



# Legal Profession and Legal Aid (Scotland) Act 2007

2007 asp 5

## PART 1

### THE SCOTTISH LEGAL COMPLAINTS COMMISSION

#### *Conduct or services complaints against practitioners*

#### **13 Services complaint: reports**

- (1) The Commission may, if it considers it appropriate to do so in any particular case, publish a report of—
- (a) any mediation which has taken place by virtue of section 8(5) in relation to a services complaint, the outcome of which is accepted by both the complainer and the practitioner;
  - (b) an investigation of a services complaint under section 9 and—
    - (i) any settlement proposed under subsection (2) of that section as respects the complaint, which is accepted as mentioned in subsection (4) of that section;
    - (ii) any determination of the complaint under subsection (1) of that section;
  - (c) a determination, direction or report under section 10(2).
- (2) A report under subsection (1) must not (unless the complainer consents)—
- (a) mention the name of the complainer;
  - (b) include any particulars which, in the opinion of the Commission, are likely to identify the complainer.
- (3) A report under subsection (1) may only—
- (a) mention the name of the practitioner complained of; or
  - (b) include any particulars which, in the opinion of the Commission, are likely to identify the practitioner,
- if the practitioner consents or the condition in subsection (4) is met.

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**Changes to legislation:** *Legal Profession and Legal Aid (Scotland) Act 2007, Section 13 is up to date with all changes known to be in force on or before 26 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (4) The condition is that—
- (a) the case is exceptional;
  - (b) in the opinion of the Commission, it is in the public interest for the identity of the practitioner concerned to be included in the report; and
  - (c) the Commission has given not less than 4 weeks notice in writing to the practitioner that it intends to identify the practitioner in the report, specifying the reasons for its decision.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 1 para. 2(6)(ba) inserted by [2010 asp 16 s. 118\(4\)](#)