

**Communication from the Scottish Legal Aid Board 14 February 2011**

“The Board was asked for further comments on petition PE 1372.

Our comments are as undernoted.

Catriona Whyte  
Head of Legal Services - Civil

Regulation 15 of the Civil Legal Aid (Scotland) Regulations 2002 requires the Board to consider whether there are other parties with a joint and common interest in any potential proceedings and if there are, whether they should defray the expenses that would have been made from the Fund had legal aid been granted. In environmental cases there is a greater likelihood of there being individuals/parties with a joint or common interest. The Board has granted two such applications. No other applications granted have been identified.

The issue of whether regulation 15 should be repealed is not a matter for the Board. While we may advise on legal aid issues, the question of regulatory compliance and the repeal is essentially a matter for the Government.”