

F/T: 0300 244 4000
E: scottish.ministers@gov.scot

Fiona McKinnon
President
Glasgow Bar Association

fiona@mckinnonlaw.co.uk

28 January 2021

Dear Ms McKinnon,

SUPPORT FOR THE LEGAL PROFESSION

I refer to my letter of 15 January where I set out how I intended to proceed in respect of the Regulations which will put in place the 5% uplift in fees for the coming financial year, with a further 5% uplift due in financial year 22/23.

As explained, these Regulations, which will give effect to that intention, will be laid in the Scottish Parliament on 1 February and will come into force on 22 March 2021.

Given the tight timescales, I now attach a copy of the Regulations for information only.

In summary, these Regulations increase all legal aid and advice and assistance fees and outlays payable to solicitors and counsel by 5%, and as such amend the following Scottish Statutory Instruments:-

- the Civil Legal Aid (Scotland) (Fees) Regulations 1989
- the Criminal Legal Aid (Scotland) (Fees) Regulations 1989 (“the Criminal Regulations 1989”)
- the Legal Aid in Contempt of Court Proceedings (Scotland) (Fees) Regulations 1992
- the Advice and Assistance (Scotland) Regulations 1996
- the Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999

The Regulations also make amendments to provide for exceptional payments to counsel in certain circumstances and to support continuity of counsel.

Tha Ministearan na h-Alba, an luchd-comhairleachaidh sònraichte agus an Rùnaire Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh www.lobbying.scot

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

Taigh Naomh Anndrais, Rathad Regent, Dùn Èideann EH1 3DG
St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot

As stated in my previous letter, I am committed to listening and engaging with the profession and I hope that as we move forward we can continue to do so in a positive and effective manner.



HUMZA YOUSAF

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