



Legal Profession and Legal Aid (Scotland) Act 2007

2007 asp 5

PART 1

THE SCOTTISH LEGAL COMPLAINTS COMMISSION

Conduct or services complaints against practitioners

5 Determining nature of complaint

- (1) Where the Commission proceeds to determine under section 2(4) whether a complaint is frivolous, vexatious or totally without merit and determines that it is none of these things, it must determine whether the complaint constitutes—
 - (a) a conduct complaint;
 - (b) a services complaint,including whether (and if so to what extent) the complaint constitutes separate complaints falling within more than one of these categories and if so which of the categories.
- (2) Where it appears to the Commission that the complaint may constitute both—
 - (a) a conduct complaint; and
 - (b) a separate services complaint,it must consult, co-operate and liaise with the relevant professional organisation and have regard to any views expressed by the organisation on the matter before making a determination under subsection (1) as respects the complaint.
- (3) A relevant professional organisation must co-operate and liaise with the Commission in relation to subsection (2).