

Criminal Justice Committee

Pre-budget scrutiny 2025-26

Written submission by the Faculty of Advocates, October 2024

Thank you for your invitation to the Faculty of Advocates to provide views to inform the Pre-Budget Scrutiny of the Scottish Government's Budget Plans for 2025-26. Faculty does not typically comment on policy issues and so would not therefore suggest what budgetary choices should be made. We note, however, that the specific focus of the Committee is on 'the current and future financial challenges for organisations working or interested in the criminal justice sector'.

In that regard, we would draw your attention to the words of the Dean of Faculty in his address at the Opening of the Legal Year on 23 September. Focusing on the difficulties facing criminal defence solicitors, the Dean referred to the disparity in salary between those joining that branch of the profession compared to private practice or the prosecution system. He highlighted the recent finding that only 8% of criminal defence solicitors are under 30 years of age, whereas 46% are over 50.

Recognising that the public purse is stretched in all directions, we observe that it is nevertheless necessary that the justice system, including the part of the legal profession engaged in criminal defence work, receives proper funding to ensure its effective operation and thus secure the rule of law.