

# Legal Aid (Scotland) Act 1986

## DETERMINATION BY THE SCOTTISH MINISTERS

The Scottish Ministers make the following determination in exercise of the powers conferred by section 4(2)(c) of the Legal Aid (Scotland) Act 1986.

### Commencement

1. This determination has effect from 13 May 2026.

### Interpretation

2. In this determination—

“the Act” means the Legal Aid (Scotland) Act 1986(a);

“the assisted person” means Mr David Goodwillie, c/o Bridge Legal Ltd., 4th Floor, Carlton Buildings, 63 Carlton Place, Glasgow, G5 9TW;

“the Board” means the Scottish Legal Aid Board;

“the Fund” means the Scottish Legal Aid Fund;

“the proceedings” means the application to the High Court of Justiciary by Ms Denise Clair seeking the issue of criminal letters against Mr David Goodwillie.

### Payment out of the Scottish Legal Aid Fund

3. The Board is to pay out of the Fund, in respect of fees and outlays properly incurred in connection with the provision of the assistance described in paragraph 4, such sums as the Board approves in accordance with paragraph 6.

4. The assistance is the taking of any step by a solicitor, and where appropriate by counsel, on the assisted person’s behalf in relation to the proceedings, whether by representing the assisted persons in those proceedings or otherwise taking any step on the assisted person’s behalf.

5. The assistance in paragraph 4 includes any such assistance provided—

(a) on or after the date from which this determination has effect,

(b) up to the date on which the High Court of Justiciary issues a determination which ends the proceedings.

6. Subject to paragraph 7, the Board is to approve a sum equal to that which would have been allowed in accordance with the Advice and Assistance (Scotland) Regulations 1996(b) in respect of fees and outlays if—

(a) Part 2 of the Act applied to the proceedings by virtue of the Advice and Assistance (Assistance by Way of Representation) (Scotland) Regulations 2003(c); and

(b) the financial limit applicable under section 10 of the Act were £2500.

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(a) 1986 c.47; section 4(2)(c) has been amended by the Legal Aid Act 1988 (c.34) and by S.I. 1999/1820. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.I. 1996/2447 as amended.

(c) S.S.I. 2003/179 as amended.

7. The assistance described in paragraph 4 is to be available without reference to the financial limits under section 8 of the Act (availability of advice and assistance), and section 11(2) of the Act (client's contributions) shall not apply as respects that assistance.



Director  
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St Andrew's House,  
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*18 May 2026*