



Appeals against SLCC decisions

After you make an appeal

Now that you've lodged your appeal against an SLCC decision, you may have questions about what happens next.

For example, who should you contact for updates, what are the cost implications and what happens to ongoing investigations.

This leaflet explains what you can expect after you have lodged an appeal and after a decision on your appeal has been reached.



Your appeal

Things to be aware of

Grounds for appeal

You can only appeal on certain grounds:



- You believe our decision was based on an error of law
- You believe we did something wrong in the way we conducted the complaints procedure
- You believe that we exercised discretion irrationally
- You believe our decision was not supported by the facts



Is there a cost involved?

At the end of the appeal hearing, the court can award expenses. This will include expenses incurred by the SLCC in preparing and lodging court documentation and time spent in court.

The courts' normal approach is that 'expenses follow success'.

What this means is that, if you are successful, the court may decide to make an award of costs in your favour.

Likewise, if your appeal is not successful, you may be liable for the costs incurred by the SLCC.

Costs can extend to several thousand pounds. The amount of the expenses will

depend on the amount of time that we spend preparing for the appeal and the amount of time taken to deal with it.

Costs can include:

- fees for instructing solicitors and advocates
- other expenses such as expert witness fees and travel costs

If the court makes an award of costs against you, we will seek to recover the expenses involved in defending our decision.

In this case, we will instruct solicitors to deal with any recovery of expenses on our behalf, after the appeal concludes.

"At the end of the appeal hearing, the court can award expenses - this will include expenses incurred by the SLCC."



After you appeal

What happens?

Can I still contact the SLCC?

When we are advised that someone has lodged an appeal, we will instruct our solicitors to deal with the appeal on our behalf.

All communication relating to the

appeal will be done through our solicitors.

For that reason, any queries should - in the first instance - be directed to our solicitors.

"After you lodge an appeal, all queries should - in the first instance - be directed to our solicitors."



What happens to ongoing investigations?

After you make an appeal, we have to suspend work on your complaint until a decision on your appeal has been reached.

If there is an ongoing conduct investigation, this may also be suspended by the relevant professional organisation.



If the court allows the appeal

If the court agrees with you and orders that we consider the complaint afresh, we will contact you to let you know what will happen next.

If the court overturns the SLCC's previous decision and imposes a

different decision, we must abide by that decision and take the action necessary to proceed as directed by the court.

Again, we will contact you directly to inform you of how this affects your complaint.



If the court does not allow the appeal

In this case, the original SLCC decision will stand.

Depending on what has been appealed, this could mean that the complaint is at an end or that consideration of it will continue as originally set out.

If the original SLCC decision was that the complaint should be rejected, then no further action will be taken on the complaint.

As mentioned on page 3, if you are unsuccessful in your challenge, the court may make an award of expenses against you.

If this happens, we will seek to recover expenses involved in defending the decision.

We will instruct solicitors to deal with any recovery of expenses on our behalf, after the appeal concludes.



If you require this information in an alternative format - such as audio, large print or braille - please contact us.

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