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Equalities, Human Rights and Civil Justice
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Scottish Parliament
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Dear Convener

**Scottish Government Clarification in relation to comments at the Equalities,
Human Rights and Civil Justice Committee**

We are aware of the letter of 6 March 2026 (updated on 12 March 2026) from the Minister for Victims and Community Safety which was sent to the Committee as a follow up to her comments during the committee evidence session on 24 February 2026 in relation to legal aid.

During the session, the Minister said,

“Through some of the reform that we have been doing in secondary legislation, uplifts will be coming in on 1 April, 1 June and 14 December. The 1 September date for the introduction of the 13 per cent uplift has been negotiated with the profession. SLAB and the profession will have operational aspects to put in place, so it is not something that can be done overnight. We have had discussions with the profession and it is happy for the uplift to be introduced on 1 September.”

We had a number of concerns about this statement and wrote to the Scottish Government on 2 March. We explained that we were not aware the September implementation date was ever open to negotiation. We were informed about this date, first in a meeting with officials and then in the Minister’s letter of 23 January. We were told the uplift could not be brought in earlier for practical and operational reasons.

We are grateful to the Minister for clarifying this in her letter of 6 March.



However, we note that the statement that the profession “is happy for the uplift to be introduced on 1 September” has not been addressed.

We were first informed of both the likely scale of the uplift and the September implementation date at an online meeting with Scottish Government officials on 20 January. In that meeting, we did express our concern that, having fought for two years to secure a proper increase in legal aid fees, the proposed rise would not come into effect for another eight months. We asked what consideration could be given to earlier implementation but were told this would not be possible.

In our written response to the Minister of 26 January, we specifically expressed our disappointment that the fee increase would not come in until September.

To that end, we are anxious that the impression was given to the Committee, both in the evidence session of 24 February and in the Minister’s letter of 6 March, that we were supportive of the September implementation date. We do not feel this represents a fair or accurate description of the position taken.

Yours sincerely

Patricia Thom
President