

Siobhian Brown MSP  
Minister for Victims and Community Safety  
By email only: [MinisterforVCS@gov.scot](mailto:MinisterforVCS@gov.scot)

25 June 2025

Dear Minister,

Thank you for your letter of 20 June 2025 providing details of a revised proposal to uplift criminal legal aid fees. We note that this proposal is subject to financial authority, and follows separate meetings with the Law Society of Scotland and the Scottish Solicitors Bar Association (SSBA) on 18 June 2025.

In addition to the reforms to criminal legal aid regulations set out in your previous letter of 13 June, your proposal included:

- A phased uplift in specific summary criminal legal aid fixed payments and fees over three years, with a ceiling of 10% - amounting to two 3.5% increases in 2025/26 and 2026/27, and a final 3% in 2027/28 – excluding holiday court supplement pay.
- Commencement of a Traineeship Fund, potentially for 20 individuals, with agreed amends made from the previous scheme.
- Establishing of a Fee Review Mechanism Group by the end of 2025.

The letter did not contain any proposals in relation to civil legal aid. We note that you intend to consider the anticipated report from the Equality, Human Rights and Civil Justice Committee of the Scottish Parliament and advice from SLAB before making any decision regarding an uplift to Civil Legal Aid fees.

Having discussed these proposals separately, both organisations have now reached the same conclusion:

**These proposals present no meaningful change from the previous proposal and we cannot support them.**

In our previous letter of 17 June 2025 we provided a thorough assessment of why the proposed uplift in criminal legal fees, and lack of uplift in civil legal aid, was unacceptable. Given the lack of movement between the two offers, that assessment remains applicable.

The offer to recommence a downsized Traineeship Fund is very disappointing as it does not go far enough – particularly given the success of the previous iteration of the fund, and the imperative need to ensure that the legal aid sector offers a viable career path for aspiring solicitors. Furthermore, we note that the



traineeship fund's reintroduction would only be feasible due to funding becoming available because of the delay in increasing criminal legal aid fees. We therefore have doubts as to the long-term future of this scheme.

Whilst we welcome the commitment to establish a Fee Review Mechanism Group, this work must commence in the immediacy, and not by the end of the year. Furthermore, we seek a public commitment from you that should this group's findings recommend a fee increase, it will be put into effect. No such assurances were provided for the Legal Aid Remuneration Project, leading both organisations to withdraw.

We remain deeply frustrated at the timescales of the Government's actions around these proposals. We feel there is a lack of urgency in Government action for both criminal and civil legal aid, and are bemused that your letter states "that a formal request for an uplift in civil legal aid fees has not been specifically discussed or received before from the LSS but it was mentioned in your joint letter with the SSBA". This is not accurate as the need for an across the board uplift in criminal and civil legal aid fees has been an historic position of Law Society of Scotland for some time.

To conclude, we share the view that the proposals remain significantly lower than we had expected following discussion with your officials, and we consider that they do not represent a fair or reasonable way forward for the profession.

There was a request to both organisations to pause the planned disruption action on 26 June 2025. This is not an applicable matter for the Law Society of Scotland to consider, but the Scottish Solicitors Bar Association will write to you separately on this point.

As with our previous communication, we reiterate our calls for the Scottish Government to act now to deliver an immediate double digit percentage increase to legal aid fees across the board.

Yours sincerely,

**Ian Moir and Peter Walsh**  
**Legal Aid Committee Co-Conveners**  
**Law Society of Scotland**

**Pat Thom**  
**President**  
**Law Society of Scotland**

**Simon Brown**  
**President**  
**Scottish Solicitors Bar Association**