

CHILDREN'S HEARINGS (SCOTLAND) ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 19 – Legal Aid and Advice

Section 191 – Legal aid and advice

New Part 5b – Children's Legal Assistance

Section 28R – Further provision as to removal of name from register

313. This section deals with situations in which a solicitor included on the register becomes connected with a firm which is not registered and, as a result, he or she is no longer connected with any registered firm. In that event, subsection (2) obliges SLAB to remove the solicitor's name from the register.
314. Subsection (3) provides for section 25D(6) to (9) of the 1986 Act to apply where a solicitor's name is removed from the register under section 28R(2) as it applies in relation to the removal of a solicitor's name from the register for criminal legal assistance. That means the solicitor will be required to transfer any children's legal assistance work to a solicitor who is registered. SLAB must give the solicitor reasons for its decision to remove his or her name from the register and the solicitor will have 21 days from the date of receiving SLAB's reasons to appeal the decision to the Court of Session.