

2. Civil legal assistance

Appendix notes

- Figures for grants and refusals do not necessarily equal numbers of applications received, since decisions on applications received towards the end of one year may not be reached until the following year.
In addition applications can be abandoned before enough information has been provided for SLAB to take a decision. In such cases applications will neither be granted nor refused.
- Unless otherwise stated, the figures for accounts paid include VAT and were prepared on a cash basis.
- Outlays include all non-fee payments to solicitors and advocates - for example the cost of expert witnesses.
- Prior approvals were previously called sanctions.

2.1 Intimations of civil advice and assistance and ABWOR

Subject group	Subject matter	2024-2025	2023-2024
Family	Aliment/Child Support Agency	36	44
	Contact/parental	6,695	7,049
	Divorce	1,887	1,997
	Property/monetary	120	150
	Protective order	747	997
	Residence	1,903	1,926
	Separation	622	950
	Family/matrimonial - other	1,743	1,814
Total - family		13,753	14,927
Non-family	Adults with incapacity	2,409	2,592
	Antisocial Behaviour Orders (ASBO)	33	55
	Appeals - other	42	64
	Bankruptcy/petition by debtor	0	0
	Breach of contract	50	52
	Complaints against professional bodies	258	280
	Contempt of court	56	71
	Conveyancing	5	14
	Criminal Injuries Compensation Authority	82	102
	Discrimination	20	26
	Employment	59	104
	Fatal accident inquiries	9	19
	Hire purchase/debt	330	454
	Housing	1,322	1,245
	Human rights	5	6
	Immigration and asylum	16,316	16,328
	Judicial review	836	879
	Medical negligence	233	233
	Mental health	3,814	3,797
	Power of attorney	1,023	1,040
	Recovery of heritable property	829	884
	Reparation	223	289
	State benefit	1,086	1,497
	Wills/executry	333	371
	Other	638	853
Total - non-family		30,011	31,255
Total civil advice and assistance and ABWOR		43,764	46,182

2.2 Civil legal aid applications

Subject group and matter	Sheriff court		Sheriff Appeal Court		All-Scotland Personal Injury Court		Court of Session/ UK Supreme Court		Other courts		Totals	
	2024-2025	2023-2024	2024-2025	2023-2024	2024-2025	2023-2024	2024-2025	2023-2024	2024-2025	2023-2024	2024-2025	2023-2024
Family												
Appeals - family	1	0	23	43	0	0	10	1	0	0	34	44
Contact/parental	2,570	2,658	0	0	0	0	10	11	0	0	2,580	2,669
Divorce/separation	1,499	1,651	0	0	0	0	7	2	0	0	1,506	1,653
Property/monetary	187	253	0	0	0	0	7	0	0	0	194	253
Protective order	223	276	0	0	0	0	7	2	0	0	230	278
Residence	1,690	1,675	0	0	0	0	13	7	0	0	1,703	1,682
Family/matrimonial - other	1,396	1,315	0	0	0	0	17	31	0	0	1,413	1,346
Total civil legal aid applications - family	7,566	7,828	23	43	0	0	71	54	0	0	7,660	7,925
Non-family												
Adults with incapacity	6,588	6,729	0	0	0	0	0	1	0	0	6,588	6,730
Appeals - other	10	5	15	30	0	0	17	19	0	1	42	55
Breach of contract	11	20	0	0	0	0	0	0	0	0	11	20
Debt	38	75	0	0	0	0	0	2	0	0	38	77
Discrimination	3	6	0	0	0	0	0	0	0	0	3	6
Fatal accident inquiries	14	19	0	0	0	0	0	0	0	0	14	19
Housing/recovery of heritable property	673	622	0	0	0	0	146	156	4	2	823	780
Immigration and asylum	0	0	0	0	0	0	154	177	2	0	156	177
Judicial review	0	0	0	0	0	0	112	146	0	0	112	146
Medical negligence	7	6	0	0	17	18	27	18	0	0	51	42
Reparation	42	40	0	0	8	17	19	9	0	0	69	66
Other	168	241	0	0	0	0	28	31	1	7	197	279
Total civil legal aid applications - non-family	7,554	7,763	15	30	25	35	503	559	7	10	8,104	8,397
Total civil legal aid applications	15,120	15,591	38	73	25	35	574	613	7	10	15,764	16,322

2.3 Civil legal aid grants

Subject group and matter	Sheriff court		Sheriff Appeal Court		All-Scotland Personal Injury Court		Court of Session / UK Supreme Court		Other courts		Totals	
	2024-2025	2023-2024	2024-2025	2023-2024	2024-2025	2023-2024	2024-2025	2023-2024	2024-2025	2023-2024	2024-2025	2023-2024
Family												
Appeals - family	0	0	23	24	0	0	6	1	0	0	29	25
Contact/parental	2,105	2,076	0	0	0	0	7	10	0	0	2,112	2,086
Divorce/separation	1,301	1,414	0	0	0	0	6	3	0	0	1,307	1,417
Property/monetary	122	164	0	0	0	0	1	0	0	0	123	164
Protective order	153	174	0	0	0	0	6	1	0	0	159	175
Residence	1,375	1,327	0	0	0	0	8	7	0	0	1,383	1,334
Family/matrimonial - other	1,128	1,053	0	0	0	0	12	26	0	0	1,140	1,079
Total civil legal aid grants - family	6,184	6,208	23	24	0	0	46	48	0	0	6,253	6,280
Non-family												
Adults with incapacity	6,439	6,546	0	0	0	0	0	0	0	0	6,439	6,546
Appeals - other	6	2	14	21	0	0	11	13	1	0	32	36
Breach of contract	7	7	0	0	0	0	0	0	0	0	7	7
Debt	24	41	0	0	0	0	1	3	0	0	25	44
Discrimination	0	10	0	0	0	0	0	0	0	0	0	10
Fatal accident inquiries	11	19	0	0	0	0	0	0	0	0	11	19
Housing/recovery of heritable property	464	393	0	0	0	0	50	71	1	2	515	466
Immigration and asylum	0	0	0	0	0	0	100	129	0	1	100	130
Judicial review	0	0	0	0	0	0	86	101	0	0	86	101
Medical negligence	5	4	0	0	11	14	17	17	0	0	33	35
Reparation	17	21	0	0	8	6	5	4	0	0	30	31
Other	82	112	0	0	0	0	17	12	1	3	100	127
Total civil legal aid grants - non-family	7,055	7,155	14	21	19	20	287	350	3	6	7,378	7,552
Total civil legal aid grants	13,239	13,363	37	45	19	20	333	398	3	6	13,631	13,832

2.4 Grants of civil legal aid and means assessment

Subject group	Subject matter	No assessment required		Grants under Form 1		Grants with detailed means assessments (Form 2)				Totals	
		2024-2025	2023-2024	2024-2025	2023-2024	with zero contribution		with contribution		2024-2025	2023-2024
Family	Appeals - family	0	0	17	15	11	10	1	0	29	25
	Contact/parental	0	0	1,747	1,663	149	153	216	271	2,112	2,087
	Divorce/separation	0	0	1,163	1,250	39	45	105	123	1,307	1,418
	Property/monetary	6	9	86	121	12	9	19	25	123	164
	Protective order	0	0	129	141	10	10	20	24	159	175
	Residence	0	0	1,167	1,141	107	85	109	106	1,383	1,332
	Family/matrimonial - other	1	5	992	891	62	71	85	112	1,140	1,079
Total civil legal aid grants - family		7	14	5,301	5,222	390	383	555	661	6,253	6,280
Non-family	Adults with incapacity	6,278	6,356	89	113	64	72	8	5	6,439	6,546
	Appeals - other	0	0	20	14	9	21	3	1	32	36
	Breach of contract	0	0	4	6	2	0	1	1	7	7
	Debt	0	0	16	33	2	5	7	6	25	44
	Discrimination	0	0	0	7	0	1	0	2	0	10
	Fatal accident inquiries	0	0	6	12	1	1	4	6	11	19
	Housing/recovery of heritable property	0	0	455	418	36	18	24	30	515	466
	Immigration and asylum	0	0	11	7	75	119	14	4	100	130
	Judicial review	0	0	23	29	59	65	4	7	86	101
	Medical negligence	0	0	20	20	7	9	6	6	33	35
	Reparation	0	0	24	21	2	3	4	7	30	31
	Other	0	0	71	90	11	13	18	24	100	127
Total civil legal aid grants - non-family		6,278	6,356	739	770	268	327	93	99	7,378	7,552
Total civil legal aid grants		6,285	6,370	6,040	5,992	658	710	648	760	13,631	13,832

Note

1. This table shows whether contributions have been calculated at the grant of the civil legal aid application. The effect of post-certificate means assessments is not shown.

2. Grants under Form 1 include cases where applicants receive a passporting benefit or are applying on behalf of a child.

2.5 Redetermination of means assessments for the grant of civil legal aid. Number of cases by outcome type of last assessment in year

Outcome type	2024-2025	2023-2024
Zero contribution	101	84
With contribution	281	278
Ineligible	20	8
Total	402	370

2.6 Intimations of steps taken under regulation 18(1)(a) and certificates granted under regulation 18(1)(b) of the Civil Legal Aid (Scotland) Regulations 2002

(legal aid in matters of special urgency)

Type	2024-2025	2023-2024
Intimations under regulation 18(1)(a)	5,218	5,432
Certifications under regulation 18(1)(b)	3,065	3,129
Total	8,283	8,561

2.7 Analysis of full applications where legal aid was refused or abandoned at first instance

First instance decision	2024-2025	2023-2024
Refused on merits	1,276	1,399
Refused on means	74	77
Refused on both	4	4
Abandoned	268	330
Total refused or abandoned at first instance	1,622	1,810

Note

1. In this table and in table 2.9, refused on merits includes applications refused on the basis of no probable cause, or unreasonableness, or where the proceedings are statutorily excluded from civil legal aid.

2.8 Disposal of applications for review of decision to refuse legal aid

	Received	Allowed	Refused
Total 2024-2025	848	441	321
Total 2023-2024	991	536	323

2.9 Applications for civil legal aid and decisions by pursuer/defender

	2024-2025			2023-2024			Totals	
	Pursuer	Defender	Other	Pursuer	Defender	Other	2024-2025	2023-2024
Applications	8,975	2,661	4,128	9,402	2,806	4,114	15,764	16,322
Total grants	7,818	2,169	3,644	8,158	2,147	3,527	13,631	13,832
Refused on merits	709	269	298	787	339	273	1,276	1,399
Refused on means	44	19	11	46	13	18	74	77
Refused on both merits and means	3	0	1	2	1	1	4	4
Abandoned	120	79	69	154	103	73	268	330

2.10 Applications for prior approval in civil legal aid cases

Type	2024-2025			2023-2024		
	Received	Granted	Refused	Received	Granted	Refused
Counsel (advocates and solicitor advocates)	1,061	677	373	1,223	753	461
Expert witness/unusual expenditure	5,545	3,246	2,224	6,041	3,852	2,090
Templated approvals	593	567	0	658	636	0
Total	7,199	4,490	2,597	7,922	5,241	2,551

2.11 Applications for extensions of grants of civil legal aid

Type	2024-2025			2023-2024		
	Received	Granted	Refused	Received	Granted	Refused
Extensions with cost limitations on grants of civil legal aid	4,593	4,249	274	3,875	3,619	169
Other extension applications	1,546	775	106	1,709	882	140
Total	6,139	5,024	380	5,584	4,501	309

2.12 Applications for change of solicitor in civil legal aid cases

	Received	Granted	Refused
Total 2024-2025	1,132	997	12
Total 2023-2024	1,315	1,211	27

2.13 Accounts paid and average case costs - civil advice and assistance and ABWOR

Subject group	Subject matter	Number of cases	Solicitor outlays £000	Solicitor outlays £000	Counsel outlays £000	Total outlays £000	Total 2024-2025 £000	Total paid 2023-2024 £000	Average case cost 2024-2025 £	Average case cost 2023-2024 £
Family	Aliment/Child Support Agency	21	5	1	0	1	6	11	299	288
	Childrens (Scotland) Act	0	0	0	0	0	0	0	-	-
	Contact/parental	5,528	1,784	195	16	211	1,995	1,931	361	326
	Divorce	1,522	337	17	0	17	355	370	233	243
	Property/monetary	89	34	0	0	0	34	34	380	306
	Protective order	684	149	4	0	4	152	142	223	194
	Residence	1,569	536	17	2	20	556	472	354	325
	Separation	488	175	19	4	23	198	227	406	413
	Family/matrimonial - other	1,406	402	37	10	47	449	382	319	300
Total - family		11,307	3,422	291	32	323	3,745	3,568	331	308
Non-family	Adults with incapacity	1,883	306	8	0	9	315	331	167	177
	Antisocial Behaviour Orders (ASBO)	37	10	0	0	0	10	9	271	209
	Appeals - other	43	12	3	8	11	23	20	543	567
	Breach of contract	34	10	0	2	2	12	9	352	316
	Complaints about professional bodies	218	30	0	9	9	39	28	179	161
	Contempt of court	54	16	0	1	1	17	18	312	308
	Conveyancing	9	2	0	1	1	2	2	250	484
	Criminal Injuries Compensation Authority	69	11	6	1	6	17	24	252	312
	Discrimination	12	4	1	2	2	6	7	510	267
	Employment	48	57	9	6	15	72	91	1,500	1,439
	Fatal accident inquiries	9	3	0	0	0	3	4	326	444
	Hire purchase/debt	343	53	1	1	2	56	54	162	176
	Housing	1,131	171	39	8	48	218	140	193	248
	Immigration and asylum	9,541	9,928	4,105	267	4,372	14,300	11,992	1,499	1,815
	Judicial review	496	112	36	54	90	202	236	407	629
	Medical negligence	148	124	425	15	440	564	462	3,810	3,471
	Mental health	3,882	3,019	1,350	19	1,368	4,387	3,775	1,130	1,112
	Power of attorney	807	179	63	0	63	242	194	300	272
	Recovery of heritable property	608	139	8	8	15	154	130	253	249
	Reparation	186	51	54	14	68	119	179	639	771
	State benefit	909	126	25	2	27	153	273	169	209
	Wills/executry	274	38	5	3	7	45	42	165	142
	Other	494	98	14	23	37	135	110	274	185
Total - non-family		21,235	14,498	6,151	444	6,594	21,093	18,130	993	1,040
Total civil advice and assistance and ABWOR		32,542	17,920	6,442	476	6,918	24,838	21,698	763	748

2.14 Accounts paid and average case costs - civil legal aid

			Current Year Cost							Actual Case Cost				
		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 £	Average case cost 2024-2025 £	Average case cost 2023-2024 £	Median case cost 2024-2025 £	Median case cost 2023-2024 £
Subject group	Subject matter													
Family	Appeals - family	30	45	110	0	29	184	156	6,145	4,219	3,697	4,029	1,935	4,113
	Contact/parental	2,114	6,448	578	0	4,380	11,406	11,216	5,395	4,665	4,633	4,184	3,261	3,079
	Divorce/separation	1,310	2,045	122	0	467	2,633	2,584	2,010	1,847	1,717	1,635	804	787
	Property/monetary	160	411	75	0	202	688	644	4,303	3,600	3,572	3,092	2,223	2,053
	Protective order	141	331	13	0	188	532	522	3,773	3,033	2,748	2,078	1,558	1,382
	Residence	1,342	4,109	192	0	2,879	7,180	6,539	5,350	4,698	4,473	4,190	3,084	2,743
	Family/matrimonial - other	986	2,114	173	0	1,458	3,745	3,500	3,798	3,333	3,107	2,823	1,611	1,331
	Total civil legal aid - family	6,083	15,502	1,263	0	9,604	26,369	25,161	4,335	3,793	3,646	3,347	2,137	1,951
Non-family	Adults with incapacity	5,205	4,046	42	0	2,302	6,390	5,478	1,228	1,174	1,173	1,128	1,120	1,107
	Appeals - other	45	80	163	9	28	281	326	6,234	6,519	4,868	6,643	1,066	2,803
	Breach of contract	10	19	1	0	7	28	87	2,754	7,226	2,126	8,597	1,175	834
	Debt	38	104	31	0	4	139	108	3,657	2,289	3,865	2,256	1,079	1,168
	Discrimination	1	8	11	0	7	26	51	25,990	8,483	15,428	9,403	15,428	5,970
	Fatal accident inquiries	13	191	236	0	13	440	142	33,821	20,324	21,280	15,141	9,687	4,351
	Housing/recovery of heritable property	459	207	52	15	32	306	257	668	599	584	552	329	290
	Immigration and asylum	113	150	148	0	73	371	470	3,287	3,178	3,224	3,261	3,029	2,949
	Judicial review	100	150	180	9	69	407	466	4,070	4,236	4,123	4,159	2,828	2,168
	Medical negligence	40	1,299	943	0	512	2,753	2,733	68,831	80,369	72,731	52,798	25,768	23,342
	Reparation	49	446	308	0	179	933	1,502	19,039	23,109	16,988	23,932	5,854	5,973
	Other	164	307	139	0	80	526	462	3,207	2,702	2,571	2,424	910	702
	Total civil legal aid - non-family	6,237	7,007	2,254	33	3,306	12,600	12,082	2,020	2,103	1,924	1,899	1,089	1,086
	Total civil legal aid 2024-2025		12,320	22,509	3,516	34	12,910	38,969	-	3,163	-	2,775	-	1,295
Total civil legal aid 2023-2024		12,378	22,449	3,176	23	11,595	-	37,242	-	3,009	-	2,675	-	1,277

Notes

1. Current Year Cost is the total cost of all payments made in the financial year. Actual Case Cost statistics are based on the lifetime cost of cases (payments to ??????), for cases with a main solicitor payment in the financial year.

2. Reparation cases include those paid in terms of the extra-statutory concession and of regulation 3 (as amended) of the Civil Legal Aid (Scotland) (Fees) Regulations 1989, where the legal representatives have elected to opt for the party and party expenses recovered from the opponent.

2.15 Accounts paid and average case costs - civil legal aid by court

Current Year Cost ¹										Actual Case Cost			
	Number	Solicitor	Advocate	Solicitor	Total	Total	Total	Average	Average	Average	Average	Median	Median
	of cases	£000	£000	advocate	outlays	paid	paid	case cost	case cost	case cost	case cost	case cost	case cost
Court				£000	£000	2024-2025	2023-2024	2024-2025	2023-2024	2024-2025	2023-2024	2024-2025	2023-2024
						£000	£000	£	£	£	£	£	£
Sheriff court	11,872	20,292	1,390	0	11,858	33,540	31,058	2,825	2,615	2,439	2,376	1,276	1,258
Sheriff Appeal Court	46	79	136	0	23	237	171	5,162	3,291	3,721	2,608	965	1,983
All-Scotland Personal Injury Court	24	268	172	0	96	536	565	22,346	22,592	22,518	24,541	6,128	9,562
Court of Session / UK Supreme Court	371	1,861	1,817	34	933	4,644	5,411	12,518	12,914	12,146	9,746	2,996	2,820
Other courts	7	9	1	0	0	10	37	1,475	5,291	1,356	10,010	383	4,512
Total all courts	12,320	22,509	3,516	34	12,910	38,969	37,242	3,163	3,009	2,775	2,675	1,295	1,277

Note

1. Current Year Cost is the total cost of all payments made in the financial year. Actual Case Cost statistics are based on the lifetime cost of cases (payments to ????????), for cases with a main solicitor payment in the financial year.

2.16 Accounts paid under special urgency

	Number of cases	Solicitor £000	Advocate £000	Solicitor advocate £000	Total outlays £000	Total paid £000	Average case cost £
Totals 2024-2025	499	164	58	8	79	309	619
Totals 2023-2024	550	191	61	6	107	364	663

Notes

- These accounts are paid when urgent work has been carried out but where legal aid has not been granted, in certain circumstances full legal aid will subsequently be granted.
- The amounts shown in this table are also included in the figures in tables 2.14 and 2.15.