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ADVICE NOTES

We have been in discussion with the Scottish Legal Aid Board about civil legal aid for **welfare guardianship applications.**

In particular, we consider that the adult must have a right to legal representation in order to challenge any deprivation of liberty. We have heard of a case where this was refused.

The rules are different, but we have agreed with the legal aid board that, in principle, the adult should have a similar access to legal representation as a patient for whom there is a CTO application under the 2003 Act.

We wish to hear of any case where anyone is denied free legal aid to be represented at a hearing to determine a welfare guardianship application.





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