



Duncan Murray

The President's Report

In reading this report, I hope you will agree with me that this has been a successful year for the Society. Progress has been made on a number of fronts; education and training; legal aid; the future of the profession and complaint handling. I am confident that the Society will build on these developments, fulfilling its obligations to the profession and to the public. As our world changes, the demands on lawyers and the Society are increasing. I am delighted to give a positive report of a job well done this year.

Consumer Complaints

The opportunity for Council to delegate powers to committees of the Society has allowed us to achieve one of this year's key objectives of completing 90% of complaints within nine months. Complaints handling is now a major Society activity and costs the profession £1.4 million per annum. Regrettable as it may be, it is perhaps the most visible external activity undertaken by the Society in an increasingly consumer-focused world. Delegated powers allowing Client Relations Committees to decide service complaints and the Professional Conduct Committee to decide misconduct cases as well as a 50% increase in lay involvement in decision-making have worked well. Modernisation of complaint handling remains a priority. There is undoubtedly more scope for firms to resolve client dissatisfaction earlier and I hope the new Client Relations Partner Regulations will encourage best practice in complaint handling.

Public Life

The Society gives evidence very frequently to the Scottish Parliament to promote workable, relevant law-making in Scotland. The extraordinary contribution by the Law Reform Department and the many members of the profession who contribute in their areas of specialisation to make practical, apolitical comments on new legislation provides a valuable resource for businesses and public organisations and benefits the lives of people in Scotland.

MNPs

The Society continues to develop its positive relationship with the Scottish Executive. The regulations allowing Multi-National Partnerships is an excellent example of this and demonstrates devolution working in practice. After final approval of these rules and agreement on regulatory arrangements with the Law Society of England and Wales, MNPs will be able to commence. I am confident that these arrangements will enhance the opportunities for Scottish firms in England and Wales.

Regulation

My period as President has been dominated by the review by Sir David Clementi into the Regulation of Legal Services in England and Wales. The next focus is the Scottish Executive's consultation following on the Justice 1 Committee Report of 2002 on the Regulation of the Legal

Profession in Scotland. This has direct relevance for Scotland and will, I hope, see the conclusion of debate and implementation of an improved regulatory regime.

Education and Training

Even Sir David Clementi recognises that the profession is best placed to regulate requirements for entry into the profession. Demand to study law seems to grow apace. Our aim is for a meritocracy where the best students wish to enter the legal profession and are properly trained to provide a high standard of service. The Society is developing a strategy, after consultation, which will ensure that this aim can be met.

Legal Aid

It is encouraging to be able to report on the increases which have finally been made to the levels of legal aid fees. That these increases have been too long in coming goes without saying. Nonetheless, they are a step in the right direction and I am hopeful that progress will be seen in the near future in civil advice and assistance reform. Modelling is underway to develop a new scheme of legal aid remuneration in line with the Bonomy reforms. This progress is indicative of productive working arrangements through the Tripartite Consultative Group between the Scottish Legal Aid Board, the Society and the Scottish Executive. This group is cooperating effectively to secure representation for those in need of publicly funded legal advice.

Professional Practice

The membership clearly recognise that one of the real benefits delivered by the Society is the guidance given by the Professional Practice team. I am delighted to take this opportunity to praise them for the invaluable support they provide to the profession and congratulate them for a job well done.

The Society's success depends on its Council members, its Executive and its Committee members. I should like to record my immense thanks to all of those individuals, both solicitors and increasingly non-solicitors who work so hard for the Society. I would encourage anyone who is interested in the future of the profession to become involved with the Society. The profession can take pride in the immense contribution which solicitors, both in private practice and in-house, make to business, public life and the people of Scotland.

Duncan Murray
The President