

Consultation Response

Organisation Name - **Scottish Law Agents Society**

Consultation Answers –

6. Do you agree that our Regulatory Statement adequately reflects the regulatory objectives, our approach and responsibilities?

Disagree

7. Do you have any comments on our understanding of the regulatory objectives and how they apply to our work?

Yes. Comments on each Objective

1. To support the constitutional principles of the rule of law and the interests of justice.
To promote quality, innovation and competition in the provision of legal services

SLAS Comment

This is needless duplication. The Law Society of Scotland (LSS) was not abolished by the 2025 Act

It is not clear notwithstanding the regulatory principles that the SLCC has any role in promoting innovation and competition in legal services in Scotland. These are functions exclusively of front line regulators. SLCC role in promoting quality is restricted to providing redress for poor quality. It thus drives up quality particularly where details of such poor quality service are shared. This however is the limit of SLCC's role.

2. To protect and promote the interests of consumers and the wider public interest

SLAS Comment

How what was set up to be an independent impartial judicial body deciding complaint cases favouring neither complainer nor solicitor can be so blatantly biased to the consumer view is astonishing. It should remain neutral

The LSS has a duty to represent the interests of the profession and the interests of the public in relation to it. That is a careful balance but they have a track record of doing so. There is no need for duplication regarding the wider public interest. SLCC have claimed the consumer interest but it needs balance with the public interest which is not the same and the need for a fair and just treatment of solicitors.

Also Solicitors are consumers of a very expensive SLCC complaints service that is funded by solicitors only and SLCC faces no competition. There is no balance of the legitimate interests of the profession here.

3. To promote access to justice

SLAS Comment

Not the remit of SLCC other than providing a means of redress for poor service. The legal profession should not be paying for SLCC to do that. SLCC needs to prevent overreach of its limited functions.

At present any client but also any third party can complain about solicitors and it costs them nothing as solicitors pay for it all. They have access to justice free of charge with nothing to lose and no reason to settle which means no equality and no justice for solicitors,

4. To promote an independent, strong and diverse legal profession

SLAS Comment

Not the remit of the SLCC which needs to reign itself in and deal with its primary role more efficiently and promptly with better quality decision making informed by application of the law.

For example applying the law of prescription. The fact that e.g. files have been legally destroyed within limits previously set or the solicitor complained of may have retired or now lack capacity to deal with a complaint but the firm is still in existence. This means in most cases the solicitor is prejudiced in attempting to defend. This is unjust. These rules are unfair to solicitors. What other professions are treated this way? This does not make the profession strong but weak and embattled.

5. To promote quality, innovation and competition in the provision of legal services

SLAS Comment

Not the remit of the SLCC

6. To promote effective communication between regulators and legal services providers

SLAS Comment

Effective communication requires understanding and applying the law which clearly the SLCC does not understand.

7. To promote effective communication between regulators and bodies that represent the interests of consumers

SLAS Comment Delete "regulators" and insert "SLCC"

8. To use and promote best practice in relation to assessing and improving the quality of regulation and compliance with applicable legislation and rules

SLAS Comment OK.

9. To adhere to the regulatory principles

SLAS Comment. OK.

10. To promote and maintain adherence to the professional principles

SLAS Comment. OK.

8. Do you have any comments on our approach?

See Comments at Q7

9. Is there any other evidence, or information, we should be taking into account in this statement?

See Comments at Q7

10. Do you have any other comments to make?

None