The Scottish Parliament
Pàrlamaid na h-Alba

Equalities, Human Rights and Civil Justice Committee

Kirsten Oswald MSP
Minister for Victims and Community Safety

10 November 2026

Dear Kirsten

The Criminal Legal Assistance (Miscellaneous Amendment) (Scotland) Regulations 2026

(SSI 2026/267)

At its meeting on 5 November, the Equalities, Human Rights and Civil Justice Committee considered the above Regulations.

We note that this instrument is required to increase the fees prescribed in Parts 7 and 8 of schedule 3 of the Advice and Assistance (Scotland) Regulations 1996[1] (S.I. 1996/2447). Moreover, we note that these fees were intended to be included in fees increases that were made by the Legal Aid and Advice and Assistance (Fees) (Miscellaneous Amendment) (Scotland) Regulations 2026[2] (S.S.I. 2026/144) but were inadvertently omitted.

As you will be aware, the Delegated Powers and Law Reform (DPLR) Committee agreed to draw the instrument to the attention of the Parliament under reporting ground (c) – that it purports to have retrospective effect where the parent statute confers no express authority so to provide.

In considering the Regulations, the Committee expressed concern about the inadvertent omission that prompted the laying of these Regulations. The Committee would welcome a reassurance that there are sufficient quality control processes in place to prevent future instances of such errors.

I would be very grateful for a response by 9 December 2026.

Yours sincerely

Katie Hagmann MSP
Convener

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