



# Criminal legal assistance

To be issued to all criminal legal assistance solicitors

44 Drumsheugh Gardens  
Edinburgh EH3 7SW  
DX ED555250 Ed 30  
LP2 Ed 7  
0131 226 7061

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## NEW INTERIM POLICE STATION DUTY PLANS JULY TO SEPTEMBER 2011

We are pleased that substantial numbers of solicitors have already applied to be part of the new interim Police Station Duty Plans. We had received almost 270 applications from individual solicitors by the original closing date of 8 June. As we previously advised you, the closing date for applications has been extended to **5.00pm on Tuesday 14 June 2011**.

If you have difficulty submitting a form in this timescale, but still wish to be considered, please let us know. Application forms can be sent in paper format to the above address or sent by email to - [batchelortr@slab.org.uk](mailto:batchelortr@slab.org.uk) Copies of the scheme and the duty form can be found on the Board's web site - [www.slab.org.uk](http://www.slab.org.uk)

After the closing date, we will look to issue drafts of the plans by 24 June.

We are due to meet representatives from the Law Society of Scotland early next week to draft the Memorandum of Understanding on how the Board Helpline will operate to provide certainty to solicitors about the steps that will be made to locate named solicitors. This will be published before the scheme is introduced on 4 July 2011.

Over the past week, solicitors have asked us about the following issues:

*Q. Do I still need to be on both court and police station duty plans before I can provide advice and assistance to my client in police custody for an interview?*

A. No - It has now been agreed that for the first three months of the interim scheme we will remove this requirement, but that this will be kept under review. Should a client wish telephone advice from

a solicitor paid for from public funds, then that solicitor needs to be on any police station duty plan and that advice can be paid under advice and assistance. Should the client need a personal attendance from their named solicitor under the current advice and assistance scheme, then that solicitor needs to be on the local or an adjacent area's duty plan and able to make the attendance within the agreed timescales.

*Q. Do I need to be on a duty plan before I can advise a client privately?*

A. No - a suspect can seek telephone advice or a personal attendance from any solicitor who may or may not be on a police duty plan and pay for this privately.

*Q. Will the Police contact me directly if my client wants advice from me?*

A. No - the police will contact the Board's Helpline for all suspects who request legal advice, including where this advice will be given on a private basis. The Helpline will contact the named solicitor immediately, so please ensure that we have up to date contact details, including any additional out of hours phone numbers you may have. Where the helpline is asked to contact a named solicitor, the helpline will not speak to the client or provide any advice. Our helpline solicitors will be able to provide telephone advice to suspects where this is requested or contact the police station duty scheme solicitor to arrange a personal attendance.

Further information can be obtained from Kingsley Thomas, Manager of Criminal Legal Assistance on 0131 240 2085 or at [thomaski@slab.org.uk](mailto:thomaski@slab.org.uk)