



Administration of Justice Act 1985

1985 CHAPTER 61

PART III

LEGAL AID

Legal aid complaints

44 Exclusion of solicitor from legal aid work.

- (1) Section 47 of the Solicitors Act 1974 (jurisdiction and powers of the Solicitors Disciplinary Tribunal) shall be amended as follows.
- (2) In subsection (2), after paragraph (b) there shall be inserted—
 - “(bb) in the circumstances referred to in subsection (2A), the exclusion of that solicitor from legal aid work (either permanently or for a specified period);”.
- (3) After that subsection there shall be inserted—
 - “(2A) An order of the Tribunal may make provision for the exclusion of a solicitor from legal aid work as mentioned in subsection (2)(bb) where the Tribunal determines that there is good reason for doing so arising out of—
 - [^{F1}(a) his conduct, including conduct in the capacity of agent for another solicitor, in connection with the provision for any person of services under the Legal Aid Act 1988; or
 - (b) his professional conduct generally.]
 - (2B) Where the Tribunal makes any such order as is referred to in subsection (2A) in the case of a solicitor who is a member of a firm of solicitors, the Tribunal may, if it thinks fit, order that any other person who is for the time being a member of the firm shall be excluded (either permanently or for a specified period) from legal aid work.

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1985, Section 44. (See end of Document for details)

(2C) The Tribunal shall not make an order under subsection (2B) excluding any person from legal aid work unless an opportunity is given to him to show cause why the order should not be made.

(2D) Any person excluded from legal aid work by an order under this section may make an application to the Tribunal for an order terminating his exclusion from such work.”.

(4) F2

Textual Amendments

F1 Words substituted by [Legal Aid Act 1988 \(c. 34, SIF 77:1\)](#), s. 45(1), **Sch. 5 para. 19(a)**

F2 [S. 44\(4\)](#) repealed (2.4.2001) by 1999 c. 22, s. 106, **Sch. 15 Pt.I** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2001/916, **art. 3(b)** (with Sch. 2 para. 2)

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