You wrote to Kenny MacAskill on 23 April, asking what progress has been made in the dealing with concerns the Scottish Legal Complaints Commission and Law Society of Scotland raised with you in September last year, regarding the present process for dealing with complaints against legal practitioners.

As the Justice interest in pursuing this matter lies with me, I am now replying to you.

On 21 November 2012 the wider group of interests met to consider what characteristics might exemplify a model complaints handling system, and in February SLCC and the Society wrote jointly to inform me on the outcome of this initial discussion.

There was apparently unanimous agreement that scope did exist to improve the present position, through a mix of operational and rule changes. Potential for improvement was identified in the eligibility, determination and appeal processes, and there was subsequent discussion about developing this mutual approach. The group was then consulted on the specific benefits which might derive from legislative change.

The agreement following that was to invite individual sub-groups to consider specific issues and then open further group discussion during April. It was expected that this fuller evaluation would produce agreement on what legislative proposals might be presented to the Scottish Ministers for consideration. I am aware that this discussion is ongoing.

I should clarify that, while my officials have regular business contact with both the Society and SLCC, the Scottish Government is not directly involved in these considerations.

I hope you find this update on developments helpful and I will certainly write to you again when I receive a further update on developments.

Roseanna Cunningham
Minister for Community Safety and Legal Affairs
6 June 2013