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DATE:
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Dear Mr. Deuchars

Your letter of 20 March 2005 has been passed to me for consideration.

I have now had an opportunity to consider your letter and the supporting questionnaire results.

We are obviously disappointed at the suggestion from your survey that 44% of those asked felt that the legal advice given was not correct/good. I do however think that the statistics need considerably more analysis and given that half of all applicants felt they had experienced injustice from the Courts a further quarter of all applicants had a Court Order granted against them for no real reason and nearly two thirds of all applicants felt that the Court system was too slow, it does not seem at all surprising that a significant proportion of the respondents did not feel that their legal advice was good.

I would put it to you that it is not so much the advice that is not good but the outcome. Essentially this is because in law grandparents do have fairly limited legal rights. It seems likely that applicants looking for legal advice will naturally be disappointed to discover just how limited those legal rights are and may naturally tend to classify that advice as not "good".

Given the tens of thousands of family law matters that are handled by the solicitor profession each year, two complaints whilst disappointing does seem in context not particularly surprising. Family law is both a complex and an emotive issue as you are well aware and forms a significant part of solicitors work in Scotland.

You may know that the Law Society of Scotland already has in place compulsory professional development requirements for all its members and it has also developed a specialisation where the Society accredits specialists in family law whose expertise and experience are significantly greater than other solicitors. The Society also accredits specialists in family law mediation which is a developing method of dispute resolution.

