



Civil advice and assistance reform update

To:
Civil and criminal legal assistance practitioners

Issue: **2**

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For more information:

web:www.slab.org.uk/profession/reform

THIS UPDATE MAILSHOT ADVISES OF THE DELAY IN THE IMPLEMENTATION OF THE CHANGES IN CIVIL ADVICE AND ASSISTANCE

PLEASE ENSURE THAT ALL STAFF INVOLVED IN PROVIDING ADVICE AND ASSISTANCE ARE MADE AWARE OF ITS CONTENTS.

In December 2005, and at our recent Roadshows, we advised that Phase 2 of the reforms of civil advice and assistance were due to be implemented in March 2006. This phase sees the introduction of approved case categories, diagnostic advice and assistance, the removal of the minimum fee arrangements and the ongoing extension of our “templated” increases in authorised expenditure.

We now have to advise you that this proposed implementation date will not now be possible. We have been advised by the Scottish Executive that due to the technical nature of the regulations, there will be a delay in laying the regulations in Parliament, which in turn will delay the implementation of the reforms. At this stage we do not have a date when the changes will be implemented, but we will let you know about this, as soon as the position becomes clearer. We will however continue to look at extending the use of templated increases as this is unaffected by regulatory changes.

This also means that the implementation of the new advice and assistance forms has also been delayed. You should continue to use the existing forms for the time being. The date for implementing the next phase of the advice and assistance reforms will also be the same date for using the new civil, criminal and children’s forms. We will send you a supply of the new forms in plenty of time before the implementation date.

As part of our communication of the forthcoming reforms, eight information seminars were run jointly by The Board and the Law Society of Scotland throughout January. The seminars were very successful and were well attended. They proved to be practical sessions with a lot of thought having been put into them by the profession as to the implications of the reforms. A number of important issues were raised at the seminars, and we agreed to report back on these issues. These included suggestions for additional approved categories, and various suggestions for improving the administration of the new system. We are currently discussing these suggestions with the Law Society, and hope to be able to provide details of this shortly.