



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.

Status: This is the original version (as it was originally enacted).

- (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.