reform issues, including information on an interim fees increases for civil advice and assistance, and information on children's legal aid, including uplifts in fees in certain cases
- information on registration requirements for civil legal assistance, which are effective from 1 July 2004
- information on children's legal aid and the arrangements for registration

1. CIVIL REFORM UPDATE

The May 2004 edition (issue 39) of our newsletter for the profession, The Recorder, has been sent to all practitioners in the past few days. It includes an article by Justice Minister Cathy Jamieson MSP about modernisation of legal aid, and a full update and further guidance on civil reform issues, including children's legal aid. Amongst the key issues contained are:

Civil legal assistance

- The Justice Minister has announced an interim increase of 5% in solicitors' fees for civil advice and assistance from June 2004, to reflect the changes introduced as a result of civil legal aid reform, and whilst plans for a more comprehensive package of reform are developed.

- The Tripartite Group, which comprises representative of the Scottish Executive, the Law Society of Scotland, and the Board, have considered an outline project plan for this package of civil advice and assistance reform, including increased fees, to be introduced from 1 April 2005.

Children's legal aid

- Scottish Ministers have agreed that the 21% fees increase which applied to civil legal aid should also apply to children's legal aid i.e. proceedings under chapters 2 and 3 of Part II of the Children (Scotland) Act 1995 to which S29 of the Legal Aid (Scotland) Act 1986 applies and associated advice and assistance. All children's legal aid work has been brought within the scope of the current quality assurance regime and peer review system being operated by the Law Society of Scotland, albeit with slightly different criteria being applied. This is an interim measure that has been put in place pending the introduction of a distinct system dealing with children's legal aid.
- Also, the Board will be able to grant uplifts in fees in certain children's legal aid cases. This will be introduced as soon as practicable after 1 July. The Scottish Executive have agreed that arrangements will be made to give appropriate consideration to any case in which legal aid is granted on or after 1 July, which would fall within the scope of the provisions, but concludes before they are introduced.

Practitioners will have received their edition of The Recorder by early June, and copies are also available from the Board's website at www.slab.org.uk or from our Communication's Office on 0131 240 1985.

2 REGISTRATION FOR CIVIL LEGAL ASSISTANCE AND CHILDREN'S LEGAL AID

The registration element of civil legal aid reform formally comes into effect from 1st July 2004. We have attached a form with information on your firm and are asking you to confirm that:

- your firm wishes to continue to register to provide civil legal aid and civil advice and assistance from 1st July 2004.
- your firm wishes to register to provide children's legal aid
- the information we hold about your firm on the provisional register is correct.

If your firm does solely children's legal aid

If your firm provides only children's legal aid, you should indicate this on the attached form. Unless your firm also conducts civil legal assistance, it will not be shown on the civil register of firms.

How to confirm your registration

We attach a form that is pre-printed with details of your firm and its branches, based on our current records. To confirm that you wish to continue to register to provide civil legal assistance and/or register to provide children's legal aid, all you need to do is to:

- check that the information given on your firm and its branches is correct - please write in amendments to addresses in the space provided if our information is incomplete or incorrect, and state any background information as to when the changes were made. We will use this information to update our central records, including the address details used for payments.
- tick the box to confirm that you offer civil legal assistance for each address
- tick the box to confirm that you offer children's legal aid at each address

- if for any reason your firm does not wish to continue to register to provide civil legal assistance, you should also send us a letter to confirm this and to enable your firm's entry to be deleted. The letter should be sent to: Brian Millar, Legal Compliance Manger, Scottish Legal Aid Board, 44 Drumsheugh Gardens, Edinburgh EH3 7SW.

By signing this form you will also be verifying that you will have procedures in place to meet the administrative requirements of the Law Society of Scotland with effect from 1st July 2004. Guidelines for these procedures can be found at www.slab.org.uk

As we informed you in civil reform mailshot 9, the full Register will be operational by 1 July 2004. You therefore should complete and sign the form and return it to us as soon as possible, but not later than **Friday 25 June 2004**

3 CONTACTS FOR ANY QUESTIONS

We will be providing further information on arrangements for the civil compliance audits in a future edition of *The Recorder*. However, if you have any questions on this mailshot, or with assistance with this or any other area of civil compliance, our team of Civil Compliance Auditors will be happy to provide advice and guidance. You should contact:

- Emma Thornthwaite, tel 0131 226 7061 extension 353, or email thornthwaiteem@slab.org.uk
- Isobel Tripp, tel 0131 226 7061 extension 429, or email trippis@slab.org.uk
- Brian Millar, Legal Compliance Manager, tel direct 0131 240 2043, or email millarbr@slab.org.uk
- Alternatively, you can also call our civil reform helpline on 0131 240 2007 or email civilreform@slab.org.uk

We look forward to receiving your completed form and information by 25 June.

Yours faithfully



Tom Murray
Director of Legal Services and Applications

Telephone Helpline

If you have a query about the registration process, the applications or reporting processes or fees and accounts under the new system please telephone our Civil Legal Aid Reform Helpline on
0131 240 2007

Alternatively, you can e-mail us with any queries - civilreform@slab.org.uk

*If you have any queries about the Quality Assurance system please telephone the Law Society on
0131 476 8147.*

Have you missed any information?

Previously issued mailshots about the civil legal aid reforms

Details of Mailshot	Date of Mailshot	Issued by	Issued to
Mailshot 1 – Registration	29 August 2003	Board	All firms
Mailshot 2 – Applications and Reporting	5 September 2003	Board	All legal aid practitioners
Mailshot 3 – Fees and Accounts	19 September 2003	Board	All legal aid practitioners
Mailshot 4 - New civil legal aid forms and starter pack	26 September 2003	Board	The Managing Partner, all firms on the provisional civil register
Mailshot 5 – Information for Applicants booklet	26 September 2003	Board	The Managing Partner, all firms on the provisional civil register
Mailshot 6 – Information for Applicants booklet (printed version)	8 October 2003	Board	The Managing Partner, all firms on the provisional civil register
Mailshot 7 – Frequently Asked Questions	13 October 2003	Board	All legal aid practitioners
Mailshot 8 – Solicitor’s application form	13 November 2003	Board	All legal aid practitioners
Mailshot 9 - Registration and peer review	24 February 2004	Board	All civil legal aid practitioners