



Children's Legal Assistance Update

23 March 2012

To all civil and criminal legal aid practitioners

CHILDREN'S HEARINGS (SCOTLAND) ACT 2011 - CONSULTATION ON DRAFT CODE OF PRACTICE

The Children's Hearings (Scotland) Act 2011 (the 2011 Act) makes major changes to the operation of children's hearings and to the bodies responsible for their administration and management. It also makes significant changes to the legal aid provisions which we summarised in our mailshot dated 17 February 2012.

Under the current arrangements no form of legal aid or advice and assistance (including ABWOR) is available to enable a solicitor or counsel to represent a child or any relevant person at a children's hearing. The 2011 Act changes that and introduces a Registration scheme, a Code of practice and an associated scheme for quality assurance for solicitors who are registered to provide children's legal assistance.

Consultation on the draft Code of Practice

An effective Code of Practice for Children's Legal Assistance will be an integral part of the efficient operation of the children's hearing system in Scotland. After informal consultation with the Law Society of Scotland and a number of other interested parties, we have prepared a draft Code of Practice and forms for use in the Registration process.

We are now formally consulting on the draft Code and the Registration forms. We would welcome your views. You can read the documents on our website at:

<http://www.slab.org.uk/profession/mailshots/index.htm>

You can send your comments to Joe Kelly, Head of Civil Legal Assistance, by post to SLAB, 44 Drumsheugh Gardens, Edinburgh EH3 7SW or by e mail to kellyjo@slab.org.uk.

Please send your comments by **Monday 21st May 2012**. If you cannot respond by this date please let us know.

When you send your comments, please let us know if you want us to treat your response confidentially. This will help ensure we handle responses appropriately and enable us to establish whether or not you are willing for your comments to be made public.

Registration for Children's Legal Assistance - Expressions of interest

To help us plan for the changes to be implemented in September, we are keen to know now if you are likely to register to undertake this work and whether you intend to participate in the cover (duty) scheme for specified hearings. The majority of such hearings currently take place within office hours but some can take place outwith those hours. We await further information from partner organisations on how the hearings will be scheduled and we will issue further details about the cover scheme when we receive this.

Please record your expression of interest by going to:

<https://www.surveymonkey.com/s/QRJ9V7N> . You can also do this from our website. We only ask you to confirm two things: (1) Do you intend to register to provide Children's Legal Assistance when the changes are implemented in September 2012? And, (2) Do you intend to participate in the cover (duty) scheme for specified hearings?

We would be grateful if you would complete your expression of interest by **6 April 2012**.

This is not the registration process to apply for entry to the Children's Legal Assistance Register. That formal process will commence later in the year and before implementation of the new arrangements.