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*Please quote the department above and  
our reference:*

10 June 2004

Dear Sir/Madam

**Consultation on proposals for the review of summary criminal legal assistance**

I am pleased to enclose a copy of the Board's proposals for the review of summary criminal legal assistance, and to invite your comments on the report and its recommendations by **16 July 2004**.

Legal aid is a key component of the justice system. Scottish Ministers are committed to modernising the justice system and are taking this forward through new legislation and reviews. As stated in our recent Corporate Plan, we expect significant further changes in access to justice and the operation of legal aid, and we will work closely with the Scottish Executive and others to continue the development of the legal aid system. In particular, we want to implement reform of criminal legal assistance, to improve the efficiency and effectiveness of the legal aid system and to fit with the Scottish Executive's modernisation of the criminal justice system.

As part of that package of reform, we commenced a review of the interest of justice test in criminal legal aid, which lists factors to be taken into account by the Board when deciding whether to grant legal aid. However, as the review progressed, it became clear that a much wider review than simply the interest of justice test was needed. We therefore broadened the scope of our review to consider wider aspects of summary criminal legal assistance, including not only how legal aid is granted but also how the system of providing legal advice and representation operates as a whole.

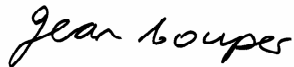
We believe that more fundamental changes are needed to improve the efficiency and effectiveness of legal aid, and its impact on the courts. Legal aid cannot be considered in isolation from the justice system as a whole, and nor from the other major reviews undertaken, particularly the Summary Justice Review, chaired by Sheriff Principal McInnes, which is now the subject of consultation. We hope that by publishing our review of summary criminal legal assistance now, and seeking comments to it within the same consultation period, it can complement and contribute towards consideration of Sheriff Principal McInnes' review of summary justice.

Our purpose in publishing our review and proposals for change is to put into the public domain the Board's views on how summary criminal legal assistance needs to develop, and to inform and contribute to the current Strategic Review of legal aid, advice and information.

To enable the Board to decide what proposals for reform to take forward from our review, we are seeking the views of organisations and individuals with an involvement or interest in the criminal justice system, as well as the public generally. The enclosed document provides the information you need to submit a response to the consultation, a response form and details of who to contact at the Board if you have any questions on the consultation. Please note that the consultation period will close on Friday 16 July.

I hope you will find our review of summary criminal legal assistance interesting and I look forward to learning of your views.

Yours faithfully

A handwritten signature in black ink that reads "Jean Couper". The signature is written in a cursive, slightly slanted style.

Jean Couper  
**Chairman**

*Enclosures:*

- *Proposals for the review of summary criminal legal assistance*
- *Making your response*