

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. Prior approvals were previously called sanctions.

4.1 Intimations of children's advice and assistance

Subject matter	2024-2025	2023-2024
Children's Hearings (Scotland) Act 2011	2,462	2,434
Transfer of agency	1	2
Witness citation	0	0
Contempt of court	0	3
Total	2,463	2,439

4.2 Intimations of children's ABWOR

Subject matter	2024-2025	2023-2024
Second working day hearing	197	170
Child assessment order application	0	2
Child protection order application	76	72
Section 48 - sheriff court (CPO)	10	11
Section 69(3) custody hearing	0	1
Secure accommodation hearing	116	114
Unspecified hearings	3,447	3,483
Total	3,846	3,853

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

Subject matter	Relevant person / deemed relevant person				S126 Individual	2024-2025	2023-2024
	Child	deemed relevant person	Non deemed relevant person				
Application to the sheriff to extend/vary/further extend/vary an interim CSO	0	19	0	0	0	19	14
Application for a finding/review of finding as to statement of grounds	154	1,150	0	0	0	1304	1,298
Appeal decision of children's hearing	27	277	4	0	0	308	331
Application to the sheriff by local authority for review	0	3	0	0	0	3	0
Application for variation/recall/termination of child protection order	0	4	0	0	0	4	5
Total	181	1,453	4	0	0	1,638	1,648

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	2024-2025	2023-2024
Application to the sheriff to extend/vary/further extend/vary an interim CSO	0	9	0	0	9	7
Application for a finding/review of finding as to statement of grounds	147	1,054	0	0	1201	1,164
Appeal decision of children's hearing	25	248	4	0	277	291
Application to the sheriff by local authority for review	0	1	0	0	1	0
Application for variation/recall/termination of child protection order	0	2	0	0	2	4
Automatic legal aid - children's hearings	120	0	0	0	120	97
Automatic legal aid - Sheriff court	0	0	0	0	0	1
Total	292	1,314	4	0	1,610	1,564

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

Type	2024-2025			2023-2024		
	Received	Granted	Refused	Received	Granted	Refused
Expert witness	142	121	22	170	149	16
Unusual expenditure	53	37	15	33	23	10
Counsel	161	96	61	170	87	81
Total applications	356	254	98	373	259	107

Notes

1. Includes applications for prior approval in automatic legal aid cases.

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

Court	2024-2025			2023-2024		
	Received	Granted	Refused	Received	Granted	Refused
Sheriff Appeal Court	10	5	3	8	4	5
Court of Session	5	4	0	0	0	0
Total applications to SLAB in respect of appeals	15	9	3	8	4	5

Notes

1. Applications granted include part-grants.

4.7 Applications for prior approvals for appeals in children's legal aid cases

Type	2024-2025			2023-2024		
	Received	Granted	Refused	Received	Granted	Refused
Expert witness	0	0	0	0	0	0
Unusual expenditure	1	1	0	0	0	0
Counsel	11	10	1	5	4	1
Total applications for appeals	12	11	1	5	4	1

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

	Received	Granted	Part-granted
Total 2024-2025	631	460	10
Total 2023-2024	565	409	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 2024-2025 £000	Total paid 2023-2024 £000	Average case cost 2024-2025 £	Average case cost 2023-2024 £
Children's advice and assistance									
Children's Hearings (Scotland) Act 2011	1,143	123	1	3	4	127	123	111	116
Contempt of court	0	0	0	0	0	0	0	-	-
Transfer of agency	0	0	0	0	0	0	0	-	139
Witness citation	0	0	0	0	0	0	0	-	-
Total children's advice and assistance	1,143	123	1	3	4	127	123	111	116
Children's ABWOR									
Children's Hearings (Scotland) Act 2011	4,154	2,479	98	2	100	2,579	2,460	621	592
Total children's ABWOR	4,154	2,479	98	2	100	2,579	2,460	621	592
Total children's advice and assistance and ABWOR 2024-2025	5,297	2,602	100	5	104	2,707	-	511	-
Total children's advice and assistance and ABWOR 2023-2024	5,209	2,473	95	15	109	-	2,583	-	496

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 2024-2025 £000	Total paid 2023-2024 £000	Average case cost 2024-2025 £	Average case cost 2023-2024 £
Appeal decision of children's hearing	265	130	1	0	3	135	179	508	674
Appeal to Sheriff Appeal Court or Court of Session	11	9	16	1	4	30	15	2707	2,157
Application for a finding/review of finding as to statement of grounds	1,040	1,758	515	0	276	2,549	2,396	2451	2,282
Application for variation/recall/termination of child protection order	2	2	0	0	0	2	4	1135	891
Application to the sheriff by local authority for review	1	0	0	0	0	0	0	372	-
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	7	13	14	0	0	27	7	3884	727
Automatic legal aid - children's hearings	104	66	0	0	2	68	60	656	754
Automatic legal aid - Sheriff court	2	1	0	0	0	1	0	375	-
Total 2024-2025	1,432	1,979	547	1	285	2,812	-	1,963	-
Total 2023-2024	1,415	1,994	407	0	260	-	2,661	-	1,880