



Legal Profession and Legal Aid (Scotland) Act 2007

2007 asp 5

PART 1

THE SCOTTISH LEGAL COMPLAINTS COMMISSION

Forwarding complaints, advice, monitoring etc.

36 Conduct complaints: monitoring, reports, guidance and recommendations

- (1) The Commission must monitor practice and identify any trends in practice as respects the way in which—
 - (a) practitioners have dealt with matters that result in conduct complaints being remitted to the relevant professional organisations under section 6(a) or 15(5)(a);
 - (b) the relevant professional organisations have dealt with conduct complaints so remitted.
- (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 may—
 - (a) give guidance to the relevant professional organisations as to the timescales within which they should aim to complete their investigation of or, as the case may be, determine conduct complaints remitted to them under section 6(a) or 15(5)(a);
 - (b) make recommendations to any relevant professional organisation about the organisation's procedures for, and methods of dealing with, conduct complaints so remitted to it.
- (4) Each relevant professional organisation to which the Commission makes a recommendation under subsection (3)(b) must—
 - (a) consider the recommendation;
 - (b) notify the Commission in writing of—
 - (i) the results of the consideration;

Status: This is the original version (as it was originally enacted).

- (ii) any action the organisation has taken or proposes to take in consequence of the recommendation.
- (5) The Commission may carry out, for any of the purposes of this section, audits of the records held by the relevant professional organisations relating to conduct complaints remitted to them under section 6(a) or 15(5)(a).