



News Release

11th March 2011

Removal of firm and solicitor from the criminal legal assistance register

The Scottish Legal Aid Board announced today that it had removed the firm of Robertson and Ross Limited, 7 Causeyside Street, Paisley, PA1 1UW, and one of its directors Fraser Currie, from the list of firms and solicitors registered to provide criminal legal assistance.

This means that the firm and individual solicitor cannot now provide criminal legal assistance.

The removal of the firm and Mr Currie follows investigations by the Board in relation to the Board's code of practice for criminal legal assistance and is as a result of further information becoming available to the Board during the July 2010 deregistration of Msrs. Iain Robertson, director of the firm and Alastair Gibb, a former associate of the firm for similar failings.

These investigations revealed significant failures to comply with the code which included the submission of accounts that overcharged travel to prisons.

As a result of non-compliance with the Board's code of practice, the firm of Robertson and Ross Limited previously repaid 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. While it can stop solicitors doing criminal legal aid work under its own powers, currently only the Law Society of Scotland can stop solicitors from doing civil legal aid work.

Where the Board has concerns about the conduct of lawyers or advocates, it can make formal complaints to the appropriate regulatory body (for example, the Law Society of Scotland, the Faculty of Advocates or the Legal Complaints Commission) 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 ensuring firms and solicitors abide by legislation, guidance and the code of practice for criminal legal assistance. This work is important in protecting the Legal Aid Fund and the taxpayer. It is also a protection for the vast majority of legal aid practitioners who provide a quality legal service with honesty and integrity.

Ends

Journalists please contact:

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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.

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 2009-2010 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).

When the Legal Services (Scotland) Act comes into force the section 31 powers to preclude a solicitor or advocate from undertaking legal assistance activities will become the responsibility of the Board.

Board's website www.slab.org.uk