

PARLIAMENTARY BUREAU

REFERRAL OF BILL AT STAGE 1 – REGULATION OF LEGAL SERVICES (SCOTLAND) BILL

1. The Regulation of Legal Services (Scotland) Bill was introduced in the Parliament on 20 April 2023 by the Cabinet Secretary for Justice and Home Affairs, Angela Constance MSP.
2. The Bill updates the regulation of legal services in Scotland and provides for a modernised regulatory framework, including; setting out what regulated legal services are to achieve and the standards those providing services should follow; creating two categories of regulators and the rules they should adhere to; setting out how an organisation can become a regulator; setting out the rules about how businesses that provide legal services should be regulated; complaints about legal services and how they should be dealt with.
3. The Bill appears to engage the remits of the Equalities, Human Rights and Civil Justice Committee and Criminal Justice Committee.
4. The remit of the Equalities, Human Rights and Civil Justice Committee includes consideration of matters relating to civil justice within the responsibility of the Cabinet Secretary for Justice and Veterans. The remit of the Criminal Justice Committee is to consider and report on matters relating to criminal justice falling within the responsibility of the Cabinet Secretary for Justice and Veterans.
5. The Cabinet Secretary for Justice and Home Affairs has responsibility for the justice system. The regulation of legal services forms part of the justice system (both the criminal and civil components). As such, it would appear that the remits of both committees are engaged.
6. It is understood that the Equalities, Human Rights and Civil Justice Committee has the primary interest in the Bill. It is further understood that the Criminal Justice Committee does not plan to scrutinise the Bill and is not seeking to be designated as secondary committee. Designation of one committee as lead committee does not preclude any other committee whose remit is engaged from considering the Bill if it wishes to do so.
7. The Bureau is invited to consider recommending to the Parliament by motion that it agrees, under Rule 9.6.1, to designate the Equalities, Human Rights and Civil Justice Committee as lead committee for consideration of Regulation of Legal Services (Scotland) Bill at Stage 1.

Parliamentary Business Team
April 2023