



News Release

19th July 2010

Removal of solicitors from the criminal legal assistance register

The Scottish Legal Aid Board announced today that it had removed from the list of solicitors registered to provide criminal legal assistance:

- The solicitor, Steven A Anderson of Andersons Solicitors, 2 Hillkirk Street Lane, Springburn Glasgow, G21 1TE and the firm of Andersons Solicitors.
- The solicitor, Iain Robertson, director of Roberston and Ross Limited, 7 Causeyside Street, Paisley, PA1 1UW and the solicitor, Alistair Gibb, a former associate of the firm, Robertson and Ross Limited.

This means that these solicitors cannot now provide criminal legal aid or criminal advice and assistance. The removal follows investigations by the Board in relation to non-compliance with the Board's Code of Practice for Criminal Legal Assistance.

For Andersons Solicitors this non-compliance included: holding unnecessary meetings with clients, and making inappropriate, multiple and repetitive grants of advice and assistance.

For Iain Robertson and Alistair Gibb, the non-compliance included overcharging the Board for travel to various prisons.

As a result of non-compliance with the Board's Code of Practice, the firm Robertson and Ross Limited has re-paid to the Legal Aid Fund, the sum of £221,847.

The Board has a substantial programme of monitoring and investigating legal aid expenditure involving both legal aid applicants and the legal profession. Under its powers, it can stop solicitors doing criminal legal aid work. Only the Law Society of Scotland has responsibility for stopping solicitors from doing civil legal aid work.

Where the Board has concerns about lawyers it can make formal complaints to the appropriate regulatory body (for example, the Law Society of Scotland or the Faculty of Advocates) and may also forward cases for consideration to the Crown Office Procurator Fiscal Service. In 2009-2010, the Board's compliance and investigations work resulted in savings and recoveries of nearly £2 million, and a number of cases involving solicitors, applicants and legally-aided assisted persons were reported to the Crown Office.

The Board manages legal aid in Scotland, which is paid for by the taxpayer and delivered by solicitors and counsel. A key part of the Board's work is investigating and minimising abuse of legal aid. This work is important in protecting the Legal Aid Fund and the taxpayer. It is also a protection for the vast majority of legal practitioners who provide a quality legal service with honesty and integrity.

Ends

Journalists please contact:

Mat Lopez, Communications Officer tel. (direct) 0131 240 1887.

Notes for editors

The Code of Practice for Criminal Legal Assistance is operated by the Board. To register and remain registered to practice criminal legal assistance, individual firms and solicitors must show that they meet the standards of service set out by the Code in three main areas - management and administration systems, standards of service and standards of professional conduct.

The Board is resolving outstanding claims made by Mr Anderson to ensure that we only pay the appropriate amounts. Where claims are inappropriate these are not being paid. We do not know how long it will take to finalise this process.

The Board previously de-registered the following firms of solicitors: Paul McGowan & Co Solicitors, Hamilton - March 2007, Robert Taylor, Glasgow - February 2007; Paul Kirk, Uddingston - July 2005; Airlie Mellon, Glasgow - March 2002.

Legal aid allows people who would not otherwise be able to afford it to get help for their legal problems. Legal aid and advice and assistance can only be accessed through a solicitor in a private firm or in one of the Board's Civil Legal Assistance or Public Defence Solicitors' Offices. In 2009-10 providing legal assistance cost the taxpayer £150.4 million. The Board's strategic aims are to provide access to a range of quality assured legal help in Scotland, when and where it is needed, to obtain best value for the taxpayer through the delivery of efficient legal assistance services in Scotland and to contribute to an efficient justice system in Scotland by providing an efficient legal aid system.

The Board can remove a firm or solicitor from the Criminal legal Assistance Register. This prevents solicitors from doing legal aid work in relation to criminal cases. It does not prevent them from doing private-fee work; this is outside the Board's responsibility. For any queries about removing solicitors' firms from the civil and children's legal assistance register under section 31 of the Legal Aid Scotland Act, please contact the Law Society of Scotland (tel. 0131 226 7411).

Board's website www.slab.org.uk