

PE1724/C

Law society of Scotland submission of 4 October 2019

Thank you for your letter of 9 September 2019 in relation to the above public petition and addressed to my colleague, Gillian Mawdsley.

We note that the primary focus of the petition is the submission to Scottish Ministers and the Lord President by the Association of Commercial Attorneys (ACA) in 2016 setting out a revised practice scheme. We also note that the main contention by the petitioner is that the revised scheme was considered unfairly and to the detriment of the ACA. We consider this to be a procedural matter between the ACA, the Lord President and the Scottish Government.

However, we further note that the petitioner refers to a further consultation which took place in December 2018 which sought views on extending rights of audience for members of the ACA in procedural hearings. The Law Society responded to this consultation at which time we recognised the important role that members of the ACA have played in the provision of legal services relating to construction law since its formation in 2008. We had no objections to the amendments to the Statement of Rights as set out within the consultation document, providing that members of the ACA who are undertaking such work adhere to standards of competence, conduct and consumer protection which at least equate to those required by solicitors.

If you have any further questions in relation to this matter, please do not hesitate to contact me direct.