

44th European Conference of Presidents of Bar Associations and Law Societies

Vienna, 4 – 6 February 2016

Leading Legal Excellence

In August 2015, we published an ambitious new strategy, which will see us change our traditional approach and pick up our pace of modernisation.

Our **purpose** is to lead legal excellence – this reflects our leadership role and our pursuit of excellence, taking us beyond simply being successful and respected and recognising that our members operate in and outside of Scotland.

Our **mission** is to be a world-class professional body – if we are to lead legal excellence then we need to benchmark ourselves in international terms.

Our five strategic goals

We have five strategic goals that if delivered will allow us to meet our purpose and mission.

1. We will **ASSURE** our members' clients and employers by setting and upholding standards that ensure excellent legal and customer service
2. We will **SERVE** our members through a detailed understanding of their needs, providing tools and services which they can use every day
3. We will **EXCEL** by operating as a world-class organisation
4. We will **INFLUENCE** the creation of a fairer and more just society by being an international centre in law and justice thought leadership
5. We will **GROW** our membership and income by being a vibrant, influential and inclusive organisation

The strategy runs from 1 November 2015 – 31 October 2020. In order to be open and transparent with our members and stakeholders, we will publish an annual operating plan for each of the next five years. This will detail the activity we believe is necessary to meet the aims and objectives set out within this strategy.

For further information visit www.lawscot.org.uk/about-us/our-strategy

Office move

In December 2015, the Law Society of Scotland moved from the adjoining Edinburgh townhouses that we had occupied since 1968. Our new offices are still in the city centre but they offer significantly improved facilities for all our staff and the hundreds of people who volunteer their time on committees and in other ways to help deliver our regulatory and representative work.

For more information and details of how to find us, visit www.lawscot.org.uk/about-us/contact-us/how-to-find-us/

Scotland's Constitutional Future

Following the 2014 referendum on Scottish independence, legislation to implement many of the issues highlighted by the referendum is currently being considered by the UK parliament.

The Scotland Bill, which delivers new powers from Westminster to the Scottish Parliament, has now passed through the House of Commons following a number of changes by the UK Government.

We are pleased the UK Government changed the bill to include an explicit declaration of the UK Government's and the UK Parliament's intention to recognise the Scottish Government and the Scottish Parliament as permanent parts of the constitution. We are also pleased to see that the bill has been changed to include a requirement for a referendum in Scotland should a future UK Government wish to abolish the Scottish Parliament and the Scottish Government. These were issues that we highlighted in our evidence to the government.

We are currently monitoring the further progress of the Bill in the House of Lords.

Scottish Parliament elections

The next Scottish Parliament elections take place on 5 May. As in previous years, we are publishing a paper which sets out some of our priorities for this election and the next term of parliament.

This year's election follows the referendum on independence, which attracted record levels of political engagement and turnout at the polls, and last year's UK general election, which significantly altered the political landscape. It's vital that the political parties continue to engage the electorate and harness the ongoing interest and enthusiasm there is in how Scotland is governed.

We hope our priorities paper will contribute to the debate on what is important to people living and working in Scotland.

The five priorities set out by the Law Society are:

- Access to Justice
- Modern legislation for a modern profession
- The legal profession at the heart of a thriving economy
- Access to education
- Law reform and quality of legislation

We published our priorities document on 25 January and will be engaging across the political parties as we move closer to election day. We will also be asking the many

thousands of our members to engage with the candidates in their own area so we can raise justice issues up the political agenda.

For more information visit <http://www.lawscot.org.uk/for-the-public/our-priorities-for-the-scottish-parliament-election-2016/>

European Union Referendum

The Bill to allow for a referendum on whether the United Kingdom should remain a member of the European Union received Royal Assent in December. The vote must take place by the end of 2017 although there is much speculation over the referendum happening as early as this summer.

There are clearly strong and differing views about whether the UK should be a member of the European Union: differences which exist within the legal profession as well as the public as a whole. That is why we will not take a position, either in favour or against EU membership.

It is essential that the full economic, constitutional and legal aspects of EU membership are considered. In particular, it is important that the parties consider the impact of any further decentralisation across the UK and whether any exit from the EU would create constitutional problems within the devolution settlement itself.

We carried out a full survey of our members' views on the question of the EU and the results were published in the January edition of **the Journal of the Law Society of Scotland**, in an article titled "Aye to Brussels". We also gave evidence to the EU and External Relations Committee of the Scottish Parliament on the issue in December 2015.

For further information visit: www.journalonline.co.uk

Majority female profession

In December, we announced there are now more female solicitors than male. For the first time, 51% of Scotland's 11,000 practising solicitors are female following an influx of women entering the profession in recent years.

Although women outnumber men as newly admitted solicitors each year, they continue to be relatively under-represented in senior positions, for example as partners in private practice. What is clear is that employers have to take notice of the increasing numbers of young, ambitious women choosing to enter the legal profession and plan accordingly to avoid losing talented individuals from their business.

The lack of women in senior positions across the legal profession and other sectors, is an issue of continuing debate but there are many and complex reasons behind this, including availability of flexible working options, particularly in the professions which can be very demanding on people's time and energy, and personal choices made in balancing work and family life.

As part of our work on equality and diversity within the legal profession the Law Society, we launched equality standards in February 2015.

For more information on our equality and diversity research findings, visit www.lawscot.org.uk/about-us/equality-and-diversity

Our Digital Agenda

SmartCards

We have now issued over 7,100 smartcards to our members, representing around 63% of the profession. The introduction of smartcard technology will bring significant benefits to our members, our stakeholders and the public, including:

- A single form of physical photo and digital ID for practising solicitors – from access to courts, prisons and police stations to using enabled services.
- A qualified secure digital signature for online services that would provide the same authority as a witnessed signature for any contractual matter.
- Real-time checking to ensure solicitors are enabled to offer/ deliver services bringing security and clarity to both the profession and the public

Future enhancements would also allow for secure document exchange between members for the transfer of documents and access to web-enabled services like ARTL.

We are also looking to develop new services for the Smartcard which will help our members in their day-to-day work.

Online PC renewal

In 2015, we made the move to a mandatory online renewal process for all solicitors after a three-year period during which solicitors had the option of renewing their Practising Certificates online.

Law firms as well as organisations employing in-house solicitors have all benefited from the move away from the time-consuming paper renewal process.

As well as saving solicitors time, it's also estimated that the move to online renewal will save over 60,000 sheets of paper each year – the equivalent of 10 trees.

Legal Aid

Last December, it was announced that the Scottish Government's 2016-17 budget allocation for the legal aid fund has been set at £126.1 million, the lowest it has been for well over a decade. This is a reduction from the 2015-16 budget of over 7% (from £136.1 million).

Legal aid delivers a vital service up and down the country to people with legal issues and it can deliver life changing assistance to people in need. It is designed to help individuals

on low and modest incomes gain access to legal advice, assistance and representation. We also know that investment in legal aid makes good economic sense – spending on legal aid and ensuring people have access to quality advice at an early stage can and does save money in other areas of government expenditure.

The Government has already made significant savings over the years and achieves very good value for money in terms of our legal aid system. It has made savings, both in real terms and in cash terms. Further reductions are likely to be damaging to those who need legal help.

We have been invited to discussions with the Scottish Government and we intend to argue strongly in favour of investment in legal aid. We will also use our legal aid policy paper which we published last year and which sets out a range of constructive suggestions to make the legal aid system simpler and more efficient.

For more information visit <http://www.lawscot.org.uk/members/legal-aid-and-access-to-justice/>