



THE SCOTTISH LEGAL AID BOARD

44 Drumsheugh Gardens

Edinburgh EH3 7SW

Telephone (0131) 226 7061

Criminal Legal Assistance

Please ask for extension no 685

Your ref: -

Please quote the department above and
our reference: KT/TB

29 May 2009

Dear Madam/Sir

REVIEW OF DUTY SOLICITORS SCHEME 2009

As part of the wider monitoring and review of the summary justice reforms, the Board is now looking at the operation of the duty schemes throughout the country.

The Board recognises that an effective duty scheme is an integral element of the efficient running of the criminal courts in Scotland, and in conducting this review, we will be actively seeking the views of those who operate and work in the criminal courts, by issuing a wider consultation paper in the summer outlining options for changes in the way the duty schemes are set up, and operated. This would be with a view to implementing changes for the 2010 duty plans and beyond.

As part of this review, we are conducting further analysis on the current usage of the duty schemes, and are looking at the use of the new “appointed solicitor” arrangements under ABWOR, which has allowed a client’s own solicitor to provide assistance and representation under the ABWOR scheme for the first time, to see how this is affecting the use of duty solicitors.

In addition, we have identified the following issues as worthy of further consideration as part of this review:

- current responsibilities of the duty solicitor
- eligibility criteria for inclusion on the duty plans
- local faculty and bar association policies
- standard of relevant experience required for inclusion on the duty plans
- provision of training to participate in the duty plans
- feedback from stakeholders on duty schemes
- adequacy of duty plan monitoring arrangements
- ways of improving best value obtained from the duty scheme.

We plan to issue a consultation paper shortly, based around these issues which will outline options for changes in the way that the duty schemes are set up and operated, and we will welcome any views you may have at that stage. However, if you wish to make any early comments on the operation of the duty plans now, this would help us finalise consultation paper and help us ensure that the needs of all stakeholders can be addressed in this review.

Any comments you may have at this stage should be made as soon as possible, and preferably by 12 June 2009 to:

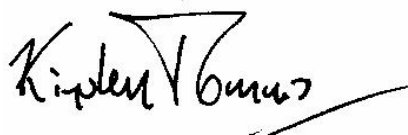
Kingsley Thomas
Manager of Criminal Legal Assistance
The Scottish Legal Aid Board
44 Drumsheugh Gardens
Edinburgh
EH3 7SW

DX ED 250 Edinburgh 1

Or email: thomaski@slab.org.uk

Or telephone: 0131 240 2085

Yours sincerely

A handwritten signature in black ink that reads "Kingsley Thomas". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Kingsley Thomas
Manager, Criminal Legal Assistance