



# Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021

2021 asp 15

## PART 5

### OTHER SUPPORT FOR SURVIVORS OF ABUSE

#### *Payment of fees for legal work*

#### **96 Restriction on additional legal fees**

- (1) This section applies where a solicitor receives a payment under section 92 or 93 in respect of the legal work reasonably undertaken—
  - (a) in making an application for a redress payment on behalf of a person, or
  - (b) in connection with a proposed application by a person who sought legal advice on the person's eligibility to apply for a redress payment, but did not subsequently apply.
- (2) Other than a payment made under or by virtue of this Act, the solicitor may not accept any payment (directly or indirectly) in respect of the legal work undertaken in making the application for a redress payment or, as the case may be, in connection with the proposed application for one.
- (3) But subsection (2) does not prevent payment being accepted for any legal work undertaken in connection with advice and assistance on whether to pursue litigation as an alternative to making an application for a redress payment to the extent that such advice and assistance goes beyond that which is necessary or appropriate as part of the legal work undertaken in making an application or, as the case may be, in connection with a proposed application.