



2 February 2015

The Herald

Sir,

Removal of personal injury cases from the scope of legal aid would result in a funding gap which would deny access to justice for thousands of injured and vulnerable people.

While we understand the Law Society's desire to examine the efficiency of the current system, it is important to make clear that there is no evidence of a financial need to withdraw legal aid from personal injury cases. In the vast majority of cases where the pursuer initially needs to rely on the legal aid fund, the claims are well founded and successful. Costs are ultimately paid by the defender's insurer so there is no claim on the fund. These cases are excellent value for public money and it is highly doubtful that the removal of personal injury cases will lead to much by way of savings. It will, however, exclude many people with worthwhile cases from access to the courts.

The Association of Personal Injury Lawyers is committed to supporting improvements to the legal aid system but this is not the right approach. We have worked with the Scottish Legal Aid Board (SLAB) to make improvements to the scheme and we agree with SLAB that there is scope for simplification and reform but that this cannot be done in isolation.

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The civil justice system in Scotland is in the middle of fundamental reform and improvements to legal aid need to be tackled in the context of these changes. They certainly must not jeopardise access to justice for those who need it.

Ronnie Conway

Co-ordinator, Association of Personal Injury Lawyers