

## 4. Children's legal assistance

### Appendix notes

1. Figures for grants and refusals do not necessarily equal numbers received, since decisions on applications received towards the end of one year may not be reached until the following year.
2. Unless otherwise stated, the figures for accounts paid include VAT and were prepared on a cash basis.
3. Outlays include all non-fee payments to solicitors and advocates - for example the cost of expert witnesses.

### 4.1 Intimations of children's advice and assistance

Subject matter	2023-2024	2022-2023
Children's Hearings (Scotland) Act 2011	2,434	2,535
Transfer of agency	2	4
Witness citation	0	1
Contempt of court	3	1
<b>Total</b>	<b>2,439</b>	<b>2,541</b>

### 4.2 Intimations of children's ABWOR

Subject matter	2023-2024	2022-2023
Second working day hearing	170	191
Child assessment order application	2	0
Child protection order application	72	66
Section 48 - sheriff court (CPO)	11	24
Section 69(3) custody hearing	1	2
Secure accommodation hearing	114	139
Unspecified hearings	3,483	3,708
<b>Total</b>	<b>3,853</b>	<b>4,130</b>

### 4.3 Children's legal aid applications under the Children's Hearings (Scotland) Act 2011

Subject matter	Child	Relevant person / deemed relevant person	Non deemed relevant person	S126 Individual	2023-2024	2022-2023
Application to the sheriff to extend/vary/further extend/vary an interim CSO	0	14	0	0	14	16
Application for a finding/review of finding as to statement of grounds	146	1,152	0	0	1,298	1,250
Appeal decision of children's hearing	20	304	7	0	331	397
Application to the sheriff by local authority for review	0	0	0	0	0	0
Application for variation/recall/termination of child protection order	0	5	0	0	5	3
<b>Total</b>	<b>166</b>	<b>1,475</b>	<b>7</b>	<b>0</b>	<b>1,648</b>	<b>1,666</b>

## 4.4 Children's legal aid grants under the Children's Hearings (Scotland) Act 2011

Subject matter	Child	Relevant person / deemed relevant person	Non deemed relevant person	S126 Individual	2023-2024	2022-2023
Application to the sheriff to extend/vary/further extend/vary an interim CSO	0	7	0	0	7	5
Application for a finding/review of finding as to statement of grounds	143	1,021	0	0	1164	1,109
Appeal decision of children's hearing	19	270	2	0	291	361
Application to the sheriff by local authority for review	0	0	0	0	0	0
Application for variation/recall/termination of child protection order	0	4	0	0	4	1
Automatic legal aid - children's hearings	97	0	0	0	97	92
Automatic legal aid - Sheriff court	1	0	0	0	1	0
<b>Total</b>	<b>260</b>	<b>1,302</b>	<b>2</b>	<b>0</b>	<b>1,564</b>	<b>1,568</b>

## 4.5 Applications for prior approval in children's legal aid cases

Type	2023-2024			2022-2023		
	Received	Granted	Refused	Received	Granted	Refused
Expert witness	170	149	16	101	91	8
Unusual expenditure	33	23	10	102	79	24
Counsel	170	87	81	274	195	74
<b>Total applications for sanctions</b>	<b>373</b>	<b>259</b>	<b>107</b>	<b>477</b>	<b>365</b>	<b>106</b>

## Notes

1. Includes applications for sanction in automatic legal aid cases.

## 4.6 Applications to SLAB in respect of appeals to the Court of Session and Sheriff Appeal Court

Court	2023-2024			2022-2023		
	Received	Granted	Refused	Received	Granted	Refused
Sheriff Appeal Court	8	4	5	13	7	1
Court of Session	0	0	0	3	1	0
<b>Total applications to SLAB in respect of appeals</b>	<b>8</b>	<b>4</b>	<b>5</b>	<b>16</b>	<b>8</b>	<b>1</b>

## Notes

1. Applications granted include part-grants.

## 4.7 Applications for sanctions for appeals in children's legal aid cases

Type	2023-2024			2022-2023		
	Received	Granted	Refused	Received	Granted	Refused
Expert witness	0	0	0	0	0	0
Unusual expenditure	0	0	0	0	0	0
Counsel	5	4	1	7	5	2
<b>Total applications for sanctions for appeals</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>7</b>	<b>5</b>	<b>2</b>

## 4.8 Grants under regulation 18 of the Children's Legal Assistance (Scotland) Regulations 2013 (matters of special urgency)

	Received	Granted	Part-granted
<b>Total 2023-2024</b>	<b>565</b>	<b>409</b>	<b>11</b>
Total 2022-2023	581	398	10

## 4.9 Accounts paid and average case costs - children's advice and assistance and ABWOR

Subject matter	Number of cases	Solicitor £000	Solicitor outlays £000	Counsel outlays £000	Total outlays £000	Total paid 2023-2024 £000	Total paid 2022-2023 £000	Average case cost 2023-2024 £	Average case cost 2022-2023 £
<b>Children's advice and assistance</b>									
Children's Hearings (Scotland) Act 2011	1,055	110	7	5	12	123	129	116	110
Contempt of court	0	0	0	0	0	0	0	-	-
Transfer of agency	2	0	0	0	0	0	0	139	124
Witness citation	0	0	0	0	0	0	0	-	-
Total children's advice and assistance	1,057	111	7	5	12	123	130	116	110
<b>Children's ABWOR</b>									
Children's Hearings (Scotland) Act 2011	4,152	2,362	88	9	97	2,460	2,271	592	536
Total children's ABWOR	4,152	2,362	88	9	97	2,460	2,271	592	536
<b>Total children's advice and assistance and ABWOR 2023-2024</b>	<b>5,209</b>	<b>2,473</b>	<b>95</b>	<b>15</b>	<b>109</b>	<b>2,583</b>	-	<b>496</b>	-
Total children's advice and assistance and ABWOR 2022-2023	5,422	2,303	86	12	98	-	2,401	-	443

## Notes

1. In this table, payments to advocates and solicitor advocates are included under counsel outlays, as regulation 17(1) of the Advice and Assistance (Scotland) Regulations 1996 only provides for payments of fees and outlays to the solicitor.

## 4.10 Analysis of accounts paid and average case costs - children's legal aid

Subject matter	Number of cases	Solicitor £000	Advocate £000	Solicitor advocate £000	Total outlays £000	Total paid 2023-2024 £000	Total paid 2022-2023 £000	Average case cost 2023-2024 £	Average case cost 2022-2023 £
Appeal decision of children's hearing	265	141	32	0	5	179	163	674	516
Appeal to Sheriff Appeal Court or Court of Session	7	7	8	0	0	15	33	2157	2,560
Application for a finding/review of finding as to statement of grounds	1,050	1,778	367	0	251	2,396	2,274	2282	2,254
Application for variation/recall/termination of child protection order	4	3	0	0	0	4	3	891	606
Application to the sheriff by local authority for review	0	0	0	0	0	0	0	-	-
Application to the sheriff for a child protection order	0	0	0	0	0	0	0	-	-
Application to the sheriff to extend/vary/further extend/vary an interim CSO	9	6	0	0	0	7	5	727	729
Automatic legal aid - children's hearings	80	57	0	0	3	60	50	754	593
Automatic legal aid - Sheriff court	0	0	0	0	0	0	0	-	-
<b>Total 2023-2024</b>	<b>1,415</b>	<b>1,994</b>	<b>407</b>	<b>0</b>	<b>260</b>	<b>2,661</b>	-	<b>1,880</b>	-
Total 2022-2023	1,434	1,764	607	0	157	-	2,529	-	1,763