Law Society of Scotland

Regulation of Legal Services (Scotland) Bill

Stage 3 debate briefing

*Updated following 13 May deadline for lodging amendments

20 May 2025

Contents

The need for change

Stage 3 of the Regulation of Legal Services (Scotland) Bill marks the culmination of a decade's worth of campaigning by the Law Society to secure major changes to the way legal services in Scotland are regulated.

Much of the current legislation relating to legal regulation is now over 40 years old. Yet the legal sector has transformed since the passing of the original Solicitors (Scotland) Act in 1980. The legal services market is increasingly diverse, from small high street practices through to major international law firms. A quarter of the Scottish legal profession now works in-house, whether in the public or private sector.

The range of services required by consumers and offered by legal professionals has never been wider, with technology transforming the way in which many of those services are provided.

Yet the system of regulation as currently set out in statute has failed to keep pace with this change. The system is too complex and too reactive, with the Law Society lacking the powers which many other regulators have to step in and act in the public interest when such action is needed. The system for handling complaints against solicitors in particular is too slow, too cumbersome and difficult for users to understand.

While the debate has focused over recent years on 'who' regulates, this Bill has allowed discussion to move onto a more helpful one around 'how' regulation works, and the controls and powers bodies like the Law Society should have to protect consumer interests and the reputation of Scotland's legal profession.

This is why passing this Bill is so important. Once enacted, it will deliver major and long overdue regulatory changes for the benefit of consumers and those working within the sector.

When the Bill was first introduced in 2023, there were a range of areas which caused concern. However, the Stage 2 process through the Equalities, Human Rights and Civil Justice Committee (EHRCJ) addressed many of these issues. While these changes were welcome, there remain some areas where further amendment is needed at Stage 3.

Whatever the final outcome of Stage 3, we want to thank all members of the Scottish Parliament for their consideration of this critically important legislation. In particular, we want to thank the Minister, Siobhian Brown for her engagement over the last two years. We also want to thank members of the both the EHRCJ Committee and Delegated Powers and Law Reform Committee, past and present, who have been responsible for considering a detailed and highly technical Bill.

The Law Society now stands ready to work with government and other stakeholders to ensure these improvements to regulation are delivered as quickly as possible.

The debate around Ministerial powers

When the Bill was lodged in 2023, we expressed deep concern over the provisions which would have given a swathe of new powers to Scottish Ministers to intervene directly in the regulation of legal services.

These proposed powers allowed Ministers to:

- modify regulatory objectives and the professional principles. These objectives and principles are both the foundation and overarching principles for the delivery and regulation of legal services and have an immediate impact on the delivery and regulation of legal services.
- censure and fine regulators, or even remove their regulatory functions altogether.
- directly regulate legal services providers themselves when a regulator is ceasing to regulate.
- directly approve rules on the way existing law firms operate and the conduct and practice of solicitors.
- appoint the government as a direct authorisation body or regulator of legal businesses opening the prospect, for the first time, of the state regulating law firms directly.

Given the importance of the legal profession being able to operate independently from the state, we viewed these political powers of control and interference as a fundamental attack on the rule of law in Scotland.

Our concerns were mirrored by the Senators of the College of Justice who said,

"These proposals are a threat to the independence of the legal profession and the judiciary. It is of critical constitutional importance that there is a legal profession which is willing and able to stand up for the citizen against the government of the day. The judiciary is fundamentally opposed to this attempt to bring the legal profession under political control. If the Bill is passed in its current form, Scotland will be viewed internationally as a country whose legal system is open to political abuse."

We welcomed the constructive approach taken by the Minister for Victims and Community Safety who listened to the concerns expressed and brought forward over 200 amendments to the Bill at Stage 2 in response.

Taken together, these amendments either removed the powers of political intervention entirely or transferred the powers to the Lord President as the head of our justice system.

These amendments were passed unanimously by the EHRCJ Committee at Stage 2, an important victory for the rule of law and the independence of the legal profession from the state.

The strengths of the Bill

The Bill as it stands delivers a host of important and long overdue reforms to the regulation of legal services. Many of these strengthen the powers of the Law Society as the regulator of Scottish solicitors and give us crucial added flexibility to be more proactive in protecting the public interest.

In particular, we welcome:

- **A new and strong system of regulating legal businesses** – this has been a key ask of the Law Society for many years. The bulk of the current legal framework places the emphasis on regulating the individual solicitor. Part 2 of the Bill expands regulation beyond the individual within a firm to cover all employees collectively. This recognises that many of the decisions are not taken by one individual solicitor but often increasingly by individuals who are not currently regulated, for example, paralegals. Amendments made at Stage 2 mean we will be able to transfer existing law firms into this system of entity regulation more quickly and smoothly.

- **Powers for us to investigate solicitors more quickly when we uncover possible wrongdoing** - Sections 67 and 68 end the current bureaucratic and time-consuming process whereby we, when we identify possible misconduct through our own investigations, must submit a complaint to the Scottish Legal Complaints Commission (SLCC) only for that complaint to be referred back to us for investigation. Instead, we would have the power to progress immediately to investigation, taking time out of the process and allowing us to move more swiftly to a decision and any appropriate regulatory action.

- **Powers allowing us to deal with and dispose of conduct complaints cases more quickly** – amendments made at Stage 2 give the Law Society powers mirroring other professional regulators to determine and dispose of a complaints case early where it is right to do so. This would, in turn, free up time and resource to focus on the more challenging and more serious misconduct cases. We've also been given powers to treat evidence of criminal convictions as conclusive proof and findings in civil proceedings as evidence of the facts in complaints. This could also help us deal with certain cases more quickly.

- **Significant new powers to suspend a solicitor** - the Law Society currently has limited powers to suspend a solicitor from practice. This can mean a practitioner can continue to act, even when there is a clear risk to the public. Amendments at Stage 2 give us additional powers to suspend a solicitor on an interim basis when possible serious wrongdoing is uncovered or alleged, or to restrict a solicitor's practising certificate to afford greater public protection. We believe these additional powers are important to

provide us with flexibility to step in and protect the public when it is right to do so.

- **A new legal offence of pretending to be a lawyer** – This responds to a long-standing call from the Law Society. It remains a matter of deep concern to us that anyone, including those without any legal education, qualification or accreditation, can legitimately call themselves a 'lawyer' and offer legal services for profit on this basis. We believe the current unrestricted use of the title 'lawyer' poses a significant risk to consumers who may not differentiate between a 'solicitor' and a 'lawyer' and are therefore potentially being misled. This new offence was strengthened at Stage 2.

- **Strengthening the independence of the Law Society Regulatory Committee** – the 50% lay, 50% solicitor regulatory committee has been a critical component of the Law Society for over a decade. It has helped deliver robust regulation in the public interest. We support the Bill's measures to strengthen the committee's independence, to help it be more transparent in decisions, and to provide a new annual report to the Scottish Parliament.

Amendments lodged for Stage 3

While the Bill was substantially improved and strengthened at Stage 2, there are areas where we believe further changes are needed.

Many of the additional amendments lodged by the Scottish Government address the need for some technical corrections to the Bill. Others address areas where the Minister recognised an issue and promised to return with changes at Stage 3.

Other members have also tabled amendments for Stage 3.

Administering compensation funds (amendment 116 at Section 7)

Section 7 of the Bill sets out the meaning of regulatory functions. However, section 7 does not specifically state that administering a compensation fund is a regulatory function.

The Law Society's existing "Client Protection Fund" represents a crucial consumer protection. It exists to protect clients who have lost money because of the dishonesty of a solicitor or a member of their staff. The fund is paid for entirely by solicitor firms without the use of taxpayer money from government.

Paul O'Kane's amendment 116 is important in making clear that the administration of any compensation fund by any regulator, including our own Client Protection Fund, is a regulatory function.

We therefore SUPPORT amendment 116 in the name of Paul O'Kane.

Registered foreign lawyers (amendments 117-122 and 138 to Sections 18, 39, 41, 42 and 91)

Since the Bill was first published, we have been concerned it does not provide the legal certainty required to allow Registered Foreign Lawyers (RFLs) to part-own authorised legal businesses in multinational practices.

RFLs include those who are qualified in other UK jurisdictions and are a feature in many firms in Scotland which operate on a UK wide basis, including some of the largest firms. Even with changes made at Stage 2, we feel the position of RFLs is uncertain.

The question of who can and cannot be involved in the ownership of an authorised legal business is central to the profession and to the legal services market. It must not be left to interpretation of statute.

Scottish Government amendment 1 has sought to provide some additional clarity but is, we believe, insufficient.

Paul O'Kane has tabled a number of amendments which fully address our concerns and would put the matter of registered foreign lawyers beyond doubt. Without these amendments, there is significant risk that existing multi-national firms would not be able to operate in Scotland once the Bill comes into force – which is not in the interests of consumers, the legal profession or Scotland's economy.

We therefore SUPPORT amendments 117-122 and amendment 138 in the name of Paul O'Kane.

Authorising a business with a change in partners (amendment 123 to Section 42)

Partnership law in Scotland means a legal entity can cease and a new entity created whenever partners change in a traditional partnership. The process of changing partners in a partnership is a common occurrence and includes promotions, new hires, resignations and retirements.

We are concerned the Bill as drafted would mean that, even with a one person change in a traditional partnership, a brand new authorisation for that business to operate would be required. This could be cumbersome, expensive, and leave clients of that business at risk of disruption.

Paul O'Kane's amendment 123 helpfully remedies this situation. It ensures an existing business authorisation can be transferred to the new entity. It offers a simpler, quicker solution to when a firm sees a change in the make-up of its partners and avoids the need for a wholly new authorisation to be issued just because of a routine operational change.

Where significant changes in ownership take place (such as a merger or acquisition), we have other regulatory powers to ensure proper oversight and authorisation.

We therefore SUPPORT amendment 123 in the name of Paul O'Kane.

Rules on handling complaints (amendments 124 and 125 to Section 44)

The process by which complaints against solicitors are handled is set out in primary legislation, such as the Legal Profession and Legal Aid (Scotland) Act 2007.

We have previously highlighted that this new Bill, the 1980 Act and the 2007 Act between them already set out how complaints are to be handled.

However, Section 44 of the Bill currently requires the regulator to also set out rules for the making and handling of any complaint about an authorised legal business. We do not believe it is appropriate (or legally competent) to set out, in rules, what is already set out and required by primary legislation.

Paul O'Kane's amendment 124 and 125 removes this requirement for additional and unnecessary rules. It ensures that regulators simply comply with the requirements that the parliament itself has set out for the handling of complaints.

We therefore SUPPORT amendments 124 and 125 in the name of Paul O'Kane.

Firms adhering to professional principles (amendment 126 to Section 44)

The Bill originally included what we considered an incorrect reference to legal businesses having regard to the regulatory objectives.

The overarching regulatory objectives are applicable to regulators such as the Law Society. It is the regulator which is to have regard to the regulatory objectives.

Those who are being regulated should adhere to the professional principles as clearly set out in the Bill.

The Scottish Government corrected this with respect to licensed legal service providers owned by solicitors and non-solicitors. However, a similar correction for solicitor owned legal businesses was not made.

Paul O'Kane's amendment 126 addresses this and ensures there is a consistent obligation across all types of legal services business, all of whom would be required to adhere to strict professional principles.

We therefore SUPPORT amendments 126 in the name of Paul O'Kane.

Cost recovery for regulators (amendments 127 and 128 to Section 45)

The Bill provides welcome new powers that allow a regulator to impose a financial penalty on a business in certain circumstances. This penalty is payable to Scottish Ministers. However, unlike the provision in relation to individual solicitors, it is to be the regulator who collects the financial penalty on behalf of Scottish Ministers. The regulator will incur costs in meeting this requirement.

Paul O'Kane's amendment 127 ensures a regulator can retain sums from the penalty to cover its reasonable costs in recovering that penalty from a business. The remainder would then be handed to Scottish Ministers. This ensures the rest of the profession is not paying for the costs of recovering money from a business on which a penalty was made.

Amendment 127 is consequential to this and builds in important flexibility for the regulator to discontinue and resume collection of a penalty.

We therefore SUPPORT amendments 126 and 127 in the name of Paul O'Kane.

Powers to require information before a complaint is lodged (amendment 11 to Section 60)

At present, we can only require information from solicitors once a conduct complaint has been received. We are unable to require practitioners and authorised legal businesses to provide information to us in circumstances where we may wish to consider initiating our own complaint.

We have engaged the Scottish Government on this previously and sought new powers to proactively compel solicitors and firms to provide us with information to determine if further regulatory action is necessary.

Over the last two years, some specific events in the profession have led MSPs to understandably call on the Law Society to be more proactive in its approach and, wherever possible, prevent problems from arising. A good example has been the circumstances surrounding the collapse of McClures.

Paul O'Kane's amendment 11 inserts a new Section 48A into the Bill. This would provide the Law Society with a range of important new powers to obtain information from solicitors and their businesses and help us be more proactive as a regulator.

We therefore SUPPORT amendment 11 in the name of Paul O'Kane.

Register of unregulated legal service providers (amendments 130-134 to Section 65)

We have long raised concerns over the exposure of clients who use unregulated providers of legal services. When issues arise, these clients have no recourse to raise complaints with the SLCC.

The Bill as drafted requires the Commission to introduce a register for unregulated providers. However, the register itself would remain voluntary for unregulated businesses with no obligation to sign up. It remains unclear to us as to why an

unregulated provider, which has chosen to operate outside of regulated structures, would choose to join the register.

Amendments 130-134 from Tess White MSP significantly toughen up the provisions in the Bill and create an opportunity to make the proposed register much more effective. It allows the Scottish Government to lay regulations which would allow certain organisations to request that an unregulated provider or a type of unregulated provider (for example those giving employment law advice) to be required to be registered.

This amendment provides the mechanism to begin to address the issues we see in the unregulated sector.

We therefore SUPPORT amendments 130-134 in the name of Tess White.

Removing complaints unworthy of investigation (amendment 14 to Section 66)

The current Bill removes the existing eligibility test for complaints of "frivolous, vexatious and totally without merit" from the legislation. This has been an important test which has helped weed out unmeritorious complaints at an early stage. It has been used extensively by the Scottish Legal Complaints Commission since it was created in 2007 with almost 100 complaints rejected in 2023/24 alone.

We believed the removal of this early test went against the objective of making the system simpler and ensuring genuine complaints are dealt with more quickly.

The Minister's amendment 14 helpfully introduces a requirement on the SLCC to include in its rules provision for determining a complaint as frivolous, vexatious and totally without merit. This addresses the concern we expressed previously.

We therefore SUPPORT amendment 14 in the name of the Minister.

SLCC direction on minimum standards (amendment 135 to Section 69)

Under the Bill, the Scottish Legal Complaints Commission will get a new power to direct the Law Society to introduce a minimum standard on the profession. This would be delivered by way of changes to solicitor practice rules.

During discussions with Scottish Government, we accepted this provision but explained why we needed some mechanism for when the SLCC made a direction that the Society believed was clearly not appropriate.

As things stand in the Bill, there is no route or process for the Society to challenge or appeal the requirement to bring in minimum standards before the process for implementing that minimum standard.

This is not a theoretical problem. The SLCC has at times in the past issued reports and recommendations to the Law Society which would have had serious and negative consequences for consumers.

We believe an early mechanism is needed for those occasions when we, for good reason, do not agree with the proposed minimum standard. The only option under the Bill currently would be to raise a Judicial Review action. This would be disproportionate, costly and time consuming for all parties, and would not reflect well on the reputation of the legal profession and regulatory stakeholders.

Paul O'Kane's amendment 135 would provide a power to challenge an SLCC minimum standard through an independent process via the Lord President's Office. We believe this would provide a more reasonable, less confrontational process than a Judicial Review challenge.

We therefore SUPPORT amendment 135 in the name of Paul O'Kane.

Transparency in complaints handling (amendment 22 to Section 71C and amendment 23 to Section 71E)

Before the Bill was lodged, we had highlighted the longstanding issues we face with the 2007 Act which places severe restrictions on our ability to publicly disclose information relating to conduct complaints cases. Some recent high-profile cases have seen us prevented, by law, from being as open and transparent as we would have wished.

The Scottish Government sought to solve the issue at Stage 2 by creating a new Section 51A in the 2007 Act, providing a broad enabling power to release information about complaints. However, only limited changes were made to Section 52 itself, by saying we could release information "for the purpose of enabling or assisting a regulatory body to exercise any of the body's functions." We do not think this is sufficient legal cover.

Releasing information about a complaint would not be necessary for us to adequately deal with that complaint. So it would, in our view, be difficult for us to argue that we were releasing information "to enable or assist us in exercising our functions", which is the key test under the new provision in the Bill.

We remain concerned that the use of this new power without further clarification could be open to significant legal challenge.

Paul O'Kane's amendments 22 and 23 provide these remaining adjustments to the Bill. Accordingly, we SUPPORT amendments 22 and 23 in the name of Paul O'Kane.

Licensing fees for licensed legal service providers (amendment 28 to before Section 78)

This government amendment provides more flexibility in relation to the licensing fees that may be charged by an approved regulator for licensing a licensed legal services provider under the Legal Services (Scotland) Act 2010.

This creates a fairer licensing system for relevant legal entities based on the type of work to be provided by the entity.

We therefore SUPPORT amendment 28 in the name of the Minister.

Fitness of owners of licensed legal service providers (amendment 30 to after Section 80)

The 2010 Act requires that an approved regulator must satisfy itself as to the fitness of every non-solicitor investor to hold an interest in a licensed provider of legal services. This is subject to an ability to exempt investors holding less than a 10% stake in the total ownership and control of the licensed provider.

However, section 64(4) of the 2010 Act requires that the fitness tests must be applied to any owner of another corporate body which holds an ownership stake greater than 10% in the licensed provider, regardless of the size of the investment in that corporate body. This creates a challenge as a corporate body owning more than a 10% holding in a licensed provider may itself be owned by hundreds of owners who have very small ownership stakes in that corporate body.

This amendment would address the issue by providing that fitness testing is only required for those who have significant ownership of a corporate body which is a non-solicitor investor in a licensed provider.

We therefore SUPPORT amendment 30 in the name of the Minister.

Safeguarding the interest of clients (amendment 34 to Section 86B)

When an authorised legal business fails for any reason, the Society has powers to intervene in the firm to safeguard the interests of clients. One of the key elements is that we can direct the firm to take any action required to safeguard the interests of the clients of the failed firm. This direction power could, for example, be used to require a failed firm to provide client documents to the Society, another solicitor or the client so the client's legal business may be progressed.

If the failed firm does not comply with such a direction, we may apply to the Court to order the failed firm to comply. In such a Court action, the failed firm would have the ability to argue against the Society's direction. Such a court action would be a relatively quick process.

Scottish Government amendment 34 creates a new right of appeal for anyone so directed by the Society.

This right of appeal is unnecessary given the other court action options. It also weakens public protections by delaying our ability to take necessary action to safeguard client assets.

For example, if a direction to provide client files required to complete an urgent conveyancing transaction were appealed, then it may be impossible to complete that conveyancing transaction on time and lead to detrimental consequences for the client and others in the sale and purchase chain.

Therefore amendment 34 is unnecessary and contrary to the interest of consumers. We therefore DO NOT SUPPORT amendment 34 in the name of the Minister.

Safeguarding the interest of clients (amendment 38 to Section 86B)

When a sole practitioner dies, is incapacitated or has their practising certificate suspended or withdrawn, the Society has powers designed to safeguard the interests of clients. These important powers are set out in section 46A of the 1980 Act.

If a sole practitioner encounters serious financial difficulty, there are other statutory provisions elsewhere in the legislation which would result in the automatic suspension of the solicitor thus triggering the safeguarding mechanisms in the 1980 Act.

Scottish Government amendment 38 extends the events which trigger the safeguarding mechanism by adding a new catch all category of ceasing to practise for any reason. A solicitor may cease to practise for any number of reasons which would not necessitate the application of the safeguarding mechanisms or in which the application of these mechanisms would be inappropriate. For example, if a solicitor ceases to practise due to retirement and there is an orderly wind-up of the practice, it is neither appropriate nor necessary for section 46A to apply.

The proposed amendment also creates considerable uncertainty as it may not be clear if or when a solicitor has "ceased to practise for any other reason". Given that certain obligations, powers and responsibilities for the practitioner and the

regulator are intended to commence on cessation, this amendment makes the provisions of section 46A potentially unworkable.

Therefore we DO NOT SUPPORT amendment 38 in the name of the Minister.

Safeguarding the interest of clients (amendment 42 to Section 86B)

Scottish Government amendment 42 adds a new obligation stating that a sole practitioner who has ceased to practise for any reason other than death, incapacity or disqualification must, within 21 days of the cessation of practice, prepare and submit interim accounts to the Society and notify all clients that the solicitor has ceased to practise.

It is highly unlikely that a solicitor who has ceased to practise will be able to comply with these obligations, and certainly not within 21 days of cessation, particularly if the date of cessation is uncertain and only determined after the event.

In circumstances where a solicitor ceases to practise in a situation which requires direct intervention by the Society (in order to protect the interests of consumers), then we will exercise intervention powers which already exist without amendment 42. Where the Society has exercised such powers, the client accounts and documents (including files and servers) will vest in the Society meaning that the solicitor will, in fact, be unable to comply with the duty to prepare interim accounts or contact clients because they will no longer have access to the data required to prepare the accounts.

In addition, the Society will use other powers to notify clients so that new solicitors can be instructed timeously, to protect clients' interests.

Amendment 42 also adds a right of appeal by the sole solicitor to the Court in respect of directions given by the Society. These appeal rights are contrary to the interests of clients and consumers and unnecessary for the same reasons as explained in relation to amendment 34.

Amendment 42 is also difficult to apply where the circumstances which have led to the application of section 46A relate to the death or incapacity of the sole practitioner.

Therefore, we DO NOT SUPPORT amendment 42 in the name of the Minister.

Statutory Review of the Act (amendment 137 to after Section 87)

During Stage 3, Tess White MSP suggested a post-legislative review of the effectiveness of the Bill/Act. We believe this was an important and positive suggestion and fully support it.

Amendment 137 tabled by Tess White for Stage 3 creates the statutory basis for the review. This would be required to commence not later than 10 years after the commencement of Parts 1-4 of the Bill.

We believe this is a sensible approach as it will ensure the key reforms around a) the creation of new categories of regulator, b) the brand new system of business level 'entity' regulation, and c) the important changes to the complaints system, all commence before the 10 year review period begins. It should ensure the review is a thorough one and based on real experience of the new system in operation.

We therefore SUPPORT amendment 137 in the name of Tess White.

Complaints in relation to the discharge of regulatory functions (amendments 129 to Section 57 and 141 to Schedule 3)

Solicitors involved in the delivery of effective regulation should clearly be able to perform their duties without fear of a conduct complaint for simply discharging their duties. This is similar to the long-standing legal position which means complaints cannot be raised against procurators fiscal and Crown Counsel in relation to the prosecution of crime or investigation of deaths.

The time spent dealing with complaints against solicitors who work in regulation can place a burden on the regulator. Such conduct complaints can also drive risk averse behaviours, to the detriment of the public interest. Equally, they can impact the regulator's ability to recruit and retain solicitor members of regulatory staff.

Paul O'Kane's amendments 129 and 141 place a new provision into the Bill to restrict conduct complaints being brought against individual solicitors in relation to them discharging regulatory functions on behalf of regulators. It does not restrict the ability to raise a conduct complaint about other matters which fall outside the discharge of regulatory functions in relation to legal services under the Bill. It also does not prevent raising a complaint against the regulator in relation to its handling of a complaint or appealing regulatory decisions made by a regulator.

We believe this is an important new provision and therefore SUPPORT amendment 129 and 141 in the name of Paul O'Kane.

Parliamentary consideration of the Bill – key timelines

- The Bill was introduced in the Scottish Parliament on 20 April 2023 by the Minister for Victims and Community Safety. The Bill itself followed the Scottish Government's earlier consultation '*legal services Regulation in Scotland'* in October 2021, to which we responded.[1]
- A 'call for views' was issued by the EHRCJ Committee on 31 May 2023, to which we submitted a written response.[2] Our Executive Director of Regulation (Rachel Wood) and the lay convener to our Regulatory Committee (David Gordon) appeared before the committee to provide evidence on the 21 November 2023.[3]
- The EHRCJ Committee published its Stage 1 report on 8 February 2024.[4]
- As some provisions of the introduced Bill conferred delegated powers to Scottish Ministers, the Bill was considered, in relation to those delegated powers, by the Delegated Powers and Law Reform Committee (DPLR Committee). Our Executive Director of Regulation (Rachel Wood) appeared before that committee on 24 October 2023.[5] The DPLR Committee reported on 23 November 2023.[6]
- The Bill passed Stage 1 on 22 February 2024. To assist MSPs in their consideration and debate on the Bill, we provided our Stage 1 Briefing Paper.[7]
- Following disposal of (650) amendments by the EHRCJ Committee on 21 and 28 January 2025, the Bill completed Stage 2.
- The DPLR Committee considered the Bill as amended at Stage2, in relation to those sections which conferred delegated powers to Scottish Ministers, on 18 March 2025.[8]
- The Bill will be before the Scottish Parliament for conclusion of Stage 3 on 20 May 2025.

[1] Law Society of Scotland – See: Consultation Response December 2021
[2] Law Society of Scotland - See: Call for Written Views Response July 2023
[3] Report Equality Human Rights and Civil Justice Committee – See: EHRCJ Committee report 24 October 2023
[4] Report Equality Human Rights and Civil Justice Committee - See: Stage 1 Report SP Paper 526
[5] Report Delegated Powers and Law Reform Committee – See: DPLR Committee report 24 October 2023
[6] Report Delegated Powers and Law Reform Committee – See - Stage 1 Report SP Paper 481 23 November 2023
[7] Law Society of Scotland – See: LSOS Stage 1 Briefing Paper 22 February 2024
[8] Report Delegated Powers and Law Reform Committee – See: DPLR Committee report SP Paper 766 15 April 2025

For further information, please contact:

Kevin Lang
Interim Chief Executive and Executive Director of External Relations
Law Society of Scotland
kevinlang@lawscot.org.uk