



# Legal Profession and Legal Aid (Scotland) Act 2007

2007 asp 5

## PART 1

### THE SCOTTISH LEGAL COMPLAINTS COMMISSION

*Forwarding complaints, advice, monitoring etc.*

#### **35 Services complaints: monitoring, reports, protocols and information sharing**

- (1) The Commission must monitor practice and identify any trends in practice as respects the way in which practitioners have dealt with matters that result in services complaints being dealt with by the Commission under sections 8 to 12.
- (2) The Commission must prepare and publish reports on any trends in practice which it identifies under subsection (1) at such intervals as it considers appropriate.
- (3) The Commission must—
  - (a) enter into protocols with the relevant professional organisations as respects the sharing of information by it with them in relation to—
    - (i) numbers of services complaints dealt with by it;
    - (ii) such trends as it may identify in relation to such complaints;
    - (iii) settlements proposed by it under section 9(2), which are accepted as mentioned in subsection (4) of that section;
    - (iv) the substance of any services complaints which might be relevant to section 31(3) of the 1986 Act;
    - (v) determinations by it under section 9(1) upholding services complaints;
    - (vi) failure by practitioners to comply with directions by it under section 10(2), notice by it under section 16 or 17(1) or requirements by it under section 37(3);
  - (b) share information with the relevant professional organisations in accordance with the protocols.

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*Status: This is the original version (as it was originally enacted).*

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- (4) The relevant professional organisations must enter into protocols with the Commission for the purposes of subsection (3)(a).